

THE 1590 TRUST

SCHEME OF DELEGATION

Bewley Primary School

EFFECTIVE DATE: 1 September 2021



The 1590 Trust

*Incorporating Conyers School and Sixth Form and Bader,
Kirklevington, Layfield, Levendale and Bewley Primary
Schools*

In practice awaiting approval at Trust Board meeting on 20.10.21

Version	Date of Review	
V2	September 2021	Addition of Policy Framework
V1	17 July 2019	Approval to join the Trust from 1 st Sept 2019

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Introduction

The 1590 Trust has expanded since November 2016, from one to six schools. All the schools involved have chosen to so collaborate, on the basis of shared values and ethos.

This scheme of delegation defines the lines of responsibility and accountability for The 1590 Trust (the Trust). It aims to ensure members, trustees, local governing bodies, executive leadership and head teachers are clear about their roles and responsibilities. This overarching scheme of delegation for all decision making in the Trust, should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook.

The Articles of Association form the constitution of the Trust and take precedence over this scheme in the event of any dispute.

The Trust board delegates responsibility for the performance of the Trust, including the performance of the academies within the Trust, to the Chief Executive Officer (CEO), and determines on a case by case basis whether to delegate some responsibilities concerning the performance of each academy, to a local governing body.

The CEO is accountable to the board for the performance of the Trust as a whole and will report on the performance of the Trust and the individual schools within it, to the board.

The Trust intends to operate a delegated governance model, to promote the cohesion of the Trust and ensure local accountability and transparency. Factors which will influence the decision to delegate powers to a school local governing body include:

- school performance
- any recent Ofsted report
- financial and administrative performance
- leadership and governance capacity and capability

This scheme of delegation is based on the National Governors Association's model of 'earned autonomy' or 'mixed delegation'. It may therefore lead to schools operating on different schemes of delegation within the MAT, as additional schools join.

Each Local Governing Body is in effect a sub-committee of the Trust and it operates on those powers delegated to it by the Trust. In the event of serious concerns around the

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performance of the school and/or capacity of the local governing body, the Trust will review and revoke such powers as it deems appropriate.

Roles within the Trust

The role of the Members

The Members are the ‘conscience’ of the Trust, with the remit to ensure the Trust is effectively delivering on its charitable object. It is not an operational role. The Members have the power to both appoint and remove trustees, as set out in the Articles. Members receive the annual report on the performance of the Trust, from the Trustees. Members are also responsible for approving any amendments made to the Trust’s articles of association.

The role of the Trustees

The Trustees are the charity trustees (within the terms of section 177(1) of the Charities Act 2011) and are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the memorandum and articles of association. The Board of Trustees (the board) is the accountable body for the performance of all schools within the Trust and as such must:

- ensure clarity of vision, ethos and strategic direction
- hold the chief executive officer 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 ensure its money is well spent.

Because trustees are bound by both charity and company law, the terms ‘trustees’ and ‘directors’ are often used interchangeably. We use the term trustee as it avoids the possible confusion caused given school senior managers are also called directors.

The trustees may establish committees either with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of the Trust board. However these committees are not legally responsible or accountable for statutory functions, the Trust board retains overall accountability and responsibility. The responsibilities of board committees are set out in their terms of reference and the responsibilities for individual school local governing bodies are set out in their scheme of

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delegation. The Trust board may appoint to the governing bodies.

The role of the Chief Executive (CEO)

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's academies. The CEO will performance manage the academy head teachers. Where there is delegation to a local governing body (LGB) this will usually be done in conjunction with the Chair of the LGB. The CEO is accountable to the board of Trustees for the overall performance of the Trust.

The CEO is the designated Accounting Officer of the Trust. The CEO has overall responsibility for the operation of the Trust's financial responsibilities and must ensure that the organisation is run on a financially sound and sustainable basis and secure value for money. The Director of Finance and Operations will manage the finances of the Trust, on behalf of the CEO. The Head Teacher of Conyers School fulfils the role of CEO of the Trust.

The Trust Executive Management Team

The CEO leads the Trust Executive Management Team of the Trust which is made up of the head teachers, director of standards and chief financial officer. This group will manage the strategic planning of the Trust and support the operation of the Trust board.

