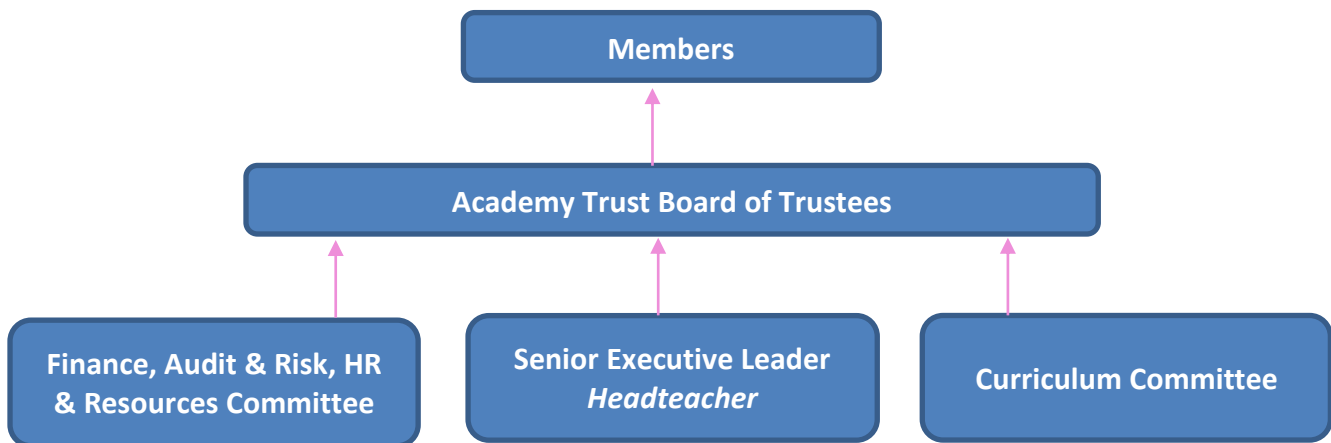




## ***SCHEME OF DELEGATION***

### **GOVERNANCE STRUCTURE AND LINES OF ACCOUNTABILITY**



The academy trust board of trustees delegate responsibility for the day to day running of the academy to the Headteacher. The trustee board will hold the Headteacher to account for the performance of the academy. The Headteacher in turn holds other members of the senior leadership team to account by line managing them. While the board cannot ever delegate its accountability, it can delegate some of the detailed scrutiny, oversight and decision making.

The Headteacher will report to the board on the performance of the academy, although this will be supplemented by the monitoring of trust board committees and individual trustees with any delegated responsibilities.

### **ROLES AND RESPONSIBILITIES**

#### ***The role of the members***

The members of the trust have a different status to trustees. Originally they will have been the signatories to the memorandum of association and will have agreed the trust's first articles of association (a document which outlines the governance structure and how the trust will operate). The articles of association 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. Accordingly, the trust board submits 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, not all members should be trustees. Members are not permitted to be employees of the academy trust.

### ***The role of 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. Because trustees are bound by both charity and company law, the terms ‘trustees’ and ‘directors’ are often used interchangeably.

The trustees are responsible for the general control and management of the administration of the trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement, it is legally responsible and accountable for all statutory functions, for the performance of the trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements. In addition it must carry out the three core governance functions:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of the trust and their pupils, and the performance management of staff
3. Oversee the financial performance of the trust and make sure its money is well spent

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

### ***The role of trust board committees***

The trustees may establish committees to carry out some of its governance functions which may include making decisions, although any decisions made will be deemed decisions of the trust board. The membership (there must be at least three trustees) and responsibilities of board committees are set out in the committee’s terms of reference. It is usual for the trust board to appoint board committee chairs and committee members according to their skills.

The board of trustees must have a finance, audit and risk committee to which the board delegates financial scrutiny and oversight. At the Harefield Academy this committee also has oversight of staffing and human resources. The finance committee also performs internal scrutiny and review of the risk register.

