

AGORA
LEARNING
PARTNERSHIP

Agora Learning Partnership

Scheme of Delegation

2022/23

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Responsibility for review: Board of Trustees

1. INTRODUCTION

1.1 Purpose of this document

This document outlines the governance structures, principles and processes for the Agora Learning Partnership (the Trust). It explains the ways in which the Members and Trustees fulfil their responsibilities for the oversight of the Trust and the respective roles, responsibilities and accountability of all those with a governance responsibility. It sets out the commitments to each other to ensure effective leadership and governance.

It is one of the key documents for all colleagues working at all levels in the Trust, from Members and Trustees, the CEO and central staff to academy staff and governors.

1.2 Principles

The Trust aspires to successfully blend the challenge of driving strategy centrally whilst encouraging local autonomy and local decision making through strong and effective governance.

The Members have established the Trust and must ensure that it fulfils its charitable object to provide education.

The Trust is the overall governance body. As such, it has responsibility for a range of academies (the academies) at different stages of development and financial stability. The Board of Trustees (the Trust Board) has accountability for standards of performance and financial security across all academies in the Trust. However, the Trustees believe that when local Academy Governing Boards (the Academy Governing Boards or AGBs) are carefully selected, have the requisite skills and access to high quality training they are capable of providing highly effective challenge and support to the leadership teams within the Academies. Therefore, the Trustees have chosen to delegate some specific responsibilities to AGBs; these responsibilities are specified in section 5.

In cases where there are emerging weaknesses or significant challenges, then additional support and intervention will be swiftly secured, drawing upon the wealth of experience and skills across the Trust and through access to high quality partners. Where an Academy Governing Board or academy leadership team continues to be ineffective or an individual is not making the expected contribution then the Trust Board will intervene to ensure the necessary changes take place swiftly.

The principles for the governance of the Trust:

- The Members underpin the governance of the Trust (see section 3 for a detailed description of their role).
- The Board of Trustees, the CEO and the Academy Governing Boards will work collaboratively and in partnership at all times.
- All those with a governance or leadership responsibility share a common vision and purpose.
- Effective governance relies on trust and understanding and there will be openness and transparency in all matters with appropriate consultation, reporting and feedback to ensure the objectives of the Trust are met.
- The Board of Trustees will ensure clarity for all different levels of decision making.
- The Board of Trustees will promote a culture of honesty and accountability.
- Decisions are to be taken at the level nearest to those affected by those decisions avoiding unnecessary bureaucracy and aiming in so far as possible to make changes to established practices only where it can be demonstrated there is a reasonable need.
- Academy Governing Boards and headteachers will have delegation of responsibility and decision making for the strategic direction and day-to-day operation of their academies unless there is a cause for concern.
- The Board of Trustees takes risk management seriously and will ensure a framework for identifying and managing risk is in place embedding risk management at every level of governance and operation.
- All those with governance or leadership responsibilities should act with integrity, objectivity and honesty and in the best interests of the Trust/academy, be open about the decisions made and the actions taken and be prepared to explain their decisions and actions to interested parties.
- The Board of Trustees will consult Academy Governing Boards on any changes to the principles underpinning this Scheme of Delegation
- The Board of Trustees will ensure the academies are sufficiently accountable to their local communities.
- The Board of Trustees will ensure transparency of decision-making through appropriate communication between all levels and structures of governance and provide mechanisms for enabling the Trust Board to understand and respond to the voices of parents/carers, pupils, staff, local communities and employers.
- The Board of Trustees will ensure procedures are in place to prevent conflicts of interest from affecting decision making at all levels by removing them or managing them as appropriate.

The Board of Trustees retains overall accountability, responsibility and ultimate decision making authority for all the work of the Trust regardless of delegation

outlined within this document; in line with the direct responsibility to the Members to ensure the Trust’s charitable objects are met and to the Secretary of State for Education as the Principal Regulator.

Therefore the Board of Trustees is ultimately entitled to:

- overrule a decision of the Academy Governing Board
- remove delegated powers from the Academy Governing Board
- in the most serious of situations, replace or suspend an Academy Governing Board

Where schools do not follow the Scheme of Delegation an investigation will take place and the outcome decided on a case by case basis; this could result in one of the above actions.

1.3 Review

In order to keep this document relevant and up to date, it links to documents on the Trust’s website and other sources. This document and the associated documents on the website will be formally reviewed regularly by the Trust Board and at least annually in the first years of the Trust’s operation. The Board of Trustees commits to reviewing and developing the governance structures to take into account the dynamic environment of education and best practice.

Any representations regarding proposed changes to the Scheme of Delegation will firstly be considered by the appropriate subcommittee of the Trust Board before any recommendations are made to the full Board of Trustees.

