



# Scheme Of Delegation

Date Agreed: 4<sup>th</sup> October 2023

Date of Next Review: July 2024

## Scheme of Delegation

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### Revision History

Date	Author	Details
9 <sup>th</sup> July 2019	Mike Kerrigan	Organisation charts removed. Reporting structure added
9 <sup>th</sup> July 2020	Helen Lawrence	Update wording from Academy to school throughout and other minor amends.
15 <sup>th</sup> January 2021	Mike Kerrigan	Updated to include the new schools joining the Trust in Feb 2021.
8 <sup>th</sup> July 2021	Mike Kerrigan	Minor change to section 5.3 in relation to budget management. Change section 8.3 relating to budget approval and monitoring.
30 <sup>th</sup> June 2022	Alison Draper	Minor updates made to include Lead Governance Professional.
5 <sup>th</sup> July 2023	Bernie Green	Minor change to allow section 3.1.2 to permit electronic voting
4 <sup>th</sup> October 2023	Helen Roper	Minor changes to ensure text is gender neutral

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### 1 Introduction

As a charity and company limited by guarantee, Preston Primary Academy Trust (the “Trust”) is governed by a Board of Directors (the “Directors”) who have overall responsibility and ultimate decision-making authority for all the work of the Trust, including the establishing and running of the schools run by the Trust in association with Local Governing Bodies and Local Leadership.

The following schools are currently run by the Trust.

- Countess Gytha Primary School
- Kingfisher Primary School
- Manor Court Community Primary School
- North Cadbury C of E Primary School
- Preston C of E Primary School
- Hambridge Community Primary School
- Huish Episcopi Primary School
- Middlezoy Primary School
- Othery Village School

In order to assist with the discharge of their responsibilities, the Directors have established a Local Governing Body (“LGB”) at each of the schools operated by the Trust. These LGBs shall be committees established pursuant to Articles 100 to 104 (inclusive) of the Articles of Association of the Trust (the “Articles”).

The Directors may review these terms of reference at any time but shall review them at least annually. Only the Board of Directors may amend these terms of reference.

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### 2 Christian Ethos of Church Schools

The following schools are designated as Church of England schools and shall be conducted in accordance with the principles, practices, and tenets of the Church of England both generally and in particular in relation to arranging religious education and daily acts of worship.

- North Cadbury C of E Primary School
- Preston C of E Primary School

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### 3 Constitution of the LGB

#### 3.1 Governors of the LGB

Members of the LGB shall be known as “Governors.”

The Directors have the right to appoint such persons to the LGB, as they shall determine from time to time.

The governorship of each school within the Trust is as follows:

School	HT	S	P	DA	F	Total
Countess Gytha Primary School	1	1	2	3	-	7
Kingfisher Primary School	1	1	2	3	-	7
Manor Court Community Primary School	1	1	2	3	-	7
North Cadbury C of E Primary School	1	1	2	2	2	8
Preston C of E Primary School	1	1	2	2	2	8
Hambridge Community Primary School	1	1	2	3	-	7
Huish Episcopi Primary School	1	1	2	3	-	7
Middlezoy Primary School / Othery Village School	1	1	2	3	-	7

Key:

HT	Headteacher
S	Staff Governors
P	Parent Governors
DA	Director Appointed Governors
F	Foundation Governors *

\* Foundation governors are appointed in conjunction with the Diocesan Board of Education and must have an understanding of the doctrines and tenets of the principles, practices and tenets of the Church of England and a commitment to upholding the Christian character and ethos of the school.  
Appointment of Governors

##### 3.1.1 Staff Governors

The Directors shall invite nominations from all staff employed under a contract of employment or a contract for services or otherwise engaged to provide services to the school and, where there are any contested posts, shall hold an election by a secret ballot.

The Directors shall determine all arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate. It is the responsibility of the LGB to run the election.

