



# Ethos Academy Trust

**Vision:** Thrive and Succeed

**Mission:** Nurturing an inclusive learning community

**Core Values:** Inspire Believe Achieve

## Scheme of Delegation 2018/19 v1.6

Reviewed By	Approved By	Date of Approval	Version Approved	Next Review Date

**Effective date: 1<sup>st</sup> September 2018**

## **1. Introduction**

- 1.1. This Scheme of Delegation applies to all academies within Ethos Academy Trust (The Trust).
- 1.2. The Trustees are accountable to external government agencies including the Charity Commission and the Department for Education (including any successor bodies) for the quality of education provided by the Company and are required to have systems in place to assure themselves of quality, safety and good practice. Under the Articles of Association, the Trustees control the company's management and administration. The Trustees have responsibility for directing its affairs, and for ensuring that it is solvent, well-run, and delivers the Trust's charitable objects for the benefit of the public.
- 1.3. In order to discharge these responsibilities, the Trustees operate as a Board to ensure the good governance of the Trust and each academy.
- 1.4. This Scheme of Delegation explains the ways in which the Trustees fulfill their responsibilities for the leadership and management of each academy and sets out the respective roles and responsibilities of the Trustees, the CEO and Headteachers/Heads of School in both 'supported' and 'unsupported' schools (see 1.8 below) and the commitment to each other to ensure the success of each academy and the Trust.
- 1.5. Initially there will be no Local Governing Bodies and this will be reviewed at least annually by the Board of Trustees.
- 1.6. The levels of delegation are as follows:
  - Board of Trustees (including any of its sub committees)
  - Chief Executive Officer (CEO)
  - Chief Finance Officer (CFO)
  - Headteacher/Head of School of an unsupported academy
  - Headteacher/Head of School of a supported academy
- 1.7. Certain decisions and actions in respect of the Company and the academies are reserved to the Trustees. In general terms responsibility for the management and operations for each academy will be delegated to the CEO, CFO and Headteachers.
- 1.8. For the avoidance of doubt 'unsupported academies' are generally those schools within the Trust who are Good and/or Outstanding by the Trust's own assessment. 'Supported academies' are those within the Trust which are Requires Improvement or Inadequate by the Trust's own assessment. It should be noted that for all schools, the Board of Trustees will, at least annually risk assess each school and determine its category as supported or unsupported. This decision will be made based on all of the evidence available to the board of Trustees throughout with reference to educational standards and performance, the quality and strength of leadership and management and the financial performance of the individual academy. The Board of Trustees will decide on the supported status of all academies and will communicate this to academies.
- 1.9. This Scheme of Delegation has been put in place by the Trustees from the effective date in accordance with the provisions of the Trust's Articles of Association (the "Articles") and it should be read in conjunction with those Articles. References in

this Scheme to numbered Articles are to the relevant clause of the Articles.

- 1.10. The majority of delegations in the document are in relation to the financial affairs of the Trust and this document should be used in conjunction with the Financial Regulations of the Trust, Financial Procedures and the Academies Financial Handbook.

Other delegations include:

- Strategy and Leadership
- HR/Staffing
- Education
- Asset Management
- Estates

## 2. Ethos Vision, Mission and Core Values

**Vision:** Thrive and Succeed

**Mission:** Nurturing an inclusive learning community

**Core Values:** Inspire Believe Achieve

- 2.1. Academies within the Trust will work with each other in a co-operative and supportive manner; sharing expertise and specialisms. Academies within the Trust will engage with other local schools and partners in order to ensure the best possible provision for children and families within a community.

## 3. Conflicts

- 3.1. In the event of any conflict between any provision of this Scheme of Delegation and the Articles, the Articles shall prevail.

## 4. Annual review

- 4.1. The Scheme of Delegation applies to each academy from the Effective Date.
- 4.2. The Trustees will have absolute discretion to amend this Scheme of Delegation which shall be reviewed at least annually,

