



Pendle

Education Trust

Policy/Procedure/Guideline Review

Policy/Procedure/Guideline:	Scheme of Delegation
Senior Manager Responsible:	Clerk
Trust Approval:	September 2024
Review date:	Annually



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Section One

Our Vision

Every child should only be a short walk away from a world class school.

Our Values

- Innovation
- Ambition for all
- Diversity & individuality
- Collaboration

Our values are supported by a staff charter developed by the staff for the staff, this drives our culture.

Our Strategic Plan (2020-2025)

Our Aims

1. To ensure high quality education provision in all schools in Pendle Education Trust (also known as the Trust), resulting in children leaving Pendle Education Trust with the qualifications, experiences and skills to lead happy and successful lives.

Outcome

Children leave Pendle Education Trust with the qualifications, experiences and skills to lead happy and successful lives

2. To strengthen the Trust leadership model so that all schools and the Trust are led by the best leaders who are always willing to share and able to motivate, develop and reward our people.

Outcome

Leaders at all levels are exceptional – always willing to share and able to motivate, develop and reward our people

3. To establish and embed an operating model that recognises risk, seeks realistic growth and invests in our children's education.

Outcome

An operating model that is well-established; it recognises risk, seeks realistic growth and invests in our children's education



Scheme of Delegation

The Trust shall have regard to any guidance as to governance of academies that the Secretary of State may publish to the extent permitted by the governing documents. Pendle Education Trust's Multi Academy Trust Board of Trustees is accountable in law for all decisions about its academies. However, this does not mean that the Board makes all the decisions itself and as such, may choose to delegate to the CEO, Board Committees and Academy Councils (AC). The decision to delegate a function is made by the full Board of Trustees and is recorded as such. Without formal delegation, the individual or committee has no power to act.

The Scheme of Delegation ('SoD') is prepared to reflect the Trust's ethos, promoting a positive climate and a culture of honesty, transparency, and accountability for the benefit of all stakeholders.

The Board of Trustees have agreed a SoD to delegate some functions of governance. This SoD is the key document defining the lines of responsibility and accountability agreed by the Board of Trustees.

Purpose

The SoD aims to clarify decision making and lines of accountability in a simple, succinct and clear format and as such includes:

