



The White Hills Park Trust
A Culture of Excellence

Scheme of Delegation

Scheme of delegation

Updated September 2021

Principles of the scheme of delegation

The Trust is governed by the Trust Board and will:

1. Ensure clarity of vision, ethos and set the strategic direction of the Trust.
2. Hold Executive leaders, Local Governing Bodies (LGBs) and academies to account to ensure the highest quality educational provision, safeguarding and equality of opportunity for all its pupils and effective support and performance management of staff.
3. Ensure effective financial performance by implementing a robust scheme of delegation.
4. Consult LGBs on proposals for membership, structure, terms of reference for LGBs and sub-committees; on arrangements for the recruitment and appointment of governors; and the introduction of the Trust's multi-academy governance arrangements before decisions are made.
5. Take appropriate action, including full or partial withdrawal of delegated authorities to individuals, groups and LGBs should the individual, group, or LGB fail to carry out their duties and responsibilities effectively in line with the Scheme of Delegation.
6. Operate in partnership and support LGBs and academies to improve outcomes: the Trust will consult over arrangements that directly affect LGBs and individual academies.
7. Implement effective arrangements for monitoring and evaluating the performance of LGBs and academies.

Academies in the Trust will:

1. Act in accordance with the Trust Board scheme of delegation and make decisions on the strategic and tactical direction and policies affecting the day to day operation of the academy.
2. Report regularly to the Trust Board on the quality of educational provision, safeguarding and equality of opportunity for all its pupils and effective support and performance management of staff.

Purpose of the Scheme of Delegation:

- Ensure that those responsible for governance and leadership are clear about which decisions remain in the control of the Trust Board
- Ensure that the role of the executive leadership is fully understood throughout the Trust
- Promote a culture of honesty and accountability
- Identify responsibility for the appointment and performance management of the Chief Executive Officer and academy Head Teachers
- Identify responsibility for policy and practice in each academy
- Identify responsibility for oversight of each academy's budget
- Identify responsibility for assessment of risk in each academy
- Identify responsibility for oversight of educational performance in each academy

ROLES AND RESPONSIBILITIES

MEMBERS

As charitable companies limited by guarantee, the members have a similar role to the shareholders of a company. The role of Members and Trustees are separate in order to achieve robust accountability. Members are the subscribers to the Trusts memorandum of association (MA) and have ultimate control over the multi-academy trust, with the ability to:

- Amend the Articles of Association (AA's), subject to restrictions in the articles, funding agreement or charity laws
- Appoint/remove/suspend existing Members
- Appoint/remove/suspend existing Trustees
- By special resolution, issue direction to Trustees to take a specific action which may have implications for the LGBs
- Appoint the Trusts external auditors and receive/approve the financial statement and annual report.
- Change the name of the company and ultimately wind up the Academy Trust

TRUSTEES

The Trustees are both charity trustees and company directors. Academy Trusts are charitable companies and the trustees must comply with company law requirements. The duties are largely the same as those of a governor of a maintained school, such as regularly attending meetings, managing conflicts of interest, seeking advice from the academy's leadership team and ensuring the academy has appropriate procedures in place for reporting financial information.

Trustees have responsibility for 3 core governance functions:

- ensuring clarity of visions, ethos and setting the strategic direction,
- holding executive leaders to account for the educational performance of the organisation and its pupils and the performance management of staff
- ensuring effective financial performance
- *Accountable for all the trust's statutory functions and for the performance of all its schools / academies*

The Trustees set the strategic direction of the Trust by having the following accountability:

- Set the vision, values, aims and objectives for the Trust
- Agree the policy framework for LGBs to implement to achieve those aims and objectives
- Appoint/remove/suspend existing Governors of the LGB
- Review the Trust scheme of delegation arrangements annually
- Elect a chair, vice chairs and any other officers of the Trust

Trustees provide challenge and support by monitoring, reviewing and evaluating:

- LGB and academy progress towards the Trust annual priorities as detailed in the strategic plan
- The effectiveness of the Trust in relation to external benchmarks
- The implementation and effectiveness of the policy framework by the LGB and academy
- The extent to which statutory duties have been met by the LGBs and academy

Trustees ensure accountability by:

- Ratifying the annual evaluation of academy effectiveness through scrutiny of QA evidence / KPIs
- Holding the Chief Executive Officer to account for the performance of the academies within the Trust including finance and the achievement of students
- Responding to OFSTED and other commissioned reports where necessary
- Establishing the framework through which parents and students are involved, consulted and informed
- Making available information to the community

TRUST BOARD

Trustees are appointed based on the skills set required to govern and reviewed through regular audit. Key skills include leadership, pedagogy, finance, commercial, business, HR, curriculum, communication, digital, legal and strategy.

