

This document is currently under review

Expenditure Limits reviewed 6th December 2019

Falmouth MAT

Scheme of Delegation (SoDA)

In this document, the Board of Trustees is referred to as ‘the Board’, the Board of Trustees and the BoT

Rationale:

The Falmouth MAT exists for the benefit of its constituent members. This SoDA outlines the delineation of powers and responsibilities at each level of the MAT

Key Principles of Operation:

1.0 Introduction

- 1.1 The following principles will guide and secure the purpose and goals of the Board.
- All employees, Trustees and Governors working for the Board will accept and embrace their professional responsibility to care for every child and young person within the Falmouth MAT, treating all within our community with dignity and respect at all times.
 - Every child in the Falmouth MAT has the right to the highest quality academic, social, emotional, spiritual and physical education.
 - High quality intervention will be provided when appropriate to ensure the learning needs of all pupils are met at the earliest opportunity. Employees of the Board and governance accept responsibility to a high quality in-service training and an appraisal process that is challenging and supportive to enable outstanding teaching and leadership.
 - All children and young people will be nurtured within an agreed moral framework secured through British values, be broadly of a Christian character reflecting the broad tradition of Christian belief and the values of community schools.
 - There will be clear structures in place to ensure that the voices of all children, young people and adults within the Board are heard and valued.
 - The Board will value and respect each school's distinctive ethos and identity.
 - The Board will aim to identify and foster the passions that motivates each child and provide an atmosphere where children enjoy learning and want to go to school.
- 1.2 Falmouth MAT is the statutory body for all the schools in the Multi Academy Board. The Secretary of State for Education has entered into an agreement with the Board to run the schools in the Board and therefore the Board of Trustees (BoT) is responsible for the standards and operation of all schools in the Board.
- 1.3 The delegation arrangements should be kept under constant review and should be approved each year with regard to each member Academy, (eg the first BoT meeting in the Autumn Term). Good practice requires the BoT to consider the delegation arrangements at least annually. Members will guarantee the liabilities of the Board and review the strategic direction. The BoT will oversee and be responsible for the management of the Board. Local Governing Bodies (LGBs) will be responsible, subject to the provisions of this SoDA, for the day to day management and administration of each school.
- 1.4 Neither the BoT nor any committee with delegated powers of governance may contain more than one third members who are employed by the Board.
- 1.5 Up to eight (8) Trustees are appointed by the Members and no fewer than two (2) Trustees are appointed by Askel Veur. No fewer than two (2) of the eight Trustees will be independent.
- 1.6 Some key decisions cannot be delegated and must be taken by the BoT. In these cases the Board may still ask a person or a working group to consider issues and make recommendations to them, as long as the full BoT takes the decision. This is also true for the LGB, where some key decisions cannot be further delegated and must be taken by the LGB.

The Board and LGB should take care to distinguish between committees which have delegated powers and working groups/parties or informal groups which do not.

- 1.7 The Board is the employer of all staff and therefore is the final Appeal Body in matters of pay and staff discipline. Decisions relating to staff dismissal and appeals must be referred to the Staff Committee and the Appeal Committee.
- 1.8 The Board is the admissions authority for all schools in the MAT.
- 1.9 The BoT will agree the final budget for each school.
- 1.10 The Board are accountable to external government agencies, the Education Funding Agency, the Charity Commission, the Department for Education and the Regional Schools' Commissioner.
- 1.11 The Trustees of the MAT have signed an agreement with the Diocese of Truro, in which they pledge to uphold and respect the context of the Academies within the MAT that have a Diocesan connection and heritage. In addition, the Diocese of Truro is a member of the Board with the right to appoint a proportionate number of Trustees (up to a maximum of 25% of the Board's total number).

