

SCHEME OF DELEGATION

Review Date	Reviewer	Review Completed	Adopted	Implementation
April 2016	J Barker	April 2016	April 2016	1 September 2016
August 2017	J Barker	December 2016	December 2016	1 January 2017
August 2017	J Barker	August 2017	August 2017	1 September 2017
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September 2019				

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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.

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:

- Approving the Articles of Association
- Appointment and removal of Trustees
- 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.

Trustees

Trustees are responsible for:

- Delivering the charitable objectives of the Trust.
- Strategically controlling the organisation and managing the charitable assets.
- Ensuring compliance with the Trust's duties under company law and charity law and agreements made with the DFE including the funding agreement.
- The determination and educational character and mission of the Trust.
- Ensuring the solvency of the Trust company and charity and safeguarding its assets and delivering its charitable outcomes.
- Ensuring the continued charitable status of the Trust.
- Setting key strategic objectives and targets and reviewing performance against these.
- Determining the Trust development plan.
- The approval of all statutory policies that are common to all Academies within the Trust.
- Ensuring that the year-end accounts are submitted to members for approval.
- 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.
- To authorise income and expenditure in line with the Scheme of Delegation.
- The appointment or dismissal of the CEO, Deputy CEO, Executive Principal, Principal and Finance Director. In the case of Principals representatives of the Local Academy Council may be involved.
- Intervening as appropriate in any Academy at risk of underperformance.
- 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 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.

The following items will be included as standard on the agendas of all meetings of the Trustees:

- Safeguarding
- Health and Safety
- Standards and Progress
- Behaviour and Attendance
- Admissions
- School Reviews
- Finance

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 the Trust and 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 Chairs 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. Chairs of each sub-committee will be elected at the first meeting of the academic year and must be ratified by members prior to taking up the position.

Sub-Committees

The Trust will have three sub-committees and the membership of the sub-committees will be reviewed and agreed by the Trustees.

No employee of the trust may be a member of the Finance, Resources, and Remuneration Sub-Committee and/or the Audit and Risk Sub-Committee.

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

The committees will meet as often as is necessary to fulfil their responsibilities and at least twice 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 sub-committee meetings as appropriate to provide information and participate in discussions but should not participate as a member.

The committees 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.

Sub-committee membership and terms of reference

1. Executive Board

- 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 Sub-committee may from time to time invite additional staff to the meetings as required.

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

2. Finance, Resources, and Remuneration Sub-Committee

- Mrs M Saxton
- Mr D Gibson
- Mrs S Mason
- Mrs A Moon

- Assisting the decision-making process of the Trust, by enabling more detailed consideration to be given to the finances and resources.
- Ensuring the annual accounts are produced in accordance with the requirements of the Companies Act 2006, Charity Commission requirements and the DfE guidance issued to Academies.
- Reporting directly to Trustees.
- Compliance with financial regulations and standing orders of the Trust.
- Considering all personnel management procedures.
- To apply the Performance Management Scheme for the Principals and Executive Principals of the Academies.
- To make recommendations on these matters to the Trustees.

The Finance Director or their representative will attend all Finance, Resources, and Remuneration sub -committee meetings as an adviser.

The external auditors may request a meeting of the committee at any time.

Audit and risk sub-committee

- Mrs S McDonnell
- Mrs S Mason
- Mr J Bartlett
- Mrs B Waugh
- Mrs M Saxton

The audit committee is responsible for providing assurance to the Trustees over the suitability of, and compliance with, its financial systems and operational controls. Ensuring⁶ 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 audit committee is authorised to:

- obtain appropriate external legal and other professional advice to fulfill its responsibility to the Trustees;
- investigate on behalf of the Trustees anything that threatens or adversely affects the accomplishment of the charity's aims and objectives, its assets, the reliability of all records and information, and its compliance with all relevant laws, regulations, policies, and its governing instruments;
- obtain, at the company's expense, outside legal or other professional advice on any matter within its terms of reference;

All members, trustees and staff are directed to co-operate with any request made by the audit 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. The Trustees and Executive Board will be responsible for determining the members of the IEB. 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 Academy Management Council (AMC). The Trustees and Executive Board will be responsible for determining the members of the AMC. 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
Principal of Academy	1	Ex-officio	N/A
General	Maximum of 4	3 years	Trustees and Executive Board
Parent	2	3 years	Parents by process of election
Teaching Staff	1	3 years	Teachers by process of election
Support Staff	1	3 Years	Support Staff by process of election

Executive Headteacher		Ex-officio	Appointed by the Executive Board
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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.

