



**The Castle Partnership Trust**  
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## **SCHEME OF DELEGATION**

**May 2017**

## **DELEGATION - GENERAL**

Under the Articles of Association of The Castle Partnership Trust, the directors may delegate to any governor, committee, the Headteachers or any other holder of an executive office such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions the directors may impose and may be revoked or altered.

Where any power or function of the directors has been exercised by any committee, that person or committee shall report to the directors in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the directors immediately following the taking of the action or the making of the decision.

The directors may establish any committee to exercise powers and functions of the directors. The constitution, membership and proceedings of any committee shall be determined by the directors. The establishment, terms of reference, constitution and membership of any committee shall be reviewed at least once in every twelve months. The membership of any committee may include persons who are not directors/governors, provided that a majority of members of any such committee shall be directors/governors. The directors may determine that some or all of the members of a committee who are not directors/governors shall be entitled to vote in any proceedings of the committee. No vote on any matter shall be taken at a meeting of a committee unless the majority of members of the committee present are directors/governors.

The Board of Directors is responsible for ensuring that high standards of corporate governance are maintained. It should exercise its powers and functions with a view to fulfilling a largely strategic leadership role in the running of the Trust, addressing such matters as:

- policy development and strategic planning, including target-setting to keep up momentum on school improvement;
- ensuring sound management and administration of the Trust, and ensuring that managers are equipped with relevant skills and guidance;
- ensuring compliance with legal requirements;
- establishing and maintaining a transparent system of prudent and effective internal controls;
- management of the Trust's financial, human and other resources;
- monitoring performance and the achievement of objectives, and ensuring that plans for improvement are acted upon;
- helping the Trust be responsive to the needs of parents and the community and making it more accountable through consultation and reporting;
- setting the Trust's standards of conduct and values;
- assessing and managing risk (including preparation of a statement on the Trust's risk management for its annual report and accounts).

## **SCHEME of DELEGATION**

The Board of Directors should agree a formal schedule of matters reserved for their decision, i.e. those which should not be delegated within the Trust. Beyond this, the Board of Directors should consider establishing separate committees to deal with specific areas of Trust business, and should determine the delegated responsibilities to be assigned to those committees, to ensure that matters can be dealt with in appropriate detail and with sufficient frequency. However, as a minimum, it is a requirement that all academies establish a finance/business committee separate from the Board to deal with financial matters.

Where the Board decides to delegate certain matters for consideration by committees, each committee should be chaired by a director/governor. The membership of the committee may include persons who are not directors/governors provided that a majority of the members are directors/governors. The Board should ensure that it receives adequate feedback on the work of those committees and is able to consider their decisions formally. The establishment of committees does not absolve the Board of its overall responsibility to manage the finances of the Trust.

### **HEADTEACHERS**

The Directors shall appoint the Headteachers. By signing this document the Directors delegate such powers and functions as they consider are required by the Headteachers for the internal organisation, management and control of the Trust (including the implementation of all policies approved of by the Directors) and for the direction of the teaching and curriculum at the Trust.

### **DIRECTORS' MEETINGS**

It is a requirement of all Trust Boards that they meet at least once a term. No business can be conducted at any meeting unless a quorum is present.

Directors must appoint a clerk to the Board, who must be someone other than a director/governor or the Headteachers at the Trust.

Each meeting of the Board should consider:

- a report of the financial position of the Trust, including its income and expenditure and financial commitments;
- whether adequate financial monitoring of the Trust's budget and activities is being undertaken;
- progress on any action identified to improve financial arrangements at the Trust;
- significant contracts proposed to be entered into by the Trust;
- details of any significant matters affecting the Trust's staff;
- details of any significant matters affecting the pupils' welfare or education;
- details of any significant matters affecting the Trust's assets e.g. computers, cars, whiteboards etc;

Matters that should be considered by Directors at least once a year are:

- the Trust's goals and how they are being met;
- review of the management structure to ensure it is operating effectively;
- review of the performance of external providers e.g. bankers, services provided under SLAs;
- review and approval of the Trust's annual accounts and report of the trustees;
- review and approval of the financial budget for the following year;
- review and approval of the levels of insurance cover for the Trust's assets;
- findings made by the auditors and the auditor's management letter, and any other financial reviews, and consideration of what actions should be taken arising from their recommendations;
- review of the risks to which the Trust is exposed and determination of whether systems are in place to mitigate those risks.

