



SCHEME OF DELEGATION

Reference: Delta/EM/DM
Issue Number: 2
Issue Date: September 2017
Review Date: September 2018
Approved by: 13 September 2017

CONTENTS

1. PRINCIPLES.....	2
2. VISION STATEMENT	2
3. DELTA MEMBERS	2
4. DELTA BOARD OF DIRECTORS.....	3
5. EDUCATIONAL SCRUTINY	7
6. BUDGET SETTING.....	7
7. FINANCIAL LEVELS OF AUTHORITY	13
8. HR LEVELS OF AUTHORITY	15
9. OTHER MATTERS	16

DELTA ACADEMIES TRUST

SCHEME OF DELEGATION

1. PRINCIPLES

- 1.1 Delta Academies Trust (Delta) is an exempt educational charity.
- 1.2 The Delta 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 and Skills Funding Agency are met.
- 1.3 Delta Board's intention is to provide a framework via the Scheme of Delegation within which School Improvement Support Services staff, Education Advisory Bodies and Academy Principals/Heads of Academy can make decisions to meet the needs of pupils, students and where appropriate, the wider community.

2. VISION STATEMENT

- 2.1 Our vision is 'Changing Lives.' Our mission statement is to improve educational outcomes for communities in the North of England, creating a sustainable organisation that improves our society and the wider environment.

2.2 What is our purpose?

- 2.2.1 To raise standards for all pupils and students by sustaining and enhancing performance and to develop the whole child.
- 2.2.2 To fulfil our moral purpose by engaging and collaborating with other schools to help improve the life-chances of all young people both locally, regionally and nationally.

2.3 Core Values

We will:

- Place children and students at the heart of everything we do
- Place collaboration before competition, working with others for the betterment of all
- Develop and support professionals in our own and other academies and schools to establish practice that improves lives
- Ensure that all children make good progress irrespective of their starting point and those young people facing disadvantage are lifted from educational poverty
- Never do anything to the detriment of learners, staff, or other stakeholders, in a neighbouring community
- Adhere to the 'Seven Principles of Public Life'
- Promote environmental awareness and protection locally, nationally and globally.

3. DELTA MEMBERS

- 3.1 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.

3.2 The Academies Financial Handbook recommends that a majority of members should be independent of the Board of Directors, to ensure a significant degree of separation between the individuals who are members and those who are Directors. Distinction between the two layers ensures that Members, independent of Directors, provide oversight and challenge.

3.3 Delta Members currently are:

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

3.4 The Members **must** authorise:

3.4.1 amendments to Delta's Articles of Association;

3.4.2 documents containing any unusual or onerous provisions where it may be appropriate for the Board to discuss them first; and

3.4.3 any project or matter in which the Chief Executive Officer may reasonably be considered to have a conflict of interest.

4. **DELTA BOARD OF DIRECTORS**

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

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

4.3 Board members act collectively: with the exception of the CEO they do not have individual executive authority. Each Academy and School in the group is ultimately governed by the Trust (Delta).

4.4 The Delta Board of Directors currently are

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

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

- 4.6 The Company Secretary to Delta is currently Emma Mayor.
- 4.7 Under the Articles of Association (Articles 93-131), Directors have the following powers and responsibilities:
- 4.7.1 To manage the business of the Trust.
 - 4.7.2 To expend the funds of the Trust in such manner as they shall consider most beneficial for the achievement of the Objects.
 - 4.7.3 To invest in the name of the Trust such part of the funds as they may see fit.
 - 4.7.4 To enter into contracts on behalf of the Trust.
 - 4.7.5 In exercising these powers and functions, the Directors may consider any advice given by the Chief Executive and any other Executive Officer
 - 4.7.6 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.
 - 4.7.7 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.
 - 4.7.8 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.
 - 4.7.9 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).
 - 4.7.10 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.

4.8 **Sub-committees of the Board**

- 4.8.1 The Delta 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:
- **Audit and Risk Committee**
 - **Finance and Capital Committee**
- 4.8.2 In addition, the Board has a Remuneration Committee, made up of Non-Executive Directors. This sub committee meets annually in the autumn term.
- 4.8.3 Terms of Reference for all Board Sub committees are reviewed on at least an annual basis and are published in the Delta Governance Handbook.
- 4.8.4 Two Board members, David White and Steve Hodsman, are Designated Safeguarding Members.

