



WHITE ROSE
ACADEMIES

Scheme of Delegation



Leeds City Academy



Leeds East Academy

Leeds West Academy



ALDER TREE PRIMARY
BELIEVE - BELONG - BECOME

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WHITE ROSE ACADEMIES TRUST SCHEME OF DELEGATION

1. Introduction

White Rose Academies Trust is a **company** limited by guarantee and is also (under the terms of the Academies Act 2010) an 'exempt **charity**', i.e., it has charitable status but is exempt from registering with the Charity Commission due to it being accountable to the Department for Education (DfE).

Effective governance is key to our success. Having accountable, empowered, assured governance is a strategic objective, in keeping with the Trust's values and is hard-wired into our constitution and in our ways of working.

2. Values and Culture

We believe that our academies are at the heart of the communities they serve. This is why we are committed to delivering an outstanding education to each and every one of our students.

Our schools provide an exceptional education and life training; harnessing the skills and fortifying the aspirations of young people, who we know will transform the Leeds City region and provide a positive, progressive contribution to society.

We are aspirational and unwavering in our vision, ensuring that every student who attends our academies:

- is safe and happy at school
- makes outstanding progress in every subject
- develops the communication skills and personal confidence to fully prepare them to be successful leaders of the future.

The White Rose Academies Trust employ outstanding professionals, whose daily commitment is matched only by the pride our students feel for their school and education.

Everyone associated with our Trust believes that the future of our society is exciting, vibrant and safe in the hands of our students. Their individual character, limitless ambition and determination will place Leeds at the centre of the Northern Powerhouse of the future.

3. Governance

The Department for Education (DfE) asserts that effective governance is based on six key features: Strategic Leadership, Accountability, People (having the right skills, experience and qualities), Structures (clearly defined roles and responsibilities), Compliance (with statutory and contractual requirements) and Evaluation.

Governance Structure

In addition to having the two statutory layers of governance - Members and Trustees – we choose to have a third, i.e., Local Accountability Boards (LABs).

Members

Members are akin to shareholders and are the subscribers to the Trust's Memorandum of Association. Members are responsible for holding the Trust Board to account and are effectively the guardians of the Trust's governance.

Directors

Members of the Trust Board are Directors of the company *and* Trustees of the charity. They are **legally responsible** for the Trust and are accountable to the Secretary of State for the effectiveness of their Academies.

Charity trustees must comply with the following duties under charity law to fulfil their fiduciary duties effectively:

- Ensure the charity is carrying out its purposes for the public benefit
- Comply with the charity's governing document and the law
- Act in the charity's best interests
- Manage the charity's resources responsibly
- Act with reasonable care and skill
- Ensure the charity is accountable

Directors must comply with the Trust's Articles of Association and duties under the Companies Act 2006 to:

- Act within your powers
- Promote the success of the company
- Exercise independent judgment
- Exercise reasonable care, skill and diligence
- Avoid conflicts of interest
- Not to accept benefits from third parties
- Declare any interest in proposed transactions or arrangements

The Academy Trust Handbook (ATH) sets out duties in relation to governance and financial oversight and is the framework for implementing effective financial management and control.

The core strategic governance functions of a Trustee are:

- ensuring the Trust's clarity of **vision, ethos and strategic direction**
- holding the Trust's **leadership to account** and
- overseeing the Trust's **financial performance**

4. Board Committees

Audit, Risk and Finance

The purpose of the Committee is to assist the decision-making of the Trust by providing a process for independent checking of financial controls, systems, transactions and risks. In line with requirements set out in the Academy Trust

Handbook published by the Education Funding Agency (ESFA), the Audit, Risk & Finance Committee must:

- oversee and approve the trust's programme of internal scrutiny
- ensure that risks are being addressed appropriately through internal scrutiny
- report to the board on the adequacy of the trust's internal control framework, including financial and non-financial controls and management of risks.

As part of a multi-academy trust (MAT), the Committee's oversight must extend to the financial controls and risks at constituent academies.

Oversight must ensure that information submitted to DfE and ESFA that affects funding, including pupil number returns and funding claims completed by the Trust and its constituent academies, is accurate and in compliance with funding criteria.

