

Scheme Of Delegation

2023 - 2024



Vision



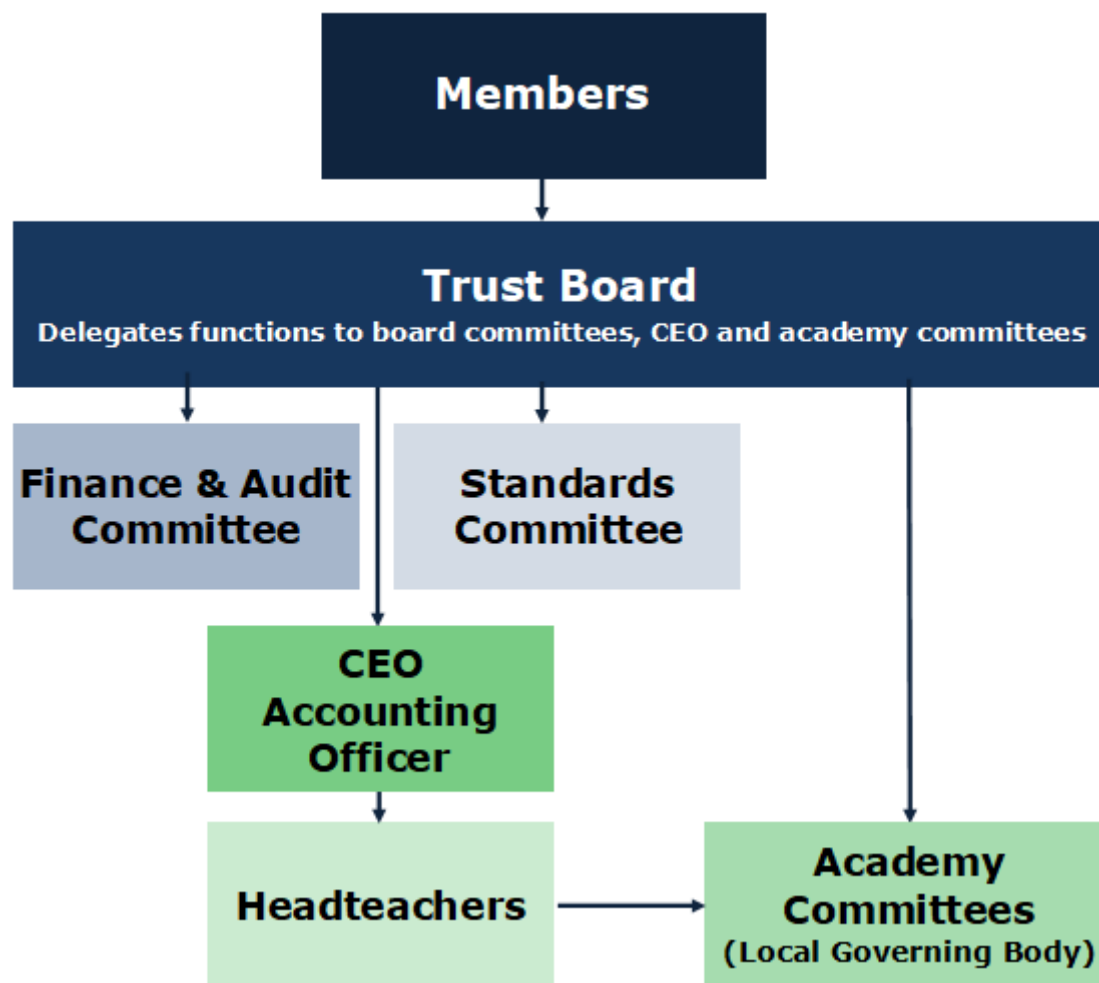
Mission: Expecting more than others think possible

The Rose Learning Trust, a local solution where leaders hold each other to account for the collective performance of the trust

A trust in which schools seek to support and productively challenge each other to improve outcomes and life chances for all of its children in all it's communities

A trust which shapes the educational future rather than being shaped by events

Governance structure and lines of accountability



The board of trustees is responsible for three core governance functions

The board of trustees appoint the Chief Executive Officer (CEO), to whom it delegates:

- Ensure clarity of vision, ethos, and strategic direction.
- Hold the executive to account for the educational performance of the trust's schools and their pupils, and the performance management of staff.
- Oversee the financial performance of the trust and make sure its money is well spent.

