



ENHANCE ACADEMY TRUST

SCHEME OF DELEGATION

2022 - 2023

Approved by:	Board of Trustees	Agreed:	June 2023
Reviewed:	September 2023		
Next Review:	September 2024		

AIMS OF THIS SCHEME

The aim of the Scheme of Delegation (the Scheme) is to provide clarity to Members, Trustees, the Chief Executive Officer (CEO), Local Academy Boards and Headteachers on the extent of their responsibilities, authority and powers as well as providing a framework within which they will interact and work with each other.

The terms of this Scheme may be reviewed by the Trustees at any time but shall be reviewed at least annually. Trustees reserve the right to remove or alter any delegation at any time whilst having due regard to, but not being bound by, the views of the Local Academy Board.

As a Multi Academy Trust (MAT), the Trust Board of Enhance Academy Trust is accountable, in law, for all major decisions concerning their academies.

The Trust Board is not required to carry out all the Trust's governance functions and many can, and should, be delegated to the CEO and Executive Team and appointed committees, including local committees. The decision to delegate a function is made by the Trust Board. Without such delegation, the individual or committee has no power to act.

THE ROLE OF MEMBERS AND TRUSTEES

MEMBERS

The Members appoint Trustees to ensure that the Trust's charitable object is carried out. They are able to remove Trustees if they fail to fulfil this responsibility.

There must be at least three Members, although the Department for Education's (DfE) strong preference is that Trust's should have at least five members. There must be a separation of powers between the Members and the Trust Board. 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, the majority of Members should be independent of the Board of Trustees. Members are not permitted to be employees of the Trust or to be related to employees of the Trust.

Members have the ultimate responsibility for ensuring it fulfils its obligations, as described in its Funding Agreement with the Secretary of State for Education and its Articles of Association. They have agreed the Articles of Association (a document which outlines the governance structure and how the Trust will operate). The Articles of Association stipulate arrangements for the appointment and removal of Members and Trustees. The Members appoint Trustees to ensure that the Trust's charitable objects are carried out. The Members must meet at least annually, and will receive, from the Trust Board, an annual report on the performance of the Trust which includes the audited accounts.

TRUSTEES

The 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. Trustees are bound by both charity and company law. The terms 'Trustee' and 'Director' are often used interchangeably. Enhance Academy Trust uses the term 'Trustee'.

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, its Funding Agreement and the Academies Trust Handbook, they are legally responsible and accountable for all statutory functions, for the performance of all schools within the Trust, and for the approval of a written Scheme of Delegation of financial powers that maintains robust internal control arrangements. The Trust Board is legally responsible and accountable to the Department for Education (DfE).

The Board of Trustees has the right to review and adapt its governance structure at any time which includes removing delegation. Trustees are appointed for their knowledge, skills and experience, ensuring an appropriate balance between Church and non-church representation. The Board of Trustees meet monthly and provide non-executive leadership for the Trust and has overall legal responsibility for the operation of the Trust. It is the accountable Board for the performance of all schools within the Trust and as such must:

- Ensure clarity of vision, ethos and strategic direction
- Hold the executive to account for the educational performance of the schools and their pupils, and the performance management of staff
- Oversee the financial performance of the Trust and make sure its money is well spent
- Comply with provisions set out in the Articles of Association of the Trust, the Master Funding Agreement, Supplemental Funding Agreements and the Academy Trust Handbook
- Determine a Scheme of Delegation

The Board of Trustees is the employer of all staff and therefore is the final appeal Board in matters of pay and staff discipline. Trustees will agree the annual budget for each academy.

THE ROLE OF THE CHIEF EXECUTIVE OFFICER (CEO)

The Trust Board appoint the Chief Executive (CEO), to whom it delegates responsibility for delivery of the vision and strategy of the Trust. The CEO is held to account for the conduct and performance of the Trust, including the performance of the academies within the Trust, and for financial management.

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's academies, appointing Headteachers and other senior leaders as well as ensuring the performance management of the Headteachers is carried out effectively.

