



'Committed to improving the life chances of all children, wherever they may be'

Scheme of Delegation

Approved by:	Board of Trustees	Date: 28 th September 2023
Last reviewed on:	19 th July 2023	
Next review due by:	28 th September 2024	

It is Orchard Community Trust's stated intention and preference that:

- The Trust and the Local Governing Boards (LGBs) will always work collaboratively and in partnership.
- The Trust will make decisions, following consultation with our LGBs, on matters related to all the academies in the Trust, where specified in the scheme of delegation. LGBs will make decisions within their powers of delegation on matters that affect individual academies and make recommendations to the Trust and the Headteacher of the School, where appropriate.
- The Trust Board will put into place effective arrangements for monitoring and evaluating the performance of LGBs and academies. (Annual Review).
- The principle of earned autonomy will apply to all academies in the Trust. The Trust will apply an annual risk assessment to each academy to determine its ability to operate with greater levels of autonomy. Good schools will have greater freedoms than academies that are deemed to be requiring improvement or at higher risk. These freedoms will be determined through meaningful consultation with the Senior Executive Leader, who will report back to the Trust Board on any variations in terms.
- LGBs/Headteachers will report regularly to the Board and will make available all relevant data and information on performance and effectiveness.

For further information on the Trust's Governance structure, key roles and responsibilities and delegation please refer to Orchard Community Trust's Governance Plan 2021-22 – last updated April 2022

The Chair's Powers to Act

- **During the proceedings of the Trust Board and the seven Local Governing Boards**, The Chair and Vice Chair of the LGB, and its committees, must stand for (re)election annually in the Autumn Term (staff Governors may not stand).
- Further to this, the Members Board have resolved that, by virtue of the Office of **Chair of the Trust Board**, that they delegate the 'Power to Act' on their behalf in circumstances where the **Chair of the Trust** is of the opinion that a delay in exercising the function would be likely to be seriously detrimental to the interests of: (a) the Academy Trust and any school within the Trust; (b) any pupil within the Trust, or their parent; or (c) a person who works within the Academy Trust.
- And also that, the Trust Board have resolved that by virtue of the Office of **Chair of the LGB**, that they delegate the 'Power to Act' on their behalf in circumstances where the **Chair of the LGB** is of the opinion that a delay in exercising the function would be likely to be seriously detrimental to the interests of; (a) their academy; (b) any pupil at their academy, or their parents; or (c) a person who works at their academy.

Budgets & Finance - Trustees and Governors have responsibility for good Financial Management

Please see Orchard Community Trust's scheme of financial delegation

The role of the Senior Executive Leader (SEL)

- Trustees delegate the day-to-day management of the Trust to the Senior Executive Leader, line managing them in line with the Trust's appraisal and performance management policies.
- The Senior Executive Leader is also the accounting officer and so is not only responsible for the performance of the Trust as a whole but has a personal responsibility to parliament for the regularity, propriety and value for money, and for assuring the board about compliance with the funding agreement and the Academy Trust Handbook.

- The Senior Executive Leader will be responsible for the leadership and management of the central executive team and the schools' Headteachers and will report to the Trust Board and its committees.

The Role of Headteachers

- The Senior Executive Leader delegates the day-to-day management of the Trust's schools to Headteachers, line managing them in accordance with the Trust's appraisal and performance management policies.
- Headteachers share information about how the Trust is managing the school with the Local Governing Boards (LGBs) so that Governors build an understanding about how the school operates and are enabled to monitor and scrutinise how key policies and improvement plans are working in practice.

Signed by Chair of the Trust Board on behalf of the Trust

..... Date of implementation

..... Senior Executive Leader

Scheme of Delegation agreed and adopted on

..... Signed by Chair of Local Governing Board on behalf of the LGB

Delegation and decision making in Orchard Community Trust

Reading the grid
✓ - Governance function and decision-making is at this level
C - To be consulted prior to decision being made
RA – Recommendation that requires approval
Note: Decisions delegated to the Trust Board may be delegated to a Board Committee but not the SEL, LGB or Headteachers

