



ENHANCE ACADEMY TRUST

## THE ENHANCE ACADEMY TRUST

### Scheme of Delegated Authority to A N OTHER CE Academy

#### Introduction

The Enhance Academy Trust (the Trust) is the sponsoring body for a number of academies and is regulated by its Articles of Association and by its Master Funding Agreement, and Supplementary Funding Agreements, with the Secretary of State.

The Articles of Association also regulate the composition and powers of the Members of the Trust and in particular their ability to appoint and remove Trustees. The Trustees are responsible, by holding the Chief Executive to account, for strategy; educational performance; financial management; risk management; employment and compliance with charity and company law.

The Trustees can appoint a Local Governing Body (LGB) or an Advisory Board (AB) for each academy. The Trust aims to appoint a LGB whenever possible. There cannot be a Scheme of Delegated Authority (now referred to as the "Scheme") with an AB and decisions will need to be made by the Trust in consultation with the AB. There can be a scheme of delegation from the Trust to the Headteacher of any academy with an AB and if this is necessary it is intended that this will be consistent with the policies and procedures agreed within the academies within the Trust.

There can be a Scheme between the Trust and a LGB. This is intended to allow the LGB to have responsibility for the operation of an individual academy within the overall strategic framework set by the Trust. Enhance Academy Trust have agreed that the majority of their responsibilities for each of its Academies should be managed through a LGB and the Chief Executive of the Trust will work with each LGB to continuously develop and deliver the highest standards of teaching and opportunities for learning within the distinctive Christian ethos promoted by the sponsor. The Trust recognises that establishing and developing good working relationships with each LGB is fundamental to the success of each Academy. The Trust aims to deliver its responsibilities for the Academy whilst establishing a Scheme that allows each LGB to function effectively and to play a substantial role in the development of the Academy and of the Trust.

The composition of the LGB is expected to mirror that of the predecessor school's governing body but there is no absolute need to do this. The Trust need to approve the appointment of the Chair of the LGB and is then happy to discuss and agree the composition of each LGB but does require there to be at least one parent governor on it. This is a requirement placed upon the Trust through its Master Funding Agreement and is therefore non-negotiable. LGB's can have more than one parent governor if that is deemed appropriate. The Trust reserve the right to appoint the equivalent of foundation governors and additional governors as they feel appropriate to maintain the number of foundation governors on the academy's LGB.

There are a number of key responsibilities that rest with the Trust that require it to have a Scheme with each academy sponsored by it. This Scheme will be broadly similar for each academy but not necessarily the same. Although not formally part of this Scheme, the Trust is planning to hold regular meetings with representatives from each of its Academies (probably with the Chair of the LGB and the Headteacher) to review and develop the operational arrangements between the Trust and its Academies. Regular meetings between the Trust and Headteachers and the Trust and Business Managers will also take place.

Each LGB can fulfil the majority of its responsibilities through Committees which can also be given delegated authority to manage key activities on behalf of the LGB. However, there are a limited

number of functions that have not been delegated to the LGB and the Trust must be involved in the following:

- Educational performance and progression of pupils within each academy
- The employment and development of designated key staff
- Funding and Financial management
- Management of key capital assets
- External reporting, mainly to the Department for Education and/or the Education Funding Agency
- Oversight of key policies and procedures required by law, and
- Changes to Governance arrangements relating to the LGB.

## **Educational Performance**

The most important role of the Trustees is to work with each LGB to improve the overall educational experience and achievement for each and every pupil within the Academy. However, there is a risk that the process of fulfilling this role is perceived to be more important than the role itself and care has to be taken to avoid this pitfall.

The Trustees need to agree with the LGB:-

- an annual Academy Improvement/Action Plan
- a timetable for reviewing progress on the plan with a jointly appointed School Improvement Partners
- the link between the plan and the performance targets for the Headteacher
- procedures for ensuring that the data being used to assess progress is accurate and appropriate, and
- a timetable to ensure that the Academy's policies and procedures are up to date and reviewed on a regular basis.

The Trustees would hope that their requirements can be integrated into the overall review and assessment programme already being planned by the LGB.

The Trust and the LGB will agree an annual series of meetings based on the programme given below.

The Trust and the LGB will jointly appoint a School Improvement Partner (SIP) or Partners. They will jointly agree key priorities and hold joint monitoring meetings at least once per term. Attendance at these meetings will include the SIP; the Chair of the LGB or AB; the Headteacher; and a representative of the Trust. The Academy may wish to include other members of the LGB and members of the academy's senior leadership team.

