

East Midlands Academy Trust

Scheme of Delegation

'Every child deserves to be the best they can be'

Scope: East Midlands Academy Trust & Academies within the Trust	
Version: V4	Filename: East Midlands Academy Trust Scheme of Delegation
Approval: July 2024 This SoD was ratified by the East Midlands Academy Trust Board of Trustees.	Next Review: July 2025 <i>This SoD will be reviewed annually by the Trust Board</i>
Owner: Head of Governance & Compliance	Union Status: N/A

Revision History

Revision Date	Revisor	Description of Revision
July 2024 – v4	A Rigler	Removal of Committee Terms of Reference to separate document. Simplify document for ease of use. Full review of delegation of responsibility. Simplification of key (remove Approver and Inform)
Nov 2023 – v3.1	A Rigler	To incorporate updated policy approval arrangements in section 10.
Sept 2023 – V3	A Rigler	Updated to reflect inclusion of Standards & Performance scrutiny into full board. Update of COO to Deputy CEO
July 2022 – v2	M Juan	Updates to include: <ul style="list-style-type: none"> Revision to further clarify the remit of the Local Advisory Board, incorporating the functions of the S&P committee to the full board Revision to clarify delegated functions to CEO and Head of Governance regarding LAB appointments and creation of committees/panels.
April 2021 v1	M Juan	New EMAT Scheme of Delegation issued to all LABs and Schools

EAST MIDLANDS ACADEMY TRUST: SCHEME OF DELEGATION

INTRODUCTION

East Midlands Academy Trust (EMAT) operates a family of schools. It is a company limited by guarantee and is an exempt charity which means that although it has the responsibilities that are placed upon charities it is not required to be registered with the Charity Commission or file documents there. The Trust is constituted under Articles of Association which set out the purposes (Objects) and powers of the Trust and how these are to be exercised. The Objects cannot be changed although they can be added to with the approval of the Secretary of State and the Charity Commission. The Objects are:

to advance for the public benefit education in the United Kingdom, in particular but without prejudice to the generality of the foregoing, by establishing, maintaining, carrying on, managing and developing schools offering a broad and balanced curriculum (“the mainstream Academies”) or educational institutions which are principally concerned with providing full-time or part-time education for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless alternative provision is made for them (“the alternative provision Academies”) or 16 to 19 Academies offering a curriculum appropriate to the needs of its students (“the 16 to 19 Academies”) or schools specially organised to make special educational provision for pupils with Special Educational Needs (“the Special Academies”)

Purpose

The EMAT Board of Trustees is accountable in law for all decisions about the Trust and its academies. This scheme of delegation sets out how functions are delegated throughout the governance structure to give the Board the assurance of quality of education and safety and good practice of all activity within the Trust.

This document is intended to serve as an easy, clear reference for the delegations of activity or decision making.

All delegations have been developed in line with the Trust’s Articles of Association, Terms of Reference and Policies. The Trust Board reserves the right to review or remove any power or responsibility which it has delegated and has the authority to amend this Scheme of Delegation at any time.

Levels of Governance and Leadership

This Scheme of Delegation refers to the following committees and roles.

Members	<ul style="list-style-type: none"> ▪ Guardians of the governance of the Trust, ensuring the charitable object is fulfilled. ▪ Agree the Trust articles of association, appoint Trustees and external auditors. ▪ Receive the annual report, accounts and other information.
Trustees	<ul style="list-style-type: none"> ▪ Legally accountable for all statutory functions and performance of the schools within the Trust. ▪ Accountable to the Members, Secretary of State for Education and the wider community, for the quality of the education provided and for the appropriate expenditure of public money.
Trust Board Committees	<ul style="list-style-type: none"> ▪ The Board delegates responsibility for functions that are specific to the individual schools to Local Advisory Boards (LAB). ▪ The Board delegates certain of its functions that relate to the Trust as a whole, to the Finance, HR & Estates and Audit & Risk committees of the Trust Board. These committees have been established to enable review, scrutiny and discussion of key areas and to ensure the Board has sufficient understanding and oversight. Detailed committee roles and memberships are set out in the terms of reference for each committee.
Executive Leadership Team	<ul style="list-style-type: none"> ▪ The ELT consists of the CEO (Accounting Officer), DCEO (Chief Financial Officer), Head of Education, Head of Finance, Head of People & Culture, Head of Shared Services, Head of Governance & Compliance and Head of PR & Communications. ▪ The CEO is not a member of the Trust Board but has personal responsibility to the Secretary of State for Education, ESFA and DfE and has delegated accountability and responsibility for the day to day operation of the Trust. ▪ The Chief Financial Officer – who has the job title of Deputy Chief Executive Officer – has delegated responsibility for all financial matters subject to any direction from the CEO. ▪ In some instances, actions and responsibilities are allocated to an individual member of the ELT.
Head Teacher	<ul style="list-style-type: none"> ▪ Refers to the Executive Head Teacher, Head Teacher or Head of School, as appropriate. ▪ Reports to the CEO and has responsibility for the performance and operational activity of the academy in line with Trust strategy, approach, ethos and values. ▪ Shares information with the LAB about how the school operates to enable monitoring and scrutiny of key policies and improvement plans.

