

# **THE 1590 TRUST**

## **Levendale Primary School**

### **Scheme of Delegation**

**Effective date - 1 September 2023**



### *The 1590 Trust*

*Incorporating Conyers School and Sixth Form, Bader,  
Kirklevington, Layfield, Levendale and Bewley Primary Schools*

## **Introduction**

The 1590 Trust has expanded since November 2016, from one to six schools. All the schools involved have chosen to so collaborate, on the basis of shared values and ethos.

This scheme of delegation defines the lines of responsibility and accountability for The 1590 Trust (the Trust). It aims to ensure members, trustees, local governing bodies, executive leadership and head teachers are clear about their roles and responsibilities. This overarching scheme of delegation for all decision making in the Trust, should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook.

The Articles of Association form the constitution of the Trust and take precedence over this scheme in the event of any dispute.

The Trust board delegates responsibility for the performance of the Trust, including the performance of the academies within the Trust, to the Chief Executive Officer (CEO), and determines on a case by case basis whether to delegate some responsibilities concerning the performance of each academy, to a local governing body.

The CEO is accountable to the board for the performance of the Trust as a whole and will report on the performance of the Trust and the individual schools within it, to the board.

The Trust intends to operate a delegated governance model, to promote the cohesion of the Trust and ensure local accountability and transparency. Factors which will influence the decision to delegate powers to a school local governing body include:

- school performance
- any recent Ofsted report
- financial and administrative performance
- leadership and governance capacity and capability

This scheme of delegation is based on the National Governors Association's model of 'earned autonomy' or 'mixed delegation'. It may therefore lead to schools operating on different schemes of delegation within the MAT, as additional schools join.

Each Local Governing Body is in effect a sub-committee of the Trust and it operates on those powers delegated to it by the Trust. In the event of serious concerns around the performance of the school and/or capacity of the local governing body, the Trust will review and revoke such powers as it deems appropriate.

## **Roles within the Trust**

### **The role of the Members**

The Members are the 'conscience' of the Trust, with the remit to ensure the Trust is effectively delivering on its charitable object. It is not an operational role. The Members have the power to both appoint and remove trustees, as set out in the Articles. Members receive the annual report on the performance of the Trust, from the Trustees. Members are also responsible for approving any amendments made to the Trust's articles of association.

## **The role of the Trustees**

The Trustees are the charity trustees (within the terms of section 177(1) of the Charities Act 2011) and are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the memorandum and articles of association. The Board of Trustees (the board) is the accountable body for the performance of all schools within the Trust and as such must:

- ensure clarity of vision, ethos and strategic direction
- hold the chief executive officer to account for the educational performance of the schools and their pupils, and the performance management of staff
- oversee the financial performance of the Trust and ensure its money is well spent.

Because trustees are bound by both charity and company law, the terms ‘trustees’ and ‘directors’ are often used interchangeably. We use the term trustee as it avoids the possible confusion caused given school senior managers are also called directors.

The trustees may establish committees either with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of the Trust board. However these committees are not legally responsible or accountable for statutory functions, the Trust board retains overall accountability and responsibility. The responsibilities of board committees are set out in their terms of reference and the responsibilities for individual school local governing bodies are set out in their scheme of delegation. The Trust board may appoint to the governing bodies.

## **The role of the Chief Executive (CEO)**

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust’s academies. The CEO will performance manage the academy head teachers. Where there is delegation to a local governing body (LGB) this will usually be done in conjunction with the Chair of the LGB. The CEO is accountable to the board of Trustees for the overall performance of the Trust.

The CEO is the designated Accounting Officer of the Trust. The CEO has overall responsibility for the operation of the Trust’s financial responsibilities and must ensure that the organisation is run on a financially sound and sustainable basis and secure value for money. The Director of Finance and Operations will manage the finances of the Trust, on behalf of the CEO. The Head Teacher of Conyers School fulfils the role of CEO of the Trust.

