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# Trinity Academy Newcastle Trust



## Scheme of delegation 2023-2024

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This document sets out the schemes of delegation for the academy trust.

Note: Although decisions may be delegated the Directors remain responsible for any decision made under delegation

## **Introduction**

1. This Scheme of Governance, Management and Delegation (the "Scheme") has been made by the Directors (the "Directors") of (Trinity Academy Newcastle Multi Academy Trust) (the "Academy Trust") in exercise of the powers conferred on them by Articles 105 and 137 of the Academy Trust's articles of association (the "Articles").

## **The Academy Trust**

2. The Academy Trust is responsible for **Trinity Academy Newcastle, Trinity Academy New Bridge, Trinity Solutions Academy & Trinity Post 16 Solutions Ltd.** and any further academies that may join in the future (the 'academies').
3. The Academy Trust has entered into a master funding agreement and separate supplemental funding agreements for each Academy under section 1 of the Academies Act 2010 with the Secretary of State for Education in relation to the funding of the Academies (together, the "Funding Agreement").
4. The Funding Agreement places a number of requirements on the Academy Trust including the requirement to comply with the Department for Education's (the "DfE") Academies Financial Handbook (the "Handbook").

## **Roles and responsibilities**

5. The Academy Trust has defined the roles and responsibilities of each person involved in the administration of academy finances to avoid the duplication or omission of functions and to provide a framework of accountability for governors and staff. The scheme is as follows:

## **Trinity Academy Newcastle Trust Members**

- As charitable companies limited by guarantee every trust has Members who have a similar role to the shareholders in a company limited by shares. Most notably they:
- are signatories to the articles of association which includes definition of the trusts' charitable object and governance structure (where they are founding Members);
- may, by special resolution, amend the articles of association, subject to any restrictions created by the trust's funding agreement or charity law;
- may, by special resolution (which requires 75% rather than a simple majority of Members to agree) appoint new Members or remove existing Members other than, where there is one, the foundation/ sponsor body and any Members it has appointed;
- have power to appoint Trustees as set out in the trust's articles of association, and have power under the Companies Act to remove any or all serving Trustees;
- may by special resolution issue direction to the Trustees to take a specific action;
- appoint the trust's auditors and receive the trust's annual audited accounts; and
- have power to change the name/category of the charitable company and ultimately, wind up the academy trust.

## **Trinity Academy Newcastle Trust Members are:**

- **Peter Carter**
- **Shirley Hall**
- **Stella Willmott**
- **Eric Fletcher**

### **Board of Directors (Board):**

**Trinity Academy Newcastle Multi Academy Trust** is governed by non-executive directors constituted under a Memorandum of Association and Articles of Association. This Board of Directors (Board) is responsible for ensuring that high standards of corporate governance are maintained. The Board exercises its powers and functions with a view to fulfilling a largely strategic leadership role in the running of the academies. This affords greater opportunities for collaboration not only with regards to teaching and learning but also in terms of the management of each Academy, including the procurement of goods and services.

The Board is also governed by the terms of any Funding Agreements that are in place and the Academies Financial Handbook (AFH).

### **Directors of Trinity Academy Newcastle Multi Academy Trust (TAN MAT)**

#### **Board**

Peter Carter (Chair)

Michael McHugh (Vice Chair)

Lynn McNally (Chief Executive and Accounting Officer)

Nick Elliott

James Rainsford

Constantine Georgiou

Ana Maria Ocampo Lucumi

4 x vacancies

Lonie Sebahg – Company Director Trinity Post-16 Solutions Ltd.

Lee Robinson – Company Director Trinity Post-16 Solutions Ltd.

The Directors must agree a formal schedule of matters reserved for their decision, i.e. those which should not be delegated within the Trust. Beyond this the Directors will establish separate committees, at Board level, to deal with specific areas of the Trust's business, and should determine the delegated responsibilities to be assigned to those committees. This will ensure that matters can be dealt with in appropriate detail and with sufficient frequency.

The TAN MAT Board will establish an:

- Appeals Committee
- Finance, Audit and Resources Committee
- Quality of Education, Inclusion & Safeguarding Committee
- Performance Management committee

Where the Directors decide to delegate certain matters for consideration by sub-committee, each committee should be chaired by a Director. All Directors will sit on the Board of Directors and will sit on either the Finance, Audit and Resources committee or the Quality of Education, Inclusion and Safeguarding Committee. The membership of the committee may include persons who are not Directors provided that a majority of the members are Directors. The Directors will ensure that it receives adequate feedback on the work of those committees and is able to consider their proposals formally. The establishment of committees does not absolve the Board of its overall responsibility to manage the Trust.