The Board may decide to delegate responsibility for specified matters, where it has power to do so, to individual members or committees. Decisions taken by individual members or committees under delegated powers should be recorded in written minutes available to the Board as a whole.

**The Board will:**

- Set the strategic direction of the Trust.
- Appoint Governors to Local Governing Bodies (LGBs).
- Set policies for the Trust.
- Manage any conflicts of interest.
- Oversee the finances for each academy within the Trust to ensure the Trust remains solvent and spends money in accordance with charitable objectives.
- Establish a funding model for use across the Trust.
- Agree each academy's budget.
- Ensure compliance with the Academies Financial Handbook.
- Determine the extent of services provided centrally and the allocation of cost.
- Establish the process for local management and maintenance of assets and appropriate registers.
- Oversee the outcomes across the Trust to ensure the academies in the Trust provide a good standard of education.
- Carry out the performance management of the Headteachers (with the Executive Headteacher) and the Executive Headteacher.
- Set annual targets for the Trust in general and each academy.
- Oversee key performance data on a Trust and individual academy basis.
- Review and consider the reports of the Independent Reviewer on the effectiveness of the financial procedures and controls and to recommend to the Local Governing Body action as appropriate in response to audit findings.
- Review with the external auditors, the findings of their work, including, any major issues that arose during the course of the audit and have subsequently been resolved and those issues that have been left unresolved; key accounting and audit judgments; levels of errors identified during the audit, obtain explanations from management and, where necessary the external auditors, as to why certain errors might remain unadjusted;
- Review and monitor the content of the external auditor's management letter, in order to assess whether it is based on a good understanding of the Trust's business and establish whether recommendations have been acted upon and, if not, the reasons why they have not been acted upon.
- Review the Trust's procedures for detecting fraud and whistle blowing and ensure that arrangements are in place by which staff may, in confidence, raise concerns about possible improprieties in matters of financial reporting, financial control or any other matters;
- Review the statement in the annual report and accounts on the Trust's internal controls and risk management framework;
- Inform the statement of internal control and provide assurance to the external auditors.
- Making decisions on the buy back of Education Support Services.
- Ensuring that the Trust has adequate insurances in place.

**For Court Fields School, The Board will:**

- Hold the SLT to account for academic performance, quality of care and provision and the quality of teaching and learning across the school.
- Ensure Pupil Premium resources are applied appropriately in the school.
- With regards to Pupil Premium, seek value for money and be able to demonstrate that this has been achieved.
- Monitor and review Pupil Premium expenditure and ensure compliance with the overall financial plan for the school.

## **COMMITTEES**

The Board of Directors hereby resolves to establish committees as follows:

### **Local Governing Body**

Members (total membership shall be no fewer than 7 and not more than 12)

The Headteacher

A minimum of two parent governors

Up to two staff governors

Up to 7 community governors

Appointment to the LGB is subject to approval by the Board of Directors (except in the case of the Headteacher)

In attendance: Clerk to the LGB. Other persons as determined by the Chair as being germane to the proceedings of the meeting.

A quorum is 50% of the number of actual members of the LGB.

In the event of a conflict of interest, the member(s) concerned will need to retire from that part of the meeting.

### **Term of Office for Governors**

An initial period of 4 years with the option to renew if mutually convenient (except in the case of the Headteacher, who shall remain a Governor until such time as he/she is no longer Headteacher of the school).

Governors must be over 18 at the time of their appointment and must not be a student attending one of the academies within the Trust.

### **Frequency of Meetings**

The LGB shall meet at least once per term and additional meetings may be scheduled with the Chair's approval.