4.9 Education Advisory Bodies (EABs)

- 4.9.1 Each individual Academy within the group has an Education Advisory Body (EAB), which is also a scrutiny sub-committee of the main Delta 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.
- 4.9.2 The Board has set the following parameters for the composition and membership of Education Advisory Bodies:
- Members must be appointed by Delta;
 - There should provision for at least one parent member to be appointed;
 - The Academy Principal/ Head of Academy is a member;
 - The relevant Executive Leadership Team (ELT) Education Lead/Executive Principal is a member; and
 - Academies can choose to put forward staff from within the Academy for appointment as members of the local body but the total number of internal staff members must not exceed one-third of the total membership. Staff will be appointed as Delta EAB member.
- 4.9.3 An Education Advisory Body should consist of at least five members. Some of our Academies will have additional requirements in terms of diocesan or foundation representation. Delta Governance will work with these academies to adapt the proposed model to their specific circumstances.
- 4.9.4 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.
- 4.9.5 In addition, the Executive Leadership Team (ELT) members, or School Improvement Support Services staff representing ELT members, other than those appointed as Education Advisory Body Members, may attend EAB meetings.

Composition of an Education Advisory Body

Type of Member	Number	Term of Office	Appointment Process
ELT Education Lead/ Executive Principal	1	Ex officio	N/A – by appointment
Principal/ Head of Academy	1	Ex officio	N/A – by appointment as Principal/ Head of Academy
Delta EAB member (including Chair and Vice Chair)	At least 2	2-4 years	Approval by ELT, following completion of eligibility and nomination checks in accordance with the Delta Governance Handbook
Parent EAB Members	At least 1	2 years	Provision must be made for the appointment of at least one parent member. Appointment following structured interview by Academy Principal/Head of Academy and Chair and completion of Delta nomination and eligibility forms. Approval by ELT

4.10 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 Delta Board of Directors and are subject to periodic review.

Based on risk and or need, the long-term or significant additional deployment of Learning/Subject Directors or Leadership support, will result in additional charges to the Academy/School. The ultimate responsibility for the deployment of Learning/ Subject Directors resides with the Chief Executive Officer. Principals/Heads of Academy should discuss their requirements with their ELT Education Lead and or Executive Principal.

5. EDUCATIONAL SCRUTINY

5.1 The Board of Directors is ultimately responsible for educational outcomes across Trust academies. In order to discharge this responsibility effectively across its forty-three academies, the Board has made the following delegations:

- Day to day scrutiny of performance, including performance management reviews of ELT Education Leads, Executive Principals and Senior Learning and Subject Directors, is delegated to the Chief Executive Officer.
- High level scrutiny of predictions and outcomes for each Academy takes place in Academy Network Meetings attended by the Chief Executive Officer, ELT Education Leads and Executive Principals.
- Day to day scrutiny of performance, including performance management reviews, of Academy Principals, Heads of Academy and Learning and Subject Directors, is delegated to the Chief Executive Officer, ELT Education Leads and Executive Principals.
- Academy specific overview of outcomes and progress for pupils and students, safeguarding, including behaviour and attendance, and the efficacy of arrangements to support SEND/LAC/Disadvantaged pupils and students is delegated to the Education Advisory Body.

5.2 ELT Education Lead/Executive Principal membership of Academy EABs provides the structure for the interaction between the professional and governance scrutiny elements the Board has put in place.

6. BUDGET SETTING

6.1 Projected outturns must be in place by the end of April each year and approved by the Board by mid-May. All final Academy and Group budgets must be submitted to the Board for ratification by 31 July each year. Budgets are set by the Principal/ Head of Academy and Executive Principal / ELT Education Lead, 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 before submission to the ESFA.

6.2 All Principals/Heads of Academy in conjunction with their ELT Education Lead /Executive Principals, 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 relevant Academy Network Meeting and EAB.

6.3 Principals/Heads of Academy will work within specific parameters as follows:

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

7.0 DELEGATED AUTHORITIES

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 Delta Academies, excluding Alternative Provision academies, will participate where possible in the relevant Local Authority 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 Delta Board of Directors for approval and then must be submitted to the Local Authority for consultation.</p> <p>Admissions Appeals are the responsibility of the Trust; we will use Local Authority arrangements, where possible.</p>
Capital Programme (School Capital Allocation)	Delta	<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>
Capital works	Delta / 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"> • 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/Head of Academy. Minimum of three quotes

