



## **Delta Academies Trust**

### **Scheme of Delegation**

## Overview

1. Delta Academies Trust is an exempt educational charity and a company limited by guarantee.
2. Delta Academies Trust is one employer across the Trust and its academies.
3. The Board of Directors is mindful that it has an overriding responsibility to ensure that all statutory obligations to our pupils, students, parents, the Department for Education and the Education Funding Agency are met.
4. The Board's intention is to provide a framework via the Scheme of Delegation within which Core team staff, Education Advisory Bodies and Academy Leadership can make decisions to meet the needs of pupils, students and where appropriate, the wider community.

## Our Vision and Values

Our vision is based on the values and the principles of Delta Academies Trust. Our academies will:

- Change children's and young people's lives for the better, providing them with the skills, knowledge and understanding to be successful throughout life and contribute positively to their communities.
- Place learners at the heart of everything we do and ensure that we promote social responsibility, honesty, integrity and caring for others.
- Deliver outstanding academic outcomes for all pupils and students and engender in them the confidence and aspiration to be successful.
- Create a generation of young people who care about their environment and recognise that they can shape the future through their own actions.
- Recognise and appreciate the different beliefs others hold but will promote British Values and encourage active citizenship, promoting social cohesion.
- Promote scientific enquiry and the development of analytical thinking skills that enable pupils and students to question the world around them and evaluate received wisdom.
- Celebrate human creativity and the enrichment Arts bring to our lives and community.

### Principles Underlying our Academies

- Everything we do is about the future of our pupils and students
- We are fully inclusive and welcome children from vulnerable groups
- We adopt the existing admissions policies of schools which decide to join our Trust and participate in Local Authority admissions arrangements
- We believe that local children should attend local schools
- We are not selective
- We provide on-going high quality professional development for all our staff
- We follow the School Teachers Pay and Conditions and National Joint Council conditions of service
- We seek to work positively with trade unions and consult them in accordance with agreed procedures
- We play our full role in Fair Access and hard to place protocols
- We always put collaboration before competition
- We believe that every student, irrespective of their starting point, should have the opportunity to achieve and succeed.

## Members

The Members are the subscribers to the Trust's Memorandum of Association. They have an overview of the governance arrangements of the Trust and the power to appoint and remove Directors. Their objectives include the advance, for the public benefit, education in the United Kingdom, by establishing, managing and developing schools offering a broad and balanced curriculum.

The Academies Financial Handbook states that while Members can also be Directors, retaining some distinction between the two layers ensures that members, independent of Directors, provide oversight and challenge.

Trust Members are:

- Steve Hodsman (Chair )
- Lesley Bailey
- Sean Cavan
- Denis Hird

The Members **must** authorise:

- amendments to the Trust's Articles of Association;
- documents containing any unusual or onerous provisions where it may be appropriate for the Board to discuss them first; and
- any project or matter in which the Chief Executive Officer may reasonably be considered to have a conflict of interest.

## Board of Directors

The Board of Directors is the legal governing body of the MAT.

The Board of Directors (BoD) sets out group strategy and operational policy in key areas which are then applied within and across all Trust academies through the organisational framework and schemes of delegation to local governance arrangements.

Board members act collectively: with the exception of the CEO they do not have individual executive authority. Each Academy is ultimately governed by the Trust.

The Board of Directors are

- Steve Hodsman (Chair)
- Lesley Bailey (Vice Chair)
- Sean Cavan
- David White
- Emanuela Sani
- David Haigh
- Paul Tarn (Chief Executive Officer)

Members of the Executive Team are invited to attend Board meetings at the request of the Directors.

The Company Secretary is Emma Mayor.

Under the Articles of Association (Articles 93-131), Directors have the following powers and responsibilities:

- To manage the business of the Trust.
- To expend the funds of the Trust in such manner as they shall consider most beneficial for the achievement of the Objects.
- To invest in the name of the Trust such part of the funds as they may see fit.
- To enter into contracts on behalf of the Trust.

- In exercising these powers and functions, the Directors may consider any advice given by the Chief Executive and any other Executive Officer
- Any bank account shall be operated by the Directors in the name of the company and cheques shall be signed by at least two signatories authorised by the Directors.
- The Directors may appoint separate committees for each Academy and should determine constitution, membership, proceedings and Terms of Reference. Terms of Reference are to be reviewed annually.
- Directors may delegate to any Director, committee, the Chief Executive or any other Executive Officer, such of their powers or functions as they consider desirable. Delegation may be subject to conditions and may be revoked or altered. Any exercise of this power is to be reported to the next Directors' meeting.
- To appoint the Chief Executive and Principals of the Academies. Directors may delegate such powers and functions as required by the Chief Executive and Principals for the internal organisation, management and control of the Academies (including the implementation of all policies approved by the Directors and for the direction of the teaching and curriculum at the Academies).
- To comply with obligations under the Companies Act and Charities Act with regards to the preparation and filing of the annual report, accounts and confirmation statement/annual return.

