



LEAP MAT SCHEME OF DELEGATION

**Brinsworth Academy
Dinnington High School
Eckington School**

Responsible for Policy:	Board of Trustees
Date:	September 2018
Approved:	20.09.18
Review Date:	September 2019

1. INTRODUCTION

1.1 Learner Engagement and Achievement Partnership Multi-Academy Trust (the “**Trust**”) is governed by a Board of Trustees (the “**Trustees**”) who are accountable to the Department for Education and have overall responsibility and ultimate decision making authority for all the work of the Trust, including the establishing and running of Academies operated by the Trust.

1.2 The following Academies are currently operated by the Trust:-

- **Brinsworth Academy**
- **Dinnington High School**
- **Eckington School**

(each one the “**Academy**” or collectively the “**Academies**”).

1.3 Where reference is made to “**Trustee**” it shall have the meaning as “**Director**”.

1.4 In order to assist with the discharge of their responsibilities, the Trustees have established Committees directly responsible to the Board, including Local Governing Bodies (hereafter referred to as ‘Academy **Ambassador Committees**) for each of the Academies. Where reference is made to “**Academy Ambassador Committee**” (AAC) it shall have the meaning as “LGB”. Reference to **Academy Ambassador** has the same meaning as **Governor**.

1.5 The Constitution and functioning of the Board’s Committee and AACs is set out herein and in its adopted document “**Trust Board Finance & Audit Committee and Academy Ambassadors’ Meetings Procedures**”.

1.6 These terms of reference may only be amended by the Board of Trustees.

Delegations from the Board

In this Annex the phrases used have the following meanings:-

- Consult:** the individual/group that should be consulted as part of the process of completing a particular task.
- Contribute:** the individual/group that may be invited to contribute to a particular task and undertake additional work as directed by Trustees/CEO/Principal/Academy Principal(s)
- 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/EP, this will be at Trust level. In the case of the Principal this will be at Academy level. In the case of the AAC this will be to the Board of Trustees.
- 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 (i) the CEO/EP they will be making recommendations to the Board and/or AAC (as appropriate), (ii) the AAC they will be making recommendations in relation to their

Academy to the Board, CEO/EP and/or Principal (as appropriate) and (iii) the Principal they will be making recommendations in relation to their Academy to the CEO/EP and/or AAC (as appropriate).

Report: the individual/group that has responsibility for reporting on the delivery of tasks. In the case of (i) the CEO/EP they will be making reports to the Board and/or AAC (as appropriate), (ii) the AAC they will be making reports in relation to their Academy to the Board and/or CEO/EP (as appropriate) and (iii) the Principal they will be making reports in relation to their Academy to the CEO/EP and/or AAC (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 (i) the Board they will be reviewing the CEO/EP and/or AAC (as appropriate), (ii) the CEO/EP they will be reviewing the Principal and (iii) the AAC they will be reviewing the Principal and his/her leadership team.

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

To assist interpretation of the matters delegated the table below provides additional comment as appropriate.

		Trustees	CEO/EP	AAC	Principal
STRATEGY AND LEADERSHIP	Set strategic objectives of the Trust & Academies	Determine – for the Trust & Academies	Develop – in the case of the Academies in consultation with AAC & Principal	Contribute	Consult
	Deliver strategic objectives of the Trust & Academies	Review	Deliver	Contribute	Deliver
	Scrutiny – review & challenge progress of the Trust against its strategic objectives and KPIs	Review – progress of the Trust & Academies	Report Review - reports from the AACs/Principals	Contribute	Report – progress of the Academy to the AAC
	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	Comply	Deliver Report – to AAC & CEO/EP
	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	Contribute	Deliver Report – to AAC & CEO/EP
	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		Comply	
STRATEGY AND LEADERSHIP	Trustees and Academy Ambassadors – ensuring processes in place for appointment of Trustees (including ensuring that the	Determine – policies and criteria for the selection of Trustees	Report - to the Board on the performance of the AACs	Comply	