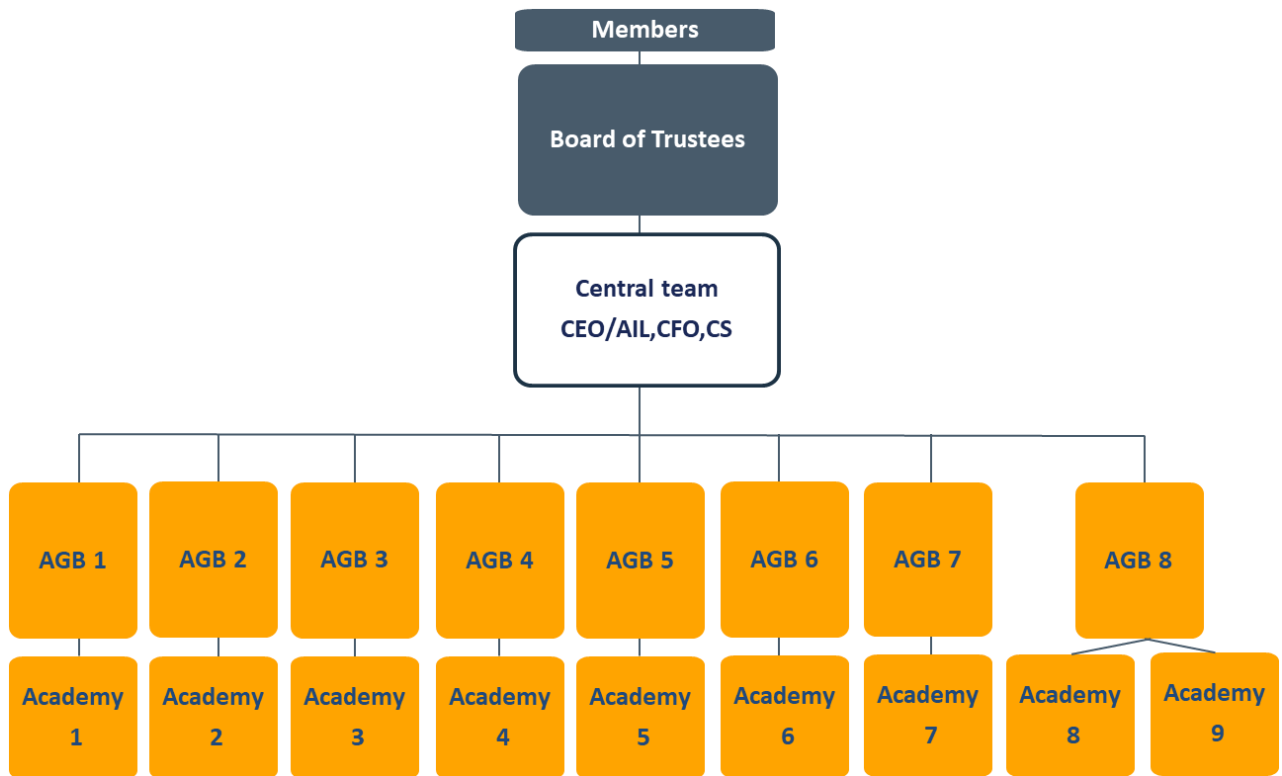
1.4 Legal Framework and Guidance

This document is consistent with current DfE policy and reflects the obligations on the Trustees imposed under both company law and charity law and acknowledges the status of the Trust as a public body. It reflects current guidance including (but not limited to) the following:

- A. [Academy Trust Handbook](#) (DfE)
- B. [Governance Handbook and Competency Framework](#) (DfE)
- C. [Keeping Children Safe in Education](#) (DfE)
- D. [Admissions Code](#) (DfE)

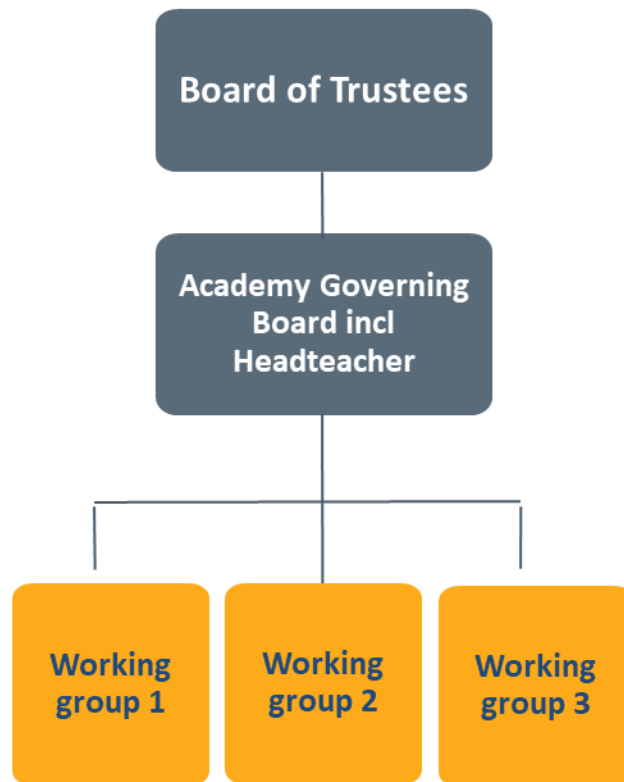
2. STRUCTURES

2.1 Structure



Note: number of schools as at 1 September 2022

2.2 Academy Governing Board Structures



Note: AGBs are not expected to establish any formal sub-committees but may establish regular working groups to deliver a specific project or support the work of the AGB.

For details of the academies within the Trust and links to their websites and individual governance arrangements please refer to the [Academies](#) section of our website.

3. MEMBERS

3.1 Introduction

The Members are the guardians of the Trust's constitution, determining the principles of the Trust's governance structure and providing oversight and challenge of the Trustees to ensure the charitable object of the Trust is being fulfilled.

The Members are distinct from the Trustees and are appointed in accordance with the Trust's Articles of Association.

Members have an overview of the governance arrangements of the Trust and have the power to appoint Trustees and remove these Trustees.

3.2 Number of Members

The Trust's Articles state that 'at any time the minimum number of Members shall not be less than three'. The DfE recommend at least five Members in total, as this:

- ensures enough Members can take decisions via special resolution (which requires 75% of Members to agree) without requiring unanimity; and
- facilitates majority decisions being taken by ordinary resolution (which requires a majority of Members to agree).

3.3 Role of Members

The role of the Members is to:

1. Ensure that the objects of the Trust, as set out in the Articles of Association, are met
2. Ensure that the income and property of the Trust are used only to promote these objects
3. Promote the values and vision of the Trust
4. Oversee the principles of the governance arrangements
5. Take part in annual and extraordinary general meetings
6. Appoint the Trust's auditors and receive the trust's audited annual accounts
7. Sign off/amend the Articles of Association
8. Appoint some of the Trustees under Article 50 of the Trust's Articles of

Association

9. Remove some of the Trustees under Article 66 of the Trust's Articles of Association
10. Establish clear and effective lines of communication with the Trustees in order to effectively undertake Members' responsibilities

3.4 Appointment of Members

Employees of the Trust cannot be appointed as Members. Members comprise the original signatories of the Memorandum and any Member appointed by special resolution of the Members (under Article 15A). Members may also remove Members (see Articles 12 to 16 for further detail).

