Toddington St George Academy Trust Scheme of Delegation 2022-2023

Members

Academy trust board of trustees

Finance Personnel & Buildings Committee

Curriculum & School Improvement Committee

Senior Executive Leader
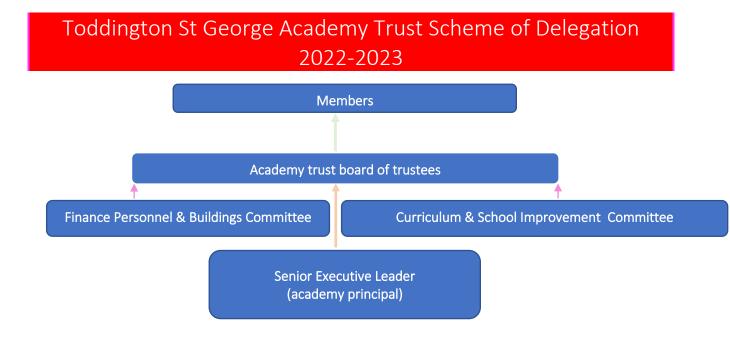(academy principal)

Governance structure and lines of accountability

The academy trust board of trustees' delegate responsibility for the day to day running of the academy to the principal. The trustee board will hold the principal to account for the performance of the academy. The principal in turn holds other members of the senior leadership team to account by line managing them. While the board cannot ever delegate its accountability, it can delegate some of the detailed scrutiny, oversight and decision making.

The principal will report to the board on the performance of the academy, although this will be supplemented by the monitoring of trust board committees and individual trustees with any delegated responsibilities.

The principal is performance managed by the trust board.

Roles and responsibilities

The role of the members

The members of the trust have a different status to trustees. Originally, they will have been the signatories to the memorandum of association and will have agreed the trust's first articles of association (a document which outlines the governance structure and how the trust will operate). The articles of association will 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.

While members are permitted to be appointed as trustees, in order 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. The DfE has amended the model articles to state that members are not permitted to be employees of the academy trust.

The role of the trustees

The academy 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. Because trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. NGA 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 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 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:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of the trust and their pupils, and the performance management of staff
3. 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.

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 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 2019 makes it clear that the board of trustees 'should have a finance committee to which the board delegates financial scrutiny, oversight and internal audit scrutiny. In trusts with income above a certain level, there must also be a separate audit committee.

The role of the senior executive leader (the academy principal in a single academy trust)

The principal has the delegated responsibility for the operation of the trust.

The principal is the accounting officer so 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 principal leads the senior leadership team (SLT) of the academy trust. The principal will delegate management functions to the SLT and is accountable to the trust board for the performance of the SLT.

Key
Level 1: Members
Level 2: Academy trust board of trustees
Level 3: Board Committee
Level 4: Individual trustee
Level 5: Senior executive leader (accounting officer)
Blue box   Function **cannot** be carried out at this level.
✔   Action to be undertaken at this level
✔   Action to be undertaken at this level
A   Provide advice and support to those accountable for decision making
<>   Direction of advice and support

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual trustee	Senior Executive Leader
Governance framework						
People	Members: Appoint/Remove	✔				
	Trustees: Appoint/Remove	✔	✔			
	Role descriptions for members	✔				
	Role descriptions for trustees/chair/ specific roles/committee members: agree		✔	<A		
	Parent trustee: elected		✔			
	Committee chairs: appoint and remove		✔	<A		
	Clerk to board: appoint and remove		✔			
	Articles of association: agree and review	✔	<A	<A		
	Governance structure (committees) for the trust: establish and review annually		✔	<A		
	Terms of reference for trust committees (including audit if required, and scheme of delegation): agree annually		✔	<A		
	Skills audit: complete and recruit to fill gaps		✔			

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		Members	Trust Board	Committee	Individual trustee	Senior Executive Leader
Systems and structures	Annual self review of trust board and committee performance: complete annually		✔			
	Chair's performance: carry out 360 review periodically		✔			
	Trustee contribution: review annually		✔			
	Succession: plan		✔	<A		
	Annual schedule of business for trust board: agree		✔	<A		<A
Reporting						
Reporting	Trust governance details on trust website: ensure		✔	<A	<A	<A
	Register of all interests, business, pecuniary, loyalty for members/trustees: establish and publish		✔	<A		
	Annual report on performance of the trust: submit to members and publish		✔	<A		
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✔	<A		
	To determine whether to publish a home school agreement (not statutory)					✔
	Overall responsibility for ensuring that statutory requirements for information published on the school website, including required		✔	<A	<A	<A