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### 3.1.2 Parent Governors

Parents of registered pupils at the school shall elect parent governors of the LGB. They must be a parent of, or have parental responsibility for, a pupil at the school at the time when they are elected.

The Directors shall make all necessary arrangements for, and determine all other matters relating to, the election of the parent governors. It is the responsibility of the LGB to run the election.

Where a vacancy for a parent governor is required to be filled by election, the Directors shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil at the school is informed of the vacancy and that it is required to be filled by election, informed that they are entitled to stand as a candidate, and vote at the election, and given an opportunity to do so.

Any election of persons who are to be the parent governors that is contested shall be held by secret ballot. The arrangements made for the election of the parent governors shall provide for every person who is entitled to vote in the election to have an opportunity to do so by post/ secure electronic voting or, if they prefer, by having their ballot paper returned to the school by a registered pupil at the school.

Where the number of parents standing for election is less than the number of vacancies, the Directors may appoint a person who is the parent of a registered pupil at the school or, where it is not reasonably practical to do so, a person who is the parent of a registered pupil of another school run by the Trust.

### 3.2 Term of Office

The term of office for any governor shall be 4 years, save the Head teacher of the school (as applicable) who shall remain a governor until ceases to work at the school. Subject to remaining eligible to be a particular type of governor, any person may be re-appointed or re-elected to the LGB.

### 3.3 Resignation and Removal

A person serving on the LGB shall cease to hold office if:

- They resign their position by giving notice in writing to the clerk of the LGB.
- The Head teacher or a staff governor ceases to work at the school.
- The Directors terminate the appointment of a governor whose presence or conduct is deemed by the Directors, at their sole discretion, not to be in the best interests of the school or the Trust.

For the avoidance of doubt, a parent governor shall not automatically cease to hold office solely by reason of their child ceasing to be a pupil at the school.

### 3.4 Disqualification of Governors of the LGB

A person shall be disqualified from serving on the LGB if he would not be able to serve as a Director in accordance with Articles 68-80 of the Articles.

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### 3.5 Appointment and Removal of Chair and Vice Chair

The Chair and Vice Chair of the LGB shall be appointed by the LGB although the Directors reserve the right to remove either the Chair or Vice Chair from office at any time.

The term of office of the Chair and Vice Chair shall be 1 year. Subject to remaining eligible to be a governor, any governor may be re-appointed as Chair or Vice Chair of the LGB.

The Chair and Vice Chair may at any time resign their office by giving notice in writing to the Directors. The Chair or Vice Chair shall cease to hold office if:

- They cease to serve on the LGB.
- They are employed by the Trust whether or not at the school.
- In the case of the Vice Chair, they are appointed to fill a vacancy in the office of the Chair.

Where the Chair is absent from any meeting or there is at the time a vacancy in the office of the Chair, the Vice Chair shall act as the chair for the purposes of the meeting. Where the Vice Chair is also absent from the meeting or there is at the time a vacancy in the office of Vice Chair, the governors of the LGB shall elect one of their number to act as chair for the purposes of that meeting.

### 3.6 Committees

Subject to the prior agreement of the Directors, the LGB may establish subcommittees who may include individuals who are not members of the LGB, provided that such individuals are in a minority.

The LGB may delegate to a subcommittee or any person serving on the LGB, subcommittee, the Head teacher, or any other holder of an executive office, such of their powers or functions as they consider desirable. Any such delegation may be made subject to any conditions either the Directors or the LGB may impose and may be revoked or altered. The person or subcommittee shall report to the LGB in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the LGB immediately following the taking of the action or the making of the decision.



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### 4 Proceedings of the LGB

#### 4.1 Meetings

The LGB shall meet at least once in every term and shall hold such other meetings as may be necessary.

The clerk shall convene meetings of the LGB, who shall send the governors written notice of the meeting and a copy of the agenda at least seven clear days in advance of the meeting. Where there are matters demanding urgent consideration, the Chair or, in his absence, the Vice-Chair, may waive the need for seven days' notice of the meeting and substitute such notice as they think fit.

