

SWIFT ACADEMIES

Scheme of Delegation

Reviewed – November 2019

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1. The Intent of the Curriculum

We believe in the widest possible horizons for learning and aim to achieve the finest 3-16 education for all of our students.

The vision of SWIFT (Success, Will, Inspire, Future, Triumphs) Academies is that each child experiences excellence with care every day. The Trust is founded on deeply held principles that every child has the right to a first class education and in order to achieve this: **Swift Academies provide a broad, balanced and challenging curriculum that ignites pupils' love of learning and successfully unlocks the true potential of each individual.**

We **ACHIEVE** this by providing a curriculum which:

- Interests and motivates, both through its content and its range of teaching and learning styles
- Enables students to develop the knowledge, understanding and skills upon which they can build according to their interests and abilities
- Allows students to make progress at a challenging pace and which also provides for the development of special aptitudes
- In addition to fulfilling national requirements, will also meet the broader needs of our children in an ever-changing world
- The provision and maintenance of an environment in which ALL students can achieve success, and where all students are valued and respected and extend the same value to others
- The development of a concept of learning as a desirable, life-long and enjoyable process

2. Introduction

The Board of Trustees of SWIFT Academies is required to approve a governance structure for the Trust which must be:

- ✓ compliant with DfE requirements, company and charity law;
- ✓ scalable and so adaptable to growth or change within SWIFT Academies;
- ✓ reviewed annually by the Trustees.

The governance structure complies with the Academies Financial Handbook and the Articles of Association.

All members, Trustees and Local Governing Body Governors must adhere to the 'Nolan Principles' of public life which are:

Selflessness – holders of public office should act solely in terms of the public interest. They should not do so to gain financial or other benefits for themselves, their family or their friends.

Integrity – holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity – in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability – holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness – holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.

Honesty – holders of public office have a duty to declare any private interest relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership – holders of public office should promote and support these principles by leadership and example.

All members, Trustees and Local Governing Body Governors are encouraged to attend training regularly and review training needs annually. The Trust will arrange this training.

3. Effective governance

Members

SWIFT Academies is governed by non-executive Trustees constituted under a Memorandum of Association and Articles of Association. The members are responsible for:

- ✓ Approving the Articles of Association
- ✓ Appointment and removal of Trustees
- ✓ Securing the highest standards of accountability from Trustees for the provision of all pupils in the Multi Academy Trust (MAT)
- ✓ Ensuring the charitable company achieves its objectives, sign off the financial accounts and annual report

The Trust has five Members. The term of office is 4 years. A member counts towards the quorum by being present in either person or proxy. Two persons are entitled to vote upon the business to be transacted, each being a Member or a proxy of a Member shall constitute a quorum.

Trustees

The Trustees have delegated responsibility for 3 core strategic functions (strategic direction, holding the Head Teachers/Heads of School to account for educational performance and overseeing the financial performance and compliance of the academies).

Trustees are responsible for:

- ✓ Delivering the charitable objectives of the Trust.
- ✓ Strategically controlling the organisation and managing the charitable assets.
- ✓ Ensuring compliance with the Trust's duties under company law and charity law and agreements made with the DFE including the funding agreement.
- ✓ The determination and educational character and mission of the Trust.
- ✓ Ensuring the solvency of the Trust company and charity and safeguarding its assets and delivering its charitable outcomes.
- ✓ Ensuring the continued charitable status of the Trust.
- ✓ Setting key strategic objectives and targets and reviewing performance against these.
- ✓ Determining the Trust Development Plan and reviewing all Trust/Academy SEF/Action Plans.
- ✓ The approval of all statutory policies that are common to all Academies within the Trust.
- ✓ Ensuring that the year-end accounts are submitted to members for approval.
- ✓ Entering all contracts on behalf of the Trust.