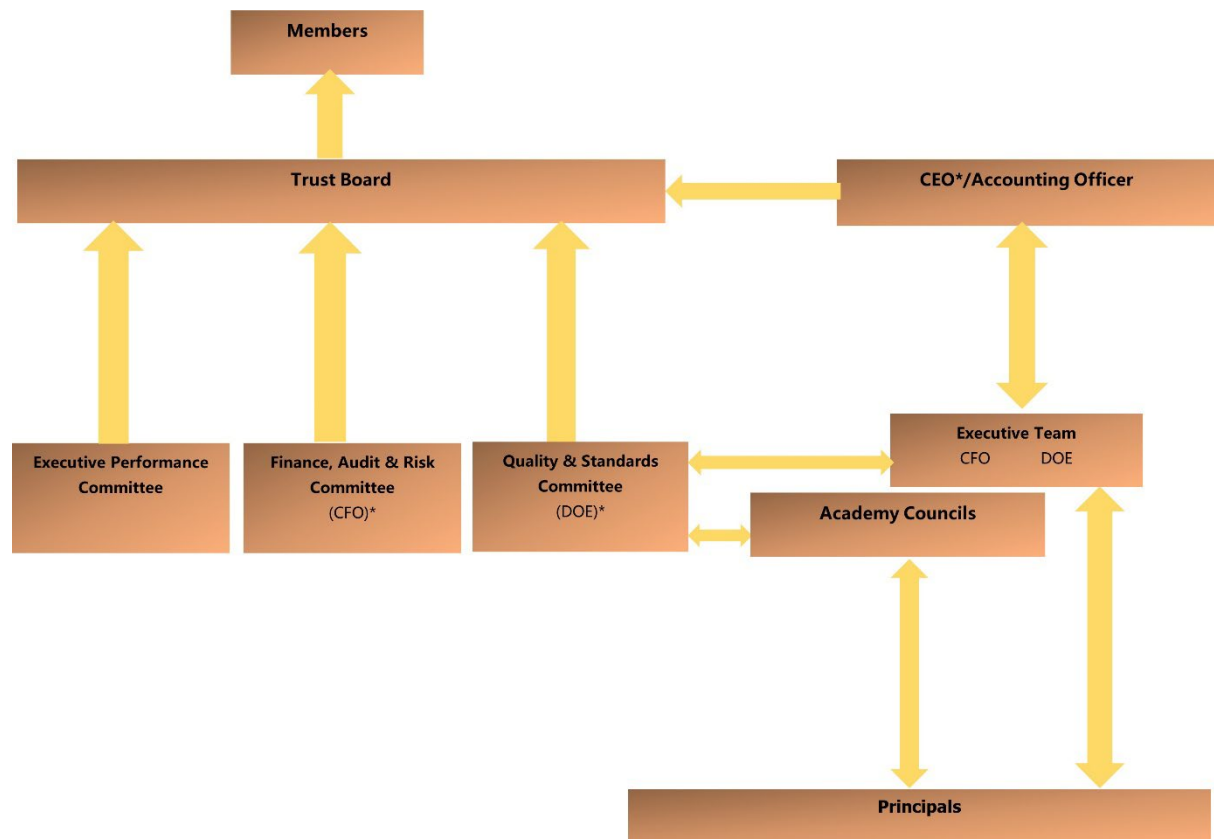
- A structure diagram which shows the layers of governance and lines of accountability
- Detailed narrative on roles and responsibilities
- A grid format, with columns for each layer of governance which enables stakeholders to quickly determine who is responsible for each strategic decision within the Trust. The grid is in four key areas to reflect both the governance framework and the three core functions of the governing body:
 - ❖ The governance framework:
 - People
 - Systems and structures
 - ❖ Being strategic
 - ❖ Holding to account
 - ❖ Ensuring financial probity



Section Two

Our Governance explained

A multi-academy trust (MAT) is a single trust responsible for a number of academies. The MAT consists of members and trustees. Our governance structure ensures there are clear reporting lines and explicit requirements to ensure integrity, good governance and outstanding performance.



*members of Executive Team responsible for reporting



Section Three

Members

The members are akin to shareholders of a company. They have ultimate control over the academy trust, with the ability to appoint some of the trustees and the right to amend the trust's articles of association. Members are responsible for determining the governance of the Trust. They approve our Articles of Association. The Articles of Association, as agreed with the Department for Education, set out the details for our internal management, decision making and running of the Trust. The members also appoint trustees in accordance with the Articles.

Pendle Education Trust aims to have five Members (and a minimum of three) in line with the DfE expressed preference; Members are not permitted to be employees of Pendle Education Trust and there is clear separation between this and other layers of governance.

Trustees (Directors)

Pendle Education Trust 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 (within the terms of the Companies Act 2006).

Trustees are bound by both charity and company law so the terms 'trustees' and 'directors' are often used interchangeably. Pendle Education Trust uses the term 'Trustee' as it serves to highlight the overarching charitable purpose of the organisation, distinguishing it from other directorships that may be held in the private sector.

The Trust appoint the Trustees for their knowledge, skills and/or experience to ensure an appropriate balance on our Board.

The academy trust is the legal entity with the board having collective accountability and responsibility for the academy trust and assuring itself that there is compliance with regulatory, contractual, and statutory requirements. They do this by providing:

- Strategic leadership of the academy trust: the board defines the trust vision for high quality and inclusive education in line with its charitable objects. It establishes and fosters the trust's culture and sets and champions the trust strategy including determining what, if any, governance functions are delegated to the local tier
- Accountability and assurance: the board has robust effective oversight of the operations and performance of the academy trust, including the provision of education, pupil welfare, overseeing and ensuring appropriate use of funding and effective financial performance and keeping their estate safe and well maintained
- Engagement: the board has strategic oversight of relationships with stakeholders. The board involves parents, schools and communities so that decision-making is supported by meaningful engagement.