2. Board of Trustees (BoT – also known as 'the Board') – Powers and Responsibilities

- 2.1 The BoT may delegate the authority to make certain decisions to a Local Governing Body (LGB) or other committee, and approve the membership and proceedings of any LGB or committee, with due regard to the requirements of the Articles of Association of the Falmouth MAT.
- 2.2 Only the BoT can take decisions on the delegation of powers, including the establishment of Local Governing Bodies (LGBs) or committees of the Board. The BoT must also annually review the terms of reference, constitution and membership of any LGB, committee or sub-committee.
- 2.3 The BoT will establish a LGB in each school, with agreed delegation arrangements. The committee structure of the LGB may include sub-committees. The LGB must also review the establishment, terms of reference, constitution and membership of any committee or sub-committee annually. The membership of any LGB committee may include associate members, provided that a majority of members of the committee are Governors. Each committee must have a Chair, who is either appointed by the LGB or elected by the committee. The BoT may remove the Chair of a committee from office at any time.
- 2.4 The BoT or LGB may appoint non-trustees and non-governors to any of the committees providing that, on committees of the BoT, Trustees form the majority of voting members of the committee, or in the case of LGB's, governors (a) form the majority of the members of the committee; (b) are in the majority at any meeting of the committee; and (c) take the chairmanship of the committee. In addition, the LGB may, if it wishes, enable any of the non-governors to be voting members of the committee.
- 2.5 The BoT have overall responsibility and ultimate decision making authority for the MAT. However the BoT may delegate such authority as it deems appropriate to a LGB but the

Board remains collectively and personally responsible for every decision made by the LGB. The BoT have the right (but shall not be required) to direct that all members of the LGB resign their posts if at any time:

- Ofsted rate the school as Inadequate
- the school has a deficit budget than has not been approved by the Board
- an event occurs that is significantly damaging to the Board
- any event analogous to the above events occurs at, or in relation to the school

2.6 The BoT will have regard to the interests and values of all the Board Schools.

Consequently the Board will not:

(a) fetter or restrict its own ability to withdraw such delegation at any time, with or without notice; or

(b) delegate authority to a LGB to:

- set a budget without the approval of the Board
- appoint or remove a Headteacher (though the LGB will be consulted)
- appoint or remove a Chair or Vice Chair of a LGB
- suspend or remove a LGB Member
- act in a way inconsistent with any of the Board's published policies and procedures

2.7 The BoT will meet a minimum of once a term. Extraordinary meetings may be called at short notice as required.

2.8 The quorum for the meeting of the Board will be three.

2.9 The Chair of the Board is appointed by the Trustees of the Board and holds office for one year. S/he is eligible for re-election and this position is appointed annually.

2.10 The Vice-Chair of the Board is appointed by the Trustees of the Board and holds office as per 2.9 above.

2.11 If both the Chair and Vice-Chair are unavailable for a meeting the Trustees will choose one of their number to act as Chair for that meeting.

2.12 The BoT will annually review the 'management charge' placed upon the Academies within it. The charge will be generated upon the basis that individual schools within the MAT should be able to operate effectively and efficiently and the MAT is able to have the capacity to develop infrastructure within and across its Academies, with the appropriate contingency to manage risk. The BoT will hold to account the LABs and the Executive Team (ET) on how resources are spent, how best value has been achieved and what impact the resources have had on outcomes.

2.13 The BoT shall require the majority of Trustees to approve any motion to be carried forward.

3. Local Governing Body (LGB)

3.1 Each Board School shall determine who shall sit on the LGB and it shall not be less than 7 and not more than 15. Members of the LGB shall be referred to as 'Governors'.