### **Resignation and Removal of Governors**

- A governor may resign from his office by giving notice in writing to the Clerk to the LGB.
- The Directors may terminate the appointment of any governor whose presence or conduct is deemed by the Directors or Members not to be in the best interests of the Trust or school.
- Any staff governor shall automatically cease to hold office if he/she ceases to be employed at the school.
- A governor will cease to hold office if he/she:
  - becomes incapable of reason by mental disorder, illness or injury of managing or administering his/her own affairs.
  - is absent without the permission of the governors from all of their meetings held within a period of six months.
  - would be disqualified from acting as a charity trustee, under Section 72 of the Charities Act 1993.
  - is disqualified from working with children under the Criminal Justice and Court Services Act 2000, or included in the list of persons prohibited or restricted under Section 1 of the Protection of Children Act 1999, or barred from regulated activity relating to children.

- has ever been convicted of any criminal offence, excluding any offence that is spent under the Rehabilitation of Offenders Act 1974 and any offence for which the maximum sentence is a fine or a lesser sentence.
- has not complied with the Trust's DBS policies.

### Governors' Responsibilities

- To carry out the Board's vision, policies and priorities for the school.
- To provide focused, local governance by acting as a 'critical friend' and providing challenge where appropriate.
- To hold the SLT to account for academic performance, quality of care and provision and the quality of teaching and learning across the school. The Board of Directors will retain this responsibility for Court Fields School.
- To ensure resources are applied appropriately in the school.\*
- To consider the school's required funding and support the Board in relation to the annual budgetary process.
- To seek value for money and be able to demonstrate that this has been achieved.\*
- To monitor and review expenditure and ensure compliance with the overall financial plan for the school.\*
- To ensure there are appropriate arrangements in place for the maintenance of the school estate, in accordance with the guidelines established by the Board.
- To notify the Board of any changes to fixed assets used by the school.

### Notes

- Once approved by the LGB, the budget will be submitted to the Board for approval. The school budget will NOT be effective until it has been approved by the Board of Directors.
- Under no circumstances has the LGB the authority to borrow money.
- Except where prior permission has been obtained from the Board of Directors, the school budget must at least break even.
- Governors will act in the best interests of the Trust and school at all times.
- Governors will keep confidential all information of a confidential nature relating to the school and the Trust.
- The Directors reserve the right to withdraw delegated powers from the LGB and/or disband it at any time, if it is in the best interests of the Trust to do so.

\* The Board will retain responsibility for these points with regard to Pupil Premium at Court Fields School.

### **Business Committee**

#### Members

Headteacher

5 Directors/Governors

In attendance: Clerk to the Governors and Business Manager. Other persons as determined by the Chair as being germane to the proceedings of the meeting.

A quorum is 50% of the actual members of this Committee.

In the event of a conflict of interest, the member(s) concerned will need to retire from that part of the meeting. Staff directors/governors will need to withdraw from any part of the meeting discussing other members of staff.

### Frequency of Meetings

The Committee will meet at least once per term and additional meetings may be scheduled with the Chair's approval. Meetings will be held at such times that they can feed reports and recommendations to the Local Governing Body.

### Terms of Reference Are:

The Board of Directors has delegated to the Business Committee the following responsibilities:

