



Anglian Learning

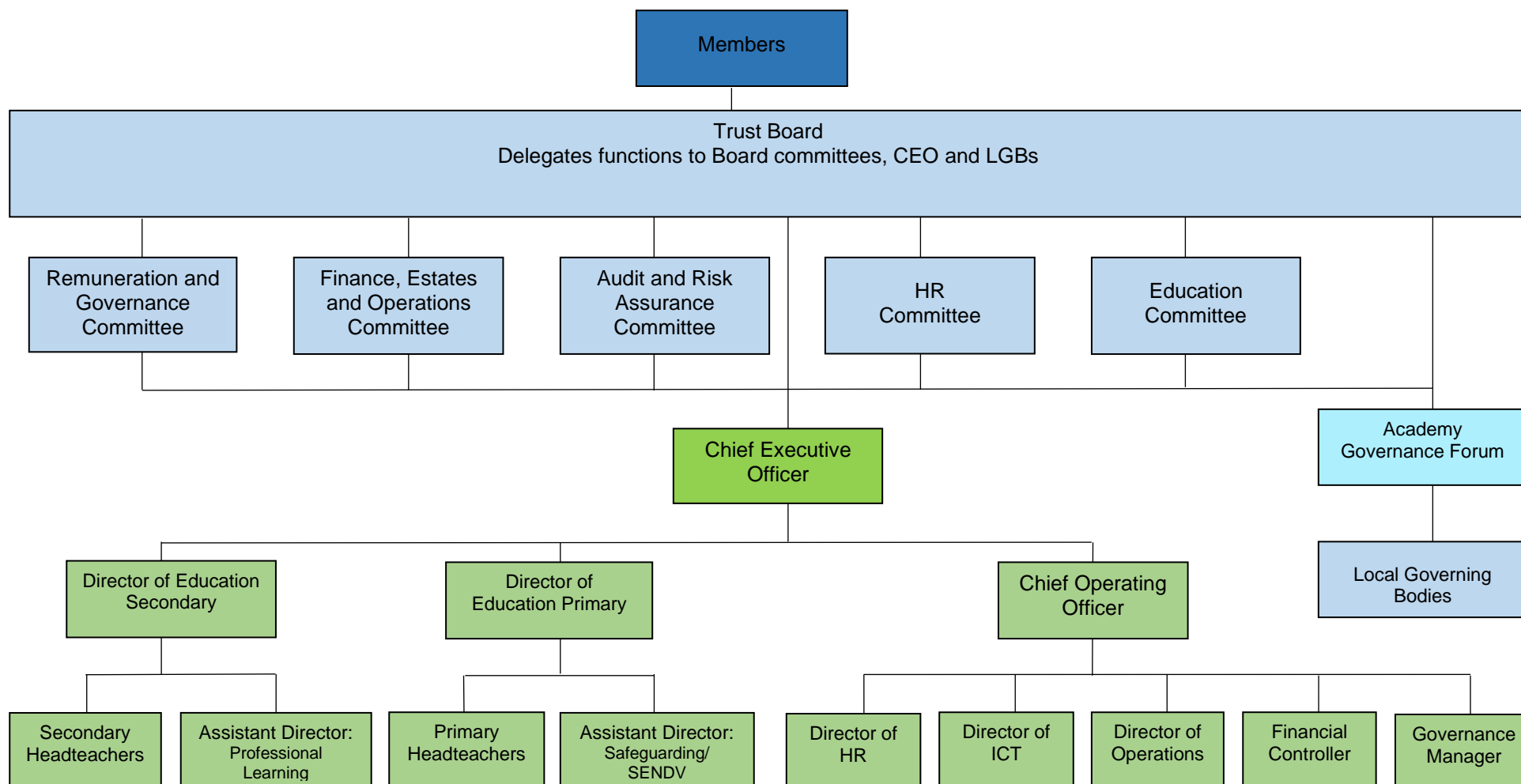
SCHEME OF DELEGATION

September 2021

Introduction

The Scheme of Delegation sets out the delegated powers between the different bodies involved in the governance and operation of the Anglian Learning Multi Academy Trust.