The role of the Academy Head Teacher for Bewley Primary School

The Head Teacher is responsible for the day to day management of the Bewley Primary School. The Head Teacher will be line managed by the CEO but if there is delegation, would also report to the local governing body on those matters delegated to it.

The role of the Local Governing Body (LGB)

The Trust board will establish a LGB for each school where it has determined to delegated powers to it, using the earned autonomy principles. The LGB will ensure arrangements are in place for the appointment of a chair, a minimum of two elected parents governors and elected staff governors (no more than one third of its membership). Responsibilities of the LGB may include:

- Building an understanding of how the school is led and managed and will determine what will be delegated

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- Monitoring whether the school is:
 - Working within agreed policies
 - Is meeting the agreed targets
 - Managing its finances well
- Engaging with stakeholders
- Reporting performance to the board

As a committee of the Trust board, delegation can be removed at any time. A separate scheme of delegation is in place for each school within the Trust.

Bewley Primary School Local Governing Body

The Trust has determined to delegate in full to the Bewley Local Governing Body. The structure and remits of the Bewley Primary School Local Governing Body are set out on pages 7 and a table summarising how key areas have been delegated is on page 10.

The role of an academy school advisory council

The Trust board will establish an academy school advisory council and will appoint the chair, where delegation has been withheld from a school, under the principles of earned autonomy or mixed delegation. A minimum of two parent governors will be elected to the council and other governors appointed as required, including staff representative.

Those serving on the Council will be called Governors. The council may:

- Seek to understand how the school is led and managed: the academy principal will report termly on how the school is fulfilling the trust's ethos, vision and strategy
- Act as the panel when reviewing the head's decisions on exclusions, and parents' complaints
- Be the consultative body for the school's stakeholders
- Represent the school's stakeholders
- Forge links with the community
- Act as an ambassador for the school
- Seek to build up the capacity of the school advisory council, with the intent of being able to demonstrate to the Trust, a conversion into a Local Governing Body is practical

It is the intent of the Trust to seek to build up capacity and address any issues within an individual school, operating under an advisory school council, so as to enable that school to move to a local governing body, with delegated powers, over a period of time.

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Training and Development

All Members, Trustees and Governors should ensure they develop and maintain the necessary skills and knowledge to effectively discharge their roles, as set out in this scheme of delegation.

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Bewley Primary School Local Governing Body Roles and Remits

Membership of Bewley Primary School Local Governing Body

The Governing Body, in line with the Articles of Association, is made up as follows:

- Up to nine community governors appointed by the board of trustees
- Up to four elected parent governors
- Up to four staff governors elected by the workforce of the school
- The Head Teacher and Chief Executive of the Trust
- Up to two co-opted governors appointed by the LGB

Governors usually serve a four-year term. No more than a third of Governors can be employees of the Trust.

Membership

Governors, the Head Teacher and Chief Executive with other staff attending as required.

Quorum: 1/3 of membership

Remit

1. To ensure the election/appointment of a minimum of two parent governors;
2. To elect the Chair/Vice Chair of the Local Governing Body;
3. To develop an annual schedule of business for the Local Governing Body;
4. To submit an Annual Report of Work and publish;
5. To determine and approve school level policies to reflect the schools vision and values;
6. To approve the schools vision, values and ethos;
7. To ensure robust arrangements are in place for safeguarding pupils;
8. Co-ordinating communication and consultation between the school, parents, governors and outside agencies.

School Improvement

9. To assist in the preparation of the School Improvement/Development Plan;
10. To monitor and evaluate implementation of the Plan throughout the year;
11. To liaise with the Trust's School Improvement Committee, in regards to the academic performance of the school and ensuring that targets are set and monitored for pupil achievement;
12. To consider, review and approve curriculum and other related policies;
13. To monitor and evaluate the implementation of the policies;
14. To ensure the 'Every Child Matters (ECM)' outcomes are taken into account;
15. To consider requests for educational visits in line with agreed policy and procedures;

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16. To monitor and evaluate the implementation of the Performance Management Policy and CPD Policy and their effect on the quality of teaching and learning throughout the school; (e.g. Section 5 of the SEF – Quality of Provision)
17. To look at pastoral care and review behaviour and achievement policies.