Any governor shall be able to participate in meetings of the governors by telephone or video conference provided that they have given reasonable notice to the clerk of the LGB and that the governors have access to the appropriate equipment.

The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof or any defect in the election, appointment or nomination of any person serving on the LGB.

#### 4.2 Quorum

The quorum for a meeting of the LGB, and any vote on any matter at such a meeting, shall be any three of the governors of the LGB, or, where greater, any one third (rounded up to a whole number) of the total number of governors of the LGB at the date of the meeting, which must include at least one governor appointed by the Trust.

#### 4.3 Voting

Every matter to be decided at a meeting of the LGB shall be determined by a majority of the votes of the governors present and entitled to vote on the matter. Every governor shall have one vote. Where there is an equal division of votes, the Chair of the meeting shall have the casting vote. A governor may not vote by proxy.

Any governor who is also an employee of the Trust shall withdraw from that part of any meeting of the LGB at which their remuneration, conditions of service, promotion, conduct, suspension, dismissal, or retirement are to be considered.

A resolution in writing, signed by all the governors shall be valid and effective as if it had been passed at a meeting of the governors duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the governors.

#### 4.4 Chair's Action

If the Chair, or Vice Chair, is of the opinion that a matter of urgency exists and a delay in exercising the function would likely be seriously detrimental to the interests of the school, any pupil or their parent or a person who works at the school, then they may exercise any function of the GB which can be delegated to an individual or any function relating to the exclusion of pupils.

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### 4.5 Conflicts of Interest

Any governor who has or may have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest as defined below) which conflicts or may conflict with his duties as a governor of the LGB shall disclose that fact to the LGB as soon as they become aware of it. A person must absent themselves from any discussions of the LGB in which it is possible that a conflict will arise between his duty to act solely in the interests of the school and any duty or personal interest (including but not limited to any Personal Financial Interest).

A governor of the LGB has a Personal Financial Interest if they, or any child, stepchild, parent, grandchild, grandparent, brother, sister or spouse of the governor or any person living with the governor as their partner, is in the employment of the Trust or is in receipt of remuneration or the provision of any other benefit directly from the Trust or in some other way is linked to the Trust or the school.

### 4.6 Minutes of Meetings

At every meeting of the LGB the minutes of the last meeting shall be taken as the first agenda item after any apologies and, if agreed to be accurate, shall be signed as a true record.

The clerk to the LGB shall ensure that a copy of the agenda for every meeting of the governors, the draft minutes of every such meeting (if they have been approved by the Chair of that meeting), the signed minutes of every such meeting and any report, document or other paper considered at any such meeting are, as soon as is reasonably practicable, made available to the Lead Governance Professional of the Trust.

### 4.7 Conduct of LGB

For information on conduct of the LGB, refer to the Code of Conduct, read and signed annually and held by the Clerk in the school office.

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### 5 Delegated Powers

#### 5.1 General Principles

In the exercise of its delegated powers and functions, the governors of the LGB shall:

- Ensure that the school is conducted in accordance with the object of the Trust, the terms of any trust governing the use of the land that is used for the purposes of the school, any agreement entered into with the Secretary of State for the funding of the school and these terms of reference.
- Promptly implement and comply with any policies or procedures communicated to the LGB by the Directors.
- Review its own policies and practices on a regular basis, in view of any advice or recommendations made by the Directors.
- Work closely with the Directors and act with integrity, objectivity, and honesty in the best interests of the Trust and the school.
- Be open about decisions and be prepared to justify those decisions.
- Keep confidential all information of a confidential nature obtained by them relating to the school and the Trust. Not discuss matters outside of meetings or to act as a representative without permission.
- Adopt financial prudence in managing the financial affairs of the Trust in so far as these relate to the school and are delegated to them.

