

Minerva Learning Trust
Scheme of Delegation
Draft 5: November 2015

November 2015

Key Principles of Operation:

Underlying principles of the partnership (ethos & culture)

The following principles will guide and secure the purpose and goals of the Trust.

- All directors, governors and professionals working for the Trust will accept and embrace their professional responsibility to care for every child and young person within the Partnership. They will be open to change, treating all within the wider BASP community with dignity and respect at all times.
- Every child has the right to the highest quality academic, social, emotional, spiritual and physical education.
- High quality intervention will be provided when appropriate to ensure the learning needs of ALL pupils are met at the earliest opportunity (inc in early years).
- Those involved in Trust leadership and governance accept responsibility to a high quality in-service training and an appraisal process that is challenging and supportive to enable outstanding teaching and leadership
- All children and young people will be nurtured within an agreed moral framework secured through British values, Christian values, values of community schools and the values identified in the United Nations Convention on the Rights of the Child.
- There will be clear structures in place to ensure that the voices of all children, young people and adults within the Trust are heard and valued.
- The partnership will value and respect each school's distinctive ethos and identity.
- The partnership will aim to identify and foster the passions that motivates each child and provides an atmosphere where children enjoy learning and want to go to school

Introduction to Trust and Local Accountability

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

The Multi Academy Trust Board may delegate the authority to make certain decisions to a local governing body or other committee, and must approve the membership and proceedings of any local governing body or committee, with due regard to the requirements of the Articles of Association of the Minerva Learning Trust. Only the Trust Board can take decisions on the delegation of powers, including the establishment of local governing bodies or committees, the approval of terms of reference, the appointment of trustees and governors [with the exception of elected parent or staff governors and in liaison with the Diocese regarding the position of Diocesan/Foundation representation], or non-governors to any committees, or the delegation of any powers to a local governing body or committee or an individual (for example, the Chairman of the Multi Academy Trust, Executive Principal, chairman of the local governing body or the Headteacher), or any changes to previous agreements. The Trust Board must also review the terms of reference, constitution and membership of any local governing body, committee or sub-committee annually.

The Trust Board will establish a local governing body in each school, with agreed delegation arrangements. The committee structure of the local governing bodies may include sub-committees. 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. The Academy Trust Board may remove the chair of a committee from office at any time.

Appointment of Local Governing Bodies and Committees

The delegation arrangements should be kept under constant review, and should be approved each year with regard to each member academy, (e.g. the first Trust Board meeting in the autumn term). Good practice requires the 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, trustees 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.

Neither the Trust Board nor any committee with delegated powers of governance may contain more than one third members who are employed by the Trust.

Retention of Powers

Some key decisions cannot be delegated and must be taken by the Trust Board. In these cases the Trust Board may still ask a person or a working group to consider issues and make *recommendations* to them, as long as the full Trust Board takes the decision. This is also true for the local governing body, where some key decisions cannot be further 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 Trust Board is the employer of all staff and therefore is the final appeal body in matters of pay and staff discipline. Decisions relating to staff dismissal and appeals must be referred to the staff discipline committee and staff appeal committee. (*moved*)

The Trust Board is the admissions authority for all schools in the Trust. (Admissions policy to be developed)

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

The Trust Board may delegate such authority as it deems appropriate to a Local Governing Body but the Trust Board remains collectively and personally responsible for every decision made by the Local Governing Body.

Consequently the Trust will not:

- (a) fetter or restrict its own ability to withdraw such delegation at any time, with or without notice; or
- (b) delegate authority to a Local Governing Body to:
 - set a budget without the approval of the Trust Board
 - appoint or remove a headteacher (though the Local Governing Body will be consulted)
 - appoint or remove a Chair or Vice Chair of a Local Governing Body
 - suspend or remove a Local Governing Body Member
 - act in a way inconsistent with any of the Trust's published policies and procedures

