

## APPENDIX 1

### **Drafting Note:**

***This template identifies the key decisions that are required in connection with the overall governance and management of a Multi-academy Trust and individual academies within the MAT. The MAT needs to determine the level at which decisions are to be taken and the template must be consistent with the terms of reference. The principle to follow is to delegate decision-making down to the lowest level at which the decision in question can properly be taken. This will vary from academy to academy depending on the capacity of those involved with that academy and their OfSTED grading. Where an area is shaded, the decision-making at that level would not be appropriate. The scheme should be reviewed annually and modified in the light of experience.***

### **East Midlands Education Trust SCHEME OF DELEGATION IN RESPECT OF Kimberley School**

This Scheme of Delegation shows the level of delegated responsibility and functions which are given to the LGB, the FD, the MAT and Personnel Committee (or named director) and the Accounting Officer (CEO) in the areas as listed in the table below.

#### **Key**

**Level 1:** Full MAT Board

**Level 2:** MAT Sub-Committee [or Named Director]

**Level 3:** Finance Director

**Level 4:** Accounting Officer/CEO (Accounting Officer)

**Level 5:** LGB of the Academy

**Level 6 :** The Principal of the Academy

**Column shaded:** An inappropriate level for taking the decision in question.

Although decisions may be delegated, the MAT as a whole remains responsible for any decision made at Levels 2 – 6\* and may intervene if it so chooses.

	Level of Delegated Responsibility					
Tasks	1 Full MAT Board	2 MAT Sub-Committee [or Named Director]	3 Finance Director	4 CEO [Accounting Officer]	5 LGB	6 Principal
<b>Finance and Regulatory Matters</b>						
To determine the proportion of the overall Academy budget to be delegated to individual Academies	✓					
To approve the formal budget plan	✓					
To approve the mid-year adjustments each financial year		✓				
To monitor monthly expenditure					✓	
To monitor quarterly expenditure			✓			
To enter into contracts up to £50k						✓
To enter into contracts between £50-£100k				✓		
To enter into contracts in excess of £100k		✓				
To appoint the Audit Committee	✓					
To sign the Annual Report	✓					
To appoint Auditors	✓					
To ensure the Company Directors the Academies Financial Handbook, the Funding Agreements and all relevant aspects of Company Law and Charity Law are being satisfied. [This task cannot be delegated].				✓		

	Level of Delegated Responsibility					
Tasks	1 Full MAT Board	2 MAT Sub-Committee [or Named Director]	3 Finance Director	4 CEO [Accounting Officer]	5 LGB	6 Principal
<b>Finance and Regulatory Matters (continued....)</b>						
To be able to assure Parliament and the EFA the MAT is meeting the high standards of probity in the management of public funds. [This task cannot be delegated].				✓		
To comply with all the requirements as specified in the Academies Financial Handbook, to include the requirement to ensure <i>regularity, propriety</i> and <i>value for money</i> . (This task cannot be delegated).				✓		
To Advise the Directors of the MAT in writing if, at any time, in his or her opinion, 1. the board appears to be failing to act where required to do so by the terms and conditions of the Handbook or FA; 2. any action or policy under consideration by them is incompatible with the terms of the Handbook or FA.				✓		
To consider the reasons the Directors of the MAT provide if they wish to proceed to act against the Accounting Officer's advice (as noted above).				✓		
To follow the mandatory requirement to advise the EFA's accounting officer if the Directors of the MAT intend to proceed to act against the Accounting Officer's advice (as noted above).				✓		

	Level of Delegated Responsibility					
Tasks	1 Full MAT Board	2 MAT Sub-Committee [or Named Director]	3 Finance Director	4 CEO [Accounting Officer]	5 LGB	6 Principal
<b>Finance and Regulatory Matters (continued.....)</b>						
To send the Annual Report to the EFA			✓			
To send the Annual Report to Companies House			✓			
<b>Staffing Matters</b>						
Appointment of the Principal	✓					
Appointment of the Vice Principal(s)					✓	
Appointment of other teachers						✓
Appointment of support staff in local schools						✓
Agreeing staff pay policies	✓					
Pay discretions excluding senior staff						✓
Establishing disciplinary/capability Procedures		✓				
Suspending the Principal	✓					
Ending suspension Principal	✓					
Suspending school staff except the Principal					✓	
Ending suspension of school staff except Principal					✓	