Finance

18. To consider the budget allocation from the Trust and recommend a budget for approval, day to day management of the agreed budget to be delegated to the Head Teacher;
19. To monitor and evaluate issues relating to finance in the School Improvement Plan;
20. To monitor spending against the agreed budget by examining financial statements during the year, at least termly;
21. To ensure that the school operates within the financial regulations of the Trust and the requirements of the Academies Financial Handbook
22. To consider and approve the school's Charging and Remissions Policy;
23. To review and approve the Lettings Policy and lettings charges on an annual basis;
24. To consider reporting mechanisms to parents in relation to financial matters;
25. To consider nursery admission arrangements and procedures and other consultation issues with the LA;
26. To ensure and maintain an up to date list of governors pecuniary interests.

Premises and Health and Safety

27. To consider and advise the Governing Body on regulations relating to Health and Safety including the annual Health and Safety Report from the Health and Safety Unit;
28. To ensure the Business Continuity plan for Bewley is effective and kept up to date;
29. To consider and review the Asset Management Plan;
30. To consider and approve the Accessibility Plan;
31. To consider, cost, prioritise and make recommendations on the long term care and improvement of the buildings, grounds, furniture and fittings;
32. To monitor and evaluate issues relating to premises within the School Development/Improvement Plan.

Other sub committees

A panel of three to be convened, as and when required from the pool of Governors, Trustees and Members.

Pay Appeals Committee

1. To consider any appeal from a member of staff arising from the pay review procedures.

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Discipline Committee

1. To be responsible for the schools' disciplinary procedures as agreed by the Trust and within the appropriate legislation.
2. To hold hearing to consider pupils excluded from school with a view to readmission or permanent exclusion.

Complaints Committee

1. To consider any complaints received by the school / governing body.

Initial Committee (with the Trust)

1. To discuss the need for staff reduction and, if necessary, set criteria for nomination.
2. To liaise with and consult the teacher associations prior to the meeting of the Dismissal (Nominating) Committee.

Nominating Committee (with the Trust)

1. To agree the nomination of a member of staff for consideration by the Hearing Committee to discuss in relation to over-established posts.

Hearing Committee (with the Trust)

1. To consider representations made on behalf of staff that the Governing Body proposes to dismiss and to determine whether that member of staff is dismissed under Redundancy Procedures, or where required hear cases under Capability, Grievance or Disciplinary Procedures.

Appeals Committee

1. To hear an appeal from a member of staff against the decision by the Governing Body to dismiss him/her and to determine in light of the appeal, whether s/he should be dismissed.
2. To hear appeals on disciplinary matters.
3. To hear appeals under grievance procedures.
4. To hear appeals under capability procedures.

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Table of Delegated decision making

Area	Decision	Delegation				
		Members	Trust Board	Chief Executive CEO	Local Governing Body LGB	Academy Head teacher
Governance framework						
<i>People</i>	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓				
	Role descriptions for Members	✓				
	Role descriptions for Trustees /chair / specific roles /committee members: agree		✓			
	Parent Trustee/committee member: elected		✓		✓	
	Committee chairs: appoint and remove		✓	A		
	LGB chairs: appoint and remove		✓	A	✓	
	Clerk to board: appoint and remove		✓			
	Clerk to LGB: appoint and remove				✓	
<i>Systems and Structures</i>	Articles of association: agree and review	✓	A	A		
	Governance structure (committees) for the Trust: establish and review annually		✓	A		
	Terms of reference for Trust committees (including finance, audit and standards): agree annually		✓	A		
	Terms of reference for Local Governing Body (LGB) / local committees: agree and review annually		✓	A		
	Skills audit: complete and recruit to fill gaps		✓	A	✓	A
	Annual self-review of Trust board and committee performance		✓			
	Annual self-review of LGB and committee performance		✓		✓	
	Chairs and Trustees performance and contribution		✓		✓	
	Succession plan (of the Board or LGB)		✓	A	✓	A
	Forward Plan or annual schedule of business for Trust board		✓	A		
Trust governance details on trust and academies' websites: ensure		✓	A			

