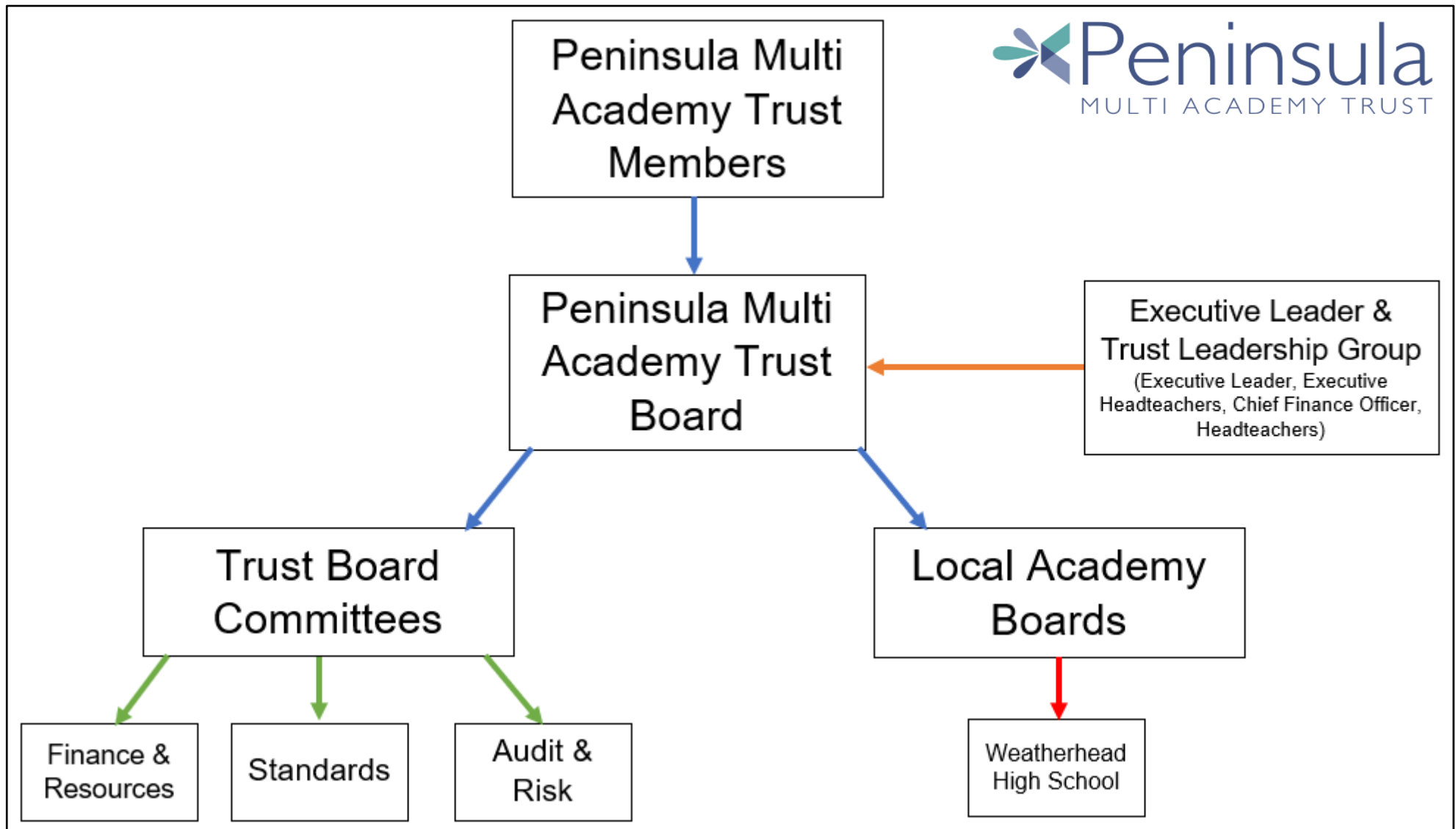


# **Peninsula Multi Academy Trust: Scheme of Delegation (2024-25)**

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Updated 18.06.24

## Peninsula Multi Academy Trust Governance & Executive Leadership Structure



## **AIMS OF THIS SCHEME OF DELEGATION**

The aim of the Scheme of Delegation (the Scheme) is to provide clarity to Members, Trustees, the Executive Leader, Local Academy Boards and Headteachers on the extent of their responsibilities, authority and powers as well as providing a framework within which they will interact and work with each other.

The terms of this Scheme may be reviewed by the Trustees at any time but shall be reviewed at least annually. Trustees 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 Local Academy Board.

As a Multi Academy Trust (MAT), the Trust Board of Peninsula Multi Academy Trust is accountable, in law, for all major decisions concerning its academies. The Trust Board is not required to carry out all the Trust's governance functions and many can, and should, be delegated to the Executive Leader, Executive Team and appointed committees, including Local Academy Boards. The decision to delegate a function is made by the Trust Board. Without such delegation, the individual or committee has no power to act.

Governance arrangements will be kept up to date on the Peninsula Multi Academy Trust and individual academy websites, as well as with the DfE's Get Information About Schools (GIAS) site and Companies House.

## **THE ROLE OF MEMBERS AND TRUSTEES**

### **MEMBERS**

The Members appoint Trustees to ensure that the Trust's charitable objects are carried out. They are able to remove Trustees if they fail to fulfil this responsibility. There must be **at least three** Members, although the Department for Education's (DfE) strong preference is that Trusts should have **at least five** members. There must be a separation of powers between the Members and the Trust Board. 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, the majority of Members will be independent of the Trust Board. The Chair of the Trust Board will sit as an ex-officio Member. Members are not permitted to be employees of the Trust or to be related to employees of the Trust.