GOVERNANCE STRUCTURE



Roles & Responsibilities

1. 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 were the signatories to the Memorandum of Association and 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 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.

There must be at least three Members, although the DfE prefer at least five, and while Members are permitted to be appointed as Trustees, to retain a degree of separation of powers between the Members and the Trust Board, and in line with DfE expectations, not all Members should be Trustees. Members are not permitted to be employees of the Academy Trust.

2. The role of the Trustees

The MAT 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 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:

- i. Ensure clarity of vision, ethos and strategic direction
- ii. Hold the executive to account for the educational performance of the Trust's schools and their pupils, and the performance management of staff
- iii. 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.

3. The role of 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 relevant 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 Academies Financial Handbook 2020 makes it clear that the Board of Trustees should have a finance committee to which the board delegates financial scrutiny and oversight. In trusts with income above a certain level, there must also be a separate audit committee.

Currently, the Anglian Learning Trust Board has established the following committees: Finance Estates and Operations; Audit and Risk Assurance; Education; Human Resources; and a Remuneration Committee. An Academies Governance Forum also meets as a conduit for communication with Chairs of Governors but does not have delegated powers.

4. 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 accountability for the work of the Academy Principals and Headteachers. As there is the delegation of some governance functions to Academy Local Governing Bodies, this is usually with the Academy LGB Chair alongside. The CEO is the Accounting Officer and therefore 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 Leadership Team of the Academy Trust. The CEO will delegate executive management functions to the Executive Leadership Team and is accountable to the Trust Board for their performance.

5. The role of Local Governing Bodies

The Trustees have established Academy LGBs to carry out some of its school level governance functions, although as Trustees are not required to sit on Academy committees, decision making is limited as outlined in the Scheme of Delegation. Nevertheless, the Trust believes that LGBs have an important role in overseeing and promoting high standards of performance in academies and representing a wide range of stakeholders. Usually the Trustees will appoint the Chair, and ensure that two parents and at least one staff member are elected. As committees of the Board, delegation to individual LGBs can be removed at any time. The Trust has produced a LGB Handbook which describes in detail the responsibilities of the local board.

6. The role of the Academy Principal/Headteacher

The Academy Principal/Headteacher is responsible for the day-to-day management of the Academy and is line managed by the Chief Executive Officer, via the Deputy CEOs/Directors of Education but 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.

Academy Improvement

To facilitate academy improvement, the central team will provide varying levels of support against 2 tiers of need, set out in the table below and underpinned by the Anglian Learning Quality Assurance School Improvement Framework and the ongoing assessment of risk.

	Indicators	Examples of Central Leadership Team/Trust action	Delegated Powers
Tier 1	<ul style="list-style-type: none"> • The culture of the Academy strongly reflects the Anglian Learning Blueprints. • Well developed and accurate improvement plans and executive summaries drive improvement. • Risk register is systematically utilised to effectively manage risk. • Likely Ofsted Good/Outstanding • Academy Leaders actively contribute to trust wide QASI processes, groups and networks. • Local governance supports and challenges the Academy to continue to improve. • Outcomes are in-line with or are above national averages. 	<ul style="list-style-type: none"> • Full implementation of the QASI Framework • Bespoke Academy improvement areas are supported by staff from across the Trust or through Trust groups and networks. • Central team will seek opportunities to enable Academy leaders to support wider trust development and improvement. 	<ul style="list-style-type: none"> • SoD implemented in full
Tier 2	<ul style="list-style-type: none"> • The culture of the Academy is significantly different to the Anglian Learning Blueprints. • Improvement planning and self-evaluation do not drive accurate and timely improvement. • Progress in a number of key areas, such as core subjects, learner groups, & year groups are significantly below national averages. • Likely Ofsted rating inadequate / RI and standards declining or static • Academy leaders do not build on opportunities to learn from other schools, strategic groups and networks. • Local governance is ineffective 	<ul style="list-style-type: none"> • Additional support and resources as appropriate • Modified QASI Framework • Detailed action planning to address concerns quickly. • Enhanced provision from the central team to inform decisions, provide support and oversight where necessary 	<ul style="list-style-type: none"> • Full review of SoD • LGB impact review • IEB implementation where necessary.