In addition, all Trustees demonstrate the following skills and attributes:

- Maintain a constant focus on what's best for the Trust, academies, pupils and staff by challenging in a constructive manner, asking probing questions and ensuring alignment to the strategic picture, in terms of both the Trust and the academies within it.
- Understand and effectively carry out their roles, responsibilities and accountabilities, with the ability to consider dynamic and innovative options.
- Understand the financial and the business elements of leading a Trust, as well as the legal aspects of the role and how the Trust and the business work.
- Work as part of a team and accept shared responsibility and accountability, as well as undertaking frequent self-evaluation in order to remain effective.
- Act with a strong moral purpose, integrity and honesty, and as an advocate for the Trust's values, ethos and philosophy.
- See and make the most of opportunities that are outside the day-to-day practices of the Trust or academy.
- Be innovative, creative and open-minded by engaging in futures thinking.
- Interpret data and monitor performance expertly
- Trustees will act in accordance with the agreed Code of Conduct at all times

TRUST AUDIT AND RISK COMMITTEE

The Audit and Risk Committee is a sub-committee of the Trust Board, comprising a minimum of three members, appointed annually by the Trust Board. The role of the committee is to support the work of the Board by considering in greater detail items related to the management of strategic risk and the financial operation of the Trust and making recommendations to the Board. Duties of the committee include:

- Formulating / review of Trust and academy budgets
- Review of Trust Accounts
- Review Risk Register
- Determining the Trust Financial Model and policy
- Ensuring financial compliance
- Overseeing buildings maintenance and construction plan
- Monitoring Health and Safety

N.B. There is a separate Scheme of Delegation which sets out the relationship between the Trust Board and the Audit and Risk Committee.

GOVERNORS – THE LOCAL GOVERNING BODY (LGB)

Individuals who sit on a LGB are referred to as Governors, since Trustees delegate governance functions to the local level.

The LGB must meet and report to the Trust at least 3 times a year to assure that there is the highest quality education provision, safeguarding and equality of opportunity for all its pupils and effective support and performance management of staff.

Through formal reviews the LGB would be expected to robustly consider areas such as; quality of leadership; teaching, learning and assessment; culture and ethos; educational outcomes, standards and progress; quality of the curriculum offer; recruitment and retention levels of students and teachers and behaviour and welfare.

The LGB considers:

- The academy Head Teacher's Report – self-evaluation against current OFSTED criteria and any other criteria set by the LGB or the Trust
- Impact of key actions undertaken from the Academy Improvement Plan
- Monitoring activities undertaken by the academy and Governors
- Local and contextualised issues
- Recommendations to/direction from the Trust Board

Membership

The Trust expects the LGB to represent the community it serves and, as well as the skills set, the LGB is expected to demonstrate that it has actively sought to create a diverse membership that includes:

- Chair
- Vice
- Head Teacher of the academy
- At least 2 staff members
- At least 2 parents
- Any other number as required by the LGB

CHIEF EXECUTIVE OFFICER (CEO)

The Trust Board delegates responsibility for delivery of the vision and strategy to the CEO. The Trust Board will hold the CEO to account for the performance of the trust, including performance of the academies within the trust. The CEO in turn holds other senior executives to account by line managing them.

The CEO has the delegated responsibility for the operation of the trust including the performance of Trust academies and so the CEO performance manages the Academy Head Teachers. As there is delegation to the LGB this usually takes place alongside the LGB chair.

The CEO is the accounting officer so has overall responsibility for the operation of the 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.

ACADEMY HEAD TEACHER

The Academy Head Teacher is responsible for the management of the academy and is managed by the CEO but reports to the LGB on matters which have been delegated to the LGB.

ACADEMY COMMITTEE

The Academy Committee is an advisory body that provides the link between the Trust Board and the LGB. Membership comprises a representative of the Trust Board (usually the Chair), a representative of each Academy LGB (usually the Chair), the CEO and the Operations Director. Other members of the Trust Executive Team attend committee meetings in an advisory role as and when required.

TRUST STRATEGIC LEADERS

Senior Leaders from the Trust Executive consider medium and long term strategy and make recommendations to the Trust Board. The group evaluates the work of the Trust Team and the model of support and challenge provided to schools. This group provides strategic direction to the Trust Executive Team. It also makes recommendations for the Trust growth strategy.