- ✓ The approval of annual estimates of income and expenditure for the Trust at the beginning of the academic year.
- ✓ To authorise income and expenditure in line with the Scheme of Delegation.
- ✓ Considering and evaluating Trust and individual Academy performance against Trust performance and national performance indicators.
- ✓ Identifying and commissioning appropriate support and intervention strategies for individual Academies as required.
- ✓ Oversight of the effectiveness of the delivery of centrally provided services.
- ✓ As the legal employer of all staff, responsibility for human resource policies and procedures and terms and conditions of service;
- ✓ Responsibility for ensuring that processes for undertaking the performance management of staff are in place
- ✓ Oversight of public relations activities to promote the activities of the Trust and the Academies to the wider community
- ✓ Determining the Admissions Policy and arrangements for the Academy's within the Trust.
- ✓ Determining of the Complaints Policy and procedures for the Academy's within the Trust.
- ✓ Appoint the clerk to Board of Trustees and any Committees of the Board of Trustees, including to the LGB (in consultation with the LGB).
- ✓ Appoint/commission the appointment of the Company Secretary.
- ✓ Ensuring that appropriate policies are in place to enable the health, safety and welfare of all staff, pupils and visitors to Trust premises and Trust activities.
- ✓ Requiring LGBs to provide the Board of Trustees with termly performance reports to support the Trust's monitoring and evaluation of each academy.
- ✓ Monitoring the performance of the LGB and to categorise the performance of each academy to determine the extent of delegation and the level of support required for school improvement.
- ✓ Monitoring the work of the LGB and if necessary review/withdraw/reduce/increase the scope of delegated powers including the appointment of a Local Advisory Board.
- ✓ Ensuring that the Board of Trustees and LGBs regularly review their effectiveness.
- ✓ Ensuring skills audit are periodically undertaken by Trustees and all LGB Governors.
- ✓ Managing a corporate risk register for the Trust.
- ✓ Undertaking any hearings at the appropriate stage in relation to Exclusions
- ✓ Undertaking hearings of complaints at the appropriate stage
- ✓ The appointment or dismissal of the Chief Executive Officer (CEO), Head Teacher's/Heads of School's and Chief Finance Officer (CFO). In the case of Head Teacher's/Heads of School, representatives of the Local Governing Body (LGB) may be involved.
- ✓ Intervening as appropriate in any Academy at risk of underperformance.
- ✓ Determination of the establishment, constitution, membership, proceedings and delegated powers and functions of the Local Governing Body and committees and their annual review and revision.

The Trust has a maximum of nine Trustees with a range of responsibilities including the CEO. The quorum for meetings of the Trustees will be three voting Trustees and the term of office for all Trustees will be four years, save that this time limit shall not apply to any post which is held ex-officio. Co-opted Local Governing Body Governors maybe required on occasion and if this is the case their period of office will be determined by the Trustees. The CFO of the Trust will usually attend as a non-voting member; other senior staff may be invited when required.

The following items will be included as standard on the agendas of all meetings of the Trustees:

- ✓ Safeguarding & SEND (including SEMH) – nominated Trustee
- ✓ Health and Safety
- ✓ Standards and Progress

- ✓ Behaviour and Attendance
- ✓ School Reviews
- ✓ Finance
- ✓ Trust Development Plan
- ✓ Scheme of Delegation

Where an issue is being discussed that directly affects a Trustee or the CEO an interest must be declared and the individual must withdraw from the meeting.

Any Trustee may attend any of the Trust and LGB meetings.

The Governance Clerk will undertake the clerking of the meetings of Members and Trustees and its committees and ensure that the minutes are included as an agenda item for consideration and approval at the next appropriate meeting.

All decisions made by committees with delegated powers must be reported to the next full meeting of the Trust.

The Board of Trustees delegates all functions of the Board that can be delegated to the Chair of the Board of the Trustees and in his/her absence, the Vice Chair of the Board of the Trustees where a delay in exercising the function would be likely to be seriously detrimental to the interests of:-

1. An academy in the Trust
2. And pupil(s) at an academy in the Trust, or their parent; or
3. A person who works at an academy in the Trust

If any delegated functions are exercised the Chair or Vice Chair will report to the Board of Trustees at the next meeting of the Board, or appropriate committee if that function has been delegated to a committee

The Chair of the Trustees will be elected at the first meeting of the academic year and must be ratified by members prior to taking up the position. Chairs of each committee will be elected at the first meeting of the academic year and will meet at least three times a year.

Committees

The Trust will have two Committees and the membership of the Committees will be reviewed and agreed by the Trustees.

No employee of the Trust may be a member of the Finance and Resources Committee and/or the Standards Committee.

The quorum for each of the committees is three and only members of the committees may vote at committee meetings. The Chair of each committee will have a casting vote.

The committees will meet as often as is necessary to fulfil their responsibilities and at least twice per year. Once, at the beginning to agree the programme of work and once at the end to review.

The committees may invite attendance at meetings from persons who are not members of the committee such as representatives from Finance, HR, and auditors etc. to assist or advise when appropriate.

