

Ebor Academy Trust Scheme of Delegation V12 Effective February 2023

This Scheme of Delegation has been developed to clarify strategic level accountabilities and responsibilities across the Trust. It takes into account the Funding Agreement, Corporate and Charity law, Academy Trust Handbook, CIPFA guidance and other DfE guidance

The separate Finance Scheme of Delegation sits alongside this to provide detail of delegated financial authorities around key controls. The Governance Handbook includes an extract of responsibilities for the LGBs along with additional practical guidance. The Trust suite of policies detail how business is conducted, supported by process guidelines and supported by an Accountability and Responsibility Matrix to act as an aide memoire.

Introduction

The Board of Trustees of Ebor Academy Trust has accountability for ensuring the Trust meets its charitable objectives and responsibility for setting the direction of the Trust, ensuring that it is solvent, compliant, and delivers the Trust's charitable objects for the benefit of the public.

The Board, under the Trust's Articles of Association, may 'delegate such powers and functions as they consider are required by the Chief Executive Officer for the internal organisation, management and control of the Academies (including the implementation of all policies approved by the Trustees and for the direction of the teaching and curriculum at the Academies). This document reflects the delegations that have been made

The levels of delegation are as follows:

- Board of Trustees
- Committees of Board of Trustees - See Terms of Reference
- Local Governing Body
- CEO
- Headteachers

Where Trustees have delegated responsibility for areas they are accountable for, the scope of delegated responsibilities will be documented, along with reporting requirements and when Trustees may intervene. Whilst some delegated responsibilities may be further delegated, others, including those of Accounting Officer are for the CEO alone.

This document is intended to ensure a consistent approach across the Trust and demonstrate transparency. As far as possible, all academies will have the same levels of decision making, though supported academies will, in some instances, be required to 'defer to the CEO'.

Conflicts

In the event of any conflict between any provision of this Scheme of Delegation and the Articles, the Articles shall prevail.

Review

The Scheme of Delegation shall operate from the Effective Date

The Trustees will review this Scheme of Delegation at least on an annual basis and to alter any provision of it.

Legislative changes to accountabilities and responsibilities , or changes to delegated powers, will be immediately reflected.

In considering any material changes to this Scheme of Delegation or any framework on which it is based, the Trustees will have regard to and give due consideration of any views of the Local Governing Bodies and the Diocese.

Summary of Roles

A Multi Academy Trust has a structure which has evolved since 2010. At each level there are specific accountabilities and functions which combine to form the leadership of the Trust. This summary outlines the key differences in these roles

Members	Trustees	Board Committees	CEO	LGBs	Headteachers
<p>Guardians of the governance of the Trust</p> <p>Acting as ambassadors for the Trust</p> <p>Removing trustees</p> <p>High level monitoring of the overall effectiveness of the trust</p> <p>Review and agree Articles of Association</p>	<p>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.</p> <p>Ensure clarity of vision, ethos and strategic direction</p> <p>Hold the executive to account for the educational performance of the schools and their pupils, and the performance management of staff</p> <p>Oversee the financial performance of the trust and make sure its money is well spent</p> <p>Legally responsible for compliance with company and charity law</p> <p>The trust board will delegate to the chief executive responsibility for the day to day operations of the trust.</p> <p>The trustees can determine whether to delegate any governance functions</p>	<p>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.</p> <p>Committees are not legally accountable for statutory functions – the trust board retains overall accountability and the Accounting Office also holds responsibility</p>	<p>The CEO is the accounting officer and responsible for all areas that are encompassed in this role.</p> <p>They are personally responsible to Parliament and to ESFA for the Trusts Financial Resource. The CEO will delegate executive management functions to the executive management team and is accountable to the trust board for the performance of the executive management team.</p> <p>Ultimate executive responsibility for delivering excellent educational provision and educational services</p> <p>Responsible for leading and development and delivery of the Trusts strategy</p> <p>Line managers CST Directors</p>	<p>Oversight of running of the academies in terms of learning, standards, safety and wellbeing</p> <p>Holding local academy leadership to account for academic performance, quality of care and provision</p>	<p>Provide professional leadership for the academy and secure its success and improvement</p> <p>Ensuring high quality education for all its pupils and good standards of learning and achievement</p> <p>Provide leadership and management of the academy and its staff</p>