The board constitutes committees for finance, audit and risk and education standards; these look in detail at resources and progress and attainment across the trust. As board committees, at least three trustees must sit on each.

The board delegates some of its school level monitoring and scrutinising functions to Local Governing Bodies (LGBs) and uses these committees to promote stakeholder engagement and as a point of consultation and representation. Trustees do not sit on LGBs, and so lines of communication to the board of trustees must be clearly established. It is usual for the CEO to seek input from the chair of the LGB when undertaking the headteacher's performance management.

As the headteacher is being line managed by the CEO, the LGB no longer carries out the governance function of holding the headteacher to account. However, they must be confident that the trust's performance management systems are working well, and if not, how they can make the trust aware of their concerns.

Roles and Responsibilities

The role of the members

The members of the trust are guardians of the governance of the trust and as such have a different status to trustees. Originally, they will have been the signatories to the memorandum of association and will have agreed the trust's first articles of association (the legal document which outlines the governance structure and how the trust will operate). The articles of association will also describe how members are recruited and replaced, and how many of the trustees the members can appoint to the trust board. The members appoint trustees to ensure that the trust's charitable object is carried out and so must be able to remove trustees if they fail to fulfil this responsibility. Accordingly, the trust board submits an annual report on the performance of the trust to the members. Members are also responsible for approving any amendments made to the trust's articles of association.

The role of the trustees

The trust is a charitable company and so trustees are both charity trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors. Because trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. The trust uses the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are neither company directors nor trustees.

The trustees are responsible for the general control and management of the administration of the trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement, it is legally responsible and accountable for all statutory functions, for the performance of all schools within the trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements. In addition, it must carry out the three core governance functions:

- Ensure clarity of vision, ethos, and strategic direction.
- Hold the executive to account for the educational performance of the trust's schools and their pupils, and the performance management of staff.
- Oversee the financial performance of the trust and make sure its money is well spent.

The board of trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

The role of the trust board committees

The trustees may establish committees to carry out some of its governance functions which may include making decisions, although any decisions made will be deemed decisions of the trust board. The membership (there must be at least three trustees) and responsibilities of board committees are set out in the committee's terms of reference. It is usual for the trust board to appoint board committee chairs and committee members according to their skills.

The Academy Trust Handbook makes it clear that the board of trustees 'must appoint an audit and risk committee (either a dedicated committee or combined with another committee) to advise on the adequacy of the trust's controls and risks'.

The Role of the Chief Executive Officer (CEO)

The CEO has the delegated responsibility for the operation of the trust including the performance of the trust's academies and so the CEO performance manages the academy head teachers.

The CEO is the accounting officer so has overall responsibility for the operation of the academy trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability, avoiding waste, and securing value for money.

The CEO leads the executive management team of the academy trust. The CEO will delegate executive management functions to the executive management team and is accountable to the trust board for the performance of the executive management team.

The Role of the Local Governing Bodies (LGB)

The trustees establish LGBs to carry out some of its school level governance functions.

Delegated functions include:

- Building an understanding of how the school is led and managed
- Monitoring whether the school is working within agreed policies and is meeting the agreed targets
- Managing its finances well
- Engaging with stakeholders
- Being a point of consultation and representation; reporting to the board

As the LGB is a committee of the board, delegation can be removed at any time.

The Role of the Academy Headteacher

The academy headteacher is responsible for the day-to-day management of the academy and is managed by the CEO. The headteacher reports to the LGB on matters which have been delegated to it which may include an element of monitoring and scrutiny of the school’s management processes.

