



# **Scheme of Delegation**

## **2020/21**



## **1 Rationale**

- 1.1 A Multi Academy Trust's (MAT) board of trustees is accountable in law for all major decisions about their academies and any subsidiary companies.
- 1.2 The Trust Board, however, is not required to carry out all the Trust's governance functions and many can, and should, be delegated to the Chief Executive Officer (CEO) and the Executive Team, the Trust Board's committees, and the Local Advisory Groups (LAG). Without such delegation, the individual or committee has no power to act.
- 1.3 The Scheme of Delegation (SoD) is the key document that defines the lines of responsibility and accountability in a MAT to ensure that Members, Trustees, board committees, Local Advisory Groups, executive leadership and academy Principals understand their roles and responsibilities.
- 1.4 This overarching Scheme of Delegation for all decision making in the Trust should not be confused with the written scheme of delegation of financial powers referred to in the Education and Skills Funding Agency's Academies Financial Handbook 2020
- 1.5 As our MAT matures and grows the workings of the MAT, both in terms of governance and management are likely to change. The SoD must be reviewed annually, with changes made as the context changes, in recognition of the need to be responsive to changing circumstances and to adapt accordingly. It is important to us to ensure that all involved in governance are made aware of any changes and what these mean in practice.
- 1.6 This Scheme of Delegation applies to all academies within the Gosforth Group and those currently at pre-opening stages of development:
  - Callerton Academy (September 2021)
  - Gosforth Academy
  - Gosforth Junior High Academy
  - Great Park Academy (September 2021)
  - Jesmond Park Academy
  - North Gosforth Academy

## **2. Characteristics of an effective scheme of delegation**

- 2.1 In accordance with the Department for Education's Governance Handbook 2020 the Gosforth Group's scheme of delegation:
  - Reflects the Trust's ethos, promoting a positive climate and a culture of honesty, transparency, and accountability for the benefit of all stakeholders;
  - Ensures that executive leadership is clear about which decisions the Trust board retains, and the extent of executive powers
  - Identifies responsibility for the appointment and performance management of the CEO, the Executive team and academy Principals;
  - Ensures that the role of executive leadership is fully understood throughout the MAT;
  - Identifies where the Trust board retains responsibility for:
    - determining policy;

- management of risk;
- oversight of budgets and financial management;
- oversight of educational performance.

### 3.0 Governance structure and accountability

#### 3.1 Vision and ethos

3.1.1 'Create your future' encapsulates our purpose as a Multi Academy Trust: to educate, support and nurture all of our students so they can achieve their potential and fulfil their ambitious aspirations.

3.1.2 We are a dynamic and diverse Multi Academy Trust – this means we have a clear energy and purpose and all students are valued equally, regardless of their background or ability. We pride ourselves on our comprehensive, diverse intake and our inclusive approach.

3.1.3 Our principal aim is to encourage high expectations and high standards of achievement, both academic and personal. Our values embrace honesty, trust, reliability, creativity, respect for the legitimate rights of others, care for the vulnerable members of society, regard for the environment and kindness towards other people.

3.1.4 We believe that a safe, calm, friendly, disciplined atmosphere, in which hard work and co-operation are respected, is the best way to promote these values.

3.2 The DfE's Governance Handbook confirms three core governance functions and the Board of Trustees fulfil these responsibilities with passion and rigour to determine and support the vision and ethos of the Gosforth Group.

#### DfE Governance Handbook 2020 – Effective Governance

*Ensuring clarity of vision, ethos and strategic direction*

*Holding executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff; and*

*Overseeing the financial performance of the organisation and making sure its money is well spent*

3.3 This is achieved through a model and structure with three clear layers of governance:

1. Members
2. Trustees
3. Committees, including Local Advisory Boards

### 3.4 Gosforth Group governance structure



Members	Ensure the Trust meets its charitable objective by appointing trustees, agreeing articles of association, appointing the auditors
Trustees	The employer and accountable body, carries out the core governance functions, ensures compliance with statutory and regulatory functions, appoints Chief Executive Officer
Committees, including Local Advisory Groups	Responsible for specific tasks as outlined in their terms of reference and for oversight of academy performance

### 3.5 Our model of delegation makes it clear that:

- Members have a limited yet distinct and vitally important role;
- The Board of Trustees is responsible for the core governance functions;
- The Board of Trustees appoint the CEO, to whom it delegates responsibility for the conduct and performance of the trust, including the performance of the academies within the trust, and for its financial management;
- The board has constituted its main committee for Finance and Audit that looks in detail at resources and risk. Progress and attainment across the Trust is overseen by the main board;
- The board also convenes various committees/ panels to consider matters in relation to pupil discipline, pupil admissions, staffing appointments and dismissals, staff pay, as well as independent panels to consider any appeals and formal complaints;

- Local Advisory Groups provide links to parents and the community, as well as providing additional scrutiny of how the Trust is managing its schools. LAGs act as a critical friend to the Principals on matters of performance, education, behaviour attendance and staff performance. They provide support in the effective operation of the Trust and its polices and provide a vehicle for Trust board engagement.

