



SCHEME OF DELEGATION

Effective for all academies within the Rushey Mead Educational Trust, the Teaching School, the SCITT and all other activities under the control of the Trust and reporting to the Trust Board

SCHEME OF DELEGATION

This Scheme of Delegation is made between Rushey Mead Educational Trust (“RMET”) and Local Governing Bodies in accordance with the Constitution of the Local Governing Body (wherein this Scheme of Delegation is referred to as “the Scheme”). Each new Academy will have an individualised version, tailor made to reflect its specific status, performance and situation. The RMET Governance Charter, RMET Local Governing Body (LGB) Constitution and Terms of Reference and the RMET Roles and Responsibilities Matrix also inform this delegation of powers.

Subject to the requirements of RMET set out in this Scheme, RMET delegates to each Local Governing Body its responsibility and powers as the Governing Body of the Academy which shall be discharged by the Local Governing Body in accordance with its Constitution and Terms of Reference, RMET Governance Charter, and RMET Roles and Responsibilities the Policies of the Trust and advice published from time to time by the Department for Education, The Education Funding Agency and Ofsted.

Responsibilities and powers delegated to the Local Governing Body may be further delegated to a Committee or to the Principal of the Academy. It should be remembered that although decisions may be delegated, the Local Governing Body, together with RMET as a whole, remains responsible for any decision made under delegation.

All policies referred to in this Scheme of Delegation mean the current policy by that title.

Members of the Local Governing Body agree to:

- Attend such training as is reasonably required by RMET in order to update and improve the knowledge and skills available within the Local Governing Body to fulfil its role in respect of the Academy and as part of RMET.
- Provide the information required by RMET in the form indicated by RMET and not to withhold any information which RMET reasonably requires.
- Refer certain decisions to RMET for approval as set out in this Scheme and not to act, or to omit any act, in reliance on such a decision prior to obtaining such approval.

1. CORE FUNCTIONS AND SERVICES

As a Multi Academy Trust it is essential that all the academies can demonstrate auditable Value for Money (VfM) decision making across the Trust in terms of procurement. Equally no leases may be taken out without authority from the Executive Team, as these may breach VfM procurement rules and/or the Education Funding Agency requirement not to borrow.

1.1 Central Essential Services

RMET shall determine, having regard to but not being bound by the views and recommendations of the Local Governing Body, the scope of mandatory core services to be procured and delivered by RMET on behalf of its academies and shall deliver those services ensuring they represent good value for money.

- 1.1.1 A number of non-negotiable central essential services operate across the Trust, which include:
- the central finance package;
 - payroll and pensions services;
 - insurances;
 - membership to Challenge Partners;
 - use of the Every system which is used to log maintenance, planned preventative maintenance, Life cycling etc.

1.2 Non-Central Essential Services

RMET shall also determine those essential services which should be procured by each Academy, for example collection of waste. The Local Governing Body shall ensure that such services are procured ensuring that they represent good value for money.

2. BUDGETS AND FINANCE

The RMET Board will appoint an Internal Auditor for each Academy.

2.1 Procurement

- 2.1.1 The Local Governing Body should ensure compliance with RMET Procurement Policy, found within RMET Financial Policy, for all procurement undertaken in the Academy.

2.2 Budget and Budget Plan

- 2.2.1 The Board shall determine the proportion of the overall Academy budget to be top sliced for Central Services and shall inform the Local Governing Body of the balance.
- 2.2.2 The Executive Team shall provide the Local Governing Body with the full financial detail of the total allocation of funding provided by the Education Funding Agency in respect of the Academy.
- 2.2.3 The Principal and relevant staff, on behalf of the Local Governing Body, shall develop the individual Academy plan for spending the budget (“the Budget Plan”) in accordance with RMET’s Financial Procedures Handbook and the School Development Plan and shall present the proposed Budget Plan to the Local Governing Body for initial approval and finally RMET for approval.
- 2.2.4 RMET shall approve the Budget Plan provided that:
- It is consistent with RMET’s Financial Procedures Handbook;
 - It is consistent with the Values and Vision of RMET;
 - It is consistent with all policies published by RMET;
 - It is consistent with the School Development Plan.