### ***The role of the senior executive leader (the Headteacher)***

The Headteacher has the delegated responsibility for the operation of the trust.

The Headteacher is the accounting officer so has overall responsibility for the operation of the academy trust’s financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The Headteacher leads the senior leadership team (SLT) of the academy trust. The Headteacher delegates management functions to the SLT and is accountable to the trust board for the performance of the SLT.

## **SCHEME OF DELEGATION**

1. This Scheme of Delegation is established by the Trust Board under its powers contained in Articles 105 to 106 of Articles of Association of The Harefield Academy.

2. The following Standing Committees are established to exercise on behalf of the Trust Board the functions referred to in the Terms of Reference of those Standing Committees contained in Annexes A and B to this Scheme respectively:

- a) Finance, Audit & Risk, HR & Resources Committee
- b) Curriculum Committee

3. The following Special Committees are established as required to exercise the functions set out in Annexes C, D, E, F, G, H and I to this Scheme respectively:

- c) Pay
- d) Staff disciplinaries/grievances
- e) Exclusions
- f) Headteacher appraisal
- g) Headteacher recruitment
- h) Complaints

4. The powers set out in Annex I to this Scheme are delegated to the Headteacher.

5. In accordance with the Articles of Association, the establishment, terms of reference, constitution and membership of any committee of the trustees shall be reviewed at least once in every twelve months, usually at the first meeting of the Trust Board in the Academy year. The membership of any committee of the trustees may include persons who are not trustees, provided that a majority of members of any such committee shall be trustees. The trustees may determine that some or all of the members of a committee who are not trustees shall be entitled to vote in any proceedings of the committee. No vote on any matter shall be taken at a meeting of a committee of the trustees unless the majority of members of the committee present are trustees.

## **MEETINGS AND PROCEEDINGS OF COMMITTEES**

6. Any matter delegated to any Standing Committee shall be subject to the following restrictions and conditions:

- a) The Committee shall give effect to any resolution of the Trust Board on matters of policy or principle;
- b) Notwithstanding the delegated powers given to a Committee, the Trust Board may at any time call for any matter which is still under discussion to be referred to it for decision.

7. Any member of the Trust Board may attend any Committee meeting (even if not a member) with the consent of the Chair of that Committee.

8. The quorum for a meeting of a Committee shall be three voting members in each case (unless otherwise determined by the Trust Board) members of the Committee who are not members of the Trust Board shall not be entitled to vote, unless otherwise determined by the Trust Board.

9. Every question shall be decided by a majority of votes of the eligible members present and voting on that question save that where there is an equal division of votes, the person who is acting as Chair of the meeting shall have the casting vote. No vote on any matter may be taken at a meeting of any Committee unless the majority of the members of the Committee present are members of the Trust Board.

10. Any Committee shall report to the Trust Board in respect of any action taken or decision made with respect to the exercise of its functions at the meeting of the Trust Board immediately following the taking of the action or the making of a decision except that the Staff Disciplinary committee will only report their decisions without statements or reasons of evidence, so that the Trustees who may form an Appeal Committee are not involved and any appeal is not prejudiced.

11. In the event of the person appointed by the Trust Board to act as clerk to a Committee failing to attend a meeting of that Committee, the Committee shall appoint one of their number to act as clerk for the purposes of that meeting.

12. The agenda for any meeting of a Committee shall be prepared by the Clerk in consultation with the Headteacher and the Committee Chair. Each meeting shall be convened by the Clerk who shall give each member (and the Headteacher) at least seven clear days' notice in writing thereof and a copy of the agenda for the meeting save in cases of emergency.

13. The minutes of the proceedings of each meeting of a Committee shall be drawn up, recorded, and duly approved. Minutes should record decisions and other main points together with such brief explanations as may be necessary. Confidential matters shall be recorded as Part 2 items and, as such, subject to restricted circulation (in case of doubt to be resolved by the Chair). The Clerk to the Trust Board shall arrange for such minutes to be circulated to all members of the Trust Board and for them to be included as an item on the Agenda at the next meeting of the Trust Board.