Trustees develop the overall strategy and vision for the Trust and ensure it is consistently delivered within our academies and operations. Trustees meet as a Trust Board and also as representatives on the Quality and Standards Committee; Finance, Audit and Risk Committee and Remuneration and Executive Performance Committee.



The Board of Trustees as the legal entity are accountable in law for all major decisions about all academies within Pendle Education Trust. This does not mean the Board will make every decision within the Trust, they will delegate some governance and decision-making responsibilities to:

- The Chief Executive Officer and the Executive Team
- Principals
- Trust level sub-committees
- Academy Councils

The Board of Trustees have approved a written scheme of financial delegation along with a written scheme of delegation setting out what has been delegated to its three committees and Academy Councils. The Board has also approved terms of reference for each of these groups and a handbook for Academy Council members.

Information pathways between the Trust Board, its committees and the Chief Executive and the Executive Team have been created so that Academy Councils can share with them any concerns or celebrations they may have.

The Trust has the right to review and adapt its governance structure at any times, this includes reducing or removing delegation where appropriate.

Trust Board Committees

The Trust Board has established three committees either with delegated authority to make decisions or for the purposes of provision advice and support to the work of the Trust Board. However, these committees are not legally accountable for statutory functions. The Trust Board will retain overall accountability and responsibility.

All Trust Board committees have at least three trustees in membership, with trustees being in the majority for voting purposes. Trust Board committee members are appointed according to their skills.

The responsibilities of the Trust Board Committees are set out in their own Terms of Reference. The Trust Board may appoint committee members and chairs.

Some governance functions are delegated by Pendle Education's Trustees to the three board committees:

Quality and Standards Committee

This committee is responsible for supporting, challenging, and scrutinizing the Trust's educational strategy including Safeguarding to ensure that excellent educational outcomes and performance are achieved across all academies and for all children thus ensuring that the Trust works to achieve its stated four core aims.

The committee meets three times a year and reports to the Trust Board. It is comprised of trustees with current educational expertise from across the phases, the Chief Executive and the Director of Education. The committee also has an educational expert advisor.



The committee considers annual data reports on Safeguarding, SEN, and Pupil Premium across the Trust's academies and has a designated trustee responsible for this purpose.

Finance, Audit and Risk Committee

This committee is responsible for supporting challenging, and scrutinising matters relating to the adequacy of Pendle Education Trust's financial and non-financial controls and risks, IT, estates management including health and safety, as well as matters relating to the management of the Trust's finances, ensuring the Trust works to achieve financial probity.

The committee meets three times a year and reports to the Trust Board. It is comprised of trustees with relevant experience, along with the Chief Executive and the Chief Financial Officer in attendance. The committee also has internal and external auditors in attendance as appropriate.

Executive Performance Committee

This committee has delegated authority from the Board to oversee Executive Team performance management and pay and reports annually to the Board on the process and outcomes. The Committee has an independent advisor at the end of the performance management cycle to advise the committee on the annual review and target-setting for the Chief Executive Officer and the Executive Team.

Academy Councils

Each academy has an Academy Council made up of individuals comprising of staff, parents, local business and community members or those with an interest in the success of a particular academy.

Within Pendle Education Trust, Academy Councils do not hold legal responsibilities or accountabilities; these are held by the Trust Board and often delegated to the Executive team. However, the Academy Councils play an effective role in both challenge and support, acting as a strong consultative body, with the shared aim of achieving the Trust's vision for our children.

