



## **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 2021

## **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 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
<b>Governance framework</b>										
<b>People</b>										
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		✓				✓			
<b>Systems &amp; Structures</b>										
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		✓				✓	✓		
<b>Reporting</b>										
35	Trust governance details on trust and academies' websites:				✓					
36	School governance details on academy website: ensure		✓	5			✓		✓	

	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 within 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							✓		✓
<b>Being Strategic</b>										
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		✓					✓	✓	

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
48	To ensure that due diligence is carried out on a potential new school for the Trust.		✓				✓			
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		✓				✓	✓		
<b>Staffing</b>										
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			7				✓		✓

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
65	To select senior non-teaching staff for appointment and Trust wide staff		✓				✓			
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		✓				✓	✓		



	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
<b>Holding to account</b>										
84	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓			✓				
85	Performance management of the Executive HT: undertake					✓				
86	Performance management of Heads of School : undertake							✓		
<b>Ensuring Financial Probrity</b>										
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				9	✓				

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
103	To ensure compliance with EFA financial regulations on seeking competitive quotations and tenders					✓				
104	To set a charging and remissions policy					✓				
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					✓				
<b>Education and Curriculum</b>										
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)			10		✓			✓	✓

	Decision	Delegation								
		Members	Trust Board	Chair	Vice Chair	CwD	C.I Com.	EHT	LGB	HOS
120	Arrangements for collective worship (schools without religious character) EHT must consult Trust Board					✓			✓	✓
<b>Critical Incidence</b>										
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						✓			