Delegated Duty	Delegated Authority	Comment
		<ul style="list-style-type: none"> • £5,001 to £10,000 - As above plus Delta Core Finance. Minimum of three quotes • £10,001 to £49,999 - As above plus Delta Director of Finance • £49,999 - £100,000 – As, above plus Chief Executive Officer Formal tendering process, including advertising in OJEU (if over the OJEU threshold) • Over £100,000 to £499,999– CEO and ELT • Over £500,000 as above plus Board of Directors.
Capital Programme Contract Variations	If within agreed programme budget/contingency – Academy Delta – if exceeding agreed programme budget/contingency	It is suggested that a 15% contingency is built into all programmes to allow for some local contract variation during the programme
Changes to activities (year groups, trading activities)	ELT for initial scrutiny, Board for final approval of change	Board retains ultimate sign-off to ensure that any proposals are within the objects, powers and terms of funding provided to the Trust's academies.
Complaints	Principal/ Head of Academy/ EAB panel	Trust policy to be followed. If required, formal hearing by panel of EAB members, not previously involved in the review of the complaint.
Direct pupils off-site to help improve their behaviour	Principal / Head of Academy, following consultation with ELT Education Lead / Executive Principal.	
Edubase /Get information system	DoF/CCO for Board-related information Principal/ Head of Academy for Academy	Principal / Heads of Academy must ensure they have access to Edubase/Get information system for their Academy/ School
Educational scrutiny	ELT Education Lead / Executive Principal. EAB	
Health and Safety	Delta	It is the responsibility of Delta to ensure that a general policy on the

Delegated Duty	Delegated Authority	Comment
	Academy Principal/ Head of Academy	<p>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.</p> <p>The operational compliance of this function is delegated on a day to day basis to the Principals and Heads of Academy of Delta academies. Overall compliance with this requirement is monitored by the Audit and Risk Committee on behalf of the Board of Directors</p>
Income Generation	Principal/ Head of Academy	<p>Any income generated belongs to each individual Academy for them to invest in the future learning of the pupils/ students.</p> <p>Raising invoices to collect income will be approved in accordance with the Finance and Assets scheme of delegation</p> <ul style="list-style-type: none"> • Up to £5,000 - Finance Officer within Academy • £5,001 to £10,000 - As above plus Principal/Head of Academy • £10,001 to £100,000 - As above plus Delta Director of Finance. • Over £100,000 - As above plus ELT
Insurance/ Risk Pooling arrangements	Delta – Director of Finance	Delta will ensure that all Academies receive value for money for their insurance
Investments	Delta – Board of Directors	Delta invests any surplus monies in accordance with the Treasury Management and Reserves policies approved annually by the Board of Directors
Permanent Exclusions	Principal/ Head of Academy and EAB	All Academies will follow DfE guidance for permanent exclusions and independent permanent exclusion appeals. If required, formal hearing by panel of EAB members, not previously involved in the matter.
Private Finance Initiative (PFI)	Delta – Board of Directors	Any changes or new PFI contracts require approval by the Board of Directors.

Delegated Duty	Delegated Authority	Comment
		Where capital projects are approved within PFI buildings, Delta procurement requirements must be followed
Reporting of Fraud /suspected frauds to ESFA	Delta – Director of Finance	Principals / Heads of Academy must report all frauds or suspected frauds to Core Finance, in line with the Trust Anti-Fraud Policy. We must report centrally any amounts over £5,000 to the ESFA.
Service Level Agreements / Contracts	Delta – Framework contracts	<p>Academies should use Delta Framework contracts where these are in place, unless better value can be demonstrated, in advance of any procurement activity.</p> <p>Procurement for all contracts must follow the Delta procurement requirements and the approval levels laid down in the Finance and Assets scheme of delegation:</p> <ul style="list-style-type: none"> • 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/Head of Academy. Minimum of three quotes • £5,001 to £10,000 - As above plus Delta Core Finance. Minimum of three quotes. • £10,001 to £49,999 - As above plus Delta Director of Finance • £49,999 - £100,000 – As, above plus Chief Executive Officer Formal tendering process, including advertising in OJEU (if over the OJEU threshold) • Over £100,000 to £499,999– CEO and ELT • Over £500,000 as above plus Board of Directors. <p>Note: if a contract is for a number of years the full cost of the contract must be considered</p>
Safeguarding	Delta	It is the responsibility of Delta to ensure that policies on the safer

