



SCHEME OF DELEGATION

Key points and summary

This document outlines:

- The requirements of the Articles of Association regarding delegation
- The principles of decision making within Kingsway Community Trust
- The scheme of delegation within Kingsway Community Trust
- The respective roles of the members, trustees, Local Governing Body and the Executive Headteacher

Approved by: Trust Board

Approved on: 18 October 2023

Introduction and statement of intent

It is the Kingsway Community Trust's stated intention and preference that:

- The Board and Local Governing Bodies will work collaboratively and in partnership at all times.
- The Board will make decisions, following consultation with Local Governing Bodies, on matters which affect all schools in the Trust: Local Governing Bodies will make decisions in line with their delegated powers.
- Local Governing Bodies and Heads of Schools of schools in the Trust should be as autonomous as stated in their delegation.
- The Board will put in place effective arrangements for monitoring and evaluating the performance of Local Governing Bodies and schools.
- The Board will take action, including the full or partial withdrawal of delegated authorities to individuals, groups and Local Governing Bodies, in the following instances:-
 - Should the individual, group, or Local Governing Body, fail to carry out their duties and responsibilities effectively
 - In times when circumstances dictate the implementation of the Disaster Management Policy and the Critical Incident committee is convened.
- The governance arrangements of good schools joining the Trust will be based on an earned autonomy model.
- The Board will consult Local Governing Bodies on proposals for the composition, membership, structure, and terms of reference for Local Governing Bodies, on arrangements for the recruitment and appointment of governors.
- The Board will consult Local Governing Bodies before putting in place any arrangements which directly affect Local Governing Bodies and individual schools and before taking any decisions on policy or procedural matters.

Local Governing Bodies will report regularly and frequently to the Board and will make available all relevant data and information on performance.

Appendices

Appendix 1: Decision matrix

Appendix 2: KWCT Structure & roles

Appendix 1 - Decision Matrix

Key	
Level 1	Members
Level 2	Board of Trustees of MAT
Level 2a	Chair of Trustees
Level 3	Vice Chair
Level 4	Committee with delegation from Trust Board (Pay/Finance/Discipline) (CwD)
Level 4a	Critical Incident Committee
Level 5	Executive Headteacher (EHT)
Level 6	Local Governing Body Committee (LGB)
Level 7	Head of School (HOS)
R	Ratified

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
Governance framework										
People										
1	Members: Appoint/Remove	✓								
2	Trustees: Appoint/Remove	✓								
3	Role descriptions for members	✓								
4	Role descriptions for trustees/chair/ specific roles/committee members: agree		✓				✓			
5	Parent trustee/committee member: elected		✓				✓			
6	Committee chairs: appoint and remove		✓				✓			
7	LGB chairs: appoint and remove		✓				✓			
8	Clerk to board: appoint and remove		✓				✓			
9	Clerk to LGB: appoint and remove		✓				✓			
Systems & Structures										
10	Articles of association: agree and review	✓								
11	Governance structure (committees) for the trust: establish and review annually		✓				✓			
12	Terms of reference for trust committees (including audit if required, and scheme for school committees): agree annually		✓				✓			
13	Terms of reference for LGB/local committees: Draw up						✓		✓	
14	Terms of reference for LGB/local committees: agree and review annually		✓				✓			
15	Chairs Actions - The Chair of Trustees has delegated power to make decisions on any matter where delay is likely to be seriously detrimental to: the school, a pupil or prospective pupil at the school, a pupil's carer(s) and/or family, a person who works at the school, public welfare, the prevention or detection of crime, the capture or prosecution of offenders			✓						
	Skills audit: complete and recruit to fill gaps		✓						✓	
16	Annual self-review of trust board and committee		✓	4			✓			

