



Scheme of Delegation

Date agreed	19th September 2023
Date of next review	Annual
Approved by	Full Board
Sources of policy	NGA Guidance and Academies Trust Handbook
Updates from previous policy	No changes from previous version

Introduction

Attigo Academy Trust was established on 1st September 2018 as a multi academy trust and, in consequence of it entering into both a Master Funding Agreement and a number of Supplemental Funding Agreements operates and maintains a group of schools.

The Trust is a company limited by guarantee, registered at Companies House (Company Number 11420376). The Trust is not a registered charity but an “exempt” charity, regulated by the Secretary of State for Education, who acts as the principal regulator.

The Trust’s constitution is set out in its Articles of Association and this Scheme of Delegation has been put in place in accordance with the provisions of the Articles and should be read in the light of them.

The purpose of this Scheme of Delegation is to provide clarity as to the role and responsibilities of those who contribute to the governance of the schools and the Trust itself. All those with governance and management responsibilities must be familiar with this Scheme of Delegation so that appropriate steps can be taken to ensure there is sufficient and proper challenge of those with leadership responsibilities, to ensure that senior leaders are held to account for the performance of the schools and that there is financial stability within the Trust.

This Scheme of Delegation will apply to each school in the Attigo Academy Trust although changes are made to schools that are sponsored. The Effective Date of this Scheme of Delegation is 1st September 2018 and it will be reviewed frequently by the Trustees.

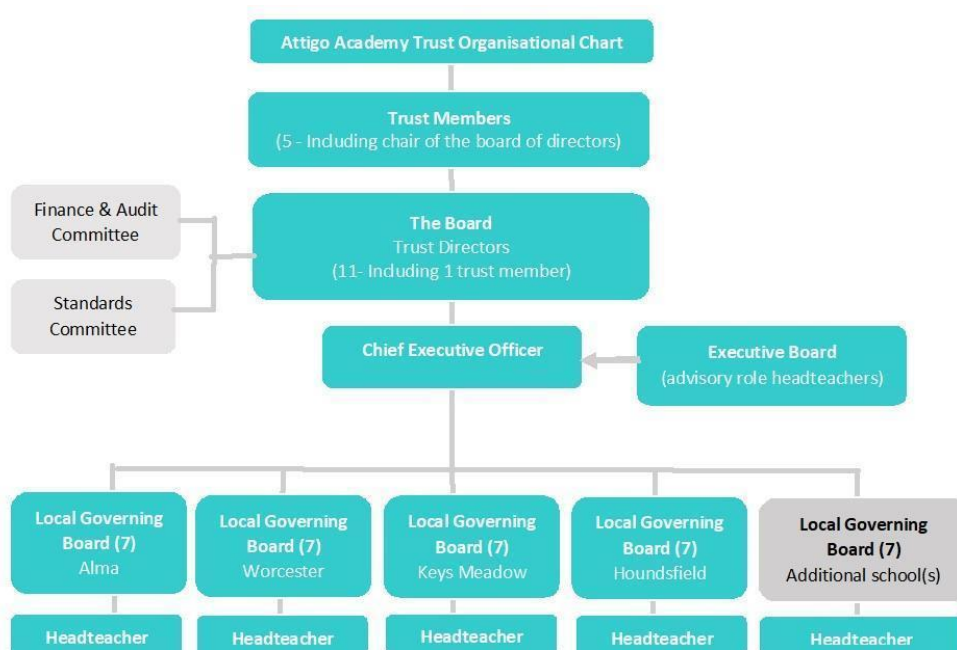
Aims of the scheme of delegation:

- Ensure the executive leadership (Members, CEO and Board) are clear about which decisions they control.
- Ensure that the roles of the Members, Trustees, CEO and Executive Board are fully understood throughout the MAT.
- Promote a culture of honesty and accountability.
- Identify responsibility for the appointment and performance management of the CEO and Headteachers.
- Identify responsibility for policy and practice in each school.
- Identify responsibility for oversight of each school’s budget.
- Identify responsibility for assessment of risk in each school.
- Identify responsibility for oversight of educational performance in each school.

Accountability for Educational Standards and Outcomes

- Determine curriculum priorities
- Set expectations through performance benchmarks: regularly monitoring progress and providing challenge, support or determining levels of intervention
- Monitor and oversee the implementation of school improvement or action plans focussing on school improvement

- Ensure regular analysis and reporting of a wide range of achievement data takes place across the Trust and that any mitigating actions are implemented with pace - actioned through:
 - CEO collecting data termly from all schools to scrutinise with half termly tracks for year 2 and 6 to report to The Board
 - Headteacher for School Improvement is tracking outcomes across the schools for year 6
 - Headteachers use common reporting formats, which have been agreed, to collect data which will make comparisons across the schools against national data
 - LGBs will also receive and scrutinise data as a regular agenda item



Vision and Values

Founding Principles

Attigo Academy Trust was created for member schools to work in partnership whilst maintaining their autonomy and unique qualities. We celebrate the diversity and individuality of each community. Our Trust embraces inclusion and aims to achieve excellence for all. We ensure that our children have outstanding learning experiences and put opportunity for every child at the heart of everything we do. Our Trust is committed to working together for the well-being of all by investing in our community.

Core Values: Excellence, Community, Diversity

Excellence

working collaboratively; sharing skills and knowledge; working in partnership; embracing inclusion; excellence for all; children at the heart; committed to well-being of all; investors in community; working together locally and globally

Community

striving to achieve our best; promoting high aspirations; producing outstanding progress in achievements; adopting a continuously moving target; not accepting excuses; high expectations

Diversity

embracing uniqueness; committing to values; celebrating diversity and individuality; maintaining autonomy; ensuring the well-being of children; broadening curriculum and experiences; promoting good social, emotional and behavioural skills and attitudes

Principles for Effective Partnership

The Schools, and those responsible for the governance and management of the Trust and the Schools, have committed to working in partnership, supporting one another and there are clear underlying principles around how that partnership will work. All those involved in the running and oversight of the Trust and the Schools will be open and honest in their dealings with each other, at all times acting in good faith and recognising the value of independence and separation in relation to decision making.

