

OWLS Academy Trust Scheme of Delegation

**Sept 2018
Version 6**

Introduction

Establishment of committees

The OWLS Academy Trust is the statutory body for all the schools in the Academy Trust. The Secretary of State for Education has entered into an agreement with the OWLS Academies Trust to run the schools in the Trust and therefore the Academy Trust Board is responsible for the standards and operation of all schools in the Trust.

The Academy Trust Board must determine the membership and proceedings of any committee, with due regard to the requirements of the Articles of Association of the OWLS Academies Trust. Only the Academy Trust Board can take decisions on the delegation of powers, including the establishment of committees, the approval of terms of reference, the appointment of Trustees and Governors [with the exception of parent or staff Governors], or non-Governors to any Committees, or the delegation of any powers to a Committee or an individual (for example, the Chairman of the Academy Trust, Chief Executive Officer, Chairman of the Local Governing Body or the Head teacher), or any changes to previous agreements. The Academy Trust Board must also review the terms of reference, constitution and membership of any committee or sub-committee annually.

The Academy Trust Board has established a Local Governing Body in each school, with agreed delegation arrangements. The committee structure of the Local Governing Bodies may include the sub-committees detailed within this document. The Local Governing Body must also review the establishment, terms of reference, constitution and membership of any committee or sub-committee annually. The membership of any Local Governing Body committee may include associate members, provided that a majority of members of the committee are governors. Each committee must have a chair, who is either appointed by the Local Governing Body or elected by the committee. Either the Academy Trust Board or the LGB may remove the chair of a committee from office at any time.

Appointment of Committees

The delegation arrangements should be kept under constant review, and should be approved each year, (e.g. the first Academy Trust Board Meeting in the autumn term). Good practice requires the Academy Trust Board to consider the delegation arrangements at least annually.

The Academy Trust Board or Local Governing Body may appoint non-directors and non-governors to any of the committees providing that, on committees of the Trust Board, Directors form the majority of voting members of the committee, or in the case of Local Governing Bodies, Governors (a) form the majority of the members of the committee; (b) are in the majority at any meeting of the committee; and (c) take the Chairmanship of the committee. In addition, the Local Governing Body may, if it wishes, enable any of the non-governors to be *voting* members of the committee.

Retention of Powers

Some key decisions cannot be delegated and must be taken by the Academy Trust Board. In these cases the Academy Trust Board may still ask a person or a working group to consider issues and make *recommendations* to them, as long as the full Academy Trust Board take the decision. This is also true for the Local Governing Body, where some key decisions cannot be delegated and must be taken by the Local Governing Body. Again, the Local Governing Body may ask a person or a working group to consider issues and make *recommendations* to them, so long as the Local Governing Body takes the decision. The Trust Board and Local Governing Bodies should take care to distinguish between committees which have delegated powers and working groups/parties or informal groups which do not.

The Academy Trust Board is the employer of all staff and therefore is the final appeal body in matters of pay and staff discipline.

The Academy Trust Board is the admissions authority for all schools in the Trust.

The Academy Trust Board will agree the final budget for each school.

Duties which **cannot be delegated by the Local Governing Body** are:

- the suspension of governors
- appointing and removing the chair and vice-chair
- the delegation of functions

Decisions relating to staff dismissal and appeals must be delegated to the Staff Discipline Committee of the Local Governing Body and Staff Appeal Committee.

Outside these restrictions the Academy Trust Board *may* delegate any of its functions to a Committee or an individual (e.g. Chairman, Vice-Chairman, Local Governing Body or Head teacher).