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	Academy governance details on academy website: ensure			A	✓	A
	Annual schedule of business for LGB			A	✓	A
Area	Decision	Delegation				
		Members	Trust Board	Chief Executive CEO	Local Governing Body LGB	Academy Head teacher
Reporting						
	Register of all interests, business, pecuniary, loyalty for Members/Trustees/committee members: establish and publish		✓	A		
	Annual report on performance of the trust: to Members and publish		✓	A		
	Annual report & accounts, accounting policies, signed statement on regularity, propriety and compliance		✓	A		
	Annual report work of LGB: submit to Trust & publish				✓	A
Being Strategic						
	Determine trust wide policies which reflect the Trust's ethos and values including all HR staffing policies: (see Policy Framework below): approve		✓	A		
	Determine school level policies reflective of the school's ethos and values (set out in each individual school scheme of delegation): approve				✓	A
	MAT central charges: agree		✓	A		
	Management of risk: establish register, review and monitor		✓	A	✓	A
	Engagement with stakeholders	✓	✓	✓	✓	✓
	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		
	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine			A	✓	A
	Chief executive officer: Appoint and dismiss		✓			
	Academy Head Teacher : Appoint and dismiss			A	✓	

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	Budget plan to support delivery of Trust key priorities: agree		✓	A		
	Budget plan to support delivery of school key priorities: agree				✓	A
Area	Decision	Delegation				
		Members	Trust Board	Chief Executive CEO	Local Governing Body LGB	Academy Head teacher
Being Strategic						
	Trust's staffing structure: agree		✓	A		
	School staffing structure: agree (within the establishment totals agreed by the Trust as part of the Budget for each school).				✓	A
Holding to Account						
	Auditing & reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓	A	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	A	✓	A
	Performance management of the CEO: undertake		✓			
	Performance management of the principal(s): undertake			A	✓	
	Trustee monitoring: agree arrangements		✓	A		
	LGB monitoring: agree arrangements				✓	A
Ensuring Financial Probity						
	Appoint Chief Financial Officer		✓	A		
	Trust's scheme of financial delegation: establish and review		✓	A		
	School's scheme of financial delegation: establish and review		✓	A	✓	A
	External auditors' report: receive and respond		✓	A		
	CEO pay award: agree		✓			
	Academy Head Teacher pay award: agree			A	✓	
	Staff appraisal procedure and pay progression: monitor and agree		✓	A	✓	A

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Benchmarking and trust wide value for money: ensure robustness		✓	A		
Benchmarking and academy value for money: ensure robustness				✓	A
Develop Trust wide procurement strategies and efficiency savings			✓		
Set Capital budgets and Estates Strategy: approve		✓	A		

Policy Framework for 2021/22

The policies due for review by Bewley LGB in 2021/22 are set out below:

Trustwide Policy	Review Cycle	2021/22	2022/23	2023/24	2024/25	2025/26
Grievance Procedure	Annually	✓	✓	✓	✓	✓
Guide to handling request to work flexible	5 years			✓		
Staffing Level Management	5 years				✓	
Substance Misuse Policy	5 years	✓				
Acceptable use, including use of iPads	Annually	✓	✓	✓	✓	✓

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CYPIOC Children/Young People in our Care	Annually	✓	✓	✓	✓	✓
Sex & Relationships Education	Annually	✓	✓	✓	✓	✓

Individual trust schools will prepare the statutory Safeguarding, Child Protection (including Peer on Peer abuse) policy annually for ratification at their LGBs.

Other Statutory Policies to be managed by each individual school are:

Statutory Policy	Review Cycle	2021/22	2022/23	2023/24	2024/25	2025/26
EYFS	Varies, determined by individual schools					
SEND	Annually	✓	✓	✓	✓	✓
Behaviour	Annually	✓	✓	✓	✓	✓
Careers (Secondary only)	Annually	✓	✓	✓	✓	✓

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Admissions (Sixth Form) Secondary only	Annually	✓	✓	✓	✓	✓
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There may be other policies outside of the framework which are specific to an individual school, at its discretion.

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