- 2.2.5 Where additional funds become available which the Local Governing Body wishes to utilise during that financial year, an updated budget plan should be submitted to RMET for agreement.

2.3 Financial Monitoring

- 2.3.1 The Local Governing Body shall:
- Monitor monthly expenditure of the Academy against the approved Budget Plan.
 - Enter into contracts within the financial limits that are published by RMET and are within the Budget Plan.
 - Observe the policy on charging and remissions published by RMET.
 - Not agree to any expenditure outside of the approved total Budget Plan without the approval of RMET.
 - Report on the financial position of the Academy to RMET in the format required and at the times required by RMET.
- 2.3.2 The Local Governing Body shall develop appropriate risk management strategies, under the guidance of RMET, and shall at all times adopt financial prudence in managing the financial affairs of the Company in so far as these relate to the School.

2.4 Regulatory Matters

The Board of Directors have the responsibility for all regulatory and legal matters. The Local Governing Body must comply with any requirements of the Board of Directors in order to meet these obligations.

3. STAFFING

3.1 Appointments

- 3.1.1 The RMET Executive Team shall appoint Leadership Members of the Teaching staff from Vice Principal and above in consultation with the Local Governing Body.
- 3.1.2 For those academies who receive Good or Outstanding Ofsted inspections, greater autonomy will be provided. Leadership appointments would be discussed with RMET, via the CEO and appropriate Executive Principal/ Director of Education, and an agreed recruitment process undertaken.
- 3.1.3 The Local Governing Body shall appoint other Teaching staff to the Academy in accordance with RMET HR policies.
- 3.1.4 The Local Governing Body shall appoint all Support Staff to the Academy in accordance with RMET HR policies and in line with the Support Staff Structure agreed with the RMET Executive Team.

3.2 Performance Appraisal, Pay Discretions and Appeals

- 3.2.1 RMET's CEO has the ultimate responsibility for the appraisal of Principals/Executive Principals. As the Trust grows this may be delegated to the appropriate Executive Principal/ Director of Education, who will establish a panel comprising of him/herself, the Chair of Governors and another governor, if required, to undertake the appraisal. The CEO/Executive Principal/Director of Education will Chair this process and be the ultimate decision maker.
- 3.2.2 The RMET Executive Team may, in line with the RMET Pay Policy and the Budget Plan and with any written recommendations from the Appraisal procedure, recommend

discretionary pay awards for the Principal, or any other member of the Academy staff, to RMET who will consider, but not be bound by any such recommendation.

3.2.3 The RMET Executive Team will be responsible for the application of pay awards to Vice Principals and above.

3.2.4 A subcommittee, made up of any three directors of the Board will be responsible for Appeals for Vice Principals and above regarding pay grades and awards.

3.2.5 The Local Governing Body shall ensure the Performance Appraisal of all staff is conducted in accordance with RMET's Appraisal Policy* for both Teaching and Support staff.

3.3 **Disciplinary and Capability Procedures**

3.3.1 The RMET Executive Team will be the final decision maker in proceedings that could result in the dismissal of Vice Principals and above.

3.3.2 The Principal/Executive Principal, on behalf of the Local Governing Body, shall undertake any proceedings that could result in actions up to and including dismissal, other than for Vice Principal and above, in accordance with RMET's policies and in accordance with advice from RMET's Head of HR.

3.3.3 The RMET Executive Team may request Principals from its other academies, a member of the Executive Team or a member of the LGB to Chair any proceedings, or leaders from other academies to conduct investigations, if it is needed to ensure independence and fairness.

3.3.4 In the event that a staff member is dismissed, no payment in respect of that dismissal shall be made without the consent of RMET's CEO. Any non-contractual payments to staff who leave, are made redundant, or are dismissed must be paid in line with the Academies Financial Handbook rules and where applicable EFA permissions must be sought.

3.4 **General**

The Local Governing Body shall consider any requests for Early Retirement or Flexible Working and should seek advice in that respect from RMET's Head of HR.

4. STANDARDS, CURRICULUM AND TARGET SETTING

4.1 RMET, via the Trust's Executive Team, and Principal of the Academy, will be responsible for the Curriculum and target setting.