Delegated Powers

The delegated powers are broken down into different levels in line with the Trust's principles of governance, leadership and operation. The delegated autonomy for individual Academies is aligned with the need for the Trust to fulfil its corporate responsibilities and accountabilities to the Department for Education, Education Funding Agency, Charities Commission, HMRC and Companies House.

The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined:

- Approve (A)
- Recommend (R)
- Consulted (C)
- Implement (I)

The Scheme of Delegation should be read in conjunction with the Terms of Reference for the relevant body. While the Scheme is designed to be comprehensive it will not cover every task.

Local Governing bodies and headteachers should consult and seek approval for activity not listed above but which may conflict with the aims, vision and values of the Trust and/or may give rise to contention and controversy which may bring individual academies and the Trust into disrepute.

Trust & Academy policies

Separate to this Scheme of Delegation is a policy summary which identifies the range of statutory, regulatory and necessary policies and states whether they are Trust or Academy policies. The summary sets out the responsibility for approval and monitoring of these policies.

#	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consulted (C), Implement (I)	Notes	Board	LGB	CEO	Academy Headteacher	Further Guidance
1.	General Governance						
1.1.	Approve changes to the Trust Articles of Association	Approval by Trust Members only	R				The articles can be found on the Trust website. Changes can only be approved by Members
1.2.	Approve the Trust Board Terms of Reference		A		R		The Terms of Reference can be found on the Trust website
1.3.	Approve the Trust Scheme of Delegation		A	C (via AGF)	R		Changes are recommended by the R&G Committee following consultation with the AGF, and approved by the Board
1.4.	Approve new convertor or sponsored academies joining Anglian Learning		A		R		
1.5.	Undertake an annual review of the Board and its committees		A				
1.6.	Establish Trust Committees		A		R		
1.7.	Approve Trust Committee Terms of Reference		A		R		
1.8.	Approve Local Governing Body (LGB) Terms of Reference		A		R		LGB Handbook
1.9.	Establish LGB sub committees			A		R	LGB Handbook
1.10.	Appoint Chair of Trust Board		A				
1.11.	Appoint Chair of LGB		A	R			LGB Handbook
1.12.	Remove Chair of LGB	In exceptional circumstances	A	R			LGB Handbook
1.13.	Appoint (and remove*) Vice Chair of LGB	*In exceptional circumstances	A	R			LGB Handbook
1.14.	Appoint (and remove*) LGB members	*In exceptional circumstances	A	R			LGB Handbook
1.15.	Appoint (and remove) Chair(s) of Trust Committees		A				
1.16.	Appoint (and remove) Trust Committee members		A				

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1.17.	Appoint (and remove) Clerk to Trust Board		A				
1.18.	Appoint (and remove) Clerk to LGB			R	A		LGB Handbook
1.19.	Organise calendar of Trust Board and LGB meetings		A		R		LGB Handbook
2.	Trust & Academy Performance, Curriculum and Teaching						
2.1.	Trust Strategic Improvement Plan (including Business Plans)		A		R		
2.2.	Trust Self Evaluation Form		A		R		
2.3.	Trust Quality Assurance Strategy		A		R		Trust Operating Procedures
2.4.	Trust Key Performance Indicators		A		R		Trust Operating Procedures
2.5.	Trust Curriculum Framework		A		R		Trust Operating Procedures
2.6.	Trust Teaching Framework		A		R		Trust Operating Procedures
2.7.	Trust Behaviour Framework		A		R		Trust Operating Procedures
2.8.	Trust Leadership Framework		A		R		Trust Operating Procedures
2.9.	Academy Key Performance Indicators			A		R	LGB Handbook Trust Operating Procedures
2.10.	Academy Self Evaluation/ Performance Summaries			A		R	LGB Handbook Trust Operating Procedures
2.11.	Academy Strategic Improvement Plan		A	R2	R3	R1	LGB Handbook Trust Operating Procedures
2.12.	Academy 1 Year Plan (improvement plan)			A		R	LGB Handbook Trust Operating Procedures
2.13.	Academy Curriculum Plan			A		R	LGB Handbook Trust Operating Procedures
2.14.	Academy Teaching and Learning Policy			A		R	LGB Handbook Trust Operating Procedures
2.15.	Academy Behaviour, Attendance and Inclusion Policy			A		R	LGB Handbook Trust Operating Procedures
2.16.	Academy Policies			A		R	Policy summary