This document sets how those various responsibilities are delegated and how the various constituent parts of the Trust are required to operate.

The Trust Board reserves the right to review or remove any power or responsibility which it has delegated,

The bodies identified in the scheme of delegation are as follows:

KEY	
M	Members of the Academy Trust
TB	Trust Board (<i>which may separately delegate any powers reserved to it to specific committees of the Trust Board</i>)
TBC	Trust Board Committee. <i>The letter in the relevant column indicates the committee:</i> FHRE: Finance, HR & Estates Committee A&R: Audit & Risk Committee
LAB	Local Advisory Board of the school
CEO	Chief Executive Officer
DCEO	Deputy Chief Executive Officer
HT	Leader of the school <ul style="list-style-type: none"> • Executive Headteacher • Headteacher • Head of School

The different levels of delegated power are listed as:

KEY	
A	Accountable & Approver (<i>statutory obligation and answerability</i>)
R	Responsible <i>for the delivery. Does the work to achieve the task.</i>
C	Consulted <i>needs to be involved before the decision is made. Communication is two way – these are important stakeholders or have specialist knowledge.</i>
S	Support (<i>provides assistance to complete the task</i>)

Allocation of resources

Budgets are set via a centrally coordinated process led by the Deputy CEO, in consultation with Headteachers and other cost centre owners. Education staff budgets are determined with reference to a curriculum-led model, flexed where appropriate in consultation with Headteachers. Pupil Premium and Higher Needs monies are allocated directly to the schools and managed by the Head and LAB.

Budget Approval

The Trust operates from a single legal entity. A Trust-wide budget and 3-year financial plan must be recommended by the FHRE committee, for approval by the Trust Board, on an annual basis, ahead of the ESFA's BFR submission deadline.

Scheme of Delegation

Key Function	Decision	Delegation									
		M	TB		TBC	CEO		DCEO	LAB	HT	
Governance	1.1	Setting EMAT's vision, strategy and strategic objectives	C	A	R		A	R	C	C	C
	1.2	Championing EMAT's vision, values and strategic objectives	A	A		A	A		A	A	A
	1.3	Governance structure, Terms of Reference, Schemes of Delegation		A			R		C		
	1.4	Review changes to the Articles or Funding Agreement (with EFSA approval sought)		A		FHRE	A		R	R	
	1.5	Approve changes to the Articles or Funding Agreement (with EFSA approval sought)	A	C		FHRE	A		R	R	
	1.6	Appoint and remove Members	A	R			S				
	1.7	Appoint and remove Trustees	A	R	A	R	S				
	1.8	Appoint and remove the Chair and Vice Chair of the Trust Board		A		R					
	1.9	Appoint / remove Board Committee Chairs		A		R	S				
	1.10	Establish LAB committees		A			R			S	S
	1.11	Appoint / remove Local Advisory Board Chairs		A			R			C	
	1.12	Agree named Safeguarding Trustee		A		R					
	1.13	Agree named SEND Trustee		A		R					
	1.14	Agree named Careers Trustee		A		R					
	1.15	Appoint Trust Governance Professional		A			R		S		
	1.16	Review performance of the Board	A	A		R	S		S		
	1.17	Review performance of Board committees and LABs		A		R	C		S	R	S
	1.18	Local Governance appointments					A			R	
	1.19	Establish & review of Scheme of Delegation		A			A		R	C	
	1.20	Establish, review and monitor Trust Improvement Plan		A		R	A		R	C	
	1.21	Establish Risk Register and conduct regular reviews		A		A&R	A		R	R	C
	1.22	Report on Risks to Board		A		A&R			R	C	
	1.23	Ensure engagement with stakeholders	R	A		R	R		R	A	R
	1.24	Publish governance arrangements on trust and schools' websites		A			R				
Finance	2.1	Produce Financial Scheme of Delegation		A			A		R	R	
	2.2	External auditors: appoint/remove	A	R		C	C		C	R	
	2.3	Receive external auditors report	A	R							
	2.4	Action recommendations made by external auditors		A		S	R		R		R