Governance structure and lines of accountability

The Board of Trustees (The Board) of Attigo Academy Trust delegate responsibility for delivery of the vision and strategy to the lead professional of the MAT, the Chief Executive Officer (CEO). The Board will hold the CEO to account for the performance of the Trust, including the performance of the schools within the Trust. The CEO in turn holds other senior executives to account by line managing them. The senior executive structure of the MAT is outlined in the scheme showing what is delegated by The Board including delegation to the CEO as well as to the committees of the Board of Trustees. While The Board will not ever delegate its accountability, it can and must delegate some of the detailed scrutiny, oversight and decision making. The size of the MAT will determine if any decision making functions are delegated by The Board to Local Governing Boards (LGBs), therefore the scheme will be reviewed annually.

In Attigo Academy Trust's Scheme of Delegation (SoD) The Board delegates some responsibilities concerning the performance of each academy to LGBs. These responsibilities will include monitoring whether the school is working within the agreed policies, whether standards are being met, and if the money is being well spent.

The LGB will use its detailed knowledge and engagement with stakeholders to ensure that their school is being well served by the executive leadership trust members, The Board, CEO and the Executive Board. The LGB has direct access to The Board if there are concerns via the link Trustee.

This means that as the CEO is accountable to The Board for the performance of the Trust as a whole, the CEO will report to The Board on the performance of the Trust including the performance of the Trust's schools, although this may be supplemented by monitoring reports from the LGB and the Executive Board.

The CEO is performance managed by The Board. The CEO performance manages the school Headteachers but will seek input from the LGB Chair. A Trustee will be linked to each school to ensure there is a link between the Board and each school.

Roles and responsibilities

The role of the Members

The "**Members**" of the Trust are equivalent to shareholders of a trading company but as the Trust is charitable with no power to distribute profit to shareholders, the Members are best viewed as guardians of the constitution, changing the Articles if necessary and ensuring the charitable object is fulfilled. Each Member's liability is limited to £10 and, in view of the limited liability and therefore scope for accountability; they have limited governance and no day to day management responsibilities.

The Members are the signatories to the Memorandum of Association and will agree the Trust's Articles of Association. The Articles of Association describe how Members are recruited and replaced, and how many of the Trustees the Members can appoint to the Board. The Members appoint Trustees to ensure that the Trust's Charitable Object is carried out and so are able to remove Trustees if they fail to fulfil this responsibility. The Board will submit an annual report on the performance of the Trust to the Members.

Members are also responsible for approving any amendments made to the Trust's Articles of Association. In order to ensure clear flow of information, one Member will also sit on the Board. This individual will not be a paid employee of the Academy Trust.

The Members are the guardians of the constitution, determining the governance structure of the Trust and providing oversight and challenge of the Trustees to ensure the charitable object of the Trust is being fulfilled. Whilst the Members have limited legal and financial responsibility for the affairs of the Trust, the Department for Education recommends that there is some distinction between the Members and the Trustees as "this enables members who are independent of the Trustees to provide challenge and scrutiny to the board" (Governance Handbook).

The trust must have at least 3 members, although the Department's strong preference is that trusts should have at least 5 members.

The Members' key responsibilities are:

- to ensure the Objects of the Trust are met, the Annual Report should address this which will be presented to the Members either at a General Meeting of the Trust held in accordance with the Articles of Association or by other means;
- to determine the Trust's constitution and governance structure, i.e. the Articles, which will have been finalised on incorporation; and
- exercising either a direct power under the Articles or a statutory power under the Companies Act 2006 to appoint and remove Trustees (noting the power of The Board also to make such appointments) which should be exercised sparingly given the management responsibility is vested in The Board.

Notwithstanding any provision of the Articles, the Members hereby delegate to the Trustees a power and responsibility to appoint and remove Trustees, which appointments will be ratified at the next Annual General Meeting. Any removal by the The Board of a Trustee appointed by the Members shall only be undertaken with the consent of the Members.

The role of the Board of Trustees (The Board)

The Trustees are the charity trustees (within the terms of section 177(1) of the Charities Act 2011) and are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the Memorandum and Articles of Association. The Board is the accountable body for the performance of all schools within the Trust and as such will:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the Chief Executive Officer to account for the educational performance of the schools and their pupils, and the performance management of staff
3. Oversee the financial performance of the Trust and make sure its money is well spent

The Board is permitted to exercise all the powers of the Academy Trust. The Board will delegate responsibility for the day to day operations of the Trust to the Chief Executive Officer. The Trustees can determine whether to delegate any governance functions. The Board has the right to review and adapt its governance structure at any time which includes removing delegation.

The Trustees have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and maintaining of the schools (which includes taking existing schools into the Trust). The Trustees have the power to direct change where required.

As Trustees of a charity, the Trustees have a fiduciary duty to act in good faith in the best interests of the charity. This duty includes a responsibility to do the following:

- to ensure compliance with any legal obligations;
- to report on the charity's activities (the Trust must prepare accounts in accordance with the Statement of Recommended Practice for Charities)
- to fulfil the charitable object of the charity as set out in its constitution (i.e. the **Articles of Association**) and to act in a way which is compliant with the rules of the charity contained in the Articles;
- to act with integrity and to 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; and
- to act responsibly, getting advice from others, including professional advisors, where appropriate.

The Trustees must act independently and in the best interest of the Trust even if those interests conflict with those of the body or organisation that might have appointed or nominated such Trustee to serve on The Board, this will include a conflict of loyalty where there is no obvious benefit involved, as well as a conflict of interest. The Board has adopted a formal **Conflict of Interest Policy**, in order to assist all those involved in the running of the Trust at every level to avoid and manage conflicts. Specific attention must be given to any arrangement whereby a Member or Trustee will personally benefit from an arrangement and the Conflict of Interest Policy makes reference to both the restrictions in the Articles of Association and the ESFA's guidance on "related party transactions" which all those involved in the running of the Trust must have regard to. This does recognise however the fundamental and necessary relationship between the Trust and the schools in both governance and management terms and that individuals may serve in a number of capacities and at numerous levels within the Trust.