Key

R	Responsible	Responsible for the delivery. Does the work to achieve the task. Can be shared between groups/individuals.
A	Accountable	Ultimately answerable for the task being delivered. Delegates the task to those responsible. There should be only one group/person accountable for each task/decision in the majority of cases.
C	Consulted	Needs to be actively involved before the decision is made. Communication is two-way – these are important stakeholders or have relevant specialist knowledge in the subject.
I	Informed	Those to be kept up-to-date on progress. Communication is one-way, and may be updated only when the decision has been taken or the task completed.
References to the CEO include members of the central team to whom the CEO will delegate		

1. Strategy and Leadership		Delegation						
		Members	Trust Board	Finance & Audit Committee	Standards Committee	CEO	LGB	Academy Headteacher
1.1	Setting (and reviewing) the Trust’s vision and strategic plans, agreeing key priorities against which progress can be monitored		A			R	C	C
1.2	Setting (and reviewing) each academy’s vision and strategic plans (aligning with those of the Trust), agreeing key priorities against which progress can be measured					C	A	R

2. Education		Delegation						
		Members	Trust Board	Finance & Audit Committee	Standards Committee	CEO	LGB	Academy Headteacher
2.1	Educational performance of Academies				I	A	R	R
2.2	Educational performance of the Trust		A		C	R		
2.3	Approval of Developing Excellence Plans and SEFs					C	A	R
2.4	Development of curriculum and assessment, with reference to statutory requirements				I	C	C	A
2.5	Determining and changing school hours and term dates					A	C	R
2.6	Determining and changing the start and finish of the school day					C	A	R
2.7	Determine internal categorisation of individual academy					A		C

R	Responsible	A	Accountable	C	Consulted	I	Informed
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3. Safeguarding and SEND		Delegation						
		Members	Trust Board	Finance & Audit Committee	Standards Committee	CEO	LGB	Academy Headteacher
3.1	To develop, implement and review Safeguarding Policies and arrangements		A		C	R	R	R
3.2	Compliance with SEND Code of Practice (Children’s & Families Act)		A		C	R	R	R
3.3	Suspension and exclusion of pupils – CEO must be informed of proposed permanent exclusions					C	C	A

4. Parents, Community and Stakeholder Engagement		Delegation						
		Members	Trust Board	Finance & Audit Committee	Standards Committee	CEO	LGB	Academy Headteacher
4.1	Responsibility for delivery of the Academy’s Admissions Policy		A			C	C	R
4.2	Maintaining effective engagement and communications with parents, the wider community and local partnerships						A	R
4.3	Manage relations with Local Authority:							
	Academy operations						R	A
	Strategic relations					A	I	C
4.4	Manage relations with RSCs, ESFA & DfE		A			R		
4.5	Manage relations with media:							
	Routine Academy matters							A
	Significant Academy matters / Trust matters					A		C
4.6	Determine Academy identity and branding					C	A	R

R	Responsible	A	Accountable	C	Consulted	I	Informed
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5. Estates and Asset Management		Delegation						
		Members	Trust Board	Finance & Audit Committee	Standards Committee	CEO	LGB	Academy Headteacher
5.1	Premises Management & Capital Investment: Development of and adherence to Academy Estates Development Plans		I	C		A	C	R
	Premises Management & Capital Investment: Development and Implementation of Trust's Capital Strategy		A	C		R	I	C
5.2	Compliance with all aspects of H&S Policy and Regulation		A	R		R	R	R
5.3	Provision of adequate insurances					C	A	R
5.4	Responsibility for premises security					C	A	R

6. Governance		Delegation						
		Members	Trust Board	Finance & Audit Committee	Standards Committee	CEO	LGB	Academy Headteacher
6.1	Amending Articles of Association	A	R					
6.2	Changes to other constitutional documents		A			R		
6.3	Changes to Master Funding Agreement		A			R		
6.4	Appointment of LGB members					C	A	C
6.5	Removal of LGB members		A			C	C	C
6.6	Appointment and removal of Chairs of LGBs		A				R	
6.7	Disband an ineffective LGB and appoint an Interim Advisory Board (IAB)		A			C		C
6.8	Approval of Trust-wide policies (<i>See Appendix 2</i>)		A	A	A	R	I	I
6.9	Approval of statutory Academy policies (<i>See Appendix 3</i>)						A	R
6.10	Ensuring that statutory documents/information are up to date and published on each Academy's website (link to Trust's website)						A	R