Trust & Governance Model:

Area of Responsibility	Trust/Board		Executive Board – Advisory Heads & Chairs	Academy/LGB	
Finance	Strategic planning	Board	Advise / report to Trustees	Annual budget plan	Finance Committee
	Consolidation of accounts	Board	Advise / report to Trustees	Monitoring of actuals versus budget	Finance Committee
	Tendering and large contract renewal	Board	Advise / report to Trustees	Contract monitoring	Finance Committee
	Setting standards, policies and scheme of delegation	Board	Advise / report to Trustees	Compliance with standards, policies and schemes of delegation	Finance Committee
	Annual and statutory reports to EFSA and other third parties	Board	Advise / report to Trustees	Preparation of reports for the Trust Board	Finance Committee
	High level monitoring	Board	Advise / report to Trustees	Detailed monitoring of expenditure, virements, income and cash flow	Finance Committee
Audit	Audit of financial controls and risk management	MAT Audit Committee	Advise / report to Trustees	Monitor auditing by responsible officer, third party or auditor of financial management	Finance Committee
HR	Setting and approval of all HR policies	Board	Advise / report to Trustees	Monitoring compliance with HR policies	LGB
	Approval of staff structures and changes to these	Board	Advise / report to Trustees	Monitoring staffing within agreed structures	LGB
	Ratification of pay awards	Board	Advise / report to Trustees	Monitoring pay awards and correlation with PMR and student achievement	LGB
	Performance Management of Headteachers	Board			

Admissions	Set the admissions policy and manage appeals	Admissions Committee	Advise / report to Trustees	Monitor admission numbers and compliance with policy	LGB
Premises	Development of strategic plans for the Trust estate	Board	Advise / report to Trustees	Monitor the site development plan	Finance Committee
	Development of an Asset management plan	Board	Advise / report to Trustees	Monitor the development of an asset register	Finance Committee
	Monitor major site development	Board	Advise / report to Trustees	Monitor ongoing site maintenance	Finance Committee
ICT	Develop and implement an integrated ICT strategy	Board	Advise / report to Trustees	Monitor effective use of ICT in the academy	Finance Committee
Marketing and Communications	Develop strategies for the Trust	Board	Advise / report to Trustees	Monitor implementation and impact of ICT strategies	Finance Committee
Governance	Monitor performance and provide development and support	Board	Advise / report to Trustees	Self-review and skills audit	LGB
Community / Membership	Develop strategy for membership engagement	Board	Advise / report to Trustees	Monitor engagement of stakeholders	LGB
Strategy	Develop mission, vision and values for the Trust	Board	Advise / report to Trustees	Develop an annual SIP which supports the strategy/plan for the Trust	LGB
School Improvement	Oversee and direct initiatives to support school improvement across the Trust	Board	Advise / report to Trustees	Monitor school performance and improvement using KPIs and SIP targets	LGB

Responsibilities of the OWLS Academies Trust

The following is not meant to be an exhaustive list, but has been developed to highlight the main responsibilities of the Trust for comparison with the responsibilities of the academies within the Trust and their local governing bodies.

Finance

1. The OWLS Academies Trust Board will consider the academy's indicative funding, notified annually by the EFSA and assess implications for the academy in advance of the financial year, drawing any matters of significance or concern to the attention of the local governing bodies.
2. It will determine the level of any contingency fund or balances to be held by the Trust and its academies, ensuring the compatibility of all such proposals with the development priorities set out in the Trust Development Plan.
3. The OWLS Academies Trust Board will receive and scrutinise the annual budgets and forecasts submitted by the Trust and its academies ensuring that they are:
 - in accordance with the funding agreement, the Trust's memorandum and articles of association and EFSA financial handbook
 - Consistent with the Trust's Development Plan.

If necessary it will refer back to the local governing bodies for review. As a result, it will recommend approval/non-approval of the academy's budget to the Trust Board.