There is no specific term of office for Members; once a person has been appointed as a Member, he or she remains one indefinitely, until a specific event occurs. Article 18 allows for any Member to resign by handing a signed notice to the Trust or his or her membership may be terminated under Article 15. A Member ceases to hold his or her post once the Trust receives the notice. However, the Articles state that the resignation cannot take effect if it results in the number of Members being less than three, unless the resignation is accompanied by the appointment of a replacement Member.

3.5 Information from the Board of Trustees

Members will receive all minutes of meetings of the Board of Trustees, which Members may be invited to attend and at which they have speaking rights but no voting rights (unless they are also a Trustee); Members may also be invited to committee and working party meetings. Members should be in an informed position so that they can provide objective challenge, without taking an active role in Board decisions and operations; they will be 'eyes on hands off'.

3.6 Member Details

The Trust's structure includes five Members.

For details of the current Members please see the [Our Members and Trustees](#) page of the Agora Learning Partnership website.

4. BOARD OF TRUSTEES

4.1 Introduction

The Trustees oversee the management and administration of the Trust and the Academies run by the Trust.

The Articles have made provision for up to twelve Trustees to be appointed. Appointments are made following a skills audit to ensure that the Board of Trustees continues to have the breadth and depth of experience and expertise to expertly fulfil all the functions of governance.

The Board of Trustees is subject to the duties and responsibilities of charitable trustees and company directors as well as any other conditions that the Secretary of State agrees with them.

The corporate management and “trustee” responsibility for the Trust is vested in the “Trustees”, who will also be the company directors registered with Companies House. The Trustees are personally responsible for the actions of the Trust and the academies and are accountable to the Members of the Trust, the Secretary of State for Education and the wider community for the quality of the education received by all pupils of the academies and the expenditure of public money. The Trustees are required as trustees and pursuant to the Funding Agreements to have systems in place through which they can assure themselves of the quality, safety and good practice of the affairs of the Trust.

The Board of Trustees has three core functions:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding executive leaders to account for the educational performance of the Trust and its pupils, and the performance management of staff; and
- Overseeing the financial performance of the Trust and making sure its money is well spent.

DfE, Governors Handbook, March 2019

4.2 Role of Trustees

The role of the Trust Board and the Trustees collectively is to

4.2.1 *Clarity of vision and values:*

- a. determine in consultation with stakeholders, the vision, values and ethos of the Trust
- b. ensure that the Trust ethos, vision and values are consistently adhered to and that they underpin strategic decision making

4.2.2 Strategic oversight and overall performance

- a. provide strategic leadership and governance, determine the strategic vision and the overarching strategic plan of the Trust
- b. approve a three-to-five year strategic plan that defines medium to long-term strategic goals, plans for future growth and development and improvement priorities which are understood by all in the organisation
- c. monitor and review progress against the plan and strategic goals
- d. initiate and lead strategic change when this is in the best interests of children, young people and the organisation, and to champion the reasons for, and benefits of, change to all stakeholders;
- e. approve Trust wide strategic and operational policies (including determining admissions policies), ensuring they are compliant with legislation and DfE guidance and monitor their impact
- f. ensure policy and procedures are followed with regard to any complaints or appeals and act as final decision maker where appropriate
- g. review annually the Trust's governance arrangements and documents, including the scheme of delegation
- h. appoint the CEO and represent the Trust Board in other appointments to the executive team (according to the Trust's procedure for staff appointments)
- i. appoint the company secretary
- j. represent the Board on recruitment panels for the appointment of headteachers (according to the Trust's procedure for staff appointments)
- k. support and promote the development and building of leadership and governance capacity across the Trust
- l. develop effective links within the Trust's community, communicating openly and ensuring clear flows of communication across the Trust and with external partners
- m. ensure that all academies meet their responsibilities for the safeguarding and education of all pupils as outlined in the Trust's model policy for child protection.
- n. promote close links with individual academies through their AGB and through the Trust's system of linked Trustees to actively take into account and respond to the issues and risks they identify and escalate
- o. take responsibility for ensuring there is always a link between governance and the parent community
- p. ensure that key duties are undertaken effectively across the organisation such as safeguarding, inclusion, special education needs and disability (SEND), and monitoring and oversight of the impact of pupil premium and other targeted funding streams

- q. ensure an understanding of, and adherence to, responsibilities under the Equalities Act, setting equalities targets and promoting equality and diversity throughout the organisation including in relation to its own operation
- r. Monitor the executive team and academy senior leaders' plans for the development of staff training programmes and a range of opportunities for professional and career development for all staff employed by the Trust
- s. promote collaboration between the academies to actively seek opportunities for the academies to work together to benefit from:
 - sharing and implementing best practice and evidence based research findings
 - shared services and resources where appropriate
 - a broader range of opportunities for children creating the conditions for innovative thinking and incubation of new ideas

4.2.3 Accountability for educational standards and outcomes

- a. determine overall curriculum priorities
- b. set expectations through performance benchmarks and key performance indicators for educational standards; regularly monitoring progress and providing challenge, support or determining levels of intervention
- c. ensure regular analysis and reporting of a wide range of performance data takes place across the Trust and that any mitigating actions are implemented with pace

4.2.4 Accountability for financial standards and compliance, financial viability and risk management

- a. set the overall Trust budget and approve Academy budgets, ensuring financial viability of individual Academies and the overall Trust
- b. ensure the Trust and the Academies comply with their legal financial obligations, all ESFA policy and procedures, and requirements for financial reporting of academies
- c. ensure all financial accounting processes and procedures are robust and adhered to, that the accounts are properly audited and that the scheme of delegation is in place, adhered to and kept under review
- d. determine the Trust's reserves/contingency policy
- e. ensure appropriate insurance or risk cover is put in place
- f. monitor and oversee the implementation of any Academy financial action plans
- g. approve site and asset management strategies
- h. oversee any significant capital expenditure and building projects