- Drafting and recommendation to the Local Governing Body of the annual budget.
- Monitoring of the budget, expenditure and income.
- Ensuring expenditure does not exceed the available budget.
- Authorising in advance virements exceeding £2,000 or a figure agreed by the Board of Directors.
- Delivering a full financial report to the Local Governing Body three times a year – in the Autumn, Spring and Summer terms.
- Ensuring that the annual accounts are produced in accordance with the requirements of the Companies Act 1985, The Charity Commission and the DFE guidance issued to academies.
- Working with the Pay Committee to agree the budget for staffing.
- Maintaining a Charging Policy for income from educational trips, lettings and sales.
- Writing off bad debt as described in the Trust's Finance Policy.
- Advising the Local Governing Body on the costings for the School Improvement Plan.
- Making recommendations to the Board for awarding contracts over £10,000.
- Monitoring and reviewing procedures for ensuring the effective implementation and operation of financial procedures, on a regular basis, including the implementation of bank account arrangements and, where appropriate to make recommendations for improvement.
- Reviewing management reports on the effectiveness of the systems for internal financial control, financial reporting and risk management;
- Monitoring the integrity of the school's internal financial controls;
- Assessing the scope and effectiveness of the systems established by management to identify, assess, manage, monitor and address financial and non-financial risks.
- Reviewing the risks to internal financial control at the school and recommending a programme of work to the Board to address the risks.
- Ensuring there is an appropriate staffing structure in place to deliver the curriculum and priorities set out in the School Improvement Plan;
- Achieving the aims of the Trust's Pay Policy in a fair and equal manner;
- Observing all statutory and contractual obligations in conjunction with the Board of Directors;
- Ensuring the minutes clearly state the reasons for all decisions and report these decisions to the next meeting of the Local Governing Body;
- Determining the powers delegated to school employees regarding Premises related expenditure, including capital bids.
- Recommending and monitoring the budget for premises related expenditure. To have delegated power to spend the budget allocated by the Local Governing Body to this Committee.
- Having responsibility for the maintenance of school minibuses, buildings and grounds.
- Monitoring grounds maintenance and cleaning on behalf of the school.
- Determining on an annual basis a list of improvements needed for grounds and buildings.
- Determining Premises Security issues.
- Monitoring Health and Safety at the school and ensuring that the appropriate procedures are followed.
- Ensuring that the school has adequate procedures to deal with an emergency on the premises (gas leak, fire, bomb alert, etc).

- Monitoring the school's catering contracts and making recommendations to the Local Governing Body.

### **Pay Committee**

#### Members

Chair of the Board

Vice Chair of the Board

Chairs of the Business Committees

In attendance: The Headteachers and the Clerk to the Governors.

A quorum is 50% of the number of actual members of this Committee.

No staff directors/governors will be eligible to sit on this Committee.

#### Frequency of Meetings

The Committee will meet at least once a year. Additional meetings may be scheduled with the Chair's approval.

#### Terms of Reference Are:

The Pay Committee will have fully delegated powers to make decisions within the Trust's Pay Policy. Specific items include:

1. Achieving the aims of the Trust's Pay Policy in a fair and equal manner;
2. Applying the criteria set by the Trust's Pay Policy in determining the pay of each member of the teaching staff at the annual review;
3. Determining the appropriate salary ranges for advanced skills teachers and members of the Strategic Leadership Team;
4. Determining the pay grades of support staff;
5. Observing all statutory and contractual obligations;
6. Ensuring the minutes clearly state the reasons for all decisions and report these decisions to the next meeting of the Board of Directors;
7. Recommending to the Board of Directors the annual budget needed for pay, bearing in mind the need to ensure the availability of monies to support any exercise of discretion;
8. Keeping abreast of relevant developments and to advise the Board of Directors when the Trust's Pay Policy needs to be revised;
9. Receiving a report on the Headteachers' Appraisals;
10. Appointing the External Adviser in carrying out the Headteachers' Appraisals;
11. Working with the Headteachers in ensuring that the Board of Directors complies with the requirements of the Teacher Appraisal Regulations.

### **Headteacher Performance Review Panel (HTRP)**

#### Members

Chair of Governors

2 Governors

External Advisor

Any Directors/Governors (other than staff) can be a member of the HTRP. Appointments to the Panel will be reviewed by the Board of Directors annually.



Any Director serving on the Panel will be required to attend the appropriate training before taking up their role.

Details of the Panel membership for the 2016-17 academic year are as follow:

Mrs S Naylor  
Mr M Mac Closkey  
Dr M Yardley  
Mr M Hicks (External Advisor)

#### Frequency of Meetings

The Panel will meet at least twice in the academic year. The first meeting to review progress against objectives and to set targets for the next academic year will take place in October/November (dependent on the availability of data). The second (interim) meeting will take place during the spring or summer term. The quorum for any Panel will be two Directors/Governors who are members of the Panel.

Attendance at meetings will be limited to the Headteacher, members of the Panel and the External Advisor to the Governors.

#### Records of Meetings

The External Advisor will take notes of the first meeting and will make these available to the Headteacher and to Panel members. The Clerk to the Governors or a member of the Panel will take notes of the second meeting and make these available to the Headteacher and Panel members.

