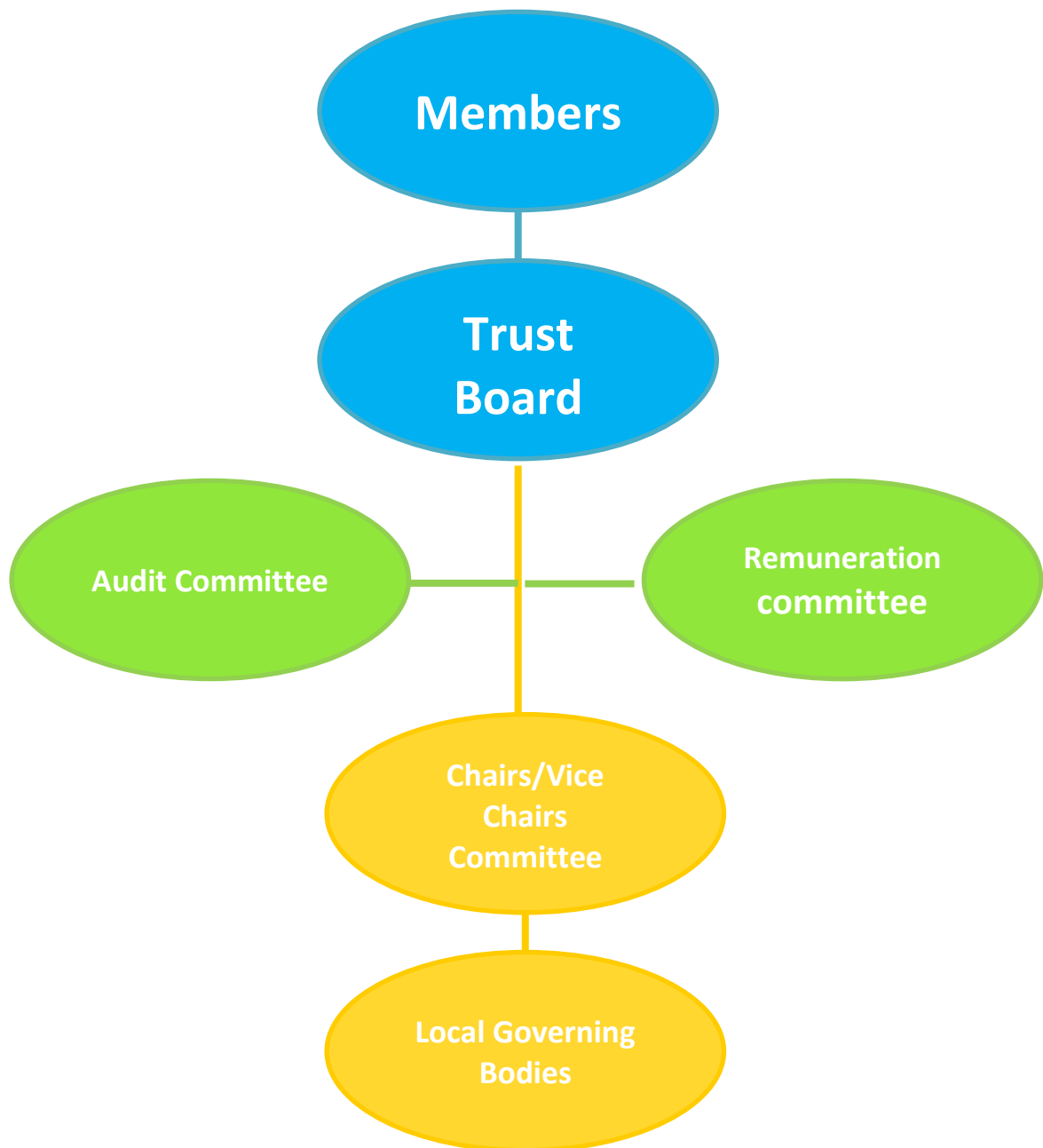


## Mowbray Education Trust Scheme of Delegation



## 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.
  - Trust Finance & Audit Committee
  - Trust Remuneration Committee
  - The Executive Team - the Chief Executive Officer (the CEO), the Executive Headteacher; the Chief Finance Officer, and the Group Operations Manager.
  - Headteachers
  - Local Governing Bodies – the Local Governors in our Trust schools.
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 Academies.
4. The MET governing model sets out the fundamental principles of the organisation. The model consists of the principles set out here, the Academy Trust Articles of Association and the detail set out in the Scheme of Delegation Matrix.
5. The governance principles of MET recognise the importance of developing relationships with common purpose and they are about developing processes and structures in a changing educational landscape.
6. We will continue to develop our governance arrangements to shape and take account of best practice in the sector.
7. We are compliant with the principles and regulations set out in the Academies Financial Handbook. MET governance intends to continue to develop its governance in an effort to ensure outstanding practice in governance.
8. Governance is underpinned by a common understanding about who is responsible for providing valuable input to decision making and who has the decision-making responsibility.



