



The Athelstan Trust Scheme of Delegation

Agreed by the board of trustees on 8 February 2023. To be reviewed in February 2024

Background

The objects of The Athelstan Trust are stated in the Articles of Association as:

*'to advance for the public benefit education in the United Kingdom, in particular but without prejudice to the generality of the foregoing, by establishing, maintaining, carrying on, managing and developing schools offering a broad and balanced curriculum ("the **mainstream Academies**") or educational institutions which are principally concerned with providing full-time or part-time education for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless alternative provision is made for them ("the **alternative provision Academies**") or 16 to 19 Academies offering a curriculum appropriate to the needs of its students ("the **16 to 19 Academies**") or schools specially organised to make special educational provision for pupils with Special Educational Needs ("the **Special Academies**")'*

Introduction and Purpose

The Board of The Athelstan Trust is accountable in law for all decisions about the Trust and its schools. It is vital to ensure there are systems in place so the Board is assured of the quality of education as well as the safety and good practice of activity within the Trust. However, this does not mean that the Board is required to undertake all tasks or make all the decisions itself. This Scheme of Delegation sets out the functions delegated by the Board within the Trust's governance structure. This document, together with the committee structures and terms of reference, will be reviewed at least annually by the Board but may be updated when levels of delegation need updating, e.g. if there is a change in statutory guidance. The intention of the document is to:

- Set out delegations for specific areas of activity or decision making in a clear, usable format
- Provide clarity, consistency and avoid duplication or overlap in governance

There may be circumstances where the Board will need to intervene to choose to withdraw specific delegated authorities although these are expected to be the exception rather than the rule. Possible examples where this may be required include, but are not limited to, significant concerns within a school which may relate to safeguarding, finance, educational performance, equality, compliance or an adverse Ofsted inspection.

The delegations have been drafted based on an assumption that the functions will be carried out in line with the Trust's Article of Association, agreed Trust policies or approaches, as well as to meet all compliance requirements. Where significant concerns or issues arise, and in line with Trust policies as well as regulator's requirements, it is recognised that these may be raised by exception with the Board or other Trust stakeholders. The Board reserves the right to amend this Scheme of Delegation when necessary.

Levels of Trust Governance and Leadership

Members	The guardians of governance, members have a strategic ‘eyes on, hands off’ role. In summary, Members’ key responsibilities include: amending the Articles of Association; appointing or removing Members and Trustees; appointing the Trust’s auditors; receiving the audited annual accounts; holding the Board of Trustees to account.
Trust Board	Members of the Board are both Directors under company law and Trustees under charity law. The Board are accountable to the Members, Secretary of State for Education, and the wider community for the quality of the education provided and for the appropriate expenditure of public money. The Board hold legal accountability for all aspects of operational delivery and are required to have systems to assure themselves of the quality, safety and good practice of the affairs of the Trust. The Board delegates some responsibility including for day to day management.
Board Committees	Local Governing Bodies have key roles in relation to; providing support, monitoring and challenge around educational experience and performance; stakeholder engagement and supporting alignment with Trust strategy, approach, ethos and values. In addition, there are Audit and Risk, Site and Facilities, Staffing and Standards committees which have been established to enable review, scrutiny and discussion of key areas and to ensure the Board has sufficient understanding and oversight. Detailed committee roles and memberships are set out in the terms of reference for each committee.
Trust Leadership Team	The Trust Leadership Team is made up of the Chief Executive Officer, Chief Financial Officer, Head of Operations, IT manager and Head of Governance. The Team is responsible for delivering the educational and operational outcomes for the Trust as set out by the Board. The CEO is the Accounting Officer and has personal responsibility to the ESFA and the DfE.
Headteacher	The individual who has responsibility for the performance and defined operational activity areas in a school in line with Trust strategy, approach, ethos and values.



