

Scheme of Delegation & Schedule of Matters Reserved 2022/23

The Midland Academies Trust

Company Secretary



**George Eliot
School**

Part of The Midland Academies Trust



**Hartshill
School**

Part of The Midland Academies Trust



**Nuneaton
Academy**

Part of The Midland Academies Trust



**Heath Lane
Academy**

Part of The Midland Academies Trust

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Scheme of Delegation & Schedule of Matters Reserved 2022/23

1. Introduction

- 1.1 The Midland Academies Trust Board of Directors is required to agree a formal schedule of matters reserved for its decision, i.e. those matters which should not be delegated.
- 1.2 As provided by article 105 of the Articles of Association, the Board may delegate to any Director, committee, (including any Raising Achievement Board), the Chief Executive, the Director of Education, any Principal or any other holder of executive office, such of its powers or functions as it considers desirable, to be exercised by them.
- 1.3 Any such delegation may be made subject to any conditions the Board may impose and may be revoked or altered by the Board.
- 1.4 Any individual or body to whom the Board has delegated a power or function may further sub-delegate those powers or functions to a further person. Where sub-delegation has occurred the person making that sub-delegation must inform the Board as soon as reasonably practicable as to which powers and / or functions have been sub-delegated and to whom.
- 1.5 The objectives of this Scheme of Delegation & Schedule of Matters Reserved are to ensure that:
 - i. the exercise of delegated powers and functions occur at the correct level of the corporate governance structure;
 - ii. the process of delegating powers or functions is clear, open and transparent; and
 - iii. the lines of accountability for the exercise of powers or functions are clearly understand by those who are delegated to.
- 1.6 Specific financial delegations are set out within the Financial Regulations which are updated annually.

2. Definitions

- 2.1 'Academy' means any school or academy which is established and maintained by The Midland Academies Trust;
- 2.2 'Board' means the Board of Directors;
- 2.3 'Member,' 'Director,' 'Academy Scrutiny Committee member,' 'Principal' and 'Company Secretary' mean respectively:
 - i. one of the original subscribers to the Trust's memorandum of association or an individual or legal entity subsequently appointed as a Member;
 - ii. a Director of the Board of Directors;
 - iii. a member of an Academy Scrutiny Committee;
 - iv. an academy Principal;
 - v. the Trust Company Secretary.
- 2.4 'Academy Scrutiny Committee (ASC)' means a body established by the Board to act on its behalf in respect of specific delegated functions, at academy level;
- 2.5 'the Scheme' means the Scheme of Delegation & Schedule of Matters Reserved;
- 2.6 'the Trust' means The Midland Academies Trust;
- 2.7 All other definitions have the same meanings as given in the Trust's Articles of Association and the Academies Act 2010.

3. Related or Subsidiary Policies and Documents

- 3.1 Articles of Association;
- 3.2 Master Funding Agreement and Supplemental Funding Agreements;
- 3.3 Academies Financial Handbook;
- 3.4 Financial Regulations;
- 3.5 Standing Orders;
- 3.6 Governance Arrangements - An Overview;
- 3.7 Trust Policies;
- 3.8 Governance Handbook;
- 3.9 Other policies and documents may be identified from time to time as circumstances change and may be added to this list.

4. Core Principles

- 4.1 Governance working practices are sustainable, scalable, coherent and consistent.
- 4.2 The distinction between governance and management is unambiguous.
- 4.3 Governance and management oversight is clear, streamlined and proportionate.
- 4.4 Delegations, accountabilities and roles are clearly delineated and explained, complementary and non-duplicative.
- 4.5 Delegations (including those within the Financial Regulations) are well-defined, transparent and proportionate and reside at appropriate levels taking into account:
 - i. the responsibility of Directors for exercising the powers set out in the Articles and operating individual academies;
 - ii. the responsibility of the Chief Executive (supported by the Executive Team) for the running of the Trust under Board guidance, undertaking the Accounting Officer role and acting as principal adviser to the Board;
 - iii. the purpose of RABs, acting on behalf of the Board, to scrutinise and challenge the impact and effectiveness of school and academy educational performance and to hold Principals to account for improving student outcomes and complying with relevant, delegated statutory and regulatory requirements;
 - iv. the need for Principals to focus on the provision of education, whilst being responsible for the internal organisation, management and control of an academy, the direction of teaching and curriculum and the implementation of Trust policies;
 - v. Trust management resource and capacity;
 - vi. the effective and coherent management of the Trust's finances, human resources, estate and facilities and reputation.

5. Review and Amendment

- 5.1 The Company Secretary will ensure that the Scheme is reviewed bi-annually and will recommend to the Board any improvements or amendments required to meet changed circumstances unless there is a need for amendment to be made at an earlier point in time.
- 5.2 Any amendments will require Board approval, unless those amendments are provided for by statute or regulation, in which case such changes will be made and notified to the Board and relevant bodies and individuals without delay.

- 5.3 The adoption of this Scheme may amend previously approved policy or procedure and will therefore be deemed to take precedence and inform subsequent decisions. The amendments will not work retrospectively and affect previous decisions.

6. General Scheme of Delegation

Note: these delegations must be read in conjunction with the Trust's Financial Regulations and the Department for Education's Academy Trust Handbook and the Academy Governance Handbook, which provide more and further detail.

