

Chorus Education Trust Schemes of Delegation

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Contents

Chorus Education Trust Board Scheme of Delegation	3
Introduction	3
Roles and Responsibilities	4
1. The Members.....	4
2. The Board of Trustees (BoT)	4
Roles and responsibilities of the Board of Trustees in detail:	5
Board of Trustees Sub Committees	5
3. Local Governing Bodies	6
Membership of the LGB.....	6
LGB Roles and Responsibilities	6
LGB Committees	7
4. The Chief Executive Officer (CEO)	7
5. The Heads of School/Principal	8
6. Schemes of Delegation	9

Chorus Education Trust Board Scheme of Delegation

Introduction

Chorus Education Trust's Board of Trustees is accountable in law for all major decisions about our academies. However, this does not mean that the Board of Trustees is required to carry out all the Trust's governance functions, and many can and should be delegated, including to the Chief Executive Officer (CEO), the Board of Trustees' committees, and to Local Governing Bodies (LGBs). The decision to delegate a function is made by the full Board of Trustees, reviewed annually, and is recorded. LGBs, committees and individuals have power to act according to the Schemes of Delegation (SoD).

Which functions the Trustees decide to delegate will vary depending upon the performance of each school, in relation to academic achievement, safeguarding and financial outcomes.

A scheme of delegation (SoD) is the key document defining the lines of responsibility and accountability in our Trust. It is designed to be a simple yet systematic way of ensuring that the Members, Trustees, Board Committees, LGBs, CEO and Heads of School/Principal are all clear about their roles and responsibilities. This overarching SoD for all decision making in Chorus Trust will sit alongside the written scheme of delegation of financial powers, as referred to in the Academies Financial Handbook.

As Chorus Trust matures and grows the workings of the Trust, both in terms of governance and management are likely to change. The SoD will be reviewed annually, with changes made as the context changes, if necessary, each year. This is recognition of the need to be responsive to changing circumstances and to adapt accordingly. However, we will ensure that all involved in governance are made aware of any changes and what these mean in practice.

Chorus Trust aims to:

- Promote a culture of honesty and accountability
- Ensure the executive leadership is clear about which decisions the Board of Trustees remain in control of
- Identify responsibility for the appointment and performance management of the CEO and Heads of School/Headteachers/Principal
- Ensure that the role of the CEO is fully understood throughout the Trust
- Identify responsibility for policy and practice in each school
- Identify responsibility for oversight of educational performance in each school
- Identify responsibility for oversight of each school's budget
- Identify responsibility for assessment of risk in each school

Roles and Responsibilities

1. The Members

The Members of Chorus Education Trust are guardians of the governance of the Trust and as such have a different status to Trustees. There are five Members in Chorus Trust. Members are not permitted to be employees of Chorus Trust.

The Members are the signatories to the Memorandum of Association and will have agreed Chorus Trust's first Articles of Association (the legal document which outlines the governance structure and how the trust will operate). The Articles of Association will also describe how members are recruited and replaced, and how many of the trustees the members can appoint to the trust board.

The Members function is threefold:

1. The members appoint Trustees to ensure that the Trust's charitable object is carried out and so can remove Trustees if they fail to fulfil this responsibility.
2. The Members hold the Board of Trustees to account. The Board of Trustees submit an annual report on the performance of the Trust, and this is scrutinised by the Members.
3. Members are also responsible for approving any amendments made to the Trust's Articles of Association.

2. The Board of Trustees (BoT)

Chorus Education Trust is a charitable company and so Trustees are both charity trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors. The Trustees are responsible for the general control and management of the administration of the Trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement.

The Board of Trustees are legally responsible and accountable for:

- all statutory functions of the Trust,
- the performance of all schools within the Trust,
- the approval of a written scheme of delegation of financial powers that maintains robust internal control arrangements.