MONITORS/ RECEIVES REPORTS FROM: Trustees	REPORTS TO: Members MONITORS/ RECEIVES REPORTS FROM: Committees/ CEO and LGBS	REPORTS TO: Trustees MONITORS/ RECEIVES REPORTS FROM: CEO, Exec team and LGBs	REPORTS TO: Trustees and Committees MONITORS/ RECEIVES REPORTS FROM: Executive Team and Headteachers	REPORTS TO: Trustees/ Committees MONITORS/ RECEIVES REPORTS FROM: Headteachers	REPORTS TO: CEO and LGB MONITORS/ RECEIVES REPORTS FROM: Academy SLT
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The Scheme of Delegation sets out key activities of the Trust and the roles of key roles and groups.

<p>R</p>	<p>Means Responsible. The individual that has been delegated responsibility to ensure an activity is undertaken within defined and agreed time, cost and quality constraints; reporting progress as required.</p> <p>In the case of the CEO, this reporting will be at board level. In the case of the Headteacher, this will be at Academy LGB level.</p>
<p>A</p>	<p>Means Accountable. The individual that has ultimate accountability for ensuring completion of a task.</p>
<p>S</p>	<p>Means Support. The individual/group who should provide support to those responsible for the task, during the implementation of the task. The individual / group providing support should be ready to give valuable advice and input where applicable.</p>
<p>C</p>	<p>Means the role may be consulted with</p>

All relevant parties must be kept informed of matters dealt with under the Scheme of Delegation

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1		Overarching Governance						
Item		Members		Trust Board	CEO /AO	LGB	HT	Comments / Notes
1.1	Amendment of Articles of Association	A			S			Consent of York Diocesan Board of Education (YDBE) and Directors required.
1.2	Call Members' Meetings	A		S				Extraordinary meetings may also be called by trustees.
1.3	Appoint/remove Members and Trustees	A		R				Accountability for appointment and consultation on appointment varies - Trustees co-opt 4 trustees, one appointed by diocese, one by foundation and 6 by Members -see articles/audited accounts and MOU Inform YDBE/DYET of all appointments.
1.4	Member Register of Interests are completed and keep under regular review	R			A			Delegated to Finance Director
1.5	Hold Trustees to account for achieving the Trusts objectives, effective governance and working with the law and any guidance on the governance of academy trusts	A	R					Academies Handbook

1.6	Determine the name of the Trust	A	R					
1.7	Appoint Auditors	A						Academies Handbook - Should be in writing
1.8	Receive Statutory Accounts	A		R				Board approve annual report and accounts, statement of regularity, proprietary and compliance incorporating governance statement demonstrating value for money. Submit to Members and Companies house.
1.9	Dissolve the company	A	R					NGA Academy Trust role of Members
1.10	Complete / Review Trustee Board skills audit and training plan annually			A	R			YDBE guidance and training should be provided to those undertaking the role.
1.11	Appoint/Remove Chair/ Vice Chair of Trustees			A	R			
1.12	Appoint and remove Clerk to the Trustees			A				
1.13	Appointment of CEO			A	R			Refer to MOU with DYET/ Inform Members/ RSC

1.14	Appoint Headteachers				A/R	C		
1.15	Appoint and remove to specific trustee roles and Committee membership		A	R				Statutory Whistleblowing and Safeguarding trustee. Chairs of Committees and committee or individual responsible for SEND Gov Handbook 2.2.8 & 2.3.7
1.16	Agree Scheme of Delegation and Committee Terms of reference (TOR) and review annually		A	R				
1.17	Approve Board of Trustees Annual Schedule of Business		A	R				
1.18	Approve Policy Delegation list		A	R				
1.19	Engagement with stakeholders			R		R	R	