## **The Trust Executive Management Team**

The CEO leads the Trust Executive Management Team of the Trust which is made up of the head teachers, director of standards and chief financial officer. This group will manage the strategic planning of the Trust and support the operation of the Trust board.

## **The role of the School Head Teacher**

The Head Teacher is responsible for the day to day management of Levendale Primary School. The Head Teacher will be line managed by the CEO but if there is delegation, would also report to the local governing body on those matters delegated to it.

## **The role of the Local Governing Body (LGB)**

The Trust board will establish an LGB for each school where it has determined to delegated powers to it, using the earned autonomy principles. The LGB will ensure arrangements are in place for the appointment of a chair, a minimum of two elected parents governors and elected staff governors (no more than one third of its membership). Responsibilities of the LGB may include:

- Building an understanding of how the school is led and managed and will determine what will be delegated
- Monitoring whether the school is:
  - Working within agreed policies
  - Is meeting the agreed targets
  - Managing its finances well
- Engaging with stakeholders
- Reporting performance to the board

As a committee of the Trust board, delegation can be removed at any time. A separate scheme of delegation is in place for each school within the Trust.

## **The role of an academy school advisory council**

The Trust board will establish an academy school advisory council and will appoint the chair, where delegation has been withheld from a school, under the principles of earned autonomy or mixed delegation. A minimum of two parent governors will be elected to the council and other governors appointed as required, including staff representatives.

Those serving on the Council will be called Governors. The council may:

- Seek to understand how the school is led and managed: the academy principal will report termly on how the school is fulfilling the trust's ethos, vision and strategy
- Act as the panel when reviewing the head's decisions on exclusions, and parents' complaints
- Be the consultative body for the school's stakeholders
- Represent the school's stakeholders
- Forge links with the community
- Act as an ambassador for the school
- Seek to build up the capacity of the school advisory council, with the intent of being able to demonstrate to the Trust, a conversion into a Local Governing Body is practical

It is the intent of the Trust to seek to build up capacity and address any issues within an individual school, operating under an advisory school council, so as to enable that school to move to a local governing body, with delegated powers, over a period of time.

## **Training and Development**

All Members, Trustees and Governors should ensure they develop and maintain the necessary skills and knowledge to effectively discharge their roles, as set out in this scheme of delegation.

## **Levendale Primary School Local Governing Body**

The Trust has determined to delegate in full to the Levendale Local Governing Body. The structure and remits of the Levendale Primary School Local Governing Body are set out on pages 5-7 and a table summarising how key areas have been delegated is on pages 8-11. All meetings will be clerked and formally minuted, using Stockton's School Support Service, or in emergency, a member of the Trust staff.

## **Levendale Primary School Local Governing Body Roles and Remits**

### **Membership of Levendale Primary School Local Governing Body**

The Governing Body, in line with the Articles of Association, is made up as follows:

- Up to nine community governors appointed by the board of trustees
- A minimum of two and up to six elected parent governors
- Up to four staff governors elected by the workforce of the school
- The Head Teacher and Chief Executive of the Trust
- Up to two co-opted governors appointed by the LGB

Governors usually serve a four-year term. No more than a third of Governors can be employees of the Trust.

### **Membership**

Governors, the Head Teacher and Chief Executive with other staff attending as required.

**Quorum:** 1/3 of membership

### **Remit**

1. To ensure the election of parent governors
2. To provide recommendations for the Chair of the Local Governing Body.
3. To develop an annual schedule of business for the Local Governing Body
4. With Trustees, be responsible for the appointment of the school Headteacher.
5. To determine and approve school level policies to reflect the schools vision and values: admissions; SEND; safeguarding and child protection; curriculum and behaviour; teaching and learning and staff development; health and safety.
6. To ensure robust arrangements are in place for the safeguarding of pupils.
7. To approve the schools vision and strategy (School Development plan, key priorities and key performance indicators) and determine progress towards achieving these.
8. To agree the school staffing structure.
9. To undertake the appraisal of the Headteacher and agree the Headteacher's pay award.
10. To monitor and agree the staff appraisal procedure and pay progression.
11. Having considered all relevant evidence, to agree the school's self-evaluation document.
12. To ensure robustness of benchmarking and the school's value for money.
13. To agree arrangements for delivering and monitoring the work of the Local Governing Body.
14. To establish policy statements for Student Welfare & Guidance, Attendance, Personal & Social Development, and Positive Behaviour and ensure that they are regularly reviewed and updated.