The outcome of this work should inform the Governance Statement that accompanies the Trust's Annual Accounts and, so far as is possible, provide assurance to the external auditors.

Local Accountability Boards (LABs)

Our academies enjoy autonomy and LABs are delegated responsibility by the Trust Board. Consistent with the Trust Board's role Trust-wide, they are responsible for the following three core areas in respect of the Academy/ies which they oversee:

- ensuring clarity of **vision, ethos and strategic direction** at Academy level and with reference to the Trust
- holding the **leadership to account** for the educational performance of the Academy and its pupils
- overseeing the **financial performance** of the Academy, making sure that money is well spent.

Governors set the aims and objectives for the academy and set the local policies and targets for achieving those aims and objectives. They monitor and evaluate the progress the academy is making and act as a source of challenge and support to the Principal.

Governors must be prepared to adopt the Nolan principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

5. Scheme of Delegation

The Scheme of Delegation (SoD) sits at the heart of the Trust's governance. They define lines of responsibility and accountability, ensuring Trust-wide awareness of roles and responsibilities in respect of core activities.

The Trust Board is legally responsible for the Trust. However, effective delegation arrangements enables the Trust Board to focus on its strategic role.

There are some responsibilities which cannot be delegated by the Board, these include:

Determining the Trust's vision, objectives and values

Preparing and monitoring financial plans to make sure the Trust remains a going concern and is financially sustainable

Keeping Members informed about trust business, including providing members with the Trust's audited annual report and accounts

- Risk management and the risk register
- Approving incoming schools and material acquisitions or disposals of land and buildings
- Ensuring that effective safeguarding policies and procedures are in place
- Approving Trust budgets and adherence to agreed financial delegations
- Approving the Annual Accounts
- Approving significant changes in accounting policies or practices
- Approving changes to the governance structure and the appointment of the Chair of the Trust
- Keeping the Trust's register of interests up to date
- Appointment of the Chief Executive Officer
- Approving the Scheme(s) of Delegation and financial delegations.

In addition to delegating significant responsibility to the Chief Executive Officer (CEO) and other Executive Management, the Board delegates specific functions and decisions to other bodies within the Governance Structure (Board Committees and Management), in order that the Board can focus on key areas.

Although the Board can delegate functions to the LAB and other Committees, it cannot delegate accountability which must ultimately remain with the Board.

The DfE requires Trusts to adopt a SoD, which should be reviewed annually by the Trust Board and published on the website. The DfE's Governance Handbook (2020) outlines what is required of an effective SoD (Section 83): www.gov.uk/government/publications/governance-handbook.

Boards are also required by the DfE to separately approve delegated arrangements in respect of financial powers. These are outlined in the Trust's Financial Regulations, which are reviewed annually after the DfE updates its Academy Trust Handbook.

The Scheme of Delegation should be read in conjunction with the Terms of Reference for the relevant body. While the Scheme are designed to be comprehensive, they will not cover every task.

Any dispute regarding the content of the scheme will be referred to the Trust Board.

6. Delegated functions

Delegated functions are summarised below:

1. Strategy & Leadership Parents
2. Community & Stakeholder relationship
3. Education
4. Safeguarding
5. Governance
6. Audit, Finance & Risk
7. Estates & Asset Management
8. People & Performance

Within each section, the RACI acronym is used to denote the level of delegation to various individuals/bodies:

Responsible - The person who performs the work.

Accountable - The person ultimately accountable for the work or decision being made.

Consulted - Anyone who must be consulted with prior to a decision being made and/or the task being completed.

Informed - Anyone who must be informed when a decision is made or work is completed.

