

**Believe
You
Can**

**SCHEME OF
DELEGATION**



The **OliveTree**
Primary School

Document Control

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Contents

Introduction	4
Purpose of our Scheme of Delegation (SoD)	4
Review & Variations	4
Governance Roles	
Members	4
Trustees	5
Committees	5
Senior Leadership Team (SLT)	5
Delegations	7

Introduction

The Olive Tree Primary School ("the Trust") is a Single Academy Trust (SAT) operating a 'Free School' for primary aged children in Bolton. It is a company registered by guarantee and an exempt charity.

Our Board of Trustees is accountable in law for all decisions made by the school. The Trustees of the school are also the Directors of the charitable company. They also carry out the functions of a traditional school governor. However, this does not mean that the full board is required to make all the decisions relating to the school. Many decisions can be delegated to the Principal who is the senior executive leader in our Trust, Trust Board Committees, and individual Trustees. This Scheme of Delegation sets out the Board's decision to delegate certain powers and decision making to various layers of our governance. Some decision making is determined by company law, other decision making is determined by the Trustees to ensure it is fit for purpose in operating our school.

Once determined our Scheme of Delegation ('SoD') will be published on our website.

What is the purpose of our Scheme of Delegation (SoD)?

A Scheme of Delegation (SoD) is the key constitutional document defining which functions have been delegated and to whom. This general SoD covers all decision making in the Trust and should not be confused with the written Scheme of Delegation of Financial Powers referred to in the Academy Trust Handbook (ATH). The Trust maintains a separate Financial Scheme of Delegation to comply with the requirements of the ATH.

Our SoD ensures the efficient operation of the Trust can be carried out day-to-day without all decision requiring Board approval. It places trust in those that power and decision-making authority is delegated down to, but also evidences clear lines of accountability so that the Board can monitor decision making and hold decision makers to account.

Review and Variation

The SoD will be reviewed annually by the Board. The Trustees reserve their right absolutely to revise the content of this SoD at any time and for any reason they see fit.

Governance Roles

The Members

The Members are the guardians of the Trust. Originally, they will have been the signatories to the Memorandum of Association and will have agreed the Trust's first Articles of Association (AoA). The AoA will also describe how members are recruited and replaced, and how many of the Trustees the Members can appoint to the Trust Board.

The Members appoint Trustees to ensure that the Trust's charitable object is carried out and so must be able to remove Trustees if they fail to fulfil this responsibility. The Board will submit an annual report on the performance of the Trust to the Members. Members are also responsible for approving any amendments made to the Trust's Articles of Association.

While Members are permitted to be appointed as Trustees, in order to retain a degree of separation of powers between the Members and the Trust Board, and in line with DfE expectations, the Trust will retain a majority of independence in its members from the Board. Our AoA prohibit employees of the Trust from being members.

The Trustees

The Academy Trust is a charitable company and so Trustees are both Charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and Company Directors. As Trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably.

Our Trustees are responsible for the strategic direction of the Trust. In accordance with the provisions set out in our AoA and our funding agreement with the Secretary of State for Education, the Trustees are legally responsible and accountable for all statutory functions and for the performance of the Trust. Trustees must also comply with the ATH in the financial management of the Trust.

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

Trust Board Committees

The Trustees have the power to establish committees to carry out some of its governance functions when a more focused approach is necessary. A committee's membership and responsibilities are set out in the committee's Terms of Reference (ToR).

The Trust has Standards, Finance, HR and Buildings and Safeguarding & Inclusion subcommittees.

The Senior Leadership Team

The Principal has the delegated responsibility for the operation of the Trust. He/she is the Accounting Officer so has overall responsibility for the operation of the Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability, avoiding waste and securing value for money. As the Accounting Officer, the Principal is accountable to parliament.

Our Principal leads the Senior Leadership Team ('SLT') of the school. He/she will delegate management functions to the SLT and is accountable to the Trust Board for the performance of the SLT

Delegations

The tables that follow set out the current delegations of power and decision-making responsibility across the various layers of our governance.

Key

- This indicates who the decision making has been delegated to.

A - This indicates when a level of governance will provide advice.

< or > - This indicates the direction which the applicable level of governance will provide advice.