Tasks	Level of Delegated Responsibility					
	1 Full MAT Board	2 MAT Sub-Committee [or Named Director]	3 Finance Director	4 CEO [Accounting Officer]	5 LGB	6 Principal
<b>Staffing Matters (continued.....)</b>						
Determining staff complement						✓
To develop and amend a Staff Appraisal Policy	✓					
To implement the Staff Appraisal Policy						✓
To review annually the Staff Appraisal Policy				✓		
Determining dismissal payments/early retirement		✓				
<b>Performance Management</b>						
To formulate and amend a Performance Management Policy	✓					
To implement a Performance Management Policy						✓
To review annually the Performance Management Policy				✓		
To determine annual pay review of CEO		✓				
To determine annual pay review of Principal and senior staff				✓		
<b>Curriculum</b>						
To ensure that the LGB establishes and implements the minimum statutory policies as required by the legislation				✓		

	Level of Delegated Responsibility					
Tasks	1 Full MAT Board	2 MAT Sub-Committee [or Named Director]	3 Finance Director	4 CEO [Accounting Officer]	5 LGB	6 Principal
<b>Curriculum (continued....)</b>						
Ensure appropriate curriculum taught to all pupils and to consider any disapplication for pupil(s)						✓
To establish and implement the Curriculum Policy					✓	
Responsible for standards of teaching						✓
Responsible for individual child's education						✓
To prohibit political indoctrination and ensuring the balanced treatment of political issues						✓
To propose targets for pupil achievement						✓
To agree targets for pupil achievement				✓		
Responsibility for pupil outcomes				✓		
To establish a Discipline Policy					✓	
To review the use of exclusion and to decide whether or not to confirm any permanent exclusion and fixed term exclusion where the pupil is either excluded for more than 15 days in total in a term or would lose the opportunity to sit a public examination. (Can be delegated to Chair/Vice Chair of LGB in cases of urgency).					✓	

Tasks	Level of Delegated Responsibility					
	1 Full MAT Board	2 MAT Sub-Committee [or Named Director]	3 Finance Director	4 CEO [Accounting Officer]	5 LGB	6 Principal
<b>Curriculum (continued.....)</b>						
To direct reinstatement of excluded pupils. (Can be delegated to Chair/Vice Chair in cases of urgency).					✓	
<b>Admissions</b>						
To consult before setting an Admissions Policy and to set the Admissions Policy					✓	
Admissions: application decisions					✓	
<b>Premises and Insurance</b>						
Buildings insurance and personal liability			✓			
Developing school buildings strategy or master plan				✓		
Procuring new buildings	✓					
Maintaining buildings with a properly funded maintenance plan						✓
<b>Governing Body</b>						
To draw up governing documents and any amendments thereafter	✓					
To appoint and dismiss the Clerk to the LGB					✓	
To hold a full LGB meeting at least three times in a school year or a meeting of the temporary governing body as often may require					✓	

Tasks	Level of Delegated Responsibility					
	1 Full MAT Board	2 MAT Sub-Committee [or Named Director]	3 Finance Director	4 CEO [Accounting Officer]	5 LGB	6 Principal
<b>Governing Body (continued.....)</b>						
To set up a register of LGB members' business interests					✓	
To approve and set up a Directors and Governors Expenses Scheme	✓					
To discharge duties in respect of pupils with special needs by appointing a 'responsible person'					✓	
To consider whether or not to exercise delegation of functions to individuals					✓	
To regulate the LGB procedures [where not set out in law]					✓	
To determine the development needs of governors and put in place an appropriate programme					✓	
To consider requests from other schools to join the MAT	✓					