1. Budget and Financial Matters

1.1 Financial Matters		Delegation
1.1.1	Appointment of the Accounting Officer	Board
1.1.2	Appointment of the Chief Financial Officer	Board
1.1.3	Approve appropriate financial regulations, controls and accounting records	Board

Delegations ensure that budgetary and financial issues are dealt with at the most appropriate level. The Board will retain responsibility for strategic and Trust business issues, whilst the operational management of finance is localised with the Chief Financial Officer (CFO) and Principals. This enables the Board to take an overview of all Trust business issues and consider matters such as the awarding of contracts in a coherent and consistent manner, providing economies of scale and opportunities for innovation and development.

The Financial Regulations (FRs) contain a set of rules establishing the limits that Principals must observe in viring money around the budget and in committing academies to costs in future years (such as a permanent staffing). The FRs set out approval limits for Principals and staff and define those financial decisions which must be referred to and approved by the Board (including any major contracts or building works). The FRs also define the Board's policy on the use of under-spends within the restrictions provided by the Funding Agreement, to allow flexibility in the use of any under-spends between schools and academies at year-end.

1.2 Budget Setting		Delegation
1.2.1	Develop, implement and report on annual Trust budget (including individual schools and academies budgets) and 3 year forecast / Medium Term Business Plan	Accounting Officer and CFO in consultation with budget holders
1.2.2	Review and recommend annual budget, 3 year forecast / Medium Term Financial Plan	Finance and Resource Committee (FRC)
1.2.3	Approve each annual budget, 3 year forecast and Medium Term Business Plan	Board

The annual budget for the Trust, including the individual academy budgets, will be developed by the CFO in conjunction with Director of Education and Principals, for approval by the Board.

The budget is an expression in monetary terms, of the activities in each academy, driven by what the Board wants to achieve for teaching and learning, constrained by the level of resources available. To this end the budget will reflect the Board's strategy and academy development plans, complied against a set of guidelines reflecting a Trust-wide approach to levels of pay / annual pay rise, employer's on-costs and securing value for money by joint procurement or shared service provision.

Once the budget is approved by the Board, its operational management will be the responsibility of the Principals, supported by the CFO and Financial Controller.

1.3 Budget Setting - Capital		Delegation
1.3.1	Scrutiny and oversight of the development of the annual programme of capital projects.	FRC
1.3.2	Approval of the annual programme of capital projects.	Board

An annual programme of capital projects will be prepared by the CFO in consultation with Trust's Estates Manager, the Director of Education and Principals. All programmes will be reviewed by the Finance and Resource Committee and if agreed, will be recommended for approval by the Board.

The capital budget is submitted annually to the Finance and Resource Committee with the Trust's budget. The capital budget details the proposed capital spend for the next financial year. The Finance and Resource Committee will review the capital budget for recommendation to the Board. Once the capital budget is approved by the Board this is the authority for the spending the capital budget in line with the details provided. All capital spend must be subsequently approved by the CFO to ensure compliance with the approved capital budget. All spend will be reported in the monthly performance report.

The Chief Executive may approve additional expenditure over and above the capital budget of up to £25k where there is additional resource to pay for it.

No contracts will be let unless the resources to pay for their complete cost are included in the approved capital budget.

1.4 Budgetary Control and Reporting		Delegation
1.4.1	Monitor expenditure on a monthly basis and at relevant meetings.	Accounting Officer / CFO / Board / FRC
1.4.2	Virement up to £25k.	CFO (report to the Board)
1.4.3	Virement up to £100k.	Accounting Officer (report to the Board)
1.4.4	Virement of £100k or higher.	Board
1.5 Borrowing		Delegation
1.5.1	Seek approval from the Secretary of State for borrowing or other relevant matters following Board approval.	Board on the recommendation of the Accounting Officer
1.6 Contracts for Services, Facilities and Support		Delegation
1.6.1	Develop, implement and report on proposals for contracts for services, facilities and support.	CFO
1.6.2	Approve / review contracts for services, facilities and support in line with contract values and financial strategic overview.	Accounting Officer
1.6.3	Determine overall financial and services, facilities and support strategy.	Board

2. Audit and Risk Management

2.1 Audit		Delegation
2.1.1	Develop, implement and report on a transparent system of prudent and effective internal control.	Accounting Officer, & CFO
2.1.2	Monitor internal controls.	Accounting Officer, CFO, Principals, Audit Committee

2.1 Audit		Delegation
2.1.3	Appointment of an Internal Audit Service (IAS).	Board (recommended by Audit Committee)
2.1.4	Appointment of External Audit Service (EAS).	Members (recommended by Audit Committee)
2.1.5	Evaluation of the performance of the IAS and EAS	Audit Committee
2.1.6	Approve, publish and file a Director's report and audited annual company accounts	Board (recommended by Accounting Officer and Audit Committee)

The Board must make ensure that the Trust operates a sound system of 'internal control' i.e. the processes for assuring achievement of the Trust's objectives in operational effectiveness and efficiency, reliable financial reporting, and compliance with legislation, regulation and policy.

The Board, through the CFO (and in line with the FRs and the Risk Management Policy), will determine a framework ensuring satisfactory internal controls are in place throughout the Trust.

ESFA guidance 'Choosing An External Auditor For An Academy Trust' highlights that under the Companies Act 2006 (section 485), the academy Trust's Members appoint the auditors.