## Vision and Values

### Vision

*All our young people will have the character traits, knowledge and skills to make a positive impact on the world.*

### Trust goals

#### Access for all - social inclusion

Every young person - including our most vulnerable - should be able to achieve their fullest potential - unhindered by social expectation or belief. They should have the confidence; self-belief and resilience to believe they can change their world.

#### Ambition for all - high aspiration

Every young person can access the highest quality teaching so that they can make rapid progress in all areas, giving them the knowledge and skills and qualifications to be successful.

#### Inspiration for all - outstanding curriculum

Our curriculum will inspire our young people to be curious about the world and inquisitive about words. Every young person deserves a curriculum offer that does not discriminate by social class.

### Principles

#### High expectations for every child

We are unapologetically ambitious for every child and young person, and will ensure there are no forgotten groups or areas

#### Children come first

This vision drives every single decision at every level in our organisation, and this should be **transparent** to all stakeholders.

#### Integrity, transparency and trust

We are transparent in every aspect of our work, sharing and solving problems together because there is a climate of trust.

#### Moral Corporate Responsibility

We are only as good as our most vulnerable student in our most vulnerable school. We share responsibility for our community and work determinedly to ensure that no one is left behind.

#### Playing our part

We are determined to deliver for our community which includes all young people; staff and stakeholders within the trust. We are also responsible for contributing to the wider system

#### High Challenge

Every young person can access a challenging curriculum if the quality of teaching is ambitious and of high enough quality. Our curriculum should not discriminate by social class.

## Accountability for decisions

The Trust Board delegates authority to key groups in order to ensure the effective leadership and governance of the Academy Trust.

The key groups are:

- Level 1: Trust Board
- Level 2: Trust Board, in consultation with Local Governing Bodies, where appropriate
- Level 3: CEO
- Level 4: Local Governing Body (LGB)
- Level 5: CEO in consultation with Chair of Governors (COG) of Local Governing Body
- Level 6: Executive Head (in consultation with CEO and Local LGB COG where appropriate)
- Level 7: Headteacher

The relationship between the Trust Board and the Executive Team, the Headteachers and the Local Governing Bodies is characterised as a partnership to realise a common vision and a common purpose. In the case of accountability, the aim is to deliver the following:

- Clarity for all
- No duplication of governance
- No duplication of decision making
- No unnecessary workload

The Scheme of Delegation Matrix provides clarity as to who the decision makers are for different levels of decisions. Effectiveness of both management and governance is supported through clarity over who holds the decision-making responsibility and accountability and who supports and advises the decision makers.

### Trust Board

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 Trustees establish a Local Governing Body (LGB) in each academy and delegate certain responsibilities to them, however, the Local Governing Bodies are not legally responsible or accountable for statutory functions.

The Trustees retain authority and responsibility for the following:

- Compliance with the provisions of the funding agreements Agreement of the academy's annual funding in consultation with the Local Governing Bodies.
- Compliance with the Academies Financial Handbook including, but without limitation, determination of procurement policies for the Trust.

- Annual approval of the Trust budget including those of each academy.
- As the legal employer of all staff, responsibility for human resource policies and procedures and terms and conditions of service.
- Appointment of the internal auditor for the Trust
- Appointment, job description, remuneration, approval and dismissal of the CEO
- Maintenance of the fixed asset register
- Compliance with all statutory regulations and Acts of Parliament governing the operation of the Trust
- Determination of the admissions policy and arrangements for the academy in accordance with admissions law and Department for Education's (DfE) codes of practice.
- Determination of the educational vision of the Trust which will be used to support the determination of the academy development plan.

### **Trust Board Sub-Committee**

#### **Audit**

The objective of the committee is to assist the board in meeting its responsibilities for financial reporting, and internal and external auditing, monitoring financial performance and forecasts, ensuring the adequacy and effectiveness of the financial reporting, the value for money of resources, capital projects, and risk management.