Scheme of Delegation

Key Function	Decision	Delegation								
		M	TB	TBC	CEO	DCEO	LAB	HT		
	2.5	Submit annual report and accounts, including accounting policies, signed statement of regularity, propriety and compliance incorporating governance statement demonstrating value for money. ESFA required reports.		A	FHRE	A	R	R		
	2.6	Agree the overall budget to support trust priorities		A	FHRE	C		R		
	2.7	Agree budget to support delivery of school strategic priorities		A	FHRE	A	A	R	S	R
	2.8	Monitor the Trust budget throughout the financial year		A	FHRE	A	R	R		
	2.9	Carry out benchmarking and trust-wide value for money evaluation		C	FHRE	A		R		
	2.10	Agree reporting and monitoring arrangements for trust and school budgets		A	FHRE	C		R	C	C
	2.11	Review all schools' budgets throughout the financial year				A	A	R		R
Staff/PM	3.1	Appoint, dismiss & performance manage CEO. Agree pay and reward.		A	R					
	3.2	Appoint, dismiss and performance manage Chief Financial officer				A	R			
	3.3	Appoint, dismiss & performance manage Exec HT / HT. Agree pay and reward.		C		A	R	R	C	
	3.4	Appoint, dismiss & performance manage other staff (as required by CEO)				A	R	A	R	S
	3.5	Determine HR policies (appraisal, pay, disciplinary, grievance, capability, safer recruitment)		A	FHRE	A	R	R		
	3.6	Determine Exec Team staffing structure		A	FHRE	A	R	C		
	3.7	Implementation of HR policies (appraisal, pay, disciplinary, grievance, capability, safer recruitment)		A		A	R	R	S	R
	3.8	Approve changes to school staffing structures including recruitment and terms and conditions		A	FHRE	A	R	R	C	C
	3.9	Approval of exit payments / early retirement / pension discretion		A	FHRE	A	R	R		
Pupil Welfare, Safeguarding Discipline and Exclusions	4.1	Monitor all aspects of Safeguarding, SEND and pupil welfare across the Trust including safer recruitment		A		A	R	R	R	R
	4.2	Determine pupil behaviour policy		A		A	R		C	C
	4.3	Implement pupil behaviour policies				A				R
	4.4	Monitor implementation of pupil behaviour policies		A		A	R		R	S
	4.5	Review of exclusions in accordance with statutory requirements		A		R			C	S
	4.6	Determine complaints policy		A	R		C		C	
	4.7	Implement complaints policy		A	R		R		R	R
Admissions	5.1	Agree admissions policy		A		A	R	R	C	C
	5.2	Admissions application decisions (via LAB admissions sub-committee)		A		A	R		C	C
Premises & Insurance	6.1	Establish trust-wide estate vision, strategy and asset management plan		A	R	FHRE	A	R	R	
	6.2	Monitor school estate to ensure it is safe and well maintained		A		A		R	C	R
	6.3	Approve appropriate insurance cover for all schools in the Trust		A	FHRE	S		R		
	6.4	Maintain a central property asset register, including asset evaluation		A	FHRE	S		R		S

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		M	TB	TBC	CEO	DCEO	LAB	HT			
	6.5	Maintain a central property conditions database, delivering capital improvement projects, in line with the agreed methodology utilising the Conditions Improvement Fund (CIF)		A	FHRE	S	R				
	6.6	Maintain school premises for routine condition, repair and decorating utilising the school budget, Devolved Formula Capital (DFC) and School Condition Allocation (SCA).		A	FHRE	A	S	R	S	R	
	6.7	Ensure compliance with all appropriate statutory functions e.g. Health and Safety, fire and asbestos risk assessments etc.		A	FHRE	A	S	R	R	R	
	6.8	Ensure best value through effective procurement and contract assessment (inc: educational, commercial and contractual legal advice)		A	FHRE	C	R			C	
Health & Safety	7.1	Propose Health & Safety Policy for the Trust (to include all schools)		A		R	R				
	7.2	Approve Health & Safety Policy for the Trust (to include all schools)		A	FHRE						
	7.3	Monitor implementation of H&S Policies (individual schools)		A			S	R	R		
	7.4	Establish Trust Asset Management policy and plan		A	FHRE	R	R				
	7.5	Develop School Asset Management policy and plan		A	FHRE		R	C	C		
Performance & Curriculum	8.1	Approve Trust curriculum / school curriculum and curriculum policy		A		A	R			C	
	8.2	Ensure high standards of teaching and learning		A		R	S	S	R		
	8.3	Delivery of curriculum				A	S	S	R		
	8.4	Establish and deliver School Development Plan				A		C	R		
	8.5	Develop pupil premium plan		A		R		S	R		
	8.6	Monitor application of pupil premium plan		A	FHRE	R		R	S		
	8.7	Review progress against Trust Development Plan		A	R		A	S			
	8.8	Review progress across against all School Development Plans				A		R	R		
	8.9	Set targets for Trust outcomes - PUPILS		C		A	R			R	
School Organisation	9.1	Approve times of school day and dates of school terms and holidays		A		A	R		C	C	
	9.2	Extended services on site		A		A	R		C	R	
	9.3	School uniform		A		A	R		C	R	
	9.4	Ensure Trust & School websites are compliant and effective		A		A	R		S	R	
Policies	10.1	To determine, annually, those policies which will be developed by the Trust and mandatory for all Trust academies		A		R	C				
	10.2	To approve and monitor policies at school level		A					A	R	R
	10.3	To approve and monitor non-statutory trust wide policies				A	R	A	R		