The specific tasks and responsibilities of the Trust Board (including link Trustee) are as follows:

- to determine and fulfil the shared vision and ethos of the Trust and the schools, acknowledging the uniqueness of each individual school and the needs of the communities they serve;
- to develop a strategic plan for the Trust and to effectively communicate that plan so this can be implemented across the Trust and all the schools, including determining any future expansion of the Trust and the relationship that the Trust has with the Secretary of State for Education (including also the Department for Education, the Education Skills and Funding Agency and Ofsted);
- to develop and support strategic partnerships with other bodies and organisations, including service providers and government agencies, which will further the Trust's strategic plan;
- to act as a critical friend to the Chief Executive Officer and each of the LGBs and to ensure they are effective;
- to determine and through the Chief Executive Officer ensure the implementation of policies and procedures which it is intended will achieve a consistently high standard of education and financial prudence across the Trust dealing with (but not limited to) the following:
 1. Human Resources/Employment
 2. Audit & Risk Management
 3. Contingencies and Reserves (both central and at school level)
 4. Governance
 5. Health & Safety
 6. Operational Matters

7. Standards and Educational Performance
8. Data Management
9. Complaints and Appeals
10. Legal Compliance

- to work with the LGBs to develop the local capacity within the Trust to provide both governance and leadership support and mentoring to the LGBs and the leadership teams within the schools, as well as direct School Improvement Support; facilitating the development of the Academy action plans where required;
- working with the LGBs, to make or facilitate the making of suitable appointments of Governors who will serve on the LGBs, including removing Governors who fail to fulfil the expectations set out in this Scheme of Delegation;
- to approve the overall Trust budget and allocations to the schools including determining the budget for any shared or central expenditure
- to support the Chief Executive Officer with the appointment of Headteachers in conjunction with the LGBs to determine the framework within which the performance of the Headteacher of the schools should be carried out;
- to have power to provide and monitor or evaluate the delivery of the central or shared services and functions provided by the Chief Executive Officer, emphasising the benefits of collaborative working across the schools and procurement efficiencies for common services and resources and ensuring there is comprehensive support to the schools;
- the Trustees will ensure that there is a programme of internal scrutiny to provide independent assurance that its financial and non financial controls and risk management procedures are operating effectively;
- to act as the ultimate decision maker in relation to any appeals by staff following disciplinary or grievance procedures;
- to ensure proper advice is available to the Trust and the schools in relation to legal and compliance matters;
- to ensure that insurance or risk protection cover is put in place and maintained for all risk areas including damage to property, employer liability, public and third party liability and Trustee liability;
- to liaise with and support the LGBs ensuring there is collaboration across the Trust, emphasising and facilitating the benefits of such collaboration.

The following are the core competencies and skills expected of all Trustees.

- to work as a team;
- to attend meetings and be prepared to contribute to discussions;
- to be respectful of the views of others and to be open to new ideas and thoughts;
- to treat all confidential information confidentially;
- to develop a deep understanding of the vision and ethos of the Trust and its schools and the roles played by all individuals in fulfilment of the mission of the Trust;
- to understand the policies and procedures of the Trust and how these flow down to the schools;
- to support the Trust and the schools in public and act as an ambassador;
- to commit to training and skills development
- to be ready to ask questions;
- to be focussed on problem solving and be ready to learn from past experiences.

Specific skills may be needed if a Trustee is to take responsibility for and lead on a specific area. Other Trustees may lead on finance, health and safety, safeguarding, leadership appointments or standards and curriculum. A regular skills audit will be undertaken and Trustees should expect to be able to articulate their contribution to the success of the Trust and the schools.

The organisation of The Board is set out in the Articles of Association which determine meeting frequency, quorum and the appointment of a Chair and Vice Chair. For ease, The Trust Board is required to meet at least

3 times a year and quorum for any meeting is the greater of 3 and a third of the Trustees appointed at any one time.

Management responsibilities

The corporate management responsibility for the Trust is vested in the “**Trustees**”, who will be trustees for charity law purposes and company directors registered with Companies House. The Trustees are personally responsible for the actions of the Trust and the schools and are accountable to the Members, the Secretary of State for Education and the wider community for the quality of the education received by all pupils of the schools and the expenditure of public money.

The Trustees are required as trustees and pursuant to the Funding Agreements to have systems in place through which they can assure themselves of the quality, safety and good practice of the affairs of the Trust. The Trustees meet as a board of trustees, generally known as the “**Board of Trustees**”. All Trustees have the same responsibility to act in the best interests of the Trust and the schools, irrespective of their role on the Board i.e. whether appointed in an executive capacity, such as the “**Chief Executive Officer**”, or nominated by one or more of the schools.

The role of Finance and Audit and Standards Committees

The Trustees will establish committees either with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of The Board. However, these committees are not legally responsible or accountable for statutory functions – The Board retains overall accountability and responsibility. The responsibilities of Board Committees will be set out in their terms of reference; the responsibilities for school LGBs are set out in the Scheme of Delegation. The Trust Board may appoint committee members and committee chairs.

The role of the Local Governing Board (LGB)

The Board will establish LGBs, ensure up to two parents are elected and will determine what will be delegated. The appointment of the Chair of the LGB will be approved by The Board of trustees Typically, responsibilities for the LGBs may include:

- Building an understanding of how the school is led and managed
- Monitoring whether the school is:
 - Working within agreed policies
 - Addressing school improvement priorities in the school improvement plan
 - Acting on actions identified for improvement from any reviews undertaken for the school
 - Discussing arrangements for disadvantaged and SEND pupils
 - Ensuring safeguarding is effective
- Engaging with stakeholders
- Reporting to The Board of Trustees – Trustees will have access to LGB minutes and all underlying documents

As a committee of the Board, delegation can be removed at any time. LGB members should also refer to the terms of reference. Resignation and Removal of a LGB member can occur if it is found that they have breached the Code of Conduct or not upheld their responsibilities set out in the terms of reference.

