



White Woods
Primary Academy Trust

Scheme of Delegation

V4 Autumn 2022

WWPAT Scheme of Delegation

Introduction

These regulations have been written using terminology consistent with the Academy Trust Handbook. The Board of Directors are therefore referred to as the Trust Board and the Directors referred to as Trustees.

As an Exempt Charity limited by guarantee, White Woods Primary Academy Trust ("the Trust") is governed by a Board of Directors ("the Board") who are responsible for and oversee, the management and administration of the Trust and the academies run by the Trust. This Scheme of Delegation will apply to all Academies for which the Trust is responsible ("the Academies"). Any reference to "the Academies" in the Scheme of Delegation refers to all Academies within the Trust.

The Directors are accountable to external government agencies including the Charity Commission, Education Funding Agency and the Department for Education for the quality of education they provide and they are required to have systems in place through which they can assure themselves of quality, safety and good practice.

In order to discharge these responsibilities, the Directors delegate powers to certain Trust Committees and the Local Governing Bodies, which are established to ensure information at a local level is feedback to The Trust Board regarding individual Academies. The Scheme of Delegation explains the ways in which the Directors fulfil their responsibilities for the leadership and management of the Academies, the respective roles and responsibilities of Members, Directors, CEO and the Local Governing Bodies, and the commitment to each other to ensure the success of each Academy.

The scheme of delegation should be read in conjunction with:

Members

The Trust will have a minimum of:

Minimum no of members 3, Recommended no of members 5 (majority to be independent not directors)
Staff cannot hold the role of Member

Implementation Date:
Review Date: October 2022

The Members are the guardians of the Trust constitution. The Members may agree to appoint/remove additional Members. The Members must appoint a Chair.

Members:

- determine the Governance structure of the Trust
- hold the Trust Board to account for effective Governance of the Trust
- ensure it's charitable objectives are fulfilled
- hold the limited liability for the company as set out in the Articles of Association
- sign off the Annual Report and Accounts; however this may be delegated to the chair of the Board of Directors. Notwithstanding any provision of the Articles, the Members hereby delegate to the Board of Directors a power and responsibility to appoint and remove Directors. Appointments will be ratified by the Members at the Annual General Meeting of the Trust.

The Job Description and Person Specification incorporating Roles and Responsibilities for the Members are set out in [Appendix 1](#).

Board of Trustees

The board of Trustees are The Board of Directors is able to exercise all of the powers of White Woods Primary Academy Trust in the line with this Scheme of Delegation.

The Board of Directors will offer the CEO challenge, constructive advice, a sounding board for ideas, a second opinion on proposals and help where needed, but will also challenge, ask questions, seek information, improve proposals and so seek to arrive at the best outcome for the Trust.

As Directors of an Exempt Charity (The Trust), the Directors have a fiduciary duty to act in good faith in the best interests of the Trust. This duty includes the following:

- To ensure compliance with any legal obligations
- To report on the Trusts activities (preparing Annual Accounts and any reporting requirements of the Education Funding Agency (EFA))
- To fulfil the charitable objective of the Trust as set out in its constitution (ie Articles of Association) and to act in a way which is compliant with the rules of the Trust contained in the Articles
- To act with integrity and to declare any business interests and avoid any personal conflicts of interest and not to misuse any charity funds or assets
- To act prudently in the financial management of the Trust avoiding putting any assets, funds or reputation of the Trust at undue risk
- To exercise reasonable care and skill, using personal knowledge and experience to ensure the Trust is well run and efficient
- To act responsibly, getting advice from others, including professional advisors, where appropriate

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- The Board of Directors will make decisions on matters which affect all Academies and set the strategic direction of the Trust:

The Job Description and Person Specification incorporating Roles and Responsibilities for the Directors are set out in [Appendix 3](#).

Membership

The list of current Trustees should be displayed on the Trust website. New/replacement Trustees will be appointed/elected in line with the Trust's policy and procedures. Subject to any change where circumstances merit a different approach, the Trust Board will be constituted of a minimum of 5 Non-Executive Directors, maximum of 9.

Term of Office

The term of office is four years. Trustees can be re-elected or re-appointed, but should serve a maximum term of 8 consecutive years on the Trust Board.

Every member of the Trust Board should adhere to the Code of Conduct found in [Appendix 4](#).