If support from another school(s) or academy(s) is needed this will be agreed at these meetings. The Trust and LGB will then work together to find the support required.

The priorities set will be used to help set the Headteacher's performance targets. The Trust will also be involved in the annual performance review against these targets.

## **The Employment and Development of Designated Key Staff**

There are currently two key appointments that the Trust deem to be Designated Key Staff and will need to be involved in the recruitment and selection of. These are the:

- Appointment of the Headteacher, and
- Appointment of the School Business Manager.

If the need for any of the above arose the Trust will work with the LGB throughout the recruitment process but, if appropriate, they reserve the power to make the final decision about who should be appointed.

Linked into the above the Trust will need to be involved in any development areas identified for these staff and play a role in finding the support needed. The development needs for other staff should be managed by the LGB although the Trust may assist in this if requested.

The Trust and the LGB will need to agree if Academy staff should be deployed in other schools/academies. There are significant benefits associated with this area of development but the educational improvements required at the host Academy cannot be but at risk from any deployment.

The Trust will assist LGBs with other appointments if it is felt appropriate.

### **Financial Responsibilities**

There are a number of more formal reporting protocols required to cover the financial responsibilities and reporting requirements placed on the Trust by the Education Funding Agency/Department for Education and others. These include the following:-

- The appointment of someone to fulfil the role of the Responsible Officer
- Agreement of the annual and rolling five year budget plan
- Financial reporting including preparation of the budget return to the EFA and the preparation of the financial accounts for the Trust.

The appointment of the Responsible Officer (RO) is a function that rests with the Trust. The RO will work with each Academy to help develop sound financial and budgetary systems.

Agreement of the budget and financial reporting is a matter for the Trust and the LGB and more detail timetables for the above will be agreed annually – these will mainly be determined by the EFA's timetable. An LGB will not be allowed to set a deficit budget without the agreement of the Trust. To avoid delays in agreeing budgets, a representative of the Trust will attend Finance/Resources Committee meetings to discuss options prior to them being submitted to the LGB.

The main considerations to take into account within financial responsibilities are the systems to be used to prepare and record financial data. These will be discussed with the LGB and to date the HCSS academy software package has been obtained for budget forecasts and the Corero (Resource 32000) and PS Financials will be used as the main financial recording systems.

The LGB is able to operate its own financial policies and procedures within the general Financial Policy set by the Trust and providing they have due regard to the Academies Financial Handbook. The Trust will offer advice and guidance in this area. The LGB will be expected to operate its own bank account and make payments to suppliers.

The LGB is expected to:

- Manage its budget within the funding available
- Not go overdrawn at the bank
- Make the returns required to the Trust (VAT, budget monitoring, annual accounts etc) accurately and in a timely manner.

Failure to comply with the above, including the agreed financial policies and procedures, could result in some or all financial delegation to the LGB being withdrawn.

## **Management of Key Capital Assets**

As the Trust is the licence or lease holder for the land and buildings held, with the local authority and/or the Diocese, and has the Master Funding Agreement with the DfE, it has to be involved and approve plans for any changes being proposed to the land and buildings and be involved in any bids for maintenance or improvement grants.

## **External Reporting**

The purpose of this section is not to specify procedures by which the Trust controls all external reporting.

The DfE, EFA and others contact the Trust for information and/or each Academy directly. It is important that we are all aware of the information being supplied or requested; that only one reply is provided and that information sent to the DfE and EFA arrives at the appropriate venue. General guidance implies that all financial information should be addressed to the Trust and the Trust should respond. Most pupil/educational data would be provided by the Academy but the Trust should be made aware of the request and receive a copy of it.

The Trust is regarded as the employer for all academy staff. Many of the routine functions associated with being employer are undertaken by our payroll providers but there will be occasions when non-routine requests for information are made. The most recent being the provision of information on strike action being taken by some the Trust staff. It is important that the Trust and the Academy agree how to respond to external requests for information relating to our employees which may result in the Trust sending in a combined response on behalf of all of its academies.

Each Academy is expected to deal with press enquiries directly but advice from the Trust can be obtained and the Trust can become more involved if necessary. If these dealings involve sensitive issues the Trust and the Academy will need to agree a case specific protocol.