Appendix A

SCHEME OF DELEGATION

Key re delegation:

Responsible – R

Accountable – A

Consulted – C

Informed – I

Key re terms used:

P'pal - Principal

ESFA – Education & Skills Funding Agency

LAB – Local Accountability Board

SEND – Special Educational Needs & Disabilities

Trustee / Director – both refer to members of the Trust Board

1.	Strategy & Leadership					
Ref	Delegation	Trust Board	ARF Ctee	LABs	CEO/ Exec Team	P'pal
1.1	Setting (and reviewing) the Trust's vision and strategic plans, agreeing key priorities against which progress can be monitored	R		C	C	C
1.2	Trust-wide budgetary plans required to achieve strategic priorities, these being consistent with the Academies Financial Handbook, the Trust's ethos, policies and development plans	A	C		R	

1.3	Setting (and reviewing) each academy's vision and strategic plans (aligning with those of the Trust), agreeing key priorities against which progress can be measured	I		R	C	C
1.4	Academies' budgetary/financial plans required to achieve strategic priorities, within a framework set by the Trust	A	C	C	C	R
1.5	Academies' expenditure outside the agreed budget plan is not committed unless approved by the Trust	A (if required)	C (if required)	I	C	R
1.6	Statutory Trust-wide policies.	A	C (where relevant)	I	R	
1.7	Trust or Academy strategic decisions, eg, change of Trust HQ, academy expansion/reduction etc.					
	<ul style="list-style-type: none"> Trust 	R	C (where relevant)		C	
	<ul style="list-style-type: none"> Academies 	R	C (where relevant)	C	C	C

2.	Parents, Community & Stakeholder relationship
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Ref	Delegation	Trust Board	Relevant Committee i.e. ARF Cttee/Suspension	LABs	CEO/Exec Team	P'pal
2.1	Developing and amending the Academy's Admissions Policy and meeting statutory requirements Note- major changes (e.g. Age range, PAN, oversubscription criteria, specialisms, religious denomination) require Trust Board approval			A	C	R
2.2	Ruling on complaint (after applying process):					
	• Trust	A			R	
	• Academies			A		R
2.3	Maintaining effective engagement and communications with parents, the wider community and local partnerships			A	R/ C	R
2.4	Manage relations with Local Authority					
	• Trust	C			R	
	• Academies			C	R	R
2.5	Relations with the Regional Director (RD), ESFA & DfE	I (as appropriate)		I (as appropriate)	R	
2.6	Manage relations with media regarding reputational risks					
	• Trust	C			R	
	• Academies	C		C	C (as appropriate)	R

2.7	Determine branding and website designs:					
	• Trust	A			R	
	• Academies (including uniform policy)			A	C	R
3.	Education					
Ref	Delegation	Trust Board	ARF Cttee	LABs	CEO/ Exec Team	P'pal
3.1	Educational performance of Academies	I		I	I	R
3.2	Educational performance of the Trust	I			R	
3.3	Approval of Academy Development Plans and SEFs			R	C	C
3.4	Curriculum and models of assessment, with reference to statutory requirements	I (assurance reporting)		A	C	R
3.5	Analysis of quality, timely standards data	I		I	I & R	R
3.6	Behaviour and welfare policies	A		I	R	C
3.7	Management of exclusions and suspensions	A (Trust policy)	C	I	R (Trust policy)	R
3.8	Early Years Foundation Stage (EYFS) in line with statutory requirements (relevant settings)	I (assurance reporting)		A	C	R
3.9	Statutory policies and procedures relating to education:					
	• Trust	A			R	C
	• Academies			A (as required)	C	R
3.10	Statutory requirements re careers guidance			A		R

3.11	Retaining all pupil attendance records and assessment data, as required statutorily			I		R
3.12	Determining and changing school hours and term dates	A		C	C	R
3.13	Determining governance representation during Ofsted inspection visits	C		C	C	R

4.	Safeguarding					
Ref	Delegation	Trust Board	ARF Ctee	LABs	CEO/ Exec Team	P'pal
4.1	Safeguarding of pupils and adults in academies	I		I	R	R
4.2	To develop and review Academy-specific Safeguarding Policies, reflecting statutory requirements and best practice (Child protection & safeguarding, Prevent, looked after children, safer recruitment, anti-bullying, positive handling)	A		I	R	C
4.3	Maintain accurate and secure safeguarding records			I		R
4.4	Designated Safeguarding Leads (DSLs) and deputies to be appointed at each academy, being provided with appropriate training and resources			I		R
4.5	Compliance with SEND Code of Practice (within the Children's & Families Act)			I	I	R
4.6	Appointment of Trustees with oversight of Safeguarding and SEND	R				
4.7	Appointment of Link Governors with oversight of Safeguarding and SEND			R		