A person serving on the LGB shall cease to hold office if he or she is removed by The Board. Removal from office could be as a result of

- a failure to uphold the values of the Trust and/or the school
- acting in a way which is not appropriate and in conflict with the Trust Scheme of Delegation

If a Headteacher believes that a LGB member has breached the code of conduct or has failed to adhere to the Terms of Reference, then this is reported to the CEO who will inform the Chair of Trustees. The Chair of Trustees may wish to investigate the matter themselves or delegate this responsibility to the CEO. An investigation will establish whether any breaches have occurred and will then report to the Trustees who will make a decision regarding the LGB members position.

Article 101 of the Articles of Association provides for the appointment by the Trustees of committees to whom the Trust Board may delegate certain functions and responsibilities. The Trust Board has established “**Local Governing Board**” (LGB’s) for each of the schools and their power is derived from The Board. Like the Trustees on The Board, the individuals serving on a LGBs are also responsible for fulfilling a local governance role, in conjunction with a “**Headteacher**” (Executive Headteacher, Headteacher or Head of School, as the case may be), who is responsible for the internal organisation, management and control of the school(s). The Board will also delegate management responsibility directly to the Headteachers, who will report to the Chief Executive Officer.

The role of a LGB member within a multi academy trust is an important one. In developing a governance structure, the Trust has sought to ensure that as much as possible the responsibility to govern is vested in those closest to the impact of decision making and that such responsibility matches the capacity of those assuming responsibility.

The Members serving on such LGBs are accountable to The Board. Whilst not trustees under charity law, nevertheless, all LGB members are under a duty to act in good faith and in the best interests of the school and the Trust (which includes all the schools).

This duty includes a responsibility to do the following:

- to ensure the school complies with its legal obligations;
- to fulfil the charitable object of the Trust;
- to act with integrity and to avoid any personal conflicts of interest and not to misuse any charitable funds or assets of the school or the Trust;
- to act prudently in the financial management of the school, avoiding putting any assets, funds or reputation of the school or the Trust at undue risk;
- to exercise reasonable care and skill, using personal knowledge and experience to ensure the school is well run and efficient;
- to act responsibly, getting advice from others from within the Trust and if appropriate external professional advisors;
- to act in accordance with any authority delegated to him or her, including complying with any regulation or requirement of those from whom delegated authority is received; and
- to act as an ambassador of the Trust and in a way which is consistent with the vision and ideals of the Trust

LGBs must act independently and in the best interest of the school even if those interests conflict with those of the body or organisation that might have appointed or nominated them to serve on the LGB. As with the Trustees, the Governors must comply with the Trust’s Conflict of Interest Policy, which nevertheless recognises the important relationship between the Trustees and the LGBs.

The specific tasks and responsibilities of the LGBs are as follows:

- to fulfil the vision and ethos of the Trust in so far as it relates to the school, ensuring that the school achieves the aims and ambitions it has for its pupils, having regard in particular to the benefits of being part of a family of schools which stresses the importance of collaboration and mutual support;
- to review from time to time and ensure the implementation of the school’s strategy for improvement as set out in its school improvement plan, focussing on the school’s performance and achieving sustained school improvement and having regard to any locally agreed priorities identified by The Board;
- to provide support and challenge (and act as a critical friend) to the school’s senior leadership team, being ready to challenge and hold senior leaders to account for all aspects of the school’s performance;
- LGBs will receive the annual budget from the CFO at the beginning of the autumn term. The school’s senior leadership team adopts and implements appropriate risk and financial management policies and practices, including in particular any adopted by The Board for application across all the schools;

- to support the school's Headteacher in the development and review of an appropriate staffing structure for the school, ensuring there is robust and accountable monitoring of the performance of staff and implementing all and any policies relating to staff adopted by The Board;
- to support The Board in its monitoring and evaluation of the delivery of any central or shared services and functions provided or procured by the Trust for the schools, reporting any issues or concerns to the Chief Executive Officer;
- to promote the benefits of collaboration with the other schools and to actively seek opportunities to work together either with the aim of improving economic efficiencies within the schools or identifying and implementing best practice;
- to develop effective links within the schools' community, communicating openly and frequently as appropriate and ensuring that the school meets its responsibilities to the community and serves the community's needs in relation to the safeguarding and education of its pupils; and
- to engage fully and openly with any inspection of the school, whether by The Board, Ofsted or any other appropriate public body to whom the school is accountable.
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Specific skills may be needed if a LGB member is to take responsibility for and lead on a specific area. A regular skills audit will be undertaken and Members should expect to be able to articulate their contribution to the success of the school. Individual Members will be given primary responsibility through matching skills and experience to functions. These will include:

- Pupil premium
- SEND
- Health and Safety
- Safeguarding
- School Improvement

Whilst individual roles are important they will not affect collective and overall individual responsibility but Members are expected to use their skills and experience in the fulfilment of their duties.

Subject to the provisions of the Companies Act 2006 every member of the LGBs shall be indemnified out of the assets of the Trust against any liability incurred by him or her in that capacity in defending any proceedings, whether civil or criminal, in which judgement is given in favour or in which he or she is acquitted or in connection with any application in which relief is granted to him or her by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Trust.

As with the Trustees, the following are the core competencies and skills expected of all Members in each LGB:

- to work as a team;
- to attend meetings and be prepared to contribute to discussions and commit to agreed actions;
- to be respectful of the views of others and to be open to new ideas and thoughts;
- to treat all confidential information confidentially;
- to develop a deep understanding of the vision and ethos of the Trust and its schools and the roles played by all individuals in fulfilment of the Trust's mission and vision;
- to understand the policies and procedures of the Trust and how these are flowed down to the school;
- to support the Trust in public and act as an ambassador of the Trust;
- to commit to training and skills development
- to be ready to ask questions;
- to be focussed on problem solving and be ready to learn from past experiences.