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2.17.	Trust Policies	Approval by Board/cttee as agreed for each policy	A*	Monitor as required by policy	R		Policy summary
3.	Personnel Matters						
3.1.	Changes to Employee Terms & Conditions	Consulted as per policy	A		R		Trust Operating Procedures Recommended by HR Committee to Board
3.2.	Human Resources Policy and Procedure		A		R		Trust Operating Procedures Recommended by HR Committee to Board
3.3.	Terms & Conditions for new academies	Due Diligence	A		R		
3.4.	Teachers Annual Pay Award	As per Pay Policy	A		R		Trust Operating Procedures Recommended by FEO Committee to Board
3.5.	Support Staff Annual Pay Award	As per Pay Policy	A		R		Trust Operating Procedures Recommended by FEO Committee to Board
3.6.	CEO and Directors' Pay Award	Remuneration and Governance Committee	RA				Trust Pay Policy Trust CEO and Directors Pay Award Guidance
3.7.	Headteacher Pay Award & Performance Review	As per Trust policy	A		R		LGB Handbook HTPR Policy and Procedure
3.8.	Individual Performance Pay Awards	As per Pay Policy		A		R	LGB Handbook Trust Operating Procedures
3.9.	Trust wide leadership support staff pay awards	As per Pay Policy	A		R		
3.10.	Review of Academy's ISR and other pay range related matters	As per Pay Policy	A	C	R		LGB Handbook HRPR Policy and Procedure
3.11.	CEO appointment		A				
3.12.	Central Leadership Team appointments	As per policy	A		R		

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3.13.	Trust staff structure & complement	Remuneration and Governance Committee	A		R		
3.14.	Academy staff structure			A		R	LGB Handbook Trust Operating Procedures
3.15.	Headteacher & Deputy Headteacher appointment	As per policy	A	C	R		LGB Handbook Trust Operating Procedures
3.16.	Other Senior leadership appointments	As per delegated authority		A	C	R	LGB Handbook Trust Operating Procedures
3.17.	Teaching and support staff appointments	As per policy				A	LGB Handbook Trust Operating Procedures
3.18.	Suspension of CEO/Executive Leadership Team	As per policy	A				
3.19.	Return of CEO/Exec Principal after suspension		A				
3.20.	Dismissal of CEO		A				
3.21.	Suspension of Headteacher	As per policy	C	C	A		
3.22.	Return of Headteacher after suspension			C	A		
3.23.	Dismissal of Headteacher		A	C	R		
3.24.	Dismissal & suspension of teaching and support staff				C	A	
3.25.	Return of teaching and support staff after suspension	As per policy		A	C	R	
3.26.	Redundancy of staff			A	C	R	
3.27.	Restructuring of staff where fewer than 5 redundancies in 6 months			A	C	R	
3.28.	Restructuring of a staff group pay and conditions				A	R	
3.29.	Appointment of Finance staff				A	R	LGB Handbook Trust Operating Procedures