There are no terms of office for the Members of the Peninsula Multi Academy Trust and the circumstances surrounding the appointment and removal of Members is set out in the Articles of Association.

Members have the ultimate responsibility for ensuring the Trust fulfils its obligations, as described in its Funding Agreement with the Secretary of State for Education and its Articles of Association. They have agreed the Articles of Association (a document which outlines the governance structure and how the Trust will operate). The Articles of Association stipulate arrangements for the appointment and removal of Members and Trustees. Under Article 50 of the Articles of Association, the Members are able to appoint up to eight Trustees to ensure that the Trust's charitable objects are carried out.

The Members must meet at least annually, and will receive from the Trust Board an annual report on the performance of the Trust which includes the audited accounts. The Members will be responsible for appointing the Trust's external auditors.

In summary, the Members' four main functions are (i) ultimate control over the performance of the Trust Board, with the ability to appoint and remove Trustees, (ii) the right to amend the Trust's Articles of Association, (iii) responsibility for the Trust achieving its charitable objectives (including financial) and (iv) appointing auditors.

## TRUSTEES

The ESFA's Academy Trust Handbook (2023) states the following about the role of the Trust Board within an academy trust:

*The academy trust is the legal entity with the board having collective accountability and responsibility for the academy trust and assuring itself that there is compliance with regulatory, contractual, and statutory requirements. The academy trust board provides:*

- **Strategic leadership of the academy trust:** *the board defines the trust vision for high quality and inclusive education in line with its charitable objects. It establishes and fosters the trust's culture and sets and champions the trust strategy, including determining what, if any, governance functions are delegated to the local tier.*
- **Accountability and assurance:** *the board has robust effective oversight of the operations and performance of the academy trust, including the provision of education, pupil welfare, overseeing and ensuring appropriate use of funding and effective financial performance and keeping their estate safe and well-maintained.*
- **Engagement:** *the board has strategic oversight of relationships with stakeholders. The board involves parents, schools and communities so that decision-making is supported by meaningful engagement.*

The Trust is a charitable company and so Trustees are both charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and Company Directors. Trustees are bound by both charity and company law. The terms 'Trustee' and 'Director' are often used interchangeably. Peninsula Multi Academy Trust uses the term 'Trustee'. The Trustees are responsible for the general control and management of the administration of the Trust and, in accordance with the provisions set out in the Memorandum and Articles of Association, its Funding Agreement and the Academies Trust Handbook, they are legally responsible and accountable for all statutory functions, for the performance of all academies within the Trust, and for the approval of a written Scheme of Delegation of financial powers that maintains robust internal control arrangements. The Trust Board is legally responsible and accountable to the Department for Education (DfE).

The Board of Trustees has the right to review and adapt its governance structure at any time which includes approving or removing delegation. Trustees are appointed for their knowledge, skills and experience, ensuring an appropriate balance of expertise. The Trust Board meets termly, providing non-executive leadership for the Trust and having overall legal responsibility for the operation of the Trust. It is the accountable Board for the performance of all academies within the Trust and as such must:

- Ensure clarity of vision, ethos and strategic direction.
- Hold the executive to account for the educational performance of the academies and their students, and the performance management of staff.
- Oversee the financial performance of the Trust and make sure its money is well spent.
- Comply with provisions set out in the Articles of Association of the Trust, the Master Funding Agreement, Supplemental Funding Agreements and the Academy Trust Handbook.
- Determine a Scheme of Delegation.

The Trust Board is the employer of all staff and therefore is the final appeal Board in matters of pay and staff discipline. Trustees will also agree the annual budget for each academy within the Trust.

The composition of the Trust Board and the appointment of Trustees will be in accordance with the conditions set out in the Articles of Association. In addition, the operational arrangements for the Trust Board are set out in the Articles of Association and the Trust Board's Terms of Reference. The Trust Board will meet on a termly basis and will hold an annual general meeting prior to the first meeting of the academic year. The work of the Trust Board will be supported by a Governance Professional as well as a member of the Executive Team who is assigned as the Trust's Governance & Compliance Manager.

## **THE ROLE OF THE CHIEF EXECUTIVE OFFICER (CEO)**

In the Peninsula Multi Academy Trust the Chief Executive Officer is referred to as Executive Leader. The Trust Board appoints the Executive Leader to whom it delegates responsibility for delivery of the vision and strategy of the Trust. The Executive Leader is held to account for the conduct and performance of the Trust, including the performance of the academies within the Trust, and for financial management.

The Executive Leader has the delegated responsibility for the operation of the Trust, including the performance of the Trust's academies, appointing Headteachers and other senior leaders as well as ensuring the performance management of the Headteachers is carried out effectively. These roles are performed in conjunction with the Local Academy Boards for each academy within the Trust.

The Executive Leader is the Accounting Officer so has overall responsibility for the operation of the Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability, avoiding waste and securing value for money.

Representatives from the Trust Board, supported by an independent advisor, will be responsible for the Executive Leader's performance management and will make any recommendation for pay progression to the Finance & Resources Committee of the Trust Board.

The Executive Leader leads the Trust Leadership Group of the Trust. The Executive Leader will delegate functions to members of the Trust Leadership Group and is accountable to the Trust Board for their performance. The details of the Executive Leader's roles and responsibilities are set out in the Executive Leader job description.