## **Chief Executive Officer (CEO) & Executive Leadership Team (ELT)**

The CEO shall be appointed by the Board of Directors. The CEO will manage generally the business of the Trust within agreed financial limits set by the Board. Subject to these financial limits, the CEO may also delegate to other members of the Executive Leadership Team, primary authority for the day to day management of the Trust's operations save for those matters which are reserved to the Board or its committees.

The CEO and ELT (where delegated by the CEO) is the overall decision-making body for performance and delivery, under delegated authority from the Board. The main purpose of the CEO and ELT is to monitor, challenge and improve academy performance. This includes, but is not limited to:

- Academic performance of all students at every key stage;
- Curriculum and staffing management; and Financial and resource allocation.

## **The Local Advisory Board (LAB)**

The purpose of a LAB is to provide a local perspective regarding the effective operation of the school. Therefore, the LAB is not required to take decisions on staff or financial matters affecting the Academy. The LAB will support the Head of School and advise the Board of Directors, with the aim of improving the relevant academy.

The LAB will be kept informed about all aspects of the academy and will make recommendations to the Board of Directors, as appropriate;

As the Board of Directors takes responsibility for educational standards, legal compliance and financial viability, the LAB then has the time to investigate the standards on the ground, to see how they are working, and explore how the TANMAT ethos is being understood and expressed in the way the Academy operates.

The LAB consists of a group of people who could be parents, governors, community nominees, or academy staff, with a minimum of 5 and a maximum of 9 people. The minimum number of attendees for a meeting is four members of the LAB.

A member of the Board of Directors acts as Link Governor and will Chair the LAB.

The TANMAT Board has established five key roles for Local Advisory Boards:

- To advise/act as a critical friend to the Head of School;
- To advise the Board of Directors about local issues they need to consider that affect the academy;
- Represent the interest of the Academy community in the running of the Academy;
- Represent the Academy in its community;
- Provide support to the Head of School in undertaking appropriate day to day procedures that are essential to the life of the Academy.

## **Central Functions**

As part of a Family of Schools we aim to have the greatest amount of impact with efficacy. A contribution of an equal percentage of funding (through consistent Funding Formula between all schools) of each academy's GAG income is levied which enables all academies access to a whole range of functions and services as agreed at Trust level. This excludes any surplus carried forward or income generated by the Academy. In addition, when necessary, specific charges are made for bespoke intervention when curriculum and performance require e.g. long term or significant deployment of Heads of School.

Each year the trust will retain 5% of the GAG funding for each Academy, for clarity this excludes the funding each academy receives in respect of:

- Sport Premium
- Pupil Premium
- Devolved Capital (where delegated per school)
- Student financial support funding
- Top-up funding for Special Needs (including Education, Health & Care Plans)
- School generated income (e.g. lettings, fundraising, grants)

The funds retained by the Trust will be used to fund the following expenditure on behalf of the academies within the Trinity Academy Newcastle Trust

This is not an exhaustive list:

- Central Services
- Admissions / Appeals
- CEOs' Performance Management
- External Audit
- Audit Bank Fees
- HCSS budget planning system
- Governor Development Service
- School Improvement
- Shared bid writing
- HR/Payroll
- Central Services Salaries
- Annual Actuarial Revaluation Fees (LGPS)

The Trust will reserve the right to update the expenditure on an annual basis. Where appropriate the top slice may be adjusted to reflect any increases in cost or increase in services to be provided directly by the Trust, or as a result of cost saving generated through streamlining of back-office functions.

Each year the Trust will also agree annual recharges between the academies to offset expenditure such as:

- Alternative Education
- Staff Secondment

- Shared Resources/Premises Costs

The above will be calculated as follows:

- If the cost of the service is based upon pupil numbers, schools will be charged per pupil
- If the cost of the service is based upon staff numbers, schools will be charged per staff member
- If the cost of the service is per institution, the school will be charged for their institution

### Deployment of Heads of School

The ultimate responsibility for the deployment of Heads of School belongs to the Chief Executive. This will be based on identified need. Academies should discuss their requirements with the Chief Executive who will then broker that support on their behalf.