The CEO is the Accounting Officer so has overall responsibility for the operation of the 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 functions to the executive team and is accountable to the Board of Trustees for their performance.

TRUST BOARD COMMITTEES

The Trust Board has established committees with delegated powers.

Finance, Audit & Risk Committee

The Academy Trust Handbook states that Academy Trusts are required to establish an Audit & Risk committee. The committee is also responsible for financial oversight and scrutiny, ensuring that the Trust complies with its policies and procedures with a focus on financial planning, risks, reporting, and monitoring. At least three Trustees sit on this Committee. The Committee has clear Terms of Reference.

Local Academy Boards

In the context of an Academy Trust, the performance of every individual school is ultimately the responsibility of the Board of Trustees. The Board discharges this responsibility, primarily, through the function of the CEO and Executive Team of the Trust, who themselves are responsible (to the Board) for the performance of the school and its leaders.

This is reinforced by the work of Local Academy Boards which are formal committees established by the Trust Board and have a brief to review and challenge performance at the working level in each school, independently of Trust management.

The CEO and Executive Team will work with each Local Academy Board to continuously develop and deliver the highest standards of leadership and teaching and learning within the distinctive Christian ethos promoted by the Trust. The Trust recognises that establishing and developing good working relationships with each Local Academy Board is fundamental to the success of each academy. The Trust aims to deliver its responsibilities for each academy whilst establishing a Scheme that allows each Local Academy Board to function effectively and to play a role in the development of the academy and of the Trust.

COMPOSITION OF LOCAL ACADEMY BOARDS

Each school in the Trust will have a Local Academy Board which is accountable to the Board of Trustees and will comprise of:

- Headteacher (ex officio)
- **One** elected staff governor
- **Two** elected parent governors
- Priest in Charge (ex officio)
- Up to **five governors** appointed by the Trust Board who may include Church nominated governors or Trust appointed governors selected on the basis of their skills or professional experience. *Approval from the Diocesan Board of Education will be sought where necessary for Church academies.*

The minimum operating number for each Local Academy Board will be **three**. The maximum operating number will be **ten**. The composition of the Local Academy Board shall be agreed by Trustees and will be reviewed annually.

Election and appointment conditions will be based on the following criteria:

Staff Governor: Teaching and support staff who are employed by Enhance Academy Trust under a contract of employment are eligible to stand for election as a governor and to vote as a governor in their own school. An election will take place in school and all teaching and support staff will be eligible to vote.

Parent Governor: Parent governors shall be elected by parents or registered carers of children at the academy. He or she should be a parent of, or have parental responsibility for, a child at the academy at the time when he or she is elected. In cases where the academy is unable to elect/appoint a parent from the academy, Trustees may consider the election/appointment of a parent of a child of school age from within the Trust.

Trust Appointed Governor: Trustees shall invite a person to become a governor:

- who lives or works in the community served by their academy and is not an employee of the Trust
- who is an individual who is committed to the good governance and success of the academy, but does not work or live close by who, in the opinion of the Trustees, has the necessary skills set and is committed to the government and success of their academy
- who represents the Church of England and will endeavour to cultivate respect for the spiritual and moral beliefs of the Christian tradition, and to create a community in which children, cared for as individuals, are helped to find fulfilment as they grow towards adulthood
- a Headteacher within the Trust may be considered for appointment within another Trust school.

Governors serve a term of 4 years. *Parent governors' terms of office should come to an end when their child leaves the school, if this is before the end of their term.*

The Chair of Governors is elected annually at the beginning of each academic year. The appointment of each Local Academy Board Chair is done so by the Trust Board.

The Trustees and CEO shall be entitled to attend any meetings of the Local Academy Board and any Trustee/CEO attending a meeting of the Local Academy Board shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the Local Academy Board.