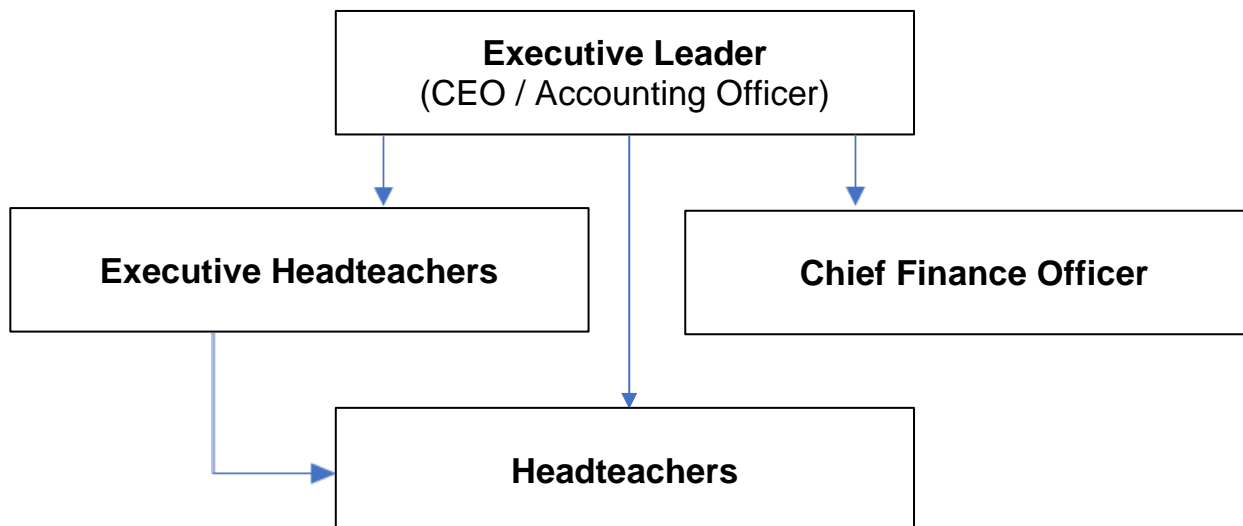
## **TRUST LEADERSHIP GROUP**

The Trust Leadership Group forms the central executive team of the Peninsula Multi Academy Trust. It comprises the Executive Leader, any Executive Headteachers and the Chief Finance Officer. In addition, whilst the Trust is small the Headteachers of the individual schools will form part of the Trust Leadership Group although this will be reviewed if the Trust increases to more than five schools. In addition, whilst the Trust is small, the Executive Leader and Executive Headteachers will have their own schools to lead (fulfilling the responsibilities of the Headteacher) and this will be reviewed as and when the Trust grows.

The Trust Leadership Group will support the Executive Leader with implementing the vision and strategy of the Trust as well as the operation of the Trust. The group will ensure effective and efficient deployment of resources and prudent budget management, and will be responsible for trust-wide quality

assurance, school improvement & support and the implementation of Trust policies in order to ensure the delivery of educational excellence across the Trust. The Trust Leadership Group is also responsible for ensuring Peninsula Multi Academy Trust is a strong trust when assessed against the DfE's Trust Quality Descriptors.

The Executive Headteachers are responsible for deputising for the Executive Leader. The Executive Leader will line manage the Executive Headteachers and between them they will line manage the Headteachers of the Trust's schools. The Executive Leader will line manage the Chief Finance Officer who, in turn, will oversee the Trust central support team.



## TRUST BOARD COMMITTEES

The Trust Board has established committees with delegated powers. The purpose of the committees is to make decisions in line with their delegated powers, to review and monitor the impact of decisions made and to report back to the Trust Board. All Trustees are required to sit on at least one Trust Board Committee.

### Finance & Resources Committee

The purpose of this committee is to be responsible for financial oversight and scrutiny, ensuring sound management of the Academy's finances and resources, including proper planning, monitoring and probity. The committee will scrutinise the annual proposed budget in detail, making a recommendation for approval to the Trust Board, and will closely monitor the management of the budget during the financial year. This Committee will also consider and have oversight of the Trust's estate, ensuring the good maintenance and upkeep of all academies. The Finance & Resources Committee is responsible to the Trust Board. Terms of reference set out the delegated powers of the committee in more detail.

## **Audit & Risk Committee**

The Academy Trust Handbook states that Academy Trusts are required to establish an Audit & Risk Committee. The Audit and Risk Committee advises the Trust Board on matters relating to the Trust's finance and audit arrangements, systems of internal control and risk management. It will assist the Trust Board in ensuring sound management of the Trust's finances and resources, including proper planning, monitoring and probity. It has oversight of internal scrutiny and is responsible for the appointment of the internal scrutiny auditors. The Audit and Risk Committee is responsible to the Trust Board. Terms of reference set out the delegated powers of the committee in more detail.

## **Standards Committee**

The committee's specific function is to support the Trust Board, Executive Leader and relevant members of the Executive Team in their responsibilities for the educational performance of the Trust and its students in the context of the Trust's strategy. The committee has oversight of all aspects of educational performance, including curriculum offer, attainment & progress data and provision for students with SEND. In addition, the committee will monitor data related to safeguarding, behaviour, attendance and the well-being of students, enabling the Trust to identify areas of strength and those requiring improvement. The Standards Committee is responsible to the Trust Board. Terms of reference set out the delegated powers of the committee in more detail.