4. It will consider and monitor regularly the academy's short term and long term revenue and capital budget and financial planning to ensure the academies long term sustainability
5. It will monitor and review income and expenditure against budgets on a regular basis and ensure compliance with the overall financial plan for the academy, and with the Trust's financial regulations, drawing any matters of concern to the attention of the Trust Board.
6. It will contribute to the formulation of the Trust's development plan, through the consideration of financial priorities and proposals.
7. It will review and approve any virements and other transactions in accordance with the Trust's Financial Regulations and Scheme of Delegation.
8. It will oversee tendering (where required) and the signing of contracts
9. It will be responsible for the amendment of Trust and academy staffing establishments.
10. Annually it will review and update all financial policies in accordance with the policy review schedule. These will include
 - the Trust's scheme of delegation
 - fees and charges for school services, including but not limited to school meals, music tuition and the hire of school premises and facilities
 - academy financial contributions to the management and governance costs of the Trust
 - cross charging and transfer arrangements between academies
 - service charges to the academies and other parts of the Trust for centralised functions
 - lettings
 - gifts and hospitality

- Donations
11. To ensure the preparation of the Directors' report and financial statements to form part of the annual report and financial statements of the Trust for filing in accordance with Companies Act and Charity Commission requirements
 12. To explore and agree income generation for the schools in the Trust, including lettings income, grants, fund raising and sponsorship opportunities and support the work of local PTAs/ Parents Associations in their fundraising activities.
 13. Preparation of a disaster recovery/business continuity plan for the Trust and ensuring local plans exist in each academy in the Trust

Audit

The OWLS Academies Trust is responsible for the management and identification of risk, and the sound management and control of the Trust's finances and other resources. In order to fulfil these responsibilities the Trust has delegated certain responsibilities to a Trust Board Audit Committee. The responsibilities of this Audit Committee are:

1. Identify the risks to internal financial control across the Trust and must agree a programme of work that will address these risks, inform the statement of internal control and, so far as is possible, provide assurance to the external auditors.
2. Ensure there is a continuous and sufficient review of the risks. It must agree a programme of work that will address the risks identified and determine the most appropriate method of doing so.
3. It should drive the process for independent checking of financial controls, systems, transactions and contracts. It should ensure that arrangements for protecting the Trust's assets are in place.
4. The committee should ensure that one of The Education Funding Standards Agency options are used, on their own or in combination:
 - The work of an internal audit service (either in-house, bought-in or provided by a sponsor).
 - The performance of a supplementary programme of work by the Trust's external auditors.
 - The work of a responsible officer (i.e. an individual who is a non-employed governor with an appropriate level of qualifications and/or experience), and who neither charges nor is paid by the Trust for their work.
 - Completing the work by peer review (i.e. the work being performed by the CFO, or a suitably qualified or experienced member of the finance team, from another academy trust, as an "independent reviewer").
5. To advise the board of directors on the minimum and optimum level of internal and external audit arrangements
6. To ensure regular audits cover the following areas: legal, risk, financial (including statutory annual audits, VAT, PAYE), health and safety, investments and insurance, and to contribute to these reviews
7. To monitor responsible officer/internal audit reviews and to advise the board of directors accordingly. To investigate on behalf of the board any financial or administrative matter which may put the Trust at risk.

8. To examine reports on special investigations and to advise the board of directors accordingly
9. To consider the appropriateness of executive action following responsible officer/internal audit reviews and to advise senior management on any additional or alternative steps to be taken
10. To ensure there is coordination between responsible officer, internal audit, external audit and any other review bodies that have been set up
11. To encourage a culture within the Trust whereby each individual feels that he or she has a part to play in guarding the probity of the Trust, and is able to take any concerns or worries to an appropriate member of the management team or in exceptional circumstances directly to the chair of the audit committee
12. To recommend to the Trust Board the appointment or reappointment of the auditors
13. To review the findings of the external auditors and agree any action plan arising from it
14. To review and consider the auditor's management letter in order to ensure it is based on a good understanding of the school's business and to establish whether any recommendations have been acted upon
15. To provide minutes of all audit committee meetings for review at meetings of the board of directors.

Investigations

The audit committee is authorised to investigate on the behalf on the board of directors anything that threatens or adversely affects the accomplishment of the Trust's aims and objectives, its assets, the reliability of all records and information, and its compliance with all relevant laws, regulations, policies and its governing instruments.

HR

The Academy Trust Board is the employer of all staff and therefore is the final appeal body in matters of pay and staff discipline.

