



PONTEFRACT
ACADEMIES TRUST

Scheme of Delegation



Summary:

The Scheme of Delegation is the key document that defines lines of responsibility and accountability in a MAT to ensure that Members, Trustees, Trust Board Committees, Academy Committee's, Executive Leadership and Academy Headteachers understand their roles and responsibilities.

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October 2020	01	New version	N/A
October 2022	02	Updated in line with review period	<ul style="list-style-type: none"> • Introduction included. • Governance structure and accountability included. • Roles and responsibilities included. • Framework description included. • Delegation table updated to include actions against Education & Standards Committee.
October 2023	03	Reviewed	<ul style="list-style-type: none"> • Replaced references to historic role titles. • Updated Chairs meeting to reflect that this is managed by the HoG and CEO. • Inserted Section 3, Para. 4 defining the reporting lines to Members allowing them to effectively discharge their duties and fulfil their obligations under the Articles. • Updated Committee names references in Section 3 to reflect those in active use. • Reporting line of HoG added in Section 3. • Added rows to SoD framework to specify responsibilities of SPRBs. • Added policy approvals section to SoD framework to specify all policy approval levels in line with the ATH and DfE requirements. • Added SoD policy approval escalation process to Section 4.

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1. Introduction

As a Multi Academy Trust (MAT), the Trust Board of Pontefract Academies Trust is accountable, in law, for all major decisions concerning their academies.

The Trust Board is not required to carry out all the Trust's governance functions and many can, and should, be delegated to the CEO & Executive Team and established sub-committees. The decision to delegate a function is made by the Trust Board. Without such delegation, the individual or Committee has no power to act.

The Scheme of Delegation (SoD) is the key document that defines lines of responsibility and accountability in a MAT to ensure that Members, Trustees, Trust Board Sub-Committees, Academy Committees (known locally as School Performance Review Boards – SPRBs), Executive Leadership and Academy Headteachers understand their role and responsibilities.

This overarching SoD for decision making in the Trust should not be confused with the written Scheme of Delegation of Financial powers referred to in the *Education and Skills Funding Agency* (ESFA) Academy Trust Handbook.

2. Governance structure and accountability

The Trust Board is responsible for the three core governance functions set out in the Department for Education's (DfE) Governance Handbook:

- Ensuring clarity of vision, ethos, and strategic direction.
- Holding executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff.
- Overseeing the financial performance of the organisation and making sure its money is well spent.

The Trust Board appoint the Chief Executive (CEO), to whom it delegates responsibility for delivery of the vision and strategy of the Trust. The CEO is held to account for the conduct and performance of the Trust, including the performance of the academies and any subsidiary company within the Trust, and for financial management.

The CEO manages the Trust Directors of School Improvement, the Director of People and Culture and the Chief Financial Officer, carrying out their performance management and setting their targets.

The Trust Board has established Board Committees with delegated powers for Finance and Resources, Educational Standards and Audit & Risk. At least three Trustees sit on each Board Committee, with each having clear, specific Terms of Reference.

Local Governance/Academy Committees are known as School Performance Review Boards (SPRBs) within Pontefract Academies Trust are also a sub-committee of the Trust Board. SPRBs also have clear Terms of Reference detailing the committees' composition, remit and meeting requirements.

SPRB Chairs are invited to meet with the Head of Governance and CEO following each round of SPRB meetings.

3. Roles and responsibilities

Members

The Pontefract Academies Trust Members appoint Trustees to ensure that the Trust's charitable objects are carried out. They are able to remove Trustees if they fail to fulfil this responsibility. Members are responsible for approving any amendments made to the Trust's Articles of Association.

There must be at least three Members, although the DfE prefers at least five. There must be a separation of powers between the Members and the Trust Board. Members are not permitted to be employees of the Academy Trust.

The DfE Governance Handbook states that each Trust determines how best to keep Members informed so they can be assured that the Board is exercising effective governance and leadership of their Trust.