## **LOCAL ACADEMY BOARDS (LABs)**

The performance of every individual academy within the Trust is ultimately the responsibility of the Trust Board. The Trust Board discharges this responsibility, primarily, through the Executive Leader and the Executive Team of the Trust, who themselves are responsible to the Trust Board for the performance of the academy and its leaders. This is reinforced by the work of Local Academy Boards (LABs) which are formal committees established by the Trust Board and have a brief to review and challenge performance at the working level in each academy, independently of the Trust Board. The Executive Leader and Executive Team will work with each LAB to continuously develop and deliver the highest standards of leadership, management, teaching, learning and wider educational experience within the ethos promoted by the Trust but whilst also recognising the distinct nature of each individual academy and the community it serves. The Trust recognises that establishing and developing good working relationships with each LAB is fundamental to the success of each academy. The Trust aims to deliver its responsibilities for each academy whilst establishing a Scheme of Delegation that allows each LAB to function effectively and to play a role in the development of the academy and of the Trust.

## **COMPOSITION OF LOCAL ACADEMY BOARDS (LABs)**

Each academy in the Trust will have an LAB which is accountable to the Trust Board and will comprise:

- Headteacher (ex officio).
- **One** elected Staff Governor.
- **Two** elected Parent Governors.
- Up to **four** Governors co-opted by the LAB on the basis of their knowledge, skills and/or professional experience.
- Up to **two** Governors appointed by the Trust Board (possibly on the recommendation of the LAB), on the basis of their knowledge, skills and/or professional experience.

The minimum operating number of Governors for each LAB will be **five** and the maximum operating number will be **ten**. The composition of the LABs shall be agreed by Trustees and will be reviewed annually.

With the exception of the Headteacher, terms of office for Governors will be four years.

Election and appointment conditions for Governors will be based on the following criteria:

### **Staff Governors**

Teaching and support staff (excluding the Headteacher) who are employed by Peninsula Multi Academy Trust under a contract of employment are eligible to stand for election as a Staff Governor and to vote as a Staff Governor in their own academy. When a vacancy arises, an election will take place in the academy and all teaching and support staff will be eligible to vote.

### **Parent Governors**

Parent Governors shall be elected by parents or registered carers of children at the academy. The nominee should be a parent of, or have parental responsibility for, a child at the academy at the time when they are standing for election. In cases where there are only enough nominees to fill the vacant Parent Governor posts, no election will take place and the nominees will be appointed. In cases where the academy is unable to elect / appoint a Parent Governor from the academy's parent body, Trustees may consider the election / appointment of a parent of a child of school age from across the Trust.

### **Co-opted Governors**

The LAB may co-opt a Governor onto the LAB:

- who lives or works in the community served by their academy and is not an employee of the Trust.
- who is an individual who is committed to the good governance and success of the academy, but does not work or live close by who, in the opinion of the Trustees, has the necessary skills set and is committed to the governance and success of their academy.
- who offers a particular set of knowledge, skills and/or professional experience that may have been identified through a skills audit or is relevant to the academy.
- who is committed to uphold the values and ethos of the Trust and the academy.

### **Trust Appointed Governor**

Trustees shall invite a person to become a Governor:

- who lives or works in the community served by their academy and is not an employee of the Trust.
- who is an individual who is committed to the good governance and success of the academy, but does not work or live close by who, in the opinion of the Trustees, has the necessary skills set and is committed to the governance and success of their academy.
- who offers a particular set of knowledge, skills and/or professional experience that may have been identified through a skills audit or is relevant to the academy.
- who is committed to uphold the values and ethos of the Trust and the academy.



The Chair of Governors and Vice Chair of Governors for each LAB is elected annually by the LAB at the beginning of each academic year and approved by the Trust Board.

The Trustees and Executive Leader shall be entitled to attend any meetings of the LAB as an observer.

The Trust Board will monitor the performance of each LAB in the Trust and has the power to dismiss a LAB Chair, LAB Vice Chair or individual Governors where they have concerns about their performance in role. The Trust Board also reserves the right, in exceptional circumstances where there are significant concerns about the performance of the academy and/or the LAB, to revoke delegated responsibilities to the LAB and/or take control through the installation of an Advisory Board.

## **EXPECTATIONS OF LOCAL ACADEMY BOARDS (LABs)**

The role of the Local Academy Board is to establish and maintain the ethos of the academy and to ensure this is locally relevant. The LAB will provide support and challenge to the Headteacher of the academy in ensuring that every child makes good or better progress, and that parents and carers are fully involved in their child's education. The LAB will provide assurance to the Trust Board regarding the quality of education and care for all learners within the academy and ensure effective engagement with local stakeholders.

To maximise the ability of the local Governors to focus on these key areas, the LABs are not required to manage financial resources, compliance etc or other areas traditionally associated with a Local Authority maintained school Governing Board, as these issues are dealt with at a Trust level. However, in line with the DfE's Keeping Children Safe in Education, the LABs are expected to play a key role in safeguarding students as well as other areas which are set out below.

## **LOCAL ACADEMY BOARDS (LABs) RESPONSIBILITIES**

### **Safeguarding**

- Implementing the academy's Safeguarding Policy and fostering a culture that prioritises the safety and wellbeing of all students and staff in their respective settings.
- Working closely with the Designated Safeguarding Lead (DSL) to ensure the necessary procedures are in place, which is supported through the appointment of a Link Governor for Safeguarding.
- Monitoring and reviewing the effectiveness of the academy's safeguarding arrangements.
- Supporting the academy with the completion of any safeguarding audits.
- Monitoring and reviewing the effectiveness of Health and Safety arrangements within the academy.