	Trustees	CEO/EP	AAC	Principal
Trustees and Academy Ambassadors have the skills to perform their duties)	and Academy Ambassadors Review – the Board’s own performance Review – performance of the AAC	Review - annually the size, structure and composition and skill Determines of AACs Recommend – if appropriate changes to the size and composition of the AACs	AACs should periodically undertake a skills audit	
Appointment of the Responsible Officer and Audit Committee	Deliver - appoint Responsible Officer and (if necessary) the Audit Committee	Deliver – the Responsible Officer role		
Appointment of Clerk – Board and AAC	Deliver - appoint the Clerk to the Board & AACs		Comply	

		Trustees	CEO/EP	AAC	Principal
STRATEGY AND LEADERSHIP	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	Contribute	Deliver Report – non-compliance to the CEO/EP
	Prepare terms of reference for AAC's and Committees	Deliver Review - annually	Develop	Comply	
	Training programme for Trustees and Academy Ambassadors	Deliver	Develop	Deliver	

		Trustees	CEO/EP	AAC	Principal
EDUCATION AND CURRICULUM	Academy Development Plan - for each Academy in line with strategic aims of the Trust	Determine - the Academy Development Plan in consultation with the appropriate AAC	Deliver – drafting and agreeing the Academy Development Plan	Contribute	Work with the CEO/EP 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 AACs and propose KPIs to the Board Receive reports - from the AAC and report performance of the AACs against KPIs	Contribute	Deliver – performance of the Academy against KPIs Report – performance of the Academy to CEO/EP

		Trustees	CEO/EP	AAC	Principal
EDUCATION AND CURRICULUM	Quality of Teaching - ensuring appropriate levels of support, challenge and intervention to support delivery of education outcomes	Review - the work of the CEO/EP	Deliver - supporting the Academies and intervening where appropriate	Contribute	Review – management of staff to ensure teaching and learning objectives are met Report- strengths and concerns in the quality of teaching to AAC
	Curriculum – setting the curriculum for the Academies and reviewing its effectiveness	Determine - curriculum and standards Review – effectiveness of the curriculum across Trust	Deliver Recommend	Contribute	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	Contribute	Deliver Report – on effectiveness of use of the Pupil Premium

	Trustees	CEO/EP	AAC	Principal
Set admissions policy	Deliver	Develop		
Admission decisions			Deliver	Consult
Collective worship arrangements for Academy, without religious character	Determine		Contribute	Deliver
Student issues (including attendance, exclusions, punctuality and disciplinary matters for each Academy)	Review	Review delivery	Receiving reports from the Principal AA to attend relevant committees Report any material issues to the Board and the CEO/EP	Deliver – ensuring student issues are dealt with in accordance with Trust and Academy Policies Report – to the AAC on any material issues
Academy Hours – setting the opening and closing times for the Academies	Determine – in consultation with AACs	Recommended	Consult – with the Board	Comply
Term Dates and length of Academy day	Determine – in consultation with AACs	Recommended	Consult – with the Board	Comply
Academy lunch – ensure provided to appropriate nutritional standards			Review	Deliver
Provision of free school meals to those meeting criteria			Review	Deliver

		Trustees	CEO/EP	AAC	Principal
FINANCIAL	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 AACs	Recommend a funding model to the Board for approval Review	Contribute	Comply
	Trust Annual Budget – formulating and setting the Trust wide budget and the levy to be charged to each academy.	Determine	Deliver - on preparation of the Trust's budget and recommend the levy to be paid by each Academy for central / MAT services. Present to the Board for approval. Review – submission of Trust budget to the ESFA		
	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	Deliver - on preparation of Academy budgets in consultation with the AACs and present to the Board for approval Review – submission of Academy budgets to the ESFA	Contribute	Deliver Comply

	Trustees	CEO/EP	AAC	Principal	
FINANCIAL	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	Contribute to the review	Report – to the AAC any need for any matters of concern in respect of the Academy’s annual budget
	Reporting: financial reporting and KPIs	Determine	Deliver	Contribute to the review	Deliver
	Delegated Budgets and Finances - in the form of a scheme of delegation of financial authority to the Academies	Determine	Deliver – on recommending financial limits to the Board Review – effectiveness of limits	Comply	Comply - adherence to limits

