

Scheme of Delegation



Policy Family	Governance
Reference	GOV-05
Responsible Manager	Accounting Officer supported by CFO and Clerk to Trust Board
Approval Date	7 July 2022
Issue Number	01
Review Date	July 2023

Aim

This Scheme of Delegation identifies the key decisions that are required in connection with the overall governance and management of the Potteries Educational Trust (PET) and the individual academies within it. It should be read in conjunction with the Articles of Association of the Trust and the Terms of Reference for PET committees and Local Governing Bodies.

The PET Board is accountable in law for all major decisions about all of the academies within the trust. However, this does not mean that the Board is required to carry out all the Trust's governance functions and many functions can and should be delegated elsewhere.

The principle governing document for the PET is the Articles of Association. The Articles set out the charitable purpose of the Trust, providing a framework to act within both company and charity law. This scheme of delegation sets out the relevant delegations as determined by the Board so that the members, trustees, board committees, local governing body and executive leaders are all clear about their roles and responsibilities within the governance structure. Without such delegation, the individual or committee has no power to act. The Trust Board has the power to make appointments to committees including the LGB and to change the constitution and powers of its committees at any time, and this includes the membership of those committees.

This scheme of delegation covers statutory responsibilities and should be read and used in conjunction with the PET Articles of Association, PET Financial Regulations and Procedures which set out the relevant financial delegations and other associated statutory policies and regulations. The scheme of delegation is reflective of best practice for the sector.

The Scheme will be reviewed by Trustees at least once per year in consultation with local governing bodies and the Executive Group.

The Scheme of Delegation includes:

- **Members** – Members play a limited but crucial role in safeguarding the academy trust. They have ultimate control over the direction of the Potteries Educational Trust and ensure that it meets its charitable objectives by appointing trustees, agreeing the articles of association and appointing auditors. Members may use their powers to step in if governance is failing. Members should not be involved in the day to day business of the academy trust. Members have a general duty to exercise their powers to further the academy trust's charitable object which is 'to advance for the public benefit education in the United Kingdom'.
- **Trust Board - (Trustees)** – The Trust Board is the key strategic decision-making body of the academy trust and is responsible for all of the academies equally in the Potteries Educational Trust. The academy trust is the employer and accountable body carrying out the core governance functions, ensures compliance with statutory and regulatory functions, appoints the Chief Executive Officer, develops the vision and strategic direction, holds individual academies to account for their performance and ensures the Trust and its academies are performing financially. Academy Trustees are both the charity trustees and the directors of the academy trust. The trust board must operate and make decisions to further the academy trust's charitable object, 'to advance for the public benefit education in the United Kingdom'. The Academy Trustees are responsible for the general control and management of the administration of the academy trust. They have statutory duties to exercise care, skill and diligence and avoid conflicts of interest. The Board should play a strategic role and avoid routine involvement in operational matters. They should focus strongly on holding their Executive Leader to account for exercising their professional judgement in these matters and all of their other duties.

The Board may delegate certain responsibilities to the Executive Leader (in certain circumstances) and in accordance with the academy trust's scheme of delegation, a committee or an individual, but the trust board remains accountable and is responsible for all decisions made

As set out in the Governance Handbook there are three core functions:

1. Ensuring clarity of the vision, ethos and strategic direction
2. Holding the Executive Leaders to account for the educational performance of the school(s) and its pupils and the effective and efficient performance management of staff
3. Overseeing the financial performance of the school(s) and making sure that its money is well spent.

The Board may delegate responsibility to its committees, Chief Executive Officer/Accounting Officer or Principal/Headteachers with relevant terms of reference including:

- Chief Executive Officer / Accounting Officer – role is to implement the strategic framework established by the trust board and take responsibility for the operational and day-to-day running of the academy trust
- Finance and Resources Committee – responsible for the detailed oversight of finance, human resources, estates, infrastructure and assets
- Quality of Education Committee – responsible for the detailed oversight of academy performance and preparing young people for the next stage of education and life
- Audit and Risk Committee – responsible of the detailed oversight of statutory and regulatory compliance and risk
- Local Governing Body (LGB) - a committee of the Trust Board, with responsibility for detailed oversight of the performance of the academy, providing support and challenge at a local level, providing the link between the Trust, parents and the local community feeding in to the oversight and management of the academy. The LGB supports the effective operation of the Potteries Educational Trust and its policies with a responsibility to ensure that the Trust works as one entity in the interests of all its schools equally and to bring to the attention of the Trust Board any issues and risks, providing constructive feedback to the board where a policy may not be effective in the local context. Although a responsibility may have been delegated to a LGB, the legal responsibility is still with the Trust in terms of performance, finance and as the employer of staff.

