



MOWBRAY
Education Trust

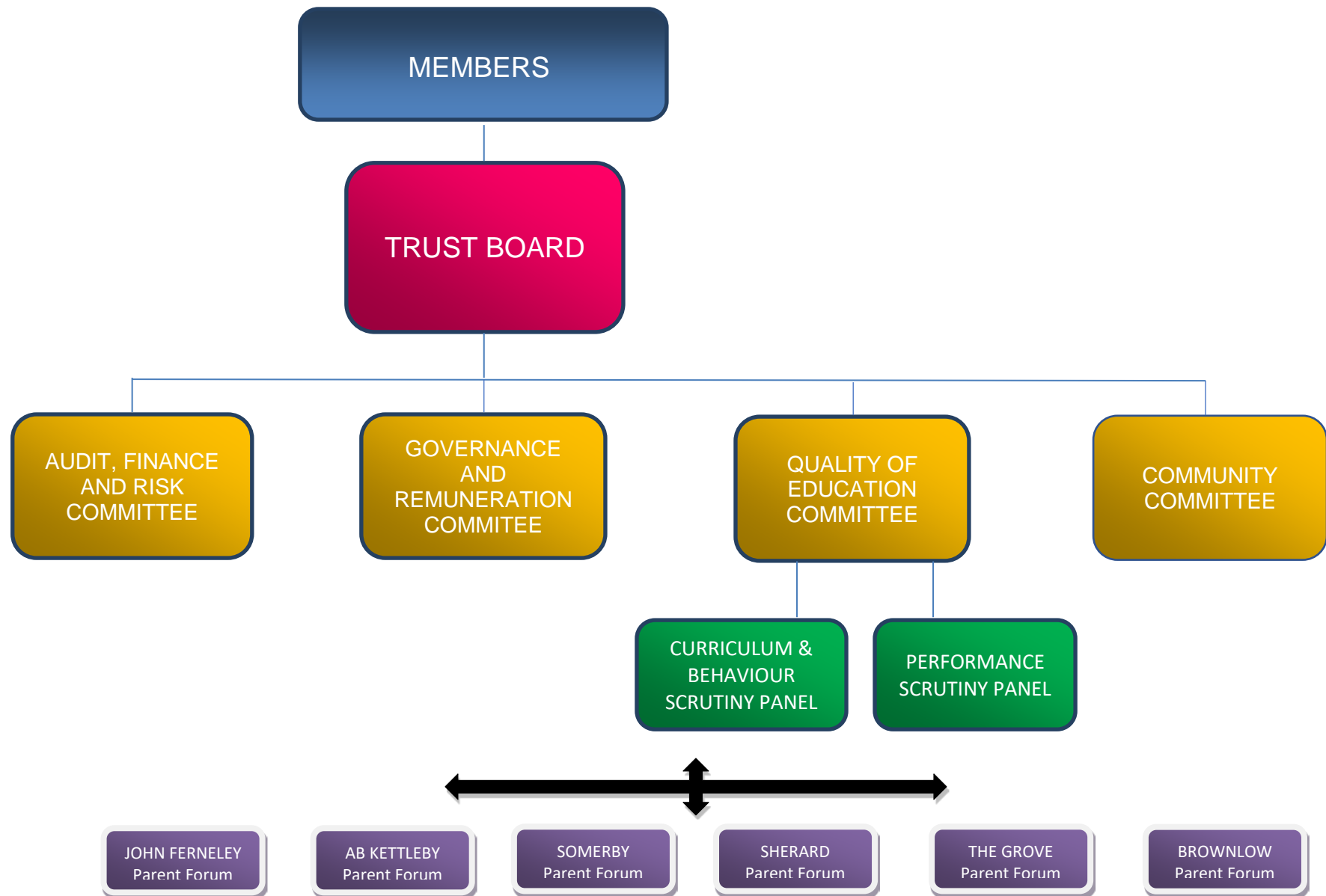
Mowbray Education Trust Board

Scheme of Delegation

September 2021

Document Type	Governance document - Published online
Last Revision Date	Sept 2021
Next Revision Date	Sept 2022
Owner	Governance Manager
Author	Governance Manager
Version	2.0
Status	Review/Approved by Trust Board September 2021