Governance Model

	Trust Board			Local Governing Body	
Area of Responsibility	Matters for decision	Final Decision	Working Group /Committee	Role	Final Decision
Strategy	Develop overall mission, vision and values for the Trust	Board	EP	Develop own distinctive vision & values consistent with the Trust	LGB
				Develop an annual SDP which supports the strategy/plan for the Trust	LGB
Finance	Strategic planning	Board		Annual budget plan	LGB
	Consolidation of accounts	Board	Finance	Monitoring of actuals versus budget	LGB
	Tendering and large contract renewal	Board	Finance	Contract monitoring	LGB
	Setting financial standards, policies	Board	Finance	Compliance with standards, policies	LGB
	Setting financial scheme of delegation	Board	Finance	Compliance with schemes of delegation	LGB
	Annual and statutory reports to EFA and other third parties	Board		Preparation of reports for the Trust Board (common format)	LGB
	High level monitoring	Board		Detailed monitoring of expenditure, virements, income and cash flow	LGB
Audit	Commissioning Audit	Board		Monitor auditing by responsible officer, third party or auditor of financial management	LGB
	Audit of financial controls and risk management	Board	MAT Audit		
HR	Setting and approval of all HR policies	Board	HR	Monitoring compliance with HR policies	LGB
	Approval of staff structures and changes to these	Board	HR	Monitoring staffing within agreed structures	LGB
	Overall consideration of pay policies for MAT and effective PM practice across the Trust	EP/Board	HR	Ensure PM of staff is conducted in accordance with policy and regulations and targets are linked to student achievement	HT/LGB
	Ratification of pay awards and progression to UPR	Board	HR	Recommending pay awards (inc UPR) and correlation with PMR and student achievement	HT/LGB
	Recruitment and Performance Management of Headteachers	Board	EP	Participation in PM for headteacher – gathering evidence and setting new targets	LGB
Admissions	Set the admissions policy and manage appeals	Board	Admissions	Monitor admission numbers and compliance with policy	LGB
Premises and resources	Development of strategic plans for the Trust estate	Board		Monitor the site development plan	LGB
	Development of an Asset management plan	Board		Monitor the development of an asset register	LGB
	Plan and monitor major site development	Board		Monitor ongoing site maintenance	LGB
	Collation of inventory checks for MAT	Board	BM/Finance	Inventory check and reporting	LGB

ICT	Develop and implement an integrated ICT strategy	Board	Finance and Standards	Monitor effective use of ICT in the academy	LGB
Marketing & Communications	Develop strategies for the Trust	Board	Marketing working party	Monitor implementation and impact of strategies locally	LGB
	High level monitoring of complaints across the Trust and development of action plans to mitigate in future	Board		Detailed monitoring of complaints and monitoring of Trust action plans to mitigate in future	LGB
Governance	Monitor performance and provide development and support (schools and Board with members)	Board		Self-review and skills audit	LGB
Community/ Membership	Develop strategy for membership/stake-holder engagement for the MAT	Board		Monitor local engagement of stakeholders – report up to Board	LGB
School Improvement	Oversee and direct initiatives to support school improvement across the Trust	Board	Leadership Gp	Monitor school performance and improvement using KPIs and SDP targets, dashboard.	LGB
	Set, agree and monitor pupil level targets across the Trust	Board	Standards	Monitor progress towards pupil level/cohort targets and report to Board	LGB
	Monitor quality of teaching and learning across the Trust and agree strategies for improvement if required	Board	Standards	Monitor quality of teaching and learning locally and suggest remedial actions if required	LGB
Safeguarding	Develop coherent policies applicable across the Trust	Board			
	Ensure training and legal compliance issues	Board		Monitor local compliance with legislation	LGB
	Monitor implementation of policies across the Trust	Board		Monitor implementation of policy in academy	LGB
Curriculum	Approval of cross-MAT and coherent policies, schemes of work and development	Board	EP/Leadership Gp	Contribute to MAT curriculum policies, schemes of work and development	LGB
	High level monitoring of impact of curriculum plans and intervention strategies. +	Board	EP/Leadership Gp	Monitoring of local impact of curriculum plans/schemes including intervention strategies	LGB
SIAMS	High level monitoring of local frameworks for development in faith schools	Board		Local evaluation using SIAMS toolkit leading to action plans in faith schools	LGB
Health & Safety	Agreement of overall consistent MAT Health & Safety policies	Board		Routine regular H&S inspections	HT/LGB
	Monitoring of compliance and effectiveness of H&S issues	Board		Local reporting of compliance concerns and incidents	LGB
SEND	Develop coherent policies applicable across the Trust	Board	EP/Leadership Gp	Contribute to MAT policies and action plans	LGB
	Ensure training and legal compliance issues	Board	Curriculum		
	Monitor implementation of policies and practice across the Trust	Board	Curriculum	Monitor local compliance with policies and plans	LGB
Well being	Collate local reporting of	EP/Board		Monitor local well-being and	HT/LGB

	stress/well-being issues and take appropriate action			stress issues (H&S stress audit and PM) and recommend actions to Trust Board	
External review SIAMS/Ofsted/ SDC	High level responsibility for reporting and subsequent action plans	EP/Board		Contribute to external reviews and subsequent action plans	HT/LGB