The Academy Trust Handbook requires the appointment of an internal audit service, to take the lead on internal audit matters for the Trust. The internal audit service reports to the Audit Committee. Specialist 'deep-dive' audits will also be commissioned to strengthen internal audit transaction and compliance testing.

The Board must publish accounts that consolidate all the activities of the Trust and its academies. Year-end accounts will therefore be prepared for each academy, in the required format. These accounts will then be consolidated into a single set of accounts to be audited by external auditors.

The Audit Committee, (through the CFO) will seek tenders from suitable firms for the internal and external audit service. Appointments for the internal audit service will be made by the Board on the Audit's Committee's recommendation and for the External Audit Service by the Members on the Audit Committee's recommendation in line with the Company law. .

2.2 Risk Management		Delegation
2.2.1	Develop and implement the Risk Management Policy.	CFO
2.2.2	Approve the Risk Management Policy.	Board (recommended by the Audit Committee)
2.2.3	Develop, implement and report on the risk register on a termly basis and assess and manage risks.	CFO / Director of Education / Principals
2.2.4	Scrutinise Trust and school and academy risk reports.	Audit Committee
2.2.5	Scrutinise Trust strategic risks.	Board
2.2.6	Develop and report on contingency and business continuity plan.	CFO, Director of Education and Director of People, and Director of Estates.
2.2.7	Implement contingency and business continuity plan.	Principals
2.2.8	Approve the contingency and business continuity plan.	Board (recommended by the Audit Committee)

Risk management and the maintenance of risk registers is a requirement of the Academy Trust Handbook. Risk is not restricted to finance issues, (where, for instance, objectives would include good budget management, remaining solvent and having a sustainable financial base), but also encompasses wider and

non-financial objectives of improving student outcomes, achieving a good reputation and supporting the wider community.

Risk management is an activity that managers, the Audit Committee and Board will undertake on a regular basis, as all decisions taken will involve some consideration of risk. The establishment of a systematic method of risk identification, assessment of risk significance, (i.e. what would be the impact if those risks occurred and how likely is it that they will happen) and ensuring clarity as to the management of risks and the assigning of responsibility for risk management, is vital. The process for Trust risk management is set out in its Risk Management Policy.

A separate risk report has been developed for each academy by Principals, with support from the CFO. The risk report should be integrated with the academy development plan. The Board will need to be assured that the risk management process in each academy is robust; the role of seeking assurance for this matter is undertaken by the Audit Committee.

A risk report has also been developed for the Trust by the CFO. The Audit Committee has responsibility for scrutinising the management of risk for the Trust.

The Board will focus on the strategic aspects of risk for the whole of the Trust's activities and will not delve into the detail of local risk management.

3. Strategic Planning, Vision, Mission, Values, and Policy Development

3.1 Strategic Planning, Vision, Mission, Values & Policy Development		Delegation
3.1.1	Develop, implement and report on the Trust's strategic direction.	Chief Executive
3.1.2	Determine the Trust's strategic direction.	Board
3.1.3	Develop, implement and report on the Trust's vision, mission and values.	Chief Executive
3.1.4	Determine the Trust's vision, mission and values.	Board
3.1.5	Develop, implement and report on the Trust's strategic objectives and KPIs.	Chief Executive
3.1.6	Approve and monitor the Trust's strategic objectives and KPIs.	Board
3.1.7	Develop Trust Policies.	Director of Education, Director of People/HR and Principals.
3.1.8	Approve and review Policies as per the Policy Schedule.	Board
3.1.9	Implement Policies.	CFO / Director of Education / Principals

The Board exercises its powers and functions (as outlined in the Articles of Association) with a view to fulfilling a largely strategic leadership role in the running of its academies. One of the main tasks of the Board is to oversee the development and implementation of a corporate strategy.

The process of preparing the strategy provides an opportunity for agreeing with the Chief Executive, the policy and resources framework within which the Board will discharge its duties and for determining its key strategic objectives and targets. Such targets should normally cover areas such as the organisation's financial performance; the efficiency and effectiveness of its operations and the quality of the services it provides. This activity will also include setting the Trust's vision, mission and values.

The framework for the development of Trust Policies is as follows:

- i. the Director of People/HR, Director of Education, Principals and CFO will ensure the development of relevant policies;
- ii. the Board will scrutinise and approve Policies;

- iii. Policies will be implemented by the Principals;
- iv. the Board will review Trust Policies at intervals in accordance with the Policy Approval Schedule.

4. Curriculum Development

4.1 Curriculum		Delegation
4.1.1	Propose the Trust's curriculum strategy including amendments to the educational day, week and term.	Chief Executive & Director of Education
4.1.2	Report on the Trust's curriculum strategy including amendments to the educational day, week and term.	Director of Education
4.1.3	Approve and review the curriculum strategy including amendments to the educational day, week and term.	Board
4.1.4	Develop, implement and report on academy curriculum plans.	Director of Education and Principals

The Trust is free to depart from the National Curriculum and can develop an innovative curriculum with new and exciting learning opportunities that are as individual as the abilities and aspirations of its students.

It is for the Chief Executive to propose to the Board for approval the Trust's curriculum strategy. This strategy will determine the Trust's overall educational character, direction and focus. The Director of Education and Principals will develop, in line with the curriculum strategy and budgets, their academy curriculum plans.