EXPECTATIONS OF LOCAL ACADEMY BOARDS

The role of the Local Academy Board is to establish and maintain the ethos of the academy, to ensure this is locally relevant, and in the case of Church academies to develop and maintain its religious character. The Local Academy Board will provide support and challenge to the Headteacher of the academy in ensuring that every child makes good or better progress, and that parents and carers are fully involved in their child's education. The Board will provide assurance to the Trust Board regarding the quality of education and care for all learners within the academy and ensure effective engagement with local stakeholders.

To maximise the ability of the local governors to focus on these key areas, the Local Academy Board is not required to manage financial resources, staffing or many of the areas traditionally associated with a Local Authority maintained school Governing Board as these issues are dealt with at a Trust level. However, in line with Keeping Children Safe in Education, the Local Academy Board does play a role in safeguarding pupils.

THE 5'S OF LOCAL ACADEMY BOARD RESPONSIBILITY

Standards

- Monitoring school performance and improvement – regular review of performance data, including exam results, attendance rates, and pupil progress, to ensure that the school is meeting its targets.
- Working with senior leaders to identify areas for improvement and develop strategies to address them in line with the trust's strategic objectives.

Stakeholder engagement

- Ensuring the needs and concerns of all stakeholders are accounted for in the decision-making process and acting as a mouthpiece for their interests and voices at trust level.
- Achieved through effective communication channels, consulting key stakeholders, and working in partnership with the local community.

Safeguarding

- Implementing the trust's safeguarding policy and fostering a culture that prioritises the safety and wellbeing of all pupils and staff in their respective schools.
- Working closely with the Designated Safeguarding Lead (DSL) to ensure the necessary procedures are in place, which is supported through the appointment of a link governor.
- Monitoring and reviewing the effectiveness of the school's safeguarding arrangements.
- Monitoring and reviewing the effectiveness of Health and Safety arrangement within school.

SEND

- Ensuring adequate resources are provided to pupils with special educational needs and disabilities (SEND) that support their educational progress.
- Seeking assurances that staff are trained to implement strategies and support plans.
- Working in partnership with other stakeholders, such as parents, external agencies, and the wider MAT community, to ensure that pupils with SEND are well-supported and included in all aspects of school life.
- Like safeguarding, this is carried out by a link governor.

SIAMS

- Develop and maintain the school's religious character and distinctive Christian vision celebrating equity, diversity, belonging, inclusion and justice at every opportunity.

Further responsibilities of the Local Academy Board

- ensuring clarity of vision, values, ethos and strategic direction.
- reviewing the impact of the school's Christian vision on pupils, adults and the community.
- reviewing careers information, advice and guidance (CAPA College).
- ensuring the implementation of the Trust's policies and the approval and review of school led policies, including admissions policy.
- participating in the governance discussion of a school's Ofsted inspection, or SIAMS inspection.
- ensuring that suitable full-time education for any pupil of compulsory school age is arranged where the pupil has a fixed-period exclusion of more than five school days.
- Monitoring behaviour in school, including exclusions.
- Monitoring pupil and staff wellbeing.
- Monitoring the impact on outcomes of specific sources of funding e.g. Pupil Premium/recovery premium, Primary PE and Sports Premium, SEND.
- Monitoring the effectiveness of the school's identification, assessment and management of risks.
- Support school leaders to create a culture of inclusivity, diversity and equality.

VISITING THE SCHOOL

Visiting the school is an essential part of the governor role. Feedback and learning from visits allow the Local Academy Board to monitor how their strategy is being implemented, how policies are being implemented and to identify strengths and areas for development.

School visits raise the profile of the Local Academy Board and provide governors with valuable insight into school life and culture. Visits will be focused on a specific area or priority and carried out by the governor who has been given responsibility for monitoring that area and reporting back to the board. The structure of four meetings across the academic year allows governors greater opportunity to visit the school and there is an expectation that governors visit their school at least twice over the academic year.