Committee membership and terms of reference

1. Finance & Resources Committee

- ✓ Trustee 1
- ✓ Trustee 2
- ✓ Trustee 3
- ✓ Trustee 4
- ✓ Trustee 5

The Finance & Resources Committee is responsible for providing assurance to the Trustees over the suitability of, and compliance with, its financial systems and operational controls. Ensuring the adequacy and effectiveness of the Trust's systems of internal control, risk management, informing the statement of internal control of the Trust, and agreeing a programme of internal audit work, to provide assurance to the external audit process.

The committee has delegated responsibility from the Trustees for ensuring that there is a framework for accountability; for examining and reviewing all systems and methods of control both financial and otherwise including risk analysis and risk management; and for ensuring the charitable Trust is complying with all aspects of the law, relevant regulations, and good practice.

The Finance & Resources Committee is authorised to:

- set the overall Trust budget and approve Academy budgets, ensuring financial viability of individual Academies and the overall Trust
- ensure the Trust and the Academies comply with their legal obligations, all EFSA policy and procedures, and requirements for financial reporting of academies
- 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
- agree and monitor the central Trust costs and recharging arrangements to individual academies
- determine the Trust's reserves/contingency policy
- ensure appropriate insurance or risk cover is put in place
- monitor and oversee the implementation of any Academy financial action plans
- approve site and asset management strategies
- oversee any significant capital expenditure and building projects
- approve funding applications
- develop and implement a risk management strategy, commissioning internal audit work as appropriate
- review and recommend workforce remodelling whilst seeking and ensuring cross-academy collaborations for efficiency and effectiveness
- obtain appropriate external legal and other professional advice to fulfil its responsibility to the Trustees
- appointment of the Internal and External Auditors for the Trust;
- appointing bankers and agreeing banking arrangements and signatories;

The CFO or their representative will attend all Finance & Resources Committee meetings as an adviser.

The external auditors may request a meeting of the committee at any time.

2. Standards Committee

- ✓ Trustee 1
- ✓ Trustee 2
- ✓ Trustee 3
- ✓ Trustee 4
- ✓ Trustee 5

The Standards Committee is authorised to:

- determine curriculum priorities
- set expectations through performance benchmarks and key performance indicators for educational standards; regularly monitoring progress and providing challenge, support or determining levels of intervention
- ensure regular analysis and reporting of a wide range of progress data takes place across the Trust and that any mitigating actions are implemented with pace
- monitor and oversee the implementation of Academy SEF/Action Plans focussing on school improvement
- review effectiveness of management structure
- review and recommend workforce remodelling whilst seeking and ensuring cross-academy collaborations for efficiency and effectiveness
- encourage LGBs to conduct self-assessment and performance review
- review and determine the Admission Policy of each Academy within the Trust
- ensure that the achievement of standards, delegated to LGBs, is planned, resourced, tracked and continuously improved, with outcomes reported, within agreed frameworks, to the MAT Trustees.
- establish, monitor and review statutory policies and procedures as per the Scheme of Delegation

The membership of any committee of the Trustees may include persons who are not Trustees, provided that (with the exception of the LGBs) a majority of members of any such committee shall be Trustees. Except in the case of the LGB, no vote on any matter shall be taken at a meeting of a committee of the Trustees unless the majority of the members present are Trustees.

Executive Leadership Team

- ✓ CEO
- ✓ CFO
- ✓ Trust Business Manager (TBM)
- ✓ Trust ICT Manager
- ✓ Head Teacher/Head of School - Academy 1
- ✓ Head Teacher/Head of School - Academy 2
- ✓ Head Teacher/ Head of School - Academy 3
- ✓ Head Teacher/ Head of School - Academy 4
- ✓ Head Teacher/ Head of School - Academy 5

The Executive Leadership Team has primary authority for the day to day management of the Trust's operations save for those matters which are reserved for the Members and Trustees.

The members of the Executive Leadership Team may from time to time invite additional staff to the meetings as required.

The Executive Leadership Team is the overall decision-making body for performance and delivery across the Trust, under delegated authority from the Trustees.