R	Responsible	A	Accountable	C	Consulted	I	Informed
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6.11	Making a <i>Significant Change</i> (See appendix 4)		A			R	C	C
6.12	Academy conversions and sponsorship		A			R		
6.13	Compliance with Academy Trust Handbook		A	R	R	R	R	R
6.14	Maintaining Register of Interests and details of related party		A			R	R	
6.15	Members - appoint and remove	A						
6.16	Trustees - appoint and remove	A	A					
6.17	Chair of trust urgent action in exceptional circumstances		A					

7. Finance, Audit and Risk		Delegation						
		Members	Trust Board	Finance & Audit Committee	Standards Committee	CEO	LGB	Academy Headteacher
7.1	Approval of financial regulations which conform with the academy trust handbook		A	C		R		
7.2	Approval of academy financial procedures which conform with the trust financial regulations						A	R
7.3	To establish financial decision levels and limits		A	C		R		
7.4	Safeguard public funds and comply with all requirements of the Trust Financial Regulations		A	R	R	R	R	R
7.5	Agree the annual budget and subsequent two year financial forecasts:							
	Trust wide budget proposals		A	C		R		
	Trust central services charge		A	C		R		
	Academy budget recommendations					C	A	R
7.6	Management of the Trust’s financial position		A	C		R		
7.7	Day to day management of the Academies financial positions					C	A	R

R	Responsible	A	Accountable	C	Consulted	I	Informed
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7. Finance, Audit and Risk		Delegation						
		Members	Trust Board	Finance & Audit Committee	Standards Committee	CEO	LGB	Academy Headteacher
7.8	Agree changes to financial plans where costs contained within the approved in-year financial position:							
	Additional income – including any associated spend requirements					I	I	A
	Premises					C	A	R
	Other spend					I	I	A
	Changes to staffing structure: Within approved total staffing budget					I	I	A
	Changes to staffing structure: Outside of approved total staffing budget					A	C	R
7.9	Agree changes to financial plans adversely impacting on the approved in-year financial position					C	A	R
7.10	Approval of loans to Academies from Trust reserves		A	C		R		
7.11	Appointment of external auditors	A	C	C		R		
7.12	Appointment of internal auditors and agree annual plan		A	C		R		
7.13	Risk Management		A	C		R	C	R
7.14	Ensuring compliance with Data Protection / GDPR policies and regulations		A	C		R		R
7.15	Auditing and reporting arrangements for matters of compliance			A		R	R	R

R	Responsible	A	Accountable	C	Consulted	I	Informed
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8. People and Performance		Delegation						
		Members	Trust Board	Finance & Audit Committee	Standards Committee	CEO	LGB	Academy Headteacher
8.1	Recruitment and appointment of Headteacher					A	C	
8.2	Suspend (including ending suspension) and dismiss headteacher					A	C	
8.3	Recruitment and appointment of CEO/Accounting Officer		A					
8.4	Suspend (including ending suspension) and dismiss CEO		A					
8.5	Recruitment, appointment and dismissal of Governance Professional		A			I		
8.6	Recruitment and appointment of Chief Finance Officer		A			R		
8.7	Suspend (including ending suspension) and dismiss CFO		A					
8.8	Recruitment and appointment of other members of Executive Team		C			A		
8.9	Suspend (including ending suspension) and dismiss members of Executive Team		C			A		
8.10	Determine annual pay awards (ie. inflation, considering nationally negotiated settlements).		A	C		R		
8.11	Performance Management, Appraisal & Remuneration of CEO		A			C		
8.12	Performance Management, Appraisal & Remuneration of Other Executive Team members		A			R		
8.13	Performance Management, Appraisal & Remuneration of Headteachers					A	C	
8.14	Performance Management, Appraisal & Remuneration of other Academy personnel						A	R
8.15	Performance Management, Appraisal & Remuneration of Central Team personnel					A		
8.16	Employee severance arrangements :							
	Negotiations					A		C
	Entering Agreements (NB: agreements exceeding £50k require prior ESFA approval)			I		A		I

R	Responsible	A	Accountable	C	Consulted	I	Informed
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Appendix 1 - Financial Regulations – Executive Summary

Academies must be aware of all aspects of the Financial Regulations in order to discharge their financial management responsibilities in line with the DFE and Trust requirements.

