



# **LEAP MAT SCHEME OF DELEGATION**

## **Brinsworth Academy Dinnington High School**

Policy Author	CE/CFO/LGP
Trust Key Reader	KB
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## 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**
- (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 for each of the Academies.
- 1.5 The Constitution and functioning of the Board’s Committee and LGBs is set out herein and in its adopted document “***Committees of the Board - F&A, LGBs, etc. ToR***”.
- 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:

1. Determine  
Responsibility for approval/determining how the Trust/its Academies will undertake the task using appropriate milestones and targets to be reported against (as appropriate)
2. Implement  
Responsibility for the day-to-day delivery of what has been planned/agreed
3. Monitor  
Keep a continuous overview of the impact of decision making; what is working well and what requires further improvement
4. Review  
Through a formal assessment process, consider an evaluative judgment on progress, taking decisions to make amendments as appropriate.  
In the case of:-
  - (i) the Board - will be reviewing the Chief Executive and/or LGB (as appropriate),
  - (ii) the Chief Executive - will be reviewing the Principal; and,
  - (iii) the LGB - will be reviewing the Principal and his/her leadership team.
5. Follow  
To adhere to agreed policies and procedures

For the purpose of 3. “Monitor” and 4. “Review” - to avoid Board/LGB duplication of effort and give additional clarity it should be noted that

- (i) the Board will see/have a holistic view of review/monitor, and
- (ii) LGBs will review/monitor the day-to-day detail which for reporting purposes will be captured in the LGB Visit Sheets completed / Principals’ Termly Reports / LGB minutes

To assist interpretation of the matters delegated the table below provides those with delegated responsibilities as appropriate.

		Determine	Implement	Monitor	Review	Follow
STRATEGY AND LEADERSHIP	Set strategic objectives of the Trust & Academies	Board				
	Deliver strategic objectives of the Trust & Academies		Chief Executive Academy Principal			
	Scrutiny – review & challenge progress of the Trust against its strategic objectives and KPIs		Chief Executive Academy Principal	Board	Chief Executive Executive Principal	
	Compliance: Funding Agreement – comply with all obligations including the Academy Trust Handbook		Board/Chief Executive /Accounting Officer/ CFO/Lead Governance Professional/ Academy Principal	Board F,R &A Committee	CFO/FR & A Chair or delegated representative	Chief Executive CFO Lead Governance Professional Trust Finance Manager Academy Principal & Operations Manager
	Compliance: Regulatory – with all regulations affecting the Trust (including all charity law, company law, employment law and health and safety		Chief Executive /Accounting Officer/CFO/Lead Governance Professional/HR Officer	Board F, R &A Committee	CFO	Academy Principal & Operations Manager
	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		Chief Executive /Accounting Officer CFO	Board F&A Committee	CFO Trust Finance Manager	Academy Principal & Operations Manager

		Determine	Implement	Monitor	Review	Follow
						Academy Finance Staff
STRATEGY AND LEADERSHIP	<b>Compliance</b> – completing the register of business interests and put in place a procedure to deal with any conflicts of interest and connected party transactions		CFO Lead Governance Professional	Lead Governance Professional		Members Board LGBs Staff with budgetary responsibility
	<b>Trustees and Governors</b> – ensuring processes in place for appointment of Trustees and Governors (including ensuring that the Trustees and Governors have the skills to perform their duties)	Board	Chief Executive CFO Lead Governance Professional	Chief Executive CFO Lead Governance Professional	Board	Academy Principal Governors
	<b>Appointment of the Audit Committee</b>	Board	F&A Committee			
	<b>Appointment of the Lead Governance Professional and LGB Governance Professional</b>	Board	Board Chief Executive			
	<b>Policies – review and approval of Trust Wide Policies</b> (those statutorily required for Board approval plus additional determined by Board agreement)	Board	Chief Executive Academy Principal Function Leads (Central and Academy)	CFO/Lead Governance Professional	Designated Policy Authors	All staff Trustees LGBs
	<b>Terms of reference for LGB's and Committees</b>	Board	Chief Executive CFO	CFO	Chief Executive	Board Academy Principal