- i. approve all funding applications with a value over £10,000
- j. monitor the Trust's plans to ensure that the expectations of performance and compliance as specified in the current Ofsted Inspection Handbook are met
- k. ensure the Trust is compliant with the requirements of data protection legislation
- l. ensure the Trust publishes information required by the Trust's master funding agreement and the DfE on their website, including an up-to-date register of interests for all Trustees and the Executive
- m. develop and implement a risk management strategy, commissioning internal audit work as appropriate
- n. agree Trust wide risks and the plans to mitigate them, ensuring that risks are aligned with strategic priorities and improvement plans and that appropriate intervention strategies are in place and embed risk management at every level of governance
- o. ensure robust due-diligence procedures for schools applying to join the Trust and use the findings to inform decisions on approving conversion or sponsor applications
- p. ensure the skill set necessary for Trust governance is in place

4.2.5 Support and challenge

- a. provide robust challenge and appropriate support in the 'critical friend' role to the executive team
- b. review progress against the priorities in the strategic plan
- c. performance appraise the CEO, linked to defined strategic priorities
- d. ensure performance management of headteachers and other senior leaders is carried out according to the Trust's Pay and Appraisal policy
- e. have an effective oversight of the performance of other employees and the framework for their pay and conditions of service
- f. consider the workload and wellbeing of the executive team
- g. ensure that the executive leaders consider the workload and well-being of all staff in the Trust

Chair's permission to act in cases of urgency

The chair is permitted to act in cases of urgency where a delay in exercising the function would be likely to be seriously detrimental to the interests of the Trust, an

academy, pupil, parent or member of staff¹.

4.3 Code of Conduct and competencies

All Trustees are expected to follow the Trust's Code of Conduct (Trustees) and all employees are expected to follow the Code of Conduct (employees).

All Trustees are expected to understand the purpose of governance and the role of non-executive leadership and have all the necessary skills, as outlined in the *DfE's Competency frameworks: for governance and professional clerking*, to deliver it well.

4.4 Review of the Effectiveness of the Board of Trustees

The Board of Trustees will ensure the following are in place:

- a. an effective chair and vice-chair with the ability to provide visionary strategic non-executive leadership
- b. processes for regular self-evaluation and review of individuals' contribution to the Trust Board as well of the Trust Board's overall operation and effectiveness, commissioning external reviews where appropriate
- c. active succession planning to ensure the Trust Board, and the whole organisation, continues to have the people and leadership it needs to remain effective. It will carry out regular skills audits, aligned to the organisation's strategic plan, to identify skill and knowledge gaps, define recruitment needs and inform a planned cycle of continuous professional development (CPD) activity including appropriate induction for those new to governance or to the Trust Board.
- d. an effective robust and transparent recruitment process against a clear articulation of required skills which are set out in a role specification
- e. the employment of a company secretary to provide expert advice and guidance and to ensure the efficient and compliant operation of the board, including documentation which accurately captures evidence of the board's discussions and decisions as well as the evaluation of its impact and which complies with legal requirements for document retention.
- f. clear separation between strategic non-executive oversight and operational executive leadership which is supported by positive relationships that encourage a professional culture and ethos across the organisation
- g. significant separation between members and trustees to enable members to exercise their powers objectively

¹ *Business continuity during Covid-19: The Chair's permission to act in cases of emergency is extended until further notice to the Vice-Chair of the Board and the Chairs of the Human Resources/Standards and Curriculum and Finance, Audit, Risk and Estates Committees.*

4.5 Trustees and Chairs of Academy Governing Boards

The Trust Board expects to meet with Chairs of Academy Governing Boards on a regular basis as part of joint professional development and through Trust events.

4.6 Board Subcommittees

Article 101 provides for the appointment by the Trustees of committees to whom the Trustees may delegate certain of the functions of the Trust Board.

The Trust Board operates with four central subcommittees:

- a. Finance, Audit, Risk and Estates (FARE)
- b. Human Resources (HR)
- c. Standards and Curriculum (SC)
- d. Remuneration

All Academy Governing Boards are also effectively subcommittees of the Board of Trustees.

The terms of reference for the committees can be found in the Appendices.

4.7 Trustee Details

For details of the current Trustees please see the [Our Members and Trustees](#) page of the Agora Learning Partnership website.

5. ACADEMY GOVERNING BOARDS

5.1 Introduction

Academy Governing Boards are local governing committees with new functions and different delegated responsibilities and accountabilities. Their role is to steer, challenge and support the leadership at a local level, to contribute to the success of their academy and to recommend and contribute to the work of the Trust thereby benefitting all academies across the Trust.

Those serving on an Academy Governing Board, referred to as “Governors” (**the Governors**), will be appointed by the Trust Board, unless serving in elected roles.

As schools join the Trust it is expected that they will bring some existing effective local governance arrangements with them but will be required to make some changes to the terms of reference of the local governing body to convert to an Academy Governing Board which reflects the governance arrangements put in place by the Trust Board. A review of skills and capacity will be undertaken upon joining the Trust and appropriate training provided.

The Chair of the Board of Trustees and the CEO hold the chairs of Academy Governing Boards and the headteachers to account with a collective responsibility for standards across the Trust.

