



Committed to Achievement

Cox Green School

Scheme of Delegation

The purpose of a Scheme of Delegation

A Scheme of Delegation (SoD) is the key document defining which functions have been delegated and to whom. It should be a simple yet systematic way of ensuring Members, Trustees, Committees and individuals are clear about who has responsibility for making which decisions in the Trust. (This overarching SoD, covering all decision-making in the Trust, should not be confused with the written Scheme of Delegated Financial Authority, referred to in the Academies Financial Handbook.)

Review

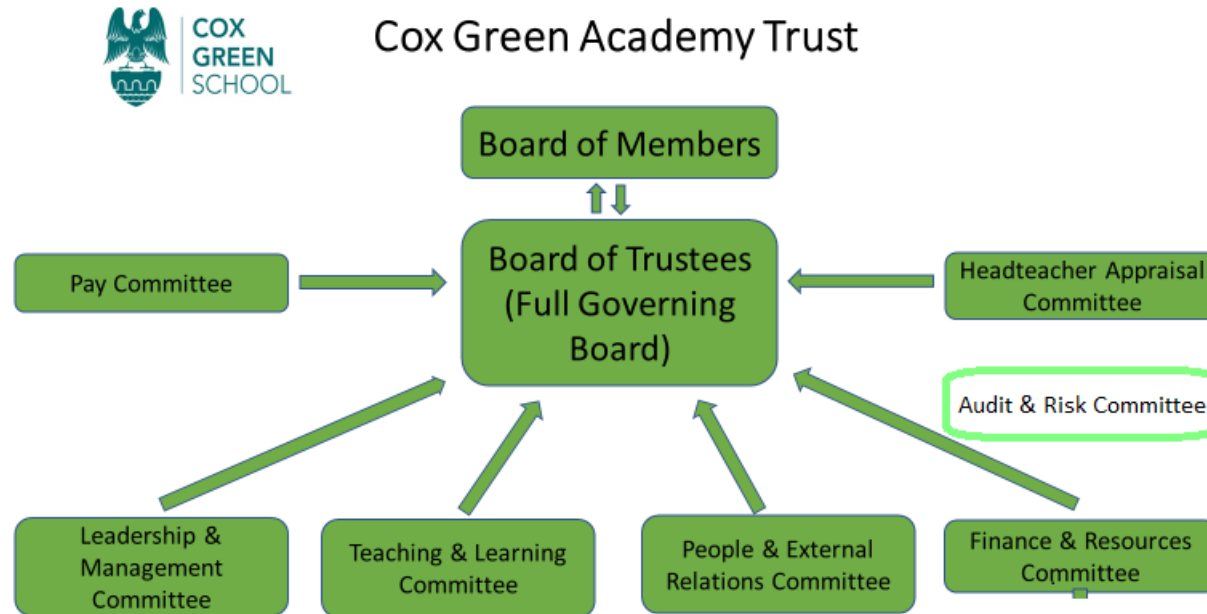
The SoD should be reviewed annually, with revisions made as the context changes, if necessary each year. Changes to the SoD should be proposed by the Board of Trustees and approved by the Board of Members. It is, however, important to ensure that all involved in governance are made aware of any changes and what these mean in practice.

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 Headteacher. The Board of Trustees will hold the Headteacher to account for the performance of the Academy. The Headteacher in turn holds other members of the Senior Leadership Team (SLT) 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 Headteacher will report to the Board of Trustees on the performance of the Academy, and this will be supplemented by reports from the Board of Trustees' Committees and individual Trustees with any delegated responsibilities.

The Headteacher is performance managed by the Board of Trustees.



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. 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 Board of Trustees. 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 Board of Trustees submits an annual report on the performance of the Trust to the Members (*at Cox Green this is the Trustees report and financial statements, which is also incorporated within the Cox Green Annual report from Governors*). 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 Board of Trustees, and in line with DfE expectations, not all Members should be Trustees. (*While Cox Green remains a single Academy Trust, the Chair of Members and Trustees determined that there would be no Members recruited without Trustee status.*) 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. *At Cox Green the Board of Trustees is known as the Local Governing Board (LGB).*

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 Delegated Financial Authority 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 Board of Trustees’ 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 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 & Risk Committee.

The role of the Academy Headteacher

The Headteacher has the delegated responsibility for the operation of the Trust.

The Headteacher 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 Headteacher leads the Senior Leadership Team (SLT) of the academy trust. The Headteacher will delegate management functions to the SLT and is accountable to the trust board for the performance of the SLT.

Governing Board 2020 – 2021

Joint Chairs of Governors: Peter Thorn and Wen-Lan Richard
 Deputy Chair of Governors: Lara Lester
 Chair Finance & Resources Committee: Peter Thorn
 Chair Audit & Risk Committee: Peter Thorn
 Chair Leadership & Management Committee: Wen-Lan Richard
 Chair Teaching & Learning Committee: Carole Moore
 Chair People & External Relations Committee: Lara Lester
 Chair Headteacher Appraisal Committee: Peter Thorn
 Chair Pay Committee: Peter Thorn

Delegation planner

The Key below outlines the 5 levels of decision-making and the actions which are permissible for the decisions shown on the subsequent pages.