		Trustees	CEO/EP	AAC	Principal
FINANCIAL	Financial Policies, Procedures and Delegations – establishing of policies, procedures and delegations to ensure compliance with the Trust’s financial and reporting requirements	Determine	Review – compliance with policies, procedures and delegations Report – any issues of non-compliance to the Board	Comply	Deliver – compliance with finance policies, procedures and delegations
	Approving annual accounts	Approve	Deliver – arrange for auditing and filing of annual report and accounts		
	Corporate Risk Register	Review delivery	Deliver – management of corporate risk register	Contribute in the identification of risk and comply with controls	Contribute in the identification of risk and comply with controls
	Investments – agreeing the investment policy in line with the Academies Financial Handbook and any internal polices and controls	Determine and review delivery	Deliver		

	Trustees	CEO/EP	AAC	Principal
Appointing the CEO/EP	Appoint			
Appointing the Principal at each Academy	Approve -in consultation with the CEO/EP/ AACs	Recommend – sit on appointment panel along with a representative of the relevant AAC and others	Recommend – a representative(s) to sit on the appointment panel with the CEO/EP and others.	
Setting staffing structure at each Academy	Determine	Recommend a staffing model to the Board Deliver	Contribute	Comply, deliver and report to CEO/EP and AAC
Appointing of cross-Trust Staff (in line with recruitment policy)	Review	Appoint and report to the Board		
Appointing Academy Staff				Appoint
Establishing Trust wide HR Policies (including recruitment, discipline, capability, grievance and absence policies) in accordance with all appropriate regulations	Determine Review	Comply	Contribute	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/EP Receive reports – in respect of appraisal arrangements and outcomes Deliver – any appeals in respect of the Principals, Leadership group and cross MAT staff	Deliver – in respect of Principals and cross-MAT staff Review - and Report – (annually) to the Board on appraisal arrangements and outcomes	Deliver – any appeals in respect of non-leadership group and academy support staff	Deliver – in respect of non-leadership group and academy support staff Report – annually to the CEO/EP on appraisal arrangements and outcomes

	Trustees	CEO/EP	AAC	Principal
HR AND OPERATIONS (continued)	Dismissing CEO/EP, Principals, senior/ cross-Trust staff (in accordance with the Trust disciplinary and capability policies)	Review – in respect of CEO/EP	Review – in respect of Principals, cross academy staff and senior leadership teams of the Academies Report – any dismissals to the Board	
	Dismissing all other staff (in accordance with the Trust disciplinary and capability policies)		Review Report – to the Board	Comply
	Reviewing discipline and grievance policy	Review delivery	Recommend	Contribute
	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

		Trustee	CEO/EP	AAC	Principal
HR AND OPERATIONS	Setting academy specific procurement policies - in accordance with the Funding Agreement, Academies Financial Handbook and the Trust's procurement policy	Determine	Review	Deliver	Recommend
	Determining and allocating central services provided to the Academies by the Trust	Determine (in consultation with the AACs)	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	Contribute	
	Asset and Premises Maintenance Strategy – determining use of Academies' premises and ensuring premises are adequately maintained	Determine – Trust wide policy	Recommend	Contribute	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		
	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

		Trustees	CEO/EP	AAC	Principal
HR AND OPERATIONS	Academy Prospectus		Review	Review	Recommend Deliver
	Trust Prospectus and website	Review	Recommend Deliver		

Financial Delegations, Requirements and Restrictions

GENERAL

1. The Board of Trustees has ultimate responsibility for ensuring that adequate operational systems and controls are in place and are implemented to meet its regulatory and funding obligations.
2. Any powers delegated by the Board of Trustees to any of the Board's committees, including the AACs, can be used by the Board unless unlawful or not in the interest of natural justice.
3. The Board of Trustees' *Financial Procedures and Delegated Employee Powers Manual* sets out the operational systems and controls to provide for financial delegation and supersedes any prior Academy manual.
4. Where, below, the words 'Board retained' are used, this includes the Board's Committee (not including the LGB Committee) as provided in the relevant committee Terms of Reference.

POTENTIAL CONFLICT OF INTEREST AND CONNECTED PARTY TRANSACTIONS

Board Retained

5. Maintenance of a Register of Business Interests for all Members, Trustees, Academy Ambassadors and those staff with financial responsibilities.
6. The Board must ensure that the requirements for managing connected party transactions set out in the Academies Financial Handbook are applied across the Trust.