Financial Management

- Agree to not spend outside of the approved budget plan without subsequent prior approval of the Governing Body – Per the Scheme of Delegation.
- Not set a deficit budget without approval of the Board (including going into deficit in-year).
- Notify the CFO of any proposed leases before they are entered into.
- Ensure an official purchase order is used in line with section 18 of the financial regulations for supplies of goods, work and services, ensuring all appropriate authorisations are obtained.
- Ensure obtain quotes for **all** goods and services over £5,000.
- Maintain an asset register and ensure annual reconciliation back to actual items.
- Notify CFO immediately of any suspected theft, misappropriation or fraud.
- Notify CFO of any instances where the Procurement and Tendering Policy has not been followed.

Related Party Transactions

- Must notify the CFO of any transactions with related parties prior to the transaction taking place (Require ESFA notification and/or approval).

Payroll

- All salary adjustments for each month should be summarised and signed off by the Headteacher prior to processing (Payroll Report).
- Payroll reports should be compared to the budgeted payroll costs and material variances investigated. Payroll reports must be signed off by the Headteacher.
- The Headteacher must sign all new starter forms and leaver forms.

Insurance

- Must notify CFO of any insurance claims.

The full Trust Financial Regulations can be located by clicking [here](#) .

Appendix 2

TRUST POLICIES	To be updated	APPROVING BODY
Admission arrangements (These are also published on the trust website)	Annually	Full Board
Complaints	Annually	
Data Protection	Annually	
Equality and Diversity	4 yearly	
Equality information and objectives	4 yearly	
Financial Regulations	Annually	
Health & Safety	Annually	
Pay policy	Annually	
Procurement	Annually	
Reserves	Annually	
Risk Management	Annually	
Trust Safeguarding and Child Protection	Annually	
Acceptable Use	Annually	Finance, Audit and Risk
Access control	Annually	
Annual leave and leave of absence	Annually	
Anti Malware	Annually	
Appraisal of support staff	Annually	
Appraisal of teaching staff	Annually	
Business Continuity Policy	Annually	
Capability of staff	Annually	
Data handling and lawful basis for processing	Annually	
Data Retention	Annually	
Flexible working	Annually	
Low level concern	Annually	
Maternity/Paternity/Adoption & shared parental leave	Annually	
Menopause	2 yearly	
Probationary	4 yearly	
Publication Scheme and FOI	Annually	
Records Management and Retention Schedule	Annually	
Safer Recruitment	Annually	
Sickness absence	4 yearly	
Staff Code of Conduct	Annually	
Staff Discipline at work	4 yearly	
Staff Grievance	4 yearly	
Supporting employees with gender reassignment	2 yearly	
Transgender and supporting guidance for pupils	2 yearly	
Trustee and Governance allowance	Annually	
Whistleblowing	Annually	

Appendix 3

DFE POLICIES TO BE PUBLISHED ON WEBSITE (updated annually)	APPROVED BY
Accessibility Plan Anti bullying Attendance (adapting trust template) Behaviour policy and practice Charges and Remission Early Years Foundation Stage First Aid Safeguarding and Child Protection policies and procedures School suspensions and permanent exclusion Relationships and sex education Special educational needs and disability Uniform	Local Governing Body

Appendix 4 - Significant change

Academy trusts proposing to make a significant change must submit a proposal for change and follow the required process with the Department for Education, in advance of the change being made. Failure to do so will constitute a breach of their Funding Agreement (FA), which could result in further action by the Department for Education to address the breach. Changes categorised as a 'significant change':

- Expansion of physical capacity (premises enlargement)
- Expansion onto an additional or satellite site
- Changes affecting SEN units or resourced provision (including adding a resourced provision)
- Change of lower or upper age limit (including adding a nursery)
- Amalgamating or de-amalgamating with another academy
- Transfer to or acquiring another site
- Change of gender composition