Delegation of Responsibilities to the Chief Executive Officer

The LGB acknowledge that the following responsibilities have been delegated to the Chief Executive Officer:

1. Implementing the agreed policies and procedures laid down by the Trust this includes the implementation of all statutory regulations, provisions within the Education Acts and compliance with the Master Funding Agreements.
2. Advising the Trust on strategic direction, forward planning and quality assurance.
3. The leadership and management of the Academy Trust, and line management of all Head Teacher's/Heads of School including advising Board members on setting appraisal targets and performance against appraisal targets;
4. As Accounting Officer for the Trust, overall accountability and management of the Trust budget, and oversight of the individual Academy's budget.
5. In exceptional circumstances and only in consultation with the Chair of Trustees, the Chief Executive Officer may waive the requirements of the Trust Finance Policy. These decisions will be formally recorded and reported to Trustees at the next meeting of the Finance & Resources Committee or the Full Board.
6. To enter into Settlement Agreements following Human Resource advice and authorisation by the Chair of the Board of Trustees.
7. Act as statutory Head Teacher with regard to those functions which cannot be delegated to Head of School
8. All such additional functions, where appropriate, may be assigned under the job description or contract of employment.

Delegation of Responsibilities to the Head Teacher/Head of School

The LGB Board acknowledge that the following responsibilities have been delegated to the Head Teacher/Head of School:

1. Implementing the agreed policies and procedures laid down by the Trust and the LGB Board this includes the implementation of all statutory regulations provisions within the Education Acts and compliance with the Master and Supplemental Funding Agreement.
2. Advising the LGB on strategic direction, forward planning and quality assurance.
3. The leadership and management of the Academy.
4. Managing the delegated budget and resources agreed by the LGB.
5. The maintenance of good order and discipline and promoting the Academys ethos and values within the framework laid down by the LGB.
6. All such additional functions as may be assigned under the job description or contract of employment.

Chairs/Vice Chairs of LGB Forum

The Chairs/Vice-Chairs of the LGB will be elected (whenever possible) at the first meeting of the academic year and must be ratified by the Board of Trustees prior to taking up the position.

Issues identified at the LGB will feed into the Board of Trustees.

The Chairs/Vice Chairs of the LGB Forum allows representatives to feedback information from each LGB, ensure commonality of reporting to Committees and to identify shared issues.

Members of the Executive Leadership Team may attend these meetings.

Local Governing Bodys (LGBs)

The Trustees are responsible for the performance of each Academy within the MAT; however, a range of responsibilities may be delegated to the LGBs. The levels of delegation will be based upon the principle of “earned autonomy” and decided by the Trustees and the Executive Board and will be dependent upon the strength and capacity of the Academy.

The strength and capacity of each Academy will be reviewed at least annually and will be based on a combination of their most recent Ofsted grade and the internal review grade of the MAT. Please see table below:-

Model of Earned Autonomy	
MAT & OFSTED Grade combined - 1 to 4	Green
MAT & OFSTED Grade combined - 5	Amber
MAT & OFSTED Grade combined - 6 to 8	Red

Where an Academy joins the MAT with grade 1 to 4 from Ofsted/MAT review and with no areas of weakness, then the LGB will have additional delegated responsibilities except for finance, although they will be invited to work in partnership with the Trustees and the Finance Team in planning the Academy budget.

Where an Academy joins the MAT with grade 5 from Ofsted/MAT review which has confirmed there are some areas of significant weakness, the LGB will have some delegated responsibilities along with a clear remit to provide support to the Head Teacher/Head of School. All Local Governing Body Governors of such an Academy will re-apply to continue as Local Governing Body Governors within twelve months of joining.

Where an Academy joins the MAT with grade 7/8 from Ofsted/MAT review, the existing Governing Body will be replaced by a Local Advisory Board (LAB) if appropriate. The Trustees and Executive Board will be responsible for determining the members of the LAB and in some instances, where their skills will add to capacity may include some members of the existing Governing Body.

Where an Academy is deemed to be at risk of failing its pupils/students, the Trust will exercise the right to reconstitute the LGB and appoint the majority of its members to ensure that the identified weaknesses can be effectively addressed; this may include the implementation of a LAB.

The composition of the LGBs will be:

Governor Category	Number	Term of Office	Appointing Body
Head Teacher/Head of School	1	Ex-officio	N/A
General	Maximum of 5	4 years	Trustees and Executive Board
Parent	2	4 years	Parents by process of election
Teaching Staff	2	4 years	Teachers by process of election
Support Staff	1	4 years	Support Staff by process of election
Representative from the Executive Leadership Team	1	Ex-officio	Appointed by the Executive Leadership Team

A member of the Trust may be appointed to attend meetings of the LGB.

