

# Scheme of Delegation

Review Date	Reviewer	Adopted	Implementation
April 2016	J Barker	April 2016	1 September 2016
August 2017	J Barker	December 2016	1 January 2017
August 2017	J Barker	August 2017	1 September 2017
May 2018	J Barker	May 2018	1 June 2018
March 2020	L Powell	March 2020	3 March 2020
March 2021	L Powell	March 2021	18 March 2021
March 2022	L Powell		

## Revision History

Issue No.	Page No.	Revisions Made	Date
6	4	Updated Member responsibilities in accordance with the Academies Financial Handbook (AFH) 2020.	March 2021
	5	Updated Trustee responsibilities in accordance with AFH 2020.	
	8	Amended Committee structure to include updated terms of reference for Audit & Risk Committee in accordance with the AFH 2020.	
	13	Updated Leadership and Governance structure.	
	14	Updated Leadership Structure (long-term) to include NELT Institute.	
	17	Added Director of HR (where appropriate) to Restructure, Redundancy Process, Re-grading, Re-designation, Compromise Agreements.	

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## 1. Vision

The vision of the North East Learning Trust is that each child experiences excellence every day. The Trust is founded on deeply held principles that every child has the right to an excellent education and all Academies within the Trust are committed to:

- Pursuing excellence
- Encouraging all young people to aim high and make the most of their talents
- Providing an education that enables every young person to achieve their full potential and learn with confidence
- Providing a safe environment where young people are cared for
- Creating a healthy, happy, disciplined and supportive environment which promotes an independent work ethic and a love of learning
- Engendering respect for individuality and difference
- Nurturing a sense of social responsibility and spiritual and personal development
- Fostering integrity, resilience, creativity, good manners and sensitivity to the needs of others.

## 2. Introduction

The board of trustees of the North East Learning Trust is required to approve a governance structure for the Trust which must be:

- compliant with DfE requirements, company and charity law;
- scalable and so adaptable to growth or change within the North East Learning Trust;
- reviewed annually by the Trustees.

The governance structure complies with the Academies Financial Handbook and the Articles of Association.

All members, trustees and governors must adhere to the 'Nolan Principles' of public life which are:

**Selflessness** – holders of public office should act solely in terms of the public interest. They should not do so to gain financial or other benefits for themselves, their family or their friends.

**Integrity** – holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

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**Objectivity** – in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability** – holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness** – holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.

**Honesty** – holders of public office have a duty to declare any private interest relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership** – holders of public office should promote and support these principles by leadership and example.

All members, trustees and governors are encouraged to attend training regularly and review training needs annually. The Trust will arrange this training.

### 3. Effective governance

#### Members

The North East Learning Trust is governed by non-executive directors constituted under a Memorandum of Association and Articles of Association. The members are responsible for:

- Subscribing to the memorandum of association (where they are founding members)
- Approving and amending the Articles of Association subject to any restrictions created by the funding agreement or charity law
- Appointing new members or removing existing members by special resolution, other than where there is one, the foundation/sponsor body and any members it has appointed.
- Appointment of Trustees as set out in the Trust's Articles of Association and powers under the Companies Act 2006 to remove Trustees.
- By special resolution, issuing direction to the Trustees to take a specific action.
- Appointing the Trust's external auditors and receiving (but not signing) the audited annual report and accounts (subject to the Companies Act).
- Changing the companies name and, ultimately, winding it up.

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- Securing the highest standards of accountability from Trustees for the provision of all pupils in the Multi Academy Trust (MAT)

The Trust has five members. A member counts towards the quorum by being present in either person or proxy. Three persons entitled to vote upon the business to be transacted, each being a member, or a proxy of a member shall constitute a quorum. Should there be temporary periods of time with three members then two shall constitute a quorum. Members cannot be employees of the Trust, nor occupy staff establishment roles on an unpaid voluntary basis.

Members will be kept informed about Trust business so they can be assured that the Trustees are exercising effective governance. Members will meet twice per year in July and December. The members will receive the Trust's audited annual report and accounts at the meeting held in December.

## Trustees

The Trustees should focus on three core functions:

- Ensuring clarity of vision, ethos and strategic direction
- Holding Executive Leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff
- Overseeing and ensuring financial performance.