Organisation

The Trust board is able to delegate certain responsibilities to committee members. The current committees are:

Audit and Risk Committee, terms of reference can be found in [Appendix 5](#)

Finance and General Purposes Committee, terms of reference can be found in [Appendix 6](#)

Pupil Achievement and Wellbeing committee, terms of reference can be found in [Appendix 7](#)

Pay committee, Terms of reference can be found in [Appendix 14](#)

Local Governing Bodies (LGB)

The LGB's role is to support and challenge the senior leadership team and to provide information to the Trust on the operation and performance of the Academy.

Each LGB has a role to play in the overall development and success of the Trust and in contributing to joint working and sharing best practice between Academies in the Trust.

In line with the overall vision, strategy, ethos and broad policy framework of the Trust, the LGB will:

- act with integrity and declare any business interests and avoid any personal conflicts of interest
- Be a critical friend to and hold leaders to account for the pace and rate of improvement and the achievement of all pupils/students
- Align with the Academy's standards of conduct and values

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- Local Governing Bodies and Headteachers will work within the delegation of responsibility as set out in the Scheme of Delegation unless there is cause for concern (see Trust Intervention – Removal of LGB - [Appendix 5](#))
- The Board of Directors will monitor and evaluate the performance of Local Governing Bodies and Academies using the Key Performance Indicators. [Appendix 6](#)
- Monitor progress against the KPI's and AIP.
- Help the Academy respond to, and meet, the needs of parents and the wider local community
- Ensure all Governors are trained in understanding, interpreting and comparing Academy performance Data.
- Ensure that the Academy contributes significantly to the overall development and success of the Trust
- Feedback to the Central Team and issues arising around the quality or clerking.
- Advise the Trust Board of Directors of any concerns regarding the Academy that cannot be resolved by the LGB and of any suspicions of fraud and irregularity.

Membership

The list of current governors should be displayed on the school website. New/replacement Governors will be appointed/elected in line with the Trust's policy and procedures.

Term of Office

The term of office is four years. The Headteacher holds office ex-officio as long as he/she is in post. Governors can be re-elected or re-appointed, but should serve a maximum term of 8 consecutive years in any one academy.

The Headteacher and CEO (in an ex-officio capacity), or their Deputies, have the right to attend all meetings of a Local Governing Body and its Sub-Committees.

Organisation

Terms of Reference [Appendix 9](#), Constitution and membership are to be reviewed annually by the Trust board.

The Job Description and Person Specification incorporating Roles and Responsibilities for the Governors are set out in [Appendix 7](#).

All Governors should adhere to the Code of Conduct set out in [Appendix 8](#)

Composition (Membership of the LGB) – 4 LGB Governors, maximum 2 parents and 2 Co-Opted. Chair can be either parent or Co-opted. Quorum: At least 2 of Governors eligible to vote. There is one vote per governor and the Chair has the casting vote.

CEO

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The CEO will delegate certain responsibilities/decisions to the executive team covering the areas of premises management, HR, Payroll, Governance and ICT/information governance.

Annual Review

This Scheme of Delegation shall operate from the Effective Date. The Trustees will have the absolute discretion to review this Scheme of Delegation at least on an annual basis and to alter any provisions of it.

DESCRIPTION OF ACTIVITY

(✓=responsible, <A or A> or <A> = advice and the direction of advice)

TRUSTEES LOCAL GOVERNING BODY (LGB) CEO EXEC /HUB IMPROVEMENT LEADS HEADTEACHER

GOVERNANCE FRAMEWORK						
	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
To review and amend the Articles of Association by special signed written resolution (with ESFA agreement) Link	✓	<A		<A		
To make amendments to the Scheme of Delegation		✓		<A		
To change the name of the Trust	✓					
To appoint and remove Members	✓					
To call an Annual General Meeting of Members		✓				
To call a General Meeting of Members	✓	✓				
To appoint and remove Trustees (Co-opted Trustees up to 1/3 max)*	✓	✓*				
To disqualify a Trustee if absent for all meetings held within a period of six months without permission of Trustees		✓				
To elect a Chair and a Vice-Chair of the Trust		✓				
To appoint/establish committees of the Trust		✓				
To review and agree the terms of reference for committees including LGB's on an annual basis (see appendix)		✓		<A		
Appoint/remove two Parent Members and two community members of each Local Governing Body			✓			<A
To appoint and remove Local Governing Body Chairs and Vice Chairs		✓	<A	<A		

