



The Athelstan Trust Scheme of Delegation

Agreed by the board of trustees on 26 May 2022. To be reviewed in May 2023

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

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| 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 against set targets | √ | 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 | | | | √ | |

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| 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

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| 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 | | | √ | √ | |

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| 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, Headteacher, Company Secretary | √ | | | | |
| Staffing | Appoint selection panel for CEO, Headteacher recruitment | √ | | | | |
| Staffing | Appoint, suspend or dismiss 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 | √ | | |
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| Staffing | Monitor and review statement for dealing with allegations of abuse against staff | √ | Staffing | √ | | |

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| 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 | √ | | √ | √ | √ |

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| 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 | | | | √ | |