

The Mercian Trust - Scheme of Delegation

(Adopted on 12 December 2017)

This scheme of delegation (**Scheme**) is the scheme of delegation as defined in the Trust's Code of Governance.

This Scheme:

- sets out the Trust's approach to delegations between the different layers of governance within the Trust and is a delegation by the Trustees under Article 105 of the Articles of Associations of certain powers and/or functions as detailed below;
- confirms which powers and functions are reserved to the Trustees;
- should be read in conjunction with the Code of Governance and the Trust's Committee Terms of Reference;
- may only be altered or revoked by the Trustees.

The Trust's Scheme of Financial Delegation, which the Trust is required to have under re Academies Financial Handbook, is set out in a separate document and also supplements this Scheme in respect of the delegation of financial powers and the operation of robust internal controls.

The Scheme is divided into four sections as follows:

- Strategy & Leadership;
- Education & Curriculum;
- Financial;
- HR & Operations.

To assist interpretation of the matters delegated in the Scheme it uses defined phrases which are supplemented by additional comment as appropriate. The defined phrases should be given their common meaning but for the avoidance of doubt an explanation can be found on the final page of this Scheme.

STRATEGY AND LEADERSHIP				
	Trustees	CEO	LGB	Principal/Head
Set strategic objectives of the Trust & Academies	Determine - for the Trust & Academies	Develop - in the case of the Academies in consultation with LGB & Principal	Recommend	Consult - in the case of their Academy
Develop the character, mission & ethos of Trust & Academies	Determine - for the Trust Consult - for the Academies	Develop - for the Trust Consult - for the Academies	Deliver - for the Academies	Recommend - for the Academies
Deliver strategic objectives of the Trust & Academies	Review	Deliver	Review	Deliver
Scrutiny: Performance - review & challenge progress of the Trust against its strategic objectives and KPIs	Review - progress of the Trust & Academies	Report Review - reports from the LGBs/Principals	Review - progress of the Academy Report - progress to the CEO & Board	Report - progress of the Academy to the LGB
Scrutiny: Ethos - operation of the Trust & Academies against the agreed character, mission & ethos	Review	Report	Review	Report
Compliance: Funding Agreement - comply with all obligations including the Academies Financial Handbook	Review	Deliver	Comply	Comply
Compliance: Regulatory - with all regulations affecting the Trust (including all charity law, company law, employment law and health and safety)	Review	Deliver Report - to Board	Review	Deliver Report - to LGB & CEO

STRATEGY AND LEADERSHIP				
	Trustees	CEO	LGB	Principal/Head
Compliance: Financial Oversight - ensuring that there are appropriate financial controls so that there is regularity, probity and value for money in relation to the management of public funds	Determine - policies to ensure compliance Review	Deliver Report - to Board	Review	Deliver Report - to LGB & CEO
Compliance - completing the register of business interests and put in place a procedure to deal with any conflicts of interest and connected party transactions	Determine - policies to ensure compliance Deliver		Deliver	
Trust Risk Register	Review delivery	Deliver - management of corporate risk register	Review - Academy risk register	Deliver - management of Academy risk register
Appointments of Trustees and Governors - ensuring processes in place for appointment of trustees (including ensuring that the Trustees and Governors have the skills to run the Trust and the Academies)	Determine - policies and criteria for the selection of Trustees and Governors Review - the Board's own performance Review - performance of the LGBs	Report - to the Board on the performance of the LGBs Review - annually the size, structure and composition and skill Determines of LGBs Recommend - if appropriate changes to the size and composition of the LGBs	Review - procedures for the election of staff and parent governors of the LGB Review - own performance	

STRATEGY AND LEADERSHIP				
	Trustees	CEO	LGB	Principal/Head
Register of Interests	Deliver		Deliver	
Appointment of Clerk - Board and LGBs	Consult - in connection with the appointment of the Board clerk	Deliver - appoint the clerk to the Board Consult - appoint clerk to the LGBs	Consult - in connection with the appointment of the LGB clerk	Deliver - appoint clerk to the LGB
Policies - review and approval of Trust Wide Policies (including admissions, DBS, charging and remissions policies, health & safety and safeguarding)	Determine	Deliver - presenting policies to the Board for approval Report - material non-compliance to the Board	Review - all policies approved by the Board and Academy specific policies	Deliver - presenting Academy specific policies for approval by the LGB Report - non-compliance to the LGB and the CEO
Prepare terms of reference for LGB's and Committees	Deliver Review - annually	Develop	Consult	
Training programme for trustees and governors	Deliver	Develop	Deliver	Consult