15. To receive the Pupil Premium action plan annually and monitor its progress and impact.
16. To oversee the provision for students with special educational needs and Looked After Children
17. To review arrangements for transition stages
18. To review policies and procedures so as to ensure the school is up to date on health and safety, staff wellbeing and business continuity.
19. To oversee procedures for the appointment and induction of new staff.
20. To liaise with the Trust's School Improvement Committee, in regards to the academic performance of the school and ensuring that targets are set and monitored for pupil achievement
21. To monitor and evaluate the implementation of the policies in line with the Trust Policy Framework;
22. To consider requests for educational visits in line with agreed policy and procedures;

## **Finance**

23. To consider the budget allocation from the Trust and recommend a budget for approval, day to day management of the agreed budget to be delegated to the Head Teacher;
24. To monitor and evaluate issues relating to finance in the School Improvement Plan;
25. To monitor spending against the agreed budget by examining financial statements during the year, at least termly;
26. To ensure that the school operates within the financial regulations of the Trust and the requirements of the Academies Financial Handbook
27. To ensure the school's Charging and Remissions policy is considered and approved as part of the Trust Policy Framework;
28. To review and approve the Lettings Policy and lettings charges on an annual basis;
29. To consider reporting mechanisms to parents in relation to financial matters;
30. To consider nursery admission arrangements and procedures and other consultation issues with the LA;
31. To ensure and maintain an up to date list of governors pecuniary interests.

## **Premises and Health and Safety**

32. To consider and advise the Governing Body on regulations relating to Health and Safety including the annual Health and Safety report from the Health and Safety Unit;
33. To consider and review the Asset Management Plan;
34. To ensure the Business Continuity plan for Levendale is effective and kept up to date;
35. To consider and approve the Accessibility Plan;
36. To consider, cost, prioritise and make recommendations on the long term care and improvement of the buildings, grounds, furniture and fittings;

## **Other sub committees**

A panel of three to be convened, as and when required from the pool of Governors, Trustees and Members. A split will be maintained, so that different persons will deal with decisions and any appeals.

### Pay Appeals Committee

To consider any appeal from a member of staff arising from the pay review procedures.

### Discipline Committee

1. To be responsible for the schools' disciplinary procedures as agreed by the Trust and within the appropriate legislation.
2. To hold hearing to consider pupils excluded from school with a view to readmission or permanent exclusion.

#### Complaints Committee

1. To consider any complaints received by the school / governing body.

#### Initial Committee (with the Trust)

1. To discuss the need for staff reduction and, if necessary, set criteria for nomination.
2. To liaise with and consult the teacher associations prior to the meeting of the Dismissal (Nominating) Committee.

#### Nominating Committee (with the Trust)

1. To agree the nomination of a member of staff for consideration by the Hearing Committee to discuss in relation to over-established posts.

#### Hearing Committee (with the Trust)

1. To consider representations made on behalf of staff that the Governing Body proposes to dismiss and to determine whether that member of staff is dismissed under Redundancy Procedures, or where required hear cases under Capability, Grievance or Disciplinary Procedures.

#### Appeals Committee

1. To hear an appeal from a member of staff against the decision by the Governing Body to dismiss him/her and to determine in light of the appeal, whether s/he should be dismissed.
2. To hear appeals on disciplinary matters.
3. To hear appeals under grievance procedures.
4. To hear appeals under capability procedures.