Leadership Team:

The leadership team will be convened by the Executive Principal. The leadership team will be responsible and held to account for the following aspects of the Trust's operation:

- curriculum
- performance
- behaviour
- SEND provision
- safeguarding
- CPD

The team will, from time to time, depending on the matters under discussion/development incorporate members of the wider leadership teams in each academy, and may also include local governing body members or Trust Board members.

As referred to above, a committee consisting of more than one third employees of the Trust may not have governance powers delegated to it. The Leadership Team is therefore part of the Operational Structure rather than the Governance Structure. The Executive Principal and the Headteachers have operation authority delegated to them through their contracts of employment and their job description. The Leadership Team will also make *recommendations* on policy and strategy to the Trust.

Responsibilities of the Minerva Learning 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. The Trust Board and its committees/Local Governing Bodies will be mainly responsible for the strategic direction of the Trust and all its member organisations. The operational aspects of the Trust will be the responsibility of the Leadership Team.

Finance

1. The Minerva Learning Trust Board will consider the MAT's indicative funding, notified annually by the EFA 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. The Board 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 Minerva Learning Trust Board will receive and scrutinise the annual budgets and forecasts ensuring that they are:
 - in accordance with the funding agreement, the Trust's memorandum and articles of association and EFA financial handbook
 - Consistent with the Trust's Development Plan.

If necessary it will refer back to the local governing bodies for review. Approval/non-approval of the academy's budget will be determined by the Trust Board.

In the event of non-compliance or failure of the local governing body to demonstrate effective performance, the Board may withdraw or vary the delegated powers.

4. It will consider and monitor regularly the MAT's short term and long term revenue and capital budget and financial planning to ensure the MAT's 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 each 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
 - individual 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 Trustees' 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/Friends 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

Finance Committee

The role of the Finance Committee will be to propose budgets and recommend them to the Board for approval ensuring sound financial management.

The Finance Committee will include 1 governor from each LGB, two representatives from the Leadership Team (inc the EP) and business managers

The committee will also include two representatives of the Board as chair and vice chair

Audit

The Minerva Learning Trust Board 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 delegates certain responsibilities to a Trust Board Audit Committee (distinct from the Finance Committee). The responsibilities of this Audit Committee are to:

1. recommend to the Trust Board the appointment, re-appointment or removal of the external auditors. The removal of external auditors needs to be reported to the EFA
2. review and consider the auditor's management letter in order to ensure it is based on a good understanding of the schools' business and to establish whether any recommendations have been acted upon
3. review the findings of the external auditors and recommend to the Trust Board an action plan arising from it
4. ensure that the audited accounts are filed with Companies House
5. ensure that suitable accounting records are maintained and to provide publicly accessible accounts in line with the Statement of Recommended Practice (SORP) for Charities
6. ensure that the MAT's accounts are published on the web site and are available to any one that requests a copy
7. provide minutes of all audit committee meetings for review at meetings of the board of directors.
8. identify the risks to internal financial control across the Trust and 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.

9. ensure there is a continuous and sufficient review of the risks. It must agree a programme of work that will address the risks identified.
10. 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 and recommend the appointment, re-appointment or removal of Internal Auditors
11. advise the Board on the minimum and optimum level of internal and external audit arrangements
12. 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
13. 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.
14. examine reports on special investigations and to advise the board of directors accordingly
15. 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
16. ensure there is coordination between responsible officer, internal audit, external audit and any other review bodies that have been set up
17. 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

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.

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

The HR Committee:

The role of the HR Committee will be to scrutinise policies, review performance and make recommendations to the Board in accordance with agreed Terms of Reference.