SE – Standards and Effectiveness Committee.

SI – Safeguarding and Inclusion Committee.

FHB - Finance, Human Resources and Buildings Committee.

Area	Decision	Delegation				
		Members	Trust Board	Committee	Sole Trustee	Principal
Governance Framework						
Governance Roles	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓	✓			
	Role descriptions for Members	✓	<A			
	Role descriptions for Trustees/Chair/ Specific Roles/Committee Members: agree		✓	<A All for their respective committees		
	Determine and allocate specific Trustee roles (as required)		✓			

	Parent Trustee: Elected		✓			
	Committee Chairs: Appoint and Remove		✓			
	Clerk to Board: Appoint and Remove		✓			
Area	Decision	Delegation				
		Members	Trust Board	Committee	Sole Trustee	Principal
Constitution and Controls	Articles of Association: Agree and Review	✓	<A			
	Governance structure (Committees) for the Trust: Establish and Review Annually		✓	<A All for their respective committees		<A
	Terms of Reference for Trust Committees (including Audit if required, and Scheme of Delegation): Agree Annually		✓	<A All for their respective committees		
	Determine policy review process and schedule		✓	<A All for their respective committees		<A
	Skills Audit: Complete and Recruit to fill gaps		✓			
	Annual Self-Review of Trust Board and Committee Performance: Complete Annually		✓			
	Chair's Performance: Carry out 360 Review Periodically		✓			

	Trustee Contribution: Review Annually		✓			
	Succession Planning of Trustees		✓	<A All for their respective committees		
	Annual Schedule of Business for Trust Board: Agree		✓	<A All for their respective committees		<A
Reporting						
Area	Decision	Delegation				
		Members	Trust Board	Committee	Sole Trustee	Principal
	Register of all Interests, Business, Pecuniary, Loyalty for Members/Trustees: Establish and Publish	✓	✓	✓	✓	✓
	Annual Report on Performance of the Trust: Submit to Members and Publish		✓	<A FHB		
	Annual Report and Accounts including Accounting Policies, Signed Statement on Regularity, Propriety and Compliance, incorporating Governance Statement demonstrating Value for Money: Submit		✓	<A FHB		

	To Determine whether to Publish a Home School Agreement (not statutory)		>A			✓
	Overall Responsibility for Ensuring that Statutory Requirements for Information Published on the School Website, including Required Details of Governance Arrangements, Performance, Financial and Equality Data are Met		✓	<A FHB	<A	<A
	To Publish and Update at least annually a SEN Information Report (meeting requirements set out in the Special Educational Needs and Disability Regulations 2014)		✓			✓
Strategic Direction						
Area	Decision	Delegation				
		Members	Trust Board	Committee	Sole Trustee	Principal
Strategic Direction	Establish and review Trust policies which reflect the Trust's Ethos and Values for Admissions, Complaints, Health and Safety, First Aid in schools, SEND, Safeguarding and Child Protection, Pay, Whistle-blowing, Careers Guidance, Relationships and Health Education, ECTs, children with health needs who cannot attend school, designated		✓	<A All for their respective committees		<A

	teacher for LAC and Post-LAC: Approve					
	Determine and review Trust Staffing Policies which reflect the Trust's Ethos and Values including Appraisal, Capability, Discipline, Conduct and Grievance: Approve		✓	<A FHB		<A
	Determine and review Trust policies for Expenses; Data Protection and FOI, EYFS, Curriculum, supporting pupils with medical conditions, accessibility plan, the Trust's equalities information and objectives document, premises management documents: Approve			✓ All for their respective committees		<A
	To Annually Determine Admission Arrangements and to Carry Out Consultation where Changes are Proposed, or where the Trust Board has not Consulted on their Arrangements in the last Seven Years		✓	<A		<A
	Determine a Behaviour and Discipline Policy that Promotes Good Behaviour among Pupils and Defines		✓	<A SI		<A

	the Sanctions to be Adopted where Pupils Misbehave					
	To Draft Content of School Behaviour Policy and Publicise it to Staff, Students and Parents.					✓
	Ensure a Broad and Balanced Curriculum is in Place		✓	<A SE		<A
	To Set the Times of School Sessions and the Dates of School Terms and Holidays		✓			<A
	Agree Enrichment/Extracurricular Offer including any Additional Services Required					✓
	Embed Agreed Curriculum and Enrichment Offer within the Day to Day Operation of the Academy Trust					✓
	Management of Risk: Establish Register, Review and Monitor		✓	<A FHB		<A
	Trust's Vision and Strategy, Agreeing Key Priorities and Key Performance Indicators (KPIs) Against which Progress Towards Achieving the Vision can be Measured: Determine		✓	<A All for their respective committees		<A
	To Decide Whether to Join or Form a Multi-Academy Trust		✓	<A All for their respective committees		<A