Note: Whilst this scheme intends to cover all foreseen aspects of responsibility and procedure it is not exhaustive and when in doubt all parties should engage in meaningful consultation before acting, in order to ensure that the Trust meets the regulations as set out in the Academy Trust Handbook and other regulatory documents.

Principles, Vision, and Values

A caring community, delivering excellence and inspiring futures

Our Principles

We will work together and learn from each other to add value to our practices and to the children and young people and communities we serve. As such, we will champion the following core principles:

- The safety and wellbeing of the children and young people we serve in every action taken by the PET and its constituent members.
- A caring, community-centred ethos throughout the PET, cherishing every individual child and young person.

Delivering excellence and inspiring futures

- Excellence in academic terms but also in providing a broad education beyond qualifications – to be ‘Outstanding’ in all we do.
- We will ensure the effective use of resources for the benefit of all children and young people in the PET.
- We are committed to every child and young person in the PET; we celebrate diversity and will work to narrow any gaps in aspiration, achievement or attainment within our community.

Our Values

- We strive for excellence in both academic achievement and life experiences to provide a rich education beyond just a set of qualifications.
- We seek to inspire our children and young people, raising their aspirations to be the best they can be and to make a positive contribution to our local and national community.
- We believe in the added value of working partnerships across all phases of education and the benefits it brings to our students.
- We will maintain an open access policy ensuring that admission is not based on academic success, within the context of the available curriculum in each institution.
- The Trust will promote a broad, holistic education for all our children and young people who seek to broaden their understanding of the world.
- All partners in the PET have an equal place and will work together with honesty, transparency and fairness. We will learn from each other to add value to our practices and to the children and young people and communities we serve.

Scope

It is the Potteries Educational Trust’s stated intention and preference that:

- The Trust operates on the basis of subsidiarity and as far as is legally possible delegates decision making to the Principal/Headteacher of the Academies and its Local Governing Body.
- The Trust and the LGBs will work collaboratively and in partnership at all times.
- The Trust will make decisions, following consultation with LGBs, on matters related to all the academies in the Trust. LGBs will make decisions within their powers of delegation on matters which affect individual academies and make recommendations to the Trust and the Principal/Headteacher of the Academy.
- The Trust Board will put into place effective arrangements for monitoring and evaluating the performance of LGBs and academies.
- LGBs and Principals/Headteachers will report regularly to the Board, via the Chief Executive Officer / Accounting Officer, and will make available all relevant data and information on performance and effectiveness.

Members of the Local Governing Body agree to:

- Support the vision and values of the Potteries Educational Trust.
- Attend such training as is reasonably required by the Trust in order to update and improve the knowledge and skills available within the LGB to fulfil its role.
- Provide the information required by the Trust in the form indicated in this Scheme and not to withhold any information which the Trust reasonably requires.
- Refer certain decisions to the Trust for approval as set out in this Scheme, and not to act, or to omit any act, in reliance on such a decision prior to obtaining such approval.

Policy

The delegations within this scheme of delegation are designed to be supported by the relevant policies and procedures. It is important for trustees, governors and senior leaders to operate the scheme of delegation in tandem with the relevant policies and procedures.

The governance of the Potteries Educational Trust has been designed to provide relevant layers of separation for decision making with no overlaps, conflicts or opportunities for undue influence although there may be occasions where the accountability and responsibility sits with one layer of governance and occasions where the responsibility may sit with the Chief Executive Officer / Accounting Officer and the Principal / Headteacher of an academy.

The aim is for local governing bodies to play a meaningful role in the governance of the Trust through effective guidance, support and communication.

The Trust's values should be evident in policies and practice and all layers of governance must ensure ethical behaviours to underpin a healthy culture across the Trust.

The scheme of delegation is colour coded to highlight the categories of delegation:

Accountable: The individual / group that has the ultimate or final accountability for ensuring the delivery / completion of a task and being reported to by the responsible individual / group. This will also include determining how the individual / group should undertake the task, including milestones and targets to be reported against.

Responsible: The individual / group that has the responsibility for undertaking or completing the task delegated to them, and reporting on its delivery at suitable intervals. In the case of the CEO, this reporting will be to the Board level. In the case of the Principal/Headteacher, this will be to the Academy LGB or CEO level

Supports: The individual / group that should provide support during the implementation of the task

Consulted: The individual / group that should be consulted as part of the process of completing the task because they can provide valuable advice and/or input

Informed: The individual / group that should be kept up to date about the progress of the task and/or decisions in the task.

From time to time, according to job role, tasks may be delegated further but the main accountability for the delegated tasks will be as identified in this scheme of delegation.