The HR Committee will include 1 governor from each LGB, two representatives from the Leadership Team (inc the EP) and business managers

The committee will also include two representatives of the Board as chair and vice chair

The Board has the following responsibilities with regard to HR:

1. The approval of academy staffing structures within the academy'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 principals/headteachers
4. To determine the Pay Policy for the Trust
5. To advise each local governing body/finance committee on current and future pay levels;

6. To ratify appropriate salary ranges and starting salaries for lead practitioners, and members of the leadership group;
7. To ratify annual pay progress for teachers (by 31 October at the latest) as set out in the Pay Policy, taking account of any recommendations made by the local governing body and the HR (staff pay and performance management) committee, in accordance with the approved pay policy.
8. To approve applications to be paid on the Upper Pay Range
9. To approve annual pay progression for the Executive Principal (by 31 December at the latest), taking account of the recommendation made by the Performance Review Panel, following the annual review.
10. To determine the application of national inflationary increases as required;
11. 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.
12. To oversee the work of the Staff Disciplinary/Dismissal Committee and the Staff Appeals Committee (including pay appeals)
13. To monitor and review the performance and pay of all headteachers 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 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 Learning 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

ICT

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 ICT strategy for the Trust that maximises the use of technology in both administrative and academic settings.
3. To provide ICT support to all schools within the Trust

Marketing, Public Relations, Grant Applications and Communication

To agree the marketing strategy for the Academy Trust that;

1. Will develop the Learning Trust identity

2. Will identify stakeholders and encourage engagement.
3. Will develop a Public Relations and communication strategy that promotes the success of the Academy within our community, the local and national press agencies.
4. Will develop a sponsorship programme and research grant aiding across both primary and secondary areas.
5. Will oversee the development of the Learning Trust web site and review content and ease of use.

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 any stakeholder forums (eg Parents' Forums) and membership.
2. Encourage and facilitate community involvement in the Trust

Strategic direction

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 appointment and focus of an external SEP for each academy in the Trust and the overall performance of the Trust. (***test with SDC to see what others are doing – report to members?) SEP report to LGB for commentary to the Board.*
5. To develop and monitor the implementation of a Trust wide School Improvement Plan, taking into account recommendations from the Leadership Team and the SEPs, with targets which will feed in to the performance review of the Executive Principal and the Headteachers.
6. To monitor the performance of the Schools in the Trust against the School Improvement Plan.
7. To ensure the EP facilitates collaboration and support for school improvement across the Trust

Scheme of Delegations

Authorisation Limits

These limits are taken from the financial regulations that were approved by the Board of Trustees on: (date)

Expenditure Limits within budget

Site Manager (emergency minor building repairs)	Up to £500
Business Manager	Up to £5,000
Headteacher	From £5,001 and £10,000
Chair of LGB	From £10,001 and £25,000
Finance Committee	From £25,001 to £100,000
Board of Trustees	Over £100,000

Cheque Signatories

Two signatories	Up to £17,500
Chair or Vice-Chair of LGB (plus one other)	Over £17,500

Virement Limits

Headteacher	Up to £5,000
LGB	From £5,001 to £10,000
Board of Trustees and notify EFA if significant	Over £10,000

Writing off bad debts

Headteacher	Up to £250
Board of Trustees and approval from EFA	Above £250

Above amount in annual funding letter or as per delegated limits section 2.4.10 Academies Financial Handbook 20xx

***Schedule of write offs to Finance and Audit Committees*

Disposal of Surplus Stock, Stores & Assets (estimated value)

Headteacher	Up to £500
Board of Directors	Over £500

Board of Directors plus prior approval of EFA

Freehold land & buildings/heritage assets as per section 2.4.22 Academies Financial Handbook 20xx

***some protection for items bought as a result of fund raising*

Other Monetary Limits

Mileage Allowance	HM Revenue & Customs approved rate
Petty Cash Imprest	£400 (except for an Unusual Event)
Safe Cash/ Cheque limits	£3,000 – cash
(as per insurance policy)	£5,000 – cheques (recorded at point of receipt)
	£500 monetary instruments i.e. stamps, vouchers

Ordering Procedures

3 Competitive quotations (written evidence required)	£5,000 - £50,000
Tendering procedure	Over £50,000
Tendering procedure + OJEU	€207,000+ (Euros) for supplies and services
Tendering procedure + OJEU	€5,186,000+ (Euros) for works