The maximum size of the LGB will be 12 and a Chair and Vice-Chair will be elected annually at the first meeting of the academic year. In a Academy where there are less than 150 pupils/students then only one staff Governor will be appointed. All staff in the Academy will be eligible to stand as a Governor and participate in any subsequent ballot process.

The LGB has a maximum of twelve Governors with a range of responsibilities; the quorum for meetings of the Governors will be three voting Governors and the term of office for all Governors will be four years.

All Governors on LGBs will be required to complete a skills audit which will enable the Trust to ensure that Local Governing Body Governors have the necessary skills and experience to contribute to effective Governance.

The LGB will play a crucial role in both supporting and challenging the Academy in particular the Senior Leadership Team. The ability of a LGB to fulfil this role are a vital component in demonstrating the effective leadership of the Academy, and Local Governing Body. Governors must know that all pupils/students at the Academy are making progress at least at the rate that is expected of them.

The LGB will be supported and developed by the Trust to ensure that governance is judged to be at least good by Ofsted; this is because we know that where governance is strong, standards of attainment are likely to be higher because pupils/students are well known and supported to be their best, the quality of teaching is a constant focus of attention, and the leadership of the Academy is held to account for the performance and well-being of the pupils/students.

All Governors on the LGB (with the exception of Head Teacher/Head of School and the Chief Executive Officer) will perform one or more of the following roles:

- Chair
- Vice-Chair
- Premises/Health & Safety Board Governor
- Safeguarding & Welfare Governor
- LAC Governor
- SEN (including SEMH) Governor
- Finance Governor
- Values, Community & Equality Governor
- E-Safety Governor
- Careers & Transition Governor
- NQT Governor
- Standards (Teaching, Learning, Curriculum & Progress) Governor

In addition to these specified roles LGB's may also link board members to defined subjects, departments, curriculum areas and Key Stages.

The Trust is fully committed to the development of effective Governance through LGBs and will provide training to assist Local Governing Body Governors in undertaking their role. In addition and where appropriate additional Local Governing Body Governors will be sought to add to the expertise of the LGB.

For Academies joining the MAT discussions will be held with the existing Governing Body on the right membership, size and structure for the new LGB using the model structure in this scheme of delegation.

The LGB in conjunction with the Board of Trustees are responsible for the following areas as aligned with the Competency Framework for Governance (DfE) :

Strategic Leadership

- ✓ Setting the strategic direction of the Academy and have a central and significant role in its leadership
- ✓ Hold a shared vision for the Academy which is clear, understood and well communicated to staff, parents/carers and students and reflects the fundamental values and objectives of the Trust
- ✓ Engaging effectively with parents/carers, pupils, students, and staff and are well informed about their views and use this to inform strategic priorities for development planning.
- ✓ Ensuring that Academy targets are both achievable and sufficiently challenging to lead to sustainable improvement.

Accountability

- ✓ Having a clear understanding of the strengths and strategic priorities for the Academy and ensure that an appropriate plan is in place and implemented effectively.
- ✓ Ensuring that all statutory requirements including those set out within the Scheme of Delegation and Funding Agreement are met and that all Trust policies are implemented through well-developed procedures.
- ✓ Implementing all HR policies and procedures as determined by Trustees.
- ✓ Ensuring the health, safety and well-being of staff, students and visitors and ensure that adequate resources are allocated to provide a safe environment.
- ✓ Providing high levels of professional challenge to hold senior leaders to account.
- ✓ Focusing on raising standards and promoting the personal development and well-being of all learners.
- ✓ Understanding the Academy's performance data and having an accurate overview of how all pupils are achieving in relation to their potential and other schools, as well as how different groups of pupils/students within the Academy are performing.
- ✓ Ensuring they have a good understanding of the barriers to learning, including attendance and behaviour issues and what the Academy is doing to overcome these.
- ✓ Ensuring that the self-evaluation form is updated annually and that the Academy Action Plan/SEF accurately reflects improvement priorities.
- ✓ Regularly reviewing and approving the curriculum for the Academy, including the allocation of resources.
- ✓ Working with the Trust to effectively manage the budget to ensure value for money and referring all capital expenditure projects to the Trust as appropriate.
- ✓ Giving an undertaking to attend meetings, to develop specialisms and to ensure that they know the school through regular visits.
- ✓ Undertaking any hearings at the appropriate stage in relation to Exclusions
- ✓ Undertaking hearings of complaints at the appropriate stage
- ✓ Determining the in-year admission of pupils at the appropriate stage.