Each governor shall be required to take part in regular self-review and is accountable for meeting their own training and development needs. It is a governor's responsibility to consider if, and raise any concerns where, they feel that appropriate training and development is not being provided.

Governors shall be expected to report to the Trust against KPIs that have been set for the school and provide such data and information regarding the business of the school and the pupils attending the school as the Directors may require from time to time.

#### 5.2 Levels of Delegation

Appendix 1 to these terms of reference sets out the responsibilities assigned to each level of governance within the Trust's structure. For the avoidance of doubt, where a power is not expressly delegated to the LGB, it will be deemed to have been retained by the Trust, regardless of whether it is specified in Appendix 1.

The Appendix may be reviewed by the Directors at any time but shall be reviewed at least annually. Directors reserve the right to remove or alter any delegation at any time, whilst having due regard to, but not being bound by, the views of the LGB.

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### 5.3 Delegation to Head Teacher of the School

Subject to the responsibilities of the LGB and the policy statements of the Trust, the Head Teacher of the school shall be responsible to the LGB for:

- Implementing the agreed policies and procedures laid down by the LGB including the implementation of all statutory regulations.
- Advising the LGB on strategic direction, forward planning, and quality assurance.
- The leadership and management of the school.
- Advising the LGB (and/or the admissions committee, where applicable) on the admission of pupils.
- Managing the delegated budget and resources.
- Advising the LGB on the appointment of any Deputy, Vice or Assistant Head Teacher and such other senior posts as the LGB may determine.
- The appointment of all other staff and (except to the extent directed otherwise by the Directors and/or the LGB), the salary grading, allocation of duties, appraisal, and discipline of all staff.
- The maintenance of good order and discipline by the pupils including their suspension and/or exclusion within the framework laid down by the LGB.
- For the schools designated as Church of England schools, ensuring that the school is conducted in accordance with the accordance with the principles, practices, and tenets of the Church of England both generally and in particular in relation to arranging for religious education and daily acts of worship.
- All such additional functions as may be assigned under the job description or contract of employment.

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### 6 Roles & Responsibilities

#### 6.1 Members

The members of the trust are guardians of the governance of the trust and as such have a different status to trustees (Directors). Originally, they will have been the signatories to the memorandum of association and will have agreed the trust's first articles of association (the legal 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.

There must be at least three members, although the DfE prefer at least five, and 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.

#### 6.2 Trustees (Directors)

The MAT 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 Directors 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 all schools within 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's schools 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 Directors has the right to review and adapt its governance structure at any time, which includes removing delegation.

#### 6.3 Trust Board Committees (Finance, Audit and Premises Committee)

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 current version of the Academies Financial Handbook makes it clear that the board of trustees 'should have a finance committee to which the board delegates financial scrutiny and oversight.' In trusts with income above a certain level, there must also be a separate audit committee.

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### 6.4 Chief Executive Officer (CEO)

The CEO has the delegated responsibility for the operation of the trust including the performance of the trust's schools and so the CEO performance manages the schools Headteachers.

The CEO 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 CEO leads the executive management team of the trust. The CEO will delegate executive management functions to the executive management team and is accountable to the trust board for the performance of the executive management team.

### 6.5 Chief Financial Officer (CFO)

The CFO provides strategic financial direction and information for the CEO and the Directors, ensuring that the Trust's statutory financial obligations are met.

The CFO provides strategic leadership for and development of the business and operational function of the Multi Academy Trust and its schools.

The CFO provides professional leadership and management to support staff to enhance their effectiveness and raise standards throughout the Multi Academy Trust and its schools.

### 6.6 Local Governing Bodies

Typically, functions may include:

- Building an understanding of how the school is led and managed.
- Hold the Headteacher to account for the educational performance of the school and its pupils.
- Engaging with stakeholders.
- Being a point of consultation and representation.

The board appoints Local Governing Bodies, and so delegation can be removed at any time.