The term 'curriculum' is often used to simply refer to the options and qualifications offered by a school. The Trust has broadened this concept to encompass students' complete learning experience. This will include not just the options that may be studied and the qualifications offered, but other activities that enhance learning such as enrichment and facilities to assist all forms of learning, including ICT.

5. Trust and Academy Performance, Self-Evaluation and Development

5.1 Performance		Delegation
5.1.1	Approve relevant whole Trust and academy performance KPIs on the recommendation of the Chief Executive.	Board
5.1.2	Scrutinise, monitor and challenge whole Trust performance data on priority areas.	Board
5.2.3	Scrutinise, monitor and challenge academy performance data on primarily priority areas.	Curriculum, Quality and Achievement Committee
5.2 Improvement, Self-Evaluation and Development		Delegation
5.2.1	Develop, implement and report on the Trust's improvement strategy.	Trust Executive
5.2.3	Commission external development reviews on the advice of the Chief Executive as and when required.	Board / Chief Executive
5.2.4	Develop, implement and report on academy self-evaluation.	Principals
5.2.5	Scrutinise, monitor and challenge academy self-evaluation reports.	Curriculum, Quality and Achievement Committee
5.2.6	Develop, implement and report on academy development plans (or where relevant post Ofsted action plans).	Principals

5.1 Performance		Delegation
5.2.7	Scrutinise, monitor and challenge development plans (or where relevant post Ofsted Action Plans).	Curriculum, Quality and Achievement Committee
5.2.8	Review and consider Examination Results.	Board and Curriculum, Quality and Achievement Committee

The Trust is committed to improving the learning experience of its students and therefore the Director of Education with the Principals will develop an academy improvement strategy.

Principals will put in place challenging academy development plans, which ensure continuous improvement in the quality and standard of teaching and learning. Plans are linked to target setting, self-evaluation and performance management of staff. RABs will the impact of development plans.

Self-evaluation, the process of monitoring and evaluating an academy's provision and performance against specific criteria, is a well-established activity and it provides the basis for planning for development and improvement. Academies will establish their own self-evaluation forms (SEFs) based on a Trust template.

6. Staffing

6.1 Staffing Structures		Delegation
6.1.1	Determine staff complement and (costed) structure.	Board
6.1.2	Advise on, recommend and monitor staff complement and (costed) structure.	Principals with Director of Education
6.1.3	Develop, implement and report on proposals for staff complement and develop and implement (costed) structure.	Principals
6.2 Restructuring and Redundancy		Delegation
6.2.1	Approval of proposals to make redundancies / changes in the staffing levels, organisational structure and associated role requirements and the aims, objectives, finance, and outcomes for organisational changes / redundancies.	Board
6.2.2	Undertake the responsibilities set out in the Management of Change and Redundancy Policy	Chief Executive / Principals
6.3 Pay Structure, Terms and Conditions		Delegation
6.3.1	Approve and review pay structure, overall level of pay and terms and conditions	Board
6.3.2	Approval of staff severance payments agreements in accordance with the Academy Trust Handbook	Board
6.3.3	Seek approval from the EFA for staff severance payments where the non-statutory / non-contractual element is under £50k following Board approval	Chief Executive
6.4 Treatment of the Principals		Delegation
6.4.1	Principal - appointment.	Appointment Panel constituted of Directors
6.4.2	Principal - suspension / reinstatement.	Chief Executive

6.4.3	Principal - dismissal / determine dismissal payments / early retirement.	Board
6.4.4	Principal - performance objective setting.	Chief Executive & Curriculum, Quality and Achievement Committee Chair
6.4.5	Principal - performance management.	Chief Executive
6.4.6	Principal - approval of pay discretions	Board
6.5 Treatment of Academy Staff		Delegation
6.5.1	Teaching and support staff - appointment. Note: there should be appropriate Director engagement in Vice Principal appointments	Principals
6.5.2	Teaching and support staff - appointment in addition to determined staffing structure	Board
6.5.3	Teaching and support staff - suspension / reinstatement	Principals
6.5.4	Teaching and support staff - dismissal / determine dismissal payments* (see 6.3 above) / early retirement.	Principals in discussion with CE
6.5.5	Teaching and support staff - performance management.	Principals
6.5.6	Teaching and support staff - approval of performance related pay.	Pay Committees (reported to the Board)
6.5.8	Re-deployment of staff in redundancy situations.	Principals
6.6 Treatment of Trust Central Support Staff		Delegation
6.6.1	Appointment.	Chief Executive
6.6.2	Suspension / reinstatement.	Chief Executive
6.6.3	Dismissal / determine dismissal payments / early retirement.	Chief Executive
6.7 Application of the Pay Policy		Delegation
6.7.1	Determine pay progression at the time of annual review for all teaching staff, including staff on the Leadership and Management pay scales and TLRs, other than the Principal, in accordance with the Pay Policy	ASC Pay Committee
6.7.2	Hear appeals from the pay decisions	Board Pay Appeal Committee
6.7.3	Review the Pay Policy and propose amendments as necessary	ASC Pay / Appeal Committee

The Academy Trust is the employer of all academy staff and the Board, has overall responsibility for staffing matters. The Board has reserved to itself decisions which relate to its having a strategic overview of all academies.