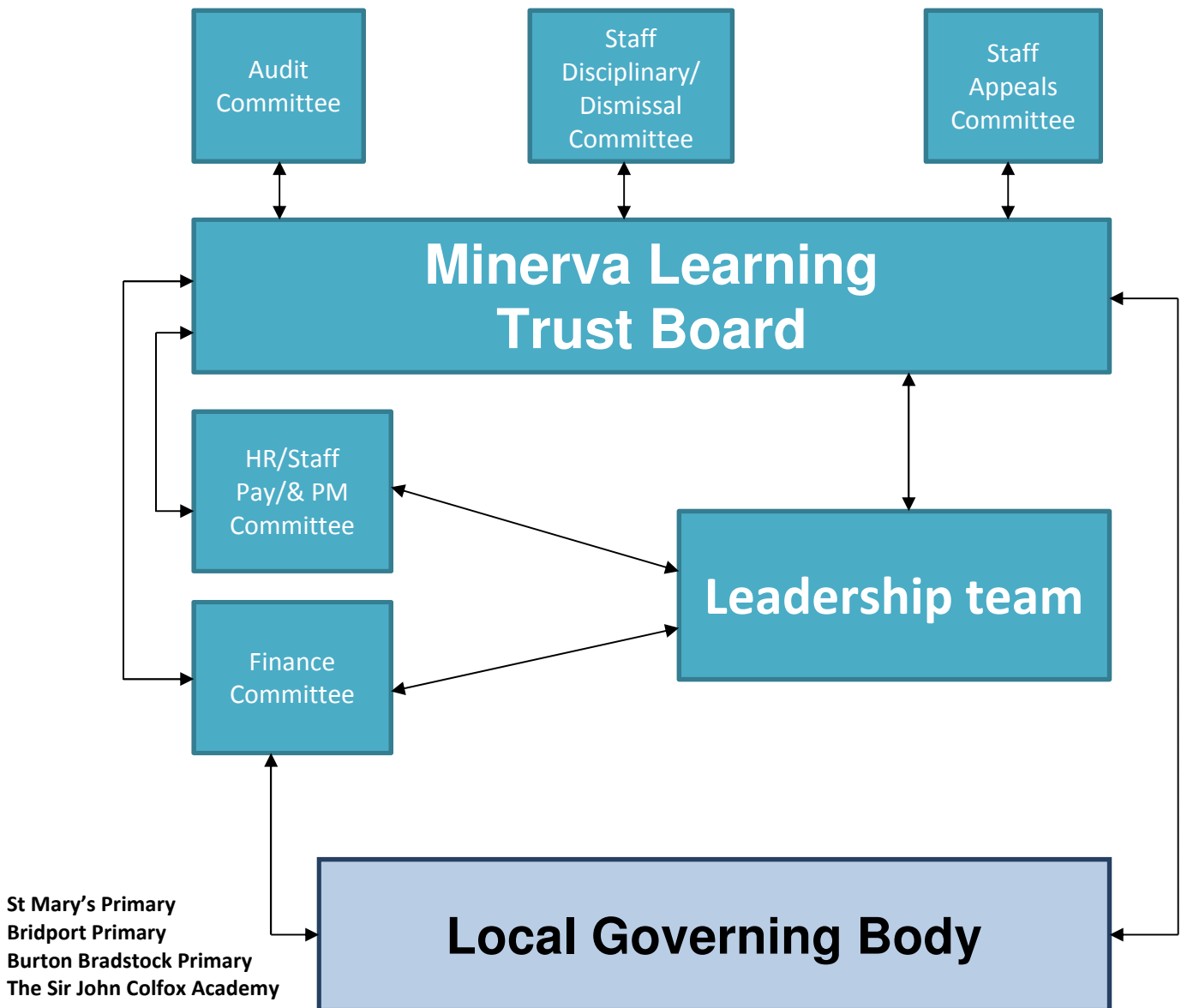
Asset Register

Capitalisation limit	Over £5,000
Attractive portable items	Over £250

Organisational Structure

The diagrams below illustrate the structures within the Trust board.

Minerva Learning Trust



Each Local Governing Body will have the following standing items on agendas:

- Finance
- Progress with the academy's SDP/SEF/Ofsted Single Action Plan
- Receipt of reports from the SEP for comment to the Board (via the EP)
- Local Staffing/Recruitment (below HT/Principal)
- Safeguarding