



## Scheme of Delegation

This Scheme of Delegation for The Good Shepherd Multi-Academy Trust has been drawn up in accordance with the model agreed by the National Society with the DfE.

There will be a single Trust Board, operating a flexible Scheme of Delegation that reflects the principle of 'supported autonomy' where appropriate. The three broad levels of delegation are (i) supporting academies (ii) supported academies and (iii) sponsored academies.

The Trust Board will have the same powers over all schools that join the Trust, irrespective of their performance and capacity. However, the flexible Scheme of Delegation will offer greater delegation to outstanding and good converters than to sponsored academies.

Interactions with Local Governing Bodies will be underpinned by the Trust's values of **openness, transparency, mutual trust, integrity and honesty.**

### Benefits

This model offers a number of significant benefits:

- it's simple and easy to understand; the level of governance support is linked directly to standards, progress and context of each school;
- there is a strong unifying purpose in the pursuit of first-class, distinctive Christian education;
- the model provides flexibility for the future. There's no need to change legal structures as a school evolves - it merely moves between the categories within the flexible Scheme of Delegation as appropriate;
- it helps keep the Church family together and pulling in the same direction. Every school has a stake in seeing improvements delivered;
- it reduces set-up costs as it avoids or minimises the need to set up lots of separate academies;
- it minimises ongoing administration and expense as there is only one limited company to administer and audit; and
- it creates a healthy governance environment by giving primary oversight for strategic matters to the Trust Board, and primary responsibility for tactical and operational matters to the Local Governing Body/ headteacher.

### Key Features

The following key features have then been built into a flexible Scheme of Delegation:

- the Scheme of Delegation allows different levels of responsibility to be given to each Local Governing Body. This will be reviewed as required.

- the funding each academy receives takes account of the amount of support it requires and/or the contribution it makes to the school improvement programme; and
- the Trust has appropriate powers to take action if an academy gets into difficulties

## **Governance Structure**

The governance structure is as follows:

- The Trust will appoint a minimum 5 Directors;
- Up to three directors shall be appointed by members, from the Chairs of Local Governing Bodies of academies within the Trust; and
- parental and staff representation will be delivered at Local Governing Body level;

This is all in accordance with the most recent National Society model documentation.

The model incorporates a number of safeguards to ensure the Trust, as sponsor, retains sufficient control to meet its obligations to the DfE, not dissimilar to current powers of local authority or indeed the Secretary of State's intervention powers in academies:

If a school takes action that may:

- jeopardise the distinctiveness of its Christian education; and/or
- undermine its academic performance; and/or
- place it in financial jeopardy; and/or
- otherwise undermine the reputation or sustainability of the academy or the Trust.

Or if the school receives an Ofsted report which the Trust believes justifies taking such action;

The Trust has the power to:

- make further appointments to the Local Governing Body; and/or
- revoke existing appointments; and/or
- move a school to a different category in the flexible Scheme of Delegation.

The Trust may also instruct a Local Governing Body to take appropriate remedial action if the school fails to maintain its premises properly.

## **Finances**

The Trust could set aside funds to deliver an effective School Improvement Programme. Any monies set aside will be used to purchase appropriate resource for both Sponsored and Supported Schools, either from within the Trust family or externally. In many cases this will be similar to funding that has already been identified for this purpose.

This will work as follows:

- part of the budget for Sponsored Academies and Supported Academies could be set aside to fund school improvements i.e. managed by the directors;
- the amount set aside will be linked to the level of support that is needed, and
- Supporting Academies within the Trust may receive their normal budget **plus** an allowance to reflect the level of their contribution to school improvement within the Trust family of schools;

## **Supporting Academies**

Supporting Academies are the 'powerhouse' to delivering improvement within the diocesan family in conjunction with the Trust and its external partners, teaching school alliances, and Cumbria Alliance of System Leaders (CASL).

The following provisions will apply to them under the flexible Scheme of Delegation:

- the Local Governing Body of each Supporting Academy can be carried over on an 'as is' basis as far as the standard academy documentation normally allows,
- it is intended that Supporting Academies will be autonomous with most powers delegated to their Local Governing Bodies, subject to them remaining outstanding or good,
- should a Supporting Academy fail to retain its outstanding or good status it may drop down into a lower category within the Scheme of Delegation. This decision will not simply be based on Ofsted outcomes but will consider the individual circumstances of the academy.

## **Supported Academies**

Supported Academies are those generally falling into the Ofsted 'requires improvement' category but local circumstances will be taken into consideration. Here the objective will be to provide ongoing support to help them progress to good and outstanding.