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual trustee	Senior Executive Leader
	details of governance arrangements, performance, financial and equality data are met					
	To publish and update at least annually a SEN information report (meeting requirements set out in the Special Educational Needs and Disability Regulations 2014)		✓	✓		✓
Being Strategic						
Being Strategic	Determine trust policies which reflect the trust's ethos and values including: admissions; expenses; data protection and FOI; SEN, safeguarding and child protection and curriculum, : approve		✓	<A		<A
	Determine trust staffing policies which reflect the trust's ethos and values including appraisal, capability, discipline, conduct and grievance: approve		✓	<A		<A
	Determine trust policy for complaints, health and safety, accessibility plan, premises management, data protection and FOI: approve		✓	✓		<A
	Establish trust policy for sex education, careers guidance					✓
	Determine a behaviour and discipline policy that promotes good behaviour among pupils and defines the sanctions to be adopted where pupils misbehave		✓	<A		<A
	To draft content of school behaviour policy and publicise it to staff, students and parents.					✓
	To annually determine admission arrangements and to carry out consultation where changes are proposed, or where the governing board has not consulted on their arrangements in the last seven years.		✓	<A		
	Ensure a broad and balanced curriculum is in place		✓	<A		<A

Area	Decision	Delegation				
		Members	Trust Board	Committee	Individual trustee	Senior Executive Leader
	To set the times of school sessions and the dates of school terms and holidays		✓			
	Agree enrichment/extra-curricular offer including any additional services required		✓	✓		<A
	Imbed agreed curriculum and enrichment offer within the day to day operation of the academy trust					✓
	To establish and agree a Pay policy		✓	✓		
	Management of risk: establish register, review and monitor		✓	<A	✓	<A
	Engagement with stakeholders	✓	✓	✓	✓	✓
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓	<A		<A
	Principal: Appoint and dismiss		✓			
	To decide whether to join or form a multi-academy trust		✓			
	Budget plan to support delivery of trust key priorities: agree		✓	<A		
	Academy staffing structure: agree		✓	<A		<A
	Appoint teaching staff		A>			✓
	Appoint non-teaching staff					✓

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Holding to account						
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✔	<A	<A	<A
	To produce and maintain a central record of recruitment and vetting checks					✔
	To have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the *Prevent* duty into the child protection policy		✔	<A	<A	<A
	Reporting arrangements for progress on key priorities: agree		✔	✔		<A
	Performance management of the Principal: undertake		✔			
	Performance management of staff: undertake					✔
	Establish and review procedures for addressing staff discipline, conduct and grievance		✔	✔		
	Trustee monitoring: agree arrangements		✔	<A		
	To review all permanent exclusions and fixed term exclusions where the pupil is either excluded for man than 15 days in a term of would lose the opportunity to sit a public examination.			✔		

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✓	To ensure that health and safety regulations are followed					✓
	Ensure that school lunch nutritional standards are met					✓
	Maintain a register of pupil attendance					✓
	To ensure provision of free meals to those pupils meeting the criteria, including Universal Infant Free School Meals (if applicable)					✓
Ensuring financial probity						
Ensuring financial probity	Chief financial officer for delivery of trusts detailed accounting processes: appoint		✓	<A		
	Trust's scheme of financial delegation: establish and review		✓	<A	<A	<A
	External auditors' report: receive and respond		✓	<A		<A
	Principal pay award: agree		✓			
	Staff appraisal procedure and pay progression: monitor and agree		✓	<A		<A
	Benchmarking and academy trust value for money: ensure robustness		✓	<A		
	Develop trust procurement strategies and efficiency savings programme			✓		

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		Members	Trust Board	Committee	Individual trustee	Senior Executive Leader
	To approve the first formal budget plan each financial year		✔	<A		
	To agree annual action plans and monitor how school premiums are spent (i.e. PE and sports premium, Year 7 numeracy and maths catch up premium, service premium and the pupil premium)		✔	✔		
	To establish and agree charging and remissions policy		✔	✔		
	Buildings insurance and personal liability		✔			

Reviewed and agreed by the TSG Governing Board at the FGB meeting on 26.9.22