The Trustees will apply the highest standards of conduct and ensure robust governance, to ensure effective financial management. The Trustees will follow the Governance handbook and will adopt the following features of effective governance to aid compliance with the Academies Financial Handbook:

**Strategic leadership** that sets and champions the vision, ethos and strategy

**Accountability** that drives up educational standards and financial performance

**People** with the right skills, experience, qualities and capacity

**Structures** that reinforce clearly defined roles and responsibilities

**Compliance** with statutory and contractual requirements

**Evaluation** of governance to monitor and improve its quality and impact.

Trustees are responsible for:

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- Complying with Trust’s charitable objectives, with company and charity law and with their contractual obligations under the funding agreement.
- Ensuring the regularity and propriety in the use of Trust’s funds, and achieving economy, efficiency and effectiveness.
- Taking ownership of the Trust’s financial sustainability and its ability to operate as a going concern.
- Annual approval of statutory accounts, ensuring the accounts are produced in accordance with the requirements of the Companies Act 2006, Charity Commission requirements and the DfE guidance issued to Academies.
- Provide Members with a copy of the approved audited accounts.
- Assisting the decision-making process of the Trust, by enabling more detailed consideration to be given to the finances and resources.
- Entering all contracts on behalf of the Trust.
- The approval of annual estimates of income and expenditure for the Trust at the beginning of the academic year.
- Authorising income and expenditure in line with the Scheme of Delegation.
- Ensuring compliance with financial regulations and standing orders of the Trust.
- The appointment or dismissal of the CEO, Deputy CEO, Directors of Finance and HR.
- Strategically controlling the organisation and managing the charitable assets.
- The determination of the educational character and mission of the Trust.
- Setting key strategic objectives and targets and reviewing performance against these.
- The determination of the Trust development plan.
- The approval of all statutory and non-statutory policies that are common to all Academies within the Trust.
- Co-opting Trustees in order to secure specific skills and knowledge.
- Intervening as appropriate in any Academy at risk of underperformance.
- The determination of the establishment, constitution, membership, proceedings and delegated powers and functions of the Local Academy Council and committees and their annual review and revision.
- The appointment Chairs and Vice Chairs of Local Academy Councils/Interim Academy Boards annually.
- Considering all personnel management procedures.
- Applying the Performance Management Scheme for members of the EB.

The Trust has a maximum of nine Trustees with a range of responsibilities including the CEO. The quorum for meetings of the Trustees will be three voting Trustees and the term of office for all Trustees will be four years, save that this time limit shall not apply to any post which is held ex-officio. Deputy CEOs and the FD of the trust will usually attend as non-voting members. Other senior staff may be invited when required.

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Where an issue is being discussed that directly affects a Trustee or the CEO and/or Deputy CEO an interest must be declared, and the individual must withdraw from the meeting.

Any Trustee may attend any of Local Academy Council meetings.

The Governance Manager will undertake the clerking of the meetings of Members and Trustees and its committees and ensure that the minutes are included as an agenda item for consideration and approval at the next appropriate meeting.

All decisions made by committees with delegated powers must be reported to the next full meeting of the Trust.

The Chair of the Trustees will be elected at the first meeting of the academic year and must be ratified by members prior to taking up the position.

### **Committees**

The Trust will have two committees and the membership of the committees will be reviewed and agreed by the Trustees.

The membership of the Audit and Risk Committee will contain a majority of Trustees, but Trustees may agree to appoint other people to the committee. Employees of the Trust are not permitted to be member of the Audit and Risk Committee.

The Chair of the Trustees cannot Chair the Audit and Risk Sub-Committee.

The quorum for the Audit and Risk Committee is three and only members of the committees may vote at committee meetings. The chair of the committee will have a casting vote.

The committee will meet as often as is necessary to fulfil their responsibilities and at least three times per year. Once, at the beginning to agree the programme of work and once at the end to review.

The accounting officer (CEO) and other relevant senior staff should routinely attend committee meetings as appropriate to provide information and participate in discussions but will not not participate as a member.

The committee may invite attendance at meetings from persons who are not members of the committee such as, Finance Director, HR Director and auditors to assist or advise when appropriate.

### **Committee membership and terms of reference**

#### **1. Executive Board**

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- Mrs L Powell
- Dr J Gorlach
- Ms T Spoons
- Mr L Alexander
- Mrs D Piggett

The Executive Board has primary authority for the day to day management of the Trust's operations save for those matters which are reserved for the Members and Trustees.

The members of the Executive Board may from time to time invite additional staff to the meetings as required.