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
17	Annual self-review of LGB performance: complete annually								✓	
18	Chair's performance: carry out 360 review periodically		✓							
19	Trustee / committee member contribution: review annually		✓				✓			
20	Succession planning for school leadership team		✓				✓			
21	Annual schedule of business for trust board: agree		✓				✓			
22	Annual schedule of business for LGB: agree		✓				✓		✓	
23	To establish a performance management policy and pay reviews (in line with the Trust's pay policy and all statutory regulations)		R			✓	R			
24	To implement the performance management policy and pay reviews		R			✓	R			
25	To review annually the performance management policy and pay reviews		R			✓	R			
26	To set an admissions policy in accordance with statutory regulations and EFA criteria		✓				✓			
27	To appeal against directions to admit pupil(s)		✓				✓			
28	To decide on a discipline policy		R			✓	R			
29	To establish a complaints procedure including Chair of Governors hearing a complaint		✓				✓			
30	To exclude a pupil for one or more fixed terms (not exceeding 45 days in total in a year) or permanently							✓		
31	To review the use of exclusion					✓				
32	To direct reinstatement of excluded pupil					✓				
33	To institute health and safety policy		✓				✓	✓		
34	School lunch – ensure provided to appropriate nutritional standard		✓				✓	✓		
Reporting										
35	Trust governance details on trust and academies' websites:				✓					
36	School governance details on academy website: ensure		✓				✓		✓	

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
37	Register of all interests, business, pecuniary, loyalty for members/trustees/ committee members: establish and publish		✓				✓		✓	
38	Annual report on performance of the trust: submit to members and publish		✓				✓			
39	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓				✓			
40	To provide governors with in-year progress data							✓		✓
41	To provide governors with reports on quality of teaching and							✓		✓
42	To provide parent with communication on key aspects of school including pupil progress, attainment, curriculum and school events and activities									✓
43	To prepare and publish school website and prospectus in accordance to Ofsted criteria							✓		✓
Being Strategic										
44	Determine trust wide policies which reflect the trust's ethos and values (facilitating discussions with unions where appropriate) including: safeguarding, SEND, admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✓				✓			
45	Determine school level policies which reflect the school's ethos and values to include e.g. teaching & learning, pupil attendance; curriculum; behaviour: approve		R				R		✓	
46	Central spend / top slice: agree		✓				✓			
47	To consider an application from another school to join the Trust		✓				✓	✓		
48	To ensure that due diligence is carried out on a potential new school for the Trust.		✓	6			✓			

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
49	Management of risk: establish register, review and monitor		✓			✓	✓			
50	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓				✓			
51	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine							✓		✓
52	Training programme for Directors and Governors		✓				✓			
53	To draft School (post-Ofsted) Action Plan and distribute to parents							✓		✓
54	To decide any changes in school session times, including Term Dates and length of school day		✓				✓			
55	To establish an estate management plan with 5 year overview		✓				✓	✓		
Staffing										
56	EHT: Appoint and dismiss		✓				✓			
57	HOS : Appoint and dismiss		✓				✓			
58	DHT: Appoint and dismiss. Minimum 2 representatives from Trust Board/LGB – must include at least 1 Trustee (Staff Governors are not eligible to be on the panel)		✓				✓		✓	
59	AHT: Appoint and dismiss. Minimum 2 representatives from Trust Board/LGB – must include at least 1 Trustee (Staff Governors are not eligible to be on the panel)		✓				✓		✓	
60	Trust's staffing structure: agree		R			✓	R	✓		
61	School staffing structure: agree		R			✓	R			
62	To establish annual Teachers Pay policy		R			✓	R			
63	To certify all expense claims above the authorized level in the scheme of delegation made by the EHT		✓			✓				
64	To select teachers for appointment							✓		✓
65	To select senior non-teaching staff for appointment and Trust wide staff		✓		7		✓			

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
66	To establish a policy for special leave of absence		R				R	√		
67	To approve requests for special leave of absence, with or without pay within the Trust boards policy							√		
68	To authorise release for training, conferences or other school business – including the HOS							√		√
69	To approve timing of annual leave for certain non-teaching							√		√
70	To authorise time off for public and trade union duties							√		√
71	To establish and adopt, discipline, capability and grievance					√				
72	To initiate formal disciplinary proceedings against an employee							√		
73	To conduct a first or second stage disciplinary hearing					√			√	
74	To hear any grievance brought by an employee at the first stage					√				
75	To suspend an employee from work subject to informing the chair of the Board							√		
76	To lift a disciplinary suspension imposed on an employee							√		
77	Suspend or dismiss the EHT / HOS		√			√	√			
78	To determine that an employee shall cease to work at school (must act through staff dismissal committee)					√				
79	To hear an appeal against dismissal (must act through dismissal appeal committee)					√				
80	To grant early retirement within the scope of regulations					√				
81	To agree the level of premature retirement and/or redundancy compensation over and above that set out in the LAs guidance		R				R	√		
82	To determine the existence of a redundancy situation		√				√			
83	To undertake local consultation with school representatives of all recognised trade unions		√				√	√		
Holding to account										
84	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		√	8		√				