### **Special Educational Needs and Disabilities (SEND)**

- Ensuring adequate resources are provided to students with SEND that support their educational progress.
- Seeking assurances that staff are trained to implement strategies and support plans.

- Working in partnership with other stakeholders, such as parents, external agencies, and the wider Trust community, to ensure that students with SEND are well-supported and included in all aspects of academy life.
- Appointment of a Link Governor for SEND.

## **Standards**

- Having oversight of curriculum provision in the academy, ensuring it meets the needs of all learners and is consistent with the values and ethos of the academy.
- Monitoring the academy's performance by reviewing a range of information; for example, data on the quality of teaching and learning, assessment data, public examination performance, attendance / absence rates and suspensions.
- Working with senior leaders to identify areas for improvement and develop strategies to address them in line with the Trust's strategic objectives and Academy Improvement & Development Plan.
- Overseeing arrangements for the performance management of teaching and support staff, ensuring that it is used as a mechanism to raise standards across the academy.
- Supporting senior leaders with the implementation of the Behaviour Policy, instilling a positive academy-wide culture and monitoring behaviour in the academy.

## **Stakeholder Engagement**

- Ensuring the needs and concerns of all stakeholders are accounted for in the decision-making process and acting as a mouthpiece for their interests and voices at Trust level.
- Ensuring effective communication channels, consulting key stakeholders and gathering their feedback, and working in partnership with the local community.

## **Other Responsibilities of the LABs**

- Ensuring clarity of vision, values, ethos and strategic direction.
- Reviewing careers education, information, advice and guidance using the Gatsby Benchmarks for benchmarking.
- Ensuring the implementation of the Trust's policies and the review and approval of academy-level policies for which the LABs have delegated responsibilities, including the Admissions Policy and Uniform Policy.
- Participating in the governance discussion of an academy's Ofsted inspection.
- Ensuring that suitable full-time education for any student of compulsory school age is arranged where they have received a suspension of more than five school days.
- Reviewing decisions to exclude students where necessary.
- Monitoring student and staff well-being, and focus on workload for employees (including the Headteacher).
- Monitoring the impact on outcomes of specific sources of funding; for example, Pupil Premium, Primary PE and Sports Premium, SEND, CLA.
- Monitoring wider opportunities for students, including trips and educational visits.
- Monitoring the effectiveness of the academy's identification, assessment and management of risks.
- Support academy leaders to create a culture of inclusivity, diversity and equality.

## **VISITING THE ACADEMY**

Visiting the academy is an essential part of the Governor role. Feedback and learning from visits allow the LAB to monitor how their strategy is being implemented, how policies are being implemented and to identify strengths and areas for development. Academy visits raise the profile of the LAB and provide Governors with valuable insight into academy life and culture. Visits should be focused on a specific area or priority and carried out by the Governor who has been given responsibility for monitoring that area and reporting back to the LAB. There is an expectation that Governors visit their academy at least twice over the academic year.

## **BUDGET PLANNING AND FINANCIAL ACCOUNTABILITY**

It is the responsibility of the Headteacher, working with the Business Manager, to prepare a detailed budget plan for the forthcoming year using the Trust's budget planning format which provides projections over a three and five-year period. The Trust's Chief Finance Officer will support each Headteacher with this process. The budget plan is then submitted to the Trust's Chief Finance Officer and Finance & Resources Committee for scrutiny, before progressing to the Trust Board for approval. Once approved, the management of the budget for each academy is the responsibility of the Headteacher and Business Manager. The Headteacher will be supported through the provision of monthly management accounts which will show income and expenditure versus budget. The Headteacher will explain variances to the Trust's Chief Finance Officer at regular budget meetings. If any further variances are proposed to the budget, these must be agreed between the Headteacher and the Trust's Chief Finance Officer.

The Trust's Chief Finance Officer is accountable to the Trust Board for the financial performance of each academy within the Trust as well as for the Trust overall, including the financial outturns at the end of the year and the Trust's three-year budget position, via the Finance & Resources Committee.

## **PERFORMANCE MANAGEMENT OF HEADTEACHERS**

Headteachers will be line managed by the Executive Leader, who will undertake their annual performance review as well as interim monitoring, and recommend salary progression (along with representatives from the LAB). Any recommendation for salary progression will be reviewed and approved by the Finance & Resources Committee of the Trust Board. Through performance management and line management, the Executive Leader will ensure professional support and challenge to the Headteachers on issues associated with their academy's standards and student performance.

## **WAYS OF WORKING**

The LAB works collectively as a 'whole team', meeting six times per year. Meeting agendas will cover the areas for which the LAB has delegated responsibility, with a focus on reviewing the performance of the academy and the progress made towards meeting the objectives set out in the Academy Improvement & Development Plan. The Executive Leader will support as required with planning and preparing meeting agendas.

In advance of the first meeting of the academic year, nominations should be sought for Chair and Vice Chair of the LAB for which the Trust Board will give approval. A vote should be taken at the first meeting in order to elect the Chair and Vice Chair for the following 12-month period. In addition, all LABs should appoint a Safeguarding Governor and a SEND Governor at the first meeting of the academic year (for a 12-month period).

The LAB may, from time to time, need to establish an ad hoc committee for a specific purpose (for example, to review a parental complaint, student discipline panel, staff disciplinary hearing or to deliver a project). Where committees are established, they will have clear Terms of Reference which set out the scope of their work, remit, operational arrangements (including requirements to be quorate) and powers they hold. The Terms of Reference will be approved by the LAB. All LAB committee meetings will have a clear and focused agenda, in line with the committee's remit, and will be minuted by the Clerk to the LAB.