### **Sub-committees of the Board**

The Board of Directors has the following scrutiny sub-committees, made up of Non- Executive Directors. Each of these sub committees meets at least termly and makes recommendations to the Board as it considers appropriate:

- **Education Committee**
- **Audit and Risk Committee**
- **Finance and Capital Committee**

In addition the Board has a **Remuneration Committee**, made up of Non-Executive Directors. This sub committee meets annually in the autumn term. Terms of Reference for all Board Sub committees are reviewed on at least an annual basis and are published in the Trust Governance Handbook.

## Education Advisory Bodies (EABs)

Each individual Academy within the group has an Education Advisory Body (EAB), which is also a scrutiny sub-committee of the main Board. The Education Advisory Body (EAB) plays a key role in the life of each Academy and is responsible for scrutinising the work of the Academy Senior Leadership Team. The Trust follows Department for Education guidance in respect of the membership of Academy Education Advisory Bodies. This guidance indicates:

- The Sponsor (Delta Academies Trust ) must appoint a majority of members;
- There should be a minimum of two parent members;
- The Academy Principal is a member of the local body; and
- Academies can choose to have staff as members of the local body but the total number of staff members must not exceed one-third of the total membership.

An Academy Education Advisory Body should consist of at least nine and no more than thirteen members. Some of our Academies will have additional requirements in terms of diocesan or foundation representation. The Trust's governance team will work with these academies to adapt the proposed model to their specific circumstances. EABs may appoint Associate Members to both the full EAB and any committees that it sets up for periods of office that they see fit. These members will not have voting rights. In addition, Executive Leadership Team (ELT) members, or Core Improvement Team staff representing ELT members, other than those appointed as Education Advisory Body Members, may attend EAB meetings.

### Composition of an Academy Education Advisory Body

Type of Member	Number	Term of Office	Appointment process
Executive Principal	1	Ex officio	N/A – by appointment as Executive Principal
Principal of relevant Academy	1	Ex officio	N/A – by appointment as Principal
Sponsor EAB member (including Chair and Vice Chair)	Must represent a majority	4 years	Approval by ELT, following completion of eligibility and nomination checks in accordance with the Trust Governance Handbook
Parent EAB Members	2	2 years	Appointment following structured interview by Academy Principal and Chair and completion of nomination and eligibility forms.

## Central Functions

As part of a group of schools, we aim to have the greatest amount of impact with efficacy. Each Academy contributes a set percentage of grant income, towards the provision of a range of support functions and services which are available to all academies. The percentage charge and the level and scope of services to be provided are determined by the Board of Directors and are subject to periodic review. In addition, based on risk and or need, specific charges may be made for additional intervention when curriculum and performance require e.g. long-term or significant deployment of additional Directors or leadership support. The ultimate responsibility for the deployment of Directors resides with the Chief Executive Officer. This will be based on identified need. Academy Principals should discuss their requirements with their Executive Principal or Regional Director who will then broker that support on their behalf. Subject Directors are line managed on a day to day basis by the Director of Education.

## Budget Setting

All final Academy and Group budgets must be submitted to the Board for ratification by 31 July each year. Projected outturns must be in place by April each year. Budgets are set by the Principal, EAB Chair and Executive Principal / Regional Director, in consultation with the EAB Chair. They are then submitted to the Director of Finance and Chief Executive Officer (Accounting Officer) for approval, before presentation to ELT and the Board of Directors for ratification.

All Principals in conjunction with their Executive Principals/ Regional Directors, will submit their Academy Improvement Plan, Summary SEF and Curriculum Led Financial Plan to the Chief Executive Officer by October half term each year. The monitoring of implementation will be reported to the Academy Network meeting (Secondary) or Primary Impact meeting (Primary) and EAB.