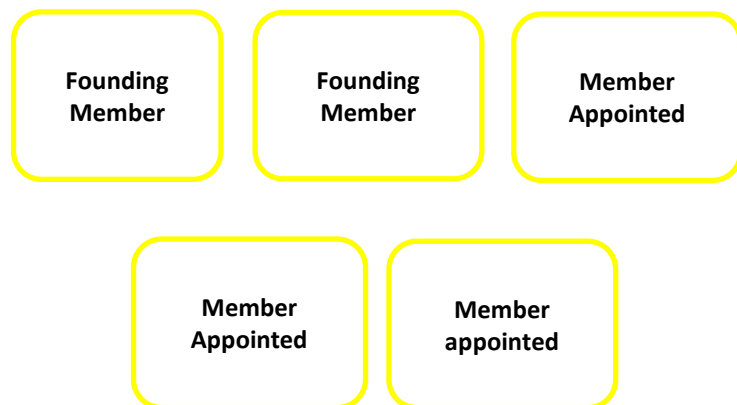
	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
85	Performance management of the Executive HT: undertake					√				
86	Performance management of Heads of School : undertake							√		
Ensuring Financial Probity										
87	Compliance: Funding Agreement – comply with all obligations including the Academies Financial Handbook		√				√			
88	Trust's scheme of financial delegation: establish and review		√			√	√			
89	External auditors' report: receive and respond		√			√	√			
90	EHT pay award: agree					√				
91	HOS pay award: agree					√				
92	Staff appraisal procedure and pay progression: monitor and agree					√				
93	Benchmarking and trust wide value for money: ensure		√			√	√			
94	Benchmarking and school value for money: ensure robustness					R			√	
95	Develop trust wide procurement strategies and efficiency					√				
96	To approve first formal Trust budget each financial year		√				√			
97	To prepare budget monitoring reports and to ensure that financial information is circulated in advance of termly							√		√
98	To review termly budget position statement – including a statement of any budget virement decisions made by the EHT					√				
99	To report to Finance, Risk & Audit committee on actions taken in response to any audits undertaken							√		
100	To investigate any financial irregularities NB the Trust strongly recommends that where schools have any suspicion of financial irregularities, internal audit are informed and asked to carry out an investigation on behalf of the school.		√					√		
101	To authorise opening of any bank account					√				
102	To write off debts above £100					√				
103	To ensure compliance with EFA financial regulations on seeking competitive quotations and tenders					√				
104	To set a charging and remissions policy		R	9		√				

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
105	To ensure pupil premium grant is spent appropriately		✓				✓		✓	
106	Investments – agreeing the investment policy in line with the Academies Financial Handbook and any internal policies and		✓				✓			
107	Arranging insurance for the Trust – to include buildings and							✓		
108	Establishing and maintaining asset registers in accordance with financial procedures							✓		
109	Ensuring that any disposal of assets complies with the financial procedures							✓		
110	Establishing and maintaining procedures for effective audit in accordance with legal and DfE requirements							✓		
111	Acquiring and disposing of Trust land		✓				✓			
112	Changing use of assets					✓				
Education and Curriculum										
113	Approve Trust/short term improvement plans for each school in line with the strategic aims of the Trust		✓				✓		✓	
114	Key Performance Indicators (Standards and Targets) – reviewing performance of the Trust and each School		✓				✓	✓	✓	
115	Approving the Curriculum for the Schools and ensure broad, balanced, inclusive and robust Curriculum taught to all pupils		✓				✓		✓	
116	Quality of Teaching – ensuring appropriate levels of support, challenge, and intervention to support delivery of education outcomes					✓			✓	✓
117	Provision of sex education - establish and keep up to date a written policy					✓			✓	✓
118	To establish British values and to prohibit political indoctrination and ensuring the balanced treatment of political issues					✓			✓	✓
119	Responsibility for ensuring provision of RE in line with school's basic curriculum (all schools)					✓			✓	✓
120	Arrangements for collective worship (schools without religious character) EHT must consult Trust Board					✓			✓	✓
Critical Incidence										