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GOVERNANCE FRAMEWORK						
	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
To appoint/remove the Clerk to the Trust Board, any established Committees of the Trust including Local Governing Bodies		✓	<A	<A		
To identify and review on an annual basis the skills and experience required (skills audit) for the Trust Board and each established committee (excluding Local Governing Bodies) of the Trust and address gaps through recruitment/training		✓		<A		
To identify and review on an annual basis the skills and experience required (skills audit) for the Local Governing Body and address gaps through recruitment/training			✓	<A		A<
To evaluate the performance of the Trust Board and any established committee (excluding Local Governing Bodies) on an annual basis		✓	<A	<A	<A	<A
To self-evaluate the performance of Local Governing Bodies on an annual basis			✓	<A		<A
To agree a work plan for the Trust board and each committee of the Trust		✓	<A	<A	<A	<A
To succession plan for Governance at Trust Board level		✓		<A		
To succession plan for Governance at Local Governing Body level			✓	<A	<A	<A
EDUCATION FRAMEWORK						
Approval of Curriculum Plan				✓	<A	<A
Implementing Curriculum in line with policy				A>	A>	✓
Monitor curriculum delivery in line with Policy plan				A>	✓	<A

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GOVERNANCE FRAMEWORK

	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
Approval of KPI success criteria				✓	<A	<A
Agree Judgement of School KPI's				✓	A>	<A
Challenge KPI score			A>	✓	<A	<A
Approval and monitoring of individual pupil targets					A>	✓
Approval of school improvement plan				✓	A<	A<
To develop the Academy Improvement plan setting out the individual school vision, strategy and future plans within the context of the Trust 5 year Strategic Priorities.				A>	A>	✓
Implementing the school improvement plan				A>	A>	✓
Monitoring of progress against school improvement plan			✓	<AA>	✓	<A
Improve the quality of teaching and learning					✓	✓
Monitor the quality of Teaching & Learning				<A>	A>	✓
Suspend a pupil for more than 15 days or exclude permanently* see policy				<A>	<A>	✓
Review an suspension for more than 15 days or permanent exclusion *see policy			✓			<A
Form an appeal panel (independent members from the review panel) for an suspension of more than 15 days or permanent exclusion			✓			

REPORTING FRAMEWORK

Ensure statutory information is published on the Trust's website		✓		<A		
Ensure statutory information is published on the school's			A>			✓

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GOVERNANCE FRAMEWORK

	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
website						
Ensure compliance with Companies Act		✓		<A		
Ensure compliance with H & S Act and related legislation		✓		<A		
Respond and report on H&S related Notifications and inspections				✓		<A
Implement Critical incident plan				✓	<A>	✓
Ensure Trust details are up to date and on the Trust website: <ul style="list-style-type: none"> - For each individual that has served over the past 12 months <ul style="list-style-type: none"> ▪ Appointment date ▪ Resignation date ▪ Number of meetings attended out of a possible number of meetings which could have been attended ▪ Business interests (in accordance with Conflicts & Register of Business Interests Policy) 		✓		<A		
Ensure Local Governing Body details are up to date on the school website: <ul style="list-style-type: none"> - For each individual that has served over the past 12 months <ul style="list-style-type: none"> ▪ Appointment date ▪ Resignation date ▪ Number of meetings attended out of a possible number of meetings which could have been attended ▪ Business interests (in accordance with 			>A			✓

GOVERNANCE FRAMEWORK						
	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
Conflicts & Register of Business Interests Policy						
Respond to SAR's/FOI requests within required timeframes				✓		<A
Respond to findings of DPO at Trust level		A>		✓		
Respond to findings of DPO at school level				A>		✓
Respond to complaints at an individual school level including premises related *see policy for timings and escalation thereafter						✓
Respond to complaints concerning Trust business		✓		✓		
Evaluate and action plan following Ofsted/SIAMS inspection reports				✓	<A	<A
School workforce and pupil census returns				>A		✓
Submission of financial returns to EFSA		✓		✓		
To approve a Risk Management policy and framework, setting the risk appetite and monitor the effectiveness		✓		<A	<A	
To manage the asset register (including ICT and fixtures and fittings)				>A		✓
STRATEGIC LEADERSHIP						
Review and agree the vision, values, ethos and culture of the Trust		✓	<A	<A		<A
Approval of the Trust's 5 year strategic priorities (incorporating vision, strategy and key performance indicators and risks)		✓		<A		