Principals will work within specific parameters as follows:

- Contact Ratio at 0.79 (0.81 for primary)
- Curriculum Bonus < 8% ( n/a for primary)

Delegated Duty	Delegated Authority	Comment
Admissions	<p>Academy for annual review of policy and administration of admissions. Where no policy changes are proposed, consultation on the policy must take place at least once every seven years.</p> <p>Board of Directors for any changes to an Academy admissions policy.</p>	<p>All Trust Academies, excluding Alternative Provision academies, will participate where possible in the Local Authorities admission procedures for primary academies and for 11 – 16 in secondary academies. For post 16 students, an Academy may determine arrangements, taking into account Local Authority admission policies.</p> <p>Any proposals to change admissions arrangements agreed on conversion must be submitted to the Board of Directors for approval and then must be submitted to the Local Authority for consultation.</p>
Capital Programme (School Capital Allocation )	Trust Board	<p>Strategic priorities at Trust level will form part of recommendations from the Chief Executive Officer to the Board of Directors.</p> <p>The Finance and Capital Committee of the Board of Directors will monitor delivery against these strategic priorities.</p> <p>Projects within the SCA will be approved by Executive Leadership Team.</p> <p>Under exceptional circumstances, operational requirements may require executive action – all such action will be reported to the Board at the earliest opportunity.</p>

Delegated Duty	Delegated Authority	Comment
Capital works	Trust/ Academy	<p>Any capital or capitalised revenue projects will be approved in accordance with the Finance and Assets scheme of delegation:</p> <ul style="list-style-type: none"> <li>• Up to £1,000- Budget Holder/Finance Officer. Selection from preferred supplier list unless agreed otherwise with DoF.</li> <li>• £1,001 to £5,000 – As above plus Principal. Minimum of three quotes</li> <li>• £5,001 to £10,000 - As above plus Trust Core Finance. Minimum of three quotes.</li> <li>• £10,001 to £100,000 - As above plus Trust Director of Finance. Formal tendering process, including advertising in OJEU (if over the OJEU threshold)</li> <li>• Over £100,000 to £500,000– CEO and ELT</li> <li>• Over £500,000 as above plus Board of Directors</li> </ul>
Capital Programme Contract Variations	<p>If within agreed programme budget/contingency – Academy</p> <p>Trust – if exceeding agreed programme budget/contingency.</p>	It is suggested that a 15% contingency is built into all programmes to allow for some local contract variation during the programme.

Delegated Duty	Delegated Authority	Comment
Health and Safety	Trust  Academy Principal/ Head of Academy	It is the responsibility of the Trust to ensure that a general policy on the management of health and safety is in place, that this policy is communicated to all employees and that appropriate systems and procedures are in place to secure effective implementation of that policy.  The operational compliance of this function is delegated on a day to day basis to the <b>Principals and Heads of Academy</b> of Delta academies. Overall compliance with this requirement is monitored by the Audit and Risk Committee on behalf of the Board of Directors.
Income Generation	Principal	Any income generated belongs to each individual Academy for them to invest in the future learning of the pupils/ students.  Raising invoices to collect income will be approved in accordance with the Finance and Assets scheme of delegation <ul style="list-style-type: none"> <li>• Up to £5,000 - Finance Officer within Academy</li> <li>• £5,001 to £10,000 - As above plus Principal</li> <li>• £10,001 to £100,000 - As above plus Trust Director of Finance.</li> <li>• Over £100,000 - As above plus ELT.</li> </ul>
Insurance/ Risk Pooling arrangements	Trust – Director of Finance	Delta will ensure that all Academies receive value for money for their insurance.
Investments	Trust Board of Directors	The Trust invests any surplus monies in accordance with the treasury management and reserves policies approved annually by the Board of Directors.
Permanent Exclusions	Principal and EAB	All Academies will follow DfE guidance for permanent exclusions and independent permanent exclusion appeals.



## Financial Levels of Authority

Delegated Duty	Value	Delegated Authority	Notes
Ordering goods and services (raising requisitions)	Up to £1,000	Budget Holder / Finance Officer	Selection from preferred supplier list unless agreed otherwise with DoF
	£1,001 to £5,000	As above plus Principal	Minimum of three quotes
	£5,001 to £10,000	As above plus Core Finance	Minimum of three quotes
	£10,001 to £99,999	As above plus Director of Finance	Formal tendering process, including advertising in OJEU (if over the OJEU threshold)
	£100,000 - £499,999	As above plus CEO and ELT	
	Over £500,000	As above plus Board of Directors	
Operating leases or contracts over 1 year	Any	All contracts and leases must be approved in line with the above and signed centrally by the CEO or Director of Finance.	The Trust does not require EFA approval for operating leases except for some transactions relating to land and buildings  Any lease arrangement must maintain the principles of value for money, regularity and propriety whether or not EFA's prior approval is required.
Finance leases	Any	All finance leases must be referred to Core Finance as EFA approval is required.	EFA prior approval must be sought for the following leasing transactions: <ul style="list-style-type: none"> <li>• taking up a finance lease on any class of asset for any duration from another party (borrowing)</li> <li>• taking up a leasehold or tenancy agreement on land and buildings for another party for a term of seven or more years</li> <li>• granting a leasehold interest, including a tenancy agreement, of any duration, on land and buildings to another party</li> </ul>