FINANCIAL ACCOUNTABILITY AND THE ROLE OF THE CHIEF FINANCIAL OFFICER AND SCHOOL BUSINESS MANAGERS

It is the responsibility of the Headteacher, working with the School Business Manager, to prepare a detailed budget for the year using the Trust's budget planning format which provides projections over a 3- and 5-year period. The budget is then submitted to the Trust's Chief Finance Officer for scrutiny and is approved by the Board of Trustees. Once approved, monthly reporting on income and spend is the responsibility of the Headteacher, with the support of the School Business Manager, and is shared with the Trust's Chief Finance Officer at regular budget meetings. If any variances are proposed to the budget, these must be agreed between the Headteacher (via the School Business Manager) and the Trust's Chief Finance Officer.

The Trust Chief Finance Officer is accountable to the Trust Board via the Finance, Audit & Risk Committee for the overall financial outturns at the end of the year and the Trust's 3-year budget positions.

PERFORMANCE MANAGEMENT OF HEADTEACHERS

Headteachers will be line managed by the CEO, who will undertake their annual performance review, as well as interim monitoring, and agree salary progression. The CEO, or a person acting on his behalf, will ensure professional support and challenge on issues associated with standards and pupil performance.

WAYS OF WORKING

The Local Academy Board works collectively as a 'whole team', meeting four times per year, without any separate committees unless required for a specific reason (for example, admissions appeals, parental complaints or HR processes). Meeting agendas will include all the tasks which the Local Academy Board is required to consider, with a focus on reviewing the performance of the school. Local Academy Board meetings are supported by the Trust Governance and Compliance Manager and the designated Clerk, in collaboration with whom agendas are planned in line with areas of responsibility set out above.

All Local Academy Boards should appoint a Safeguarding governor and an SEN governor. The Local Academy Board should also identify governors who will monitor aspects of the Academy Improvement Plan.

The Local Academy Board will be considerate of the well-being Headteacher and staff, by referring to the DfE teacher workload reduction toolkit when necessary. In each case where a function has been delegated, there is a statutory duty for the delegated governor/s to report, by written monitoring reports, any findings, actions or recommended decisions to the Local Academy Board in time for its next meeting to enable informed collective strategic decision making.

The Trust would not expect to be involved in most of the arrangements put in place by the Local Academy Board but reserves the right to attend meetings if they feel it appropriate. It is possible that the Local Academy Board would want a representative of the Trust to attend a meeting and, subject to availability, the CEO or member of the executive team will in such cases attend.

Quorum: Meetings of the Local Academy Board shall be quorate if at least half the members are present and the majority of these are not employees of the academy.

Apologies: All governors must give apologies in advance for missing a meeting and this apology must be accepted by the other governors.

Attendance: Any governor whose attendance falls below 75% or who has a pattern over time of repeatedly missing meetings or who fails to tender apologies or whose reasons for missing meetings repeatedly are deemed unacceptable by the Local Academy Board may be warned and then dismissed by the Chair of the Local Academy Board on behalf of the Trust if absences continue.

Resignation and Removal of Governors: A person serving on the Local Academy Board shall cease to hold office if:

- they resign their office by giving notice in writing to the Chair of the Local Academy Board
- the Headteacher or a staff governor ceases to work at the academy
- the child of a parent governor ceases to attend the academy
- the Trustees terminate the appointment of a governor whose presence or conduct is deemed by the Trustees, at their sole discretion, not to be in the best interests of the Trust or the academy.

Disqualification of Governors: A person shall be disqualified from serving on a Local Academy Board if he or she would not be able to serve as a Trustee in accordance with Articles 68-80 of the Articles of Association.

Other: Chairs of Local Academy Boards should ensure that an annual Skills Audit and Self-Evaluation is completed, and a Governor Development Plan is in place and regularly reviewed. Both documents should be returned to the Trust's Governance & Compliance Manager on completion. Chairs should promote the value of regular training for all governors.

SAFEGUARDING

Local Academy Boards should ensure that all governors receive appropriate strategic safeguarding and child protection training at induction, at least. This training should equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures are effective and support the delivery of a robust whole school approach to safeguarding. Their training should be regularly updated.