FOI and Data Protection requests made directly to the academy still place the legal responsibility to ensure that statutory deadlines are met and that requests are rejected/responded to as appropriate with the Trust. It is therefore essential that the Trust is made aware of any such requests when they are received in order for the Trust and the Academy to respond as appropriate.

## **Oversight of Key Policies and Procedures**

Many policies and procedures have elements that are Academy specific and it is appropriate that these are allowed to continue. However, it is also important that within the Trust, policies and procedures are consistent, and that they reflect the main objectives and responsibilities of the Trust. Those policies and procedures relating to employment matters, especially those dealing with appraisal and capability, are examples where a consistent approach is required.

The Trust will prepare and keep a set of expected policies and procedures and will work with each Academy to amend them to reflect their circumstances. The majority of the policies and procedures will be issued as "recommended" but there will need to be some policies and procedures for adoption will leave very limited, if any room, for academic specific changes.

## **Governance Arrangements**

The Trust aims to appoint a LGB for each of its Academies and to utilise this Scheme within it. If for any reason the LGB would like to change its composition the changes must be agreed with the Trust before they can be applied. The use of an AB will hopefully be restricted to the period just before and just after conversion to an Academy and the Trust will then seek to establishment an LGB within one and a half terms after conversion.

## **Proposed terms of Reference for Committees**

It is for the LGB to determine the appropriate committee structure for its Academy and the powers and functions to be delegated to each Committee or to the Headteacher within this Scheme. The LGB should appoint a Clerk to organise full LGB meetings and to take minutes of each full LGB meeting.

Any Committee to which delegated responsibilities have been assigned must report to the LGB in respect of any action taken or decisions made. It is expected that the LGB will establish Committees to deal with:-

- Standards and Curriculum
- Finance
- Personnel and Staffing, and
- Premises and Health and Safety, and
- Headteacher's Performance Management.

The LGB, and its Committees, are required to meet termly (as a minimum).

The make-up of each Committee should be agreed at the end of the summer term ready for implementation at the beginning of the following academic year and should attempt to reflect all the constituent elements of the LGB:

- Other Governors may attend meetings of the Committees. They will have non-voting observer status.
- In order to carry out the functions of each Committee, the Committee shall be serviced by the Headteacher or the Headteacher's representative.
- The quorum of each of the above Committees shall be three.
- Each Committee will appoint a Chair and Vice-Chair of the Committee.
- The minutes of all Committees are to be made available to all members of the LGB.
- Reports to the LGB and minutes of LGB meetings are to be made available to the Trust.

There may also be the need to establish ad-hoc Committees or Panels to deal with other matters such as those listed below and the LGB can convene these as required:-

- Admissions
- Admissions Appeals
- Salary Reviews
- Salary Review Appeals
- Grievance Appeals Panel

- Staff Disciplinary Panel
- Staff Disciplinary Appeal Panel
- Student Disciplinary Panel
- Complaints Panel

The Trust would not expect to be involved in most of the Committee arrangements put in place by the LGB but reserves the right to attend meetings if they feel it appropriate. It is possible that the LGB would want the Trust to attend a meeting and, subject to availability, a Trustee or a named representative will in such cases attend. Listed below is an outline schedule of visits that the Trust would normally make each academic year. Other more formal and informal meetings are also likely to be arranged.

However, if a planned Committee meeting might lead to a member of staff being disciplined, made redundant, or dismissed the Trust must be informed as soon as possible and prior to any formal decision being made.

## **Suggested Committee Responsibilities**

### **Standards and Curriculum Committee**

**Purpose statement:** To review and evaluate attainment and progress, quality of teaching, curriculum, relevant policies and the implementation of appropriate academy improvement plan priorities.

#### **Terms of Reference:**

1. To advise the LGB on attainment and progress, quality of teaching and suitability of the curriculum.
2. To contribute to the development of the school improvement plan and the Self-Evaluation Form (SEF).
3. To monitor and review academic and pastoral arrangements to ensure the school delivers a broad and balanced curriculum in keeping with the ethos of the school and the requirements of the National Curriculum.
4. To ensure that annual targets are agreed, reported to the LGB, the Trust and other interested parties.
5. To ensure that due regard is paid to pupils' spiritual, moral, social, emotional and cultural development.
6. To consider curriculum issues which have implications for finance and personnel decisions and to make recommendations to the relevant committees or the LGB.
7. To make arrangements for the LGB to be represented at school improvement discussions with the school improvement partner, and the Trust as necessary, and for reports of these discussions to be received by the LGB.
8. To ensure effective provision for students with Special Educational Needs (SEN).
9. To monitor and review curriculum related policies.
10. To make recommendations to the LGB about school hours and the length of the school day.