The Trust reports formally to Members through the Annual General Meeting (AGM) and via a written summary report and informal meeting between the Members and the Head of Governance following each Trust Board meeting.

Trustees

Pontefract Academies Trust, as a Multi-Academy Trust (MAT) is a charitable company and so Trustees are both charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and Company Directors. Trustees are bound by both charity and company law. The terms 'Trustee' and 'Director' are often used interchangeably. Pontefract Academies Trust uses the term 'Trustee' as it avoids the possible confusion caused when Executive Leaders are classified as Directors.

The Trustees are responsible for the general control and management of the administration of the Trust and, in accordance with the provisions set out in the Memorandum and Articles of Association, its Funding Agreement and the Academies Trust Handbook, they are legally responsible and accountable for all statutory functions, for the performance of all schools within the Trust, and for the approval of a written Scheme of Delegation of financial powers that maintains robust internal control arrangements. The Trust Board is legally responsible and accountable to the Department for Education (DfE).

The Board of Trustees has the right to review and adapt its governance structure at any time which includes removing any delegation.

Trust Board Committees

The Trustees establish sub-committees to carry out some of their governance functions which may include making decisions, although any decisions made by established sub-committees in respects of functions and authorities delegated to them will be deemed decisions of the Trust Board. The membership (there must be at least three Trustees) and responsibilities of Board Committees are set out in each Committee's Terms of Reference. It is usual for the Trust Board to appoint Board Committee Chairs and Committee members according to their skills and experience.

The Trust Board Committees are:

Audit & Risk Committee (ARC)

The Academy Trust Handbook states that academy trusts are required to establish an Audit and Risk committee. Trusts with an annual income over £50 million must have a dedicated Audit & Risk Committee.

Finance & Resources Committee (FRC)

The Finance and Resources Committee is responsible for financial oversight and scrutiny, ensuring that the Trust complies with its policies and procedures with a focus on financial planning, risks, reporting, and monitoring.

Education and Standards Committee (ESC)

The Educational Standards Committee is responsible for academic standards, school improvement and teaching and learning. The committee will monitor, challenge, support and, where appropriate, advise on all aspects of school improvement and outcomes.

School Performance Review Board (SPRB)

In the context of a MAT, the performance of every individual school is ultimately the responsibility of the Board of Trustees. The Board discharges this responsibility, primarily, through the function of the Executive Leadership Team of the Trust, who themselves are responsible (to the Board) for the performance of the school leadership.

This is reinforced by the work of School Performance Review Boards (SPRBs), which are formal sub-committees of the Board, and have a brief to review and challenge performance at the working level in each school, independently of Trust management.

Chief Executive Officer (CEO) and Directors

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's academies. The CEO leads the Trust's Executive Leadership Team and is accountable for its performance.

The CEO is the Accounting Officer with overall responsibility for the operation of the Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability.

The Chief Financial Officer, the Director of Operations, and the Directors of School Improvement report to the CEO.

Chief Financial Officer (CFO)

The CFO is the Trust's Finance Director with delegated responsibility for the Trust's detailed financial procedures.

Head of Governance (HOG)

The Head of Governance is the appointed Governance Professional to the Trust Board, the ARC, the ESC and the FRC, as well as overseeing the local governance arrangements through the SPRBs. The Head of Governance reports to the Trust Board, and to the CEO in an operational capacity as an employee of the Trust.

Headteacher

The headteacher is responsible for the day-to-day management of their school, reporting to their Executive Director. They report to the SPRB, as applicable, on matters that have been delegated by the Trust Board.

Chairs Action between Trustee Meetings

No individual trustee is empowered to make decisions on behalf of the Trust outside any specific authority set out in this scheme of delegation. However, as an exception, the Chair of Trustees can decide as a single trustee when a delay in doing so would be:

- seriously detrimental to the interests of the Trust of any of its Schools, and
- it would not be possible to postpone the decision to a meeting of trustees (which the Chair can convene with less than 7 days' notice if necessary, provided trustees will have sufficient time to receive and consider relevant documents relating to the decision).