Governance Function		Members	Trust Board /Board Committees	SEL/CEO Accounting Officer	Local Governing Boards (LGBs)	Headteachers	Notes
Governance framework: people	Members: appoint/remove	✓					
	Trustees: appoint/remove	✓	✓				In line with Articles of Association
	Parent Governor (LGB) members: elect or appoint				✓		
	Board committee chairs: appoint and remove		✓				
	Named safeguarding Trustee: appoint and remove		✓				
	Local Governing Board (LGB) chairs: appoint and remove		✓		✓ RA		Appointed by LGB – approved by Trust
	Local Governing Board (LGB) members: appoint and remove		✓		✓		Ultimate removal decision is with the Trust Board
	Governance Professional (Clerk) to Trust board: appoint and remove		✓				
	Governance Professional (Clerk) to academy committees (LGBs): appoint and remove		✓				
Governance framework: systems and structures	Articles of Association: review and agree	✓	C	C			
	Governance structure for the Trust: establish and review annually		✓				
	Committee terms of reference: agree annually		✓		** G&CO to provide TOR for LGB committees – LGBs may also set additional relevant committees		
	Scheme of Delegation: agree annually		✓				
	Annual schedule of Governance business: agree		✓		✓		
	Self-review of member contribution on Trust Board and committees (including skills audits): complete annually		✓				

Governance Function		Members	Trust Board /Board Committees	SEL/CEO Accounting Officer	Local Governing Boards (LGBs)	Headteachers	Notes
	Self-review of Local Governing Boards, member contribution (including skills audits): complete annually				✓		
	Chair's performance: carry out the 360° review periodically		✓				
Governance framework: reporting	Publish governance arrangements on Trust and Schools' websites: ensure			✓			
	Annual report on the performance of the Trust: submit to members and publish		✓				
	Triannual external review of board effectiveness: submit to members	C	✓				
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit to members and Companies House		✓				
	ESFA required reports and returns submit		✓				
	Annual report on the work of the LGB: submit to Trust and publish on MAT / School website				✓		Template to be provided for format
Being Strategic	Determine Trust wide policies which reflect the Trust's ethos and values: approve		✓	C			
	Determine school level policies: approve				✓	C	
	Management of risk: establish register, review and monitor		✓	C			
	Risk Register completion at school level				C	✓	
	Engagement with stakeholders: ensure	C	✓	✓	✓	✓	
	Determine Trust's vision, strategy and key priorities: approve	C	✓	C	C	C	
	Determine schools' vision, strategy and key priorities			C	✓	C	
	Senior Executive Leader/ Accounting Officer (SEL / AO): appoint and dismiss		✓				
	Headteachers: appoint and dismiss			✓	C		
	Central Team Staff: appoint and dismiss		C	✓			
	School Staff up to and including DHT: appoint and dismiss				C	✓	
	Budget plan to support delivery of Trust key priorities: agree		✓	C			
	Budget plan to support delivery of schools' key priorities:		✓	✓	C	C	
	Trust's staffing structure: agree		✓	C			
Structure							

Governance Function		Members	Trust Board /Board Committees	SEL/CEO Accounting Officer	Local Governing Boards (LGBs)	Headteachers	Notes
(People)	Schools' staffing structure: agree			✓	C	C	
	Trustee succession plans		✓				
	Local Governing Board succession plans				✓		
Holding to account	Ensuring compliance (e.g. safeguarding, H&S, employment): agree auditing and reporting arrangements		✓		SEL Holds two roles in this situation – SEL and Trust Board Member		
	Monitoring progress on key priorities: agree reporting arrangements		✓				
	Performance management of the SEL: undertake		✓				
	Performance management of HTs: undertake			✓	C		
Financial oversight	External Auditors: appoint	✓					
	Chief Financial Officer: appoint		✓				
	Trust's Scheme of Financial Delegation: monitor and review		✓				
	External Auditors' report: receive and respond		✓				
	SEL / CEO pay award: agree		✓				
	Headteachers' pay award: agree		✓	C	✓ RA	Approval at Trust A&R Committee	
	Individual School ISR change / extension approval		✓				
	Staff appraisal procedure and pay progression: review and agree		✓				
	Benchmarking and Trust wide value for money: ensure robustness		✓				
	Monitoring budget: agree reporting		✓				
	Whole Trust / school pay structure / policy: approve		✓				
	Approval of school staff pay increases inc. UPS and increments (other than Headteacher)				✓		