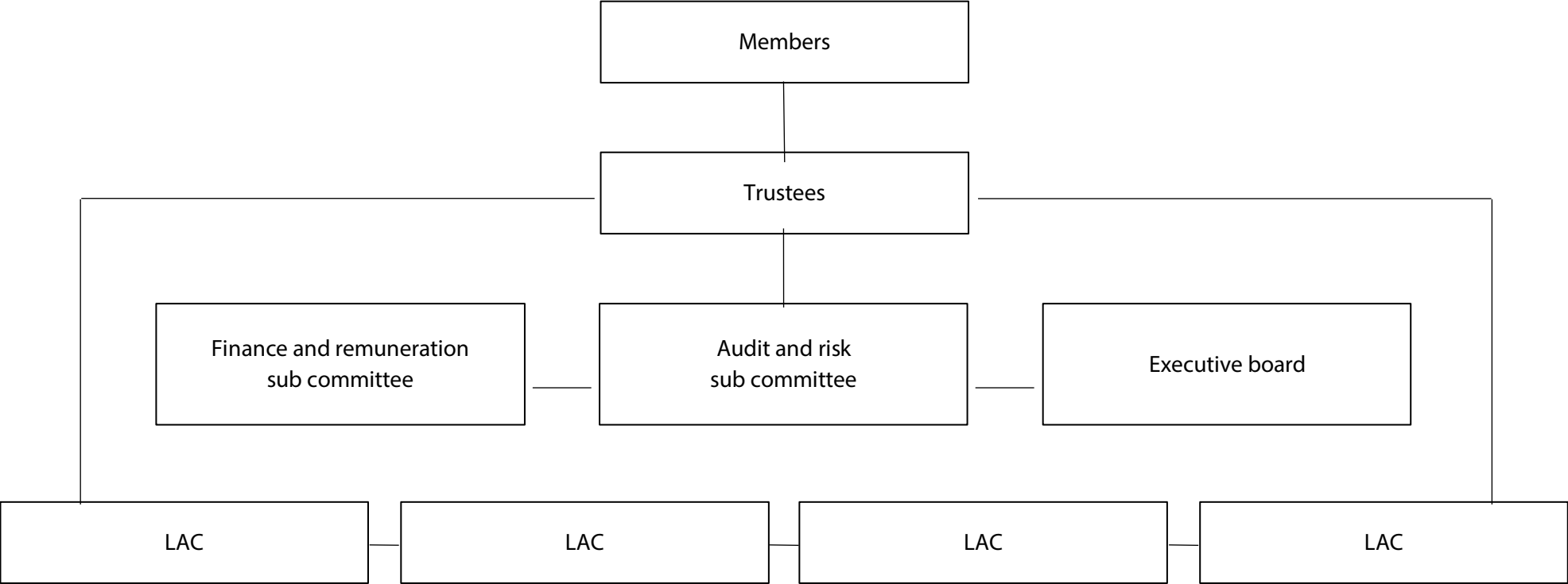
The LAC will be supported and developed by the Trust to ensure that governance is judged to be at least good by Ofsted. This is because we know that where governance is strong, standards of attainment are likely to be higher because pupils/students are well known and supported to be their best, the quality 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:

- 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.