Key	
Level 1: Board of Members	
Level 2: Board of Trustees (<i>Full Governing Board</i>)	
Level 3: Board Committee	
Level 4: Individual Trustee or Company Secretary	
Level 5: Headteacher (Accounting Officer)	
Blue box	Function cannot be carried out 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				
		Board of Members	Trustees / Full Governing Board	Committee	Individual Trustee / Company Secretary	Headteacher
Governance framework						
People	Members: appoint/remove	✓				
	Chair of Trustee Board: appoint/remove	✓				
	Trustees: appoint/remove	✓	✓			
	Role descriptions for Members (in Articles page 12)	✓				
	Role descriptions for Trustees/Chair/ specific roles/Committee members: agree		✓	<A		
	Parent trustee: elected (in Articles page 20)		✓			
	Committee chairs: appoint and remove (in Articles page 28)		✓	<A		
	Clerk to Board: appoint and remove		✓			
Systems and structures	Articles of association: agree and review	✓	<A	<A		
	Governance structure (committees) for the trust: establish and review annually		✓	<A		
	Terms of reference for Board of Trustees, Trust Committees (including audit if required, and Scheme of Delegation): agree annually		✓	<A		
	Skills audit: complete and recruit to fill gaps		✓			
	Annual self-review of trust board and committee performance	✓	✓			
	Chair's performance: carry out 360: review annually		✓			
	Trustee contribution: review annually	✓				
	Succession: plan		✓	<A		<A

Area	Decision	Delegation				
		Board of Members	Trustees / Full Governing Board	Committee	Individual Trustee / Company Secretary	Headteacher
	Organise calendar dates of Trust Board and LGB / Committee meetings		✓			<A
	Annual schedule of business (Year Planner) for trust board: agree		✓	<A		<A
Reporting						
Reporting	Trust governance details on trust website: ensure		✓	<A	<A	<A
	Register of all interests, business, pecuniary, for Members / Trustees / Governors: 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		
	Academy prospectus			<A		✓
	Academy uniform			<A		✓
	Trust / Academy logo and branding			<A		✓
	To determine whether to publish a home school agreement (not statutory)		✓			<A
	Overall responsibility for ensuring that statutory requirements for information published on the school website, including required details of governance arrangements, performance, financial and equality data are met		✓	<A	<A	<A

Area	Decision	Delegation				
		Board of Members	Trustees / Full Governing Board	Committee	Individual Trustee / Company Secretary	Headteacher
	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	Follow Governor Statutory (and agreed non-statutory) Policies Timetable MASTER		✓	✓	<A	<A
	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		✓
	To set the times of school sessions and the dates of school terms and holidays		✓	<A		<A
	Agree enrichment/extra-curricular offer including any additional services required		✓	✓		✓
	Embed 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	✓	✓	✓	✓	✓
	Create Trust Strategic Plan (3-year plan) 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
	Create Trust 1 year plan (RAP) with KPIs		✓	✓		✓
Headteacher: Appoint, suspend, return after suspension and dismiss		✓				

Area	Decision	Delegation				
		Board of Members	Trustees / Full Governing Board	Committee	Individual Trustee / Company Secretary	Headteacher
	To decide whether to join or form a multi-academy trust	✓	✓			✓
	Approve the joining of other schools to the MAT	✓	✓			✓
	Budget plan to support delivery of Trust key priorities: agree		✓	<A		
	Academy staffing structure: agree		✓	<A		<A
	Redundancy of staff			✓ (Panel)		<A
	Restructuring of staff			✓		<A
	Suspension of staff					✓
	Appoint teaching staff		A>			✓
	Appoint non-teaching staff					✓
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 <i>Prevent</i> duty into the child protection policy		✓	<A	<A	<A

Area	Decision	Delegation				
		Board of Members	Trustees / Full Governing Board	Committee	Individual Trustee / Company Secretary	Headteacher
	Reporting arrangements for progress on key priorities: agree academic performance targets			✓		<A
	Performance management of the Headteacher: undertake		✓(Panel)			
	Performance management of staff: undertake					✓
	Establish and review procedures for addressing staff discipline, conduct and grievance		✓	✓		
	Changes to employee's T's and C's or Collective agreements			✓		<A
	To review all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 15 days in a term or would lose the opportunity to sit a public examination. Final Warning Hearings and Pupil Exclusions procedures agreed/managed			✓ (Panel)		
	To ensure that health and safety regulations are followed					✓
	Ensure that school lunch nutritional standards are met					✓
	Maintain a register of pupil attendance					✓
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
	Appoint Trust Auditors	✓				

Area	Decision	Delegation				
		Board of Members	Trustees / Full Governing Board	Committee	Individual Trustee / Company Secretary	Headteacher
	External auditors' report: receive and respond to Auditors management letter	✓	✓	<A		<A
	Trust 3 year budget plan		✓	✓		
	Trust Board / LGB accounts return to EFA	✓	✓	✓	✓	
	Academy year to date financial reports			✓		
	Member / Trustees / Governor expenses policy: approve			✓		
	Headteacher pay award: agree			✓		
	Staff appraisal procedure and pay progression: monitor and agree		✓	✓		<A
	Benchmarking and academy trust value for money: ensure robustness		✓	<A		
	Develop trust procurement strategies and efficiency savings programme			✓		
	To approve the first formal budget plan each financial year		✓	<A		
	To agree annual action plans/reports/impact statements 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)		✓	✓		
	Buildings insurance and personal liability		✓			