The Board also recognises the role that the schools play in their communities and LGBs are free to decide how such support and patronage is given. The LGBs shall ensure that any support is not inconsistent with the objects of the Trust and the restrictions on the use of its charitable resources and any advice or restriction placed on the Trust by the Secretary of State.

The LGBs shall be responsible for the setting and review of the curriculum priorities for the schools, but shall have regard to any views of The Board in recognition of the Trust Board's obligation to the Secretary of State to provide a broad and balanced curriculum.

The LGBs shall be responsible for the standards achieved by the school and the pupils attending the school. The LGBs will support the Headteacher in the development and implementation of any action plan or school improvement plan which is to address any weaknesses and areas for improvement of standards and overall attainment at the school, but in so doing shall have regard to any advice and recommendations of The Board as they might issue from time to time, particularly in relation to benchmarking and target setting.

The LGB will be responsible for the curriculum on a day to day basis and for implementing any strategic plan for the improvement of standards and attainment at the Academy.

The LGBs will develop appropriate links with other local schools or education organisations to promote best practices in learning and development and to facilitate peer to peer review and support. The LGBs will also promote and develop links with local businesses and community organisations which are designed to enrich the school life of pupils and foster citizenship. Schools are also encouraged to join local partnerships which exist in the Local Authority.

The LGBs through the Headteacher shall be responsible for the appointment of all other staff to be employed at the school provided that the LGBs and Headteacher shall:

- implement and comply with all policies dealing with staff issued by the Trust Board from time to time;
- take account of any pay terms set by The Board;
- adopt any standard contracts or terms and conditions for the employment of staff issued by The Board;
- adopt appropriate and transparent procedures for the recruitment of staff;
- manage any claims and disputes with staff members having regard to any advice and recommendations given by The Board and/or its insurers;
- bring to the attention of the Chief Executive Officer without delay any claims or disputes with staff that may require a hearing by a panel of members of the LGB where escalation is necessary.
- seek the advice of the Chief Executive Officer where any significant cost is contemplated either in relation to the appointment or resignation of a member of staff, including in relation to ill health retirement or the settlement of any claims or grievances.

The Headteacher shall carry out or delegate to appropriate staff the performance management of all staff and shall put in place procedures for the proper professional and personal development of staff.

Admissions and Exclusions

The LGBs shall be responsible for the setting and review from time to time of the school's admissions policy provided that no material change will be made to the admissions criteria without the approval of the Chief Executive Officer, who may refer controversial questions to The Board. The school must continue to comply with the terms of the statutory Admissions Code.

Any decision to expand the school shall be that of The Board who shall have regard to the views of the LGBs following consultation with the Chief Executive Officer.

Any appeal against admissions shall be heard by an independent appeal panel.

The LGB shall consider any decision by the Headteacher to permanently exclude any pupil and will be the appropriate body for reconsidering any decision to readmit required by any independent panel hearing. The independent panel must consist of 3 LGB members (excluding staff or parents members) and can be drawn from other LGB's within the trust.

Premises

The day to day maintenance and care of the buildings and facilities used in respect of the school is the responsibility of the LGBs (with management responsibility being delegated to the Headteacher), who shall have regard at all times to the safety of the users of the buildings and the facilities and the legal responsibilities of Trust (and/or any others) as owner of such buildings and facilities.

The LGBs shall support in developing a long term estate management strategy that will identify the suitability of building and facilities in light of long term curriculum needs and the need for and availability of capital investment to meet the Trust's legal responsibility to ensure the buildings and facilities used by each school are maintained to a good standard.

Short term lettings and day to day uses of the school buildings and playing fields will be the responsibility of the LGB, who shall comply with any policy issued from time to time by The Board regarding such uses.

General Provisions

The Trust Board reserves the right to review and alter this Scheme of Delegation and the level of delegated responsibility at any time, noting that it is likely to be reviewed for its effectiveness annually. Whilst the Scheme cannot take the form of a legally binding contract and is subject to the overriding duty on the Trustees to act freely and in the best interest of the Trust, in so far as the Trustees are able they agree to abide by the provisions of it and will consult the LGBs.

Those to whom delegated responsibility is given must acknowledge the limitations on their authority and must not act outside of their authority. Any wilful disregard of the matters expressed in this Scheme is likely to lead to the Scheme being withdrawn. In the event of any serious disagreement between The Board and a LGBs, which cannot be resolved by the Chair of the LGBs discussing the matter with the Chair of the Board, will be referred to the Secretary of State for Education for guidance

As a matter of general principle, the LGBs will adopt and will comply with all policies adopted by The Board and will comply with any direction issued by The Board and have regard to any advice given.

Finance and Audit

Except as provided for in this Scheme of Delegation, in addition to all powers hereby expressly conferred upon the LGBs and without detracting from the generality of the powers delegated, the LGBs shall have the following powers, namely:

- to expend the funds of the Trust received in respect of the school in such manner as the LGBs shall consider most beneficial for the running of the school within the approved budget; and
- to enter into contracts on behalf of the Trust in so far as they relate to the school and are within the scope of the LGBs responsibility as set out in the Finance Scheme of Delegation, subject to the limits to act without specific authorisation.
- each school will have its own bank account, opened by the Trust when the school joined the Trust, which shall be operated by the schools. All cheques, BACS and orders for the payment of money from such accounts shall be signed by or authorised in accordance with the Financial Regulations Manual.

No Trust monies (whether or not authority to expend has been devolved to the LGBs) shall be paid into any bank account other than a bank account authorised by the Trustees.

The Trust's accounts shall be the responsibility of The Board but the Headteacher of the school shall provide such information about the school, as often and in such detail and format as the Chief Executive Officer shall reasonably require, in order to carry out an internal audit of the schools in accordance with the requirements of the Education Funding Agency's Academy Trust Handbook.

The Board shall ensure that proper procedures are put in place for the safeguarding of funds and that the requirements of the Academy Trust Handbook and the Funding Agreements are observed at all times and the Education Funding Agency. For the avoidance of doubt the Board acknowledges the restriction on borrowing contained in the Funding Agreements.