Whilst much of the scheme of delegation is self-explanatory the following aims to provide additional clarification for some of the elements.

Members are accountable and responsible for the appointment and removal of Trustees. The Articles of Association specify that Members appoint up to 8 Trustees then Trustees can be responsible for co-opting additional Trustees to the Board.

Trustees are accountable and responsible for the appointment of individuals to committees of the Board. The Local Governing Body of an academy is a committee of the Trust Board and as such the Board appoints governors, usually through recommendation from the LGB, with a four year term of office (with the exception of elected staff governors and parent governors). LGBs are required to notify the Board of any elected governors.

The Trust is accountable for the quality of education across the whole Trust. The responsibility for quality of education sits with the Chief Executive Officer and the principals / headteachers and is supported by other relevant roles and the academy LGB.

Some aspects, for example, setting and reviewing strategic objectives and action plans for individual academies, SEND and Disadvantage Student funding and strategies, health and safety are the ultimate responsibility of the Chief Executive Officer / Accounting Officer with further delegation to principals / headteachers.

Financial delegations are as outlined in the PET Financial Regulations and Procedures with ultimate accountability to the Trust Board and the responsibility of the Accounting Officer with some further delegations to roles as appropriate.

As the employer, the Trust Board is accountable for human resource related issues with the responsibility delegated to the Chief Executive Officer and, in some instances related to individual academy decisions, with the principal / headteacher in line with Trust policies.

Implementation

The scheme of delegation will be subject to an annual review for approval by the Trust Board at the Summer Term Board meeting and will be circulated to academies via the Principal / Headteacher and Chairs of LGBs for implementation for the next academic year. It must be included in the Autumn Term LGB minutes that the scheme of delegation has been received.

Communication

The scheme of delegation is approved by the Trust Board.

The scheme of delegation is communicated through the Executive Group and Chair and Vice Chair's Network, with further communication to governors and staff through the relevant communication channels.

A copy of the scheme of delegation will be published on the [PET website](#).

Monitoring

The scheme of delegation will be monitored on a regular basis by the Executive Group and the Chair and Vice Chairs Network for suitability and correct implementation of the delegated functions.

Associated Information and Guidance

This Scheme of Delegation should be used in conjunction with the Potteries Educational Trust [Articles of Association](#) and [Master Funding Agreement](#), and the Terms of Reference for Committees and Local Governing Bodies together with the documents listed in the related documents section.

Related Documents

[Academy Trust Governance – structures and role descriptors](#)

[The Seven Principles of Public Life – Lord Nolan](#)

[Governance Handbook – October 2020](#)

[Academy Trust Handbook 2022](#)

[National Governance Association guidance](#)