### Key:

HOS = Head of School/Headteacher CFO = Chief Financial Officer

CEO = Chief Executive Officer BoT = Board of Trustees

AFH = Academies Financial Handbook

		All Schools			HOS		
	Area of responsibility	BoT	CEO	CFO	Un-supported	Supported	Comments
<b>1</b>	<b>Strategy and Leadership</b>						
1.1	Set strategic objectives of the Trust and academies – including vision and values and 3 yr development plan (inc KPIs)	X					
1.2	Deliver strategic objectives of the Trust and academies		X	X	X	X	All leaders have responsibility for delivery of the strategic objectives
1.3	Scrutiny – review, support and challenge progress of the Trust and its academies against its strategic objectives and measure performance against KPIs	X					
1.4	Conflict of Interest – oversight and management of conflicts at leadership level	X					Day to day conflict of interest will be managed via the CEO and policy
1.5	Compliance – Regulatory – with all regulations affecting the Trust (including all charity law, company law, employment law and health and safety).	X					
1.6	Compliance – Financial Oversight – ensuring that there are appropriate financial controls so that there is regularity, probity and value for money in relation to the management of public funds.	X	X	X			Financial oversight is the responsibility of the Trustees, the Trust's Accounting Officer (CEO) and supported by the Chief Financial Officer (CFO).
1.7	Appointment of Directors and Governors (if applicable) –ensuring processes are in place for appointment of directors (including ensuring that the Directors and Governors have the skills to run the Trust and the academies).	X					
1.8a	Appointment / Removal of the External Audit Service	MEMBERS					Members appoint the external auditors on an annual basis at the AGM following recommendation from the BoT. Internal audit to be appointed by the board of trustees
1.8b	Appointment of the Internal Auditors and Audit Committee	X					
1.9	Appointment of Clerk – Board and Committees	X					
1.10	Approve terms of reference for Board and Committees	X					CEO to prepare
1.11	Training programme for Directors and Members		X	X			In consultation with the Chair and following annual skills audit
1.12	Approval of the Scheme of Delegation (annually)	X					
1.13	Agreement of the Governance Structure	MEMBERS					

		All Schools			HOS		
	Area of responsibility	BoT	CEO	CFO	Un-supported	Supported	Comments
<b>2</b>	<b>Financial Governance</b>						
2.1	To establish the Trust's Financial Management Policy		X	X			The CEO and CFO will be responsible for the establishment of the Financial Management Policy;
2.2	To review and approve the Trust's Financial Management Policy	X					The Trustees are ultimately accountable to the ESFA
2.3	To establish the Trust's other Financial, Accounting and Procurement policies.		X	X			Prepared by finance team members
2.4	To review and approve the Trust's other Financial, Accounting and Procurement Policy.	X	X	X			Approved by Finance, Risk and Audit Committee (see master policy schedule)
2.5	To ensure the Trust's compliance with the requirements of the Master and Supplemental Funding Agreements.	X	X	X			
2.6	To ensure the Trust's compliance with the Academies Financial Handbook.	X	X	X			The Trustees and the Accounting Officer (CEO) are jointly accountable for ensuring compliance with the AFH. Assurance secured through the internal and external audit processes. The CFO should support this process
2.7	To ensure the Trust's compliance with HMRC regulation in respect of Income Tax, National Insurance and expenses/benefits.			X			
2.8	To ensure the Trust's compliance with The Teachers Pensions and Local Government Pension Scheme.	X		X			The Trustees will be accountable for compliance to the pensions authorities, responsibility for ensuring compliance will be delegated to the CFO.
2.9	To establish and maintain a Register of Business/Pecuniary Interest for Members, Trustees/Directors, Executive Colleagues and those individuals with significant control or influence.	X	X				Responsibility for the establishment of the Register of Business/Pecuniary Interest will be with the CEO however, the Trustee will still be accountable. Supported by the Clerk
2.10	To establish and maintain the Register of Gifts and Hospitality for the Trust and its constituent academies and subsidiaries.			X			Supported by the Clerk
2.11	Approve the annual statutory audit plan.	X					
2.12	Notification of the appointment/removal of statutory external auditors to the ESFA.	X					Members appoint the external auditors on an annual basis at the AGM
<b>3</b>	<b>Financial Planning</b>						