Scheme of Delegation

Key Function	Task	Trust Board or Members	Trust Committee	CEO	LGB	Headteacher
Curriculum	Monitor and review curriculum policy to provide a balanced, diverse and broadly based curriculum including provision of RE				√	√
Curriculum	Monitor standards of teaching and learning	√	Standards	√	√	√
Curriculum	Monitor student achievement	√	Standards	√	√	√
Curriculum	Make provision for SEND students with or without a statement			√		√
Curriculum	Assess students as per other schools and comply with DFE guidance					√
Curriculum	Set the times of school sessions, dates of school terms and holidays and ensure each school meets for 190 days (380 sessions) in a school year				√	√
Curriculum	Decide which subject options should be taught having due regard to resources, and provision for flexibility in the curriculum (including activities outside school day)					√
Curriculum	Ensure that only approved external qualification and syllabuses are offered to students of compulsory school age				√	√
Curriculum	Approve and maintain written policy on Relationships and Sex Education	√	Policy group	√		√
Curriculum	Prohibit political indoctrination and ensure the balanced treatment of political issues	√		√	√	√
Curriculum	Approve, renew and monitor the Trust SEND policy with school procedures	√	Policy group	√	√	√
Curriculum	Determine whether education of individual students should be delivered by an external provider					√
Community	Ensure the schools share facilities with other schools and the wider community and promote community cohesion				√	

Student Welfare	Approve the Trust behaviour policy and school procedures	√	Policy group		√	√
Student Welfare	Approve the school exclusion policy				√	√
Student Welfare	Suspend a student for one or more fixed terms (not exceeding 45 days in total in a year) or exclude permanently					√
Student Welfare	Review the use of suspensions (formerly known as fixed term exclusions) and to decide whether or not to confirm all permanent exclusions (and fixed term suspensions where necessary)				√	
Student Welfare	Direct reinstatement of suspended students				√	
Student Welfare	Review the overall pattern and use of suspensions and exclusions within the schools	√		√	√	
Student Welfare	Monitor and review student attendance	√	Standards	√	√	√
Student Welfare	Maintain register of student attendance					√
Student Welfare	Provide meals if requested by any students					√
Student Welfare	Ensure the schools have appointed a designated teacher to support looked after and previously looked after children			√		
Student Welfare	Ensure Trust policy and school procedures for Looked After Children are consistent with measures set out in the statutory guidance				√	√
Student Welfare	Appoint a designated trustee and governors for Safeguarding children	√			√	
Student Welfare	Annually review the Safeguarding and Child Protection policy and procedures	√	Policy group	√	√	√
Student Welfare	Maintain a Single Central Record at each school			√		√
Parents	Ensure schools publish all information as required on its website			√	√	√
Parents	Adopt and review the Complaints Policy	√	Policy group	√		

Summary of key points only. Detail in Financial Procedures, Administration & Control Policy and ESFA Academy Trust Handbook

Finance	Sign off the Annual Accounts and Report	√				
Finance	Approve the Finance Procedures, Administration and Control Policy, including review and recommend levels of delegated authority	√	Audit & Risk			
Finance	Appoint external auditors	Members				
Finance	Approve the budget	√				
Finance	Approve level of school contribution	√	Audit & Risk			
Finance	Manage budget at school level					√
Finance	Monitor income, expenditure, cash flow and balance sheet	√	Audit & Risk	√		
Finance	Inform ESFA of any financial irregularities	√		√		
Finance	Set a Charging and Remissions Policy	√	Audit & Risk	√		
Finance	Appoint the internal Auditor	√	Audit & Risk			
Finance	Receive and where appropriate respond to reports from the Auditors	√	Audit & Risk	√		
Finance	Ensure the Trust is properly audited	√		√		
Finance	Ensure the Trust meets Financial Management Standards and complies with Academy Trust Handbook		Audit & Risk	√		
Finance	Establish an appropriate mechanism for the receipt and procurement of donations			√		√
Finance	Review risk management and risk register	√	Audit & Risk	√		
Finance	Review school level risk assessments	√				
Finance	Monitor school level risk assessments				√	
Finance	Approve and maintain a register of business interests	√		√		√
Planning	Agree and approve the Trust Strategic Plan	√		√		
Planning	Ensure recommendations following an OFSTED inspection are incorporated into the School Improvement Plans			√	√	
Planning	Agree priorities for the School Improvement Plans			√		√
Planning	Contribute to and approve School Improvement Plan			√	√	
Planning	Monitor School Improvement Plan			√	√	