### **3.6 Exercising powers and decisions**

- 3.7 The trust ensures that there is separation between the individuals who sit as members, trustees and local advisors to ensure objectivity when exercising powers under this scheme, except for the Chair of Trustees who is also a member to ensure there is a link between the members and the board of trustees.
- 3.8 The Board of Trustees require that all powers and decisions are determined in accordance with the trust's policies and any statutory or regulatory requirements, and in a manner consistent with the trust's vision and values.
- 3.9 A Code of Conduct for Trustees and members of Local Advisory Groups sets out the standards expected of individuals, when exercising their role and responsibilities. It incorporates the seven principles of public life that apply to all individuals elected or appointed to public office, or to work in, all sectors that provide public services.
- 3.10 Trustees, members of Local Advisory Groups and selected staff sign a Declaration of Interests to identify and ensure any effect on decision-making is prevented.
- 3.11 A detailed decision planner is provided at Appendix A illustrating the specific delegation of decision making powers the Trust has approved.
- 3.12 Appendix B provides the Terms of References of Trust committees and groups which confirms their purpose and status.

## **4.0 Roles and responsibilities**

### **4.1 The role of members**

- 4.1.1 The members of the trust are guardians of the governance of the trust and must ensure it carries out its charitable objective.
- 4.1.2 There must be at least three members, although the DfE prefer at least five; members are not permitted to be employees of the academy trust.
- 4.1.3 The members agree the trust's articles of association, appoint trustees and appoint the trust's external auditors.
- 4.1.4 The members should receive information about the trust's business and receive the annual report and accounts. If they have concerns that the trust is not carrying out its charitable objective, members should remove trustees that are failing to fulfil this responsibility.

## **4.2 The role of trustees**

- 4.2.1 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 (within the terms of the Companies Act 2006).
- 4.2.2 Trustees are bound by both charity and company law so the terms 'trustees' and 'directors' are often used interchangeably. Gosforth Group 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 use of trustee also serves to highlight the overarching charitable purpose of the organisation, distinguishing it from other directorships that may be held in the private sector.
- 4.2.3 Trustees are responsible for the general control and management of the trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement are legally accountable for all statutory functions and for the performance of all the academies within the trust; they do this by carrying out the core governance functions.
- 4.2.4 The board of trustees must approve a written scheme of financial delegation and if they choose to delegate to board committees and Local Advisory Groups (LAGs), must approve a written scheme of delegation and committee terms of reference.
- 4.2.5 The trust creates information pathways between the trust board, trust committees, LAGs and the CEO so that concerns or celebrations can be shared.

## **4.3 The role of trust board committees**

- 4.3.1 Trustees delegate some governance functions to board committees, one of which must include audit and risk which advises on the adequacy of the trust's controls and risks. At Gosforth Group this is the Finance and Audit Committee.
- 4.3.2 Board committees must have at least three trustees in membership, and trustees must be in the majority for voting purposes; it is usual for the trust board to appoint board committee chairs and committee members according to their skills.
- 4.3.3 The trust delegates detailed scrutiny of financial management and school performance to the Finance and Audit Committee.

## **4.4 The role of the Local Advisory Groups**

- 4.4.1 Trustees delegate some governance functions to Local Advisory Groups (LAGs); the articles of association do not require trustee member of local governing bodies and by committing to the separation of individuals on each tier in the governance structure, trusts are able to demonstrate transparent decision making and prevent bias and conflicts from emerging, thus strengthening the governance checks and balances within the trust.
- 4.4.2 It is advisable, however, for the trust board to approve the appointment of the LAG chairs and also approve the appointment of the LAG representatives.

- 4.4.3 In accordance with the Governance Handbook the Trust may choose to delegate to a LAG that oversees more than one academy and these committees may include Trustees.
- 4.4.4 Parent representation will be at Local Advisory Group level with parents elected to sit on the LAGs.
- 4.4.5 LAGs afford a valued point of consultation and representation in the development of trust policies and are the recipients of detailed information about how their academies are being managed.
- 4.4.6 These advisory groups are tasked with scrutinising management information thus providing assurance to trustees that the academy is:
- operating within the ethos and values of the trust and creating a positive climate for all stakeholders
  - working within agreed policies
  - meeting agreed targets
  - engaging with stakeholders
  - acting as an ambassador for the trust
- 4.4.7 The trust board demonstrates the value it puts on local governance by ensuring effective channels of communication between trustees and LAGs, as well as providing specific training and development programmes for all involved in the governance of the trust.

