



# Scheme of Delegation



## Scheme of Delegation for Lingfield Education Trust

### 1. RESPONSIBILITIES OF THE TRUST

- 1.1 The Lingfield Education Trust is a charitable company limited by guarantee. It has entered into a Master Funding Agreement dated 11 August 2014 and a Supplemental Funding Agreement in relation to Heathfield Primary School and Hurworth Primary School dated 11 August 2014 and Northwood Primary School dated 25 January 2016 (together the "Funding Agreements")
- 1.2 The Trustees are the charity trustees (within the terms of section 97(1) of the Charities Act 1993) and 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 of the Trust
- 1.3 The local governing body shall be a committee of the Trustees established pursuant to articles 100 to 104 of the Articles of Association of the Trust
- 1.4 The Trustees retain authority and responsibility for the following:-
- 1.4.1 compliance with the provisions of the Funding Agreements
  - 1.4.2 preparation and approval of these terms of reference under which the Academy is governed and subsequent amendments
  - 1.4.3 agreement of the Academies annual funding in consultation with the local governing body
  - 1.4.4 compliance with the Academies Financial Handbook including, but without limitation, determination of procurement policies for the Trust
  - 1.4.5 oversight with regard to the finances of the Trust and the Academy, including, but without limitation, responsibility for compliance with the financial and accounting requirements detailed within the Funding Agreement
  - 1.4.6 the determination of the corporate planning and strategy for the Academy and the Trust in consultation with the local governing body
  - 1.4.7 the determination, after consultation with the local governing body, of the extent of the services provided to the Academy by the Trust and how the costs should be allocated
  - 1.4.8 determining the cash flow policy for the Trust and the Academy and monitoring income and expenditure for the Trust and the Academy
  - 1.4.9 setting targets each financial year as further detailed in the Master Funding Agreement
  - 1.4.10 determining any additional financial and reporting targets for the Academy
  - 1.4.11 as the legal employer of all staff, responsibility for human resource policies and procedures and terms and conditions of service

- 1.4.12 appointing the External and Internal Auditor for the Academies
- 1.4.13 maintaining fixed asset register
- 1.4.14 compliance with all statutory regulations and Acts of Parliament governing the operation of the Academies
- 1.4.15 determination of the admissions policy and arrangements for the Academies in accordance with admissions law and DfE codes of practice
- 1.4.16 determination of the educational vision of the Academies in consultation with the local governing body, including, but without limitation, determination of the Academy's School Development Plan
- 1.4.17 responsibility for monitoring the performance of the Academies will sit with the Trust and will be delegated by the Trust
- 1.4.18 the Trustees will establish committees of the Board, namely; Finance, General Purposes and Personnel Committee; Curriculum, Standards and Pupil Welfare Committee, appoint the Chairs and any other committees as required
- 1.4.19 the Trustees will appoint the clerk to the Board and LGB
- 1.4.20 the Trustees will approve the appointment of an Interim Advisory Board if required

## 2. **RESPONSIBILITIES OF THE MEMBERS**

- 2.1 To appoint and remove Members and determine role descriptions for Members
- 2.2 To appoint and remove Trustees
- 2.3 Review and agree the Articles of Association
- 2.4 Agree the Annual Accounts

## 3. **DELEGATION – TO THE LOCAL GOVERNING BODY**

- 3.1 Subject to the limitations set out above, the Trustees delegate the running of the Academy to the local governing body and specifically the following duties:-
  - 3.1.1 implementation of actions required to comply with statutory regulations and the Funding Agreements
  - 3.1.2 implementation of the policies agreed by the Trustees with regard to admissions and to the educational vision of the Academy, including, but without limitation, the School Development Plan
  - 3.1.3 oversight of the Academy activities
  - 3.1.4 consideration of the Academy's required funding and support to the Trustees in connection with the agreement with the DfE of the Academy's budget

- 3.1.5 monitoring and reviewing expenditure on a regular basis and ensure compliance with the overall financial plan for the Academy
  - 3.1.6 maintenance of proper accounting records and the preparation of income and expenditure and balance sheets as required by the Finance, General Purposes and Personnel Committee of the Board of Directors.
  - 3.1.7 assisting the Trustees in complying with the provisions of the Funding Agreements where requested from time to time (to include, by way of example, information required for the purposes of clause 45 of the Master Funding Agreement)
  - 3.1.8 maintenance of the Academy estate in accordance with the guidelines established by the Trust
  - 3.1.9 implementation of Trust's procurement policies insofar as they impact on the Academy
  - 3.1.10 managing the Academy's cash flow and monitor expenditure by the Academy in accordance with policies determined by the Trustees
  - 3.1.11 notifying the Trust of any changes to fixed assets used by the Academy
  - 3.1.12 the appointment, job description, appraisal and dismissal of all members of staff of the Academy in consultation with the Executive Headteacher or Headteacher, but excluding members of the senior management team, staff on the leadership pay scale, the Head of School, Headteacher and Executive Headteacher, and the remuneration of every member of staff and their terms of service shall be within the parameters from time to time established by the Trustees
- 3.2 The local governing body, to which delegated responsibilities have been assigned must report to the full Board of Directors in respect of any action taken or decisions made
- 3.3 Only governors who are members of the local governing body may vote during local governing body meetings. Where necessary, the elected Chair of the local governing body may have a second or casting vote.