The Executive Board is the overall decision-making body for performance and delivery across the Trust, under delegated authority from the Trustees.

### **Audit and Risk Committee**

- Mrs S McDonnell
- Mrs S Mason
- Major J Bartlett (Chair)
- Mrs B Waugh
- Mrs M Saxton

The Audit and Risk committee is responsible for providing assurance to the Trustees over the suitability of, and compliance with, it's financial systems and operational controls. It ensures the adequacy and effectiveness of the Trust's systems of internal control, risk management, informing the statement of internal control of the Trust, and agreeing a programme of internal audit work, to provide assurance to the external audit process.

The committee has delegated responsibility from the Trustees for ensuring that there is a framework for accountability; for examining and reviewing all systems and methods of control both financial and otherwise including risk analysis and risk management; and for ensuring the charitable Trust is complying with all aspects of the law, relevant regulations, and good practice.

The remit of the Audit and Risk committee is to

- review and agree written terms of reference on an annual basis.
- agree a programme of work annually to deliver internal scrutiny that provides coverage across the year.
- review the ratings and responses on the risk register to inform the programme

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- of work, ensuring checks are modified as appropriate each year.
- agree who will perform the work.
- consider reports at each meeting from those carrying out the programme of work.
- consider progress in addressing recommendations.
- consider outputs from other assurance activities by third parties including ESFA financial management and governance reviews, funding audits and investigations.
- have access to the external auditor as well as those carrying out internal scrutiny
- and consider their quality.
- ensure that the findings from internal scrutiny are made available to Trustees.

All members, trustees and staff are directed to co-operate with any request made by the Audit and Risk committee.

### Local Academy Councils (LACs)

The Trustees are responsible for the performance of each Academy within the MAT therefore, on joining the Trust all existing Governors will be required to complete a skills audit and a governance review will be undertaken.

Where a school/Academy joins the MAT with an existing Interim Executive Board (IEB) this will continue as an Interim Academy Board (IAB). The Trustees and Executive Board will be responsible for determining the members of the IAB. A LAC will be formed at a time determined by the Trustees.

Where an Academy is deemed to be at risk of failing its pupils/students, the Trust will exercise the right to reconstitute the LAC. They will be replaced by an IAB. The Trustees and Executive Board will be responsible for determining the members of the IAB. A LAC will be established at a time determined by the Trustees.

The composition of the LACs will be:

Governor category	Number	Term of office	Appointing body
Head of School/Headteacher	1	Ex-officio	N/A
General	Maximum of 4	3 years	Trustees and Executive Board
Parent	2	3 years	Parents by process of election

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Teaching Staff	1	3 years	Teachers by process of election
Support Staff	1	3 Years	Support Staff by process of election
Associate Members	Agreed by the Executive Board	3 years	Executive Board
Executive Headteacher		Ex-officio	Appointed by the Executive Board

A member of the Trust may be appointed to attend meetings of the LAC.

The maximum size of the LAC will be 10 and a Chair and Vice-Chair will be appointed annually by the Trust. In a school/Academy where there are less than 150 pupils/students then only one staff Governor will be appointed. All staff in the Academy will be eligible to stand as a Governor and participate in any subsequent ballot process.

All Governors on LACs will be required to complete a skills audit which will enable the Trust to ensure that Governors have the necessary skills and experience to contribute to effective Governance.

The LAC will play a crucial role in both supporting and challenging the Academy in particular the Senior Leadership Team. The ability of a LAC to fulfil this role are a vital component in demonstrating the effective leadership of the Academy and Governors must know that all pupils/students at the Academy are making progress at least at the rate that is expected of them.

The LAC will be supported and developed by the Trust to ensure that governance is judged to be at least good by Ofsted. This is because we know that where governance is strong, standards of attainment are likely to be higher because pupils/students are well known and supported to be their best, the quality of teaching is a constant focus of attention, and the leadership of the Academy is held to account for the performance and well-being of the pupils/students.

The Trust is fully committed to the development of effective Governance through LACs and will provide training to assist Governors in undertaking their role. In addition, and where appropriate additional Governors will be sought to add to the expertise of the LAC.