The Board acknowledges the LGBs right and intention to use any voluntary (i.e. non grant) funds (including any restricted funds) raised by schools for the purposes for which they have been raised and otherwise solely at the discretion of the LGB provided this is within the charitable object of the Trust. Proper accounts will be kept by the Headteacher showing the receipt and use of such funds and the extent to which such funds are restricted, in the light of the obligation on the Trust to note these funds separately in the Trust accounts.

The Board also acknowledges that from time to time the schools themselves may seek to generate additional funds by undertaking certain activities, such as without limitation: lettings, the provision of sporting and recreational facilities, running a nursery and/or providing childcare. In some cases and particularly where such activities do not fall within the charitable object of the Trust, these may need to be channelled through a trading subsidiary, decisions about which will be made by The Board. Any income generated from such school activities and/or gift aided by a trading subsidiary to the Trust in respect of a particular school's activities shall

be delegated to the LGBs. Such funds will however be noted separately in the accounts of the school and, like all school's funds, will be subject to any reserves policy operated by The Board.

The Board shall ensure sufficient funds are available to provide insurance or risk protection cover to protect the school from loss and other risks that shall include (but shall not be limited to) the following, such insurance to be placed through the Education Skills and Funding Agency as directed by The Board:

- land, buildings and contents;
- public, employer's and hirer's liability;
- trustees'/directors' and governors' liability and professional indemnity;
- personal accident and school journeys;
- terrorism and business interruption;
- money and fidelity;
- legal expenses, libel and slander;
- engineering.

The LGBs will fulfil any requirements of the Trust Board and will notify the Trust Board (or as directed) as soon as reasonably practicable following the occurrence of an event in respect of which insurance or risk protection cover has been obtained. The responsibility for notifying the insurers or the ESFA (as the case may be) is the Headteachers. The Headteacher will provide each other with all necessary information and assistance as may be helpful in the management of any insurance claims or claims for reimbursement from the Education Funding Agency.

The role of the Chief Executive Officer (CEO)

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's schools and so the CEO performance manages the School Headteachers. LGB Chairs will be invited to be part of appraisal meetings for the Headteacher.

The CEO is the Accounting Officer so has overall responsibility for the operation of the Academy Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The CEO leads the Trust Management Team (finance, HR, IT and resources) of the Academy Trust. The CEO will delegate management functions to the Management Team and is accountable to the Board.

As a non-executive body, The Board must rely on others to fulfil the executive functions. For the most part, this responsibility will fall on the Headteacher of the School, supported by the leadership teams.

The role of the Executive Board

To encourage local collaboration and develop local leadership capacity particularly with the view to improving and sustaining standards of teaching and learning; an "**Executive Board**" has been set up by The Board to advise and assist the Trustees with regard to the progress of the schools and to provide support and a focus for collaboration for the schools themselves. The Executive Board will be formed of the Headteachers. Executive responsibility may be delegated directly to the Executive Board or otherwise to the Headteachers by their respective LGBs

The Executive Board has an advisory function within Attigo Academy Trust. The Headteacher from each school in the MAT will sit on the Executive Board as well as the CFO and Headteacher for School Improvement. The Executive Board's main role is to ensure that the CEO is fully informed about the performance of the Trust's Schools and to ensure that the Trust's vision and values are upheld in each school.

The Chief Executive Officer and Executive Board

As a non-executive body, The Board must rely on others to fulfil the executive functions. For the most part, this responsibility will fall on the Headteachers of the schools, supported by the leadership teams.

The “**Chief Executive Officer**” will fulfil the role of the Accounting Officer. The Executive Board will operate under the leadership and direction of the Chief Executive Officer, who is an ex officio Trustee of the Trust.

The Executive Board works directly with the staff in each school and the LGBs to ensure that the required outcomes are achieved in accordance with the direction and vision of The Board.

The principal responsibilities of the Chief Executive Officer and the functions of the Executive Board are:

- to manage the processes for schools joining the Trust (including carrying out appropriate due diligence and identifying any actions required to address areas of weakness or opportunities for improvement);
- to advise on and facilitate or provide (as required) the necessary operational and management support to each school, advising on policies in core areas of the operation in accordance with the requirements of The Board. These core areas include legal compliance, risk management, teaching and learning/standards, training (Governor and staff), finance, HR and ICT;
- to specify management controls and reporting requirements, audit the associated processes, procedures and outcomes in each school, identify and deliver appropriate training and support and report to The Board on progress and concerns;
- to implement and review systems for the benchmarking of the schools across The Trust (including financial as well as educational performance), developing systems which allow effective sharing of good practice and support LGBs in maximising the opportunities for resource sharing and collaboration;
- to ensure that insurance or risk protection cover is put in place and maintained for all risk areas including damage to property, employer liability, public and third party liability and Trustee liability;
- to undertake the strategic management of the whole school estate, advising The Board on areas of risk and assessing the Trust’s overall safeguarding responsibilities, including drawing up a long term estate plan which identifies areas in need of expansion and/or development and areas likely to be surplus to requirements; and
- to take a lead on any capital bids and allocations, supporting the schools to carry out works safely and cost effectively

The cost of the functions undertaken by the Executive Board including the Chief Executive Officer and The Board are generally funded on a fair and equal basis by the schools by the contribution of a percentage of the central government funding provided for each school the “**Support Cost Contribution**”. This contribution will be set each year against a budget for the shared costs approved by The Board. The Support cost contribution from each school in the Trust is 5%.

Additional funding received by the Trust from other non-Academy sources (such as other government grants, income from traded activities) will be used to build a contingency budget for the Trust which is held centrally.

The role of the School Headteacher

The Headteacher is responsible for the day to day management of the school and is managed by the Chief Executive Officer but reports to the LGB on matters which have been delegated to the LGB.

The formal power to appoint the Headteacher (or executive headteacher or head of school as the case may be) of each school is vested in The Board, such process to appoint being led by the CEO and supported by the LGB.