Staffing	Approve Trust Pay Policy	√	Staffing			
Staffing	Consider and approve the recommendations of the CEO in respect of pay progression of Headteachers and other senior leaders	√	Staffing			
Staffing	Be responsible for levels of pay and conditions of service for all employees	√	Staffing			
Staffing	Consider Trust staffing model and budget	√	Staffing	√		
Staffing	Approve additional leadership posts	√	Staffing	√		
Staffing	Determine pay scale of leadership and senior support staff posts	√	Staffing	√		
Staffing	Keep CEO and CFO pay under review, approve any appointment to the Executive pay scale and report annually to the Board		Staffing			
Staffing	Approve any changes to the Leadership or TLE structure in schools			√		√
Staffing	Scrutinise and review HR Policies		Staffing			
Staffing	Appoint, suspend or dismiss CEO, CFO, Company Secretary	√				
Staffing	Appoint selection panel for CEO, Headteacher recruitment	√				
Staffing	Appoint, suspend or dismiss Headteacher and Deputy Headteacher			√		√
Staffing	Appoint, suspend or dismiss all other teaching and support staff					√
Staffing	Appoint staff to leadership group			√		√
Staffing	Appoint, suspend or dismiss central team staff			√		
Staffing	Implement staff disciplinary procedures, including dismissal					√
Staffing	Approve disciplinary, capability and grievance procedures	√	Staffing			
Staffing	Approve applications for early retirement, secondment and leave of absence for Headteachers and Central team			√		
Staffing	Approve applications for early retirement, secondment and leave of absence for School staff					√
Staffing	Approve and maintain a performance management policy	√	Staffing			
Staffing	Implement the performance management of school staff					√
Staffing	Implement the performance management of Headteachers			√	√	
Staffing	Implement the performance management of CEO		Staffing			
Staffing	Implement the performance management of Central team			√		
Staffing	Agree and monitor a staff development strategy for teachers, support staff and central team		Staffing	√		
Staffing	Hear appeals of decisions on pay progression		Staffing			
Staffing	Monitor and review statement for dealing with allegations of abuse against staff	√	Staffing	√		

Staffing	Approve Trust Staff Handbook		Staffing	√		
Premises	Develop a Trust buildings strategy (including budgeting for repairs etc.) and Asset Management Planning arrangements		Site & Facilities	√		
Premises	Procure and agree a maintenance strategy for buildings including developing a properly funded maintenance plan		Site & Facilities	√		
Premises	Monitor and Review Accessibility Plan		Site & Facilities	√	√	√
Premises	Establish and approve a Health and Safety Policy	√	Site & Facilities	√		
Premises	Ensure buildings and liability insurances are in place	√	Site & Facilities	√		
Premises	Monitor Health and Safety requirements		Site & Facilities	√		√
Premises	Monitor accident book and agree appropriate action					√
Premises	Proactively take responsibility for H&S at schools					√
Admissions	Provide an education for students wholly and mainly from the area in which the school is situated	√			√	
Admissions	Implement and admissions policy for each school in accordance with the Admissions Code	√			√	
Admissions	Determine admissions arrangements to include publishing appeals timetable, appeals and decisions	√			√	
Admissions	Participate in relevant Admissions Forum and have regard to its advice				√	√
Admissions	Participate in the Fair Access Protocol					√
Governance	Review and monitor GDPR and Data Protection Policies	√	Audit & Risk	√		
Governance	Review and monitor Freedom of Information Policy	√		√		
Governance	Review and approve Business Continuity Plan	√	Audit & Risk			
Governance	Review and monitor Equality Information and Objectives	√		√	√	√

Governance	Review and monitor policies to ensure equality, inclusion and diversity	√		√	√	√
Governance	Determine the Reserved Matters	√				
Governance	Change the name of the Trust or any school	√				
Governance	Amend the Articles of Association	Members				
Governance	Change the Objects	Members				
Governance	Determine the educational character, mission or ethos of the schools	√				
Governance	Change the constitution of the Board of Trustees or any terms of reference for any committee	√				
Governance	Establish a trading company	√				
Governance	Sell, purchase, mortgage or charge any land	√				
Governance	Hold AGM	Members				
Governance	Maintain records with Companies House as required	√		√		
Governance	Propose amendments to Articles/Funding Agreement	√				
Governance	Approve new schools to join the Trust	√				
Governance	Appoint (and remove) the Chair and Vice Chair of a local governing body	√				
Governance	Appoint (and remove) local governors	√				
Governance	Appoint and remove co-opted trustees	√				
Governance	Appoint and remove trustees in accordance with Articles of Association	Members				
Governance	Appoint, suspend or dismiss the Clerk to Governors				√	√
Governance	Bi-annual review of Committee structure, terms of reference, Scheme Delegation and membership	√				
Governance	Agree a policy and protocol for trustee/governor visits to schools		Chairs forum			
Governance	Appoint advisors to the committees	√				
Governance	Agree Governance Code of Conduct	√				
Governance	Appoint external Governance Reviewer every 3 years	√				
Governance	Determine the members of a parental complaints panel				√	