4.8	All staff to receive Safeguarding training and be required to read KCSiE guidance (& Safeguarding Policy at schools):					
	• Trust	I			R	
	• Academies			I		R
4.9	Educational visits					
	• Risk assessments to be undertaken and LAB consulted (with LA approval re residential visits)			C		R

5.	Governance					
Ref	Delegation	Trust Board	ARF Cttee	LABs	CEO/ Exec Team	P'pal
	Key constitutional documents & structure					
5.1	Proposing amendments to Articles of Association	A			R	
5.2	Reviewing Scheme of Delegation	A			R	
5.3	Reviewing overall Governance Structure	A			R	
5.4	Approval of Board Standing Orders	R			C	
	Establishing and appointing Board committees	R			C	
	Approval of Committee Terms of Reference	R	C (relating to ARF)		C	
5.5	Approval of LAB Constitution & Standing Orders	R		C	C	
5.6	Establishing and appointing LAB committees			R		C
	Appointments					
5.7	Appointment of Directors	R & Members			C	
5.8	Appointment of Members	Members				
5.9	Appointment of Co-optees to Board Committees	R			C	

5.10	Appointment of Chair of Trust Board, Chairs of Committees & appointments to Committees	R			C	
5.11	Appointment of members of LABs	R		C	C	C
5.12	Appointment of Chairs & Vice-Chairs of LABs	R (Chair)		C (Chair) & R (Vice-Chair)	C	C
5.13	Appointment of Link Governors (including those for safeguarding, SEND and careers, where appropriate)			R		C
5.14	Conducting DBS and other checks				R	R
	Policies					
	Setting governance policies (data protection, Freedom of Information, code of conduct, complaints, whistleblowing)	A			R	
	Websites					
5.15	Statutory documents/information are published on the Trust's website	I			R	
5.16	Ensuring that statutory documents/information are published on each Academy's website			I		R
	Expansion					
5.17	Due diligence process re potential incomers	I			R	
5.18	Approval of incoming schools	R			C	
5.19	Approval of Free School applications	R			C	
	Other matters					
5.20	Maintaining the Register of Interests and information relating to related parties	I	I	I	R	
5.21	Ensuring compliance with Data Protection / GDPR policies and regulations and receiving reports re data breaches	I		I	R	R

Audit, Finance & Risk						
6.						
Ref	Delegation	Trust Board	ARF Ctee	LABs	CEO/ Exec Team	P'pal
	Financial controls, regularity, probity and VFM re use of public funds					
6.1	Conforming to requirements of Academy Trust Handbook and the Trust's Financial Regulations	R	R	R	R	R
6.2	Management of the Trust's financial position	A	C		R	
6.3	Day to day financial management, internal controls and reporting, including VFM (Academies & Trust)				R	R
6.4	Setting the delegated authority limits for financial transactions	R	C		C	I
	Finance policies					
	Developing finance policies (charging & remissions, competitive tendering, ant-fraud and anti-bribery, reserves)	A	C		R	I & C
	Financial Reporting					
6.5	Monitoring monthly Trust financial reports for reporting to the Board, including tracking against budget and forecasts	I	I		R	
	Managing the trust's cash position		I		R	
6.6	Monitoring Academy financial reports, including tracking against budget and forecasts, reported to LABs at least termly			I	C	R
6.7	Approval of Trust-wide financial policies	R	C		C	
	Statutory reporting					

6.8	Responsibility for all statutory requirements, including the annual audited accounts and governance statement	A	C		R	
6.9	Delivering Annual Report & Accounts with regard to accounts consolidation exercises required by DfE	A	C		R	
6.10	Submission of reports to ESFA & HMRC within statutory timescales				R	
	Approval of expenditure					
6.11	Approval of capital expenditure (differing levels)	R	C	C	R	R
6.12	Approval of purchases & contracts	R (over £100k) I (over £50k)	C	I	R	R
6.13	Approval of debt write-offs and conflicts of interest where required by the ESFA	R	C		C	
	Internal and external audit					
6.14	Establishing a controls framework, including re internal and external audit functions		R		C	
6.15	Appointment of external and internal auditors (former to be pre-agreed by the Members)	R	C		C	
6.16	Agree auditors' annual audit plans		R		C	
6.17	Review of auditors' reports – internal & external	A	R		C	
	Risk					
6.18	Agree Risk appetite / framework	R	C	I	C	
6.19	Review Risk Registers – strategic & operational	R	C	R		
	Other matters					
6.20	Approval of loans from Trust reserves	R	C			