The following provisions will apply to them under the flexible Scheme of Delegation:

- the Trust will retain appropriate functions in the Scheme of Delegation to ensure governing bodies receive the support they require to deliver school improvement,
- a Supported Academy may move to a different category depending on its performance,
- to reflect the new category in which the Supported Academy is placed adjustments could then be made to:
  - the make-up of the Local Governing Body,
  - the powers delegated to the Local Governing Body,
  - the budget 'set aside' for school improvements.

## **Sponsored Academies**

Sponsored Academies are those usually falling into the 'inadequate' category. They require the maximum support within the Trust family.

The following provisions will apply to them under the flexible Scheme of Delegation:

- the Trust will select all the members of the Local Governing Body, other than parental and staff representatives;
- a Sponsored Academy will have fewer powers delegated to it;
- a Sponsored Academy which improves its performance will have greater delegated powers by:
  - the increase of powers delegated to it; and
  - appropriate budgetary adjustments.

## **Assigning the Category**

The following procedures govern the category assigned to each academy under the flexible Scheme of Delegation:

- The Trust will consult with the academy and act in good faith when it decides which broad category it should be placed in or moved to;
- normally, the starting point will be the appropriate category corresponding to the academy's most recent Ofsted report;
- however, the Trust may, agree to assign a different category to the academy, or to de-delegate or not additional specific items if circumstances should warrant this, for example outcomes from SIAMS inspection or consideration of local circumstances the academy finds itself; and
- The Trust will review which category is appropriate for the academy on a regular basis.

## **Working Together within the Trust**

Each member of the Trust family of schools shares a commitment to the mutual support of all academies for whom the Trust is responsible, especially those that are in need of assistance at any particular time. Accordingly, the Scheme of Delegation recognises the obligation to contribute to the common good of all academies from the resources entrusted to them. The Trust will work in partnership with the representatives of each of the academies, sharing experiences and working collaboratively for the benefit of all.

In addition to the school improvement programme all academies within the Trust family will have the opportunity to contribute to the on-going development and support of all aspects of the Trust.

In the implementation of its actions the Local Governing Body is required to comply with statutory regulations and the Funding Agreement

In the spirit of openness and transparency the Trust will make sure that the agenda, supporting papers, and minutes of the meetings of the Board of Directors (as long as they are not deemed confidential in nature) will be made available to all academies within its family, as soon as is reasonably practical.

## **Working Together outside the Trust**

The Trust will actively encourage all its academies to collaborate

- we expect to work closely with local collaborative groupings and the 'system leadership' arrangements within the County i.e. CASL, SLRP

## **Trust wide responsibilities of the Board of Directors**

The directors have overall responsibility and ultimate decision-making authority for all the work of the Trust. This is both exercised through strategic planning and the setting of policy and is managed through business planning, monitoring of budgets, performance management, the setting of standards and the implementation of quality management processes.

## KEY Illustrative Schemes

Decision Level 1: The directors

Decision Level 2: Local Governing Body (LGB) - may be delegated to headteacher as appropriate

Decision Level 3: A named individual endorsed by the Trust

Decision Level 4: Headteacher / Principal – who is delegated with the day to day running of the school by the Local Governing Body

Supporting	A	Good / outstanding
Supported	B	Requires improvement
Sponsored	C	Sponsored / special measures

Function	No	Tasks	Decision Level				Notes
			1	2	3	4	
<b>Policy Setting &amp; Development</b>	1.	To develop and establish the following policies in line with statutory requirements and best practice: <ul style="list-style-type: none"> <li>• Complaints policy</li> <li>• Charging &amp; remissions (pupil only)</li> <li>• HR policies including disciplinary, capability redundancy, grievance, compromise and suspension procedures and appeals</li> <li>• Salary structure and pay</li> <li>• Appraisal and performance management</li> <li>• Whole School Behaviour</li> <li>• Admissions Model</li> <li>• Health and Safety</li> <li>• Safeguarding</li> </ul>	AB C				There will be full engagement with schools and use of existing policies and best practice in designing overarching Trust policies
<b>Policy Implementation and Delivery</b>	2.	To deliver policies as delegated by the Trust and deliver them in day to day operations		AB C			
	3.	To determine, on an annual basis, policies which will be developed.	AB C				There will be full engagement with schools.
	4.	To produce relevant academy specific policies and strategies as required		AB C			
	5.	To monitor the effectiveness of any academy specific policies and strategies		AB C			
<b>School Effectiveness</b>	6.	School improvement plan setting and implementation	C	AB			
	7.	To set targets for overall pupil achievement	BC	A			Directors will work closely with LGB's where support is required
	8.	Accountability for pupil outcomes (including central monitoring function)	AB C				Directors are responsible to the Secretary of State for standards and pupil outcomes. They hold the LGB & Head accountable.
	9.	Responsibility for pupil outcomes				AB C	
	10.	To propose targets for individual pupil achievement				AB C	
<b>Curriculum</b>	11.	To develop a curriculum policy	C	AB			Trust will have a role in sharing innovation and best practice