14. If the person appointed as Chair of a Committee is absent from any meeting of the Committee, the members of the Committee who are present shall, before proceeding to any other business, appoint any of their number (not being an employee of the Academy or a registered student or a person who is not a member of the Trust Board) to be Chair of the meeting.

15. In accordance with Article 126 of the Academy's Articles of Association, provision is made for Trustees to attend meetings remotely where necessary, via any video conference platform. Meetings conducted remotely are subject to the same procedural regulations as when conducted face to face as set out in Articles 108-125.

16. The Trust Board are committed to maintain its full functionality throughout the Covid-19 pandemic with relevant work being cascaded through the relevant sub-committees as per all expected calendared and necessary items. It is acknowledged that each committee as well as the Trust Board may need to make amendments and additions to various aspects of policies and practice to reflect the changes in guidance provided by the DfE, Public Health England and the Local Authority. This may include, but not explicitly relate to, educational outcomes for pupils, the behaviour, safety and welfare of the pupils and adults in the school as well as school HR and finance.

## **ANNEX A**

### **FINANCE, AUDIT & RISK, HR AND RESOURCES COMMITTEE**

#### *Terms of Reference*

#### **1. Constitution**

- 1.1. The **HAT** Board of Directors has resolved to establish a Finance, Audit & Risk, HR & Resources Committee to advise the Board on matters relating to the Trust's finance, personnel and estates and to advise and aid the Board's responsibility to ensure sound management of the Trust's finances and resources.
- 1.2. The FARHRE committee is responsible to the Trust Board.
- 1.3. The Committee's Terms of Reference are adopted by the Board and may only be amended with the approval of the Board.
- 1.4. The Committee reports directly to the Trust Board of Directors which receives minutes, reports and recommendations from the Committee

#### **2. Membership**

- 2.1. The Committee membership will be determined by the Trust Board and shall have a minimum of three members and a maximum of five members. A majority of Committee members must be Directors of the Trust Board.
- 2.2. Subject to paragraph 2.3, the Committee shall at the first meeting of each academic year elect a member to act as chair of the Committee (the Chair). The Committee will elect a temporary replacement from among the members present at the meeting in the absence of the Chair.
- 2.3. No person may act as Chair under paragraph 2.2 unless they are also a member of the Trust Board
- 2.4. All members have equal voting rights. In the event of an equal division of votes, the Chair shall have a second or casting vote. However, no vote on any matter shall be taken at a meeting of a committee of the trustees unless the majority of members of the committee present are Trustees/Directors
- 2.5. The Headteacher and CFO will be ex officio members of the FARHRE Committee. The Headteacher and CFO will be excluded when pay matters relating to the CEO are to be considered.
- 2.6. The Committee may invite attendance at meetings from persons who are not Directors or Committee members to assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote.
- 2.7. The Committee will self-assess its performance against these Terms of Reference on an annual basis and will also review the Terms of Reference, submitting any proposed changes to the Board for approval.
- 2.8. The members of the Committee shall hold office from the date of their appointment until the resignation or their omission from membership of the Committee on subsequent consideration by the Board (whichever shall first happen).
- 2.9. Administrative support will be provided by the Clerk to the Board
- 2.10. The FARHRE will meet at least once per term. The Chair or any two members may call a meeting

#### **3. Quorum**

3.1. The quorum for a meeting of the FARHRE Committee shall be any 3 members.

#### **4. Main Duties and Responsibilities**

Subject to the detailed requirements of the Academies Financial Handbook, Funding Agreement and the Financial Regulations of the Trust, the Committee shall consider and advise the Board on the following specific matters:

4.1. The overall finances of HAT including:

- a. The annual estimates of income and expenditure and financial forecast for the Trust and its Academy
- b. Monitoring of revenue finances of the Trust and its Academies and advising the Board on progress towards achieving its financial objectives
- c. The acquisition or disposal of land to be used by the Academy
- d. The management accounts of the Trust, and to advise the Board on the year- end Accounts
- e. Strategic matters with financial implications concerning sponsorship of the Academy
- f. The Financial Regulations, to be reviewed on an annual basis
- g. To consider any relevant legal and contractual documentation, operating within the Articles of Association, Schemes of Delegation, Funding Agreement and Financial Regulations
- h. To monitor policies in relation to non-educational services such as Human Resources, publicity and marketing and to agree changes as necessary;
- i. To monitor the deployment of non-financial resources, including personnel and property, with a view to advising the Trust Board on the effectiveness of such resources
- j. To monitor the use of the pupil premium and other earmarked or dedicated funds
- k. Approve Asset Management policy and plan for the Trust

4.2 Monitoring all Human Resource aspects and personnel of HAT including:

- a. Staff recruitment procedures
- b. Staff appointments procedures
- c. Equal opportunities
- d. Performance review of Head Teacher
- e. Employment contractual matters
- f. Remuneration packages of the Head Teacher
- g. Disciplinary, capability and grievance aspects relating to the Head Teacher and relating to other staff to the extent if at all provided for in relevant policies and procedures
- h. Staff well-being and retention strategies
- i. Oversight of HR policies, their implementation and impact on staff welfare and pupils' performance

#### 4.3 The Estates of HAT including:

- a. To advise the Board on priorities, including health and safety, for the maintenance of the existing Academy buildings
- b. To oversee arrangements for repairs and maintenance
- c. To make recommendations on premises-related expenditure
- d. In consultation with the Head Teacher, oversee premises-related funding bids
- e. To oversee arrangements, including health and safety, for the use of the premises by outside users
- f. To establish and keep under review accessibility plan and travel plan.

#### 4.4 Monitoring all matters relating to the adequacy and effectiveness of the Trust's risk management including:

- a. consider the reports of the auditors/scrutineers and, when appropriate, advise the Trust Board of material control issues
- b. review the external auditor's plan each year
- c. review the auditor's findings and actions taken by the trust's SLT in response to those findings
- d. take delegated responsibility on behalf of the board of trustees for examining and reviewing all systems and methods of control both financial and otherwise including risk analysis and risk management; and for ensuring the Trust is complying with the overall requirements for internal scrutiny, as specified in the Academies Financial Handbook.
- e. conduct a regular review of the risk register
- f. agree an annual programme of internal scrutiny / audit, which is objective and independent, covering systems, controls, transactions, and risks.
- g. advise the trustees on the adequacy and effectiveness of the trust's systems of internal control, governance, and risk management processes,
- h. consider the appropriateness of executive action following internal audit/internal scrutiny reviews and to advise the board on any additional or alternative steps to be taken
- i. oversee the annual review of the trust's risk register.

### 5. Policies

#### 5.1 Review and approval of policies delegated by the Trust Board

##### ***Statutory policies/documents***

- Charging and remissions
- First aid in schools
- Health & Safety
- Financial Procedures
- Premises management documents
- Capability of staff
- Staff discipline, conduct and grievance (procedures for addressing)
- Statement of procedures for dealing with allegations of abuse against staff
- Equality information and objectives (public sector equality duty) statement for publication
- Single central record of recruitment and vetting checks
- Accessibility plan
- Data protection
- Protection of biometric information of children in schools and college
- Whistle-blowing
- Restructuring and redundancy
- Pay policy