The following types of decisions cannot be made by "Chair's Action":

- decisions in relation to admissions.
- approvals of financial spend above £10,000.
- decisions on executive pay.

4. Scheme of delegation framework

The Trust Board hold the power to delegate certain authorities to other layers of governance in the Trust. This Scheme of Delegation outlines how these delegations are made to ensure clear and transparent governance arrangements. It aligns with the Trust's Articles of Association, internal Terms of Reference, and relevant government guidance as issued by the DfE and ESFA.

This Scheme of Delegation is written according to the 'RACI' framework, based on the various operational areas of activities at Pontefract Academies Trust. It outlines who is:

- **Responsible** for delivering the area of activity/decision in line with agreed policies.
- **Accountable** for the area of activity/decision - this is usually the Trust Board as the legally accountable and liable body, there is only one person/group accountable for each item.
- **Consulted** on the area of activity/decision and entitled to give/receive feedback.
- **Informed** of the area of activity/decision through agreed communications channels. No feedback is required from this tier of governance.

Scheme of delegation format

The table which follows shows which tier(s) of governance are Responsible [R], Accountable [A], Consulted [C] or Informed [I] for each of the key areas of delivery. It outlines roles and responsibilities across key delivery areas between the Trust Board [TB] (including the Finance &

General Purposes Committee [**F&GPC**], Audit & Risk Committee [**ARC**] and the Education & Standards Committee [**ESC**]), Executive Leadership Team [**ELT**] and School Performance Review Board [**SPRB**].

The Trust has a detailed Financial Scheme of Delegation and Policy Framework that sits alongside this Scheme of Delegation.

Scheme of delegation policy escalation process

The Scheme of Delegation sets out key policies which must be approved by either the Trust Board or its sub-committees in line with the requirements of the Academy Trust Handbook and the recommendations of the DfE.

The Trust Board has elected to delegate those policies applicable to all Trust schools and all staff which fall outside of this list to the Trust's Executive Leadership Team. Those policies which are specific to a school and fall outside of this list are delegated to the Headteacher within school.

In the event of a significant change to any of the policies which fall outside of the scope specified within the SoD, the approver must consider whether those changes could constitute:

- A risk of failure to comply with any statutory obligation, or breach of a relevant law
- A risk to the reputation of the Trust
- A significant and/or untested departure from accepted industry standards

Where one or more of these criteria is satisfied, the ELT will refer a policy for consultation with the Committee whom historically approved that policy. This list of approvers is held centrally and should be referred to in the event of these circumstances arising.

Any committee consulted with shall reserve the right to require a referred policy to be presented for approval at a formal meeting of that committee should it see fit.

Scheme of Delegation

KEY: R = Responsible A = Accountable C = Consulted I = Informed * = If necessary via escalation process

	Members	Trustees	ARC	FRC	ESC	CEO	ELT	Headteachers	SPRB
GOVERNANCE FRAMEWORK									
To approve the scheme of delegation		R					C		
Approve any temporary delegated authority to individuals or committees		A					R		
Elect Chair and Vice Chair of Trustees		A							
To appoint and remove Members	R								
Approve Terms of Reference for sub-committees of the Trust Board including local governance (SPRBs)		R							
Appoint or remove Chair for sub-committees of the Board of Trustees		R							
Approve appointment or removal of Chair of SPRBs		R							
Approve membership and composition of sub-committees of the Board of Trustees		R							
Agree which sub-committee will approve each Trust policy		R							
Appoint external auditors	R	C							
Approve the annual schedule for internal audit		A	R				C		
Approve the Trust Strategic Plan		A				C	C		I
Approve Governance Policy and Code of Conduct		R				C			
Ensure an effective programme of stakeholder and community engagement is delivered		A					R		C
FINANCIAL MANAGEMENT INC TRUST GROWTH									
Set vision and targets for Trust growth		A				R	C		
Undertake due diligence review process on potential schools joining Trust		A	C	C	C	R	R		
Approve new schools joining Trust		R							
Develop and approve annual budget and three-year outturn		A		R			C		
Produce monthly management accounts in line with Academy Trust Handbook requirements		A					R		
Manage cash position inc. reporting on cashflow & internal 'loans'		A					R		
Manage procurement exercises in line with compliance requirements		A					R		
Approve the Trust's Reserves Policy		R		C			C		