5.2 Role of Academy Governing Board

The role of the Academy Governing Board and the Governors collectively is to:

5.2.1 *Clarity of vision and values*

- a. determine, in consultation with local stakeholders, a vision and set of values for the academy which underpins and promotes and is consistent with the overall ethos of the Trust, and which also maintains the distinctive character of the academy and the needs of its community
- b. ensure that the Trust’s and the academy’s vision and values are consistently adhered to and that they underpin local strategic decision making

5.2.2 *Strategic oversight and overall performance*

- a. provide local governance and strategic direction for the academy which is consistent with the strategic direction of the Trust
- b. champion the Trust’s vision and values and monitor how the academy fulfils the vision and ethos of the Trust in so far as it relates to the academy
- c. determine the educational character, mission and ethos of the academy reflecting the wider character, mission and ethos of the Trust

- d. contribute to developing the academy's strategic improvement plan annually and ensure that it reflects Trust priorities as they apply to the local context
- e. approve the academy improvement plan (AIP) and monitor progress against the priorities
- f. adopt Trust wide policies at local level and approve/review local academy policies which the Trust Board has indicated should be formulated at academy level (including behaviour), ensuring they are compliant with any relevant legislation
- g. manage admissions and exclusions according to Trust policy
- h. understand the academy's strengths and areas for development and approve a self-evaluation statement at least annually (SEF)
- i. support the CEO and headteacher in the development and review (from time to time) of an appropriate staffing structure for the academy
- j. support the academy headteacher in recruitment processes for teaching and support staff, ensuring all legal requirements are met and DfE guidance followed
- k. Support the Trust Board and CEO in the appointment process for the school's headteacher and represent the AGB on headteacher recruitment panels (according to the Trust's procedure for staff appointments)
- l. support the Trust Board in its monitoring and evaluation of the delivery of any central or shared services and functions provided or procured by the Trust for the academies, reporting any issues or concerns to the CEO and, if necessary, the Chair of the Trust Board
- m. seek the views of local stakeholders at least annually, including pupils, parents and staff, and ensure that views are taken into account when shaping local policy and practice
- n. develop effective links within the academy's community, monitoring how well the academy is serving the community's needs in relation to the safeguarding, education and wellbeing of its pupils
- o. promote the benefits of collaboration with the other academies and to actively seek opportunities to work together either with the aim of improving economic efficiencies within the academies or identifying and implementing best practice
- p. engage fully and openly with any monitoring activities or inspection of the academy, whether by the Trust Board, Ofsted or any other appropriate public body to whom the academy is accountable, supporting the CEO and the Trustees in providing the necessary background and local context in respect of the academy and its performance in line with objectives and against target
- q. ensure the provision of free school meals to those pupils meeting the criteria
- r. ensure the academy actively promotes diversity, equity and inclusion and set and monitor equalities targets for the academy, reflecting the targets set by Trustees for the Trust as a whole

5.2.3 Accountability for educational standards and outcomes

- a. determine the intent and implementation of the academy's curriculum in the local context, within the Trust's expectation that all primary academies will teach the Primary National Curriculum and within any other curriculum parameters set by the Trust (including the personal development and emotional health and wellbeing of the pupils)
- b. set local academy expectations and performance targets and benchmark them against national key performance indicators for educational standards; regularly monitoring progress and providing challenge, support or working with the executive team to determine levels of intervention
- c. ensure regular analysis and reporting of a wide range of performance data and that any mitigating actions are implemented with pace (including attendance and exclusions)
- d. ensure effective processes are in place for monitoring the quality assurance of teaching and learning, the curriculum, inclusion and the sharing of good practice across the academy

5.2.4 Accountability for financial standards and compliance, financial viability and risk management

- a. agree academy risks and monitor plans to mitigate them using the Trust's framework
- b. recommend an annual and a three-year budget that aligns with the priorities in the AIP
- c. monitor the academy's delegated budget with a focus on income, expenditure, in-year variances and cash flow, ensuring effective financial management, in line with section nine of this scheme
- d. approve the academy's plans for the use of discretionary budgets including the Pupil Premium Grant (PPG), Sports Premium and a capital programme and monitor the impact of the use of these funds
- e. enter into contracts up to the limits of delegation and within the agreed budget
- f. ensure adherence to the Trust's Scheme of Financial Delegation and Finance Manual for Academies in all local decision making for expenditure
- g. monitor academy leaders' compliance with their legal obligations as specified in the Academy Trust Handbook (DfE), the funding agreement and in line with law including employment and GDPR
- h. monitor academy leaders' compliance with all safeguarding regulations (including the single central record) and promotion of a safeguarding culture across the school community
- i. undertake all roles and responsibilities as outlined in the Trust's model policy for child protection

- j. work openly with the CFO and Trust finance managers to ensure accounting processes and procedures are robust and adhered to, including providing any information required as part of auditing processes
- k. work openly with the CFO to monitor and implement any academy financial action plans
- l. contribute to discussions on the approval of site and asset management strategies
- m. with the CFO and COO, contribute to decisions about any significant capital expenditure and building projects
- n. monitor the skills set of governors and hold governors to account for attending relevant and/or required training
- o. monitor the Trust's plans to ensure that the expectations of performance and compliance as specified in the current Ofsted Inspection Handbook are met
- p. ensure minutes of AGB and working group meetings are uploaded to Governor Hub in a timely manner and accurately record the business of the meeting
- q. ensure the academy publishes information required by the Academy's funding agreement and the DfE on their website, including an up to date register of interests for all governors and senior school leaders
- r. agree an annual workplan that outlines the schedule for the fulfilment of the AGB's monitoring and reporting arrangements for the year

5.2.5 Support and challenge

- a. provide robust challenge and appropriate support in the 'critical friend' role to the academy senior leadership team
- b. challenge leaders about variances against budget and projected outturn at least termly
- c. contribute to the performance appraisal of the academy headteacher, supporting the CEO or AIL to set challenging performance targets. Conduct a mid-year review of progress against the targets and provide a written report to the CEO
- d. ensure that the academy senior leadership team carry out performance management of academy staff according to the Trust's Pay and Appraisal policy and that the performance objectives are linked to academy improvement priorities
- e. take account of reports from the executive team and any external reports so that governors have information from an external perspective enabling them to support and challenge academy leaders to address any priorities identified and any agreed actions in the reports
- f. ensure that academy's senior leaders consider the workload and wellbeing of all staff in the academy