- Asset Management

**Finance Agenda items:**

<b>Period</b>	<b>Item</b>
<b>September</b>	<ul style="list-style-type: none"> <li>• Draft management accounts period 12</li> </ul>
<b>November</b>	<ul style="list-style-type: none"> <li>• Statutory accounts approval</li> <li>• October management accounts (Period 2 management accounts)</li> </ul>
<b>December</b>	<ul style="list-style-type: none"> <li>• November Management Accounts</li> <li>• Forecast</li> </ul>
<b>January</b>	<ul style="list-style-type: none"> <li>• December accounts and forecast</li> <li>• Budget assumptions papers</li> </ul>
<b>April</b>	<ul style="list-style-type: none"> <li>• February Management Accounts (Half Year accounts)</li> </ul>
<b>June</b>	<ul style="list-style-type: none"> <li>• March/April Management Accounts</li> <li>• 5-year plan</li> </ul>
<b>July</b>	<ul style="list-style-type: none"> <li>• May and June Management Accounts</li> <li>• May based forecast</li> <li>• HTs sign off budget</li> </ul>

**Audit & Risk Agenda items:**

<b>Period</b>	<b>Item</b>
<b>November</b>	<ul style="list-style-type: none"> <li>• Statutory Accounts</li> <li>• Sign off Auditor's Letter / Letter of representation</li> <li>• Agree Internal Audit programme of work</li> </ul>
<b>April</b>	<ul style="list-style-type: none"> <li>• Review Internal Audit</li> <li>• Review Risk Register</li> </ul>
<b>July</b>	<ul style="list-style-type: none"> <li>• External Audit Report</li> <li>• Internal Audit Report</li> </ul>



## **ANNEX B**

### **CURRICULUM COMMITTEE**

#### *Terms of Reference*

#### **Scope and purpose of the committee**

The committee's objective is to actively engage with and monitor the delivery of the curriculum in The Harefield Academy. The curriculum should meet statutory requirements, work towards delivery of the School Development Plan and offer a broad education to students to help them move onto life after school.

#### **General Terms**

- To provide a positive difference to teaching and learning in the school.
- To contribute to the School Development Plan through engagement and action.
- To consider safeguarding and equalities implications

#### **Membership**

The Trust Board shall determine and review annually either before or at the first meeting of the academy year, the establishment of the terms of reference, membership of the committee and the chair for the forthcoming year. The Deputy Headteacher (Curriculum and Standards) will be an associate member of this committee. Membership should be a minimum of 4 trustees plus at least one member of staff.

#### **Attendance**

Members should attend where possible. Anyone who wishes to attend is to ask the chair of trustees and chair of curriculum committee and this will be agreed if appropriate. Others may also be invited to attend at any point.

#### **Quorum**

At least three trustees must be present.

#### **Meetings**

- The Committee shall meet at every term; any additional meetings will be called as and when necessary.
- The Committee meetings will not be open to the public but minutes shall be made available to appropriate stakeholders.
- The Clerk will minute the meeting.
- The draft minutes of each meeting will be circulated with the agenda for the next ordinary meeting of the full trust board and will be presented at that meeting by the chair (or in his/her absence another member of the committee).
- Any decisions taken must be determined by a majority of votes of committee members present and voting.

#### **Curriculum Planning and Delivery**

- To review, monitor and evaluate the curriculum offer.
- To recommend for approval to the full trust board the:
  - Self-evaluation form
  - School Development Plan
  - Targets for school improvement to the trust board
- To develop and review policies identified within the school's policy review programme and in accordance with its delegated powers (e.g. sex education and pupil behaviour/discipline).
- To ensure that the requirements of children with special needs are met, as laid out in the Code of Practice, and receive termly reports from the headteacher/SENCO.