People and Structures

- ✓ Acting always in accordance with the guidelines as agreed by the Board of Trustees.
- ✓ Seeking the approval of the Trust to establish Committees where desired. Where a LGB wishes to establish Committees/working groups then these shall not commence meeting until such a time the membership and terms of reference are agreed.
- ✓ In the event of a need to make genuinely urgent decisions between meetings, the Chair in consultation with the Head Teacher/Head of School and/or where appropriate the Chief Executive Officer will take appropriate action on behalf of the LGB.

- ✓ Decisions are made by majority of votes and the Chair has a casting vote.

Compliance

- ✓ Ensuring that all statutory requirements and responsibilities are met and that appropriate procedures are in place to ensure the health, safety and well-being of pupils, staff, and visitors.

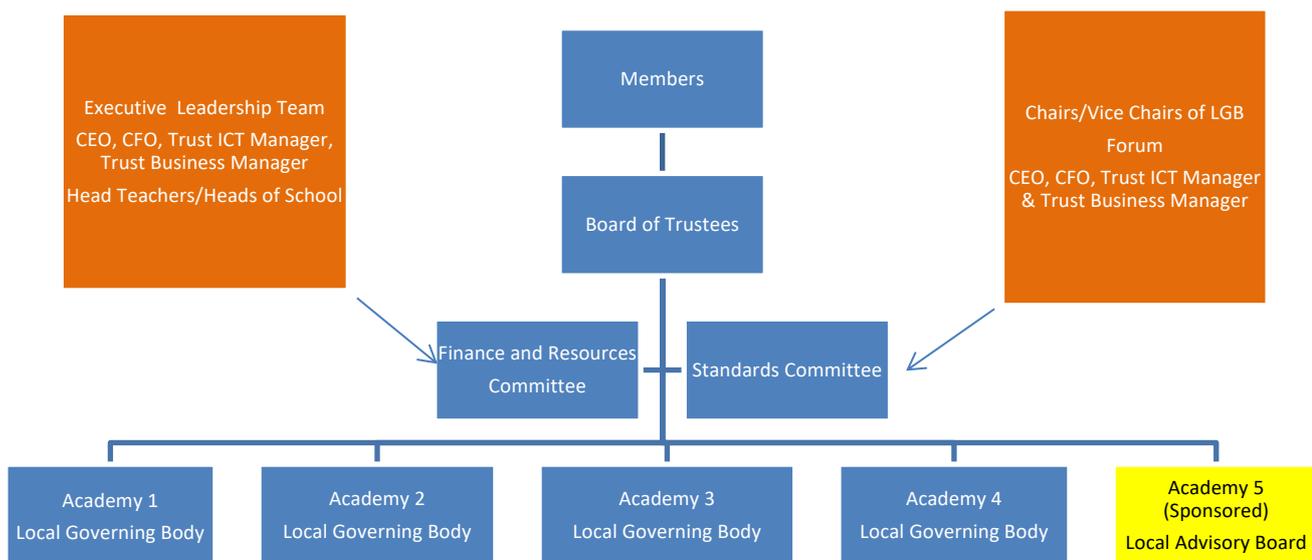
Code of Conduct

- ✓ Trustees and Governors must all sign their respective Code of Conduct documents annually; if we believe this code has been breached, the issue will be raised with the Chair (of the respective body of LGB or Trustees) and the Chair will investigate; should it be the Chair that we believe has breached this code, another Trustee or LGB member, such as the Vice Chair will investigate.
- ✓ The Chair (or the Vice-Chair in the case of a breach by the Chair) is able to suspend someone from the Trustees or LGB for a fixed period of time up to six months at a time, for example for acting in a way that is contrary to the Trust’s ethos and for bringing or being likely to bring the organisation, the Trustees, the LGB or their role into disrepute.
- ✓ The CEO has delegated power to suspend a Trustee or Governor in extraordinary circumstances where not to do so would expose the Trust to disrepute
- ✓ Any suspension will be reported to Trustees at the next Board of Trustees meeting following the suspension.
- ✓ The Trustees or LGB will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways;

Evaluation

- ✓ Evaluating the impact of the LGB’s decisions on student outcomes.

Appendix A: Leadership & Governance Structure



Review

This Scheme of Delegation shall operate from the Effective Date; the Trustees will have the absolute discretion to review this Scheme of Delegation at least on an annual basis and to alter any provisions of it.