

Ebor Academy Trust Scheme of Delegation V13 Effective September 2024

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, Academy Governance Code and Guide, Church School Oversight Agreement, Articles of Association and other DfE guidance.

The separate Finance Scheme of Delegation sits alongside this to provide detail of delegated financial authorities around key controls. The Trust suite of policies detail how business is conducted. Policy approval delegation is detailed in the Policy Delegation List approved by the board.

The YDBE is the 'religious authority' for Church schools in the Diocese of York with responsibilities for the promotion of Christian education and for Church schools and academies as set out in the Diocesan Academisation Strategy. The YDBE has powers conferred upon it by the Diocesan Boards of Education Measure 2021.

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 3 core purposes of governance for trust boards, as outlined in the academy trust governance guide (section 2.2) are: **strategic leadership, accountability and assurance, and strategic engagement.**

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 including Local Governing Body
- CEO/Exec team
- 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 responsibilities of the Accounting Officer are for the CEO alone.

This document is intended to ensure a consistent approach across the Trust and demonstrate transparency. For a detailed description of committee functions, please refer to each committee's Terms of Reference. 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.

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 layer of governance 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 - committees of the board	Headteachers
<p>Guardians of the governance of the Trust</p> <p>Acting as ambassadors for the Trust</p> <p>Removing trustees</p> <p>Approve or remove external auditors and Hold Trustees to account for achieving the Trusts objectives, effective governance and working with the law</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>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. Delegations are managed via the committee terms of Reference.</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.</p> <p>The CEO will delegate executive management functions to the executive management team and is accountable to the trust board for the performance of the</p>	<p>Oversight of running of the academies in terms of learning, standards, and wellbeing</p> <p>Holding local academy leadership to account for academic performance, community engagement and EYFS 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>

<p>Review and agree Articles of Association , name and location of the company or dissolve the company (with YDBE and site trustees written approval).</p> <p>Approves new academies joining the trust</p> <p>Receive the annual accounts</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 The trust board will delegate to the chief executive responsibility for the day to day operations of the trust. The trustees can determine whether to delegate any governance functions</p>	<p>Committees are not legally accountable for statutory functions – the trust board retains overall accountability and the Accounting Officer also holds responsibility</p>	<p>executive management team.</p> <p>Ultimate executive responsibility for delivering excellent educational provision and educational services Responsible for leading and development and delivery of the Trusts strategy Line managers CST Directors</p>		<p>Leads on Ebor Key Priorities of community engagement, EYFS and mental wellbeing</p>
<p>MONITORS/ RECEIVES REPORTS FROM: Trustees</p>	<p>REPORTS TO: Members</p> <p>MONITORS/ RECEIVES REPORTS FROM: Committees/ CEO and LGBS</p>	<p>REPORTS TO: Trustees</p> <p>MONITORS/ RECEIVES REPORTS FROM: CEO, Exec team and LGBs</p>	<p>REPORTS TO: Trustees, board and Committees</p> <p>MONITORS/ RECEIVES REPORTS FROM: Executive Team and Headteachers</p>	<p>REPORTS TO: Trustees/ Committees</p> <p>MONITORS/ RECEIVES REPORTS FROM: Headteachers</p>	<p>REPORTS TO: CEO and LGB</p> <p>MONITORS/ RECEIVES REPORTS FROM: Academy SLT</p>

The Scheme of Delegation sets out key activities of the Trust and the roles of key roles and groups

R	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. 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.
A	Means Accountable . The individual that has ultimate accountability for ensuring completion of a task and monitors completion
S	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.
C	Means the role may be consulted with

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1 Overarching Governance						
	Item	Trust Board	Board Committees	CEO / Exec	LGB	HT
1.1	Recommending to the Members Amendment of Articles of Association	R				
1.2	Call Members' Meetings	S				
1.3	Appoint/remove Trustee appointed Trustees	R				
1.4	Member Register of Interests are completed and keep under regular review			A		
1.5	Appoint internal auditors		A			
1.6	Receive Statutory Accounts	A	R			
1.7	Complete / Review Trustee Board skills audit and training plan annually	R				
1.8	Appoint/Remove Chair/ Vice Chair of Trustees	R				
1.9	Appoint and remove Clerk to the Trustees	A				
1.10	Appointment of CEO	R				
1.11	Appoint Headteachers and Executive HTs			A/R	C	
1.12	Appoint and remove to specific trustee roles and Committee membership	R				
1.13	Agree Scheme of Delegation and Committee Terms of reference (TOR) and review annually	R				
1.14	Approve Board of Trustees Annual Schedule of Business	R				
1.15	Approve Policy Delegation list	R				
1.16	Engagement with stakeholders	A		R		R