EDUCATION AND CURRICULUM				
	Trustees	CEO	LGB	Principal/Head
Academy Development Plan - for each Academy in line with strategic aims of the Trust	Determine - the Academy Development Plan in consultation with the appropriate LGB	Deliver - drafting and agreeing the Academy Development Plan	Recommend - Academy Development Plan to the Board	Work with the CEO in producing the Academy Development Plan Review - the Academy Development Plan
Key Performance Indicators - setting and reviewing performance of the Trust & the Academies	Determine - Trust wide and Academy KPIs Review - performance against KPIs	Consult - with the LGBs and propose KPIs to the Board Receive reports - from the LGBs and report performance of the LGBs against KPIs	Recommend - targets for performance of the Academy to the CEO Review - performance of the Academy and report to the CEO Deliver - holding leadership to account for delivery against KPIs	Deliver - performance of the Academy against KPIs Report - performance of the Academy to LGB

EDUCATION AND CURRICULUM				
	Trustees	CEO	LGB	Principal
Quality of Teaching - ensuring appropriate levels of support, challenge and intervention to support delivery of education outcomes	Review - the work of the CEO	Deliver - supporting the Academies and intervening where appropriate	Review - at the Academy	Review - management of staff to ensure teaching and learning objectives are met Report- strengths and concerns in the quality of teaching to LGB
Curriculum - setting the curriculum for the Academies and reviewing its effectiveness	Determine - curriculum and standards Review - effectiveness of the curriculum across Trust	Deliver Recommend	Consult Review	Deliver
Curriculum - ensuring that the legal requirements for children with special needs are met and that they are given support for learning.			Review	Deliver
Pupil Premium - reviewing and challenging the value for money/ ROI of the Pupil Premium in terms of educational outcomes and narrowing the achievement gap	Review	Report - to Board effectiveness of use of the Pupil Premium across Trust	Determine & Review - how Pupil Premium is spent at the Academy	Deliver Report - on effectiveness of use of the Pupil Premium
Collective worship arrangements for school without religious character			Review	Deliver

EDUCATION AND CURRICULUM				
	Trustees	CEO	LGB	Principal
Set admissions policy	Deliver	Develop		
Admission decisions			Deliver	Consult
<p>Review - considering and evaluating performance of the Academies by:</p> <ul style="list-style-type: none"> ▪ reviewing progress against agreed KPIs ▪ holding each academy's leadership to account for academic performance, quality of care and quality of provision ▪ monitoring the overall effectiveness and efficiency of leadership and management at the Academies ▪ receiving reports on the quality of teaching and learning and making recommendations to the Board. 	Review	Review	Deliver	Report
Self-evaluation - carrying out the self-evaluation process and the areas for improvement with particular regard to outcomes and success criteria.	Review	Consult	Review	Deliver
Review priorities - considering the aims and priorities for raising standards of achievement in each of the Academies' strategic plans.	Review	Consult	Review	Deliver

EDUCATION AND CURRICULUM				
	Trustees	CEO	LGB	Principal
Report - termly to Board on performance	Review	Review	Deliver	Deliver
Student issues (including attendance, exclusions, punctuality and disciplinary matters for each Academy)	Review	Review delivery	Receiving reports from the Principal Report any material issues to the Board and the CEO	Deliver - ensuring student issues are dealt with in accordance with Trust and Academy Policies Report - to the LGB on any material issues
Academy Hours - setting the opening and closing times for the Academies	Determine - in consultation with LGBs		Consult - with the Board	Comply
Term Dates and length of school day	Determine - in consultation with LGBs		Consult - with the Board	Comply
School lunch - ensure provided to appropriate nutritional standards			Review	Deliver
Provision of free school meals to those meeting criteria			Review	Deliver

EDUCATION AND CURRICULUM				
	Trustees	CEO	LGB	Principal
Safeguarding - including ensuring each Academy has appointed a Designated Safeguarding Lead, ensuring compliance with statutory guidance and maintenance of single central record.	Review	Review	Deliver	Deliver
<p>Stakeholder Engagement -</p> <ul style="list-style-type: none"> Promoting partnership working between parents/carers and the Academies to promote high standards of attendance, behaviour and learning by students. Undertaking consultation with students, parents/carers and other stakeholders as part of a programme of regular self-evaluation by the Academies to assess its performance against its stated aims and objectives. Ensuring that such feedback is used to support the development of best practice and to promote the quality of the overall student experience. 	Review	Consult	Determine	Deliver
<p>Ofsted Inspections Trust Support -</p> <ul style="list-style-type: none"> Board will liaise with Ofsted where MAT is inspected and it will assist with an Academy inspection. CEO will ensure Trust is prepared for inspection and manage the process from a Trust perspective where the impact of the Trust is under review 	Deliver	Deliver	Support	Support