The Board has delegated functions to Principals relating to processes for staff appointments, suspension and initial dismissal decisions. Any appeals by members of staff against decisions made by Principals will be heard by an Appeal Panel constituted of Directors.

The ASC Pay Committee, in conjunction with the Principals, is responsible for implementing the Trust's Pay and Performance Policies. The Pay Committee has delegated powers relating to the determination of annual pay reviews in accordance with the Trust's Pay Policy. The Pay Committee will report to the Board on the discharge of its delegated power. Reports will be either received by the Board or referred back to the Committee if the Committee has exceeded its powers under the Pay Policy.

It will be for the Chief Executive to performance manage the following members of staff:

- i. Principals (objective setting in consultation with the Chair of the Curriculum, Quality and Achievement Committee)
- ii. Director of Education
- iii. Chief Financial Officer;
- iv. Company Secretary (in partnership with the Chair of the Board).

It will be for the Director of Education to line manage, (including performance manage) the following members of staff:

- Central Team staff including:
- i. Trust SEND Lead
 - ii. Trust Careers, Transition and Partnerships Lead.

Principals and Vice-Principals are senior post holders. This means:

- i. the Board appoint Principals;
- ii. Directors are involved in the appointment of Vice Principals;
- iii. Directors will hear any disciplinary, grievance or competence matter in respect of a Principal and will make any decision to dismiss a Principal.

NOTE: It is important that relevant HR policies relating to pay, grievance, capability, discipline, the management of change and redundancy, recruitment and selection, sickness absence management, attendance, appraisal etc. are considered alongside the Scheme of Delegation & Schedule of Matters Reserved together with the most recent School Teachers' Pay and Conditions Document for further detail.

7. Admissions

7.1 Admissions		Delegation
7.1.1	Develop, implement and report on Academy Admissions Policies.	Principals
7.1.2	Review and determine Admissions Policies.	Board
7.1.3	Publish an Admissions Policy.	Board
7.1.4	Establish an Independent Appeals Panel.	Board

The Trust must set admission arrangements annually, notify the relevant Local Authority and publish the arrangements on its website in accordance with the 'Admissions Code'. When changes to the admission arrangements are proposed, the Trust must consult. Consultation must last at least eight weeks between 1st October and 31st January so that the arrangements are finalised by 28th February. There should be a clear decision by the Board to determine a set of arrangements. A copy of the determined admission arrangements must be sent to the Local Authority and published on academy websites by 15th March.

The Trust must, as part of setting its admission arrangements, set a pupil admission number (PAN). The Trust cannot refuse a child a place if the school is undersubscribed (fewer applications than the PAN). The only exception is where the child has been permanently excluded from two or more schools within the past two years. Where academies are oversubscribed the Trust must keep a waiting list for at least the first term in the normal year(s) of admission. It must also give priority on that list according to their oversubscription criteria, regardless of when an application was made.

Should there be an appeal against a decision of the Trust in respect of admission the Trust will buy into the relevant Local Authority admission appeal panel service. The admissions appeal panels is an independent panel set up by the Local Authority in line with the 'Admission Appeals Code'. The 'Admission Appeals Code' provides details on appeal procedures and outlines a parent's or child's right of appeal. Where a panel finds in favour of the parent or child, the decision is binding on the Trust.

The Trust must ensure that for each Academy pupils with SEN are admitted on an equal basis with others in accordance with the Academy's admissions policy

See the Trust's 'Funding Agreement', and the 'School Admission Code' and 'School Admissions Appeals Code' for further details.

8. Behaviour, Exclusions and Alternative Provision

8.1 Behaviour		Delegation
8.1.1	Development of a written Behaviour Policy which promotes good behaviour among students and defines the sanctions to be adopted where students misbehave.	Director of Education and Principals
8.1.2	Implementation of Behaviour Policy and establishment of academy behaviour procedures.	Principals
8.2 Exclusions		Delegation
8.2.1	Review and decide whether to confirm permanent and fixed exclusions or direct reinstatement.	Discipline Panel
8.2.2	Review the use of exclusion in cases of emergency and consider reinstatement of excluded students.	Discipline Panel
8.2.3	Exclude students.	Principals
8.2.4	Monitor and review exclusion data and hold Principal to account for lawful use of exclusion.	ASC & Board

See the Trust guidance on exclusions and 'Exclusion form Maintained Schools, Academies and Pupil Referral Units in England' - DfE for further details.

8.3 Alternate Provision		Delegation
8.3.1	Decision as to whether to direct a student off-site for education to improve his / her behaviour, having considered parental representations.	Principal
8.3.2	Ensure parents are given clear information about the placement.	Principal
8.3.3	Keep the placement under review and involve parents in the review.	Principal
8.3.4	Have regard to guidance from the Secretary of State.	Principal

The legislation for 'alternative provision' where students have been directed off-site does not apply to Academies. The Trust can however arrange off-site provision for similar purposes under its general powers, set out in the Articles of Association. The DfE has highlighted that Trusts should consider its guidance for maintained schools as it provides examples of good practice. Consequently, an academy should make sure that the student continues to receive a good education whilst addressing the needs that require intervention. The Principal may direct a pupil off-site without the parent's consent but should, where possible, engage parents in the process. There are specific requirements in relation to notifying parents and reviewing the placement.