The board will have the following responsibilities with regard to HR:

1. The approval of school staffing structures within the school's budget, including approval of any restructuring
2. The organisation of procedures for the appointment of senior staff at the schools, including middle leaders
3. The appointment of Head teachers
4. To determine the Pay Policy for the Trust
5. To advise the Local Governing Body/Finance Committee on current and future pay level;
6. To ratify appropriate salary ranges and starting salaries for Lead Practitioners, and members of the leadership group;
7. To ensure annual pay progress for teachers is completed (by 31 October at the latest) as set out in the Pay Policy, taking account of any recommendations made by the local governing body Staff Pay and Performance Management committee, in accordance with the approved pay policy.

8. To approve annual pay progress for the Head teacher (by 31 December at the latest), taking account of the recommendation made by the Head teacher's Performance Review Panel, following the annual review.
9. To determine the application of national inflationary increases as required;
10. To monitor and report to the Local Governing Body on the annual pattern of performance pay progression at each level and the correlation between pay progression, quality of teaching and outcomes for pupils.
11. To oversee the work of the Staff Disciplinary/Dismissal Committee and the Staff Appeals Committee (including pay appeals)
12. To oversee the work of the Staff Pay & Performance Management Committee
13. To monitor and review the performance and pay of all head teachers in the Trust.
14. To oversee the recruitment, induction, training, CPD, wellbeing and other HR processes for all staff within the Trust at a strategic level.
15. To ratify all HR policies for the Trust

Admissions

1. The Academy Trust Board is the admissions authority for all schools in the Trust.
2. It will set the admissions criteria for each school in the Trust on an annual basis, which will be consulted on and published annually
3. It will ensure the organisation of an independent admissions appeal committee as and when required.

Premises

The Academy Trust Board is responsible for the estate strategy for all schools within the Trust. Its responsibilities as they relate to the estate will include:

1. To make and review recommendations for the future premises provision and develop an Estate Strategy
2. To ensure the development and maintenance of an asset management plan to ensure the development, maintenance and replacement of all physical assets, equipment and facilities of all schools in the Trust, including premises, equipment, land and depreciating assets are in line with the Vision Statement and School Improvement Plan, having regard to the Asset Register maintained by the school.
3. To oversee the appointment of architects, builders, grounds maintenance teams, surveyors etc. and monitor all aspects of their work
4. To ensure support for local site teams

IT

1. To ensure compatibility and integration of computer systems across all schools in the Trust to facilitate maximum efficiency and cohesiveness
2. To develop an IT strategy for the Trust that maximises the use of technology in both administrative and academic settings.

Marketing and communication

1. To agree a marketing strategy for the Trust which addresses the following:
 - Identification of stakeholders and their needs and encouraging stakeholder engagement
 - Identifies communication strategies for each stakeholder
 - Identifies all aspects of marketing the school to all stakeholders, in particularly primary parents and primary feeder schools in the case of secondary schools and pre-schools/nurseries in the case of primary schools.
2. To receive and review annual statistics on complaints to schools within the Trust.
3. To report on data protection and publications.
4. To oversee the development of the school website as a source of information for all stakeholders.
5. To oversee and sign off school brochures/leaflets etc.

Governance

1. To monitor the performance of the local governing bodies, including regular self-review to ensure that the LGB is making sufficient impact and is fit for purpose.
2. To oversee the identification of development needs and organisation of governor development.

Community/Membership

1. Oversee the development of stakeholder forums and membership in line with Co-operative values.
2. Encourage and facilitate community involvement in the Trust