#### **Remuneration Committee**

The objective of the Committee is to determine the remuneration, grading pay and conditions of service for the holders of senior posts: the CEO, Executive Headteacher, Group Operations Manager, Chief Financial Officer; and the Company Secretary & Clerk to Board. The Committee establishes clear, transparent and measurable objectives for senior postholders.

#### **Local Governing Bodies (LGBs)**

MET trustees delegate the running of an academy to the Headteacher or Head of School and Local Governing Body which specifically has the following duties:

- Supporting the Executive Headteacher in holding the Headteacher and academy senior leadership team to account for the educational performance of the academy and its students.
- Holding the Headteacher and academy senior leadership team to account for the performance management of staff.
- Monitoring progress towards targets and the effectiveness of the academy development plan.
- Implementation of actions required to comply with statutory regulations and the funding agreements.
- Implementation of the policies agreed by the Trustees with regard to admissions and to the educational vision of the academy, including, but without limitation, the academy's development plan.
- Oversight of the academy's day to day activities.
- Monitoring and reviewing expenditure on a regular basis and ensure compliance with the overall financial plan for the academy.
- Assisting the Trustees in complying with the provisions of the funding agreements where requested from time to time.

- Maintenance of the academy estate in accordance with the guidelines established by the Trust Implementation of the Trust's procurement policies insofar as they impact on the academy.
- Notifying the Trust of any significant changes to fixed assets used by the academy.

The appointment, job description, appraisal and dismissal of all members of staff of the academy excluding the Head teacher, but the remuneration of every member of staff and their terms of service shall be within the parameters from time to time established by the Trustees.

## Overview: composition of governance elements

### Trust Members

Members are similar to a company's shareholders - they sit above the Board of Trustees in an academy trust and their key responsibilities include appointing the Trustees and holding them to account for the successful governance of the Trust.

Members:

- are signatories to the Articles of Association (when they are founding members)
- can pass a special resolution to amend the Articles of Association
- can appoint Trustees, according to the Trust's Articles of Association, and can also remove serving Trustees
- can pass a special resolution to direct the Trustees to take a specific action
- can change the name of the Trust, and ultimately wind up the Trust.

### Trust Board

Academy Trustees are both charity trustees and corporate directors. They must therefore comply with statutory duties under charity and company law. Trustees must ensure clarity of vision, ethos and strategic direction. They must hold executive leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff. Trustees are responsible for overseeing the financial performance of the organisation and making sure its money is well spent.

Under Charity Law, trustees must:

- ensure the charity is carrying out its purposes for the public benefit
- comply with the charity's governing document and the law
- act in the charity's best interests
- manage the charity's resources responsibly
- act with reasonable care and skill
- ensure the charity is accountable.

The Trust Board has complete discretion over what it delegates.

### Local Governing Bodies

Local Governing Bodies function as school-specific committees and include governors who represent the school community, including parents, staff and community governors. The responsibilities that LGBs have are determined by the Board of Trustees and are outlined in the Scheme of Delegation.

Local Governing Bodies monitor and evaluate the work of the academy regularly and systematically in relation to:

- pupil outcomes
- teaching, learning and assessment
- effectiveness of leadership and management
- financial probity.

## Detailed Scheme of Delegation

### KEY

Level 1: Trust Board

Level 2: Trust Board, in consultation with Local Governing Bodies, where appropriate

Level 3: CEO

Level 4: Local Governing Body (LGB)

Level 5: CEO in consultation with Chair of Governors (COG) of LGB

Level 6: Executive Head (in consultation with CEO and LGB COG where appropriate)

Level 7: Head teacher

**Although decisions may be delegated to the Local Governing Body or the Executive Headteacher, the Trust Board remains responsible for any decision made under delegation and may overrule the Local Governing Body /Head Teacher where appropriate. Each level may delegate specific tasks/responsibilities further to people within their team, however they retain responsibility as per this Scheme of Delegation.**