LGB Matters

Item		Members	Trust Board		CEO /AO	LGB		Head Teachers	Comments
1.21	Determine the principles of LGB composition		A	R	S			S	For Church schools, the composition of the LGB will be agreed with the YDBE. Foundation Governors for RWPA will be agreed with WCHT
1.22	Appoint Chair/ Vice Chair of LGB					A	R		
1.23	Allocate governor specific roles					A	R		
1.24	Complete and maintain LGB register of interests					A	R	S	
1.25	Review of LGB Effectiveness						R		

1.26	Complete LGB Skills Audit				R		
1.27	Ensure effectiveness of leadership and management in individual academies			R	C		LGB Chair to support the exec team with Performance Management of the Headteacher. HT and SLT PM to PPP comm
1.28	Hold leaders to account for- the quality of teaching, learning and assessment, personal development and best outcomes for children and learners		A	R	R		
1.29	Appoint trust governors to LGB			R			
1.30	Appoint and remove clerk to the LGBs			R			

2		Strategy and Leadership						
Item		Members	Trust Board		CEO /AO	LGB	Head Teachers	Comments
2.1	Ensure the Trust is financially viable, run in accordance with its Articles and law and meeting its charitable objectives		A		R			
2.2	Agree Trust Strategic and Operational Plan, including growth model		A		R			
2.3	Develop the character, mission and ethos of the Trust fostering the individuality of each school		A		R			
2.4	Scrutiny of trust performance		A/R		R			
2.5	Performance management of CEO		A	R				

2.6	Ensure statutory trust policies are in place, approved and reviewed in line with statute and guidance		A	R			
2.7	Ensure compliance with all regulation, policies and other statutory obligations		A	R	R	R	Governors and Headteachers responsible at individual school level
2.8	Approve and maintain the risk and control framework, risk register and approve the risk appetite and		A	R			Gov Handbook 6.6.1.137 and Academies Handbook
2.9	Formally approve and review school specific policies				R	S	
2.10	School Development Plans are in place and regularly reviewed				R	S	CEO and Exec HT will oversee SDPs
2.11	Set the curriculum in line with the national curriculum and context of the school			C		R	

2.12	Review and challenge the spend of pupil premium/ sports funding and recovery funding in terms of educational outcomes and narrowing the achievement gap				R		
2.13	Approve and set trust wide PSED and comply with equalities legislation		A/R				As per Governance Handbook 2.2.6 & 6.3.9
2.14	Ensure deliver EYFS in line with statutory requirements for 0-5 yr olds					R	Governance Handbook 6.4.10.51
2.15	Ensure compliance with SEND code of practice				A	R	Governance Handbook 6.4.11.52 and Children and Families Act 2014

3		Education					
Item		Members	Trust Board	CEO /AO	LGB	Head Teachers	Comments
3.1	Admission Policies and decisions		R		S	S	We are our own admitting authority. The board will approve Ebor admission policies and set prejudice limits in consultation with the diocese. Responsibility to accept individual in year admissions is delegated to headteachers. Gov Handbook 6.9.1.230
3.2	Review and evaluate school performance		A	R	R	A	
3.3	Evaluate the school self evaluation and key priorities		A	R	C		HT to set and write SEF agreed with Exec HT and monitored by LGB
3.4	Agree term dates and length of school day		A/R				
3.5	Deliver compliant support for Looked After Children					R	Governance Handbook 6.4.12.62