		Members	Trustees	LGB	CEO / AO	Deputy CEO	Principal / Headteacher	CFO	Central Services Lead	Business/Finance Manager/Bursar	Notes	<div style="border: 1px solid black; padding: 5px;"> Key Accountable Responsible Supports Consulted Informed </div>
Strategic Leadership												
Strategy	Develop the overall Trust Strategic objectives & Development Plan (KPIs)		A	C	R		C					
	Develop the Academies Strategic objectives & Development Plan (KPIs)			A	S		R					
	Deliver the overall Trust Strategic objectives & Development Plan (KPIs)		A		R	S	S	S	S			
	Deliver the Academies Strategic objectives & Development Plan (KPIs)		A	S	S	S	R	S	S	S		
	Develop the character, mission and ethos of the Trust		A	S	R	S	S					
	Develop the character, mission and ethos of the Academies			A	S	S	R					
Scrutiny	Determine the scope of any central services		A	C	R	S	C	S	I	I		
	Approve and monitor performance against the Trust Development Plan		A		R	S						
	Performance - review and challenge progress of the Trust against its strategic objectives and KPIs		A	C	R	S	C		C			
Compliance	Performance - review and challenge progress of the academies against its strategic objectives and KPIs			A	S	S	R		C			
	Enter into funding agreements for new partner academies		A		R			S				
	Amend Articles of Association	A/R	C		C							
	Agree to other Academies to join the Trust	A	R	C	S		C					
Registers	Determine the Scheme of Delegation		A	C	R	S	C	S				
	Maintain and publish register of business and pecuniary interests		A		R							
	Maintaining and reviewing Trust Risk Register		A		R			C	C			
Appointments	Maintaining and reviewing Academy Risk Registers			A			R	C	C	S		
	Appointment and removal of Members	A/R	C		C							
	Appointment and removal of Trustees (up to 8 Member appointments)	A/R	R		C						Trustees can co-opt additional Trustees	
	Appointment and removal of LGB members		A	R			C				Recommendations for new Governors to be submitted to Trustees prior to approval	
	Appointment and removal of Trust Clerk	A/R										
	Appointment and removal of LGB Clerk	A	R				C					
	Recruitment and appointment of CEO / Accounting Officer, CFO	A/R										
	Recruitment and appointment of Deputy CEO /Principal / Headteacher at each Academy	A	R	R								
	Recruitment and appointment of Central Services Staff	A			R	S		S	S			
	Recruitment and appointment of Academy SLT				A	S	R	S	S	S		
Committee Delegations	Appointment of Data Protection Officer (DPO)		A		R			S	S			
	Terms of Reference for Trust Board Committees		A	C	R		C					
Training	Appointment of Audit and Risk Committee		A/R									
	Complete annual skills audit		A	R	R							
Policies	Appropriate training programme for Trustees and Governors		A	C	R							
	Approval of Trust wide policies		A	C	R	S	C	S	S			
	Managing and reviewing Critical incident and Business Continuity Plans				A	S	R	S	S	S		
Educational Leadership, Curriculum & Academic Performance												
Academy Performance	Monitor performance against the Academy Development Plan			A	S	S	R		S			
	Setting and reviewing Academies Strategic objectives & Development Plan (KPIs)		A	S	R	S	R		S			
	Maintaining high standards of Quality of Education		A	S	R	S	R					
	Curriculum - meet legal requirements for children with SEN		A	S	R	S	R		S			
	Pupil premium / Disadvantaged Students - develop, maintain and review plan		A	S	R	S	R		S			
Student Issues	Approve and monitor pupil achievement and attendance targets		A	S	R		R					
	Fixed Term Exclusion and Permanent Exclusion		S	A			R					
	Exclusion appeals		A	S		S	R		S			
Safeguarding	Ensuring each academy has appointed a DSL, ensuring compliance with statutory guidance		A	S			R		S			
	Maintenance of the Single Central Record		A	S			R		S	S		
	Develop and implement a safeguarding policy in line with statutory requirements		A	S	R		R		S			
Stakeholder Engagement	Promoting partnership working between parents/carers and the academies		A	R	S	S	R					
Academy Calendar & Opening Hours	Approve term dates and school times		A	C	S	C	R					
	Opening and closing hours for the academies		A	C	S	C	R					
	Set admissions policy		A	R	S	S	R					

		Members	Trustees	LGB	CEO / AO	Deputy CEO	Principal / Headteacher	CFO	Central Services Lead	Business/Finance Manager/Bursar	Notes	<div style="border: 1px solid black; padding: 5px;"> Key Accountable Responsible Supports Consulted Informed </div>
Admissions & Appeals	Admission decisions			A			R					
	Admissions appeals		A				R					
OFSTED	OFSTED Inspection - MAT Level / Trust Support		A	I	R	S	S	S	S	C		
	OFSTED Inspection - Academy Level		A	S	R	S	R		S	S		
	Agree post OFSTED action plan		A	S	R	S	R		S	S		
Policies	Approval of Academy Level policies			A	C	C	R			S		
Financial												
Appointments	Appointment of trust external auditors	A	R	I	S		I	S	I	I		
	Appointment of trust Internal auditors	A	R	I	S		I	S	I	I		
Funding Model and Budget	Agreeing a funding model across the Trust so as to secure the Trust's financial health		A		R			S				
	Approving the trust wide budget		A		R			S				
	Prepare the individual Academy budgets						A	C		R		
	Approval of individual Academy budgets		A	R	C		S	C		S		
	Monitoring trust wide budgets / receipt and review of management accounts		A		R			S				
	Monitoring academy budgets / receipt and review of management accounts			A	C		R	C		S		
Financial Delegation	Approval of financial regulations and procedures manual		A		R			S		I		
	Approval of annual accounts and reports to funding and regulatory bodies	I	A		R					I		
	Completion and submission of other accounting returns				A			R		S		
	Assurance over adequacy of systems of internal financial control		A		R			S	I	I		
Financial Thresholds	Placing orders for goods and services, entering into contracts - up to £10,000				A		R	S	S	S		
	Placing orders for goods and services, entering into contracts - up to £40,000				A		R	S	I			
	Placing orders for goods and services, entering into contracts - over £40,000 upto OJEU Threshold £213,477		I	I	A		S	S	I			
	Placing orders for goods and services, entering into contracts - over £213,477 (OJEU Threshold)		A	I	R		S	S	I		Accountability delegated to Finance & Resources Committee	
Banking	Approval for Opening a bank account and becoming signatories, BACS Payments		A		R							
	Signatory on bank accounts		A		R		S	S	S	S		
	Cash flow management, Treasury and Investment		A		R			S				
Policies and Investments	Establish and agreeing a charging and remissions policy		A		R			S				
	Establish and agreeing an investment policy in line with regulations		A		R			S				
Human Resources												
Human Resources	Approval & review of overall staffing structure		A	C	R	S	C	S	S			
	Approval & review of academy staffing structure		A	S	S	S	R	S	S	S		
	Approval of formal restructure plans		A	C	R	S	S	S				
	Authority to increase FTE of staff structure within existing staffing budget		A	S	R	S	R	S				
	Approval of severance or redundancy agreements		A	C	R		C		S			
	Authorisation of settlement agreements		A	C	R		C		S			
	Job evaluation policy and procedures		A		R				S			
	Authorised to evaluate jobs and grades		A		R		S		S			
Warnings and Dismissals	Dismissing CEO (in accordance with the Trust disciplinary and capability policy)		A/R						S			
	Dismissing Central Services staff (in accordance with the Trust disciplinary and capability policy)		A		R				S			
	Dismissing Principal/Headteacher (in accordance with the Trust disciplinary and capability policy)		A	S	R				S			
	Dismissing all other staff (in accordance with the Trust disciplinary and capability policy)		A	S			R		S			
	Authority to issue warnings or other disciplinary measures except dismissal		A	R			R		S			
Performance Management	Setting and reviewing performance of CEO and Trust Clerk (in accordance with the Trust policy)		A/R						S			
	Setting and reviewing performance of Deputy CEO, CFO, Central Services Leads (in accordance with the Trust policy)		A		R				S			
	Setting and reviewing performance of Principal/Headteacher (in accordance with the Trust policy)		A	S	R				S			
Policies and Terms & Conditions	Setting and reviewing performance of All Other Staff (in accordance with the Trust policy)		A		R		R		S			
	Formulation, review and approval of Trust policies inc recruitment, absence, performance management, capability, disciplinary, grievance, complaints etc		A	C	R		C	S	S			
	Setting terms and conditions of employment and staff handbook		A	I	R		I		S			