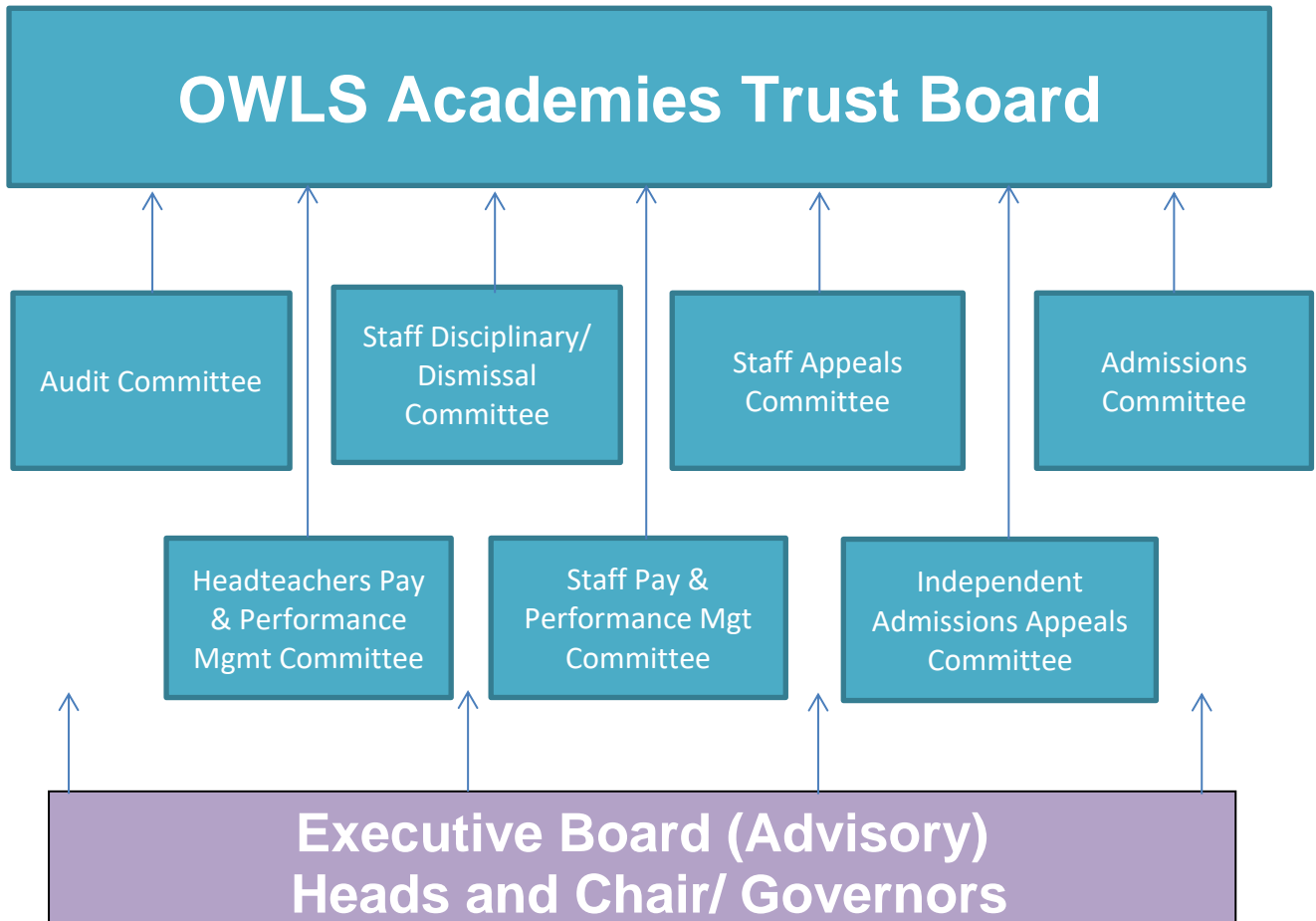
Strategic direction and school improvement

1. To set strategic direction and priorities for the Trust and all member academies
2. To set the vision, mission and ethos of the Trust and ensure it is embedded in each academy in the Trust
3. To oversee and ratify a three year plan for the Trust
4. To ratify the SIP for each academy in the Trust
5. To facilitate collaboration and support for school improvement across the Trust

Committee Structure

The diagrams below illustrate the committee structures within the Trust board and the local governing body. Detailed terms of reference for each committee are available on the governors website.

OWLS Academies Trust



Glenmere , Langmoor, Little Hill, Fernvale, Hinckley Parks