Local Academy Boards have a strategic leadership responsibility for their academy's safeguarding arrangements and **must** ensure that they comply with their duties under legislation. They **must** have regard to KCSIE ensuring policies, procedures and training in their schools are effective and comply with the law at all times. Boards should ensure they read and have regard to this guidance.

COMMUNICATION BETWEEN LOCAL ACADEMY BOARDS AND THE TRUST BOARD

The full minutes of each Local Academy Board meeting will be made available to Trustees on a termly basis. Any issues will be addressed by the Trust Governance and Compliance Manager as and when required.

To promote effective communication between the Trust Board and Local Academy Boards, termly meetings will be held involving Trust representatives and Chairs. The Trust will host an annual engagement event each year for governors as well as regular training.

ADVISORY BOARD

Trustees may replace a Local Academy Board with an Advisory Board in one or more of the following circumstances:

- Identification of weak governance, including identification of financial vulnerability
- In response to the outcome of a review of governance or Ofsted inspection
- In response to the outcome of an Ofsted inspection where there is a decline in judgement, or the academy moves into a category of inadequate or requires improvement

There cannot be a Scheme of Delegation with an Advisory Board and decisions will need to be made by the Trust (CEO) in consultation with the Advisory Board. There can be a scheme of delegation from the Trust to the Headteacher of any academy with an Advisory Board and if this is necessary it is intended that this will be consistent with the policies and procedures agreed within the academies within the Trust.

SCHOOLS PREVIOUSLY JUDGED AS INDEQUATE OR REQUIRES IMPORVEMENT BEFORE JOINING ENHANCE ACADEMY TRUST

If leadership by the governors of a maintained school has been judged to be inadequate or requires improvement by Ofsted during an inspection prior to that school then joining the Trust, the Trustees may decide that those governors may be ineligible to join the Local Academy Board for that academy in any capacity.

PAIRING LOCAL ACADEMY BOARDS

Whilst it is likely that there will be a separate Local Academy Board for each academy, the Trust will look to promote and respond positively to any effective pairing or grouping that a number of academies might wish to propose that would lead to a single Local Academy Board being responsible for more than 1 academy. This may be a requirement where a number of academies fail to recruit sufficient Local Academy Board members with the required level of skills or an Executive Headteacher is appointed over 2 or more academies. The composition set out above will apply to all Local Academy Boards regardless of the number of academies they are responsible for.

DELEGATION AND DECISION MAKING

READING THE GRID

✓ - governance function and decision making is at this level

C - to be consulted prior to decision/action being taken

Note: Decisions delegated to the Trust Board may be delegated to a Board committee but not the CEO.

Governance function		Members	Trust Board / Board Committees	CEO	Local Academy Boards	Headteacher
Governance framework: people	Members: appoint/remove	✓				
	Trustees: appoint/remove	✓	✓			
	Trust Board committee chairs: appoint and remove		✓			
	Named safeguarding trustee: appoint and remove		✓			
	Local Academy Board chairs: appoint and remove		✓			
	Local Academy Board members: appoint and remove		✓			
	Clerk to board: appoint and remove		✓			
	Clerk to academy committees (Local Academy Boards): appoint and remove		✓			
Governance framework: systems and structures	Articles of association: review and agree	✓				
	Governance structure for the trust: establish and review annually		✓			
	Trust committee terms of reference and scheme of delegation: agree annually		✓			
	Annual schedule of governance business: agree		✓			
	Self-review of trust board and committees: complete annually		✓			
	Self-review of Local Academy Boards: complete annually				✓	
	Chair's performance: carry out 360° review periodically		✓		✓	
Governance framework: reporting	Publish governance arrangements on trust and schools' websites: ensure			✓		✓
	Annual report on the performance of the trust: submit to members and publish		✓			