## **Finance Committee**

**Purpose statement:** To ensure the Academy has strategic plans in place to deliver effective teaching and learning within the Academy budget.

### **Terms of Reference:**

1. To ensure the Academy adheres to the 'Academies Financial Handbook'.
2. To oversee the longer-term strategic planning of the Academy's finances.
3. To oversee the preparation of the annual budget plan and ensure it links to the Academy development plan priorities agreed by the LGB.
4. To recommend the final budget for approval to the LGB and the Trust.
5. To monitor the budget and present a report to each scheduled meeting of the governing body.
6. To exercise virement between heads of expenditure of the budget up to a limit of £10,000.
7. To agree the level of delegation to the headteacher for the day-to-day financial management of the Academy.
8. To monitor expenditure and ensure corrective action is taken where necessary.
9. To evaluate spending to ensure value for money in raising standards of education.
10. To monitor income and expenditure of all public funds.
11. To ensure accurate accounts are kept.
12. To ensure key financial decisions are properly recorded.
13. To authorise signatories for the Academy bank account for notification to the Trust.
14. To establish procedures for governors to claim expenses.
15. To ensure a register of pecuniary and business interests for governors and staff is kept and is open to inspection.
16. To make recommendations to the LGB about a policy on charges and remissions of charges.
17. To make decisions in respect of service level agreements and contracts.
18. To determine whether sufficient funds are available for pay increments.

## **Personnel and Staffing Committee**

**Purpose statement:** To ensure the Academy staffing complement supports the Academy's aims and ethos and is affordable.

### **Terms of Reference:**

1. To be responsible for the recruitment of all teaching and non-teaching staff apart from the Headteacher and School Business Manager posts. Recruitment to these two posts must involve the Trust.
2. To devise job descriptions, personnel specifications, advertisements and arrange and conduct interviews, except:
  - (a) In respect of the deputy head teacher whose recruitment is covered separately by legislation.
  - (b) In respect of those posts where the LGB have delegated the matter to the head teacher and a named governor acting together.
3. To make recommendations to the LGB on staffing levels and management structure.
4. To provide support, guidance and accountability for the headteacher on all personnel matters.
5. To consider the head teacher's recommendations on teachers' salaries in line with the Academy pay policy.
6. To be responsible for the allocation of responsibility allowances and any consultation with staff groups about such matters as they see fit.
7. To review the Academy Pay Policy and its implementation in line with DfE and the Trust regulations and guidelines, refer any financial implications to the Finance Committee, and report back to the LGB.
8. To support strategic planning for internal promotions and permanent staffing posts.

9. To receive reports and monitor the decisions delegated to the headteacher on temporary appointments (in accordance with the the Trust's general policy on these appointments).
10. To report to the LGB on decisions taken by the Committee in the exercise of any delegated powers.
11. To ensure that all the appropriate safeguarding and pre-employment checks are completed and updated satisfactorily.
12. Ensure policies are in place for staff discipline, grievance, capability, and redundancy based on the Trust guidance.
13. To keep under review staff work/life balance, working conditions and well-being, including the monitoring of absence.
14. To ensure proper arrangements are in place to consider any appeal against a decision on pay issues.
15. To make recommendations in matters of early retirement to the LGB and to the Trust. No early retirement can be agreed without the Trust's approval.
16. To meet the LGB's responsibilities under the Disability Discrimination Act 1996 especially in the area of employment.
17. To contribute towards the Academy Improvement Plan regarding staffing and staff development.
18. To monitor the implementation of the Academy Improvement Plan regarding staffing and staff development.

### **Premises and Health and Safety Committee**

**Purpose statement:** To ensure the Academy provides a safe, healthy and sustainable environment for pupils, staff and visitors.