Appendix A: Leadership and governance structure

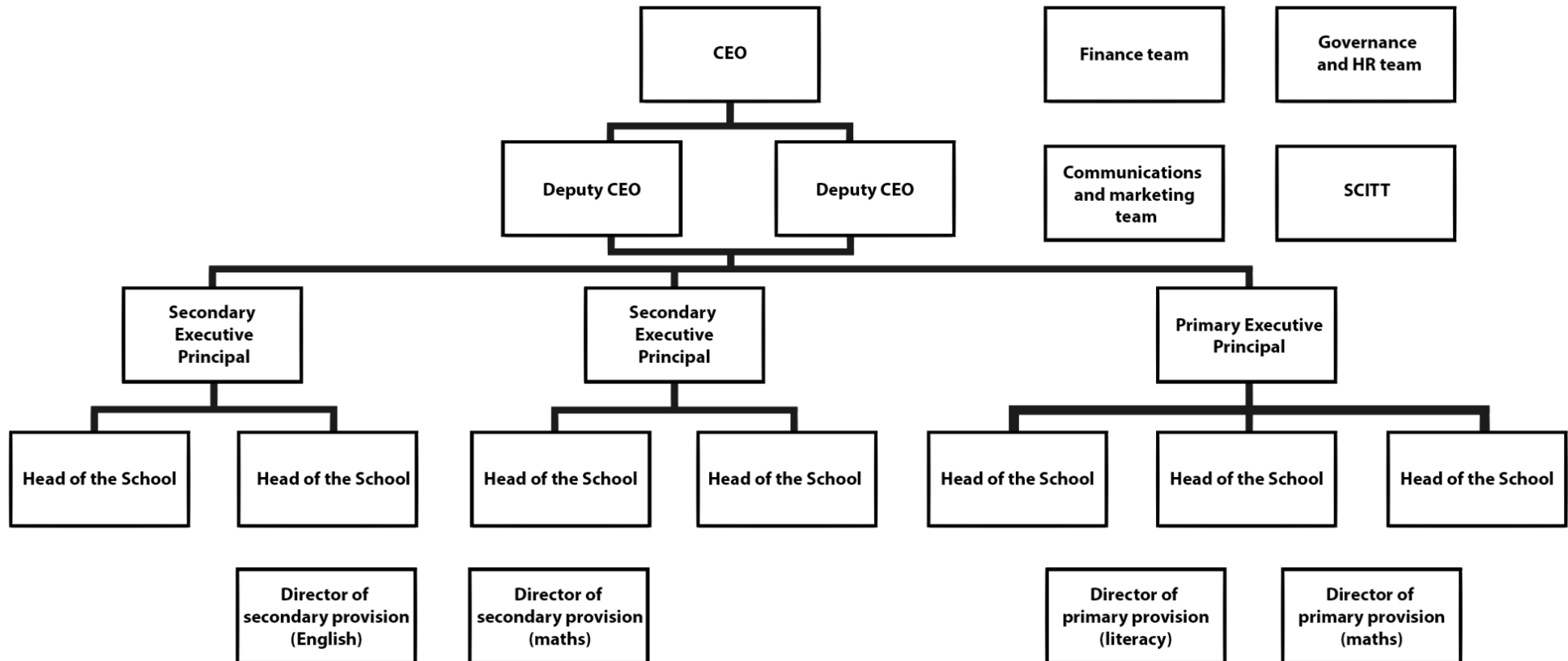


Appendix B: Leadership structure (long term)

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

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.



Appendix C: Levels of delegation

APPOINTMENTS	
<p>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.</p>	
Appointment	Appointed by
CEO / Deputy CEOs/Executive Principals	Trust Board/members.
Principal/Headteacher	CEO, DCEO and 1 Trustee,
Directors of Curriculum Subjects (Trust wide)	Executive Head, Principals
Directors of central functions e.g. finance, HR	CEO and one other as determined by the CEO.
Vice Principals/Deputy Head	DCEO, Executive Head, Executive Principal, and Principal, representative from LAC.
Assistant Principals, Associate Assistant Principals and SLT Support Staff	DCEO, Executive Head, Principal, Vice Principal and 1 other as determined by the Executive Head.
Head of Department / Faculty	Principal, appropriate Director of Subject (if applicable) and 1 other as determined by the DCEO/Executive Head.
TLR Posts and all other teaching posts	Principal (or nominated representative), 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
Principal, Headteacher, Vice-Principal, Head of School, Assistant Head, Deputy Head	Deputy CEO	CEO	3 Trustees/Members
All teaching staff	Principal/Headteacher/Head of School	CEO, Deputy CEO	Minimum of 3 members of Local Academy Council
All support staff	Assistant Headteacher	Principal/Headteacher/Head of School	Minimum of 3 members of Local Academy Council
Directors of Central Functions	Deputy CEO	CEO	3 Trustees/Members