Governance function		Members	Trust Board / Board Committees	CEO	Local Academy Boards	Headteacher
	Annual self-review/triannual external review of board effectiveness: submit to members		✓			
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit to members and Companies House		✓			
	Copies of Local Academy Board minutes: provided to Trust				✓	
	ESFA required reports and returns: submit			✓		
	Annual report work of Local Academy Board: submit to Trust				✓	
	Register of Business Interests: update annually		✓		✓	
Being strategic	Trust wide policies which reflect the trust's ethos and values: approve		✓	C		
	School level policies which reflect the school's ethos and values: approve				✓	
	Management of risk: establish register, review and monitor			✓ (Trust)	✓ (School)	
	Engagement with stakeholders: ensure				✓	
	Trust's vision, strategy and key priorities: approve		✓			
	Schools' vision, strategy and key priorities: approve				✓	C
	Chief Executive Officer: appoint and dismiss		✓			
	Central Team, Headteacher & School Business Manager: appoint and dismiss			✓		C (SBM)
	Deputy Headteacher & Assistant Headteacher: appoint and dismiss			✓ (Dismiss)		✓ (Appoint)
				C (Appoint)		
	Other staff in school: appoint (within agreed budget) and dismiss			C (Dismiss)		✓
	Determine the scope of mandatory core central services to be delivered by the Trust including the level of centrally retained funding		✓			
	Requests from schools to join the Trust: agree		✓			
	Budget plan to support delivery of trust key priorities: agree and monitor		✓	C		
	Budget plan to support delivery of schools' key priorities: agree annually		✓			C
	Trust's staffing structure: agree		✓	C		
	Schools' staffing structure: agree			✓		C

Governance function		Members	Trust Board / Board Committees	CEO	Local Academy Boards	Headteacher
	Early retirement, redundancy and settlement agreements: agree		✓			
	Academy Improvement Plan priorities: approve and monitor progress			C	✓	
Holding to account	Ensuring compliance (e.g. safeguarding, H&S, employment): agree auditing and reporting arrangements		✓	C		
	Monitoring progress on key priorities: agree reporting arrangements		✓	C		
	Performance management of the Chief Executive: undertake		✓			
	Performance management of Central Team, Headteachers and School Business Managers: undertake annually			✓		✓(SBM)
	Performance management of other school staff: undertake annually					✓
	Pupil progress targets: set, agree and monitor termly			✓(Agree)	✓(Monitor)	✓(Set)
Financial oversight	External auditors: appoint		✓			
	Internal auditors: appoint and remove		✓			
	Chief Financial Officer: appoint and dismiss		✓	C		
	Trust's scheme of financial delegation: establish, monitor and review		✓			
	Trust Annual Accounts: approve		✓			
	School Capital funding: allocate		✓			
	External auditors' report: receive and respond		✓			
	CEO pay award: agree		✓			
	Headteachers' pay award: agree			✓		
	Other staff in school pay award: agree			C		✓
	Staff appraisal procedure and pay progression: review and agree		✓			
	Benchmarking and trust wide value for money: ensure robustness			✓		
	School finances, including benchmarking: monitor and review		✓	✓		
Safeguarding / Health & Safety	Safeguarding and pre-employment checks: ensure completion and review				✓	
	Safeguarding data: monitor				✓	
	Attendance & Absence data, including persistent absence: monitor				✓	
	Buildings, contents and indemnity insurance: arrange			✓		

Governance function		Members	Trust Board / Board Committees	CEO	Local Academy Boards	Headteacher
	Maintenance of school buildings: agree and review a properly funded plan in order to maintain buildings		✓			
	Safeguarding & Health and Safety policies: agree and implement		✓ (H&S Agree)			✓
	Statutory testing: ensure compliance					✓
School Organisation	Term dates: agree		✓			
	Session times: agree				✓	C
	Admissions policy and arrangements and appeals: approve		✓ (PAN)		✓	C
	Designation of school		✓			
	Pupil Admission Number (PAN): agree		✓			
	Stage 2 complaints relating to a school: consider				✓ (Head)	✓
	Stage 3 complaints relating to a school: consider				✓	
	School Closures / Emergency Closures: agree					✓
	Daily Collective Act of Worship: implement and monitor				✓	
	School websites: ensure compliance				✓	
	Data Protection legislation: ensure compliance					✓