ACADEMY LEADERS

All Head Teachers meet regularly with Trust Executive Leaders to discuss and review operational issues and Trust School Improvement support. This is the key communication forum for Head Teachers and senior leaders across the Trust.

SCHEME OF DELEGATION MATRIX

The following matrix is based on the legal documents that inform the management and running of the Trust namely:

- The Articles of Association of the Trust
- The Master Funding Agreement
- Supplementary Funding Agreements relative to each Academy
- The Academy Financial Handbook
- Scheme of Delegation
- Advice and guidance of the DfE and/or the ESFA

KEY

R	RESPONSIBLE	The person / group who actually carries out the process or task assignment; responsible for getting the job done
A	ACCOUNTABLE	The person / group ultimately accountable for the process or task being completed appropriately; responsible person (s) are accountable to this group
C	CONSULTED	People who are not directly involved with carrying out the task, but are consulted and may contribute to the shaping
I	INFORMED	Those who receive information about the process or task, or need to stay informed

* Delegated wholly or in part to the Audit and Risk Committee. The Trust Board retains accountability.

** Delegated to a panel comprising a minimum of 3 members of either the Trust Board or the relevant

academy's LGB. If not possible then Trustees or members of the LGB of any academy may complete the panel.

*** Delegated to the Pay Committee appointed by Trust Board.

TRUST / ACADEMY LINK

The Scheme of Delegation matrix depends upon effective and timely communication and liaison within and between the Trust and each academy, and identifies the lead responsibility for each duty. Roles are abbreviated as follows:

AC	Academy Committee	CEO	Chief Executive Officer
TOD	Trust Operations Director	TGM	Trust Governance Manager
TFM	Trust Finance Manager	THPE	Trust Head of Property and Estates
TA	Trust Accountant		

Governance	Members	Trust Board	Chief Executive Officer	Local Governing Body	Academy Head Teacher	Trust / Academy Link
Appoint new or remove existing Members.	A, R					
Amend the Articles of Association.	A, R					
Appoint/remove Trustees.	A, R					
Appointment of Governors – ensuring processes in place for appointment of governors (including ensuring that the Governors have the skills to run the Academies).		A	C	R	C	AC
Appointment of Trust external auditors.	A		R			
Appointment of Trust internal auditors.		A*	R			
Appointment of Trust Board Company Secretary.		A*	R			
Appointment of Clerk to Local Governing Board.		I	R	C	I	TGM
Appointment of Chairs of LGB.		A		R	I	AC
Prepare scheme of delegation for LGBs.		A/R	C	I	I	AC
Implement training programme for Trustees and LGBs.		A	R	I	I	TGM

Educational Effectiveness	Members	Trust Board	Chief Executive Officer	Local Governing Body	Academy Head Teacher	Trust / Academy Link
Ensuring appropriate levels of support, challenge and intervention to support delivery of education outcomes.		A	R	C	C	CEO
Establishing Trust Curriculum Policy.		A	R	C	C	AC
Reviewing and challenging the value for money of the use of Pupil Premium and other dedicated funding.		C	C	A	R	CEO
Setting term dates and length of the academy day.		A	R	C	C	AC
Ensure school lunch is provided to appropriate nutritional standards.				A	R	TOD
Ensure provision of free school meals to those meeting criteria.				A	R	TOD
Agreeing formal collaborations and partnership.	I	A	R	C	C	AC
To hear pupil exclusions representations and determine outcome.		R**		R		CEO
To annually review the Behaviour Policy and Anti-Bullying Policy and use the exclusion data in comparison with local and national data.				A	R	
To appoint a Clerk to the Disciplinary Committee (who is not a Member, Trustee, Governor or the Chief Executive Officer).		I	R			