		All Schools			HOS		
	Area of responsibility	BoT	CEO	CFO	Un-supported	Supported	Comments
3.1	To prepare and present individual academy annual budgets		X	X	X		Headteachers in unsupported schools will be accountable for producing individual academy budgets; they will be supported by the CFO. For supported schools, the CEO will produce the academy budget supported by the CFO.
3.2	To prepare and present individual academy budget forecast for a 3-year period.		X	X	X		As above
3.3	To prepare and present the Trust's consolidated annual budget.			X			
3.4	To prepare and present the Trust's consolidated 3-year plan and cash-flow forecast			X			
3.5	Approve the Trust's consolidated annual budget, 3-year plan and cash-flow forecast	X					
3.6	Approve of the Trust's (AFH Compliant) Treasury & Investment policy.	X		X			The Trustees will be accountable for the Investment Policy but responsibility for its development and update will be with the CEO.
3.7	Review and approve insurance arrangements and levels of cover for the Trust and individual academies.	X	X	X			The CEO and CFO will be responsible for securing insurance proposal but the accountability to approve and action the proposal will be with the Trustees.
3.8	Approve the Trust's risk management strategy.	X					
3.9	Design and implement risk registers for adoption by the Trust and individual academies.		X	X	X		Trustees remaining accountable for risk management but the development and implementation of risk register will be the responsibility of the CEO/CFO and HOS.
3.10	Approve the Trust's annual risk assessment and action plan and review the risk registers	X					
<b>4</b>	<b>Financial Reporting</b>						
4.1	To prepare monthly management accounts for individual academies incorporating income and expenditure statement, revised annual budget forecast and variance analysis.			X			The CFO will prepare the monthly management accounts
4.2	To review monthly management accounts for individual academies incorporating income and expenditure statement, revised annual budget forecast and variance analysis	X	X		X	X	Academy Headteachers will initially review individual academy MMA's. The CEO and Trustees will be kept informed of the financial performance of each academy.
4.3	To prepare consolidated monthly management accounts for the Trust incorporating income and			X			The CFO will prepare the monthly management accounts

		All Schools			HOS		
	Area of responsibility	BoT	CEO	CFO	Un-supported	Supported	Comments
	expenditure statement, balance sheet, cash flow, revised annual budget forecast and variance analysis.						
4.4	To review consolidated monthly management accounts for the Trust incorporating income and expenditure statement, balance sheet, cash flow, revised annual budget forecast and variance analysis.						The CEO will initially review the consolidated MMA. Trustees will be kept informed of the financial performance of the Trust and provide constructive challenge.
4.5	Preparation of the BFR (Budget Forecast Returns) – 2 per year			X			
4.6	Approval of the BFR (Budget Forecast Returns) – 2 per year	X	X				Trustees will be accountable to the ESFA/DFE for the timely submission of the BFR. The CEO will be delegated the responsibility to approve the BFR returns.
4.7	To prepare (and submit following approval) the Trust's Annual Report and Accounts and Statement of Regularity, Propriety and Compliance.		X	X			
4.8	To approve the Trust's Annual Report and Accounts and Statement of Regularity, Propriety and Compliance.	X					The Trustees and the CEO (Accounting Officer) are jointly accountable for the delivery of the Trust's Annual Report and Accounts.
4.9	To prepare the Trust's EFSA Annual Accounts Return			X			
4.10	To approve and submit the Trust's EFSA Annual Accounts Return		X				
4.11	Implementation of statutory external and internal audit recommendations.	X	X	X	X	X	The Trustees are accountable for the implementation of the external audit recommendation but the responsibility for actioning these recommendations is delegated to the CEO, CFO and Headteachers.
4.12	To define, set, approve and periodically review the Trust's central support charge for corporate and school improvement provision.	X					The CFO will provide a paper for the Board of Trustees to consider in regard to the central support charge.
4.13	Approval of purchases within limits set by the Financial Management Policy/ Procurement Policy		X	X	X		
4.14	Approval of outcomes following formal tender as per limits specified in the Trust's Financial Regulations manual	X					Trustees will review the outcome for all formal tender processes subject to the Procurement Policy and Financial Management thresholds.
<b>5</b>	<b>Financial Control and Oversight</b>						