			Approval Level				
						Unsupported	
	Area	Task	M	BoD	CEO	LAB	HOS
GOVERNANCE	1	Vary the articles of association/funding agreement/Company Name	x	←			
	2	Changes to the SoDA		x	←		
	3	Appoint or remove Trustees to the Board	x	←	←		
	4	Accept requests from other schools to join the Trust		x	←		
	5	Accept proposal to open free school		x	←		
	6	Accept proposals for significant changes/sponsorship (with RSC approval where required)		x	←	←	←
	7	Appoint the Chair of the board, vice chair(s) and Trust sub-committee chairs		x			
	8	Set Terms of Reference for the Trust Board and sub committees		x	←		
	9	To consider and amend delegation of functions to individuals or committees		x			
	10	Appoint Chair of the Local Advisory boards		x	←	←	
	11	Remove Chair of the Local Advisory boards		x	←		

	12	Appoint or remove members of the Local Advisory Boards		x		←		
	13	Elect Staff and Parent Governors				x	←	
	14	Set Terms of Reference for the LABs		x	←	←		
	15	Review performance of the LABs and report to the Board		x	←	←	←	
	16	Implement a Governance Accountability Cycle		x	←			
	17	Appoint a Chief Executive Officer (CEO)/Accounting Officer		x				
	18	Appoint a (CFO) Finance Director		x	←			
	19	Appoint Governance Professional to the Trust Board and LABs		x	←			
	20	Appoint external auditors for the Trust	x	←	←			
	21	Appoint internal auditors		x	←			
	22	Appoint a Trust Achievement Partner		x	←			
	23	Set up a register of business interests for members, trustees, local advisory board members and all staff. Report on Companies House annual review			x	←		
	24	Set up an expenses scheme for all Members, Trustees and Governors		x	←			
	25	Implement a training programme for Members, Trustees and Governors	⇒	⇒	x	←	←	
	26	Setting of statutory meetings and overall strategic direction for the Trust		x	←	←	←	
	STRATEGY AND RISK MANAGEMENT	27	Setting Visions and Values of the Trust		x	←	←	←
		28	Setting KPI's and Strategic objectives for the		x	←		
		29	Produce a Trust development plan			x		←
		30	Accept and review progress of Trust Development plan		x			
		31	Set the risk strategy including risk ratings for the Trust		x	←		
		32	Responsibility for monitoring of the Risk register and actions via the sub committees		x	←		
		33	Setting KPI's and Strategic Objectives of an individual academy			⇒	⇒	x
		34	Set the risk register including risk ratings for an individual academy			⇒	⇒	x
		35	Produce an Academy Development Plan			⇒	⇒	x

	36	Review progress across the Trust of all Academy Development Plans			x	←	←
	37	Changes to admissions policy (including consultation required)		x	←	←	←
	38	Changes to pupil admission numbers		x	←	←	←
	39	Determine the scope of central services delivered by the MAT and associated central charge		x	←		←
QUALITY OF EDUCATION	40	Responsibility for standard in Teaching and Learning			x	←	←
	41	Establish and Review Admissions policy		x	←		
	42	Appeal against LA decisions to admit learners		x	←	←	←
	43	Establish and review Curriculum Policy			x	←	←
	44	Agree Curriculum Policy		x	←		
	45	Collective worship statutory arrangements for academy without religious character		x	←	←	←
	46	To set and publish targets for pupil achievement		x	←	←	←
	47	Provision of Relationships Education Policy				⇒	x
	48	Monitor individual pupils' progress				⇒	x
	49	Accountability and responsibility for individual pupil education and achievement				⇒	x
	50	Behaviour & Relationships Policy		x	←	←	←
PUPIL DISCIPLINE AND EXCLUSION	51	Exclude a pupil for more than 15 days or permanently		⇒	⇒	⇒	x
	52	Review exclusion upon appeal		x			
FINANCE	53	Approve Trust budget plans for financial year		x	←		
	54	Set academy budget for financial year		x	←	←	←
	55	Monitor Trust budget/management accounts monthly		x	←		
	56	Monitor Academy budgets and expenditure a minimum of once a term		x	←	←	←
	57	Set Trust Central Services charge		x	←		
	58	Establish, monitor and review all financial policies		x	←		
	59	To agree signatories for budget holders in each Academy		x	←		
	60	Enter into contracts as agreed in schedule of		x	←		