Delegated Duty	Value	Delegated Authority	Notes
Signatories for cheques, BACS payment authorisations and other bank transfers	Any	Two signatories from: <ul style="list-style-type: none"> <li>• Director of Finance</li> <li>• Principal</li> <li>• Vice Principal or</li> <li>• Nominated EAB Member</li> </ul> <b>Over £50,000</b> Three signatures required of which one <b>must</b> be the Director of Finance	
Signatories for EFA grant claims and EFA returns	Any	Two signatories CEO and Director of Finance (or as required by EFA)	
Virement of budget provision between budget headings	Up to £10,000	Academy Finance Officer in conjunction with Principal, and Trust Finance Manager.	To be reported to the Finance and Resources Committee and Director of Finance
	Over £10,000	Principal, Regional Director or Executive Principal in primary plus Director of Finance.	To be reported to the full Education Advisory Body. Director of Finance to report to ELT
Changes to budget from previous year carry forward / in year surplus	Any	Approved by Principal, Regional Director or Executive Principal plus Director of Finance.	To be reported the full Education Advisory Body. Director of Finance to report to ELT.

Delegated Duty	Value	Delegated Authority	Method
Purchase or sale of any freehold property	Any	EFA approval required	All discussions with EFA will be carried out by Core Team. Please notify the Director of Finance in the first instance.
Disposal of other assets	Up to £5,000	Principal	
	Over £5,000	As above plus Director of Finance	
Write off of bad debts	Any	Director of Finance	In some circumstances, EFA approval may be required.
Granting or take- up of any leasehold or tenancy agreement exceeding three years	Any	EFA approval required	All discussions held with EFA will be carried out by Core Team Please notify the Director of Finance in the first instance.
Raising invoices to collect income	Up to £5000	Finance Officer within Academy	
	£5,001 to £10,000	As above plus Principal	
	£10,001 to £100,000	As above plus Director of Finance	
	Over £100,000	As above plus Director of Finance and ELT	

#### Novel or Contentious transactions

Novel payments or other transactions are those of which the academy trust has no experience, or are outside the range of normal business activity of the trust. Contentious transactions are those which might give rise to criticism of the trust by Parliament, and/or the public, and/or the media. **Delta does not authorise any activity that would fall into this category of transaction.**

## **HR Levels of Authority**

HR levels of authority are contained within a suite of policies. Please contact [info@deltatrust.org.uk](mailto:info@deltatrust.org.uk) if you require further details

## Other matters

Additional delegations from the Board of Directors to the Chief Executive Officer are detailed below.

The Chief Executive Officer can sign and approve on behalf of the Board, following approval from the EFA where applicable, specific documents relating to academies (or proposed schools) joining the Trust. The specific documents referred to comprise:

- supplemental funding agreements;
- commercial transfer agreements (and related side letters);
- leases (and related side letters);
- underleases;
- tenancies at will (and related side letters);
- licences (including licences to occupy and licences to assign existing leases);
- land transfers;
- deeds of assignment;
- deeds of variation;
- settlement agreements (details of all settlement agreements will be reported to the Finance and Audit Committee);
- related amendments to the master funding agreement; and
- other agreements.

The Chief Executive Officer may authorise the submission of free school proposals on behalf of the Board and also authorise any other academy projects, which relate to schools which wish to join the Trust or where schools wish to purchase Trust support services, subject to completion of financial, educational and future liability risk assessments. The Chief Executive Officer is authorised to negotiate, to approve and to sign, execute and deliver (as appropriate) such relevant documents provided always that the Board had been expressly notified of the proposal that the school in question should join the Trust.

For the avoidance of any doubt the delegation includes the authority for the Chief Executive Officer at his discretion;

- to further delegate the negotiation and approval of documents to employees and agents acting on behalf of the Trust, including professional and other advisors;
- to authorise any merger which relates to a school (including an academy) joining the Trust;
- to negotiate and approve deeds of indemnity in respect of academy conversions. (Any Director is authorised to execute and deliver deeds of indemnity authorised by the Chief Executive Officer); and
- to negotiate PFI related project documents (including any School Agreements, Principal Agreements or Deeds of Variation to Project Agreements or Deeds of Variation to existing leases. (Such PFI related project documents may be signed, executed and delivered (as appropriate) by any Director of the Trust (including the Chief Executive Officer).