Therefore, they will:

- Ensure clarity of vision, ethos, and strategic direction for Chorus Trust
- Hold the CEO to account for the educational performance of the Trust's schools and their pupils, and the performance management of staff
- Oversee the financial performance of the Trust and make sure its money is well spent

The Board of Trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

Chorus Education Trust Schemes of Delegation

Roles and responsibilities of the Board of Trustees in detail:

1. Compliance with all statutory regulations and Acts of Parliament governing the operations of the schools
2. Preparation, approval and review as appropriate of the terms of reference and operating policies under which each school is governed and managed
3. Compliance with the provisions of the Master Funding Agreement
4. Determination of the annual funding allocations to each school, agreed in consultation with the relevant local governing body
5. Compliance with DFE/ESFA requirements in relation to financial management, accounting and reporting as set out in the Academies' Financial Handbook and the Funding Agreements
6. Oversight of banking arrangements and cash flow for the Trust and its Academies, including monitoring overall income and expenditure
7. Appointment of Responsible Officer(s) for the Trust, who will prepare financial reports for receipt and approval as required
8. Appointment of External Auditor for the Trust, and receipt and approval of audit plans and reports as required
9. Approval of the Trust Annual Report and Accounts
10. Determination of asset management and capital investment planning across the Trust and its Schools, including responsibility for any acquisition or disposal of land and buildings
11. Determination, in consultation with the LGBs, of the extent of central services provided to the Academies by the Trust, including the appropriate allocation of costs
12. Employment of all staff in accordance with the Trust's human resource policies and procedures, including responsibility for their terms and conditions of employment
13. Ensuring that admissions policies and practices are in accordance with all relevant statutory requirements
14. Oversight of the educational vision and strategic planning and development of the Trust and its schools, in consultation with the LGBs, including approval of the Chorus Improvement Plan and School Improvement Plans
15. Oversight and final approval of quality improvement strategies to ensure delivery of the highest possible standards of teaching and learning, and student progress and achievement
16. Oversight and final approval of strategies to ensure the provision of effective student support and the delivery of high standards of student behaviour, safety, and well-being
17. Arranging the recruitment and appointment of the Trust Heads of School/Headteachers/Principals and their Senior Leadership Teams, in consultation with the LGB if appropriate.

Board of Trustees Sub Committees

Chorus Trust has established sub- committees to carry out some of its governance functions which may include making decisions, although any decisions made will be deemed decisions of the Board of Trustees. These are:

- The School Improvement Committee: Holding each school to account for academic progress

Chorus Education Trust Schemes of Delegation

- The Safeguarding and Inclusion Committee: Ensuring that staff and students are safe
- The Resources Committee: Scrutinising HR, Staffing and Finance
- The Audit Committee will be added if the organisation grows above a certain number
- The South Yorkshire Teaching Hub Committee

The membership (there must be at least three Trustees on each committee) and responsibilities of Trustee sub committees are set out in the committee's terms of reference. It is usual for the Board of Trustees to appoint board committee chairs and committee members according to their skills.

3. Local Governing Bodies

On joining Chorus Trust the school's Governing Body will become known as the Local Governing Body (LGB). The LGBs are extremely important to the effective governance of each school and the overall governance of the Trust. The intention of Chorus Trust is for the BoT to support the LGBs to focus more on strategic school improvement and on the safeguarding and wellbeing of their staff and students. Therefore, the BoT will be responsible for the development and review of Trust wide policies and procedures, negotiations with unions and central finance reporting etc.; enabling the LGBs to have a greater degree of focus on what is important and relevant to the individual circumstances or context of their own schools within the Trust.

The Board of Trustees delegate, through the SoD, responsibility for the operations and activities of each school to the respective Local Governing Body. In consultation with the relevant LGB, these delegated responsibilities may subsequently be varied at the discretion of the Trust.

Membership of the LGB

LGB members are appointed or elected in accordance with the procedures established by the Trust on the basis of the Articles of Association. If the Governance of a school joining is determined by Ofsted and through the Trust's due diligence process as 'good' or 'outstanding' then the Trust will ratify the current membership and they will become the new LGB.

If a school's Governance is deemed 'requires improvement' or 'special measures', then the Trust will undertake a review of the LGB and make recommendations for improvement, whilst offering support. It is the aim of the Chorus Board of Trustees to work collaboratively with the LGBs, however, if there are serious concerns about the Governance of a school, the Trustees can alter or remove the structure of an LGB or its committees whilst addressing these concerns.