EDUCATION AND CURRICULUM				
	Trustees	CEO	LGB	Principal
<ul style="list-style-type: none"> CEO will support LGBs and Principals/Headteachers for individual Academy inspections 				
Ofsted Inspections: Academies	Review	Support	Deliver	Deliver

FINANCIAL				
	Trustees	CEO	LGB	Principal/Head
Appointment of the Audit & Risk Committee	Deliver			
Appointment of the Accounting Officer & Chief Financial Officer	Deliver	Deliver - the Accounting Officer role		
Recommend appointment of External Auditors to the Members	Deliver			
Appointment of the Internal Auditors	Deliver			
Approve Annual Accounts	Approve	Deliver - arrange for auditing and filing of annual report and accounts	Comply - by ensuring Academy keeps proper records and providing such information to assist the Trust in preparation of the Annual Accounts	
Scheme of Financial Delegation & Financial Policies - establishing of policies and procedures to ensure compliance with the Trust's financial and reporting requirements	Determine Comply	Review - compliance Report - any issues or non-compliance to the Board Comply	Review - compliance by the Academy Report - any issues or non-compliance to the CEO Comply	Comply

FINANCIAL				
	Trustees	CEO	LGB	Principal/Head
Bank Accounts - authorising the establishment of bank accounts and approve bank mandates in the name of the Trust	Determine	Recommend		
Funding Model - agreeing a funding model across the Trust and develop an individual funding model for the Academies) so as to the secure the Trust's financial health in the short term and the long term	Determine - in consultation with the LGBs	Recommend a funding model to the Board for approval Review	Consult - with the Board Review - compliance with the overall financial plan for the Academy	Comply
Trust Annual Budget - formulating and setting the Trust wide budget	Determine Approve - significant variances (as defined in the Scheme of Financial Delegation)	Deliver - preparation of Trust budget and present to the Board for approval Review - submission of Trust budget to the EFA		
Academy Annual Budgets - formulating and determining the proportion of the overall budget to be delegated to each Academy (including uses of contingency funds/ balances)	Determine Approve - significant variances (as defined in the Scheme of Financial Delegation)	Deliver - preparation of Academy budgets in consultation with the LGBs and present to the Board for approval Review - submission of Academy budgets to the EFA	Consult - with CEO & CFO in respect of the Academy's requirements Comply Approve within permitted limits (as defined in the Scheme of Financial Delegation) any variances	Deliver - in consultation with CFO Comply

FINANCIAL				
	Trustees	CEO	LGB	Principal/Head
Expenditure and ensuring delivery of Annual Budgets	Review	Report - to the board any material issues with delivery against the Annual Budget by the Academies Receive reports - on matters of concern in connection with compliance with the Annual Budgets	Review Report - to the CEO any issues with expenditure or compliance with the Annual Budgets by the Academy	Report - to the LGB any need for any matters of concern in respect of the Academy's annual budget
Reporting: financial reporting and KPIs	Determine Review	Deliver	Review	Deliver
Investments - agreeing the investment policy in line with the Academies Financial Handbook and the Scheme of Financial Delegation	Determine and review delivery	Deliver		

HR AND OPERATIONS				
	Trustees	CEO	LGB	Principal/Head
Appointing the CEO	Appoint			
Appointing the Principals at each Academy	Approve -in consultation with the CEO/ LGBs	Recommend - sit on appointment panel along with, Trustee & two representatives of the relevant LGB	Recommend - two representatives to sit on the appointment panel with the CEO & a Trustee	
Appointing of cross-Trust Staff (in line with recruitment policy)	Review	Appoint and report to the Board		
Appointing Academy SLT (excluding Principal/Head)		Consult	Appoint and report to the Board	Recommend
Appointing Academy Staff (excluding SLT & Principal/Head)			Appoint	Recommend
Establishing Trust wide HR Policies (including recruitment , discipline, capability, grievance and absence policies) in accordance with all appropriate regulations	Determine Review	Comply	Review	Comply
Setting Appraisal Performance Management Policy together with pay reviews (in line with the Trust's pay policy and all statutory regulations)	Review - in respect of CEO Receive reports - in respect of appraisal arrangements and outcomes Review - any appeals in respect of the Principals and cross academy staff	Review - in respect of Principals and cross Trust staff (and any appeals from Academy staff) Review - and Report - (annually) to the Board on appraisal arrangements and outcomes	Assure - in respect of performance management of Principal Review - any appeals respect of all other staff	Review - in respect of all other staff Report - annually to the CEO on appraisal arrangements and outcomes