#### Functions and Delegated Responsibility of the HTPR

- Ensuring the professional and timely completion of the HTPR process.
- Evidence the Board's commitment to recognising and appropriately rewarding staff who contribute to improving the education of students.
- Meeting with the Headteachers during the year to monitor progress towards the objectives set.
- Providing the Headteachers with the opportunity to self-evaluate and share his/her assessment findings with the Panel at the mid and final review meetings.
- Ensuring assessment is based on evidence.
- Informing the Board of Directors that the HTPR has been undertaken and where appropriate sharing objectives linked to the Trust's development.
- Making recommendations to the Pay Committee in regard to any pay progression for the headteachers.
- Providing the Headteachers with a written record.

#### Education Committee

##### Members

Chair of Local Governing Body  
Headteacher  
5 Directors/Governors

In attendance: Clerk to the Governors and link SLT members. Other persons as determined by the Chair as being germane to the proceedings of the meeting.

A quorum is 50% of the number of actual members of this Committee.

In the event of a conflict of interest, the member(s) concerned will need to retire from that part of the meeting.

### Frequency of Meetings

The Committee will meet once per term. Additional meetings may be scheduled with the Chair's approval. Meetings will be held at such times that they can feed results/reports/recommendations into the Local Governing Body meetings. Meetings will also be timed to fit into the School Development and Planning Cycles.

### Terms of Reference Are:

- Monitoring school exam and external test results and other aspects of school self-evaluation.
- Ensuring that every child:
  - achieves more than expected progress
  - has a sense of belonging by ensuring there is no bullying, monitoring behaviour and safeguarding
  - participates in enrichment and learning by monitoring participation, the number and range of clubs, reviewing parent voice and communication with parents, reviewing the quality of assessment and reporting to parents.
- Making recommendations to the Business Committee regarding the staffing needed to service the curriculum.
- Recommending school targets and monitoring performance.
- Monitoring teacher and department performance and the quality of teaching and learning.
- Advising the Local Governing Body on curriculum changes, eg options and courses offered.
- The Committee shall have full delegated powers to act within agreed plans and budgets.
- The Committee Chair shall have the powers to act by taking decisions on approval outside Committee considerations, such decisions to be brought forward to the next Committee meeting for ratification.
- If the Chair so decides, he/she may set aside the powers and require a meeting of the Committee (specially convened if necessary) to consider the issue(s).
- The Committee shall have full delegated powers to act within agreed plans and budgets.
- The Committee Chair shall have the powers to act by taking decisions on approval outside Committee considerations, such decisions to be brought forward to the next Committee meeting for ratification.
- If the Chair so decides, he/she may set aside the powers and require a meeting of the Committee (specially convened if necessary) to consider the issue(s).

### Admissions Committee

#### Objectives

To determine and review each school's admission arrangements and decide on the admission of individual children to each school.

#### Members

HTs

Chair of Governors

Staff Governors

Parent Governors

Clerk to the Governors/HT's PA

A quorum is 3 members of this Committee (including at least 3 Governors).

## Frequency of Meetings

Meetings will be held on an as and when needed basis.

## The Terms of Reference are:

1. Reviewing annually each school's admission arrangements and making recommendations for any changes to the Board.
2. Ranking all normal admissions round applications in accordance with the determined admission arrangements.
3. Considering all applications, both in the normal admissions round and in-year admissions, and determining, within statutory provisions and each school's determined admission arrangements, whether any child should be admitted to the school.
4. Maintaining a clear, fair and objective waiting list.
5. Establishing a procedure by which admission appeals can be heard.

## **Student Disciplinary Committee**

### Members

3 Directors/Governors\*

\*The Board delegates responsibility to the Disciplinary Committee to consider student exclusions. Members of this Committee can comprise Governors from any of the Local Governing Bodies (LGBs) within the Trust.

In attendance: Clerk to the Governors/Company Secretary.

A quorum is 3 members.

## Frequency of Meetings

The Committee will meet as and when necessary, in accordance with the DfE statutory guidance, 'Exclusions from maintained schools, academies and pupil referral units in England'.