See 'Alternative Provision - Statutory Guidance for Local Authorities' for further details.

9. Public Equality Duty

9.1 Public Equality Duty		Delegation
9.1.1	Develop, implement and report on equality objectives, Equality Scheme, equality action and disability accessibility action plans.	Director of People and Principals
9.1.2	Approve the equality objectives, Equality Scheme equality action plan.	Board
9.1.3	Publish and keep under review, required information.	Principals

9.1 Public Equality Duty		Delegation
9.1.4	Ensure the publication of required information.	Director of Education

See the ‘Equalities Act 2010’ for further details.

Under the general equality duty, the Trust and its academies must have due regard to the need to:

- i. eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;
- ii. advance equality of opportunity between people who share a protected characteristic and those who do not;
- iii. foster good relations between people who share a protected characteristic and those who do not.

Specifically, the Trust must:

- i. publish information to demonstrate how an organisation is meeting the general equality duty, at least annually;
- ii. set and publish equality objectives, at least every 4 years.

The Board is responsible for ensuring that:

- i. it is aware of its statutory responsibilities as an employer and provider of education and services;
- ii. the Trust is meeting the equality duty;
- iii. the strategic plan includes a commitment to equality;
- iv. equality training features as part of the strategic plan;
- v. it receives and responds to equality monitoring information;
- vi. the Trust is meeting its equality objectives.

10. Special Educational Needs and Disability (SEND)

10.1 Special Educational Needs and Disability (SEND)		Delegation
10.1.1	Discharge legal duty to appoint a ‘responsible person’ for co-ordinating SEND provision.	Principals
10.1.2	Publish information on academy and Trust website about the Trust’s policy for students with SEND to be updated annually.	Principals
10.1.3	Prepares and publish a SEND information report.	Principals
10.1.4	Implement the SEND Policy.	Principals
10.1.5	Develop, implement and report on SEND provision, arrangements and procedures, having had regard to SEND Code of Practice.	Principals
10.1.7	Appoint a SEND special responsibility member.	ASC
10.1.8	Approve and review SEND provision, arrangements and procedures, having had regard to SEND Code of Practice.	Board on the recommendation of the CQAC

As provided by the Master Funding Agreement, the Trust must, in respect of each Academy, comply with all of the duties imposed upon the governing bodies of maintained schools in relation to SEND.

The Trust must also:

- i. have regard to the Special Educational Needs Code of Practice: 0 to 25 years;
- ii. ensure each academy identifies and addresses the SEND of the pupils that they support;
- iii. use its best endeavours to make sure that a child with SEND gets the support they need; this means doing everything they can to meet children and young people’s SEND;
- iv. ensure that children and young people with SEND engage in the activities of the school alongside pupils who do not have SEND;

- v. ensure each academy designates a teacher to be responsible for co-ordinating SEND provision, (the SEN co-ordinator, or SENCO);
- vi. inform parents when they are making special educational provision for a child;
- vii. ensure each academy prepares a SEND information report and their arrangements for the admission of disabled children, the steps being taken to prevent disabled children from being treated less favourably than others, the facilities provided to enable access to the school for disabled children and their accessibility plan showing how they plan to improve access progressively over time;
- viii. a member of the ASC has specific oversight of the academies arrangements for SEND;
- ix. ensure that School leaders should regularly review how expertise and resources used to address SEND can be used to build the quality of whole-school provision as part of their approach to school improvement;
- x. make reasonable adjustments to students with disabilities.

See ‘Special Educational Needs and Disability Code of Practice: 0-25 Years’ for further details.

11. Safeguarding

11.1 Safeguarding		Delegation
11.1.1	Ensuring academies contribute to inter-agency working in line with statutory guidance.	Director of Education
11.1.2	Ensuring safeguarding arrangements take into account the procedures and practice of the LA as part of the inter-agency safeguarding procedures set up by the Local Safeguarding Children Board (LSCB).	Director of Education
11.1.3	Liaison with LA and / partner agencies on issues of child protection and in the event of allegations made against Principals / Chief Executive / ASC member / Director.	ASC Chair / Chair of Board of Directors
11.1.4	Receive periodic safeguarding monitoring reports.	Board
11.1.5	Approval of an effective Child Protection Policy, Safer Recruitment Policy and Staff Behaviour (Code of Conduct) Policy.	Board
11.1.6	Implementation of a Child Protection Policy, Safer Recruitment Policy and Staff Behaviour (Code of Conduct) Policy.	Principals
11.1.7	Appointment of ‘designated ’members of staff responsible for safeguarding at academies.	Principals
11.1.8	Develop, implement and report on safeguarding and safer recruitment arrangements and procedures.	Principals
11.1.8	Appoint a safeguarding special responsibility member.	ASC

The Board must ensure that it complies with its duties set under legislation and it must also have regard to relevant guidance to ensure that policies, procedures and training are effective and comply with the law at all times.

See ‘Keeping Children Safe in Education - Statutory Guidance for Schools and Colleges’ - DfE for further details.