- 3.2 Each LGB shall have representatives from the following groups: Parents, Staff and Community. At least two (2) members of the LGB will need to be Parent/Carer Governors.
- 3.3 Each LGB shall have no more than one third who are employees of the MAT.
- 3.4 The LGB of Church Schools within the MAT shall have up to 25% of its members appointed by Askel Veur.
- 3.5 A MAT Trustee can attend any LGB meeting provided they have informed the Chair of the LGB in advance. Any Trustee shall be entitled to speak but not to vote (if they are not a member of that school's LGB).
- 3.6 A Governor term of office shall be four (4) years and this term can be re-elected (refer to Governance Agreement when considering 3.6). The time limit shall not apply to the Headteacher if they sit on the LGB as a Governor.
- 3.7 No person may be a Governor if they would be disqualified from serving as a Trustee in accordance with the Articles of Association.
- 3.8 A serving Governor will cease to hold office if:
- they resign by notice in writing to the LGB;
 - they are removed by the person/persons who appointed them unless they are a Staff Governor or a Parent Governor (who may be removed by the Trustees under the Articles)
 - They cease to work at the school if they are a Staff Governor
 - They no longer have children at the school if they are a Parent Governor
- 3.9 The Governors of the LGB shall elect a Chair from among their number on an annual basis. The Chair of the LGB will need to ensure that reporting to the Board takes place termly and includes (but is not limited to):
- A Development Plan annually with termly updates which supports the strategy/plan for the MAT
 - Strategic planning of Finance supporting the strategy/plan for the MAT that also meets EFA/Third party requirements
 - Audit and Risk management that supports the strategy/plan for the MAT
 - Staff Structures, policies and progression that are ratified by the Board
 - The marketing and communication that supports the strategy/plan for the Board
 - The LGB undertakes annual Self-review and skills audit with termly updates
- 3.10 The Chair/Vice Chair may be removed by a resolution of the LGB with a two thirds majority vote, confirmed in writing as a specified item of business on the agenda for that meeting. The person or persons proposing the removal/s at that meeting shall state their reasons with the Chair/Vice given the opportunity to respond.
- 3.11 The LGB shall meet at least termly with the quorum being 40% of the total number of Governors (rounded to the nearest whole number). Matters are to be determined by the majority of votes with each member having one vote. If there is an equal division of votes the Chair of the meeting shall have the casting vote.
- 3.12 The LGB shall ensure the agenda for meetings, the signed minutes and any relevant papers considered are made available at the school to persons wishing to inspect them.

4. Executive Team (ET):

4.1 The Executive Team (ET) will have both the Chief Executive Officer (CEO) and Headteachers from each MAT Schools as members. The ET will be responsible and held to account for the following aspects of the MAT operation:

- Curriculum Development and implementation within each school and across the MAT
- School outcomes within each school
- Standards of teaching within the school and across the MAT
- Behaviour and Management of students within the school
- SEND provision within the school
- Safeguarding within the school
- CPD and Performance Management (including performance recommendations) of staff within the school and across the MAT
- School Improvement within the school and across the MAT
- School Finance and Premises (includes H&S) within the school and across the MAT

4.2 The ET will meet as required.

4.3 The ET will, from time to time, depending on the matters under discussion/development, incorporate members of the wider leadership teams in each Academy as required by either the CEO and/or the Headteachers.

4.4 The Leadership Team of each school will meet weekly. These meetings will be agenda driven with the minutes available to the ET.

5. Scheme of Delegation – Authorisation Limits

These limits are taken from the financial regulations that were approved by the BoD on: 6th December 2019. These are to reviewed by the BoT annually and apply to each school within the MAT.

5.1 Expenditure Limits within budget

- Site Manager (emergency minor building repairs) Up to £500
- Primary School Headteacher Up to £5,000
- Secondary School Headteacher Up to £10,000
- Primary Chair of LAB from £5,001 to £25,000
- Secondary Chair of LAB From £10,001 to £25,000
- Finance Committee From £25,001 to £100,000
- BoD Over £100,000

5.2 Cheque/BACS Signatories

- One signature up to £10,000
- Two signatories £10,001 to £100,000
- Three signatures over £100,000

5.3 Virement Limits

- Headteacher Up to £5,000
- LAB From £5,001 to £10,000

- BoD and notify the ESFA if significantly Over £10,000
- 5.4 Writing off bad debts
- Headteacher Up to £250
 - BoD and approval from ESFA Above £250
- 5.5 Disposal of Surplus Stock, Stores & Assets (estimated value)
- Headteacher Up to £500
 - BoD Over £500
 - BoD plus prior approval of ESFA
- 5.6 Other Monetary Limits
- Mileage Allowance HM Revenue & Customs approved rate
 - Petty Cash £400 (except for an Unusual Event)
 - Safe Cash/ Cheque limits £3,000 – cash
 - £500 monetary instruments i.e. stamps, vouchers
- 5.7 Ordering Procedures
- 3 Competitive quotations (written evidence required) £5,000 - £50,000
 - Tendering procedure Over £50,000
 - Tendering procedure + OJEU €221,000+ (Euros) for supplies and services
 - Tendering procedure + OJEU €5,548,000+ (Euros) for works
- 5.8 Asset Register
- Capitalisation limit Over £5,000
 - Attractive portable items Over £250