## Terms of Reference

- To consider the reinstatement of an excluded student within 15 schools days of receiving notice of the exclusion if:
  - the exclusion is permanent;
  - It is a fixed-period which would bring the student's total number of days of exclusion to more than 15 in a term; or
  - It would result in a student missing a public examination or national curriculum test.
- In the case of an exclusion of more than five but more than 15 schools days in a term and if parents make representations - to consider within 50 schools days of receiving notice of the exclusion whether the student should be reinstated.
- In the case of an exclusion of less than five school days and if parents make representations – to consider the representations made by parents but the Committee cannot direct reinstatement and is not required to meet with the parents.

## **Members' Strategic Committee**

### **Members**

Members of the Trust  
Executive Headteacher

In attendance: Clerk to the Governors/Company Secretary. Other persons as determined by the Chair as being germane to the proceedings of the meeting.

A quorum is 2 members.

In the event of a conflict of interest, the member(s) concerned will need to retire from that part of the meeting.

### **Frequency of Meetings**

The Committee shall meet at least twice per year and additional meetings may be scheduled with the Chair's approval.

### **Terms of Reference**

- Changing the Trust's constitution if appropriate.
- Amending the Articles of Association.
- Having an overview of the governance arrangements of the Trust. Members have the power to appoint and remove Directors.
- Intervening if the Board is not performing well, by making changes are Board level.
- Signing off the Trust's annual accounts.

## **ACCOUNTING OFFICER**

The Funding Agreement requires the Trust to identify the Executive Headteacher as the Accounting Officer. This post confers responsibility for financial and administrative matters. This is a vital role, as the Accounting Officer is personally responsible to the governing body for:

- ensuring regularity and propriety;
- prudent and economical administration;
- avoidance of waste and extravagance;
- efficient and effective use of available resources; and
- the day to day organisation, staffing and management of the Trust.

The Accounting Officer may delegate, or appoint others to assist in these responsibilities, for example to the School Business Managers. The Executive Headteacher has overall executive responsibility for the Trust's activities including financial activities. Much of the financial responsibility has been delegated to the School Business Manager but each Headteacher still retains responsibility in their school for:

- Approving new staff appointments within their school, except for any senior staff posts which the governing body has agreed should be approved by them;
- Signing cheques or authorising BACS payments in conjunction with another authorised signatory as required;
- With regard to financial and administrative matters ensuring:
  - Regularity and propriety
  - Prudent and economic administration
  - Avoidance of waste and extravagance

- Efficient and effective use of available resources, and
- The day to day organisation, staffing and management of their academy
- All reasonable action is taken to minimise risks.

### **SCHOOL BUSINESS MANAGERS**

The main responsibilities of the School Business Manager for their school are:

- managing day to day financial issues including the establishment and operation of a suitable accounting system;
- managing the Trust's financial position at a strategic and operational level within the framework for financial control determined by the governing body;
- maintaining effective systems of internal control;
- ensuring that the annual accounts are properly presented and adequately supported by the underlying books and records of the Trust;
- preparing and obtaining approval for the annual budget;
- preparing management accounts and committee accounts as required;
- authorising orders below £10,000 in conjunction with budget holders;
- signing cheques in conjunction with another authorised signatory; and
- ensuring forms and returns are sent to the DfE in line with the timetable in the DfE guidance.

### **RESPONSIBLE OFFICER**

The governing body will need to consider how it monitors and checks the operation of the financial management arrangements that have been established and are operated by officers of the Trust. To assist in this they will appoint a person who will have specific responsibility for overseeing the financial arrangements on their behalf. The appointment of this Responsible Officer (RO) must be notified to the DfE. The RO post is intended to provide an independent oversight of the Trust's financial affairs. The main duties of the RO are to provide the governing body with on-going independent assurance that:

- the financial responsibilities of the governing body are being properly discharged;
- resources are being managed in an efficient, economical and effective manner;
- sound systems of internal financial control are being maintained and
- financial considerations are fully taken into account in reaching decisions.

By order of the Trust, we approve the Castle Partnership Trust's Scheme of Delegation

Chair of Trust:

Sheila Naylor

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Executive Headteacher:

Sarah Watson

Sign: \_\_\_\_\_

Date: \_\_\_\_\_