4		Safeguarding, Behaviour, Attendance and Inclusion						
Item		Members	Trust Board	CEO /AO	LGB	Head Teachers		Comments
4.1	Ensure pupil attendance and admission registers are monitored and challenged in line with national guidance		S	A	R			Governance Handbook 6.8.6.204
4.2	Fixed term suspension or permanently exclude a pupil			S		A	R	Gov Handbook 6.8.4.197 and Articles of Association Trust Behaviour Lead to be informed and consulted in all cases.
4.3	Review the decision to permanently exclude a pupil / direct reinstatement of a pupil			S	R			Support from Trust Behaviour Lead
4.3	Ensure Safeguarding Annual Report is filed with the Trust		A	R	R			

4.4	Ensure local procedures are in place and implemented in line with local safeguarding boards		S	A	R			
4.5	Appoint/ remove school Designated Safeguarding Lead at academy level			R	S	S		All HT JDs include strategic oversight of safeguarding and in many cases HT is DSL. CEO delegates recruitment support to RM.
4.6	Ensure schools are fully compliant and implement to KCSIE			R		S		Gov Handbook 6.7 164-170. RM ensures compliance across the trust.

5	Finance							
Item	Members	Trust Board		CEO /AO	LGB	Head Teachers	Comments	
<p>Trustees have delegated responsibility for financial performance and monitoring financial administration of the Academy (except for those items reserved for Trustees) to the Finance Scrutiny Committee.</p> <p>The Committee will ensure the CEO, FD, LGB, Headteacher and other staff act within their delegated authority, as laid out in the Financial Scheme of Delegation and approved by the Trustee Board.</p> <p>This document contains matters which are not addressed through the Financial Scheme of Delegation</p>								
5.1	Appointment of the CEO & Accounting Officer & inform the Secretary of State		A	R				Board appointment. Governance Handbook 6.6.1.137
5.2	Appointment of the CFO / FD		A	R	S			
5.3	Ensure Trust's continuing compliance with all requirements		A	R	S			including required reports and returns, novel, contentious, repercussive transaction, disposal of land and use of Condition Allocations, use of school premises, approval of

	of ESFA/DfE and Funding Agreement							severance payments and entering into indemnities outside the normal course of business. Academies Trust Handbook
5.4	Agree the financial charging model (top slice) for academies		A	R	C			Academies have a right of appeal
5.5	Approval of Special Payments per ESFA including staff severance and compensation payments		A	R	S			
5.6	Approval of novel or contentious transactions - which always must be referred to the ESFA for prior authorisation		A	R	S			
5.7	Approve a scheme for paying Governors allowances		A	R				
5.8	Ensure the Trust is adequately insured (RPA)				R			

5.9	Approval of capitalisation limits and depreciation policy for the Trust		A	R				
5.10	Ensure sufficient capacity and expertise to manage the finances of all academies				R			
5.11	Approval of the budget and forecasts and oversight of monthly management accounts		A	R				Gov Handbook 6.6.1.137 Academies Handbook
5.12	Management of cash position		A	R				The board is responsible for cash management across the trust Academies Handbook.
5.13	Approve Financial Scheme of Delegation		A					FSC will approve financial SOD - see TOR

6 Audit and Compliance							
Item	Members	Trust Board	CEO /AO	LGB	Head Teachers	Comments	
Responsibilities have been delegated to the Audit, Risk and Compliance Committee as per the TOR							
6.1	Agree the annual audit program		R				
6.2	Receive External and Internal Audit Management letters and findings reports		R				
6.3	Ensure all points raised from Annual Audit Management reports are actioned and provide Board with assurance		R				

6.4	Investigate any financial irregularities and report to Trust Board		R	R			
6.5	Investigate financial irregularities at Trust Board level		R				Defer to Auditors. Investigated by ARAC
6.6	Agree Trust Policy delegation list		A	S			
6.7	Ensure Adequate insurance is in place	A	R				or use the RPA. Governance Handbook 6.6.1.137
6.8	Oversee and approve related party transactions		A/R				Academy Trust Handbook 5.57