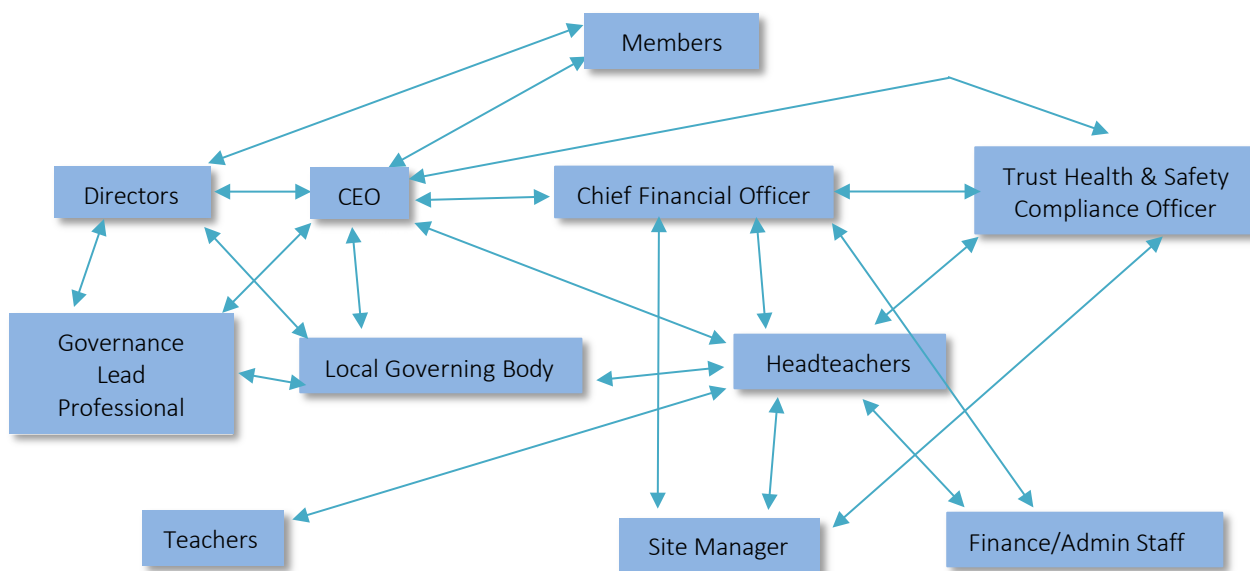
### 6.7 Schools Head Teacher

The school head teacher is responsible for the day-to-day management of the school and is managed by the CEO but reports to the Local Governing Body on matters that have been delegated to it.

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### 7 Reporting Structure



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### 8 Delegation of Responsibilities Tables

Key:

M	Members
D	Directors
FAC	Finance, Audit & Premises Committee
CEO	Chief Executive Officer
CFO	Chief Financial Officer
LGB	Local Governing Body
HT	Head Teacher
Grey Box	Function cannot be carried out at this level
✓	Action to be undertaken at this level
A	Provide advice and support to those responsible for decision making
<>	Direction of advice and support



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### 8.1 Governance Framework

Function	Delegation						
	M	D	F A C	C E O	C F O	L G B	H T
Members: Appoint/Remove	✓						
Trustees: Appoint/Remove	✓	✓					
Role descriptions for members	✓						
Role descriptions for trustees/chair/specific roles/committee/LGB members: agree		✓		<A			
Parent trustee/committee/LGB member: elected		✓				✓	
Board committee chairs: appoint and remove		✓	✓	<A			
LGB chairs: appoint and remove		A>				✓	
Lead Governance Professional: appoint and remove		✓					
Clerk to LGBs: appoint and remove						✓	A
Articles of association: review and agree	✓	<A		<A			
Governance structure (committees) for the trust: establish and review annually		✓		<A			
Terms of reference for board committees and scheme of delegation for LGBs: agree annually		✓		<A			
Skills audit: complete and recruit to fill gaps		✓		<A>		✓	A
Annual self- review of trust board and committees: complete annually		✓					
Annual self-review of LGBs: complete annually						✓	
Chair's performance: carry out 360 review periodically		✓				✓	
Trustee / school committee / LGB member contribution: review annually		✓				✓	
Succession: plan		✓		<A>		✓	A
Annual schedule of business: agree		✓	✓	<A			
Annual schedule of business for LGBs: agree				A>		✓	A