1		Overarching Governance (LGB Matters)						
Item		Trust Board		Board Committees	CEO / AO	LGB		HT
1.17	Determine the principles of LGB composition	A	R		S			S
1.18	Appoint Chair/ Vice Chair of LGB					A	R	
1.19	Allocate governor specific roles					A	R	
1.20	Complete and maintain LGB register of interests					A	R	S
1.21	Review of LGB Effectiveness						R	
1.22	Complete LGB Skills Audit						R	
1.23	Ensure effectiveness of leadership and management in individual academies				R		C	
1.24	Hold leaders to account for- the quality of teaching, learning and assessment, personal development	A		R	R		R	
1.25	Appoint trust governors to LGB				R			
1.26	Appoint and remove clerk to the LGBs				R			

2		Strategy and Leadership						
Item		Trust Board		Board Committees	CEO / AO	LGB		HTs
2.1	Ensure the Trust is financially viable, run in accordance with its Articles and law and meeting its charitable objectives	A		R	R			
2.2	Agree Trust Strategic and Operational Plan, including growth model	A			R			

2		Strategy and Leadership				
Item		Trust Board	Board Committees	CEO / AO	LGB	HTs
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	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 Policy delegation list	A		R		
2.7	Ensure compliance with all regulation, policies and other statutory obligations	A	R	R		
2.8	Approve and maintain the risk and control framework, risk register and approve the risk appetite	A	R			
2.9	Formally approve and review school specific policies				R	S
2.10	School Development Plans are in place and regularly reviewed				R	S
2.11	Set the curriculum in line with the national curriculum and context of the school			C/S	A	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	A	R		R	
2.13	Foster equality, diversity and inclusion including aiming to build a diverse board. Approve and set trust wide PSED and comply with equalities legislation	A/R				
2.14	Ensure deliver EYFS in line with statutory requirements for 0-5 yr olds and develop EYFS further in line with Ebor Priorities	A			R	R
2.15	Ensure compliance with SEND code of practice		A			R
2.16	Support and oversight of Church school effectiveness		A		R	

3		Education				
Item		Trust Board	Board Committees	CEO / AO/CST	LGB	HTs
3.1	Admission Policies and decisions	A	R		S	S
3.2	Review and evaluate school performance to ensure that the education it is providing is both effective and sustainable.	A	R	R	R	A
3.3	Evaluate the school self evaluation and key priorities	A		R	C	
3.4	Agree term dates and length of school day	A/R		R		
3.5	Deliver compliant support for Looked After Children				A	R

4		Safeguarding, Behaviour, Wellbeing, Attendance and Inclusion				
Item		Trust Board	Board Committees	CEO / AO	LGB	HTs
4.1	Ensure pupil attendance and admission registers are monitored and challenged in line with national guidance			A	R	
4.2	Approve fixed term suspension or permanently exclude a pupil			S		A R
4.3	Review the decision to permanently exclude a pupil / direct reinstatement of a pupil			S	R	
4.4	Ensure Safeguarding Annual Report is filed with the Trust		A	R	R	
4.5	Ensure local procedures are in place and implemented in line with local safeguarding boards	S	R	A	R	
4.6	Appoint/ remove school Designated Safeguarding Lead (DSL) at academy level			R	S	S

4	Safeguarding, Behaviour, Wellbeing, Attendance and Inclusion					
	Item	Trust Board	Board Committees	CEO / AO	LGB	HTs
4.7	Ensure schools are fully compliant and implement KCSIE			R		S
4.8	Oversight of school SEND and Safeguarding arrangements, including arrangements for pupils with medical needs		A		R	R
4.9	Ensure Ebor SEND policy is implemented in schools		C		R	R
4.10	Appoint a delegated person for overseeing arrangements for pupils with medical needs				R	R
4.11	Appointment of Safeguarding and SEND Trustee	R	C			
4.12	Setting the approach to directing pupils offsite, exclusions		R			
4.13	Implement Ebor theme responsibilities of: Wellbeing, EYFS and building community relationships	A			R	
4.14	Have transparent, well-publicised, effective and timely process in place for making and managing a complaint and that any complaint is handled constructively, impartially and effectively		A	R		

The Finance and Resources 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.