Academy Council members have three key roles in terms of the development and success of their academies:

- To advise and act as a critical friend to the Principal of the Academy and to advise Trust Board about local issues they need to consider that affect the Academy.
- To represent the interests of the community in the running of the Academy and to represent the academy in its community.
- To provide support to the Principal in undertaking some procedures such as complaints and exclusion procedures.

To support its work, the Principal will ensure the Academy Council is provided with a range of key information and reports that ensure that Academy Council members have an accurate picture of the standards of education their academy provides and will listen and respond to



views expressed by members of the Academy Council to further improve the achievement of learners within the academy.

The Academy Council have the opportunity to report the achievements or key matters for concern to the Trust Board.

The Academy Councils meet three times a year. They are comprised of two staff members from the academy, two parents and between three and five community representatives and the Principal of the academy. There may be exceptional occasions when the Trust will appoint a Central Team advisor, a Trustee or a member of another Academy Council to act as a panel member.

Academy Improvement Councils

If an academy is in difficulty and is graded as 'Inadequate' by Ofsted an Academy Improvement Council will be established to support the rapid improvement journey required.

When the academy is no longer in an Ofsted category the academy will revert to the Academy Council structure detailed above.

The Academy Improvement Council has the same remit as above but will meet six times a year (half-termly) as a minimum and receive reports in line with the Ofsted Action Plan agreed by the academy and Ofsted.

The Council is comprised of two staff members from the academy, two parents, a Chair from the Education profession, four community representatives at least two of whom have educational experience, the Principal of the academy, the Director of Education and the Chief Executive. An adviser to the council will attend all meetings and members of the core Trust team will attend where appropriate.

Executive Team

The Executive Team comprises the Chief Executive Officer, Director of Education and Chief Financial Officer.

Trustees expect the team to work cohesively to support the achievement of outstanding educational outcomes, to provide an excellent service to the Trust's academies, to ensure best value for money and to impact on the delivery of Pendle Education Trust's vision and values.

Specific elements are delegated to each of the roles within the team:

Chief Executive Officer (CEO)

- The Trustees have delegated the day-to-day management of Pendle Education Trust to the Chief Executive Officer (CEO), line managing them in line with the Executive Performance Policy
- The CEO is responsible for the strategic leadership of the Trust, the line management of the Central Executive Team and Core managers and reports to the



Trust Board and to its committees.

- The CEO is responsible for the over-arching leadership and professional management of the Human Resources, Estates, Health and Safety, Governance and GDPR of Pendle Education Trust. This includes ensuring the preparation of reports to the Resources Committee.
- The CEO of Pendle Education Trust is also its Accounting Officer. The CEO is therefore not only responsible for the success of the Trust as a whole, for the effective management of risk, and for its efficient and compliant management overall, but is also personally responsible to Parliament for regularity, propriety, and value for money, and assuring the Trust Board about compliance with the Funding Agreement and the Academy Trust Handbook.

Director of Education (DoE)

- The Director of Education reports directly to and is line managed by the Chief Executive Officer (CEO).
- The DoE is specifically responsible for preparing reports for the Quality and Standards Committee. They also report to the Trust Board where appropriate.
- The CEO has delegated responsibility for the educational performance of the Trust, for supporting the delivery of future growth and other strategic developments, for the creation of a team-orientated culture of best practice and continual improvement and for the development of partnerships outside the Trust to the DoE.
- The DoE is responsible for the line management of Pendle Education Trust's secondary principals, Primary Executive Principal, and Executive Director for CPD in addition to nurturing its leaders and leadership talent.

Chief Financial Officer (CFO)

- The Chief Financial Officer reports directly to and is line managed by the Chief Executive Officer (CEO).
- The CFO is specifically responsible for preparing reports to the Finance, Audit and Risk Committee. They also report to the Trust Board where appropriate.
- The CEO as Accounting Officer for the organisation bears the ultimate responsibility for the proper financial conduct of the organisation but has delegated responsibility for financial management, for the leadership and management of the Central Finance team and the provision of advice on strategic financial management to the CFO.
- The CFO is accountable for the accuracy and resilience of Pendle Education Trust's (and its component academies') accounting practice, systems and data and has direct responsibility for providing the required levels of competence and ownership of the financial operation of Pendle Education Trust in its entirety.