#### **4.5 The role of the Chair of Trustees**

- 4.5.1 The Chair provides visionary strategic non-executive leadership to the Trust taking the lead in the effective functioning of the trust board with a vital role in setting the highest expectations for professional standards of governance.
- 4.5.2 It is the Chair's responsibility to give the trust board clear leadership and direction, keeping it focused on its core functions.
- 4.5.3 A sounding board for the CEO the Chair provides support as well as challenge. This includes working collaboratively with the CEO to engage with the Regional Schools Commissioner, the DfE and local authorities.

#### **4.6 The role of the Chief Executive Officer**

- 4.6.1 The trustees delegate the day to day management of the trust to the CEO, line managing in line with the trust's appraisal and performance management policies.
- 4.6.2 The CEO is also the Accounting Officer and is responsible for the performance of the trust as a whole, and has a personal responsibility to parliament for the regularity, propriety and value for money, and for assuring the board about compliance with the funding agreement and the Academies Financial Handbook.
- 4.6.3 The CEO is responsible for the leadership and management of the central executive team and the academy's Principals and reports to the trust board and its committees.



#### **4.7 The role of Principals**

- 4.7.1 The CEO delegates the day to day management of the trust's academies to Principals, line managing them in accordance with the trust's appraisal and performance management policies.
  
- 4.7.2 Principals share information about how the trust is managing the academy with the LAGs so that committee members build an understanding about how the academy operates and are enabled to monitor and scrutinise how key policies and improvement plans are working in practice.

**GOSFORTH GROUP**  
**TRUSTEES DECISION PLANNER 2020 FOR**  
**ALL LOCAL ADVISORY GROUPS**

**THIS PLANNER SHOWS TO WHICH LEVEL THE TRUSTEES HAVE AGREED TO DELEGATE SPECIFIC FUNCTIONS**

**Although decisions may be delegated, the Trustees as a whole remains responsible for any decision made under delegation\***

Key Function	No	Tasks	Decision Level				
			1 Trustees	2 CEO	3 Exec Team	4 LAG	5 Principal
<b>Budgets</b>	1	To approve the first formal budget plan each financial year	✓		●		
	2	Regular monitoring of their budget position within the MAT				✓	
	3	To monitor monthly expenditure.		✓	●		
	4	To establish a charging and remissions policy		✓	●		
	5†	Miscellaneous financial decisions		✓	●		
	6	To enter into contracts (Trustees may wish to agree financial limits)		✓	●		
	7†	To make payments		✓	●		
<b>Staffing</b>	8	CEO appointments (selection panel)	✓				
	9	Executive Team/Principal/Leadership Team appointments (selection panel)	✓	●			
	10	Pay discretions for Executive Team/Principal/Leadership Team	✓	●			
	11	Appoint other teachers				✓	●
	12	Appoint non-teaching staff				✓	●
	13	Agree a pay policy	✓		●		
	14	Pay discretions for teaching and non-teaching staff	✓		●		
	15	Establishing disciplinary/capability procedures		✓	●		
	16	Dismissal of CEO/Executive Team/Principal	✓	●			
	17	Dismissal of other staff	✓		●		
	18	Suspending CEO/Executive Team/Principal	✓	●			
	19	Suspending staff (except CEO)				✓	●
	20	Ending suspension CEO/Executive Team/Principal	✓	●			
	21	Ending suspension (except CEO/Executive Team/Principal)				✓	●
	22	Determining staff complement/structures (teaching and non-teaching)	✓				