**Table of Delegated decision making**

Area	Decision	Delegation					
		Members	Trust Board	Chief Executive CEO	Oversight Board (where in place)	Local Governing Body LGB	Academy Head teacher
Governance framework							
People	Members: Appoint/Remove	✓					
	Trustees: Appoint/Remove	✓					
	Role descriptions for Members	✓					
	Role descriptions for Trustees /chair / specific roles /committee members: agree		✓				
	Parent Trustee/committee member: elected		✓		✓	✓	
	Committee chairs: appoint and remove		✓	A			
	LGB chairs: appoint and remove		✓	A	✓	✓	
	Clerk to board: appoint and remove		✓				
	Clerk to LGB: appoint and remove				✓	✓	
Systems and Structures	Articles of association: agree and review	✓	A	A			
	Governance structure (committees) for the Trust: establish and review annually		✓	A			
	Terms of reference for Trust committees (including finance, audit and standards): agree annually		✓	A			
	Terms of reference for Local Governing Body (LGB) / local committees: agree and review annually		✓	A			
	Skills audit: complete and recruit to fill gaps		✓	A	✓	✓	A
	Annual self-review of Trust board and committee performance		✓				
	Annual self-review of LGB and committee performance		✓		✓	✓	
	Chairs and Trustees performance and contribution		✓		✓	✓	
	Succession plan (of the Board or LGB)		✓	A	✓	✓	A



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	Forward Plan or annual schedule of business for Trust board		✓	A			
	Trust governance details on trust and academies' websites: ensure		✓	A			
	Academy governance details on academy website: ensure			A	✓	✓	A
	Annual schedule of business for LGB			A	✓	✓	A
Reporting							
	Register of all interests, business, pecuniary, loyalty for Members/Trustees/committee members: establish and publish		✓	A			
	Annual report on performance of the trust: to Members and publish		✓	A			
	Annual report & accounts, accounting policies, signed statement on regularity, propriety and compliance		✓	A			
	Annual report work of LGB: submit to Trust & publish				✓	✓	A
Being Strategic							
	Determine trust wide policies which reflect the Trust's ethos and values including all HR staffing policies: (see Policy Framework below): approve		✓	A			
	Determine school level policies reflective of the school's ethos and values (set out in each individual school scheme of delegation): approve				✓	✓	A
	MAT central charges: agree		✓	A			
	Management of risk: establish register, review and monitor		✓	A	✓	✓	A
	Engagement with stakeholders	✓	✓	✓	✓	✓	✓
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓	A			
	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs)			A	✓	✓	A

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	against which progress towards achieving the vision can be measured: determine						
	Chief executive officer: Appoint and dismiss		✓				
	Academy Head Teacher : Appoint and dismiss			A	✓	✓	
	Budget plan to support delivery of Trust key priorities: agree		✓	A			
	Budget plan to support delivery of school key priorities: agree				✓	✓	A
	Trust's staffing structure: agree		✓	A			
	School staffing structure: agree (within the establishment totals agreed by the Trust as part of the Budget for each school).				✓	✓	A
Holding to Account							
	Auditing & reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓	A	✓	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	A	✓	✓	A
	Performance management of the CEO: undertake		✓				
	Performance management of the principal(s): undertake			A	✓	✓	
	Trustee monitoring: agree arrangements		✓	A			
	LGB monitoring: agree arrangements				✓	✓	A
Ensuring Financial Probity							
	Appoint Chief Financial Officer		✓	A			
	Trust's scheme of financial delegation: establish and review		✓	A			
	School's scheme of financial delegation: establish and review		✓	A	✓	✓	A
	External auditors' report: receive and respond		✓	A			
	CEO pay award: agree		✓				
	Academy Head Teacher pay award: agree			A	✓	✓	
	Staff appraisal procedure and pay progression: monitor and agree		✓	A	✓	✓	A
	Benchmarking and trust wide value for money: ensure robustness		✓	A			

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	Benchmarking and academy value for money: ensure robustness				✓	✓	A
	Develop Trust wide procurement strategies and efficiency savings			✓			
	Set Capital budgets and Estates Strategy: approve		✓	A			