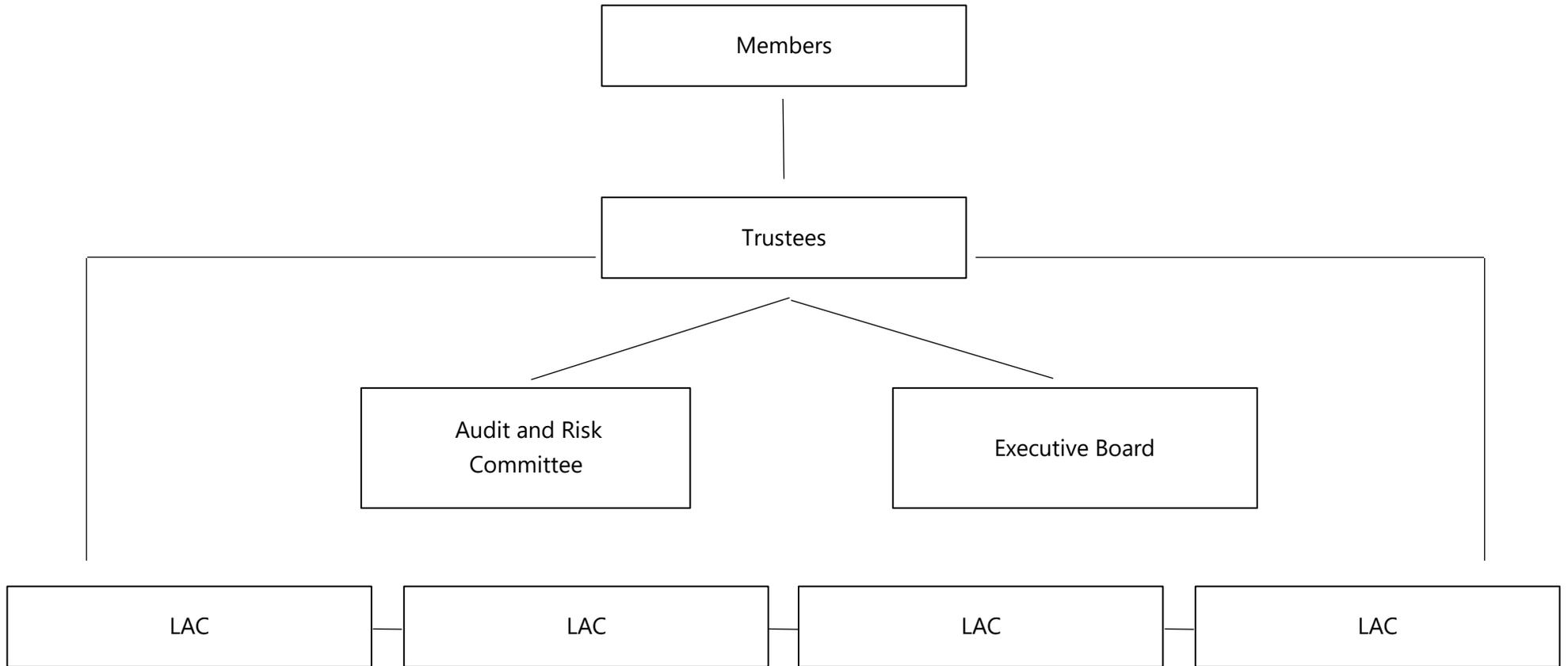
The LAC in conjunction with the Board of Trustees are responsible for:

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- Acting always in accordance with the guidelines as agreed by the Board of Trustees.
- Holding a shared vision for the Academy, which is clear, understood and well communicated to staff, parents/carers, pupils, and students and reflects the fundamental values and objectives of the Trust.
- Providing high levels of professional challenge to hold senior leaders to account.
- Focusing on raising standards and promoting the personal development and well-being of all learners.
- Ensuring that Academy targets are both achievable and sufficiently challenging to lead to sustainable improvement.
- Understanding the Academy's performance data and having an accurate overview of how all pupils are achieving in relation to their potential and other schools, as well as how different groups of pupils/students within the Academy are performing.
- Ensuring they have a good understanding of the barriers to learning, including attendance and behaviour issues and what the Academy is doing to overcome these.
- To act as the Pupil Discipline Committee for permanent and fixed term exclusions.