		Members	Trustees	LGB	CEO / AO	Deputy CEO	Principal / Headteacher	CFO	Central Services Lead	Business/Finance Manager/Bursar	Notes
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin-left: auto; margin-right: auto;"> Key Accountable Responsible Supports Consulted Informed </div>											
Business Operations											
Central Services	Determining and allocating central services provided to the Academies by the Trust		A	C	R	S	C	S			
	Overseeing the effectiveness of services provided centrally by the Trust		A	C	R						
	Ensuring adequate insurance is in place for the Trust and it Academies		A		R			S			
	Approval of Academy contributions to the Trust		A	C	R		C	S			
Information Management	Information Management - including adopting and following policies for information security and compliance with FOI and DPA legislation and maintaining accurate records (Staff and Students)		A	R	R		R		S		
Procurement	Setting trust wide procurement policies, and ensuring compliance with tendering processes		A	C	R		C	S			
	Enter into contracts upto designated limits as set out in finance scheme of delegation		A		R						
	Grant a waiver in exceptional circumstances from the requirements of the tendering policy for contacts over £40k (upto OJEU Threshold)		A/R		S			S			
Premises and Assets	Acquiring and disposing of Trust land		A/R								
	Management of Capital Projects		A	I	R		R	S	R	S	
	Changing use of Assets		A	C	R		C	S			
	Asset and Premises Management Strategy - determining use of Academies premises and ensuring premises are adequately maintained.		A	R	R		R	S	S		
	Disposal of assets with a net book value up to £10k		A		R		S	S			
	Disposal of assets with a net book value up to £40k		A		R			S			
Health & Safety	Disposal of assets with a net book value over £40k		A	I	R			S			
	Health and Safety Policy		A	S	R		R		S		Oversight of H&S for each academy to be retained by HT
	Ensuring the adequacy of health and safety practice throughout the Trust		A	S	R		R		S		
	Health and Safety RIDDOR incident reporting		A	S	R		R		S		
	Premises management and security		A	S	R		R		S		
	Fire Risk Assessment		A	S	R		R		S		
	Asbestos Risk Assessment		A	S	R		R		S		
	General monitoring and action plans in relation to site safety and building conditions		A	S	R		R		S		
Academy health, safety and well-being inc risk assessments		A	S	R		R		S			
Media & PR	Develop academy estates, buildings and facilities long term strategy for development and maintenance		A	S	R		S		S		
	Media and PR - Overseeing public relations activities to project the activities of the Trust and Academies in the wider community		A		R	S	R		S		