Estates and Health and Safety

Item	Members	Trust Board	CEO /AO	LGB	Head Teachers	Comments	
Responsibilities have been delegated to the Estates Scrutiny Committee as per the TOR							
7.1	Ensure that building and grounds remain Health & Safety compliant		A	R	S	R	
7.2	Ensure the Estates Strategy is fit for purpose		A				Delegated with Terms of Reference for ESC
7.3	Ensure compliance with Health and Safety legislation, including food safety, first aid and educational visits		A		R	R	Board will set H&S policies. Gov Handbook 6.8

8 Human Resources							
Item	Members	Trust Board		CEO /AO	LGB	Head Teachers	Comments
Responsibilities have been delegated to the PPPC committee as per the TOR							
8.1	Approval and appointment of the Executive Team			R			
8.2	Agree staffing structure and approve new posts to the structure where they fall outside of agreed budgets		A	R	S		
8.3	Approving the dismissal/appointment of CEO, FD		A	R			
8.4	Dismissal of Headteachers			A	R	C	

8.5	Approve the appointment of school senior leaders			C		R	LGB/ Headteachers to be consulted/ where changes relate to local staff
8.6	Changes to terms and conditions of employment		A	C			Consultation may be required
8.7	Moving of staff within the Trust to meet local need			R	c	S	
8.8	Setting Pay levels and oversight of pay rises and any other appropriate remuneration for staff on leadership contracts		A	R			Appropriate scrutiny is required by the Execs and approved by PPP Committee
8.9	Setting Pay levels and awarding non-leadership pay rises and any other relevant remuneration to an individual within an individual academy for teaching and non teaching staff including CST in line with the Trust Pay Policy				S	R	
8.10	approve CEO performance Management and pay increments		R				Delegated to the PPP Committee in TOR

8.11	Approve GPG report, Facility Time report		A	R				
8.12	Completing DBS checks				R		R	Governance Handbook 4.1.2.14

9 Communications							
Item	Members	Trust Board	CEO /AO	LGB	Head Teachers	Comments	
9.1	Ensure websites are compliant with national regulation		R		R		

Appendix A – LGB Responsibilities -

Item		Members	Trust Board	CEO /AO	LGB		Head Teacher	Comments / Notes
1.14	Appoint Headteachers			A/R	C			
1.19	Engagement with stakeholders		R	R	R		R	
1.22	Appoint Chair/ Vice Chair of LGB				A	R		
1.23	Allocate governor specific roles				A	R		
1.24	Complete and maintain LGB register of interests				A	R	S	
1.25	Review of LGB Effectiveness				R			

1.26	Complete LGB Skills Audit				R		
1.27	Ensure effectiveness of leadership and management in individual academies			R	C		LGB Chair to support the exec team with Performance Management of the Headteacher. HT and SLT PM to PPP comm
1.28	Hold leaders to account for the quality of teaching, learning and assessment, personal development and best outcomes for children and learners		A	R	R		
2.7	Ensure compliance with all regulation, policies and other statutory obligations		A	R	R	R	Governors and Headteachers responsible at individual school level
2.9	Formally approve and review school specific policies				R	S	
2.10	School Development Plans are in place and regularly reviewed at LGB				R	S	Ceo and Exec HT will oversee SDPs which are produced by HT

2.12	Review and challenge the spend of pupil premium/ sports funding and recovery funding in terms of educational outcomes and narrowing the achievement gap				R		
2:15	Ensure school compliance with SEND code of practice				A	R	Governance Handbook 6.4.11.52 and Children and Families Act 2014
3.1	Admission Policies and decisions		R		S	S	We are our own admitting authority. The board will approve Ebor admission policies and set prejudice limits in consultation with the diocese. Responsibility to accept individual in year admissions is delegated to headteachers. Gov Handbook 6.9.1.230
3.2	Review and evaluate school performance		A	R	R	A	
3.3	Evaluate the school self evaluation and key priorities		A	R	C		HT to set and write SEF agreed with Exec HT and monitored by LGB