6.21	Review use and impact of Pupil Premium spend, including Year 7 literacy & numeracy catch-up and PE/Sports Premium			A		R
6.22	Determining the level of the Management Fee allocated to Academies	R	C		C	
6.23	Ensuring compliance with ESFA requirements re novel transactions, use of school premises etc	I			R	R
6.24	Adherence to Trust's policy re charging and remissions					R

7.	Estates & Asset Management					
Ref	Delegation	Trust Board	ARF Ctee	LABs	CEO/ Exec Team	P'pal
7.1	Expansion of existing facilities / acquiring new premises: <ul style="list-style-type: none"> • Proposals / business case to be generated by Executive Team/P'pal • Re Academies, must consult with Executive • Re Academies, proposal to be supported by LAB • Board to approve 	A		C	R/C	R
7.2	Acquisition of buildings	A		C	R	
7.3	Premises management			C		R
7.4	Disposal of assets: Approval of disposals if sum exceeds amount allowed in Academies Financial Handbook	A	C		R	
	Health & Safety (H&S)					
7.5	Setting and approval of Health & Safety Policy	A			R	
7.6	Compliance with all aspects of H&S Policy and regulations	I		I	R	R

	Other matters re estates & assets					
7.7	Ensuring appropriate insurance cover is in place re buildings, public liability, business continuity and officers' liability		A		R	R
7.8	Responsibility for premises security				R	R
7.9	Approval of ICT service provision	A	C		R	

8.	People & Performance					
Ref	Delegation	Trust Board	ARF Cttee	LABs	CEO/ Exec Team	P'pal
8.1	Approval of Trust HR Policies (pay, disciplinary, grievance, capability, safer recruitment) and ensuring compliance with legal requirements (some delegated to ARF Committee)	R	C	I	I	I
	Recruitment					
8.2	Adherence to statutory requirements re recruitment process				R	R
8.3	Recruitment and appointments in academies (except Academy Leaders): <ul style="list-style-type: none"> Managing recruitment of employees (after notifying LAB) 			I	C	R
8.4	Recruitment and appointment of Academy Principals <ul style="list-style-type: none"> Agreeing Appointment Panel (to include LAB Chair, Vice-Chair or an appointed LAB deputy) 	R		R	C	
8.5	Recruitment and appointment of CEO	R		C	C	

8.6	Appointment of senior Executive leader as Accounting Officer	R	C		I	I
8.7	Recruitment and appointment of Clerk to the Board	R		I	C	I
8.8	Recruitment and appointment of Chief Finance Officer	R	C		C	I
8.9	Recruitment and appointment of other members of Executive Team	C			R	C
8.10	Recruitment and appointment of other Trust Central Team (non-exec) colleagues	I			R	I
	Staffing structures					
8.11	Approval of staffing structures & changes: <ul style="list-style-type: none"> Trust Academies 	R	R	R	R	R
	Performance management appraisal & remuneration					
8.12	CEO	R			C	I
8.13	Executive and other Trust Central colleagues	I			R	I
8.14	Academy Principals (involving LAB Chair or Vice-Chair)	A	C	R	C	I
8.16	Teaching staff			R	I	R
8.17	Non-teaching staff in Academies	A		C	I	R
	Grievance and disciplinary procedures					
8.18	Compliance with statutory requirements and Terms of Reference re staff disciplinary and capability procedures: <ul style="list-style-type: none"> Trust Academies (LAB input via Chair) 	R			R	C
		R		I		C
	Other people matters					
8.19	Ensuring compliance with Equalities legislation:					

	• Trust	A		I	R	
	• Academies	A		I		R
8.20	Settlements re leavers					
	• Trust	I			R	
	• Academies	I			R	C