	Budget Plan to Support Delivery of Trust Key Priorities: Agree		✓	<A FHB		<A
Staff Management						
Area	Decision	Delegation				
		Members	Trust Board	Committee	Sole Trustee	Principal
Staff Management	Principal: Appoint and Dismiss		✓			
	Academy Staffing Structure: Agree		✓	<A FHB		<A
	Appoint Teaching Staff		>A			✓
	Appoint Non-Teaching Staff		>A			✓
	Auditing and Reporting Arrangements for Matters of Compliance (e.g. Safeguarding, H&S, Employment): Agree		✓	<A All for their respective committees	<A	<A
	To Produce and Maintain a Central Record of Recruitment and Vetting Checks				>A	✓
	To have Due Regard to the need to Prevent People from Being Drawn into Terrorism and To Oversee the Incorporation of the Necessary Procedures and Practices Outlined in the Prevent Duty into the Child protection policy		✓	<A SI	<A	<A
	Reporting Arrangements for Progress on Key Priorities: Agree		✓			<A

	Undertake Performance Management of the Principal: Panel to be selected by the Board		✓			
	Performance Management of Staff: Undertake					✓
	Performance Management of Staff: Monitor compliance with agreed procedures			✓ FHB		
	Establish and Review Procedures for Addressing Staff Discipline, Conduct and Grievance			✓ FHB		<A
Monitoring and Review						
Area	Decision	Delegation				
		Members	Trust Board	Committee	Sole Trustee	Principal
Monitoring and Review	To establish a Panel to review all Permanent Exclusions and Fixed Term Exclusions where the Pupil is either Excluded for More Than 15 Days in a Term Would Lose the Opportunity to Sit a Public Examination.		✓			<A
	To establish a Panel to undertake the Governance aspect of the Trust's Complaints Procedure.		✓			
	To identify Trustees to undertake the Governance aspects of the Trust's		✓			

	Staff Discipline, Conduct and Grievance appeals procedures.					
	To ensure that Health and Safety Regulations are Followed			✓ FHB		<A
	To monitor compliance with statutory duties regarding SEND and Safeguarding and Employment		✓	<A Each for their respective committees	<A	<A
	Ensure that School Lunches nutritional Standards are Met			✓ SI		<A
	Maintain a Register of Pupil Attendance		✓	<A ??		<A
	To Ensure Provision of Free School Meals to those Pupils meeting the Criteria, including Universal Infant Free School meals (if applicable)		✓	<A FHB		<A
Financial Oversight						
Area	Decision	Delegation				
		Members	Trust Board	Committee	Sole Trustee	Principal
Financial Oversight	Chief Financial Officer for Delivery of Trust's Detailed Accounting Processes: Appoint		✓	<A FHB		
	Trust's Scheme of Financial Delegation: Establish and Review		✓	<A FHB		<A
	External Auditors' Report: Receive and Respond		✓	<A FHB		<A

	Staff Pay Progression (including Principal Pay Progression): Monitor and Agree			✓ Pay Committee		<A
	Benchmarking and Academy Trust Value for Money: Ensure Robustness		✓	<A FHB		
	Develop Trust Procurement Strategies and Efficiency Savings Programme		✓	<A FHB		<A
	To Approve the First Formal Budget Plan each Financial Year		✓	<A FHB		
	To Agree Annual Action Plans and Monitor How School Premiums are Spent (i.e. PE and Sports Premium and the Pupil Premium)		✓	<A FHB	<A	<A
	To Establish and approve a Lettings and Fees Policy			✓ FHB		
	Buildings Insurance and Personal Liability		✓	✓ FHB		