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### 8.2 Reporting

Function	Delegation						
	M	D	F A C	C E O	C F O	L G B	H T
Publication on trust and schools' websites of all required details on governance arrangements: ensure		✓	✓	<A	✓	✓	✓
Annual report on performance of the trust: submit to members and publish		✓		<A			
Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	<A	<A	✓		
Annual report on work of LGB: submit to trust and publish						✓	A
Ensure the compliance of the school website						✓	✓

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### 8.3 Being Strategic

Function	Delegation						
	M	D	F A C	C E O	C F O	L G B	H T
Determine trust wide policies which reflect the trust's ethos and values (facilitating discussions with unions where appropriate) including admissions, charging and remissions; complaints; expenses; health and safety, premises management; data. protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✓	✓	<A>		<A	<A
Determine school level policies which reflect the school's ethos and values to include e.g. admissions; rewards and sanctions approve		✓		A>		✓	✓
Central spend / top slice: agree		✓	<A	<A	✓		
Management of risk: establish register, review, and monitor		✓	<A	<A>	✓	✓	✓
Engagement with stakeholders	✓	✓	✓	✓	✓	✓	✓
Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓		<A			
Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine				A>		✓	✓
Chief executive officer: appoint and dismiss		✓					
School Headteacher: appoint and dismiss				✓		<A	
Budget plan to support delivery of trust key priorities: agree		✓	<A	✓	✓		
Budget plan to support delivery of school key priorities: agree		✓		✓	✓		✓
Budget plan to support delivery of school key priorities: monitor				A>	✓	✓	✓
Trust's staffing structure: agree		✓	<A	<A	✓		
School staffing structure: agree				✓		✓	✓
Maintain the individual school ethos and identity in line with the overall Trust ethos		✓		<A>		✓	✓
Establish an Admissions Committee (3 governors) to approve/reject in year admissions and approve the yearly ranked admissions list						✓	

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### 8.4 Holding to Account

Function	Delegation						
	M	D	F A C	C E O	C F O	L G B	H T
Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	✓	<A	<A		
Reporting arrangements for progress on key priorities: agree		✓	<A	✓			
Performance management of the Chief Executive Officer: undertake		✓					
Performance management of School Headteacher: undertake				✓		✓	
Trustee monitoring: agree arrangements		✓		<A			
LGB member monitoring: agree arrangements		✓				✓	
LGB overall performance monitoring: agree arrangements		✓		<A			
Monitoring of individual school standards				✓		✓	✓
Monitoring of standards across the Trust		✓		✓		<A	<A

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### 8.5 Ensuring Financial Probity

Function	Delegation						
	M	D	F A C	C E O	C F O	L G B	H T
Chief financial officer for delivery of trusts detailed accounting processes: appoint		✓	<A	<A			
Trust's scheme of financial delegation: establish and review		✓	✓	<A			
School's scheme of financial delegation: establish and review			✓	<A>	✓	✓	✓
External auditors' report: receive and respond		✓	<A	<A>	✓		✓
CEO pay award: agree		✓					
School Headteacher pay award: agree				✓	✓	✓	
Staff appraisal procedure and pay progression: review and agree		✓		A>	✓	A>	✓
Benchmarking and trust wide value for money: ensure robustness			✓		✓		
Benchmarking and school value for money: ensure robustness					✓	✓	✓
Develop trust wide procurement strategies and efficiency savings programme				✓	✓		
Review and approve trust wide procurement strategies and efficiency savings programme			✓				