Principal

- The Chief Executive delegates the day-to-day management of the Trust's individual academies to the relevant individual Principals, and they are line managed in



accordance with the Trust's appraisal and performance management policies by the Director of Education.

- Principals are accountable for the provision of professional vision and leadership for their academy, for securing its success and improvement and for ensuring the delivery of high-quality education for all its pupils along with improved standards of learning and achievement.
- Principals share information about how the trust is managing the school with the Academy Councils so that council members build an understanding about how the academy operates and are enabled to monitor and scrutinise how key policies and improvement plans are working in practice.
- Principals are expected to lead their academy successfully to meet the Trust's vision.



Section Four

Delegation and decision-making process

Reading the grid	
Groups Included: M: Members TB: Trust Board <u>Executive Team</u> CEO: Chief Executive Officer/Accounting Officer CFO: Chief Financial Officer DoE: Director of Education <u>Trust Board Committees</u> FAR: Finance, Audit & Risk QS: Quality & Standards REP: Remuneration & Executive Performance Committee (once a year) AC: Academy Councils P: Principal	<p>The following descriptions are used in this document to describe the roles of the various groups and individuals.</p> <p>Accountable (A) Ultimately answerable for the task being delivered. Delegates the task to those responsible. There should be only one group/person accountable for each task/decision.</p> <p>Responsible (R) Responsible for the delivery/ detailed scrutiny. Does the work to achieve the task. Can be shared between groups/individuals.</p> <p>Consulted (C) Needs to be involved before the decision is made, they normally make a recommendation. Communication is two-way – these are important stakeholders or have relevant specialist knowledge in the subject.</p> <p>Informed (I) Receives information from the Trust Board about the task</p>

[illegible]

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P	Notes
	Staff Academy Council member: elected		A							R		
	Chief executive officer/accounting officer: appoint/dismiss		A R							I		
	Clerk to Trust Board: appoint and remove		A R	C						I		
	Monitor the effectiveness of Academy Councils		A	R						C		
Governance Framework: Systems & Structures	Articles of association: amend	A R										
	Name of the Trust: amend	A R										
	Governance structure for the trust, including establishing new committees: review and approve annually		A R	C						I		
	Governance terms of reference: agree annually		A R	C						I		
	Scheme of delegation: agree annually		A R	C						I		
	Annual calendar and schedule of trust governance business: agree		A R	C						I		
	Academy times, terms and holidays: approve		A			R					C	
	Skills Audit: complete annually		A R	C						R		Trust Board and Academy Council complete
	Training programme for trustees and academy council members		A	R						I		

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P	Notes
	Internal/external board and committee evaluation and succession planning: complete annually		AR	C			C	C		C		
	To decide any changes in academy session times, including term dates and length of academy day		A	C		R					C	
Governance Framework: Reporting and Compliance	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		A	R	R		C			I		
	Determine Trust-wide policies in accordance with the agreed policy matrix which reflects the Trust's ethos and values (facilitating discussions with unions where appropriate): approve		AR	C						I		
	Determine school level policies: approve policy matrix		AR	C						I		
	Insurance arrangements: Trust, Academies		A		R							
	Off-site visits for learners of more than 24 hours: approve		A			R					C	

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P	Notes
	Review the use of suspension/exclusion and to confirm all permanent exclusions and suspensions totalling more than 15 days in a term		A			C		R		R		QS to review suspension/exclusion data. LAC to review and uphold or reinstate students in line with DfE guidance.
	Review the admissions arrangement and undertake required consultation for change		A			C		R		C	C	
	Publication on trust and academy websites of all required details on governance arrangements: ensure		A	R								
	Register of interests, business, pecuniary, loyalty for members/trustees/committee members: establish and publish		A	R						R		
Being Strategic	Management of Trust risk: establish register, review and monitor		A	C	C	C	R					
	Management of Academy risk: establish register, review and monitor		A							C	R	
	Engagement with stakeholders: ensure		A	R						R	R	
	Determine trust's vision, strategy and key		A	R	C	C				I	C	