#### **Terms of Reference:**

1. To advise the LGB on priorities, including Health and Safety, for the maintenance and development of the Academy's premises.
2. To ensure that the Health and Safety Policy meets statutory that these procedures are kept up-to-date and that positive arrangements are in place to ensure that all staff and students are aware of and comply with its contents.
3. To ensure that the policy contains rigorous and comprehensive systems for active monitoring (auditing health and safety management systems, inspections, risk assessments) and reactive monitoring (accident/incident investigation) and rectifying identified faults within the Academy.
4. To ensure there is adequate provision both in staffing, facilities and resources to allow the Academy to meet both its legal and moral obligations with respect to health, safety and welfare.
5. To oversee arrangements for repairs and maintenance.
6. In consultation with the headteacher and the Finance Committee, to oversee premises-related funding bids.
7. To oversee arrangements, including Health and Safety, for the use of Academy premises by outside users or for extended services, subject to LGB and the Trust policy.
8. To establish and keep under review a Building Development Plan.
9. To establish and keep under review an Accessibility plan.
10. To monitor the impact on teaching and learning of the condition of the Academy site and buildings.
11. To ensure the security of Academy premises.
12. To monitor energy and utilities bills to support sustainability.
13. To oversee arrangements, including Health and Safety, for the use of the Academy minibus by staff/pyramid schools/Church, subject to the Academy policy.



## **Performance Management Committee.**

**Purpose statement:** To undertake the head teacher's annual performance review and ensure the Academy's performance management procedures are properly and appropriately conducted.

### **Governor reviewers must:**

- Seek advice from the School Improvement Partner (SIP) when setting objectives and reviewing the performance of the head teacher.
- Meet with the head teacher, the Trust, and SIP at the start of the performance review cycle to plan and prepare for the performance review, and set and record head teacher objectives relating to Academy leadership and management and pupil progress.
- Agree arrangements for monitoring the progress of the performance objectives at least once during the year.
- Meet with the head teacher, the Trust, and SIP at the end of the review cycle to review the head's performance and identify achievements, including assessment of achievement against objectives, and to discuss and identify professional development needs/activities.
- Write a performance review statement and give a copy to the head teacher within 5 days of the review meeting, and allow 5 days for the head teacher to add written comments.
- Provide the head teacher and chair of the governing body with a copy of the head teacher's performance review statement.

To provide a copy of the head teacher's statement to those governors who are responsible for taking decisions in relation to promotion and pay. These governors should take account of this statement when they are making decisions.

### **How will the Trust fulfil its role in the Scheme**

As sponsor the Trust has a number of responsibilities placed upon it which have to be fulfilled. It also wants to establish an effective LGB allowing it to play an integral part in the development of the academy. This Scheme attempts to record in a formal way how both parties can fulfil their respective roles as part of a Church of England team tasked with delivering the best education possible to the pupils and communities we serve. The Scheme should be read in this context as well as in its more formal role.

In reality the Trust will fulfil its role by a combination of specified and ad-hoc meetings and reports. The specified part of its role is summarised below in the form of an annual programme.

MONTH	ACTIVITY	HOW
September	Detailed review of previous academic years educational achievements	Discuss with Head and attend Standards Committee or LGB meeting
	Production of a trial balance as part of the preparation of the Trust's accounts	Agree with SBM
	Review numbers of pupils on role	Discuss with Head and SBM
	Receive LGB reports for next meeting	Read and discuss with Head and Chair if the Trust needs to attend LGB meeting
October	Set Head Teachers performance	Attend meeting set for this

	management targets with SIP and nominated Governors	
November	SIP Visit	Attend feedback meeting with Head, Chair and SIP
December	Review Budget monitoring reports	Discuss with Head and SBM and possibly Chair of Finance Committee
January	Publish the Trust's financial statements on academy's web site	Agree with SBM
	Receive LGB reports for next meeting	Read and discuss with Head and Chair if the Trust needs to attend LGB meeting
February	Review the next academic year's funding statement from the EFA	Discuss with Head and SBM
March	SIP Visit	Attend feedback meeting with Head, Chair and SIP
April	Review Budget monitoring reports	Discuss with Head and SBM and possibly Chair of Finance Committee
May	Receive LGB reports for next meeting	Read and discuss with Head and Chair if the Trust needs to attend LGB meeting
June	Agree budget for next year and draft budgets for the following four years	Discuss with Head and SBM; attend Finance Committee and LGB if required
July	Review headline educational achievements for academic year	Discuss with Head and attend Standards Committee or LGB meeting
August		

The above gives an indication of the specific way in which the Trust will fulfil its role. As much again, if not more, will be done through the ad-hoc meetings and visits. These are usually requested by the academy but the Trust has requested some – these have been to attend SLT meetings, and SIP feedback meetings - where detailed discussions on educational achievement have taken place. The Chair of Standards has also attended some of these meetings.