Key Function	No	Tasks	Decision Level				
			1 Trustees	2 CEO	3 Exec Team	4 LAG	5 Principal
	23	Determining dismissal payments/ early retirement	✓		●		
<b>Curriculum (including RE and Collective Worship)</b>	24	Ensure National Curriculum (NC) taught to all pupils and to consider any disapplication for pupil(s)				✓	●
	25	To implement curriculum policy				✓	●
	26	To agree or reject and monitor curriculum policy	✓		●		
	27	Responsible for standards of teaching			✓		●
	28	To decide which subject options should be taught having regard to resources, and implement provision for flexibility in the curriculum (including activities outside school day)				✓	●
	29	Responsibility for individual child's education				✓	●
	30	Provision of sex education – to establish and keep up to date a written policy				✓	●
	31	To prohibit political indoctrination and ensuring the balanced treatment of political issues				✓	●
	32	To establish a charging and remissions policy for activities (non NC based)	✓		●		
	<b>Performance Management</b>	33	To formulate a performance management policy		✓	●	
34		To establish a performance management policy	✓		●		
35		To implement the performance management policy				✓	●
36		To review annually the performance management policy				✓	●
<b>Target Setting</b>	37	To set and publish targets for pupil achievement			✓	●	
<b>Discipline/Exclusions</b>	38	To establish a discipline policy	✓		●		
	39	To review the use of exclusion and to decide whether or not to confirm all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 15 days in total in a term or would lose the opportunity to sit a public examination. (Can be delegated to chair/vice-chair in cases of urgency)				✓	●
	40	To direct reinstatement of excluded pupils (Can be delegated to chair/vice-chair in cases of urgency)				✓	
<b>Admissions</b>	41	To consult annually before setting an admissions policy	✓	●			
	42	Admissions: application decisions				✓	
<b>Premises &amp; Insurance</b>	43	Buildings insurance and personal liability	✓		●		
	44	Developing school buildings strategy or master plan	✓		●		

Key Function	No	Tasks	Decision Level				
			1 Trustees	2 CEO	3 Exec Team	4 LAG	5 Principal
	45	Procuring and maintaining buildings, including developing properly funded maintenance plan	✓		●		
<b>Health &amp; Safety</b>	46	To institute a health and safety policy	✓		●		
	47	To ensure that health and safety regulations are followed				✓	●
<b>School Organisation</b>	48	To publish proposals to change category of school	✓	●			
	49	To set the times of school sessions and the dates of school terms and holidays	✓	●			
	50	To ensure that the school meets for 380 sessions in a school year				✓	●
	51	To ensure that school lunch nutritional standards are met				✓	●
<b>Information For Parents</b>	52	To prepare and publish the school prospectus		✓	●		
	53	To prepare and publish the school profile		✓	●		
	54	To ensure provision of free school meals to those pupils meeting the criteria				✓	●
<b>MAT development</b>	55	To consider requests from other schools to join the MAT	✓	●			
<b>Extended Schools</b>	56*	To decide to offer additional activities and to what form these should take				✓	●
	57	To put into place the additional services provided				✓	●
	58	To ensure delivery of services provided				✓	●
<b>Appeals</b>	59	Any appeal hearings will be determined by a panel of Trustees who were not involved in the original decision making process	✓	●			
<b>Delegated Executive Powers</b>	60	In special circumstances Trustees can give delegated powers to the Chair of Trustees, CEO and one relevant Senior Team Member. This action can be approved by Trustees via email for urgent matters.	✓	●			

\*Although these tasks are open to delegation under the Education (School Government)(Terms of Reference) (England) Regulations 2000, the expectation would be that these decisions would be undertaken by the Trustees.

#### Authorisation Levels

Up to £1,000 by Budget Holders

£1,001 to £5,000 by Budget Holder and Senior Finance Officer

£5,001 to £20,000 by Budget Holder and MAT Finance Lead

£20,000 to £100,000 by Budget Holder and Chief Operating Officer

£100,000 to and above Chief Executive Officer and Trustees

#### Notes

Budget Holders are operational staff (usually Heads of Department or staff in management roles) who have been allocated responsibility for one or more budget. Local Advisor Group, Trustees and Members are not budget holders.

#### Key:

† Financial Regulations Delegated Levels of Authorisation

✓ Decision responsibility

● Responsible for the action

## Appendix B – Terms of Reference

### TERMS OF REFERENCE

#### Board of Trustees

#### **1 Overview and purpose**

- 1.1 The Trust Board is legally responsible for the performance of each academy. The Board requires the active support of Local Advisory Groups (LAGs) to ensure effective governance
- 1.2 The Board of Trustees shall exercise duties and powers as set out in the Memorandum and Articles of Association and Funding Agreements. It's remit in accordance with the Governance Handbook focuses on:
  - 1.2.1 Ensuring clarity of vision, ethos and strategic direction
  - 1.2.2 Holding executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff; and
  - 1.2.3 Overseeing the financial performance of the organisation and making sure its money is well spent

#### **2 Frequency of meetings**

- 2.1 Meetings shall be held every half term, i.e. six per annum. Ad-hoc meetings may be convened if required.