ACCOUNTING POLICIES

Board Retained

7. The formulation and adoption of its accounting policies.

AUDITED STATEMENTS

Board Retained

8. Approval of the audited financial statements and the annual report for filing in accordance with Companies Act and charity law and DfE requirements.

ACCOUNTS AND AUDIT

Board Retained

9. Appointment of external auditors.
10. Receiving the reports of the external auditor, DfE and any statutory body with comments from the Finance Committee.

INSURANCE/RISK PROTECTION ARRANGEMENTS

Board Retained

11. Ensuring that arrangements for insurance cover/Risk Protection Arrangements are in place and adequate.

LAND AND FREEHOLD PROPERTY

Board Retained

12. Acquiring or disposing of any freehold property or land. Prior consent must also be obtained from the Secretary of State.
13. Taking up or granting a leasehold or tenancy agreement on land or buildings from/to another party for a lease term of seven years or more, in the case of taking up, and a leasehold of any duration. Prior consent must also be obtained from the Secretary of State.

VALUATION, SECURITY AND DISPOSAL OF ASSETS (NOT RELATING TO LAND OR FREEHOLD PROPERTY)

Board Retained

14. Receiving reports on valuation of gifts-in-kind and Donated Services and Facilities where they should be included in the company accounts.

FINANCE AND OPERATING LEASE(S) (NOT RELATING TO LAND OR FREEHOLD PROPERTY)

Board Retained

15. Taking up a finance lease on any class of asset for any duration from another party, with the consent of the Secretary of State.
16. Taking up an operating lease an asset with a value over of £30,000 or where the lease term is greater than 5 years.

BANK ACCOUNTS

Board Retained

17. To inform the Board in the event of the opening or closing of a Bank Account.

NOTIFICATION OF SIGNIFICANT IRREGULARITY AFFECTING RESOURCES

Accounting Officer Delegated

18. The Accounting Officer is responsible for informing the DfE if it suspects any significant irregularity affecting resources.

CHIEF FINANCE OFFICER

Board Retained

19. Appointment/Change of the Chief Finance Officer.

BORROWING/LOANS/OVERDRAFT

Delegated to the Finance and Audit Committee

20. The Board's Finance & Audit Committee is delegated the responsibility of permitting any borrowings, loan or overdraft, ensuring the ESFA's prior approval.

NOVEL OR CONTENTIOUS TRANSACTIONS

Board Retained

21. Making Novel payments or other transactions are those in which the Trust has no experience, or are outside the range of normal business activity. Contentious transactions are those which might give rise to criticism of the Trust by the public or the media.

WRITE-OFFS AND LIABILITIES, ENTERING GUARANTEES, INDEMNITIES OR LETTERS OF COMFORT

Board Retained

22. The Board retains the power for:-

- writing-off debts and losses where over £5,000
- entering into guarantees, letters of comfort or indemnities in any case

Prior DfE consent is required in either of the above according to the following DfE requirements:

The DfE delegated limits, subject to a maximum of £250,000, are:-

- 1% of total annual income or £45,000 (whichever is smaller) per single transaction
- Cumulatively, 2.5% of total annual income in any one financial year per category of transaction for any Academy Trusts that have not submitted timely, unqualified audited accounts for the previous two financial years. This category includes new academies that have not had the opportunity to produce two years of audited accounts

- Cumulatively, 5% of total annual income in any one financial year per category of transaction for any Academy Trusts that have submitted timely, unqualified audited accounts for the previous two financial years

SPECIAL PAYMENTS

Board Retained

23. Special payments made to employees outside of normal statutory or contractual requirements when leaving employment in public service whether they resign, are dismissed or reach an agreed termination of contract. Special payments include:- staff severance payments, compensation payments; and ex gratia payments

PURCHASES FROM THE LOCAL AUTHORITY

Board Retained

24. For contracts with a value of at least £5,000, the Board shall determine the level of services to be purchased from the local authority, having regard to: the availability of alternative providers, the circumstances of any prior service review; the potential for savings; the resources available to the Trust to undertake a timely review; and other matter considered relevant to the Board, within the value for money framework of the DfE financial regulations.