LGB Roles and Responsibilities

1. Implementation of actions required to comply with statutory regulations and the Funding Agreements
2. Oversight of the school's operation and activities
3. Maintenance of proper accounting records and preparation of income and expenditure
4. statements and balance sheets, together with the systematic monitoring of expenditure to ensure compliance with the overall financial plan for the school

Chorus Education Trust Schemes of Delegation

5. Compliance with and implementation of all relevant Trust policies and procedures, including the Trust's admissions policy
6. Maintenance of the School estate (land and buildings) in line with Trust guidelines
7. Application of Trust HR policies and practices with regard to the recruitment, appointment, remuneration, conditions of service, appraisal, discipline and dismissal of all School staff. (Appointment of the Head of School/Headteacher/Principal and Senior Leadership Team will be determined by the Board of Trustees in consultation with the LGB.)
8. Oversight and approval of the School Improvement Plan in line with the Chorus Improvement Plan and the educational vision of the Trust; including:
 - Oversight and approval of whole School strategies designed to ensure delivery of the highest possible standards of teaching and learning, and student progress and achievement; and:
 - Oversight and approval of whole School strategies to ensure the provision of effective student support and the delivery of high standards of student behaviour, safety, and well-being
 - Establishment of LGB sub-committees in line with Trust guidelines to facilitate the effective management of the School
 - Establishment and maintenance of systematic reporting procedures from the LGB to the Trust in accordance with guidelines set down by the Trust

LGB Committees

It will be an expectation that the LGB committees will have the same structure and purpose across the Trust for ease of decision making, communication and accountability.

4. The Chief Executive Officer (CEO)

The CEO has the delegated responsibility for the operation of Chorus Trust including the performance of the Trust's schools and so the CEO will performance manage Heads of School/Headteachers/Principal. As there is the delegation of some governance functions to LGBs, this is usually performed with the Chair/vice Chair of the LGB.

The CEO is the accounting officer so has overall responsibility for the operation of the Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The CEO leads the executive management team of the trust. The CEO will delegate executive management functions to the Central Improvement Team and is accountable to the Board of Trustees for the performance of the Central Improvement Team

The CEO has responsibility for leading the Trust's professional team and for making a substantial contribution to the strategic development of the Trust. He/she is accountable to the Board of Trustees for the overall performance of each school; thus each school's Head of School/Headteacher/Principal will report directly to the CEO with regard to the direction and operation of their particular institution. The CEO's role therefore involves direct oversight of the performance of the Trust's Heads of School/Principals as they carry out their duties as set out in section 6 below.

Chorus Education Trust Schemes of Delegation

The CEO is also responsible for providing professional advice to the Board of Trustees and any relevant committee (including the LGBs) about all matters of professional interest and concern that will contribute to the successful development and operation of the Trust and its schools.

The CEO will, in addition, be responsible for:

1. Ensuring that the strategic direction and future development of the Trust schools is consistent with and supportive of the vision and values of the Chorus Education Trust Board
2. Ensuring that Trust Directors are systematically provided with sufficient and timely information to enable them fully and effectively to discharge their responsibilities for monitoring and guiding the work of the Trust
3. Identifying, introducing, and overseeing significant educational innovations designed to drive forward the positive development and continual improvement of the Trust schools
4. Ensuring that comprehensive and effective quality assurance systems deliver the highest possible standards of teaching and learning, student safety and well-being, and student progress and achievement in all Trust schools
5. Overseeing the appointment of Trust Heads of School/Headteachers/Principals and School Leadership Teams, in collaboration with Trust Directors and, where appropriate, LGBs and HTs currently in post.
6. Collaborating with Trust Directors and senior Trust staff as appropriate in order to secure efficient and effective management of finance, estates and human resources to achieve the Trust's aims and objectives
7. Acting as Accounting Officer for the Education and Leadership of the Trust

5. The Heads of School/Headteacher/Principal

Each Head of School/Headteacher/Principal will report directly to the CEO in relation to the direction and operation of their school, while also retaining a substantial degree of autonomy and flexibility in carrying out their delegated responsibilities. He/she will be responsible to the Local Governing Body for the following matters:

1. The leadership and management of the School.
2. Implementing the agreed policies and procedures set down by the Local Governing Body and the Trust, including the implementation of all statutory regulations
3. Appointing all school staff (except for the Senior Leadership Team) and determining their salary grading, allocation of duties, and appraisal and discipline procedures, in line with Trust policies and practices
4. Arranging for the admission of students in accordance with Trust policies and relevant statutory requirements
5. Managing the delegated budgets and resources as agreed with the Trust and the LGB
6. Ensuring that all aspects of current best practice in relation to matters of health and safety and safeguarding are properly implemented and consistently adhered to across the relevant school

Chorus Education Trust Schemes of Delegation

7. Advising the Local Governing Body on strategic direction, forward planning and quality assurance, including the devising, implementation and monitoring of the School Development Plan; including:
 - Ensuring the delivery of an appropriate school curriculum, together with the development and implementation of effective measures to secure the highest possible standards of teaching and learning, and student progress and achievement; and:
 - Ensuring the development and implementation of measures to secure effective support for students together with the delivery of high standards of student behaviour, safety and well-being
 - All such additional functions as may be assigned under the job description or contract of employment.

6. Schemes of Delegation

Chorus has used a grid format for our SOD so there is clarity around roles and responsibilities, decision making and lines of accountability.

Our grid format, with columns for each layer of governance will enable stakeholders to quickly determine who is responsible for each strategic decision within Chorus Trust.

The grid is in four key areas to reflect both the governance framework and the three core functions of the governing board:

1. The governance framework:
 - People
 - Systems and structures
 - Reporting
2. Being strategic
3. Holding to account
4. Ensuring financial probity

Delegation Grid									
Area	Decision	Delegation							
		Members	Trust Board	BoT Resources Committee	BoT SIP Committee	BoT S&I Committee	CEO	LGB	Head of School/ Principal
Governance framework									
People	Members: Appoint/Remove	✓							
	Role descriptions for Members	✓							
	Board of Trustees: Appoint/Remove	✓	✓						
	Role descriptions for Trustees/chair/ specific roles/committee members: agree		✓				<A		
	Board of Trustees committee chairs: appoint and remove		✓	✓	✓	✓	<A		
	LGB chairs: appoint and remove		✓				<A		
	Parent governor/committee/ member: elected		✓						
	Clerk to academy committee/council: appoint and remove		✓						
Systems and structures	Articles of association: review and agree	✓	<A				<A		
	Governance structure (committees) for the Board of Trustees: establish and review annually		✓				<A		
	Terms of reference for Board of Trustee committees and scheme of delegation for LGBs: agree annually		✓				<A		
	Skills audit: complete and recruit to fill gaps on Board of Trustees		✓				<A		

Delegation Grid									
Area	Decision	Delegation							
		Members	Trust Board	BoT Resources Committee	BoT SIP Committee	BoT S&I Committee	CEO	LGB	Head of School/ Principal
Systems and structures	Skills audit: complete and recruit to fill gaps on LGB		✓				<A>	A	<A
	Annual self-review of Board of Trustees and committees: complete annually		✓						
	Chair of Board of Trustees performance: carry out 360 review periodically		✓					Chair ✓	
	Board of Trustees committees member contribution: review annually		✓						
	Succession: plan for Trustee replacement		✓				<A		
	Annual schedule of business for Board of Trustees: agree		✓	✓	✓	✓	<A		
	Annual self review of LGB complete annually		✓						
	Chair of LGB performance: carry out 360 review periodically		✓					<A	
	LGB member contribution: review annually		✓					<A	
	Succession: plan for LGB member replacement		✓				<A	<A	<A
Annual schedule of business for LGB agree		✓				<A	<A	<A	
Reporting									
	Publication on trust website of all required details on governance arrangements: ensure		✓				<A		