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P	Notes
	priorities: approve											
	Determine academy' vision, strategy and key priorities: approve		A							C	R	
	Executive Team (exc. CEO): appoint/dismiss		A	R				C				
	Principals: appoint/dismiss		A	C		R				C		
	Central charging structure: approve		A		C		R					
	Terms and conditions of employment: approve		A R	C	C		C					
	Trust's staffing structure: agree		A	R	C	C						
	Schools' staffing structure: agree			A		R					C	
	New Academies joining the Trust: approve		A R	C	C	C						
	To ensure that due diligence is carried on a potential new school		A	C	C	C	R					
	Expansion of physical teaching capacity: approve		A R	C	C	C	C					
	Expansion onto an additional or satellite site: approve		A R	C	C	C	C					
	Change of lower or upper age range: approve		A R	C	C	C		C				
	Adding or removing a sixth form: approve		A R	C	C	C		C				
	Amalgamating with another academy: approve		A R	C	C	C		C				

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P	Notes
	De-Amalgamating an existing academy: approve		AR	C	C	C		C				
	Transfer to another site: approve		AR	C	C	C						
	Change of gender composition: approve		AR	C	C	C		C				
	Change in type of SEN provision: approve		AR	C	C	C		C				
	Changes affecting provision reserved for SEN pupils: approve		AR	C	C	C		C				
	Adding or increasing boarding provision: approve		AR	C	C	C		C				
	Permanent closure of an academy		AR	C	C	C	C					
	To determine the existence of a redundancy situation		AR	C	C	C	C					Redundancy situation over £30k FAR to be consulted. Under £30k executive team to be consulted
	Temporary closure (in excess of 2 days) of an academy in response to a health and safety concern		A			R	C			I	C	
	Temporary closure (less than 2 days) of an academy in response to a health and safety concern		A			R				I	C	
	Increase/ decrease in PAN of an academy: approve		AR	C	C	C		C			C	
	Increase intake beyond PAN		A			R					C	

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P	Notes
	Sale/ purchase/ granting of long term lease in relation to land and buildings		A	C	C		R					
	Approving the curriculum for the academies and ensure broad, balanced, inclusive and robust curriculum taught to all pupils		AR			C		C			C	
	Approve improvement plans for each academy in line with the strategic aims of the Trust		A			C		R			C	
	Academy logo & branding		A			C				C	R	
	Academy uniform		A			C				C	R	
Holding to account	Ensuring compliance (e.g. safeguarding, H&S, employment, financial): agree auditing and reporting arrangements		A	C	C	C	R	R				In line with the Terms of Reference
	Monitoring progress on key Trust priorities: agree reporting arrangements		A	C	C	C	R	R				In line with the Terms of Reference
	Performance Management of the CEO and Executive Team		A						R			
	Hold the Chief Executive Officer to account for the Trust performance: undertake (TableA)		AR				C	C				
	Hold the Director of Education to account for the Trust performance: undertake (TableB)		A	R								
	Hold the Headteacher to account for the		A			R						