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
121	Working in partnership with the Executive Headteacher to provide strategic direction in planning for and responding to disruptive incidents						√			
122	Undertaking actions as required to support the School's response to a disruptive incident and subsequent recovery						√			
123	Acting as a 'critical friend' to ensure that the School Business Continuity Plan is fit-for-purpose and continuity arrangements are robust and reliable						√			
124	Monitoring and evaluating overall performance in developing School Resilience and reporting to Parents/Carers						√			

Kingsway Community Trust - Members

Members



As per our articles of association the Members of the Trust comprise of:-

- The signatories to the Memorandum (founding members)
- The Chair of the Directors (Trustees)
- The Vice Chair of the Directors
- The Chair of the Finance Committee
- Any person appointed under article 16, this being *'by passing a special resolution in writing to appoint such additional members as they think fit'*

Core Functions

- Are the subscribers to the Trust's memorandum of association
- May amend the articles of association (the articles include a definition of the Trust's charitable objects and governance structure) subject to any restrictions in the articles or in the Trust's funding agreement or charity law
- Have powers to appoint and remove Trustees in certain circumstances
- Appoint the Trust's auditors and receive the Trust's audited annual accounts (subject to the Companies Act)

Kingsway Community Trust – Trust Board

Board of Trustees (also known as Directors)

Member Appointed

**Chair
Strategic Lead**

Member Appointed

**Vice Chair
Safeguarding Lead**

Member Appointed

**Finance Chair & Finance/
Data Compliance Lead**

Board Appointed

Lead Inclusion

Board Appointed

**Lead Equality &
Community**

Board Appointed

**Chair of CB LGB & Lead
H & S and Premises**

**Board Appointed
(Parent)**

Personnel Lead

**Board Appointed
Trustee**

**Board Appointed
Parent Trustee**

Core Functions

- Ensuring the clarity of vision, ethos and strategic direction
- Holding the Executive Headteacher to account for the educational performance of the Trust and its pupils, the performance management of staff
- Overseeing the financial performance of the Trust and making sure its money is well spent

**Executive
Headteacher**

The Board of Trustees retains the legal responsibility for running the overall organisation and is responsible for the management of the Trust. The Board can delegate functions to committees, individual Trustees or the Executive Headteacher but ultimately remains responsible and accountable.

Trustees have the following powers:

- To expend the funds of the Trust in such manner as they shall consider most beneficial for the achievement of the objective and to invest in the Trust such part of funds as they may see fit
- To enter into contracts on behalf of the Trust
- May appoint separate committees known as Local Governing bodies
- May establish any other committee (e.g. Finance, Personnel & Performance Management)
- To appoint the Executive Headteacher
- To ensure the Trust complies with charity law requirements

A delegated committee is a committee that has authority given to it to take action on behalf of the Trust Board.

Finance, Risk & Audit Committee

**Membership: Lead Trustee for
Finance and three other Trustees**

Core Functions

To provide advice, support and guidance to the Executive Headteacher and Trust Board on all matters relating to school finances, for example:

- To review the financial strategy and advise the Board on its approval
- To review and recommend the Trust's Financial Statements and advise the Board on their approval
- To scrutinise the annual budget presented by the Executive Headteacher and advise the Board on its adoption
- To review management reports and monitor financial performance against the budget.
- To recommend the appointment of external auditors to the Board and monitor service quality.
- To provide oversight of the Trust's risk register, to ensure that it is maintained and reviewed