4.2 The Local Governing Body will work with the Academy's senior leadership to agree, and monitor progress of, a School Development Plan in accordance with overall RMET strategy.

4.3 The Local Governing Body will monitor pupils' progress and attainment and provide appropriate challenge where necessary.

4.4 The Local Governing Body will provide robust challenge and positive support to the Principal and senior leadership team of the Academy enabling effective decision making to take place and ensure strong leadership and governance for the Academy.

5. ADMISSIONS

- 5.1 The Local Governing Body shall ensure the Admissions Policy for the Academy is consistent with the Admissions Policy of RMET* and is published on the Academy's website.
- 5.2 Decisions on admissions shall be made by the Local Governing Body in line with the admissions policies and procedures mentioned above.
- 5.3 Any Appeals will be considered by an Independent Panel in line with the admissions policies and procedures mentioned above.

6. STRUCTURE

- 6.1 Prior to implementation of, or consultation on such change, the Local Governing Body shall refer to RMET any proposal to alter:
 - Leadership Structure
 - Opening Times
 - Extended School Provision
 - Change in Age Range
 - Setting Term Times and INSET days
- 6.2 No Change to any of the above shall be made without the prior consent of RMET.
- 6.3 RMET will consider such consent, having regard to, but not being bound by, representations from the Local Governing Body

7. SAFEGUARDING

- 7.1 The Local Governing Body shall ensure the Academy has a Designated Officer and Deputy and their contact details are published on both the Academy and RMET website.
- 7.2 The Local Governing Body shall appoint a Governor with specific responsibility for safeguarding.
- 7.3 The Local Governing Body shall ensure the safeguarding and wellbeing of pupils and staff through the effective implementation of appropriate policies and procedures, both on and off the Academy site.

8. LAND, PREMISES AND INSURANCE

- 8.1 RMET shall effect an insurance policy for buildings, public liability, business interruption and officer's liability in accordance with the Articles of Association of RMET.
- 8.2 The Local Governing Body will ensure the Academy's estate is maintained so it is fit for purpose and provides a safe, attractive and appropriate environment for staff, pupils and visitors.
- 8.3 The responsibility to approach any disposals or acquisitions of land to be used by the school will be that of the Directors.

9. HEALTH AND SAFETY

- 9.1 The Local Governing Body shall ensure the health and safety of pupils and staff through the effective implementation of appropriate policies and procedures, both on and off the Academy site.

9.2 The Local Governing Body shall ensure each Academy employs one or more competent members of staff to assist the Local Governing Body and Principal in the undertaking of measures needed to comply with the requirements and prohibitions imposed by or under the relevant statutory provisions as detailed at Regulation 7 in the Management of Health and Safety at Work Regulations 1999.

10. POLICIES AND PROCEDURES

10.1 RMET will have approval of overall financial policies and procedures as documented in RMET’s Financial Policy.

10.2 RMET will ensure the Academy has in place appropriate statutory policies and procedures and complies with all legal requirements.

10.3 The Local Governing Body will either approve or provide views (where appropriate) for all policies and procedures and ensure a robust and on-going implementation.

* Policies that have been recognised as Trust Policies and are currently being drafted.

Signed by Chair of LGB on behalf of the LGB:

(Name, in Block Letters)

Signed by the Chair of the Board of Directors:

(Name, in Block Letters)

Implementation Date:

APPENDIX A: REPORTING REQUIREMENTS

1. Reports after each Local Governing Body meeting:

- A copy of Minutes of all meetings of the LGB shall be provided to the Trust Head of Governance no later than two weeks before the meeting of the Board. Along with these the Chair shall ensure that a brief summary of the meeting is presented.
- Any particular issues for the attention of the Board of Directors/appropriate Committees of the Board to be highlighted in the Chair's summary.
- A copy of the signed Minutes shall be provided to the Trust Head of Governance as soon as is reasonably practicable.

2. Annual Reports

- Budget Plan in EFA format (for approval by RMET) plus Annual statutory financial statements in EFA format, the Appendix of Weakness with the Trust's responses, the Accounts Return (based on the annual statutory financial statements), Teachers' Pension Scheme Audit, FRS17 LGPS pension scheme annual report.