Finance, operations and asset management	Members	Trust Board	Chief Executive Officer	Local Governing Body	Academy Head Teacher	Trust / Academy Link
Determining and allocating the central services provided to the Academies by the Trust.	I	A*	R	C	C	AC
Overseeing the effectiveness of services provided centrally by the Trust.		A*	R	C	C	AC
Determining use of Academies' premises and ensuring premises are adequately maintained.		A*	R	C	C	TOD
Determining Trust insurance arrangements.		A*	R			
Overseeing media and public relations activities.		I	A, R	C	C	TOD
Preparing Academy Prospectus and updating website.			I	A	R	TOD
Ensuring Academy websites meet statutory requirements.		A	R	I	I	TOD
Determining and overseeing the overall buildings replacement and maintenance schedule and plan.		A*	R	C	C	THPE
Agreeing Trust funding model including individual funding arrangements for Academies including scheme of delegation of financial authority.	I	A*	R	C	C	AC
Formulating and setting the 3- 5 year Trust budget	I	A*	R	C	I	AC
Formulating and setting Academy budgets.		I*	I	A	R	TFM / TA
Approval of Academy budgets.		A*	R			
Ensuring delivery of academy annual budgets (including managing Academy cash flow).		I*	I	A	R	TFM TA
Ensure preparation of statutory annual accounts.		A*	R			
Acquiring and disposing of Trust land.	C	A*	R	I	I	AC
Changing use and disposal of Assets.	C	A*	R	I	I	AC
Agreeing the investment policy in line with the Academies Financial Handbook.	C	A*	R			
Establishing Trust procurement policies.		A*	R	I	I	AC
Approval of borrowing.	C	A*	R			
Ensuring VAT compliance.		A*	R			
Compliance: Funding Agreement – comply with all obligations including the Master and Supplementary Funding Agreements and the Academies Financial Handbook.	A	A*	R			
Compliance: Regulatory – with all regulations affecting the Trust (including all charity law, company law, employment law and health and safety).	A	A*	R			

Compliance: Financial Oversight - ensuring that there are appropriate financial controls so that there is regularity, probity and value for money in relation to the management of public funds.	C	A*	R			
Compliance – completing the register of business interests and put in place a procedure to deal with any conflicts of interest and connected party transactions.	I	A*	R			
Compliance – FOI requests and complaints.		A*	R	C	C	AC
Set Admissions Policy.	I	A	R	C	C	AC
Admission application decisions and appeals.		A	R	C	C	TOD

Strategy and Leadership	Members	Trust Board	Chief Executive Officer	Local Governing Body	Academy Head Teacher	Trust / Academy Link
Change the name of the company (Trust).	A, R					
Set vision and strategic objectives of the Trust.	C	A	R	C	C	AC
Implementation of strategic objectives of the Trust.		A	R	C	C	AC
Set and scrutinise the strategic objectives of the Academies.		C	C	A	R	AC
Implementation of strategic objectives of an individual Academy.		C	C	A	R	AC
Review and approval of policies (including level of delegation to academies).		A	R	C	C	AC
Manage response to legal claims.		A	R	I	I	TOD
Manage strategic risk register.	C	A*	R	I	I	TOD
Design and implement the Trust Improvement Plan.	I	A	R	C	C	AC
Design and implement Academy plan in line with strategic aims of the Trust (annual requirement).		I	I	A	R	CEO
Reviewing performance of the Trust.	I	A	R	I	I	AC
Reviewing performance of Academies and reporting to Trust.		I	I	A	R	CEO

Human Resources & Personnel	Members	Trust Board	Chief Executive Officer	Local Governing Body	Academy Head Teacher	Trust / Academy Link
To determine the staff complement				A	R	CEO
To determine and review academy staffing structure including any temporary appointments.				A	R	CEO
To review annually the appraisal and performance management policy.		A/R***	C	I	I	AC
To implement the appraisal and performance management policy.		A	I	I	R	CEO
To review annually the academy pay policy.		A/R***	C	I	I	AC
To monitor implementation of the pay policy.		A***	R	I	I	CEO
To manage the annual salary review for the Chief Executive Officer.		A/R***				
To manage the annual appraisal and salary review for the Academy Head Teacher.		A	I	R	R	CEO
To manage the annual salary review, including post- threshold progression for teachers.		A	I	R	R	CEO
To recruit the Chief Executive Officer.		A/R				
To recruit Trust staff.		A	R			
To recruit the Academy Head Teacher.		I	C	A/R		CEO
To recruit staff on the leadership spine.		I	C	A	R	CEO
To recruit all other academy staff.			C	A	R	CEO
To suspend/dismiss the Chief Executive Officer.		A/R				
To end the suspension of the Chief Executive Officer.		A/R				
To suspend/dismiss other staff.		A	R	C	C	CEO
To end the suspension of other staff.		A	R	C	C	CEO
To develop and systematically review policies relating to staffing matters and to make recommendations for adoption/amendment of these to the Board of Trustees. E.g. disciplinary/capability procedures/absence management.		A	R	C	C	AC
To hear appeals made by staff in relation to the above and to ensure that any hearing or appeal panels set up to consider staffing matters are properly convened.		R **		R		CEO
To determine dismissal payments/early retirement.		A	R	I	I	CEO
To agree and monitor a training strategy for teachers, support staff and directors.		I	R	I	C	CEO