Function	No	Tasks	Decision Level				Notes
			1	2	3	4	
Curriculum Cont'd	12.	To implement curriculum policy				AB C	
	13.	Accountability for standards of teaching	AB C				
	14.	Responsible for standards of teaching	C	AB			
	15.	Accountability for individual child's education.	C	AB			
	16.	Responsibility for individual child's education				AB C	
Performance Management	17.	Undertake the appraisal and performance management of : <ul style="list-style-type: none"> <li>Headteacher</li> <li>Other staff</li> </ul>	C	AB		AB C	Directors will work closely with the LGB Level of involvement by directors will be determined by local circumstances
Operation of the LGB	18.	To appoint (and remove) the chair of the LGB	BC	A			Where the directors have this responsibility it will be done in consultation with the LGB
	19.	Directors are responsible for appointments to each LGB.	AB C				The make up and appointment of LGB is likely to remain as is In practice this will mean ratification of recommendations for appointments made through democratic process or nominations. Support for recruitment where skills gaps or representation issues occur.
	20.	To appoint the clerk to the LGB		AB C			
	21.	To hold a full LGB meeting at least three times in a school year.		AB C			Copies of minutes of the LGB meetings to be forwarded to the Trust within two weeks of the draft being approved by the Chair.
	22.	To set up a register of interests for LGB members			AB C		Will be discharged by academy administration / clerk
	23.	To discharge duties in respect of pupils with special needs by appointing a "responsible person"	C	AB			
	24.	To provide Terms of Reference for LGB	AB C				
	25.	LGB operate within Terms of Reference		AB C			
	26.	Self - evaluation of Local Governing Body		AB C			
	27.	To assign responsibility to strands within the school improvement plan – leadership, assessment, pedagogy and curriculum, learning environment and student and family support	C	AB			
	28.	To determine the development needs of LGB and put in place an appropriate programme	BC	A			

Function	No	Tasks	Decision Level				Notes	
			1	2	3	4		
Staffing	29.	Headteacher appointments (selection panel has representation from directors) For sponsored schools the Board of Directors are the selection panel.	C	AB			Selection panel makes recommendation on appointment to directors.	
	30.	Deputy appointments	C	AB			Directors may wish to be involved in selection panel	
	31.	Appoint all other staff		AB C			Headteacher must be a member of the appointment/selection panel Liaise with Trust to make aware, advertise on Trust website and ensure staffing information kept up to date	
	32.	School staffing levels and roles	C	AB				
	33.	Pay discretions	C	AB			Must be within the pay policy.	
	34.	Review of contracts of employment	AB C				Consultation with unions and working groups where appropriate	
	35.	Dismissal of Headteacher/ Deputy	AB C				Chairman (or representative) of the academy must be included in the decision making panel	
	36.	Dismissal of other staff	C	AB			Chairman (or representative) of the academy must be included in the decision making panel	
	37.	Suspending and ending suspension of the headteacher	AB C				Chairman (or representative) of the academy must be included in the decision making panel	
	38.	Suspending other Staff				AB C	With LGB involvement	
	39.	Ending Suspension (other Staff)	C	AB				
	40.	Carrying out redundancy, grievance, compromise, disciplinary, capability processes and appeals.	C	AB			Trust will be involved as requested and required.	
	41.	Determining Staff complement within agreed budget	C	AB				
	42.	Determining dismissal payments/ early retirement	AB C					
	Budgets & Finance	43.	Academies will know what their overall funding allocation is. There will be an agreed retention held back for services delivered from the centre and operation of the Trust.	AB C				Retention will be determined in consultation with LGB's
		44.	To develop and propose the individual academy budget and undertake a formal review in Jan & April.	C	AB			
		45.	To approve the first formal budget plan each financial year	AB C				
		46.	To monitor monthly expenditure and report termly		AB	C		This will be the responsibility of the LGB – with the Responsible Officer also monitoring on behalf of the Trust
47.		To approve any virement between budget headings and/or likely individual budget line overspends in the current year.		AB	C			