		Determine	Implement	Monitor	Review	Follow
			Lead Governance Professional Chair of Board/relevant Committee	Lead Governance Professional		LGBs  Lead Governance Professional & LGB Governance Professional
	<b>Training programme for Trustees and Governors</b>	Board	Lead Governance Professional	Board		Trustees Governors

		Determine	Implement	Monitor	Review	Follow
EDUCATION AND CURRICULUM	<b>Academy Development Plan</b> - for each Academy in line with strategic aims of the Trust	Chief Executive Academy Principal	Academy Principal	Board LGBs		All staff LGBs
	<b>Key Performance Indicators</b> – setting and reviewing performance of the Trust & the Academies	Board	Chief Executive Academy Principal	Board LGBs	Chief Executive Academy Principal	Academy Principal
	<b>Curriculum</b> - setting the curriculum for Academies and reviewing its effectiveness	Board Chief Executive	Chief Executive Academy Principal	Board LGBs	Board Chief Executive LGBs	All staff
	<b>Quality of Teaching</b> – ensuring appropriate levels of support, challenge and intervention to support delivery of educational outcomes		Chief Executive Academy Principal	Board LGBs	Board Chief Executive LGBs	Academy Principal/SLT LGBs
	<b>Disadvantaged Students</b> – reviewing and challenging the value for money/ROI of the Pupil Premium in terms of educational outcomes and narrowing the achievement gap		Chief Executive Academy Principal	Board LGBs	Chief Executive Board LGBs	Academy Principal/SLT
	<b>Set admissions policy</b>	Board				

		Determine	Implement	Monitor	Review	Follow
EDUCATION AND CURRICULUM	Admission decisions		Chief Executive Academy Principal	Board LGBs		Academy Principal  LGBs
	Collective worship arrangements for Academy, without religious character	Chief Executive	Chief Executive Academy Principal	Board LGBs		Academy Principal
	Student issues (including attendance, exclusions, punctuality and disciplinary matters for each Academy)	Board	Chief Executive Academy Principal	Board LGBs		Academy Principal/SLT
	Academy Hours – setting the opening and closing times for the Academies	Board Chief Executive	Academy Principal	Board LGBs		
	Term Dates and length of Academy day	Board	Academy Principal	Board LGBs		
	Academy lunch – ensure provided to appropriate nutritional standards		Academy Principal Operations Manager	Board LGBs		
	Provision of free school meals to those meeting criteria		Chief Executive Academy Principal	Board LGBs		Designated staff



		Determine	Implement	Monitor	Review	Follow
	<b>Funding Model / Trust Annual Budget</b> – formulating and setting the Trust wide budget and the levy to be charged to each Academy so as to secure the Trust's financial health in the short term and the long term	Board F&A Committee (to recommend)	Chief Executive /Accounting Officer CFO	CFO  Trust Finance Manager	ESFA  External Auditor F, R&A Committee Board	Academy Principal & Operations Manager  Trust / Academy Finance Staff
	<b>Academy Annual Budgets</b> – formulating and determining the proportion of the overall budget to be delegated to each Academy (including uses of contingency funds/balances)	Board F&A Committee (to recommend)	Chief Executive /Accounting Officer CFO	CFO  Trust Finance Manager	F&A Committee Board	Academy Principal & Operations Manager  Trust / Academy Finance Staff
FINANCIAL	<b>Expenditure and ensuring delivery of Annual Budgets</b>		Chief Executive /Accounting Officer CFO Academy Principal	CFO  Trust Finance Manager	ESFA  External Auditor F&A Committee Board	Academy Principal & Operations Manager  Academy Finance Staff
	<b>Reporting:</b> financial reporting and KPIs	Board F, R &A Committee	Chief Executive /Accounting Officer CFO	CFO		
	<b>Delegated Budgets and Finances</b> - in the form of a scheme of delegation of financial authority to the Academies		Chief Executive /Accounting Officer CFO	CFO  Trust Finance Manager	External Auditor F, R &A Committee Board	Academy Principal & Operations Manager  Academy Finance Staff