HR AND OPERATIONS				
	Trustees	CEO	LGB	Principal/Head
Setting Terms and Conditions of Employment and Staff Handbook	Determine - and consider any proposals by LGBs to make amendments	Recommend	Consult - report to Board on any suggested changes to the Academy's terms and conditions	Comply
Dismissing and suspending the CEO, (in accordance with the Trust disciplinary and capability policies)	Determine			
Dismissing and suspending all other staff (in accordance with the Trust disciplinary and capability policies)	Determine	Recommend to the Board	Consult, in respect of staff based in their school	Consult, in respect of staff based in their school
Reviewing discipline and grievance policy	Review delivery	Recommend	Review - in line with Trust policy	
Setting trust wide procurement policies (for suppliers including auditors, HR and payroll providers and solicitors) in accordance with the Funding Agreement, Academies Financial Handbook and the Trust's procurement policy	Determine	Deliver	Comply	Comply

HR AND OPERATIONS				
	Trustees	CEO	LGB	Principal
Setting academy specific procurement policies - in accordance with the Funding Agreement, Academies Financial Handbook and the Trust's procurement policy	Determine	Review	Deliver - in accordance with Trust policy	Recommend
Enter into contracts - up to limit of delegation set out in Scheme of Financial Delegation	Deliver	Deliver	Review	Deliver
Determining and allocating central services provided to the Academies by the Trust	Determine (in consultation with the LGBs)	Deliver- on recommending the allocation of services to the Board	Consult	Consult
Overseeing the effectiveness of services provided centrally by the Trust	Review	Deliver and report to Board	Report - to the Board	
Asset and Premises Maintenance Strategy - determining use of Academies' premises and ensuring premises are adequately maintained	Determine - Trust wide policy	Recommend	Determine - academy plan in accordance with Trust policy Review delivery of academy plan	Deliver - in accordance with Academy policy
Acquiring and disposing of Trust land	Deliver	Recommend		
Changing use of Assets	Deliver		Recommend to the Board of any changes to fixed assets used by the Academy	
Arranging insurance for the Trust	Review	Deliver		

HR AND OPERATIONS				
	Trustees	CEO	LGB	Principal
Media and PR - overseeing public relations activities to project the activities of the Trust and the Academies to the wider community	Review	Deliver - Trust wide activities	Comply	Comply
Information management - including adopting and following policies for information security and compliance with Fol and DPA legislation and maintaining accurate records (staff, student)	Determine	Deliver	Comply	Comply
Academy Prospectus		Review	Deliver	Recommend
Trust Prospectus and website	Review	Deliver		

In this Scheme the phrases used above have the following meanings:

Comply: the individual/group will follow agreed policies and procedures.

Consult: the individual/group that should be consulted as part of the process of completing a particular task.

Deliver: the individual/group that has responsibility for undertaking the particular task delegated to them and reporting on its delivery at suitable intervals. In the case of the CEO this will be at Trust level. In the case of the Principal/Head this will be at Academy level.

Determine: the individual/group that has primary responsibility for ensuring the particular task is completed and determining how the Trust and/or Academies (as appropriate) should undertake the task including determining appropriate milestones and targets to be reported against.

Develop: the individual/group that has responsibility for developing proposals relating to a task for discussion and approval by the appropriate decision-making individual/group.

Recommend: the individual/group that should make recommendations as to how a particular task should be completed. In the case of:

- the CEO they will be making recommendations to the Board and/or LGB (as appropriate)
- the LGB they will be making recommendations in relation to their Academy to the Board, CEO and/or Principal/Head (as appropriate)

- the Principal/Head they will be making recommendations in relation to their Academy to the CEO and/or LGB (as appropriate).

Report: the individual/group that has responsibility for reporting on the delivery of tasks. In the case of:

- the CEO they will be making reports to the Board and/or LGB (as appropriate)
- the LGB they will be making reports in relation to their Academy to the Board and/or CEO (as appropriate)
- the Principal/Head they will be making reports in relation to their Academy to the CEO and/or LGB (as appropriate).

Review: the individual/group that has responsibility for reviewing whether a particular task is being carried out satisfactorily and where appropriate requiring action to be taken to ensure task is delivered appropriately. In the case of:

- the Board they will be reviewing the CEO and/or LGB (as appropriate)
- the CEO they will be reviewing the Principal/Head
- the LGB they will be reviewing the Principal/Head and his/her leadership team.

Support: the individual/group that should support completing a particular task.