Delegation Grid									
Area	Decision	Delegation							
		Members	Trust Board	BoT Resources Committee	BoT SIP Committee	BoT S&I Committee	CEO	LGB	Head of School/ Principal
Reporting	Publication on trust and schools' websites of all required details on governance arrangements: ensure		✓				A>	✓	A
	Annual report on performance of the trust: submit to members and publish		✓				<A		
	Trustees Annual report and audited accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit to EFA		✓	<A			<A		
	Annual report work of LGB: submit to Trustees and publish on website as applicable							✓	A
Being Strategic									
Being Strategic	Determine trust wide policies which reflect the trust's ethos and values (facilitating discussions with unions where appropriate) including: admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✓	✓	✓	✓	<A		
	Determine <u>school level</u> policies which reflect the school's ethos and values to include e.g.		✓		✓	✓	<A	<A	<A

Delegation Grid									
Area	Decision	Delegation							
		Members	Trust Board	BoT Resources Committee	BoT SIP Committee	BoT S&I Committee	CEO	LGB	Head of School/ Principal
Being Strategic	admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve								
	Central spend / top slice: agree		✓	<A			<A		
	Management of Trust level risk: establish register, review and monitor		✓	<A	<A	<A	<A		
	Management of school risk: establish register, review and monitor		✓	<A	<A	<A	<A>	✓	A
	Engagement with stakeholders	✓	✓	✓	✓	✓	✓	✓	✓
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓				<A		
	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓				A>	<A	✓
	Chief executive officer: appoint and dismiss		✓						
	School Headteacher or Head of school: appoint and dismiss		A>				✓		
	Budget plan to support delivery of trust key priorities: agree		✓	<A			<A		
	Trust's staffing structure: agree		✓	<A			<A		

Delegation Grid									
Area	Decision	Delegation							
		Members	Trust Board	BoT Resources Committee	BoT SIP Committee	BoT S&I Committee	CEO	LGB	Head of School/ Principal
	School staffing structure: agree						✓	<A	<A
Holding to account									
Holding to account	Auditing and reporting arrangements for matters of compliance at Trust level (e.g. safeguarding, H&S, employment): agree	A	✓	✓	✓	✓	<A		
	Auditing and reporting arrangements for matters of compliance at school level (e.g. safeguarding, H&S, employment): agree		✓	✓	✓	✓	<A>	<A	<A
	Reporting arrangements for progress on key priorities: agree		✓	<A	<A	<A	<A>		<A
	Performance management of the Executive Headteacher: undertake		✓						
	Performance management of School Heads of School or Heads of school undertake		✓				✓	<A	
	Trustee monitoring: agree arrangements and monitor		✓				<A		
	Trustees committees overall performance monitoring: agree arrangements and monitor		✓				<A		

Delegation Grid									
Area	Decision	Delegation							
		Members	Trust Board	BoT Resources Committee	BoT SIP Committee	BoT S&I Committee	CEO	LGB	Head of School/ Principal
	LGB overall performance monitoring: agree arrangements		✓				<A		
	LGB committee member monitoring:						A>	✓	A
Ensuring financial probity									
	Appoint Chief financial officer for delivery of trusts detailed accounting processes		✓	<A			<A		
	Trust's scheme of financial delegation: establish and review		✓	✓			<A		
	School's scheme of financial delegation: establish and review			✓			<A		
	External auditors' report: receive and respond		✓	<A			<A		
	Executive Head pay award: agree		✓						
	School Headteacher or Head of School pay award: agree		✓	✓			✓	<A	
	Staff appraisal procedure and pay progression: review and agree		✓				✓		
	School implementation of Trust appraisal procedure and pay progression		✓	<A			✓		<A

Delegation Grid									
Area	Decision	Delegation							
		Members	Trust Board	BoT Resources Committee	BoT SIP Committee	BoT S&I Committee	CEO	LGB	Head of School/Principal
	Benchmarking and trust wide value for money: ensure robustness			✓			<A	<A	
	Benchmarking and school value for money: ensure robustness		✓	✓			✓	<A	A
	Develop trust wide procurement strategies and efficiency savings programme						✓		
	Review and approve trust wide procurement strategies and efficiency savings programme			✓					
	Monitoring financial performance of the school/trust against agreed budget		✓	<A			✓		

Key:

Blue: Can only be undertaken by the BOT

Pink: Undertaken by LGB

A: Advice given

< >: Which direction the advice is given