The appraisal and performance management of the Headteacher will be undertaken by the Chief Executive Officer and Chair of the LGB. Any disciplinary action or capacity review will be undertaken by the Trust Board

The Board may delegate such powers and functions as they consider are required by the Headteacher for the internal organisation, management and control of the school including the implementation of all policies approved by The Board relating to teaching and learning at the school.

Supervision and Reporting

Notwithstanding the level of delegated responsibility, the Trustees remain legally responsible for all matters in connection with the schools and they are required to have systems in place through which they can assure themselves of quality, safety and good practice in the schools. Attigo Academy Trust has in place a Risk Register and a committee that reviews this termly.

The Headteacher will regularly report to the CEO on its activities and any risks in the operation of the school at such times and adopting such format specified by The Trust.

The LGB is appointed as a sub-committee of The Board and as such has no separate legal status to that of the Trust or The Board. Consequently, any act or omission of the LGBs or any officer of the Trust that subsequently leads to prosecution or other litigation will be a liability of the Trustees and any event in a school that might lead to public criticism or adverse publicity or damage to the reputation of the Trust will also be a concern for The Board. In such events and in order to minimise risk, the Chair of the LGB or the Headteacher will immediately advise the Chief Executive Officer. These events will include the following (but shall not exclude any other event that falls within the generality of the circumstances described above):

- any event leading to loss of life or critical injury on the premises of the school or during an event off the premises organised or supervised by school staff;
- any sexual or violent or illegal act against a child committed by any adult while on the premises of the school or by a member of staff under any circumstances;
- the suspension or summary dismissal of any member of staff;
- any event that requires a report to the Health and Safety Executive or that results in the service of a legal notice on the school alleging a breach of fire or health or safety law or regulations;
- any event that requires a formal hearing by a panel of representatives of the school or that results in the service of a legal notice on the school alleging a breach of employment law or regulations.

Intervention and Removal of Delegated Responsibility

The LGB shall work closely with and promptly implement any advice or recommendations made by The Board and the Chief Executive Officer in respect of standards and performance, particularly where areas of weakness have been identified by the Chief Executive Officer, the Department for Education or Ofsted.

In the event that intervention is either formally threatened or is carried out by the Secretary of State, The Board expressly reserves the unfettered right to review or remove any power or responsibility conferred on the LGB under this Scheme of Delegation in such circumstances. The Governing Body of any school which is to be sponsored by the Trust will be dissolved and a Transition Board will be put in place. A table of responsibilities for a Transition Board is attached to this document.

Notwithstanding the above, The Board and the LGBs acknowledge the value of maintaining a good working relationship particularly in light of the levels of delegated responsibility within the Trust and the impact this may have on the ability of The Board to react when standards are falling and/or there is evidence of financial imprudence exposing the school or the Trust to a threat of intervention. The Board and the LGB in such circumstances make the following commitments to each other:

- to discuss openly any weaknesses or any situation which may in the opinion of either potentially lead to a threat of intervention by the Secretary of State;
- to use all reasonable endeavours to agree the measures to be taken to improve standards and the performance of the school and to support each other in the implementation of those measures;
- to allow each other the opportunity to effect improvements at the school provided such steps do not seek to undermine the collaborative and respectful approach being adopted by each;

- not to remove or deny delegated authority without first agreeing to put in place for an appropriate period of time a transition or improvement board whose responsibility it will be to address the areas of weakness, the terms of reference for such Transition Board are set, appointments to the Transition Board will be made by The Board;
- not as The Board to exercise any power to remove a Headteacher or to attend and vote at any meeting of the LGB at which this is to be discussed without first discussing with the Chair of the LGB the need to ensure that such power is being exercised appropriately and proportionately.

Governance Decision Planner

Key

Level 1: Members

Level 2: Board of Trustees (The Board)

Level 3: Chief Executive Officer

Level 3: Executive Board (Advisory)

Level 4: Local Governing Board (LGB)

Level 5: Academy Headteacher

Function **cannot** be legally carried out at this level.

✓ Action to be undertaken at this level

A Provide advice and support to those accountable for decision making

<> Direction of advice and support

Area	Decision	Delegation					
		Members	Trustees	CEO	Executive Board	LGB	Head teachers
People	Members: Appoint/Remove	✓	<A	<A			
	Trustees: Appoint/Remove	✓	<A	<A			
	Role descriptions for Members (agree)	✓	<A	<A			
	Role descriptions for Trustees/Chair/ specific roles/committee members (agree)		✓	<A	<A		
	Trust Committee Chairs: appoint and remove		✓	<A	<A		
	LGB Chairs: approve appointment and remove if needed		✓	<A	<A	<A	
	Governance Professional: appoint and remove		✓	<A	<A		
	Governance Professional to LGB: appoint and remove		✓	<A	<A		
	Appoint Chair of The Board		✓	<A			
	Removal of a member of the LGB		✓	<A			<A
	Appointment and dismissal of CEO		✓		<A		
	Appointment and dismissal of CFO		✓	✓	<A		
	Appointment and dismissal of Central Team Members			✓	✓		
	Appointment and dismissal of Headteachers		✓	✓		<A	
Appointment and dismissal of Senior Leaders			✓		<A>	✓	
Systems and structures	Articles of association: agree and review	✓	<A	<A	<A		
	Governance structure (committees) for the Trust: establish and review annually		✓	<A	<A		
	Terms of reference for Trust committees – Standards and Finance and Audit; agree annually		✓	<A	<A		
	Terms of reference for LGB: agree and review annually		A>	✓	<A		