#### **3 Membership and constitution**

- 3.1 The composition of the Trust Board is set out in the Articles of Association, as follows:
  - 3.1.1 Nine (9) MAT Trustees normally appointed by the Members on the nomination of the Trustees in post with a view to the candidates providing particular skills and experience relevant to the running of the Trust and Company.
  - 3.1.2 The Chief Executive Officer
  - 3.1.3 Co-opted Trustees appointed by the Trustees

#### **4 Aims and objectives**

- 4.1 To deliver governance and strategic leadership that sets and champions, vision, ethos and strategy;
- 4.2 To ensure accountability that drives up educational standards and financial performance
- 4.3 To appoint a Board of Trustees and senior leaders with the right skills, experience, qualities and capacity

- 4.4 To develop and maintain structures that reinforce clearly defined roles and responsibilities
- 4.5 To uphold and sustain compliance with statutory and contractual requirements
- 4.6 To advance and support continuous evaluation to monitor and improve the quality and impact of governance

## **TERMS OF REFERENCE**

### **Local Advisory Group**

#### **1 Overview and purpose**

- 1.1 The Trust Board is legally responsible for the performance of each academy but to do this the Board requires the active support of Local Advisory Groups (LAGs) to ensure effective governance across each of the academies.
- 1.2 The Local Advisory Group will assist the Board of Trustees to exercise its duties and powers as set out in the Memorandum and Articles of Association and Funding Agreements. The LAGs remit will be to support the Board to comply with the requirements of the Governance Handbook to focus on:
  - 1.2.1 Ensuring clarity of vision, ethos and strategic direction
  - 1.2.2 Holding local academy leaders to account for the educational performance of the academy and its pupils, and the effective and efficient performance management of staff; and
  - 1.2.3 Overseeing the financial performance of the academy and making sure its money is well spent

#### **2 Frequency of meetings**

- 2.1 Meetings shall be held every half term, i.e. six per annum. Ad-hoc meetings may be convened if required.

#### **3 Membership and constitution**

- 3.1 The composition of the Local Advisory Group is as follows:
  - 3.1.1 Up to nine (9) LAG members comprising of:
    - i. Up to five (5) community members
    - ii. Two (2) staff representatives (one teaching and one support)
    - iii. Two (2) parent representatives
  - 3.1.2 Ex officio members will include the Chief Executive Officer and the Academy Principal.

#### **4 Aims and objectives**

- 4.1 To undertake responsibility for any of the decision making powers delegated by the Board of Trustees
- 4.2 To support the effective operation of the Trust and its policies
- 4.3 To provide support and challenge to academy leaders
- 4.4 To provide a vehicle for Trust board engagement with the academy, its parents and local community, to help ensure that the Trustees stay connected

- 4.5 To bring issues and risks to the attention of the Board of Trustees
- 4.6 To help to ensure that the Trust works as one entity, in the interests of all of its academies equally.



## **TERMS OF REFERENCE**

### **Finance and Audit Committee**

#### **1 Overview and purpose**

- 1.1 The Finance and Audit Committee is responsible for the executive oversight, governance and validation of the Trust's responsibilities to the Secretary of State as outlined in the Academies Financial Handbook
- 1.2 The Finance and Audit Committee has high level responsibility and ownership of financial operations, controls and fiscal governance as well as accountability for all of the Trust's broader business and central service operations and functions.

#### **2 Frequency of meetings**

- 2.1 Meetings shall be held every half term, i.e. six per annum. Ad-hoc meetings may be convened if required.

#### **3 Membership and constitution**

- 3.1 The composition of the Finance and Audit Committee will mirror the Board of Trustees.
  - 3.1.1 Nine (9) MAT Trustees normally appointed by the Members on the nomination of the Trustees in post with a view to the candidates providing particular skills and experience relevant to the running of the Trust and Company.
  - 3.1.2 Ex officio members will include the Chief Executive Officer and Academy Principal

#### **4 Aims and objectives**

- 4.1 To ensure compliance with the Academies Financial Handbook
- 4.2 To acknowledge all correspondence from the Education and Skills funding Agency (ESFA), ensure it is brought to the attention of the Trust Board, and respond within the timelines required by the ESFA to secure compliance and effective financial governance
- 4.3 To recommend to Members external financial auditors to conduct statutory audit and assurance statements of Gosforth Group, as well as the appointment of an independent internal assurance provider to deliver in-year financial and process assurance
- 4.5 To ensure the provision of an annual budget, in accordance with ESFA timelines, that forms the basis for financial monitoring, forecasting and budgetary control. This will include the provision of monthly management accounts at both Trust and individual academy level, to monitor the overall financial operating performance of the Gosforth Group
- 4.6 To assure effective financial governance in financial operations by rigorously assessing the effective impact of expenditure, including best value and contract management. This will also include the maximisation of all sources of income to seek to drive efficiency and leveraging the economies of scale that are possible with the multi academy structure