Function	No	Tasks	Decision Level				Notes
			1	2	3	4	
<b>Budgets &amp; Finance cont'd</b>	48.	Lettings/ charging policy for use of school facilities		AB C			Trust to work with academies to ensure provision of services operates at full cost recovery
	49.	Central Trust staffing levels and roles including Responsible Officer	AB C				Schools will be consulted about major changes to Trust staffing.
	50.	To decide on finance management systems & protocol including the setting of financial decision levels	AB C				
	51.	Work within finance management systems & protocol agreed by the Trust, EFA and academies including the policy on procurement of goods and services		AB C			
	52.	Responsible for maintaining asset registers and reporting to the Trust as part of the financial audit process.		AB C			
	53.	Trust wide insurance eg third party, public liability, buildings, etc	AB C				
	54.	Developing and submitting funding bids.	C	AB			Agreement from directors needed before submitting bids
	55.	Fundraising activities		AB C			
	56.	Use of devolved formula capital	C	AB			
	57.	To approve and set up a LGB members' Expenses Scheme	AB C				
	58.	Maintain relationship with linked School Trusts		AB C			Relationships with linked Trusts must be reported as part of the audit process
<b>Central Services</b>	59.	To determine the scope of mandatory core services of Finance, HR, H&S, Payroll and Audit to be delivered by the Trust on behalf of its academies	AB C				The scope will be decided in consultation with the first schools who join the Trust
	60.	Central service review - quality, VFM and scope			AB C		Ongoing review involving working group of appropriate school representatives
	61.	To identify those additional services to be procured on behalf of individual academies	C	AB			Working group of heads/ LGB members to explore opportunities for further central service provision and group buying opportunities
<b>Legal Requirements</b>	62.	Accountability for licenses and legal compliance eg equality, health & safety etc	AB C				
	63.	Day to day compliance with legal requirements eg equality etc		AB C			
<b>Legal Requirements cont'd</b>	64.	Comply with all Data Protection legislation and good practice.	AB C		AB C		
	65.	To ensure that health and safety regulations and policy are followed and the academy is up to date with any changes and guidelines				AB C	

Function	No	Tasks	Decision Level				Notes
			1	2	3	4	
<b>Legal Requirements cont'd</b>	66.	All statutory functions relating to the operation of the Trust eg: <ul style="list-style-type: none"> <li>School Improvement</li> <li>Companies House</li> <li>Charity Commission</li> <li>DFE/ EFA/ Sec of State</li> </ul>	AB C				
<b>Buildings &amp; School Organisation</b>	67.	Develop and maintain asset management plans and undertake asbestos surveys		AB C			
	68	Academies will be expected to use building consultants chosen through DBE services for large scale projects					
	69.	Maintaining buildings, including developing properly funded maintenance plan	C	AB			
	70.	School organisation plan	AB C				Overarching plan & principles developed in consultation with school leaders to plan well in advance with openness and transparency. LA and diocese also involved
	71.	Individual School organization and business case proposals		AB C			Will need approval from the directors
<b>Admissions &amp; Exclusions</b>	72.	Manage the exclusions process		AB C			Trust to be involved in appeals process for permanent exclusions
	73.	To consult before setting an admissions policy		AB C			The LGB will be responsible for consultation on changes to the admissions policy. The directors must give written approval for any changes to the admissions policy.
	74.	Admissions: application decisions		AB C			
	75.	Management of appeals procedures on behalf of LGB	AB C				
	76.	To appeal against LA directions to admit pupil(s)	C	AB			Although in practice the LGB and Headteacher would normally do this with the support of the Trust
<b>Collective Worship</b>	77	To develop an RE and collective worship policy		AB C			
	78.	To ensure that all pupils take part in a daily act of collective worship				AB C	Parents do have the right to withdraw their children from collective worship if notified to the academy in writing. The Headteacher must make appropriate provision if a parent exercises this right.
<b>Information for Parents</b>	79.	To maintain school website in accordance with statutory requirements and manage effective communications with key stakeholders (Trust & school)		AB C			
	80.	To ensure provision of free school meals to those pupils meeting the criteria				AB C	
	81.	To prepare and publish a Trust prospectus and ensure accessible overarching information	AB C				

Function	No	Tasks	Decision Level				Notes
			1	2	3	4	
Information for Parents cont'd	82.	Adoption and review of home-school agreements	C	AB			
Miscellaneous	83.	To set the times of school sessions and the dates of school terms and holidays	C	AB			Any changes must be agreed in with the Directors. There would need to be agreement on days for cross Trust working
	84.	Commitment to the mutual support of all academies within the Trust		AB C			
	85.	Identification as being part of the Trust family of schools in outward facing communications and use of company number.		AB C			
	86.	Uniform		AB C			
	87.	Management of additional non-school provision eg children's centres, breakfast & after school clubs, community use facilities, etc	C	AB			