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GOVERNANCE FRAMEWORK

	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
Agree the duration of the school day and the term dates for each school		✓		<A		
Agree each school budget		✓		<A	<A	<A
Agree HR Strategy and Policy Framework		✓		<A		
Agree Estate Management Policy and Procedure Framework including H&S		✓		<A		
Agree Finance Policy and Procedure Framework to support compliance with the Academies Trust Handbook and Academies Accounts Direction		✓		<A		
Agree Information Governance Policies and Procedures		✓		<A		
Agree Trust wide policies and procedures Framework (not already covered): Complaints, safeguarding, SEND, exclusions and suspensions, attendance, admissions, supporting children with medical needs,		✓		<A	<A	
Agree admissions policy		✓		<A		
Agree EYFS admissions policy		✓		<A		?
Appoint Safeguarding, Pupil Premium and SEND lead Trustee for the Trust Board Trust Safeguarding policy		✓		<A		
Ensure compliance with safer recruitment and selection policy				A>		✓
Approve school specific policies /appendices within the Trust policy framework. Behaviour, safeguarding, Accessibility			✓			<A
Undertake consultation with Unions where required				✓		

GOVERNANCE FRAMEWORK						
	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
APPOINTMENTS/DISMISSALS AND DESIGNATIONS						
Appoint/dismiss the Chief Executive Officer (CEO)		✓				
Appoint/dismiss a member of the Executive Leadership (CFO) and Central Trust team (within approved structure)		A>		✓		
Designate in writing the employee with the responsibility of Accounting Officer, Chief Financial Officer and Company Secretary (if applicable)		✓		<A		
Appoint/Dismiss an Executive/School Leader		A>	A>	✓	<A	
Appoint (within approved structure)/dismiss other school staff (excluding premises staff)				A>	A>	✓
Appoint (within approved structure)/dismiss premises staff				✓		<A
Agree changes to the staffing structure of each school (excluding premises staff)				✓	<A	<A
Agree changes to the staffing structure of each school for premises staff				✓		<A
Appoint (within approved structure)/dismiss Central team employees (including all premises staff)				✓		
Agree changes to the staffing structure of the Trust		✓		<A		
Appoint appropriate person(s) to provide competent health and safety advice to the Trust and its schools.		✓		<A		
Appoint (SENCO) for the school						✓
Appoint Designated Safeguarding Lead for the school						✓
Ensure that there is a qualified teacher designated for Children in Care						✓

GOVERNANCE FRAMEWORK

	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
Ensure there is a named person responsible for children with medical needs Link to policy						✓
Investigate misconduct and attendance issues at a school level excluding premises staff				A>	A>	✓
Investigate misconduct and attendance issues of premises staff				✓		<A
Investigate misconduct and attendance issues of Central team staff				✓		
Form an appeal panel to hear disciplinary or attendance appeals from staff		✓		<A	<A	<A

PERFORMANCE MONITORING AND HOLDING TO ACCOUNT

Establish a performance management review of the Chief Executive Officer on an annual basis and appoint independent advisor to support as appropriate.		✓				
Undertake performance management of the Executive Leaders				✓		
Undertake Performance Management of the School Leader of each school			A>	✓	<A	
Undertake Performance Management of other central trust employees.				✓		
Undertake Performance Management of school employees (Excluding premises team).						✓
Line/Performance Management of school Premises staff (overtime, leave of absence, sickness check HR policy with NS reflects correct process)				✓		<A

GOVERNANCE FRAMEWORK						
	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
ENSURING FINANCIAL PROBITY <u>Financial Scheme of Delegation</u>						
Approve the annual revenue and capital budget plan		✓		<A		
To consider monthly revenue and capital budget monitoring reports including variances between actual and approved budget year to date, projected outturn and approved budget, including narrative explaining the reasons for variances		✓				
To approve the Annual Report and Financial Statements for presentation to Members at their AGM		✓		<A		
To ensure compliance with ESFA requirements/funding agreement		✓		✓		
To agree risk appetite and oversee the risk register		✓		<A		
To determine the pay progression/award for the Chief Executive Officer		✓				
To determine the pay progression/award for the Executive Team		✓		<A		
To determine pay progression for the Executive/School Leader of each school		✓		<A		
To determine the pay progression for the Central Team				✓		
To determine pay progression for each school based employees (except UPS)						✓
To determine pay progression for DHT/AHT						✓
To determine pay progression for school based employees entering or on UPS.		✓		<A		<A