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	Members	Trustees	ARC	FRC	ESC	CEO	ELT	Headteachers	SPRB
Approve the Trust’s Investment Strategy		R		C			C		
PREMISES/ESTATES									
Develop the Trust estates strategy		A					R		
Procure new buildings in line with procedures and regulations		A					R		
Maintain buildings, inc. properly funded maintenance programme		A					R		
Set Health and Safety Policy		A					R	R	
Respond to Health and Safety incidents in schools		A						R	
Appoint person in charge of first aid in schools		A						R	
Review risk assessments		A					R	R	
RISK MANAGEMENT									
Approve the Trust Risk Management Framework		A	R				C		
Approve the strategic risk appetite level		A	R				C		
Approve the Data and Cyber Security Breach Prevention and Management Plan		A	R				C		
Monitor and review the management of strategic risk		A	R				C		
Provide independent challenge and support in relation to the management of local risk		A	C				C		R
EDUCATION FRAMEWORK									
Approval of Curriculum Policy and plan		A					R	C	I
Approval of school targets		A			R		C		I
Monitoring of school targets		A			C			R	I
Approval and monitoring of individual student targets		A			C			R	I
Approval of school improvement and quality improvement framework					R			C	I
Exclude a pupil for more than 15 days or permanently								R	C
Provide independent challenge and support in relation to the execution of the School Improvement Plan		A			I	C	C		R



Scheme of Delegation

KEY: R = Responsible A = Accountable C = Consulted I = Informed * = If necessary via escalation process

	Members	Trustees	ARC	FRC	ESC	CEO	ELT	Headteachers	SPRB
APPOINTMENTS/DISMISSALS AND DESIGNATIONS									
Appoint/dismiss/suspend the Chief Executive Officer (CEO)	C	R							
Appoint/dismiss/suspend a member of the Executive Leadership Team		C				R			
Appoint/dismiss/suspend a Headteacher, Assistant Headteacher, or Deputy Headteacher						A	R		C
Appoint/dismiss/suspend school staff below Assistant Headteacher								R	
PERFORMANCE MONITORING AND HOLDING TO ACCOUNT									
Undertake performance management of the Chief Executive Officer		R							
Undertake performance management of the Executive Leadership Team		C				R			
Undertake Performance management of Headteachers							R		
To determine the pay progression / award for the Chief Executive Officer		R							
To determine the pay progression / award for the Executive Leadership Team		C				R			
To determine the pay progression for the Central Team						C	R		
To determine pay progression for Headteachers						C	R		
To determine pay progression for school-based employees							C	R	
Provide independent challenge and support in relation to school leadership		A			I	C	C		R
POLICY MANAGEMENT (FOR POLICIES NOT SPECIFIED ELSEWHERE)									
Approving the Articles of Association and any amendments thereof	R	A				C	C		
Approving the Scheme of Delegation		R	I	I	I	C	C	I	I
Approving the Financial Regulations and Scheme of Financial Delegation		R		I		C	C	I	
Approving the Safeguarding and Child Protection Policy		A			R		C		
Approving the Early Careers Teaching Policy		A			R		C		
Approving the children with health needs who cannot attend school Policy		A			R		C		
Approving the Protection of Biometric Information Policy		A	R				C		
Approving any policy not specified elsewhere within this scheme of delegation		A	C*	C*	C*		R		