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Key function	Ref	Tasks	1	2	3	4	5	6	7
<b>Budget</b>	1	To develop and propose the individual academy budget							
	2	To approve the first formal budget plan in each financial year							
	3	To monitor monthly expenditure							
	4	To establish a charging and remissions policy							
	5	To enter into contracts							
	6	To make payments							
	7	To make miscellaneous financial decisions							
	8	To approve any amount to be transferred between budget headings and/or likely budget overspends within MET rules							
	9	To establish financial decision levels and limits							
	10	To appoint the internal auditor for the Trust							
	11	To authorise acquisition of assets within limits specified in the Financial Regulations Manual							
	12	To authorise disposal of assets within limits specified in the Financial Regulations Manual							
	13	To appoint internal and external auditors							
	14	To collect income due to the academy							
	15	To maintain proper financial records for the academy							
	16	To prepare monthly accounts for the academy							
	17	To monitor compliance with approved financial procedures							
	18	To develop risk management strategies							
	19	To decide how to apply Pupil Premium							
<b>Staffing</b>	20	Head Teacher appointments (selection panel)							
	21	Deputy appointments (selection panel)							
	22	Appointment of school-based teaching and support staff							
	23	Appointment of central Trust staff (shared services)							
	24	Agree a pay policy							
	25	To exercise pay discretions							
	26	Approve annual recommendations on salary							
	27	Decisions/appeals arising out of pay and performance							
	28	Undertake Head Teacher's performance review							
	29	Establish staff disciplinary and capability procedure							
	30	Dismissal of Head Teacher							
	31	Dismissal of other school-based staff							
	32	Suspension of Head Teacher/executive Head Teacher							
	33	Suspension of school-based staff							
	34	Suspension of central Trust staff							
	35	Ending suspension of Head Teacher/ executive Head							
	36	Ending suspension of school-based staff (except Head)							
	37	Ending suspension of central staff							
	38	Formulation of Employment Policies							
	39	Formulation of Staff Handbook							
	40	Pre-recruitment checks							
	41	Determining staff complement in each school within agreed budget							
	42	Determining staff complement – central Trust services							
	43	Determining dismissal payments/ early retirement							
	44	Formal meetings for school-based staff re discipline, sickness absence and capability, grievance, special leave of absence, staffing adjustment							
	45	Formal meetings for central shared service staff re discipline, sickness absence, capability, grievance adjustment							
	46	Appointment of members of SLT							



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	47	Conduct of staff appraisals										
<b>Curriculum</b>	48	Ensuring national curriculum taught to all students and to consider any disapplication										
	49	Establish a curriculum policy										
	50	Implement curriculum policy										
	51	Monitor implementation of curriculum policy										
	52	Implement action to maintain teaching standards										
	53	Monitor action to maintain teaching standards										
	54	Determination of which subject options are to be taught, given the available resources										
	55	Responsibility for each child's education										
	56	Determine sex education policy for each school										
	57	Monitor implementation of sex education policy										
	58	To monitor for any political indoctrination										
	59	Production of the Academy Improvement Plan										
	60	Agree the Academy Improvement Plan										
		61	Post-Inspection action plan									
<b>Performance Management</b>	62	Determine and implement Performance Management policy										
	63	To ensure that an approved appraisal policy is in place										
	64	To secure the statutory appraisal of Headteacher										
	65	To review annually the performance management policy										
	66	Maintain accurate and effective and secure employee records										
	67	To secure the statutory appraisal of all academy staff										
<b>Target setting, Discipline and exclusions</b>	68	To set and publish targets for student achievement										
	69	To establish a student discipline policy										
	70	To review the level of exclusions in each school										
	71	To review any permanent and fixed term exclusions										
	72	To direct reinstatement of excluded students										
	73	Pupil outcomes										
<b>Admissions</b>	74	Approve admissions policy										
	75	Follow and implement approved policy										
<b>Religious Education</b>	76	Responsibility for ensuring provision of RE in line with school's basic curriculum										
	77	Arrangements for collective worship										