Systems and structures	Skills audit: complete and review		✓	A>	<A>	✓	A
	Periodic self-review of Trust Board and committee performance		✓				
	Periodic review of LGB performance:		✓				
	Chair's performance, carry out 360 review periodically		✓				
	Trustee / LGB attendance review		✓			<A	
	Succession planning		✓	✓	<A	✓	A
	Trustee planner for the board and committee meetings		✓	<A	<A		
	Annual schedule of business for LGB: agree		A>		A>	✓	A
Reporting							
Reporting	Trust governance details on Trust and Schools' websites: ensure		✓	<A	<A		
	LGB governance details on school website: ensure		✓	<A	<A		✓
	Register of all interests, business, pecuniary, loyalty for Members/Trustees/committee Members: establish and publish		✓	<A	<A		
	Annual report on performance of the Trust: submit to Members and publish		✓	<A	<A		
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	<A	<A		
	Annual report work of LGB: submit to Trust and publish			✓		✓	A
Being Strategic							
Being Strategic	Determine Trust wide policies which reflect the Trust's ethos and values (facilitating discussions with unions where appropriate) including: admissions; charging and remissions; complaints and compliments; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✓	<A	<A		
	Determine school level policies which reflect the school's ethos and values to include e.g. admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve			A>	A>	A	✓
	Central spend / top slice: agree		✓	✓	<A		

Being Strategic	Management of risk: establish register, review and monitor		✓	✓	<A>		A
	Engagement with stakeholders	✓	✓	✓	✓	✓	✓
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓	✓	<A		
	Attigo 3 Year Development/Business Plan		✓	✓	<A		<A
	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine			A	A>	A	✓
	Budget plan to support delivery of Trust key priorities: agree		✓	A	<A		
	Budget plan to support delivery of school key priorities: agree			A	A>	A	✓
	Trust's Management Team staffing structure: agree		✓	<A	<A		
	School staffing structure: agree			A	A>	A	✓
	Approve new, converter or sponsored schools joining the MAT		✓	<A	<A		
	Approve 3 year Estates Management plan and vision for each school		✓	<A	<A	<A	<A
Holding to account							
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓	A	<A>	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	<A>	<A>	✓	A
	Performance management of the Chief Executive Officer		✓				
	Performance management of Headteachers			✓		A	
	Trustee monitoring performance of trust: agree arrangements		✓	A	<A		
	LGB member monitoring performance of trust: agree arrangements					✓	✓
Ensuring financial probity							
	Trust's scheme of financial delegation: establish and review		✓	A			

Ensuring financial probity	School's Financial Internal Control: establish and review		✓	A			
	External auditors' report: receive and respond		✓	A	<A		A
	Appoint Trust auditors		✓				
	CEO pay award: agree		✓				
	School Headteacher pay award: agree		A>	✓		A	
	Staff appraisal procedure and pay progression: monitor and agree		✓	A	A>	A	✓
	Benchmarking and Trust wide value for money: ensure robustness		✓	✓	<A		
	Benchmarking and school value for money: ensure robustness			A		✓	✓
	Develop Trust wide procurement strategies and efficiency savings programme			✓	<A		

Terms of Reference for the Transition Board
[Name of School]
Effective date [] Review date []

Purpose

The Transitions Board's primary role is to support the rapid turnaround of the school. The Transition Board has been established by the Trust Board and may have been appointed before the school joined the Trust in order to support the conversion of the school. The Transition Board shall meet at least twice a term, more if necessary.

The Transition Board will ensure that the Strategic Plan for the school is being implemented and will advise on the development and review of the Plan, focussing on 4 key areas of action; leadership & governance, quality of education facilities & resources and finance. The Transition Board will focus on addressing any priorities identified in the schools most recent Ofsted report.

The Transition Board will report to the Trust Board on progress, recommending further action as necessary.

Membership

Members of the Transition Board have been drawn from the local community and have been appointed by the Trust Board, who will ensure the members have both the capacity and skills to work intensively within the school, providing support and challenge to the school's staff and building on existing links with the community. Board members must be able to demonstrate an understanding of the ethos and values of the Trust and a commitment to fulfilling the Trust's mission and objectives for the school, drawing on specialist skills where required. Whilst there is no limit on the numbers expected to serve on the Board, in most cases it is not anticipated that there will be more than 3, one of whom will be the CEO of the Trust.

Review

Operating with a Transition Board is not intended to be a long term arrangement and a target date has been identified for the review of the arrangement. Any initial period will not be greater than 12 months.

Transition Board Delegated Responsibilities (to be used in conjunction with main decision planner)

Area	Decision	Delegation					
		Members	Trustees	CEO	Executive Board	Transition Board	Head teacher
People	Role descriptions for transition board chair/ specific roles/committee members (agree)		✓	<A			
	Transition Board chair: appoint and remove		✓	<A			
	Governance Professional to Transition Board: appoint and remove		✓				
Systems and structures	Transition board structure: establish and review annually		✓	<A			
	Terms of reference for Transition Board: agree and review annually		✓	<A			
	Skills audit: complete and review		✓	A		✓	A
	Annual review of Transition Board performance: complete annually		✓				
	Chair's performance, carry out 360 review periodically		✓				
	Transition Board Member attendance review		✓				
	Annual schedule of business for Transition Board : agree				A>	✓	A
Reporting							
Reporting	Transition Board governance details on school website: ensure		✓	<A	<A		
	Register of all interests, business, pecuniary, loyalty for Members/Trustees/committee Members: establish & publish		✓	<A	<A		
	Annual report work of Transition Board: submit to Trust & publish					✓	A
Being Strategic							

Being Strategic	Determine school level policies which reflect the school's ethos and values to include e.g. admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve			A>	A>	A	✓
	Management of risk: establish register, review and monitor		✓	✓	<A>	✓	A
	Engagement with stakeholders	✓	✓	✓	✓	✓	✓
	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine			✓	A>	A	A
	Budget plan to support delivery of school key priorities: agree			✓	A>	A	A
	School staffing structure: agree			✓	A>	A	A
Holding to account							
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓	A	<A>	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	<A>	<A>	✓	A
	Performance management of Headteachers : undertake			✓		A	
	Transition Board member monitoring: agree arrangements			✓		A	A
Ensuring financial probity							
Ensuring financial probity	External auditors' report: receive and respond		✓	A	<A>		A
	Academy Headteacher pay award: agree		A>	✓		A	
	Staff appraisal procedure and pay progression: monitor / agree		✓	✓	A>	A	A
	Benchmarking and school value for money: ensure robustness			A		✓	✓