Where a function is delegated to an individual or committee, there should be regular reporting back to the LAB and opportunity for the LAB to consider and discuss the work of individuals and/or committees.

The Headteacher will attend all LAB meetings and LAB committee meetings (if relevant). In addition, other members of the academy's Senior Leadership Team may be required to attend meetings in a non-voting capacity.

The Trust Board or Executive Team would not ordinarily expect to be involved in most of the arrangements put in place by the LAB but reserves the right to attend meetings if they feel it appropriate. It is possible that the LAB would want a representative of the Trust Executive Team to attend a meeting and, subject to availability, the Executive Leader or another member of the Executive Team will, in such cases, attend.

**Quorum:** Meetings of the LAB shall be quorate if at least half the Governors are present and the majority of these are not employees of the Trust.

**Apologies:** All Governors must give apologies in advance for missing a meeting and this apology must be accepted by the other Governors and recorded in the meeting minutes.

**Attendance:** Any Governor whose attendance falls below 75% or who has a pattern over time of repeatedly missing meetings or who fails to tender apologies or whose reasons for missing meetings repeatedly are deemed unacceptable by the LAB may be warned and then dismissed by the Chair of the LAB on behalf of the Trust if absences continue.

**Resignation and Removal of Governors:** A person serving on the LAB shall cease to hold office if:

- they resign their office by giving notice in writing to the Chair of the LAB.
- the Headteacher or a Staff Governor ceases to work at the academy.
- the child of a Parent Governor ceases to attend the academy.
- the Trustees terminate the appointment of a Governor whose presence or conduct is deemed by the Trustees, at their sole discretion, not to be in the best interests of the Trust or the academy.
- a Governor's term of office expires and they do not wish to stand for re-election / re-appointment or they are not re-elected / re-appointed.

**Disqualification of Governors:** A person shall be disqualified from serving on an LAB if he or she would not be able to serve as a Trustee in accordance with Articles 68-80 of the Articles of Association.

**Training and Support:** An ongoing programme of training and support should be provided to all Governors to enable them to effectively discharge their responsibilities. This should include induction training as well as regular opportunities for further development.

**Other:** Chairs of LABs should ensure that an annual Skills Audit and Self-Evaluation is completed, and, based on the findings from the review, a Governor Development Plan is in place and regularly reviewed. All documents should be returned to the Trust's Governance & Compliance Manager on completion.

## **SAFEGUARDING**

LABs should ensure that all Governors receive appropriate strategic safeguarding and child protection training at induction and updates on an annual basis. This training should equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures are effective and support the delivery of a robust whole school approach to safeguarding.

LABs have a strategic leadership responsibility for their academy's safeguarding arrangements and **must** ensure that they comply with their duties under legislation. They **must** have regard for the latest version of the DfE's Keeping Children Safe in Education, ensuring policies, procedures and training in their respective academies are effective and comply with the law at all times.

All Governors must read and familiarise themselves with the content of Keeping Children Safe in Education.

## **COMMUNICATION BETWEEN LOCAL ACADEMY BOARDS (LABs) AND THE TRUST BOARD**

The full minutes of each LAB meeting will be made available to Trustees on a termly basis. Any issues will be addressed by the Trust's Governance and Compliance Manager as and when required. To promote effective communication between the Trust Board and LABs, termly meetings will be held involving Trust representatives and the LAB Chairs. The Trust will host an annual engagement event each year for all Governors as well as regular training.

## **ADVISORY BOARDS**

Trustees may replace a LAB with an Advisory Board in one or more of the following circumstances:

- Identification of weak governance, including identification of financial vulnerability or significant decline in educational standards at the academy.
- In response to the outcome of a review of governance or Ofsted inspection.
- In response to the outcome of an Ofsted inspection where there is a concerning decline in judgement, or the academy moves into a category of 'inadequate' or 'requires improvement'.

Members of the Advisory Board will be convened from the Trust Board and/or other suitable individuals who have the necessary knowledge, skills and experience. The Advisory Board will remain in place until such time that the Trust Board deems it appropriate to reinstate a LAB.

There cannot be a Scheme of Delegation with an Advisory Board and decisions will need to be made by the Trust (primarily the Executive Leader) in consultation with the Advisory Board. There can be a Scheme of Delegation from the Trust to the Headteacher of any academy with an Advisory Board and if this is necessary it is intended that this will be consistent with the policies and procedures agreed within the academies of the Trust.

## **SCHOOLS PREVIOUSLY JUDGED AS INADEQUATE OR REQUIRES IMPROVEMENT BEFORE JOINING PENINSULA MULTI ACADEMY TRUST**

If leadership by the Governors of a maintained school has been judged to be 'inadequate' or 'requires improvement' by Ofsted during an inspection prior to that school then joining the Trust, the Trustees may decide that those Governors may be ineligible to join the LAB for that academy in any capacity.

## **PAIRING LOCAL ACADEMY BOARDS (LABs)**

Whilst it is likely that there will be a separate LAB for each academy, the Trust will look to promote and respond positively to any effective pairing or grouping that a number of academies might wish to propose that would lead to a single LAB being responsible for more than one academy. This may be a requirement where a number of academies fail to recruit sufficient and suitable Governors with the required level of knowledge, skills and professional experience. It may also be a suitable approach to adopt in the event of an Executive Headteacher overseeing more than one academy (closely located geographically) within the Trust.

The arrangements set out above and in the Scheme of Delegation below will apply to all LABs, regardless of the number of academies for which they are responsible.