	Area of responsibility	All Schools			HOS		Comments
		BoT	CEO	CFO	Un-supported	Supported	
5.1	To define, set, approve and periodically review the Trust's procurement thresholds..	X	X	X			Trustees will remain accountable but responsibility for the preparation of the procurement threshold review will pass to the CEO and CFO.
5.2	To define, set, approve and periodically review the Trust's delegated structure of authority i.e. Authority Structures and Financial Levels	X					Trustees will be accountable for this area but may consult with the CEO and headteachers to provide a practical/suitable delegated structure.
5.3	Determine and approve the scope of the internal audit framework.	X					The Trustees are accountable for the scope of the internal audit. They may seek the advice of the CEO and CFO to determine key priorities.
5.4	Development and Implementation of a system of internal control and assurance i.e. CEO Review, Assurance, Control Accounts	X	X	X			Trustees are accountable for ensuring that the Trust has a robust system of internal control however, the responsibility for providing this is often with the CEO and senior colleagues.
5.5	Preparation and presentation of the Trust's annual VfM report.		X				The Trustees and the Accounting Officer are responsible for ensuring VfM.
5.6	Approval of write-offs and entering into liabilities subject to the delegated limit as specified in the Trust's Financial Regulations Manual.	X	X				Accountability will be differentiated by the levels of delegated authority within the Trust and those delegated to the Trust by the ESFA, as specified in the Financial Regulations Manual.
5.7	Approval of severance and compensation payments subject to delegated limits as specified in the Trust's Financial Regulations manual.	X					Trustees will be accountable for the authorisation of all severance and compensation payments to delegated limits.
5.8	Approval of all operating lease relating to land and/or buildings subject to delegated limits as specified in the Trust's Financial Regulations Manual.	X					
5.9	Approval of all leases (including tenancy leases) on land and building to third parties.	X					The granting of leases involving land or buildings will also require approval from the Secretary of State for Education.
5.10	Approval of all requests for ESFA approval in regard to ex-gratia, novel or contentious, freehold land and building transactions.	X					Trustees will be expected to review all decisions requiring explicit ESFA approval before a formal application/approach is made. Definitions of ex-gratia, novel or contentious transactions as defined by the AFH.
5.11	Report all instances of theft, loss and/or financial irregularity to the ESFA as specified in the Trust's Financial Regulations Manual.			X			The Trust's Accounting Officer is accountable and responsible for informing the ESFA of any relevant instance which breaches the reporting threshold.

	Area of responsibility	All Schools			HOS		Comments
		BoT	CEO	CFO	Un-supported	Supported	
<b>6</b>	<b>Estates</b>						
6.1	Responsible for the maintenance and upkeep of the academy properties		X	X	X	X	Trust wide asset management strategy required
6.2	Ensure building and grounds remain Health & Safety compliant, reporting any issues to the CEO		X	X	X	X	Trustee oversight provided by committee and link trustee role
6.3	Ensure any third-party usage on site has appropriate insurance and first aid cover		x	X	X	X	
6.4	Security of academy site		X	X	X	X	
<b>7</b>	<b>HR</b>						
7.1	Approval of all staff, pay and recruitment policies across the Trust and agree general terms and conditions for all staff (via a report to BoT)	X					Delegated to Pay Committee
7.2	Agree changes to template contracts of employment	X					Delegated to Pay Committee
7.3	Appointment of CEO	X					Led by Chair / Vice Chair
7.4	Appointment of Headteachers or equivalent to individual academies	X	X				
7.5	Appointment of Vice Principals or equivalent to individual academies		X		X		
7.6	Recommend appointment of Trust centre staff		X				
7.7	Approval of appointment of Trust centre staff	X					
7.8	Approval of staff structure of academy	X					
7.9	Appointment of staff into new roles within the academy (outside of agreed structure)		X				Board of Trustees if for Ethos College
7.10	Appointment of staff into a vacancy of an existing post (where delegation has previously been given to the Headteacher)			X	X		
7.11	Setting of Ethos salary scales and other elements of remuneration for all staff 1. overall salary scales 2. operational) linked to performance and appraisal)	X					Delegated to Pay Committee
7.12	Approval of pay rises and promotions within an individual academy for teaching/non-teaching staff	X					Delegated to Pay Committee