5.3 Core Competencies

The following are the core competencies and skills expected of the Governors:

- a. to work as a team
- b. to attend meetings and be prepared to contribute to discussions and commit to agreed actions
- c. to be respectful of the views of others and to be open to new ideas and thoughts
- d. to treat all confidential information confidentially
- e. to act with integrity, avoiding any personal conflicts of interest and complying with the Trust's Conflict of Interest requirements
- f. to develop a deep understanding of the vision and ethos of the Trust and its academies and the roles played by all individuals in fulfilment of the Trust's mission
- g. to understand the policies and procedures of the Trust and how these operate consistently across the Trust
- h. to support the Trust in any public forum and act as an ambassador of the Trust and the academies
- i. to commit to training and skills development
- j. to be focussed on problem solving and be ready to learn from past experiences

5.4 Review of the Effectiveness of the Academy Governing Board

The Academy Governing Board will ensure the following are in place:

- a. processes for regular self-evaluation and review of individuals' contribution to the AGB as well of the AGB's overall operation and effectiveness, having regard to any guidance or direction issued by the Trust Board
- b. an active succession plan formulated in partnership with the Trust Board to ensure the AGB continues to have the people and leadership it needs to remain effective
- c. a regular skills audit, aligned to the Trust and the Academy's strategic plan, to identify skill and knowledge gaps, define recruitment needs and inform a planned cycle of continuous professional development (CPD) activity including appropriate induction for those new to governance or to the Academy Governing Board

5.5 Intervention

The Board of Trustees remains ultimately responsible for the Trust and the conduct of the academies within the Trust. The operation of the various elements of governance outlined in this Scheme of Delegation are crucial to the success of the Trust. However, there will be exceptional circumstances where the Board of Trustees might need to intervene and, for example, withdraw delegated authority of a particular element of AGB governance.

In such circumstances, the Board of Trustees, along with the Executive, would work closely with any academies concerned and those involved in their governance who would be expected to promptly implement any advice or recommendations made by the Board of Trustees and the Executive.

The Board of Trustees reserves the right to review or remove any power or responsibility which it has delegated in this Scheme or the AGB Terms of Reference, in particular, in circumstances where serious concerns in the running of an academy in the Trust (or academies) are identified, including where:

- there are concerns about financial matters;
- insufficient progress is being made against educational targets (including where intervention by the Secretary of State is being considered or carried out);
- there has been a breakdown in the way the academy is managed or governed; or
- the safety of pupils or staff is threatened, including a breakdown of discipline.

Where necessary, the Board of Trustees will put in place for an appropriate period of time an intervention board, whose responsibility it will be to address the areas of weakness.

5.6 Appointment of Governors and Terms of Reference

Each Academy Governing Board (AGB) comprises a minimum of nine and a maximum of twelve members (which we refer to as governors). All governors are, technically, appointed by the Board of Trustees. The governor appointment process and the composition of each AGB, which includes elected parent and staff governors, is outlined in the Terms of Reference for Academy Governing Boards, which can be found in the Appendices. The process of Trust approval of the appointment of the Chair of the Academy Governing Board is also outlined in the Terms of Reference for Academy Governing Boards.

5.7 Academy Governing Board working groups

The Academy Governing Boards are not expected to establish any formal sub-committees but may establish regular working groups to deliver a specific project or support the work of the AGB.

The establishment of any new committees other than temporary, ad hoc committees required to deal with specific issues, must be agreed in advance with the CEO.

5.8 Governor Details

For details of the current governors for each Academy please see the links to the individual academy websites on the [Academies page](#) of the Agora Learning Partnership website.

6 THE EXECUTIVE

6.1 Role of the Executive team

The role of the Executive team collectively is to:

6.1.1 *Clarity of Vision and Values:*

- a. implement the vision and values of the Trust as agreed by the Trust Board
- b. ensure that the Trust ethos, vision and values are consistently adhered to and that they underpin strategic decision making
- c. disseminate the vision and values to AGBs and individual academies and ensure they are understood and that they underpin the work of each academy in the Trust

6.1.2 *Strategic oversight and overall performance*

- a. develop a strategic Trust plan for approval by the Trust Board
- b. construct an annual Trust budget and 3 year financial plan for approval by the Trust Board
- c. develop plans to support schools to understand and meet the expectations of the current Ofsted Framework
- d. monitor individual academy performance and take swift action to provide additional support and intervention
- e. create and maintain a culture of safeguarding across the Trust and monitor school's work in this area, as outlined in the Trust's model policy for child protection.
- f. identify key Trust-wide risks and maintain the Trust's risk register
- g. ensure the Trust's data protection processes are compliant with data protection legislation

6.1.3 *Management*

- a. comply with statutory obligations and mitigate key risks to the Trust
- b. implement Board decisions and develop the agreed vision to:
 - create a culture of safeguarding across the Trust
 - ensure excellent opportunities for staff, children and the community
- c. develop strategies that address the workload and wellbeing of staff at each level of the Trust
- d. organise local governance arrangements and ensure the necessary skills sets are available
- e. recruit and appraise suitably qualified leaders for the Trust and each academy

- f. communicate with academy leaders, AGB, staff and the wider community (including the DfE, ESFA etc.), networking widely in the interests of the Trust
- g. generate additional income and organise joint procurement ensuring best value for the Trust
- h. analyse monthly management accounts, understand variances and take action with academy headteachers to operate within agreed budgets
- i. formulate capital bids and monitor delivery
- j. support academies in preparing for inspection and meeting the expectations of the current Ofsted framework
- k. monitor the effectiveness of the academy leaders and the AGB and take action where necessary
- l. support academies in developing budgets and associated curriculum organisation and staffing
- m. advise the AGB on the suitability and accuracy of the SEF and AIP
- n. ensure the Trust's financial processes are compliant with the Academy Trust handbook (DfE) and this Scheme of Delegation
- o. manage the Trust's activities on a day-to-day basis