4.1	Pupil attendance is monitored and challenged in line with national guidance		S	A	R		Governance Handbook 6.8.6.204
4.3	Review the decision to permanently exclude a pupil / direct reinstatement of a pupil			S	R		Support from Trust Behaviour Lead
4.3	Ensure Safeguarding Report is filed with the Trust		A	R	R		
4.4	Ensure local procedures are in place and implemented in line with local safeguarding boards		S	A	R		
4.5	Appoint/ remove school Designated Safeguarding Lead at academy level			R	S	S	All HT JDs include strategic oversight of safeguarding and in many cases HT is DSL. CEO delegates recruitment support to RM.
5.14	Challenge how teaching and learning spend is allocated to				R		

	achieve aims of School Improvement Plan						
7.1	Ensure that building and grounds remain Health & Safety compliant		A	R	S	R	
7.3	Ensure compliance with Health and Safety legislation, including food safety, first aid and educational visits		A		R	R	Board will set H&S policies. Gov Handbook 6.8
8.4	Dismissal of Headteachers			A	R	C	
8.7	Moving of staff within the Trust to meet local need			R	C	S	
8.9	Setting Pay levels and awarding non-leadership pay rises and any other relevant remuneration to an individual within an individual academy for teaching and non teaching				S	R	

	staff including CST in line with the Trust Pay Policy						
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Appendix B - Discharging the responsibilities of the Local Governing Board

The work of school leaders, including governors, is driven by a series of considerations, which together make up the design and delivery of learning in each academy. These considerations each have associated tasks, which are delegated to the academy Headteacher to undertake in collaboration and consultation with the Local Governing Board. During inspection, governors will be held to account for their knowledge of the elements contained within this document.

Question	Associated Task
What is our moral purpose? What kind of learner do we want to produce?	<ul style="list-style-type: none"> ● Determine the vision and ethos of the Academy ● Set the aims and objectives of the Academy in the context of the overall aims and objectives of the Trust
What curriculum do we need in order to deliver this vision?	<ul style="list-style-type: none"> ● Establish and implement a local, relevant curriculum
What kind of pedagogy do we need to deliver this curriculum?	<ul style="list-style-type: none"> ● Ensure high quality teaching, learning and assessment takes place and is continuously improved
What kind of learning environment do we need to deliver this pedagogy? (Physical and emotional)	<ul style="list-style-type: none"> ● Oversee the quality of the built environment, including health and safety ● Oversee child protection and safeguarding, including e- safety 7. Oversee the health and well-being of all members of the school community ● Ensure the implementation and embedding of British values ● For Church academies; <ol style="list-style-type: none"> a. Ensure the implementation and embedding of Christian values b. Ensure a high quality of religious education, and that arrangements for daily collective worship are in place
How do we know if we are achieving our vision?	<ul style="list-style-type: none"> ● Contribute to the research and preparation of the academy's annual Self Evaluation including the analysis of performance data or information directed from the Board

	Trustees Standards Scrutiny Committee.
How do we secure the effectiveness of the LGB?	<ul style="list-style-type: none"> • Conduct an annual skills audit • Complete an annual self-review of the structures and procedures of the LGB • Act upon the outcomes of the evaluation process
What do we do about the outcomes of self-evaluation?	<ul style="list-style-type: none"> • Set the priorities of the Academy • Develop, implement and monitor a fully costed academy improvement plan, and an OFSTED (or SIAMS) improvement plan
How do we secure the implementation of the academy improvement plan?	<ul style="list-style-type: none"> • Ensure that academy staff receive a regular appraisal of their performance. • Appoint one (or two) governor(s) (usually to include the Chair, and in a Church school a Foundation Governor), to be part of the panel for carrying out all aspects of the Headteacher's appraisal. • Review and monitor the management accounts against the agreed Start/ Revised Budget. • The LGB must ensure compliance documents are in place annually for Pupil Premium and Sports Funding.