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# Appendix A: Leadership and governance structure



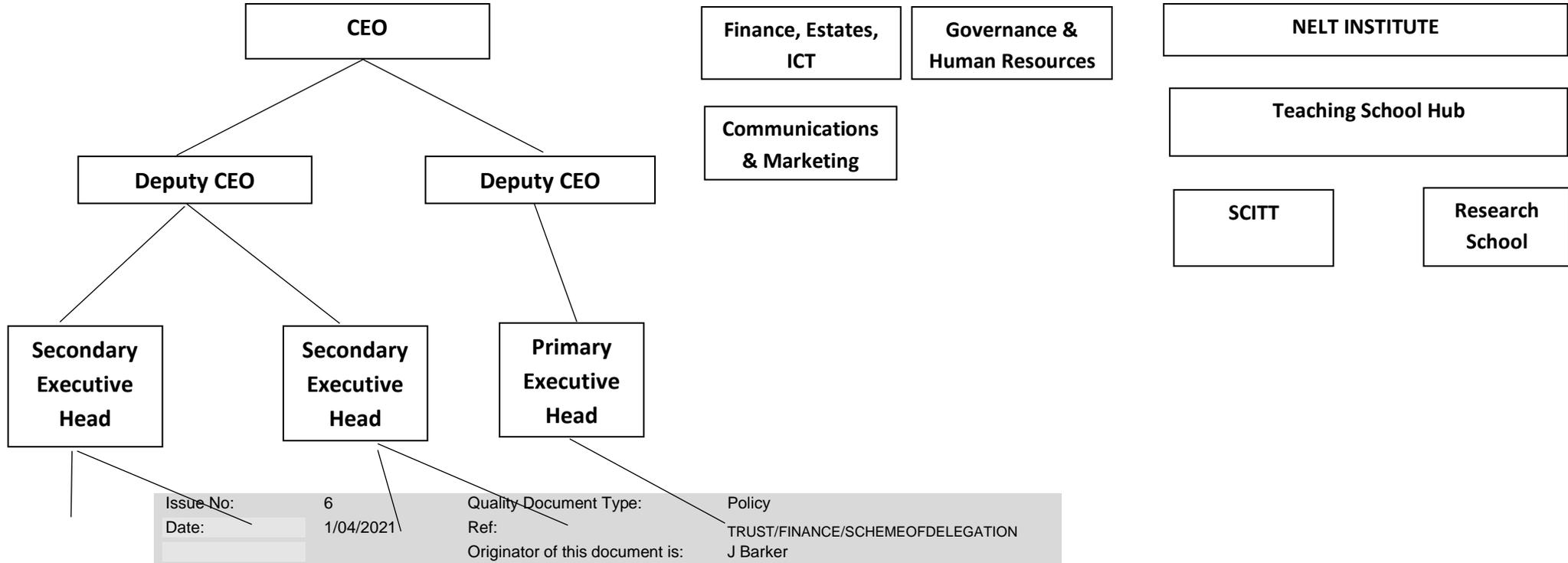
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## Appendix B: Leadership structure (long term)

Directors of Provision would report to Deputy CEOs and/or Primary/Secondary Executive Heads.

Financial team and governance/human resources team report to CEO and/or Deputy CEOs.

In interim, CEO and Deputy CEOs will need to take on roles of executive principals until capacity is reached.



Head of  
School

## Appendix C: Levels of delegation

### APPOINTMENTS

**All appointment panels must contain at least one member who has undertaken Safer Recruitment Training**

**The CEO may nominate an alternative representative if they are unavailable to make up a panel**

**All applications will be processed through the HR function of the Trust.**

#### Appointment

#### Appointed by

CEO / Deputy CEOs

Trust Board/members.

Headteacher/Head of School

CEO, DCEO and 1 Trustee,

Directors of Curriculum Subjects (Trust wide)

Executive Head, Headteacher/Head of School

Directors of central functions e.g. finance, HR

CEO and at least one other as determined by the CEO.

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Deputy Head	At least one of: DCEO, Executive Head, Headteacher/Head of School plus a representative from LAC.
Assistant Head, Associate Assistant Head and SLT Support Staff	At least one of: DCEO, Executive Head, Headteacher/Head of School and 1 other as determined by the Executive Head.
Head of Department / Faculty	Headteacher/Head of School, appropriate Director of Subject (if applicable) and 1 other as determined by the DCEO/Executive Head.
TLR Posts and all other teaching posts	Headteacher/Head of School Director of Subject (if applicable) and Head of Department as determined by the DCEO/Executive Head.
All Support Staff posts (other than SLT posts)	Determined by DCEO/Executive Head.