12. Looked After Children (LAC)

12.1 Looked After Children (LAC)		Delegation
12.1.1	Discharge legal duty to appoint a ‘designated person’ to manage the teaching and learning programme for looked after children.	Principal

12.1.2	Develop, implement and report on LAC arrangements and procedures, including admissions.	Principal
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The Trust, in respect of each academy, is required to:

- i. act in accordance with, and be bound by, all relevant statutory and regulatory provisions;
- ii. have regard to any guidance and codes of practice, as they apply to a maintained school, relating to the designation of a person to manage the teaching and learning programme for children who are looked after by a Local Authority and are registered students at an academy.

The Board has delegated the duty to appoint a 'designated person' to manage the teaching and learning programme for looked after children to Principals, who are best placed to appoint the appropriately qualified persons and to ensure they are undertake the training necessary to discharge the role.

13. Supporting Students with Medical Conditions

13.1 Supporting Students with Medical Conditions		Delegation
13.1.1	Ensure that arrangements re in place to support students with medical conditions which are sufficient to meet statutory responsibilities.	Principals
13.1.2	Ensure a policy and relevant plans, procedures and systems are developed and implemented effectively. The policy should be readily accessible to parents and school staff.	Principals
13.1.3	A named person should be appointed to have with overall responsibility for policy implementation.	Principals
13.1.4	Approve the Policy relating to the support of students with medical conditions.	Board

See 'Supporting Pupils at School with Medical Conditions' - DfE for further details.

14. Careers Guidance

14.1 Careers Guidance		Delegation
14.1.1	Ensure all registered students at academies are provided with independent careers guidance from year 8 to year 13.	Director of Education / Principals
14.1.2	Ensure that the independent careers guidance provided: <ul style="list-style-type: none"> - is presented in an impartial manner - included information on the range of education or training options including apprenticeships and other vocational pathways - promotes the best interests of students to whom it is given. 	Director of Education / MAT Strategic Lead Careers, Transition and Partnerships / Principals

See 'Careers Guidance and Inspiration in Schools' - DfE for further details.

15. Collective Worship

15.1 Collective Worship		Delegation
15.1.1	Develop and implement arrangements for collective worship.	Principals

In accordance with the Master Funding Agreement the Academy Trust shall make provision for the teaching of religious education in accordance with relevant legislation and for a daily act of collective worship at each academy.

The Trust may apply to the Secretary of State for consent to be relieved of the requirement the required collective worship shall be wholly or mainly of a broadly Christian character, the Secretary of State's consent to such an application not to be unreasonably withheld or delayed.

16. School Meals

16.1 School Meals		Delegation
16.1.1	Ensure lunch nutritional standards are met	Principals
16.1.2	Ensure the provision of free school meals meet the relevant criteria	Principals

The Trust shall, provide school lunches for students unless it would be unreasonable for it to do so. DfE Guidance 'School Food in England' stipulates the legal requirements for food provided across the school day. In relation to any student who is him / herself or whose parents are in receipt of relevant benefits mentioned (or equivalent provision governing the entitlement to free school lunches of pupils at maintained schools), the Trust shall ensure that a school lunch is provided for such a student free of charge to be funded out of the Trust's General Annual Grant.

17. Premises and Insurance

17.1 Premises		Delegation
17.1.1	Develop, implement and report on a buildings strategy (linked to the setting of the annual programme of capital schemes at 1.3.1), asset management planning arrangements and maintenance plan.	CFO
17.1.2	Advise on / recommend and monitor a buildings strategy, asset management planning arrangements and maintenance plan.	FRC
17.1.3	Approve and review a buildings strategy (linked to the setting of the annual programme of capital schemes at 1.3.1), asset management planning arrangements and maintenance plan.	Board on the recommendation of the FRC
17.1.4	Procure minimum value building and maintenance works within the maintenance plan.	Estates Manager
17.1.5	Monitor minimum value building and maintenance works within the maintenance plan.	Estates Manager
17.2 Insurance		Delegation
17.2.1	Ensure adequate insurance cover for Trust and Academy activities	CFO

See the 'Academies Financial Handbook' for further details.

18. Health and Safety and Educational Visits

18.1 Health and Safety		Delegation
18.1.1	Oversee compliance with health and safety regulations.	Chief Executive
18.1.2	Develop, implement and report on arrangements for compliance with health and safety regulations.	Principals
18.1.3	Advise on / recommend and monitor regulation compliance.	FRC
18.1.4	Approve a Health and Safety Policy.	Board

18.1 Health and Safety		Delegation
18.1.5	Implement and report on the operation of the Health and Safety Policy.	Principals
18.1.6	Overall responsibility for first aid under relevant regulations.	Principals

The main legislation covering this area is the Health and Safety at Work etc. Act 1974 and regulations made under that Act. The Trust as the employer is responsible for health and safety. Under the Health and Safety at Work etc. Act 1974, the Trust must take reasonable steps to ensure that staff and pupils are not exposed to risks to their health and safety. This applies to activities on or off school premises. The Trust must set out its health and safety arrangements in a written Health and Safety Policy.

Information about the law on pupil health and safety is in departmental advice on Health and Safety for Schools. This advice summarises health and safety law relevant to schools and explains how it affects governing bodies as well as Local Authorities, Principals and other school staff. It covers activities that take place on school premises as well as school trips. The advice applies to all state funded schools. The Trust as employer, must ensure that a policy on health and safety is in place.

See 'Health and Safety: Advice on Legal Powers for Local Authorities, School Leaders, School Staff, and Governing Bodies' for further details.