#### 4. **DELEGATION OF RESPONSIBILITIES TO THE HEAD OF SCHOOL**

Subject to responsibilities of the local governing body and the policy statements of the Trust, the Head of School shall be responsible to the local governing body for:-

- 4.1 implementing the agreed policies and procedures laid down by the local governing body this includes the implementation of all statutory regulations
- 4.2 advising the local governing body on strategic direction, forward planning and quality assurance
- 4.3 the leadership and management of the Academy;
- 4.4 the admission of pupils;
- 4.5 managing the delegated budget and resources agreed by the Directors of the Board

- 4.6 the appointment of all other staff and (except to the extent directed otherwise by the Trustees and/or the local governing body), the salary grading, allocation of duties, appraisal and discipline of staff below Leadership posts Senior Leadership Team level
- 4.7 the maintenance of good order and discipline by the pupils including their suspension and/or exclusion within the framework laid down by the local governing body; and
- 4.8 all such additional functions as may be assigned under the job description or contract of employment.
- 4.9 the Head of School will report to the Executive Headteacher on all matters regarding the above

## 5. **DELEGATION OF RESPONSIBILITIES TO THE HEAD TEACHER**

The Board of Directors acknowledge that the following responsibilities have been delegated to the Head Teacher:

- 5.1 implementing the agreed policies and procedures laid down by the local governing body this includes the implementation of all statutory regulations, provisions within the Education Acts, and compliance with the Master Funding Agreements
- 5.2 advising the local governing body on strategic direction, forward planning and quality assurance
- 5.3 the leadership and management of the Academy;
- 5.4 the admission of pupils;
- 5.5 managing the delegated budget and resources agreed by the Directors of the Board
- 5.6 the appointment of all other staff and (except to the extent directed otherwise by the Trustees and/or the local governing body), the salary grading, allocation of duties, appraisal and discipline of staff below Leadership posts Senior Leadership Team level
- 5.7 the maintenance of good order and discipline by the pupils including their suspension and/or exclusion within the framework laid down by the local governing body; and
- 5.8 all such additional functions as may be assigned under the job description or contract of employment.

## 6. **DELEGATION OF RESPONSIBILITIES TO THE EXECUTIVE HEADTEACHER**

The Board of Directors acknowledge that the following responsibilities have been delegated to the Executive Headteacher:

- 6.1 implementing the agreed policies and procedures laid down by the Trust including the implementation of all statutory regulations, provisions within the Education Acts, and compliance with the Master Funding Agreements
- 6.2 advising the Trust on strategic direction, forward planning and quality assurance
- 6.3 the leadership and management of the Academy Trust, line management of Heads of School including advising directors on setting appraisal targets and performance against appraisal targets

- 6.4 as Accounting Officer for the Trust, overall accountability and management of the Trust budget, and oversight of individual Academy budgets
- 6.5 advising the Trust on the appointment of all Leadership posts including the Head of each Academy. Leadership posts are those designated on the Leadership pay scale, or a post who will form part of the Academy's senior management team
- 6.6 delegation of responsibility up to and including dismissal for all staff employed in the Academies for which they are responsible, other than Heads of School which will remain the responsibility of the Directors
- 6.7 Act as statutory Headteacher with regard to those functions that cannot be delegated to Heads of School
- 6.8 and all such additional functions as may be assumed under the job description or contract of employment

## **7. DELEGATION OF RESPONSIBILITIES TO THE DIRECTOR OF OPERATIONS**

The Board of Directors acknowledge that the following responsibilities have been delegated to the Director of Operations:

- 7.1 to submit the annual report and accounts including accounting policies, signed statement on regularity, propriety, incorporating governance statement demonstrating value for money
- 7.2 and all such additional functions as may be assumed under the job description or contract of employment

## **8. DELEGATION OF RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER**

The Board of Directors acknowledge that the following responsibilities have been delegated to the Chief Executive Officer:

- 8.1 implementing the agreed policies and procedures laid down by the Trust including the implementation of all statutory regulations, provisions within the Education Acts, and compliance with the Master Funding Agreements
- 8.2 advising the Trust on strategic direction, forward planning and quality assurance
- 8.3 the leadership and management of the Academy Trust, line management of Heads Teachers, Executive Head Teacher and Director of Operations including advising directors on setting appraisal targets and performance against appraisal targets
- 8.4 as Accounting Officer for the Trust, overall accountability and management of the Trust budget, and oversight of individual Academy budgets
- 8.5 advising the Trust on the appointment of the following Leadership posts; Head of School, Head Teacher, Executive Headteacher and Director of Operations.
- 8.6 delegation of responsibility up to and including dismissal for all staff employed in the Academies for which they are responsible, other than Heads of School which will remain the responsibility of the Directors

- 8.7 Act as statutory Headteacher with regard to those functions that cannot be delegated to Heads of School
- 8.8 and all such additional functions as may be assumed under the job description or contract of employment

9. **REVIEW OF THIS POLICY**

This policy will be reviewed annually in the autumn term.

APPROVED