### Levels of Delegation for Disciplinary, Grievance, Capability, Ill Health Absence

Case Against	Investigation	Decision maker	Appeal
CEO, Deputy CEO	Independent	Chair of Trust Board	3 Trustees/Members

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Headteacher/Head of School, Deputy Headteacher, Assistant Head,	Deputy CEO	CEO	3 Trustees/Members
All teaching staff	Member of SLT as delegated	Headteacher/Head of School or DCEO	3 from CEO, DCEO (If not the decision maker), Trustees or Members
All support staff (school based)	Member of SLT as delegated	Headteacher/Head of School	3 from CEO, DCEO (If not the decision maker), Trustees or Members
NELT Central Support	Senior manager as delegated by relevant Director	Director of Central Function	3 from CEO, DCEO (If not the decision maker), Trustees or Members
Directors of Central Functions	Deputy CEO	CEO	3 Trustees/Members

## **Restructure, Redundancy Process, Re-grading, Re-designation, Compromise Agreements**

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	<b>Decision maker</b>	<b>Appeal</b>
Restructure	CEO	3 Trustees /Members
Redundancy	CEO	3 Trustees/Members
Re-grading/Re-designation Trust Salaries above £55000 Academy Posts above £55000	CEO, Director of Finance, Director of HR	3 Trustees /Members
New permanent posts with salary above £55000	CEO, Director of Finance, Director of HR	N/A
New permanent posts with salary between £20000 and £55000	CEO, Director of Finance, Director of HR	N/A
New Permanent Posts with salary below £20000	Executive Head, Headteacher/Head of School, Director of HR	N/A
New Temporary Posts for up to one year	Executive Head, Headteacher/Head of School, Director of HR	N/A
Implementation of all nationally agreed revisions to pay and conditions	CEO /Trust Board	

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Compromise Agreements up to and including £50000	CEO	N/A
Compromise Agreements in excess of £50000	CEO / DFE if appropriate.	N/A

### Delegation of Performance Related Pay Decisions

Staff	Recommendation	Decision maker	Appeal
CEO	Independent Advisor	3 Trustees /Members	3 Trustees /Members
Deputy CEO	CEO	3 Trustees/Members	3 Trustee /Members
Main Pay Scale Teachers	Reviewer	Headteacher/Head of School	3 from CEO, DCEO, Executive Head (If not the decision maker), Trustees or Members
Progression to Upper Pay Range	Reviewer	Headteacher/Head of School / Executive Head	3 from CEO, DCEO, Executive Head (If not the decision maker), Trustees or Members

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Movement through Upper Pay Range	Reviewer	Executive Head	3 from CEO, DCEO (If not the decision maker), Trustees or Members
Headteacher, Head of School, Deputy Head, Assistant Head	DCEO, Executive Head	CEO, DCEO (If not recommending)	3 from CEO, (If not the decision maker), Trustees or Members

### Performance management

Staff	Reviewer
CEO	Chair of Trust Board with External Adviser
Deputy CEO	CEO

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Headteacher/Head of School, Deputy Head, Assistant Head	CEO, DCEO
All other teaching posts	In accordance with the list of agreed reviewers approved by the CEO, DCEO
Director of Finance, Director of HR	CEO

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## Appendix D: Scheme of Financial Delegation

### Finance

The centralised financial model has been developed to maximise efficiency and greater value for money through economy and effective management of resources providing complete transparency and accurate financial management throughout the trust. Central costs and professional services are managed by the Trust allowing individual Academies to manage and control delegated funding to focus on key educational outcomes.

The Trust's financial handbook will determine financial policies, responsibilities and levels of authority which will reflect the nature/context of each school/academy within the Trust. All matters in relation to capital, insurance, investments, leases, and land will be reserved for the Trust and any specific income generation or school specific grant funding will be invested in the education of the applicable school. Financial support will be delivered through business support partners who will directly support schools with the budget setting process, management accounts including long term strategic planning ensuring local school objectives are achievable.

**Budget responsibility and setting process** - all Academy and consolidated group accounts must be submitted to the Trust Board for ratification in time to meet ESFA deadlines. Indicative budgets must be in place by March each year. All budget information is to be provided using the Trust model template and will include a five-year medium-term plan reflecting future development aims and known revenue streams. The Trust Finance Director and finance team will support Local Academy's during the budget setting process and will be ultimately responsible for the presentation of the consolidated group accounts to the Trust Board.