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

	Decision maker	Appeal
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	N/A
New permanent posts with salary between £20000 and £55000	CEO, Director of Finance	N/A
New Permanent Posts with salary below £20000	Executive Head, Headteacher	N/A
New Temporary Posts for up to one year	Executive Head, Headteacher	N/A
Revisions to Pay and Conditions	Trust Board	
Compromise Agreements up to and including £50000	CEO	N/A
Compromise Agreements in excess of £50000	CEO	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	Principal, Headteacher, Head of School, Deputy Head, Assistant Head	CEO/DCEO	Minimum of 3 members of Local Academy Council
Progression to Upper Pay Range	Principal/Headteacher	CEO/DCEO	Minimum of 3 members of Local Academy Council and DCEO (no prior involvement in decision making)
Movement through Upper Pay Range	Principal/Headteacher	Executive Head	Minimum of 3 members of Local Academy Council and DCEO (no prior involvement in decision making)
Principal, Headteacher, Head of School, Assistant Head	CEO, DCEO	Executive Head	Minimum of 3 members of Local Academy Council (no prior involvement in decision making)

Performance management

Staff	Reviewer
CEO	Chair of Trust Board with External Adviser
Deputy CEO	CEO
Principal, 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
Finance Director/HR Director	CEO

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 approval by 30 June each year. 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 June 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 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. It is the responsibility of the Local Academy Council to ensure value for money is maximised for new agreements. The Trust may procure SLAs on behalf of all academies as part of a best value review, where appropriate.
Safeguarding	Trust	The Trust will, in respect of each Academy, act in accordance with, and be bound by, all relevant statutory and regulatory provisions for safeguarding. All Academies will follow Trust's policy on safeguarding as standard.

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.
	£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 EU thresholds for the time being (for guidance refer to www.ojec.com/Thresholds.aspx):to follow a compliant process under the Public Contracts Regulations 2006 and subsequent legislation Board approval required for award of tenders that are not the cheapest option.
Delegated Duty	Value	Delegated authority	Comment
Authorising monthly salary payments	Unlimited	Finance Director (or designated academy finance representative)	Report to Board on any anomalies
Delegated Duty	Value	Delegated authority	Comment
Signatures for Cheques		Two signatures in accordance with the bank mandate	
Delegated Duty	Value	Delegated authority	Comment
Signatories for grant claims and DfE Returns	Unlimited	The Finance Director and one of the following: Trust Chairman CEO Principal	Two signatories, or as required by DfE / EFA

Delegated Duty	Value	Delegated authority	Comment
Disposal of assets	Up to £20,000	Principal & 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
Delegated Duty	Value	Delegated authority	Comment
Write-off bad debts	Up to £1000	Principal & Finance Director or Deputy	Report to Local Academy Council
	Over £1,000	Trust Board & Finance Director plus DfE approval	Report to Trust Board
Delegated Duty	Value	Delegated authority	Comment
Write-off overpayments to staff	Up to £1,000	Principal & Finance Director or Deputy	Report to Director of HR who reports of Trust Board
	Over £1,000		Reported to Trust Board
Delegated Duty	Value	Delegated authority	Comment
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	
Any guarantees, indemnities and letters of comfort entered into	Any	Trust Board, CEO & Finance Director plus DfE approval required	
Ex-gratia payments	Any	Principal, CEO & Director of Finance plus DfE approval required	