Delegated Duty	Delegated Authority	Comment
	Academy Principal/ Head of Academy EAB and Academy Designated Safeguarding Lead (DSL)	<p>recruitment of staff, on dealing with allegations against staff, supporting pupils with medical conditions and a staff code of conduct for working with children are in place, that these policies are communicated to all employees and that appropriate systems and procedures are in place to secure effective implementation of these policies.</p> <p>In the event of safeguarding or child protection concerns relating to the conduct of Delta employees, the Chief Executive Officer and Chief Compliance Officer must be informed and are empowered to take immediate action. All action taken under this power shall be reported immediately to the Nominated Safeguarding Board members and is subject to review by the next meeting of the Board of Directors.</p> <p>All Academies must ensure that their safeguarding and child protection policies comply with the relevant LCSB requirements and review these policies on at least an annual basis or when relevant statutory guidance is updated.</p>
School security /Site exclusion	Principal / Head of Academy following consultation with ELT Education Lead / Executive Principal. Decision subject to review by EAB	Principal/ Head of Academy can issue ban from site. Decision subject to review after maximum of 13 weeks by independent panel made up of EAB members.

7. FINANCIAL LEVELS OF AUTHORITY

Delegated Duty	Value	Delegated Authority	Method
Ordering goods and services (raising requisitions)	Up to £1,000	Budget Holder/ Finance Officer	Selection from current supplier list unless agreed otherwise with DoF
	£1,001 to £5,000	As above plus Principal/Head of Academy	Minimum of three quotes
	£5,001 to £10,000	As above plus Core Finance	Minimum of three quotes
	£10,001 - £49,999	As above plus Director of Finance	Minimum of three quotes
	£50,000 to £99,999	As above plus Chief Executive Officer	Formal tendering process, including advertising in OJEU (if over the OJEU threshold) Note: if a contract is for a number of years the full cost of the contract must be considered.
	£100,000 - £499,999	As above plus 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.	
Finance leases	Any	All finance leases must be referred to Core Finance as EFA approval is required.	
Signatories for cheques, BACS payment authorisations and other bank transfers	Any	Two signatories from: Director of Finance Principal/Head of Academy Vice Principal or Nominated EAB Member Over £50,000 Three signatures required of which one must 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/Head of Academy and Core Finance Manager, with reporting to the Finance and Resources Committee and Director of Finance	
	Over £10,000	Principal/Head of Academy, ELT Education Lead /Executive Principal plus Director of Finance	

Delegated Duty	Value	Delegated Authority	Method
Changes to Budget from previous year carry forward / in year surplus	Any	Principal/Head of Academy, ELT Education Lead/Executive Principal plus Director of Finance and CEO	
Purchase or sale of any freehold property	Any	EFA approval required (All discussions with EFA will be carried out by CIT) Please notify the Director of Finance in the first instance.	
Disposal of assets	Up to £5,000	Principal/Head of Academy	
	Above £5,000	As above plus Director of Finance	
Write off of bad debts	Any	Director of Finance	
Granting or take-up of any leasehold or tenancy agreement exceeding three years (Refer above for operating leases over 1 year)	Any	EFA approval required (All discussions held with EFA will be carried out by CIT) 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/Head of Academy	
	£10,001 to £100,000	As above plus Director of Finance	
	Over £100,000	As above plus Director of Finance and ELT	

Reporting of Fraud

Please ensure any suspected Frauds are notified to Core in line with the Fraud Policy. We must report centrally any amounts over £5,000 to the ESFA.

Novel, Contentious or Repercussive 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. Repercussive transactions are those which are likely to cause pressure on other trusts to take a similar approach and hence have wider financial implications.

Delta does not authorise any activity that would fall into this category of transaction.

8. HR LEVELS OF AUTHORITY

HR levels of authority are contained within a suite of policies. Please contact info@deltatrust.org.uk if you require further details

9. **OTHER MATTERS**

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

9.2 The Chief Executive Officer can sign and approve on behalf of the Board specific documents relating to academies (or proposed schools) joining Delta. The specific documents referred to comprise:

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

9.3 Such documents may be negotiated and approved by the Chief Executive Officer acting as a Director of Delta under this delegated authority and may be signed, executed and delivered (as appropriate) by any Director of Delta (including the Chief Executive Officer).

9.4 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 Delta or where schools wish to purchase Delta support services, subject to completion of financial, educational and future liability risk assessments.

- 9.5 The Chief Executive Officer is authorised to negotiate and 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 Delta.
- 9.6 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 Delta, including professional and other advisors;
 - to authorise any merger which relates to a school (including an academy) joining Delta;
 - 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 Delta (including the Chief Executive Officer).