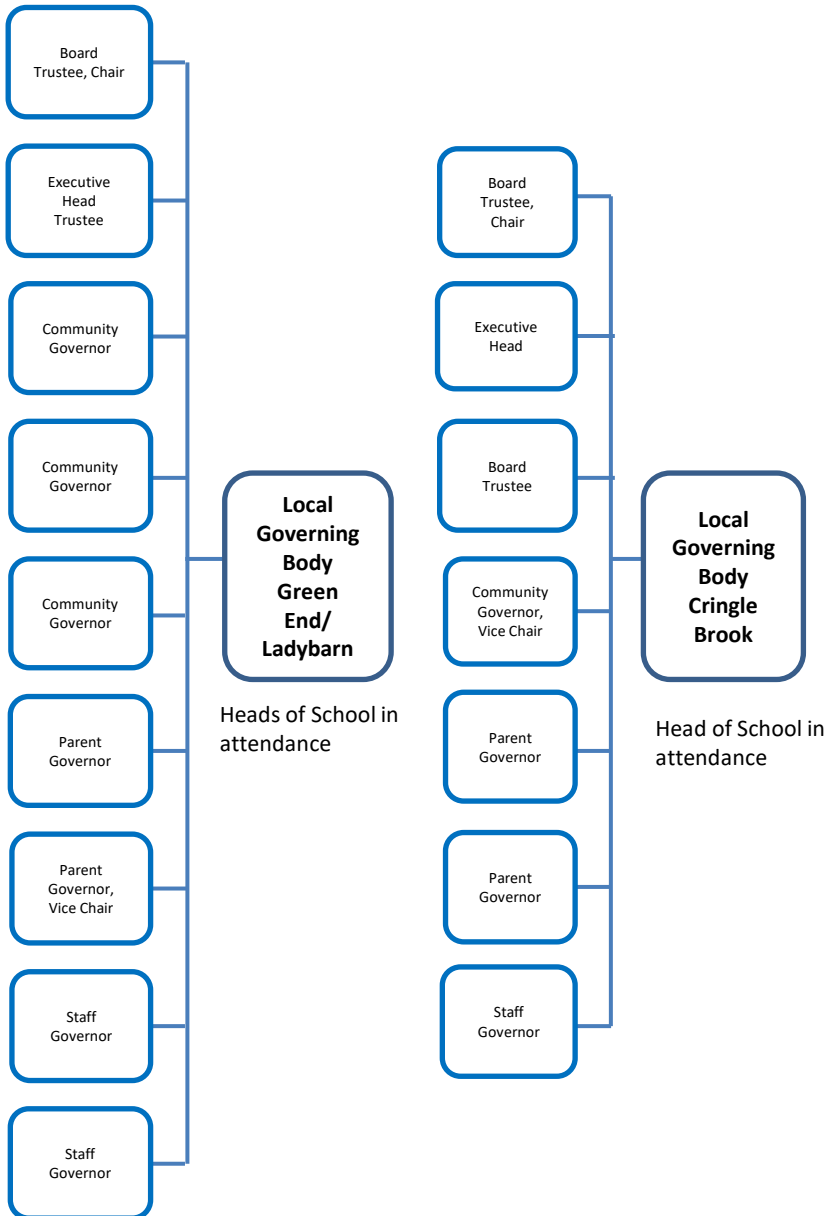
Personnel & Performance Management Committee

**Membership: Lead Trustee for
Personnel and three other
Trustees**

Core Functions

This committee has the responsibility for monitoring and reviewing the following:

- The Pay Policies of the Trust
- The performance related pay recommendations of staff within the Trust
- The setting of/performance against the Executive Headteacher's targets
- Reviewing and agreeing staff provision
- Personnel strategy for the Trust



Local Governing Body (delegated committees)

The LGBs are committees appointed by the Trust Board with some governance functions as described in the Trust Scheme of Delegation (SOD).

Broadly, the role of the LGB is to provide focused governance for a school at a local level. Generally the LGB is delegated the responsibility for oversight of teaching and learning and ensuring the individual school(s) remain on track. It should also monitor the school's improvement plan and act as a critical friend to the Executive Headteacher, providing challenge where appropriate. It will also play a part in representing the views of the school's stakeholders.

The Trust scheme of delegation states which powers or functions are delegated to the Local Governing Body. The LGB does not have a legal personality and the board remains accountable.

When any delegated power or function has been exercised by the LGB, the committee must report to the Trustees, any action taken or decision made at a meeting of the Trust board immediately following the taking of the action or making of the decision.