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P	Notes
	academy performance: undertake (Table C)											
	Monitor Headteacher strategies against specific grant funding requirements (e.g. pupil premium, sports premium, catch up funding): Approve strategy		A		C	R				C		
	Annual performance report for members: approve		A	R	C	C						
Financial oversight	External auditors: appoint	A R		C	C		C					
	Statutory financial statements: approval		A	C	C							
	External auditors' report: Receive and Respond		A R		C		C					
	Formal annual budget for trust and academy: approve		A R		C		C					
	To receive and monitor the trust and academies management accounts		A R		C		R					
	3/5 year budget plan to support delivery of key priorities: approve		A R		C		C					
	Benchmarking and trust wide value formoney: ensure robustness		A	C	C	C	R					
	Benchmarking and academy value for money: ensure robustness		A		C		R				R	
	Develop trust wide procurement strategies and efficiency savings programme		A		R		C					
	Review and approve trust wide procurement strategies and efficiency savings programme		A	C	C		R					

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P	Notes
	Monitoring budget: agree reporting approval		A R	C	C		R					
	Internal Audit – appoint auditor, create plan to reference financial and non-financial risk risks		A		C		R					
	Agree contracts constituting related party transactions		A		C		R					
	Service level agreements between central services and academies: monitor and evaluate		A		R	R						
	Opening or closing of bank facilities, including procurement cards: approve		A	R	C							
	Novel, contentious, and repercussive payments: approve		A		C		R					
	Staff severance, compensation and ex gratia payments, ESFA approval required: approve		A	C	C		R					
	Staff severance, compensation, and ex gratia payments, no ESFA approval required: approve		A	R								
	Write-offs and liabilities, ESFA approval required: approve		A	C	C		R					
	Write-offs and liabilities, no ESFA approval required: approve		A		R		C					
	Ensuring any disposal of assets complies with financial procedures		A	C	R							

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P	Notes
	Establishing and maintaining procedures for effective audit in accordance with legal and DfE requirements		A	C	C		R					
	Acquiring and disposing of Trust land		AR									
	To ensure Pupil Premium grant is spent appropriately		A			C		R		C	R	

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P
Hold CEO to account (Table A)	Pupil performance		A					R			
	Attendance		A					R			
	OFSTED		A					R			
	Quality of teaching		A					R			
	Safeguarding		A					R			
	Curriculum		A					R			
	Pupil Premium		A					R			
	SEND		A					R			
	Exclusions		A					R			
	Health and Safety		A				R				
	Financial management		A				R				
	Value for money		A				R				
	Estate management		A				R				
	Safeguarding of assets		AR								
	IT systems		A				R				
	School Food Standards		A					R			
	GDPR		AR								
	Staff wellbeing		AR								
	People Resource Management		AR								
	Stakeholder Engagement		AR					R			

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P
Hold Director of Education to account (Table B)	Pupil performance		A	R				C			
	Attendance		A	R				C			
	OFSTED		A	R				C			
	Quality of teaching		A	R				C			
	Safeguarding		A	R				C			
	Curriculum		A	R				C			
	Pupil Premium		A	R				C			
	SEND		A	R				C			
	Exclusions		A	R				C			
	Health and Safety		A	R			C				
	Financial management		A	R			C				
	Value for money		A	R			C				
	Estate management		A	R			C				
	Safeguarding of assets		A	R			C				
	IT systems		A	R			C				
	School Food Standards		A	R							
	GDPR		A	R							
	Staff wellbeing		A	R							
	People Resource Management		A	R							
	Stakeholder Engagement		A	R							

Governance Function		M	TB	CEO	CFO	DoE	FAR	QS	REP	AC	P
Hold Principal to account (Table C)	Pupil performance		A			R				C	
	Attendance		A			R				C	
	OFSTED		A			R				C	
	Quality of teaching		A			R				C	
	Safeguarding		A			R				C	
	Curriculum		A			R				C	
	Pupil Premium		A			R				C	
	SEND		A			R				C	
	Exclusions		A			R				C	
	Health and Safety		A			R					
	Financial management		A		R						
	Value for money		A		R						
	Estate management		A	R							
	Safeguarding of assets		A	R							
	IT systems		A	R							
	School Food Standards		A	R							
	GDPR		A	R							
	Staff wellbeing		A	R						C	
	People Resource Management		A	R							
	Stakeholder Engagement		A	R						C	