## DELEGATION AND DECISION MAKING

Members	Trust Board	Trust Committees	Executive Leader	Trust Leadership Group	Local Academy Boards	Headteachers
M	TB	TC	CEO	TLG	LAB	HT

Decision making responsibility	Make recommendation	Consulted prior to decision taken	Responsible for implementation	Responsible for monitoring
D	R	C	I	M

Governance Function: governance framework – people	M	TB	TC	CEO	TLG	LAB	HT
Members: appoint and remove	D						
Trustees: appointment under Article 50	D						
Trustees: appointment as Co-opted Trustees		D					
Trustees: removal	D						
Trust Board committee chairs: appoint and remove		D		R			
Named Safeguarding Trustee: appoint and remove		D		R			
Named SEND Trustee: appoint and remove		D		R			
Local Academy Board chairs: appoint and remove		D				D	
Local Academy Board members: appoint and remove		D				D	
Named Safeguarding Governor for each LAB: appoint and remove						D	R
Named SEND Governor for each LAB: appoint and remove						D	R
Ensuring there is a suitable financial skill set on the Trust Board		D		R			
Governance Professional: appoint and remove		D		R			
Clerk to Local Academy Boards: appoint and remove						D	R

Governance Function: governance framework – systems and structures	M	TB	TC	CEO	TLG	LAB	HT
Articles of Association – review and agree periodically	D						

Determine and review annually the governance structure for the Trust, including the committee and Local Academy Boards structure		D		C			
Establishment of an Audit & Risk Committee and assignment of suitable Trustees		I		R			
Establishment of other committees within the Trust governance structure and assignment of suitable Trustees		I		R			
Annual review of Trust committees and LABs terms of reference		D	C/I	R		C/I	
Annual review of the Scheme of Delegation		D		R		C	C
Annual schedule of governance business		D		R		C	C
Annual self-review of Trust Board and committees, submitted to Members		I		C			
Triennial external review of Trust Board effectiveness, submitted to Members		I		C			
Period 360° review of Chair of Trust Board's performance		I		C			
Annual self-review of Local Academy Boards, submitted to Trust Board						I	C

<b>Governance Function: governance framework – reporting</b>	<b>M</b>	<b>TB</b>	<b>TC</b>	<b>CEO</b>	<b>TLG</b>	<b>LAB</b>	<b>HT</b>
Publish governance arrangements on Trust and academies' websites		M		I	I	M	I
Annual report on the performance of the trust: submit to Members and publish		M		I	I		
Annual report and accounts, including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money, submitted to Members and Companies House	M	I		I	I		
Copies of Local Academy Board minutes, provided to Trust Board		M				I	I
Annual report on work of Local Academy Boards, submitted to Trust Board		M				I	I
ESFA required reports and returns, submitted as required		M	M	I	I		
Register of Business Interests for Members and Trust Board, updated annually	I	I		I			
Register of Business Interests for Governors on Local Academy Boards, updated annually						I	I

<b>Governance Function: being strategic</b>	<b>M</b>	<b>TB</b>	<b>TC</b>	<b>CEO</b>	<b>TLG</b>	<b>LAB</b>	<b>HT</b>
Set the Trust's vision, strategy and key priorities		D		I	I	C	C



Set the Trust's ethos and values		D		I	I	C	C
Determine the Trust Strategic Development Plan		D/M	M	R/I	R/I	C	C
Set the academy's vision, strategy and key priorities						D	I
Set the academy's ethos and values, in accordance with the wider trust ethos and values						D	I
Determine the Academy Improvement & Development Plan, in accordance with the individual academy's priorities and the wider Trust Strategic Development Plan				M		D/M	R/I
Development and approval of academy-level policies, reflecting the academy's ethos and values				M		D/M	R/I
Engagement with stakeholders, including parents, students and local communities				M		I/M	I
Ensure compliance with equalities legislation, including the development and implementation of Trust-wide policies		D/M	D/M	I	I	M	I
Development and approval of Trust-wide policies, reflecting the trust's ethos and values (in accordance with the policies scheme of delegation)		D/M	D/M	I	I		
Set academy-level policies (in accordance with the policies scheme of delegation)						D/M	I
Consideration of requests from schools to join the Trust		D		R/I	R/I		

<b>Governance Function: people &amp; human resources</b>	<b>M</b>	<b>TB</b>	<b>TC</b>	<b>CEO</b>	<b>TLG</b>	<b>LAB</b>	<b>HT</b>
Chief Executive Officer: appoint and dismiss		D					
Executive Team member: appoint and dismiss		D		D			
Central Services Team member: appoint and dismiss				D	D		C
Headteacher: appoint and dismiss		D		D		D	
Deputy Headteacher & Assistant Headteacher: appoint and dismiss				D		D	D
Other staff in the academy: appoint (within agreed budget)						D	D
Trust's staffing structure: agree			D	R/I	I		
Academy's staffing structure: agree				C/M	C/M	R	R/I
Determine approach to staff appointment and dismissal with regard to statutory requirements		D/M		R/I	I		I

Performance management of CEO		M	I				
Performance management of Headteachers		M		I	I	I	
Determine arrangements for appraisal and performance management of all other staff		D/M	D/M	R/I	I		I
Set pay levels, including executive pay		D/M	D/M	R/I	I	C	I
Pay progression decisions for Chief Executive Officer and Headteachers		R (CEO)	D	R/I (HTs)	R/I (HTs)	R (HTs)	
Pay progression decisions for Executive Team / Central Services Team			D	R/I			
Pay progression decisions for academy-based staff				M	M	D	R/I
Determine Trust-wide HR policies		D/M	D/M	R/I	I		I
Early retirement, redundancy and settlement agreements: agree		D		C/R/I	I	C/R	C/R/I