This document should be read in conjunction with the Financial Scheme of Delegation

Item		Trust Board		Board Committees	CEO/AO /CST	LGB	HTs
5.1	Appointment of the CEO & Accounting Officer & inform the Secretary of State	A	R				
5.2	Appointment of the CFO / FD	A	R		S		
5.3	Ensure Trust's continuing compliance with all requirements of ESFA/DfE and Funding Agreement	A		R	S		
5.4	Agree the financial charging model (top slice) for academies	A	R		C		
5.5	Approval of Special Payments per ESFA including staff severance and compensation payments	A		R			
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	A		R			
5.11	Approval of the balanced budget and forecasts.	R		C			
5.12	Management of cash position. The trust must avoid becoming overdrawn, borrowing must be authorised by ESFA/DfE unless it is on the authorised list e.g. certain finance leases.	A		R			
5.13	Approve Financial Scheme of Delegation	A		R			

5	Finance					
	Item	Trust Board	Board Committees	CEO / AO	LGB	HTs
5.14	Challenge how teaching and learning spend is allocated to achieve aims of School improvement plans				R	
5.15	Approve relevant financial policies as dictated on the policy delegation list	A	R			
5.16	Advise the board on the strategic management of financial resources and budget setting to ensure financial viability and operational sustainability in the short, medium and long term and having regard to environmental issues.	A	R			
5.17	Approve relevant financial controls and expenditures	A	R			
5.18	Oversight of monthly management accounts, including an income and expenditure account	A	R			
5.19	Receive reports on reserves management, including a clear plan for reserves management		R			
5.20	Confirm investment strategy and decisions	R	C			

6	Audit and Compliance					
	Item	Trust Board	Board Committees	CEO / AO	LGB	HTs
6.1	Challenge how teaching and learning spend is allocated to achieve aims of School improvement plans	A	R			
6.2	Receive External and Internal Audit Management letters and findings reports	A	R			
6.3	Ensure all points raised from Annual Audit Management reports are actioned and provide Board with assurance	A	R			

6 Audit and Compliance						
	Item	Trust Board	Board Committees	CEO / AO	LGB	HTs
6.4	Investigate any financial irregularities and report to Trust Board	A	R	R		
6.5	Investigate financial irregularities at Trust Board level	A	R			
6.6	Agree Trust Policy delegation list	A		S		
6.7	Oversee and approve related party transactions	A	R			
6.8	Approve anti fraud and whistleblowing policies and arrangements for special investigations		A			
6.9	Receive annual Data Protection Audit and oversee data protection compliance	A	R			
6.10	Advise on the adequacy of the trust's controls and risks.		R			

7 Estates, environmental Issues and Health and Safety						
	Item	Trust Board	Board Committees	CEO / AO	LGB	HTs
7.1	Ensure that building and grounds remain Health & Safety compliant		A	R		R
7.2	Ensure the Estates Strategy is fit for purpose, including a regularly tested Emergency Plan		A	R		
7.3	Ensure compliance with Health and Safety legislation, including food safety, first aid and educational visits		A			R
7.4	Arrange and manage capital investment projects			R		

8		People and Culture					
Item		Trust Board		Board Committees	CEO / AO	LGB	HTs
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/appointment of Headteachers and Executive HTs				A	R	C
8.5	Approve the appointment of school senior leaders				C		R
8.6	Changes to terms and conditions of employment	A		R	C		
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			
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	A		R			
8.11	Approve GPG report and Facility Time report	A		R			
8.12	Completing DBS, social media and other appointment checks, staff induction and training				R		R
8.13	Review and develop applicable HR policies as set out by policy delegation list	A					

8		People and Culture				
Item		Trust Board	Board Committees	CEO / AO	LGB	HTs
8.14	Set the approach and ensure that performance management is being carried out consistently across the Trust		R			
8.15	Agree a process for reviewing the pay of senior staff across the Trust, for recommendation to the Board	A	R			
8.16	The recruitment of the Finance Director (as company secretary)	A	R			
8.17	Review strategic People and Performance related management information		R			
8.18	Ensure that succession plans are in place to ensure continuity of educational and service delivery.		R			
8.19	Provide panel members –as appropriate, for employment related appeals and processes.		R			
8.20	Maintain an overview of the use of Settlement Agreements within the organisation		R			
8.21	Oversee Apprenticeship provision and levy compliance	A	R			
8.22	Oversee Trade Union negotiations		R			
8.23	Overseeing staff wellbeing, workload and working conditions		R			
8.24	Approve Executive Pay Report for publication	A	R			

9	Communications					
Item	Trust Board	Board Committees	CEO / AO	LGB	HTs	
9.1	Ensure websites are compliant with national regulation			R	R	R

10	Cyber					
Item	Trust Board	Board Committees	CEO / AO	LGB	HTs	
10.1	Scrutinise DfE Cyber Security Standards and Digital Standards completion		R			