		Determine	Implement	Monitor	Review	Follow
	<b>Financial Policies, Procedures and Delegations – establishing of policies, procedures and delegations to ensure compliance with the Trust’s financial and reporting requirements</b>	Board F, R &A Committee	Chief Executive /Accounting Officer CFO	CFO Trust Finance Manager	External Auditor F, R &A Committee Board	Academy Principal & Operations Manager  Academy Finance Staff
FINANCIAL	<b>Approving annual accounts</b>	Board  F, R &A Committee			ESFA External Auditor Members (receive at AGM) Board F&A Committee	
	<b>Corporate Risk Register and local risk register</b>	Board  F, R&A Committee	Chief Executive /Accounting Officer (financial)  Chief Executive (other risks)  CFO/CFO	Board F, R&A Committee  LGBs	External Auditor  Board  F&A Committee	Academy Principal  Academy Finance Staff
	<b>Investments – agreeing the investment policy in line with the Academies Financial Handbook and any internal policies and controls</b>	Board F, R &A Committee	Chief Executive /Accounting Officer	CFO		

		Determine	Implement	Monitor	Review	Follow
HR AND OPERATIONS	Appointing the Chief Executive	Board	Board			
	Appointing the Accounting Officer	Board	Board			
	Appointing the Chief Finance Officer	Board	Board Chief Executive			
	Appointing the Principal at each Academy	Board	Board Chief Executive LGBs			
	Setting staffing structure at each Academy	Board	Chief Executive Academy Principal	Board	Board	Academy Principal LGBs
	Appointing of Academy Senior Leaders & cross-Trust Staff (in line with recruitment policy)	Board	Chief Executive Academy Principal CFO LGBs (not for cross Trust staff)			
	Appointing Academy Staff	Chief Executive Academy Principal	Academy Principal LGBs			
	Establishing Trust wide HR Policies (including recruitment, discipline, capability, grievance and absence policies) in accordance with all appropriate regulations	Board	Chief Executive	Trust HR Officer Lead Governance Professional	Chief Executive Trust HR Officer	Academy Principal LGBs

		Determine	Implement	Monitor	Review	Follow
	Setting Appraisal Performance Management Policy together with pay reviews (in line with the Trust's pay policy and all statutory regulations)	Board	Board (Chief Executive / cross-Trust) CFO/CFO Trust HR Officer	Board LGBs		Academy Principal LGBs
HR AND OPERATIONS	Dismissing Chief Executive, Principals, Academy Senior Leaders, cross-Trust staff (in accordance with the Trust disciplinary and capability policies)	Board Chief Executive	Board LGBs as necessary			
	Dismissing all other staff (in accordance with the Trust disciplinary and capability policies)	Board	Chief Executive Academy Principal Trust HR Officer			
	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	Board	Chief Executive CFO	Board CFO	CFO	Academy Principal
	Setting academy specific procurement policies – in accordance with the Funding Agreement, Academy Trust Handbook and the Trust's procurement policy	Chief Executive	Academy Principal	CFO	CFO	Academy Principal Operations Manager
	Determining and allocating central services provided to the Academies by the Trust	Board Chief Executive	Chief Executive	Board		
	Overseeing the effectiveness of services provided centrally by the Trust		Chief Executive	Board		

		Determine	Implement	Monitor	Review	Follow
HR AND OPERATIONS	<b>Asset and Premises Maintenance Strategy</b> – determining use of Academies’ premises and ensuring premises are adequately maintained	Board	Chief Executive	CFO/CFO		Academy Principal Operations Manager
	<b>Acquiring and disposing of Trust land</b>	Board	Chief Executive CFO/CFO			
	<b>Changing use of Assets</b>	Board	CFO			
	<b>Arranging insurance for the Trust</b>		CFO	Board		
	<b>Media and PR</b> - overseeing public relations activities to project the activities of the Trust and the Academies to the wider community		Chief Executive		Board	Academy Principal
	<b>Academy Prospectus</b>		Academy Principal	Chief Executive	Board	
	<b>Trust Prospectus</b>	Board	Chief Executive			Academy Principal
	<b>Website</b>	Board	Academy Principal /Lead Governance Professional	Academy Principal /Lead Governance Professional	LGB	Academy Principal

## **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 LGBs, 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 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, LGBs 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 & Audit 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

However, prior DfE consent is required, where these exceed the delegated limits set out below, in relation to:-

- writing-off debts and losses;
- entering into guarantees or letters of comfort; and
- entering into indemnities which are ***not*** in the normal course of business. Indemnities which are in the normal course of business do not require prior EFSA approval.

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 £10,000, 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.