Mowbray Education Trust Governance Model



Principles

1. Mowbray Education Trust (MET), founded in 2014, is an incorporated company and charity that aims to establish and maintain several Academies in accordance with guidelines laid down in its funding agreement with the DfE.
2. Effective governance in our Academy Trust is supported by the following:
 - Trust Members – the guardians of the constitution
 - Trust Board – the Directors / Trustees
 - Audit, Finance & Risk Committee
 - Governance & Remuneration Committee
 - Quality of Education Committee
 - Community Committee
 - Curriculum and Behaviour Scrutiny Panel
 - Performance Scrutiny Panel
 - Parent Forums
 - The Chief Executive
 - The Executive Team
 - Head teachers and Heads of School
3. The Trust Board has overall responsibility and ultimate decision-making authority for all the work of the Academy Trust, including the establishment and maintenance of the schools.
4. The MET governance model sets out the fundamental principles of the organisation. Delegation of responsibilities is set out in this Scheme of Delegation and the remit of the Trust Boards committees is explained in each Terms of Reference.
5. The governance principles of MET recognise the importance of fostering strong, functional relationships to support and develop the Trust in line with its aims and vision. The governance review throughout the 2019-2020 academic year and the subsequent revision of its structure is continuing to develop and strengthen as we strive towards further excellent governance practice incorporating best practice guidance and adhering to the regulations set out in the Academy Trust Handbook

Aims of the Scheme of Delegation

- Promote a culture of honesty and accountability.
- Ensure all decision makers are clear about which decisions the Board, Committees and Executive Team of Mowbray Education Trust are responsible for.
- Identify responsibility for the appointment and performance management of the CEO/Executive Head Teachers/Headteachers
- Ensure that the role of the Trustees and Executive Leadership is fully understood throughout the Trust
- Identify responsibility for policy and practice across the Trust.
- Identify responsibility for oversight of educational performance in each school.
- Identify responsibility for oversight of Trust and school budgets.
- Identify responsibility for assessment of risk in each school

The relationship between the Trust Board and all elements of the governance structure is one of partnership, to realise a common vision and a common purpose.

Roles

Members

Members sit at the top of the governance structure, above the Trust Board.

Their role is:

- To assess whether the Trust Board is performing well; and
- That the purpose of the Trust and its charitable objects are being fulfilled.

Trustees

The Trustees are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the Articles of Association.

The Trust Board is required to:

- Ensure clarity of vision, ethos and strategic direction
- Hold executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff; and
- Oversee the financial performance of the organisation and making sure its money is well spent.

The effectively undertake their duties the Trust Board have constituted committees and panels to discharge delegated duties. The committees report information, decisions and recommendations. The Trust Board uses these committees to promote stakeholder engagement and as a point of consultation and representation. Decisions made by these committees are deemed decisions of the Trust Board.

These committees are:

Audit, Finance & Resources Committee

Governance & Remuneration Committee

Quality of Education Committee

Community Committee, supported by Scrutiny Panels monitoring Performance and Curriculum & Behaviour.

The duties of each committee and panel are fully explained in the relevant Terms of Reference.

Chief Executive Officer

The Mowbray Education Trust Board appoint the Chief Executive Officer (CEO), to whom it delegates responsibility for delivery of its vision and strategy, and will hold the CEO to account for the conduct and performance of the Trust, including the performance of the schools within the Trust, and for its financial management.

In turn, the CEO line manages and holds to account other senior executives and the schools' Headteachers.

The CEO 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 CEO leads the Executive team of the Trust. The CEO will delegate the development of projects and/or functions to the Executive team and is accountable to the Mowbray Education Trust Board for the performance of the two functions.

The Governance Manager and Clerk to the Board provides a line of communication across the Executive Team and governance structure for proposals, information and queries.

Other formal delegated responsibilities

The Trust Board delegates authority to a Board of Directors who oversee the operations of a separate limited company – Mowbray Education Services Ltd. The scope of the limited company is specifically in relation to the Trust's pre-school SEND provision called The Retreat, and its pre-school called the Oasis Family Centre. Directors of the limited company are found from within the Board of Directors for Mowbray Education Trust and whilst legally and financially responsible for the operation of the limited company, defer strategic decision-making to the Board of Trustees. This is due to the fact that the Trust bears the liability for any loss incurred by the limited company.

Review cycle

Mowbray Education Trust's Scheme of Delegation is reviewed annually in readiness for the start of a new academic year. The review is conducted by the Governance Manager & Clerk to Board. All elements of the governance structure are consulted on the fitness for purpose of the Scheme of Delegation as part of the annual review process.