Delegated Duty	Delegated Authority	Comment
Admissions	Trust	All Academies will follow DfE guidance on admission policy for 11 – 16 and their own policies for post 16, taking into account Local Authority admission policies.
Capital Programme	Trust	Proposed capital projects need to be submitted by April each year with the approval of the Finance Director, Executive Principal, Local Academy Council, and CEO.
Health and Safety	Trust	It is the responsibility of Trust to ensure that health and safety laws are adhered to and relevant certification is in place. Day to day health and safety compliance is delegated to the local Academy.
Income Generation	Local Academy Council	Any income generated belongs to each individual Academy for them to invest in the future learning of the students.
Insurance	Trust	Trust will use its purchasing power to ensure that all Academies receive best

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		value and value for money with their insurance, providing appropriate cover for all.
Investments	Trust	Trust currently invest any surplus cash on behalf of each Academy in high interest accounts.
Permanent Exclusions	CEO, DCEO	All Academies will follow DfE guidelines for fixed term and permanent exclusion appeals. The Local Academy Council will act as the Pupil Discipline Committee for permanent and fixed term exclusions.
Private Finance Initiative (PFI)	Trust	Capital projects or significant change requests relating to PFI schools must be authorised by the Finance Director.
Service Level Agreements / Contracts	Trust – Director of Finance, Executive Board	Depending on the context of each Academy, each Academy may have different SLAs/ Contracts in place. The Trust procure SLAs on behalf of all academies to maximise value for money.
Safeguarding	Trust	The Trust will, in respect of each Academy, act in accordance with, and be

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		bound by, all relevant statutory and regulatory provisions for safeguarding. All Academies will follow Trust's policy on safeguarding as standard.
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## FINANCIAL LEVELS OF AUTHORITY

Delegated Duty	Value	Delegated authority	Comment
	Up to £10000 – to be agreed dependant on size of school budget	Authorised Budget Holder, Finance Director	If within approved budget level  Orders up to £5,000 at least a single written quotation is required  Academies at grade 3 or 4 or with significant budgeting pressure will be required to consult with the Finance Director for orders over £5,000.
	£10,000 - £49,999	CEO, DCEO, Finance Director	If within approved budget level.

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	£50,000 - £99,999	CEO, DCEO, Finance Director	If within approved budget level Orders over £50,000 to be put out to tender
	£100,000 and above		If within approved budget level Contracts over UK procurement thresholds must follow a compliant process under the Public Contracts Regulations 2015 until alternative UK arrangements to these regulations are introduced (BREXIT). Board approval required for award of tenders that are not the cheapest option.
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated authority</b>	<b>Comment</b>
Authorising monthly salary payments	Unlimited	Finance Director (or designated academy finance representative)	Report to Board on any anomalies
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated authority</b>	<b>Comment</b>

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Signatures for Cheques		Two signatures in accordance with the bank mandate	
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated authority</b>	<b>Comment</b>
Signatories for grant claims and DfE  Returns	Unlimited	The Finance Director and one of the following:  Trust Chairman  CEO  Headteacher/Head of School	Two signatories, or as required by DfE / EFA
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated authority</b>	<b>Comment</b>
Disposal of assets	Up to £20,000	Headteacher/Head of School & Finance Director	Director of Finance to report to Trust Board
	Over £20,000	CEO, Trust Board, Finance Director and DfE	DfE approval required for disposal of assets funded with more than £20,000 of DfE grant or transferred from the LA at nominal consideration
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated authority</b>	<b>Comment</b>

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Write-off bad debts	Up to £1000	Headteacher/Head of School & Finance Director or Deputy	Report to Local Academy Council
	Over £1,000	Trust Board & Finance Director plus DfE approval	Report to Trust Board
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated authority</b>	<b>Comment</b>
Write-off overpayments to staff	Up to £1,000	Headteacher/Head of School & Finance Director or Deputy	Report to Director of HR who reports of Trust Board
	Over £1,000		Reported to Trust Board
<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated authority</b>	<b>Comment</b>
Purchase or sale of freehold property	Any	Trust Board, CEO & Finance Director plus DfE approval required	
Granting or taking up of any leasehold or tenancy agreement exceeding 3 years	Any	Trust Board, CEO & Finance Director plus DfE approval required	

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Any guarantees, indemnities and letters of comfort entered into	Any	Trust Board, CEO & Finance Director plus DfE approval required	
Ex-gratia payments	Any	Headteacher/Head of School, CEO & Director of Finance plus DfE approval required	

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