6.1.4 Reporting

- a. prepare papers, data and analysis for the Board
- b. maintain a trust-wide risk register
- c. prepare papers, data and analysis for the annual meeting with the Regional Schools Commissioner (RSC)
- d. contact the AGB *by exception* on matters of concern regarding: outcomes; provision; finance; regularity; and safeguarding
- e. convene a monthly meeting of Trust Senior Leaders (TSLs) to facilitate information sharing and reporting
- f. meet with chairs of AGBs termly to facilitate information sharing and reporting

7 THE ACADEMY HEADTEACHER

7.1 Role of the academy headteacher

The role of the academy headteacher is to:

7.1.1 *Clarity of Vision and values*

- a. work with the AGB to determine, in consultation with local stakeholders, a vision and set of values which underpins and promotes and is consistent with the overall ethos of the Trust, and which also maintains the distinctive character of the academy and the needs of its community
- b. ensure that academy members of staff understand the academy vision and values and that they consistently adhere to them in all aspects of their work

7.1.2 *Strategic oversight and overall performance*

- a. develop an annual academy improvement plan (AIP), in conjunction with the AGB, that addresses the school's priorities for development, including improvements in educational outcomes, and that takes into account and is consistent with overall Trust improvement priorities
- b. put in place a robust, challenging and appropriate curriculum intent and plans for its implementation that fulfil the expectations of the Primary National Curriculum (intent and implementation) and Trust wide curriculum priorities
- c. monitor the impact of the curriculum and report to the AGB and CEO termly
- d. ensure that the academy staffing structure is able to deliver the priorities in the AIP and the expectations of the academy's curriculum
- e. construct an annual and a three-year budget that aligns with the priorities in the AIP
- f. identify key risks to the academy and maintain an academy risk register
- g. create and maintain a robust culture of safeguarding in the academy and ensure all statutory responsibilities are met as outlined in the Trust's model policy for child protection.
- h. ensure all statutory requirements with regard to SEND, Inclusion and Equalities are met
- i. ensure the academy's data protection processes are compliant with data protection legislation

7.1.3 *Management:*

- a. comply with statutory obligations and mitigate key risks to the academy
- b. implement Trust and AGB decisions and develop the agreed vision in the academy

- c. ensure excellent opportunities and standards of pupil behaviour and engagement
- d. ensure that the Trust and local academy policies on pay and appraisal are followed and that all staff have challenging performance objectives and appropriate development to help them meet those objectives
- e. implement strategies that address the workload and wellbeing of staff at the academy
- f. work with the AGB to seek the views of pupils, parents and staff and ensure that views are taken into account, where appropriate, when developing improvement plans and/or policies and procedures
- g. communicate with staff, parents and the community and network widely in the best interests of the academy
- h. operate within the agreed academy budget and generate additional income
- i. manage local capital projects
- j. prepare the academy for inspection and take action to meet the expectations of the current Ofsted framework
- k. deliver the curriculum intent and monitor the impact of its implementation on engagement, behaviour and outcomes
- l. manage the academy's activities on a day-to-day basis

7.1.4 Reporting

- a. prepare papers, data and analysis for the AGB and Executive
- b. maintain an academy risk register
- c. attend monthly Trust Senior Leadership meetings
- d. ensure the governors and the CEO are informed about complaints, safeguarding issues, exclusions etc. in line with Trust and academy policies

8. PROCUREMENT AND STRATEGIC SUPPORT

The Trust's procurement framework will ensure economy, efficiency and value for money, and will be compliant with the public procurement framework. The Trust's Competitive Tendering Policy can be found on the Trust's [website](#).

The four levels of procurement are:

1. Centrally provided services

A small but significant range of services are provided centrally and are common to all academies within the Trust, ensuring consistency and quality across the Trust. These services are paid for by a percentage contribution from all academies. Further

information regarding the contributions can be found in Appendix G (available on request).

2. Centrally procured services

Other services may be procured centrally but offered on an optional basis. The Trust's buying power may create efficiencies that individual academies would like to take advantage of, or may opt to continue to use their own preferred supplier.

3. Group level procured services

Some services may be used more heavily in one geographical area but less so in another. Where academies within an area wish to procure a product or service to achieve consistency, efficiency or economies of scale at local level, the Executive will assist with the process of procurement and any local level SLAs.

4. Individual Academy procurement

All other decisions regarding purchase of services and products are made at individual academy level by either the Academy Governing Board or academy headteacher based on the financial controls and procurement policies and practices set out in this Scheme of Delegation and in operation within the Trust.

9. FINANCIAL DELEGATED AUTHORITY

All organisations within the Trust are expected to spend according to the purpose intended, to ensure there is probity (i.e. working with integrity and being transparent) in the use of public funds and that spending decisions represent value for money (spending wisely, minimising the costs of resources used for a good service or product).