		delegated limits					
	61	Financial reporting to Trustees and KPI's including <ul style="list-style-type: none"> <li>Preparation of monthly accounts</li> <li>Scrutiny of financial planning</li> <li>Ensuring regularity and propriety and value for money</li> </ul>			x		
	62	To investigate any activity deemed relevant to enquiries. CEO not to participate if enquiry relates to his activities		x			
	63	To set the financial control limits for the trust (see financial procedures policy)		x	←		
	64	To adhere to the financial control limits for Central Services			x		
	65	Individual Academies to adhere to the financial control limits for the Trust				⇒	x
	66	To Appoint External Auditors	x				
	67	To approve the end of year accounts from the external auditor		x	←		
	68	To receive the end of year accounts from the external auditor	x	←			
	69	Ensure related party transactions are communicated to the ESFA and approval sought if over £20K			x		
	70	Acquiring an disposing of Trust land (disposal must be approved by Secretary of State)		x			
	71	Annual report to Companies House 9 months from year end		x	←		
HEALTH & SAFETY	72	Maintain a Risk Register		x	←	←	←
	73	Propose and approve Trust Health and Safety Policy (including Fire Evacuation Procedures)		x	←		
	74	Implement Health and Safety Policy with local procedures and report risks and issues to CEO				x	←
	75	Report Data Breaches to the ICO within 72 hours of an incident occurring			x		←
POLICIES AND PRACTICES	76	Set Trust policies		x	←		
	77	Set annual pay policy		x	←		
	78	To formulate, establish and review an Appraisal policy and procedure		x	←		
	79	Provision of appropriate buildings and other insurance (including all liability cover)		x	←		

	80	Develop a trust capital strategy			x		
	81	Develop an Academy maintenance strategy			x	←	←
	82	To establish and review a school complaints procedure		x	←		
	83	Communications and implementation of core policies of induction and annual updated as necessary (inc. whistleblowing/complaints/safeguarding)					x
SAFEGUARDING	84	To set Trust Safeguarding policy		x	←		
	85	To reference and implement local safeguarding procedures in line with Trust policy				x	←
	86	Complete and maintain a Trust Single Central Record			x		←
	87	Appoint Health & Safety Link Trustee		x			
	88	Appoint Safeguarding Link Trustee		x			
SCHOOL MEALS	89	Ensure food standards are met		x		←	←
	90	Ensure provision of Free School Meals is met		x		←	←
ACADEMY ORGANISATION	91	Set Academy day, term dates and holidays		x	←	←	←
	92	Trust media and PR– overseeing public relations activities to project the activities of the trust			x		
	93	To ensure the website is fully compliant			x		
	94	To ensure the Academy website is fully compliant				⇒	x
	95	Adoption and review of Home-Academy agreement				⇒	x
PERSONNEL/STAFFING	96	Establish and review disciplinary/capability procedures		x			
	97	Disciplinary/Grievance hearings			x		
	98	Trust Executive appointments		x	←		
	99	Attendance on panel for appointment of Executive position		x			
	100	Appoint a Head of School		x	←	←	
	101	Attendance on panel for appointment of Head of School		x	←	←	
	102	Appoint Senior Leaders in Academy		x	←	←	
	103	Attendance on panel for appointment of Academy senior leaders		x	←		←

104	Appointment of any other staff in academies			x		←
105	Approve Academy staffing structure		x	←	←	←
106	Approve in year changes to trust staffing structure		x	←	←	←
107	Appointment of trust staff who directly support Central Services			x		
108	To implement the Performance Management and procedures as delegated			x		←
109	Performance review of the CEO		x			
110	Performance review of the Trust/ CFO			x		
111	Suspend/dismiss the CEO		x			
112	Hear appeal to the dismissal of the CEO		x			
113	Approve pay scales		x	←		
114	Performance review of Head of School			x		
115	Suspend/Dismiss a Head of School		x			
116	Hear appeal to the dismissal of Head of School		x			
117	Suspension/dismissal of all other staff			x		
118	Hear appeal to the dismissal of all other staff		x			
119	Approve any dismissal/severance/compensation payments		x			
120	Performance review of Academy staff (excluding Executive/Head of School)			x		←

#### KEY

x	Approve
←	Propose
→	Advise

M	Member
BoD	Board of Directors
CEO	Chief Executive Officer
LAB	Local Advisory Board
HoS	Head of School

**Segregation of duties**

6. Please refer to the Trust Finance Policy and Procedure Manual.

**Approved version**

7. This Scheme of delegation was approved and adopted by a resolution of the Directors passed at a meeting held October 2023.

**Date of next review**

October 2024