Scheme of Delegation

Key

Decision made at this level	✓
Recommendation/Proposal made at this level	P
Monitoring at this level	M

Key Function of Governance	Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration Committee	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
Strategic Leadership	Setting the Trust's Vision, Culture, Ethos		✓						P		
	Setting the Trust's strategic direction for improvement, and development		✓						P		
	Evaluating strategic plans at school level					✓				P	
	To seek and respond to, the views and needs of key stakeholders, particularly parents and carers						✓				
Key Function of Governance	Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
People and Performance Management	Ensuring compliance with Equalities Legislation		✓								
	Agree appointment or removal of CEO		✓ Panel								
	Head Teacher appointments		✓						✓		
	Deputy appointments (selection panel)		✓						✓		
	Appointment of members of SLT								✓		

Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration Committee	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
Appointment of school-based teaching and support staff									✓	✓
Appointment of central Trust staff (shared services)									✓	✓
Dismissal/Suspension processes of Head Teacher/Executive		✓						P		
Dismissal/suspension processes of other school-based staff								✓	P	
Suspension/dismissal processes of central Trust staff								✓		P
Review executive pay				✓						
To exercise pay discretions										
Approve annual recommendations on salary		✓		P				P		
Decisions/appeals arising out of pay and performance		✓		P						
Undertake Head Teacher's performance					M			✓		✓
Review and Approve Employment Policies			✓							
Review and approve HR policies			✓							
Approve annual pay policy		✓								
Review and approve annually the performance management policy			✓							

	Task	Members	Trust Board	Audit, Finance & Risk Commit	Governance and Remuneration	Quality of Education	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
	Review and Approve and oversight of staff disciplinary policy and capability procedure			✓							
	Formulation of Staff Handbook								✓		
	Pre-recruitment checks										✓
	Determining staff complement in each school within agreed budget			P					✓	✓	
	Determining staff complement – central Trust services			P					✓		
	Determining dismissal payments/ early retirement			✓					✓		✓
	Review executive team performance								✓		
	Review performance management of the		✓			P					
	Statutory appraisal of Headteacher								✓		
	Statutory appraisal of all academy staff									✓	
	Conduct annual appraisal of Clerk to					✓					
	Maintain accurate and effective and secure employee records								✓		
	School Management	To review and approve Admissions policy		✓							
To ensure admissions & attendance registers						✓					
To ensure school meets for 380 sessions in the school year			✓								

	Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration Committee	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
	To ensure the school meals where provided are nutritious and value for money			✓							
	To ensure academy website is fully compliant									✓	
	To ensure Trust website is fully compliant								✓		
	Prepare and publish website										✓
	To ensure the provision of FSM to qualifying students		✓	prospectus							
	Facilitate parent engagement forums									✓	
Educational Improvement	Ensuring national curriculum taught to all students & to consider any disapplication					M			✓		
	Responsibility for each child's education					M			✓	✓	✓
	Review and approve curriculum based polices					✓		✓			
	Monitor impact of curriculum policies							✓			
	Ensure all statutory information is published									✓	✓
	Monitoring of resources management and impact of delivery of curriculum			✓							
	Responsibility for ensuring provision of RE in line with school's basic curriculum						✓		M		

	Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration Committee	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
	Delivering EYFS in line with statutory duties					✓					
	Ensure continuous delivery of education			M		M		M	✓	✓	✓
	Ensure compliance with SEND Code of Practice		✓								
	Nominating SEND link Trustee		✓								
	To recommend, review and approve Careers Education Policy and pathway					✓					
	Review and Approve Looked after children policy and ensure appointment of designated looked after children teacher in each setting					✓					
	Review and Approve Behaviour Policy					✓					
	Review of the Trust's approach to assessment in line with DfE requirements					✓		M			
	Approval of schools Self Evaluation Form					✓					
	Review of Schools development plans					✓					
	To approve and monitor school performance		✓			M		M			
	To determine exclusion policy and procedure, review and approve					✓					
	To monitor Exclusion levels across the Trust					✓					
	Agree fixed term exclusion									✓	

	Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration Committee	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
	Uphold permanent exclusion		Panel							✓	
	Produce educational data									✓	✓
	Scrutinise and evaluate educational data					✓		✓			
	To set and Monitor Pupil welfare policies					✓					
Governance	Approve the Articles of Association and any changes	✓									
	Review and Approve MET Scheme of Delegation		✓								
	Appoint Chair and Vice chair and Senior		✓								
	Establish Trust board committees		✓								
	Review and approve terms of reference for		✓								
	Review and approve terms of reference for		✓								
	Create/ refine role profiles & person specs for governance volunteer roles		✓								
	Draft role descriptions for clerking roles					✓					
	Appoint or dismiss the Clerk to Board		✓								
	Appoint or dismiss the wider clerking team								✓		✓
	Remove the Board Chair & Deputy Chair	✓		P							
Remove Chairs of Board sub-committees			✓								

	Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration Committee	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
	Appoint or remove Scrutiny Panel Chairs		✓								
	Appoint or remove Scrutiny Panellists					✓					
	Convene at least 3 Trust Board meetings in any year		✓								
	Establish & maintain a register of interest for governance volunteers & senior staff		✓								
	To approve Payment to Trustees Policy			✓							
	To approve Directors' Code of Conduct		✓								
	To establish a code of conduct for non-directors/ non-trustees		✓								
	Review and Approve a complaints policy		✓								
	To actively seek and recruit governance volunteers, and promote succession planning					✓					
	To determine the development needs of governors and put in					✓					
	To implement and review a policy approval process										✓
	To determine appropriate committee and			✓							
Risk GDPR	Review and Approve FOI policy			✓							
	Review and Approve data protection policy			✓							
	Appoint Data Protection Officer			✓							

	Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration Committee	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
	Establish Equality policy										✓
	Review and Approve equality policy (& objectives) trust and school policies			✓							
	To manage and review a risk register			✓							
	To manage and review a critical incident plan			✓							
Safeguarding	Review and approve a Safeguarding Policy and monitor implementation		✓								
	Implement safeguarding policy and procedures							✓			
	Nominate a trustee with Safeguarding oversight		✓								
	Appoint a Safeguarding Link Trustee		✓								
	Review and approve the Whistleblowing policy			✓							
Financial frameworks, monitoring and performance	Appointing senior executive leader as accounting officer		✓						P		
	Appointing Chief Financial Officer		✓								✓
	Appointing Company Secretary		✓								
	Oversight of the funding agreement			✓							
	Oversight of requirements of Academies Trust Handbook			✓							
	Approval of financial decisions £3,000-£10,000									✓	✓

Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
Approval of financial decisions £10,001 - £30,000 levels			✓							
Approval of financial decisions over £30,001			✓							
Establishing controls framework including internal audit			✓							
Developing budget								✓	✓	✓
Delivering monthly management accounts and forecasts										✓
Managing cash position									✓	✓
To monitor compliance with approved financial procedures			✓							
To decide how to apply Pupil Premium									✓	
Monitoring pupil premium spend			✓							
Monitoring sports premium spend			✓							
To make miscellaneous financial decisions			✓							
To approve amounts to be transferred between budget headings and/or likely budget overspends within MET rules			✓							
To authorise acquisition of assets within limits specified in the Financial Regulations Manual		✓	P							

	Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
	Oversight of Trust Reserves			✓							
	Approval of grant submissions										
	To authorise disposal of assets within limits specified in the Financial Regulations Manual		✓	P							
	To appoint auditors	✓		P							
	To deliver annual report & accounts, with regards to accounts consolidation exercises required by DfE										✓
	To approve the annual accounts	Receive	✓								
	To receive trustee annual report	✓									
	To approve annual budget across all schools in the Trust		✓	P							
	Review and approve Trust Finance policies,			✓							
	To ensure income due to each setting is paid		✓								
	To maintain proper financial records for each										✓
	Monitoring conflicts of interests & third-party transactions			✓							
	Premises and Insurance	Ensure adequate insurance is in place, building, property,			✓						

Task	Members	Trust Board	Audit, Finance & Risk Committee	Governance and Remuneration	Quality of Education Committee	Community Committee	Scrutiny Panels	Chief Executive Officer	Headteachers	Executive team
Developing school buildings strategy or master plan								✓		
Procuring & maintaining buildings including developing properly funded maintenance plan			✓							
Review and Approve health and safety policy and its implementation			✓							
Ensure H&S regulations are followed										✓
Determine scope of central services to be delivered by MET to & on behalf of the academy			✓					✓		✓
Identify additional services to be procured on behalf of the academy			✓					✓		
Ensure centrally produced services provide value for money			✓							
To consider approaches from schools and academies		✓								
To determine, on an annual basis, those policies which will be developed by MET and mandatory for all MET academies								✓		
Premises security										✓
Premises management										✓

IT Services	Review and approve internet and ICT acceptable use policy			✓							
	Review and approve social media policy and monitor its implementation			✓							