## **Assessment and Improvement**

- To regularly review and develop the following policies
  - Non-Examination Assessment Policy
  - Exams Policy
  - PSHE Statement
  - Word Processor Policy Exams
  - Assessment Reporting and Recording Policy (ARR)and to ensure that the policies are operating effectively.
- To ensure that all children have equal opportunities.
- To ensure the School Development Plan is kept at the forefront of minds.
- Set objectives at the start of each academic year in agreement with the Headteacher and the Deputy Headteacher (Curriculum and Standards) and consider these at each committee meeting.
- Objectives should fall under
  - Curriculum i.e. content and delivery (Intent)
  - Quality of Teaching and Learning (Implementation)
  - Progress and Outcomes (Impact)
- To monitor and evaluate provision for all groups of vulnerable children (e.g. looked after children) and ensure all their needs have been identified and addressed, and to evaluate their progress and achievement.

## **Engagement**

- To monitor the school's publicity, public presentation and relationships with the wider community.
- To identify and celebrate pupil achievements.
- To oversee arrangements for educational visits.
- To oversee trustees visits and ensure they are delivered and reported on effectively. Report findings back to the Full Governing Board.

## **ANNEX C**

### **PAY REVIEW COMMITTEE**

#### *Terms of Reference*

The Trust Board has delegated its pay powers to the Pay Review Committee. Each year, the Trust Board appoints three members to the Pay Review Committee and appoints a pool of Trustees from whom the Pay Appeals Committee will be drawn as necessary. Members of the Pay Review Committee and members of the Pay Appeals Committee must have no pecuniary interest in the result of any pay decisions. No member of the Trust Board who is employed in The Academy shall be eligible for membership.

#### **Terms of reference:**

- To ensure the aims of the pay policy are achieved in a fair and equitable manner;
- To carry out the appraisal of the Headteacher (i.e. review performance, agree objectives and make decisions on pay);
- To work with the External Adviser where applicable;
- To make decisions on pay for all teaching staff (including Headteacher, Deputy Headteachers and Assistant Headteachers) following recommendation, where appropriate, from the Headteacher;
- To be a point of referral on pay matters as necessary;
- To minute clearly the reasons for all decisions and recommendations, and report these decisions and recommendations to the next meeting of the Governing Body.

#### **Appeals**

The Trustees will establish an *ad hoc* Pay Appeals Committee to hear appeals against any pay decision raised by a member of staff. The Pay Appeals committee will deal with cases in accordance with the pay appeal process set out in Appendix 5 of the HR Policy.

## **ANNEX D**

### **STAFF DISCIPLINE/GRIEVANCE COMMITTEE**

#### *Terms of Reference*

To deal with staff discipline, grievance and competency matters not suitable to be dealt with by the Headteacher by the procedures set out in the HR Policy.

## **ANNEX E**

### **STUDENT DISCIPLINE COMMITTEE**

#### *Terms of Reference*

To discharge the functions of the Trust Board set out in the Academy's Behaviour for Learning and Exclusions Policy.

## **ANNEX F**

### **HEADTEACHER RECRUITMENT COMMITTEE**

#### *Terms of Reference*

To follow the recruitment and selection process in order to make a recommendation for a Headteacher appointment to the Board for approval.

## **ANNEX G**

### **HEAD TEACHER APPRAISAL COMMITTEE**

#### *Terms of Reference*

To discharge the functions of the Trust Board set out in the Academy's Appraisal Policy in relation to the Headteacher.

**ANNEX H**

**COMPLAINTS**

*Terms of Reference*

To discharge the functions of the Trust Board set out in the Academy's Complaints Policy.

**ANNEX I**

**POWERS OF THE TRUST BOARD DELEGATED TO THE HEADTEACHER**

1. Day to day financial and operational management of the Academy.
2. Appointment and performance management of staff, excluding the Headteacher.
3. Provision of advice to the Admissions Committee on applications for admission.
4. To deal with discipline and grievance involving employees other than those expressly delegated by the Trust Board to Committees under this Scheme or otherwise.
5. In conjunction with the Senior Leadership Team:
  - a) to draw up the Academy Improvement Plan for consideration by the Committees and for approval by the Trust Board;
  - b) to present for approval of the Trust Board the Annual Report of the Academy.

Signed..... Date.....

Chair of the Trust Board