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3.30.	Appointment of Senior Finance Lead				A	C	LGB Handbook Trust Operating Procedures
3.31.	Appointment of ICT technical staff				C	A	LGB Handbook Trust Operating Procedures
3.32.	Appointment of ICT Network Lead				A	C	LGB Handbook Trust Operating Procedures
3.33.	Appointment of HR staff				C	A	LGB Handbook Trust Operating Procedures
3.34.	Appointment of Site Managers				C	A	LGB Handbook Trust Operating Procedures
4.	Financial Governance						
4.1.	Appoint Trust external auditors	Audit and Risk Assurance Committee	R				Members required to approve under Academies Financial Handbook
4.2.	Appoint Trust internal auditors		A		R		
4.3.	Trust 3 year Budget Plan		A		R		
4.4.	Trust 1 year Budget		A		R		
4.5.	Trust Annual Accounts		A				
4.6.	Trust Academies Accounts Return to ESFA/Companies House		A		A		
4.7.	Response to Auditor's Management Letter		A				
4.8.	Academy 1 year Budget		A	R1	R2		LGB Handbook Budget Setting Guidance
5.	Financial Authorisation						
5.1.	Expenditure or contracts below Find A Tender Limit	As per policy		A/C	A/C	A	Differing limits as outlined in the IFRH
5.2.	Expenditure over Find a Tender limit	As per policy	A		R		IFRH
5.3.	Disposals or write off of stock, assets or debts	As per policy		A/C	A/C	A	Differing limits as outlined in the IFRH
5.4.	Compensation payments up to £50,000	ESFA threshold	A		R	C	IFRH/AFH

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6.	Academy Changes & Procedures						
6.1.	Academy times, terms and holidays				A	R	Trust Operating Procedures
6.2.	Change of Academy Age Range		A	C	R2	R1	Trust Operating Procedures
6.3.	Expansion/Reduction of Academy PAN		A	C	R2	R1	LGB Handbook Trust Operating Procedures
6.4.	Extension of Academy provision		A	R1	R2		LGB Handbook Trust Operating Procedures
6.5.	Extended services on-site			C	A	R	LGB Handbook Trust Operating Procedures
6.6.	Short-term Exclusion	As per DfE policy				A	Trust Operating Procedures
6.7.	Return after short-term exclusion	As per DfE policy				A	Trust Operating Procedures
6.8.	Direction of off-site education					A	Trust Operating Procedures
6.9.	Permanent Exclusions	As per DfE policy		A		R	LGB Handbook
6.10.	Appeals against Permanent Exclusion	As per DfE policy	I				
6.11.	Admissions allocation of places					A	
6.12.	Admissions Policy		A		R2	R1	LGB Handbook Trust Operating Procedures
6.13.	Admissions Appeals	Independent Panel	I				
6.14.	Academy prospectus			A		R	LGB Handbook
6.15.	Academy website				A	R	Trust Operating Procedures
6.16.	Academy logo & branding			C	A	R	LGB Handbook
6.17.	Academy uniform (significant changes only)			C	A	R	LGB Handbook Trust Operating Procedures
7.	Premises & Assets						
7.1.	Trust Asset Management Strategy		A	C	R		LGB Handbook
7.2.	Disposal of trust premises. Entering or ceasing a property lease		A	C	R		ESFA consent also required under the AFH
7.3.	Academy Estates Plan					A	Trust Operating Procedures
7.4.	Health and Safety Policy		A		R		Trust Operating Procedures

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7.5.	Deciding on shared services and activities other than those centrally provided by the Trust		A		R		
7.6.	Setting trust-wide procurement policies for suppliers including auditors, HR and payroll providers and solicitors in accordance with the Funding Agreement Schools Financial Handbook;		A		R		
7.7.	Ensuring that building insurance and public liability is in place.		A		R		
8.	Risk Management						
8.1.	Trust Risk Register		A		R		Risk Management Policy
8.2.	Academy Risk Register			C	A	R	LGB Handbook Trust Operating Procedures Risk Management Policy
9.	Safeguarding						
9.1.	Child Protection and Safeguarding Policy		A	Monitor as per policy	R		LGB Handbook Trust Operating Procedures Trust Safeguarding Framework
9.2.	Safer Recruitment of Staff Policy		A	Monitor as per policy	R		LGB Handbook Trust Operating Procedures Trust Safeguarding Framework