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Key function	Ref	Tasks	1	2	3	4	5	6	7
<b>Premises and Insurance</b>	78	Buildings insurance and personal liability	■						
	79	Developing school buildings strategy or master plan	■						
	80	Procuring and maintaining buildings including developing properly funded maintenance plan			■				
	81	Determine health and safety policy	■						
	82	Monitor implementation of H&S policy			■				■
	83	Ensure H&S regulations are followed			■				■
	84	To determine the scope of central services to be delivered by MET to and on behalf of the academy			■				
	85	To identify additional services to be procured on behalf of the academy			■				
	86	To ensure centrally produced services provide value for money			■				
	87	To consider requests from other schools to join the company	■						
	88	To determine, on an annual basis, those policies which will be developed by MET and mandatory for all MET academies	■						
	89	To consult before setting or amending an admissions policy	■						
	90	To publish proposals to change category of school			■				
	91	To ensure academy website is fully compliant							■
	<b>School organisation</b>	92	Premises security						
93		Premises management							■
94		Setting times of school sessions and term dates			■				■
<b>Information for parents</b>	95	To ensure school meets for 380 sessions in the school year			■				■
	96	To ensure the school meals where provided are nutritious and value for money							■
	97	Prepare and publish school prospectus							■
	98	Prepare and publish the school profile							■
<b>Trust &amp; Gov Body procedures</b>	99	To ensure the provision of FSM to qualifying students							■
	100	Adopt home-school agreements							■
	101	Determine terms of reference and any amendments	■						
	102	Ratify/remove Gov Body chair and Vice chair	■						
	103	Ratify local governors	■						
	104	Appoint/dismiss local clerks to LGBs			■				
	105	Appoint/dismiss Clerk to Board	■						
	106	Appoint/dismiss Company Secretary	■						
	107	Convene at least three Trust Board meetings in any year	■						
	108	Establish and maintain Trust register of business	■						
	109	To approve and set up a Governors Expenses Policy	■						
	110	To monitor SEN provision			■	■			
111	To regulate the LGB procedures (where not set out in law)	■							
112	Establish LGB code of conduct	■							
113	Establish complaints policy	■							
114	Monitor implementation of complaints policy	■							
115	Establish FOI request policy	■							
116	Implement FOI policy where relevant			■					
117	Monitor implementation of FOI request policy	■		■					
118	To hold a full LGB meeting at least three times in a school year or a meeting of the temporary governing body as often as may be required				■				
119	To appoint, and actively seek members of the LGB				■				
120	To remove members of the LGB other than chair and MET					■			



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		nominee											
	121	To appoint the IAB and disband an ineffective governing body											
	122	To set up a register of LGB members' Personal Interests											
	123	To consider whether to exercise delegation of functions to individuals/committee											
	124	To regulate the LGB procedures											
	125	To determine the development needs of governors and put in place an appropriate programme											
	126	To draw up governing documents and any amendments thereafter											
	127	To provide to MET, on an annual basis, copies of all academy current policies and procedures and a schedule for their review, to review and update policies where allocated to the academy											
<b>Data Protection</b>	128	Establish data protection policy											
	129	Appoint Data Protection Officer											
	130	Implement data protection policy in each school											
	131	Monitor implementation of data protection policy											
<b>Equality Act</b>	132	Establish Equality policy											
	133	Implement equality policy (and objectives) at Trust level											
	134	Implement equality policy at school level via academy											
	135	Monitor implementation of equality act policy at Trust											
<b>Safeguarding</b>	136	Establish a safeguarding policy											
	137	Implement safeguarding policy and procedures											
	138	Monitor implementation of safeguarding policy											
<b>IT and Social Media</b>	139	Implement acceptable use policy											
	140	Monitor implementation of acceptable use policy											
	141	Establish social media policy											
	142	Implement social media policy											
	143	Monitor implementation of social media policy											
<b>General Policies</b>	144	To identify list of appropriate policies required by statute and best practice.											
	145	To review and adopt policies approved by the Trust Board, and those in line with the implementation cycle											
	146	To implement all approved policies											
	147	To monitor implementation of all policies											

## Log of changes to document

	Page	Change	Who:
<b>Oct 16</b>	Original document		Board
<b>Dec 16</b>	All	Updated format	SM
<b>Feb 17</b>	Page 2	Updated 32 'Formal warnings and dismissal decisions' to be taken by Head Teacher in consultation with CEO, to 'Formal warnings' to be taken by Head Teacher. No change to delegation on dismissal decisions. Numbering updated throughout document.	VB
<b>Aug 17</b>	All	Revised delegated powers following review by new CEO and Chair of Board	SM
<b>Aug 19</b>	All	Revised document	CS
<b>Sept 19</b>	Page 11	Shading added to column 7 (Headteacher) for ref 82 & 83 to show responsibility sits with Headteacher and CEO (column 3)	Chair of Trust Board

### Glossary of terms:

CEO - Chief Executive  
 FOI - Freedom of Information  
 FSM - Free School Meals  
 H&S - Health and Safety  
 MET - Mowbray Education Trust  
 RE - Religious Education  
 SEN - Special Educational Needs  
 SLT - Senior Leadership Team

**Approved by Board: 4<sup>th</sup> September 2019**

**Review Date: September 2020**