		All Schools			HOS		
	Area of responsibility	BoT	CEO	CFO	Un-supported	Supported	Comments
	(based on Headteacher recommendation, agreed by Pay Committee)						
7.13	Awarding pay rise of staff on Trust leadership contracts (agreed by Pay Committee and/or Board)	X					Delegated to Pay Committee
7.14	Dismissal of member of staff – no award of severance or compromise agreement		X				
7.15	Dismissal of member of staff on probation period		X		X		
7.16	Dismissal of member of staff on grounds of capability		X		X		
7.17	Dismissal of member of staff - award of any severance or compromise payment as a result of a proposed dismissal	X					
7.18	Review of Trust staffing levels/structure annually	X	X	X			
7.19	Conduct appraisals of Headteachers	X					In conjunction with Trustees / external adviser where applicable to manage any conflict of interest
7.20	Conduct appraisal of CEO	X					Led by Chair with external Adviser
7.21	Conduct appraisals of Vice Principals or equivalent		X		X		CEO to lead in supported schools
7.22	Conduct appraisals of all other staff		X				CEO to retain responsibility for appraisal of Trust central staff
7.23	Authorisation of expenses for Headteachers or equivalent		X				Board to approve CEOs
7.24	Consultation with Trade Unions re; policy change		X				
7.25	Authorisation of expenses for all other staff than Headteachers or equivalent		X		X		
7.26	Authorisation of monthly pay schedules for individual schools		X	X	X		
7.27	Authorisation of leave of absence (excl P/VP's)		X		X		
7.31	Approve changes to standing data held by the payroll provider		X		X		
7.32	Establish Trust wide HR policies in accordance with all appropriate regulations	X					
<b>8</b>	<b>Education</b>						

		All Schools			HOS		
	Area of responsibility	BoT	CEO	CFO	Un-supported	Supported	Comments
8.1	Ensure the Trust's academies achieve at least good outcomes and progress for all children and young people	X	X		X	X	Support from the central team will be put in place for supported schools
8.2	Ensure the Trust and academies have all relevant statutory education policies in place		X				
8.3	Ensure the academy has an appropriate and effective curriculum		X		X	X	
8.4	Ensure the academy has good or better teaching		X		X	X	
8.5	Ensure the academy has appropriate and effective staffing		X		X	X	
8.6	Make sure all children and young people are safeguarded across the Trust and academy	X	X		X	X	
8.7	Provide as required accurate reports on performance and progress in all Trust academies		X		X	X	Supported academy reports will be led by CEO
8.8	Provide an appropriate and effective self - evaluation of the Trust's academies to the BoT		X		X		Evaluation of supported academies undertaken by CEO
8.9	Provide an effective development/school improvement plan for the Trust's academies		X		X		Improvement Plan for supported academies led by CEO
8.10	Approval of the Trust Improvement plan	X					
8.11	Effectively manage School Improvement consultants/staff to bring about improvements in the Trust's academies		X				
8.12	Effectively manage resources and capacity from across the Trust to bring about sustained improvement in academies		X	X	X	X	
8.13	Ensure the academy is appropriately prepared for Ofsted inspection		X		X	X	
8.14	Pupil Premium – review and challenge the value for money/return on investment of the Pupil Premium in terms of educational outcomes and narrowing the achievement gap.	X	X		X		
8.15	Set and agree admissions policy	X					
8.16	Admission discussions and recommendations for change to policy		X		X		

	Area of responsibility	All Schools			HOS		Comments
		BoT	CEO	CFO	Un-supported	Supported	
8.17	Student issues (including attendance, exclusions, punctuality and disciplinary matters for each academy)				X	X	
8.18	Setting the opening and closing times for the academies, length of school day and term dates		X		X		With Board approval if changing
8.19	Ensure school lunches are of appropriate nutritional standards				X	X	
8.20	Provide free school meals to those meeting the criteria				X	X	
<b>9</b>	<b>Media, Marketing and PR</b>						
9.1	Oversees public relations activities to project the activities of the Trust and the academies to the wider community.	X		X			Chair of Trustees would act on behalf of the Board
9.2	Academy prospectus			X			
9.3	Trust prospectus and website – ensuring it is compliant with ESFA requirements			X			
9.4	Development and monitoring of Trust Communications strategy and plans			X			
9.5	Development of online digital tools			X			
9.6	Production of Ethos branding guidelines (inc updates)			X			

## 5. The role of Members

Ethos Academy Trust Members have limited but very important powers within their remit. The main powers and rights include:

- Appointment of other members
- Change of name of the Trust
- Approve the appointment of the CEO as a Trustee
- Amendment of the Articles of Association
- Appoint and remove one or more Trustees / Alterations to the governance structure
- Approve the appointment of external auditors

- Receive the annual report and accounts from the Board in accordance with the articles
- Give directions by special resolution to the Board

- Approve any service contracts with Trustees (save for employment contracts) in
- Wind up the Trust

**Adopted by Ethos Academy Trust Board on**

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**Chair of Ethos Academy Trust Board (signed)**

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**Ethos Academy Trust Board Director**

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**Next Review Date**

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