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GOVERNANCE FRAMEWORK

	Members	Trustees	LGB	CEO	Exec Head/Hub Lead	Headteacher
To form a panel to hear staff pay appeals		✓				
To appoint the statutory auditor	✓	<A		<A		
To ratify the (re-)appointment of the external auditor at each AGM when the Annual Report and Financial Statements are laid before Members.	✓	<A				
To remove auditors before the expiry of their term of office, in exceptional circumstances	✓					
Notify the ESFA of the resignation of auditors, before the expiry of the term of office.		✓				
Appointment of internal audit		✓		<A		
To agree and annually review a Scheme of Financial Delegation (published as Financial Regulations and Scheme of Financial Delegation).		✓		<A		
Develop and agree trust wide procurement strategies, efficiency savings and revenue generation		A>		✓		
		✓		<A		
To Monitor pupil premium spend and sports premium spend against intended impact			✓			<A
To approve the framework for ensuring the management and reporting of conflict of interest		✓		<A		
To ensure adequate insurance is in place		✓		<A		

DESCRIPTION OF ACTIVITY (✓=responsible, <A or A> or <A> = advice and the direction of advice)	MEMBERS	TRUSTEES	LOCAL GOVERNING BODY (LGB)	CEO	EXEC /HUB IMPROVEMENT LEADS	HEADTEACHER
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Safeguarding

Monitor the effectiveness of the Safeguarding Policy and procedures		>A		✓	<A	<A
Monitor the effectiveness of the SEND policy, including accessibility, and inclusion				✓	<A	<A
Monitor a culture of safeguarding and teaching regarding how to stay safe is evident in schools			✓		<A	<A
Monitor a culture of inclusion and support for pupils with SEND			✓		<A	<A
Ensure annual Safeguarding Audits are completed.						✓
Ensure summary reports of Safeguarding effectiveness are reported to the Board termly.				✓	<A	
Attend all relevant training and ensure all staff at school level are appropriately trained.				A>		✓
Attend all relevant training and ensure all staff at Trust level are appropriately trained.				✓		
Attend all relevant training and ensure Trustees are appropriately trained		✓		<A		
Attend all relevant training and ensure governors are appropriately trained			✓	<A		
Ensure Safer Recruitment procedures are implemented inline with safeguarding policy						✓
Ensure compliance with food standards for inhouse food production (breakfast clubs, Canklow Kitchen)		✓		<A		

Premises

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Project Management (premises)				✓		<A
Approve sub leasing of premises		✓		<A		
Approve use of premises for extra curricular activities within standard facility management hours						✓
Approve use of premises for extra curricular activities (outside of facilities management standard hours)				✓		<A
Register with environmental health in order to facilitate food production in house (breakfast club, Canklow)				✓		
Management of food production to ensure compliance with food standards agency (breakfast clubs, Canklow kitchen)						✓

Stakeholder Engagement/Partnership working

Engage with and collect the views pupils			A>			✓
Engage with and collect the views of parents			A>			✓
Engage with and collect the views of the community			A>			✓
Engage with and collect the views of staff				A>	A>	✓
Engage with local business to evaluate sponsorship/revenue generating opportunities		A>		✓		
Facilitate Trust wide collaboration		✓	✓	✓	✓	✓
Trust partnerships - collaborative working, support and sharing of best practice			✓	✓	✓	✓
Local/National education - engaging stakeholders and influencing policy, sharing best practice		✓	✓	✓	✓	✓
Civic duty - Buildings relationships, collaborative working, support outside of the Trust		✓	✓	✓	✓	✓

Appendix 1 – Job description for Members incorporating roles and responsibilities. [Members Job description](#)

Appendix 2 – Trust prospectus

Appendix 3 - Director Job Description incorporating roles and responsibilities [Director Job Description](#)

Appendix 4 - Code of conduct Directors [Code of conduct](#)

Appendix 5 - Terms of reference Finance and General purposes Committee [Terms of reference Finance and General Purposes committee](#)

Appendix 6 – Terms of reference Audit and risk committee [Audit and Risk Committee terms of reference](#)

Appendix 7 – Terms of reference Pupil achievement and wellbeing [Pupil achievement and wellbeing Terms of reference](#)

Appendix 8– Removal of LGB [Removal of LGB Delegated Powers](#)

Appendix 9 - Key performance indicators summary [Explanatory notes for Governors regarding KPI's](#)

Appendix 10 – LGB job description incorporating roles and responsibilities [Draft job description local Governor](#)

Appendix 11 - Code of conduct LGB/Directors [Code of conduct](#)

Appendix 12 - Terms of reference LGB [Draft LGB Terms of Reference October 2022](#)

Appendix 13 – Scheme of Financial Authorities [Scheme of Financial Delegation](#)

Appendix 14 - Terms of reference pay committee [Terms of reference pay committee](#)