18.2 Educational Visits		Delegation
18.2.1	To receive a termly exception report relating to the educational visits undertaken by all Trust schools / academies and a report on the working of the Evolve educational visits approval system.	FRC
18.2.2	Scrutinising and challenging the impact and effectiveness of educational visits	ASC
18.2.3	Approval of educational visits.	Principal and approved, qualified educational visit advisor

19. Information

19.1 Information		Delegation
19.1.1	Provide relevant information to the Secretary of State.	Chief Executive / Principals
19.1.2	Develop, implement and publish Academy prospectus.	Principals
19.1.3	Review and agree Academy prospectus.	Director of Education / Trust Executive
19.1.4	Publish relevant information on academy websites.	Principals
19.1.5	Name and contact details of Chairs of Board and ASC (through the Company Secretary) to be made available for complaints and other purposes.	Principals
19.1.6	Students and parents to be informed via Fair Processing Notices that students' personal data may be transferred in accordance with the Funding Agreement.	Principals
19.1.7	Data Protection requirements.	Data Protection Officer

19.1 Information		Delegation
19.1.8	Compliance with FOI requirements.	Principals
19.1.9	Provision of an annual written report of a student's progress and attainment to parents.	Principals
19.1.10	Development of marketing, branding and content guidance.	Chief Finance Officer with Marketing Team and Principals
19.1.11	Approval of marketing, branding and content guidance.	Chief Executive

In respect of Data Protection requirements the Academy Trust will appoint a Data Protection Officer To assist the Trust and its academies to monitor internal compliance, inform and advise the Trust and its academies about their data protection obligations, provide advice regarding data protection impact assessments (DPIAs) and act as a contact point for data subjects and the Information Commissioner's Office (ICO).

Principals will report on relevant issues as required by legislation.

20. PR and Media

20.1 PR and Media		Delegation
20.1.1	Develop and implement the Trust communications strategy.	Chief Executive / Principals
20.1.2	Develop, implement and report on relevant Trust communications.	Chief Executive
20.1.3	Lead on crisis management, strategic and high level reputational communications.	Chief Executive
20.1.4	Oversee the implementation of all external communication in accordance with the Trust Communication Strategy.	Chief Executive
20.1.5	Ensure that all communication (internal and external) is consistent with the Trust brand guidelines and Trust Communication Strategy.	Principals
20.1.6	Implement regular communication with students and parents and generic stakeholder communication in accordance with the Trust Communication Strategy.	Principals
20.1.7	Take responsibility for effective internal communications within their organisation.	Principals
20.1.8	Produce and deliver a PR plan identifying opportunities for positive media coverage / stakeholder communications during the academic year.	Principals with CFO and Marketing

Communication across the Trust will determine stakeholders' experience of the Trust brand. It is vital that communication is consistent and at all times progresses the interest of the Trust. Strategic PR and communications advice can be provided by the Chief Executive to support these activities. The Chief Executive will also lead on crisis communications activity with the support of the Director of Education and relevant Principal.

22. Governance Procedures

22.1 Governance Procedures		Delegation
22.1.1	Appoint / remove Trust Members.	Trust Members
22.1.2	Appoint / remove Directors.	Trust Members
22.1.3	Co-opt Directors.	Board
22.1.4	Appoint / remove ASC members including parent members.	Board
22.1.5	Appoint / remove the Chairs and Vice-chairs of ASCs.	Board
22.1.6	Appoint / dismiss the Company Secretary.	Board
22.1.7	Hold a full meeting at least 6 times in an academic year.	Board
22.1.8	Hold a full meeting at least 3 times in an academic year.	ASC
22.1.9	Establish and implement a register of Business and Pecuniary Interests for Board and ASC.	Company Secretary
22.1.10	Establish and implement a register of Business and Pecuniary Interests for relevant members of staff.	Principals
22.1.11	Establish and implement a Gifts and Hospitality register for Board and RABs.	Company Secretary
22.1.12	Establish and implement a Gifts and Hospitality register for members of staff.	Principals
22.1.13	Approve Standing Orders to regulate governance procedures.	Board
22.1.14	Approve a Code of Conduct for Board and ASCs.	Board
22.1.15	Bi-annual review of functions, committee structures and scheme of delegation.	Board
22.1.16	Approve an annual calendar of business for Board and ASCs.	Board
22.1.17	Ensure confirmation statement is made to Companies House.	Company Secretary
22.1.18	Ensure financial statements are sent to Companies House.	- Company Secretary

It is for the Board to ensure that high standards of corporate governance are observed at all times by:

- i. establishing the overall strategic direction of the organisation;
- ii. ensuring that it operates within the limits of its statutory authority and in accordance with any other conditions relating to the use of public funds;
- iii. ensuring that, in reaching decisions, it has taken into account any relevant guidance;
- iv. ensuring Directors, ASC members and staff conduct all their dealings with the public in an open and responsible way;
- v. demonstrating that it is using resources to good effect and with propriety,
- vi. taking appropriate measures to ensure that at all times, it conducts its operations as economically, efficiently and effectively as possible, with full regard to the relevant statutory provisions and to relevant guidance;
- vii. ensuring that neither it, nor those to whom it delegates, do not exceed their powers or functions, whether defined in statute or otherwise, or through any limitations on its authority to incur expenditure.

See 'Standing Orders' and 'Code of Conduct' for further details.