| Delegation Duty | Value (over life of contract) | Delegation Authority | Procurement Requirement |
|---|-------------------------------|--|-----------------------------|
| Goods and services | | | |
| 9.1 In budget ordering goods and services, raising requisitions and asset purchases | Up to £5,000 | Headteacher, deputy headteacher | Obtain three written quotes |
| | Up to £10,000 | Headteacher | |
| | Up to £20,000 | Academy Governing Board | |
| | Up to £30,000 | CEO | |
| | Up to £50,000 | Finance, Audit, Risk and Estates Committee | |
| | Over £50,000 | Trust Board | |
| 9.2a Unbudgeted, but with offset within the current in-year approved final budget only, ordering goods and services, raising requisitions and asset purchases 9.2b Ordering goods and services, raising requisitions and asset purchases funded by unbudgeted ring-fenced income (e.g. Covid-catch up, SEND) | Up to £2,500 | Headteacher, deputy headteacher | Obtain three written quotes |
| | Up to £5,000 | Headteacher | |
| | Up to £10,000 | Academy Governing Board | |
| | Up to £15,000 | CEO | |
| | Up to £25,000 | Finance, Audit, Risk and Estates Committee | |
| | Over £25,000 | Trust Board | |
| | Up to £5,000 | CEO | Obtain three written quotes |
| | Up to £10,000 | Finance, Audit, Risk and Estates Committee | |

| Delegation Duty | Value (over life of contract) | Delegation Authority | Procurement Requirement |
|--|-------------------------------|--|--|
| 9.3 Unbudgeted, ordering goods and services, raising requisitions and asset purchases | Over £10,000 | Trust Board | |
| Financial signatories | | | |
| 9.4 Signatories of cheques, BACS payments and bank transfers | Any | Two signatories, with appropriate separation of duties and organisational responsibilities | On production of an invoice or receipt and relevant approval authority to purchase |
| Assets | | | |
| 9.5 Disposal of Assets (value as on balance sheet) | Up to £2,000 | Headteacher | On the receipt of a report from central finance team, requested by academy |
| | Up to £5,000 | Academy Governing Board | |
| | Up to £10,000 | CEO | |
| | Up to £20,000 | Finance, Audit, Risk and Estates Committee | |
| | Over £30,000 | Trust Board | |
| Borrowing | | | |
| 9.6 Borrowing | All | Trust Board | On the production of a report from CEO and central finance team |
| Property/leases | | | |
| 9.7 Non Property Leases (e.g. photocopier leases) (value over the life of the lease, until renewal date) | Up to £10,000 | CEO | On the production of a report from CEO and central finance team |
| | Up to £20,000 | Finance, Audit, Risk and Estates Committee | |
| | Over £20,000 | Trust Board | |
| 9.8 Purchase of Property | All | Trust Board | On the production of a report from CEO, central finance team and solicitors |
| 9.9 Leasehold or Tenancy Agreement | All | Trust Board | |
| Staffing | | | |

| Delegation Duty | Value (over life of contract) | Delegation Authority | Procurement Requirement |
|---|-------------------------------|--|--|
| 9.10 Appointments 9.10a. Appointments within current structure and budget | All | Headteacher | |
| 9.10b. Appointments within current structure but unbudgeted (eg higher salary/costs) with offset within current year's budget – variance 9.10c. Appointments funded from ring-fenced funding | Up to £2,500 | Headteacher, deputy headteacher | |
| | Up to £5,000 | Headteacher | |
| | Up to £10,000 | Academy Governing Board | |
| | Up to £15,000 | CEO | |
| | Up to £25,000 | Finance, Audit, Risk and Estates Committee | |
| 9.10d. Appointments within current structure but unbudgeted (eg higher salary/costs) with no offset - variance 9.10e. Appointments not within current structure | Over £25,000 | Trust Board | |
| 9.10d. Appointments within current structure but unbudgeted (eg higher salary/costs) with no offset - variance 9.10e. Appointments not within current structure | Up to £5,000 | CEO | |
| | Up to £10,000 | Finance, Audit, Risk and Estates Committee | |
| | Over £10,000 | Trust Board | |
| 9.11 IR35 Determine employee status for all individuals working on behalf of the Trust/academy, using the HMRC check employment status for tax and completing any associated actions relating to the HMRC test outcome. | All | CFO/Headteacher (as applicable) | Ensure compliance with current legislation |
| 9.12 Severance payment | Up to £10,000 | CEO | On the production of a report and the relevant paperwork from headteacher, central |
| | Up to £20,000 | Finance, Audit, Risk and Estates Committee | |
| | Over £20,000 | Trust Board | |

| Delegation Duty | Value (over life of contract) | Delegation Authority | Procurement Requirement |
|--|-------------------------------|--|---|
| | | | finance team and, if relevant, the academy's solicitors |
| Contracts | | | |
| 9.13 Financial contracts Signing of financial contracts (value over the life of the contract, until renewal date) | Up to £5,000 | Headteacher | Note: all contracts require review at least every 3 to 5 years, minuted in AGB minutes |
| | Up to £10,000 | Academy Governing Board | Minimum of three written quotes Review by CFO before signature Note: all contracts require review at least every 3 to 5 years, minuted in AGB minutes |
| | Up to £20,000 | CEO | Minimum of three written quotes |
| | Up to £30,000 | Finance, Audit, Risk and Estates Committee | Review by solicitor before signature |
| | Over £30,000 | Trust Board | Note: all contracts require review at least every 3 to 5 years, minuted in FARE/Board minutes |
| Debt write-off | | | |
| 9.14 Writing off debts | Up to £250 | Headteacher | In line with Debt management policy |
| | Up to £500 | Academy Governing Board | |
| | Over £500 | Finance, Audit, Risk and Estates Committee | |

Notes:

1. Delegation authority: CEO, FARE Committee or Trust Board requires prior agreement by AGB
2. Approval by AGB, Committee or Board can be by email outside meeting schedule
3. Headteachers include executive headteachers, deputy headteachers include heads of school
4. Approval by CEO, FARE Committee or Trust Board will be in writing to the headteacher and AGB chair
5. Approval by AGB, FARE Committee or Trust Board should be minuted
6. If there is a difference of opinion between a Headteacher and Academy Governing Board, a meeting will be agreed between the CEO, headteacher and AGB Chair to review
7. The following finance related Trust policies/guidance should also be referenced:

- a. Agora Learning Partnership Finance Manual and corporate card policy addendum (internal)
- b. Debt management policy (internal)
- c. Reserves policy
- d. Competitive tendering policy
- e. Donation policy and procedure
- f. Expenses policy – employees
- g. Expenses policy - Trustees
- h. Fraud policy
- i. Investment policy