<b>Governance Function: quality of education</b>	<b>M</b>	<b>TB</b>	<b>TC</b>	<b>CEO</b>	<b>TLG</b>	<b>LAB</b>	<b>HT</b>
Establish the Trust's curriculum, assessment, attendance, behaviour and pastoral care framework, ensuring the meeting of statutory requirements		D	M	R/I	R/I	C	C/I
Set and deliver the academy's approach to curriculum provision, assessment, attendance, behaviour and pastoral care, in line with the agreed Trust framework			M	M		M	R/I
Set attainment, progress and attendance targets for the academy			M	R	R	D/M	I
Analyse high-quality and timely performance data, enabling leaders to be held to account (attainment, progress, attendance, behaviour and safeguarding)		M	M	I	I	M	I
Delivery of the Early Years Foundation Stage in line with statutory requirements			M	M	M	M	R/I
Develop curriculum, assessment, behaviour and pastoral care policies as required for each academy			M	M	M	D/M	R/I
Ensure suitable Careers provision with due regard to statutory guidance			M	M	M	D/M	R/I
Ensure compliance with the SEND Code of Practice			M	M	M	D/M	R/I
Promotion of a culture of good behaviour across all academies in the Trust		D	M	I	M	D/M	I
Management of approach to exclusions and direction to off-site provision		M	M	R/M	M	D/M	R/I
Compliance with requirements for admissions and attendance registers			M	M	M	M	I

<b>Governance Function: financial oversight</b>	<b>M</b>	<b>TB</b>	<b>TC</b>	<b>CEO</b>	<b>TLG</b>	<b>LAB</b>	<b>HT</b>
Appoint Chief Executive Officer as Trust Accounting Officer		D					
Appoint Trust Chief Financial Officer to whom responsibility for the Trust's detailed financial procedures is delegated		D		R			
Determine the scope of mandatory core central services to be delivered by the Trust, including the level of centrally retained funding		D	R	R/I	R/I	C	C
Submit annual budget plan to support delivery of academy's key priorities: agree annually				C	C	D	R/I
Develop budget plan and determine annual Trust budget to support delivery of Trust's key priorities		D	M	R/I	R/I	M	I
Deliver monthly management accounts and forecasts		M	M	I	I	M	I
Manage the Trust's cash position			M	M	I		
External auditors: appoint and remove	D	R		R/I	R/I		
Prepare and submit Trust annual report and accounts in accordance with Charity Commission's Statement of Recommended Practice and ESFA's Accounts Direction		D	R	I	I		
Trust scheme of financial delegation, establishing authority limits for financial transactions: establish, monitor and review			D	R/I	R/I		I
Develop finance policies (for example, charging, remission, procurement, etc)			D/M	R/I	R/I		I
Trust Financial Procedures Manual: establish, monitor and review			D	R/I	R/I		I
Controls framework and internal scrutiny: establish, monitor and review			D	R/I	R/I		I
Manage conflicts of interest and related party transactions			M	I	I		
Internal auditors: appoint and remove			D	R/I	R/I		
ESFA capital funds (School Condition Allocation / Condition Improvement Fund): allocate			D/M	R	R/I		C
Ensure compliance with ESFA requirements (for example, novel, repercussive & contentious transactions, disposal of land and assets, maintenance of an asset register, use of premises)			M	I	I		
Benchmarking and trust wide value for money: ensure robustness			M	M	I		I

Monitor Pupil Premium and other grant funding (for example, PE/Sport, Recovery Premium, etc)						M	I
Management of financial risk: establish register, review and monitor			D/M	R/I	R/I		I

<b>Governance Function: safeguarding / health &amp; safety</b>	<b>M</b>	<b>TB</b>	<b>TC</b>	<b>CEO</b>	<b>TLG</b>	<b>LAB</b>	<b>HT</b>
Determine the Trust's safeguarding framework and policies, with regard to statutory guidance, including appointing a Trust Designated Safeguarding Lead (DSL)		D/M	D/M	I	I		
Appoint an academy Designated Safeguarding Lead and monitor the effectiveness of academy safeguarding arrangements through regular review of safeguarding data						D/M	R/I
Ensure effective safer recruitment practices, including DBS and other statutory pre-employment checks are undertaken as required and a suitable Single Central Record is maintained		M	M	I	I		I
Monitor arrangements for Children Looked After (CLA), including ensuring the appointment of a Designated Teacher for CLA						M	I
Set the Trust's Health & Safety Policy and procedures, ensuring compliance with health & safety legislation (including first aid, fire safety, food safety and supporting children with additional health needs)		D	M	I	I		I
Ensure compliance through statutory testing			M		I		
Develop a costed and funded Estates Management Strategy to ensure the strategic and effective management of the academy estate and the maintenance of safe working conditions			D/M	R/I	R/I		
Ensure suitable buildings, contents and indemnity insurance is in place across the Trust			M	I	I		
Management of risk: establish register, review and monitor			D/M	R/I	R/I		I

<b>Governance Function: academy organisation</b>	<b>M</b>	<b>TB</b>	<b>TC</b>	<b>CEO</b>	<b>TLG</b>	<b>LAB</b>	<b>HT</b>
Term dates: agree					R	D	R/I
Session times: agree					R	D	R/I
Planned Admission Number (PAN): agree		C			R	D	R/I
Admissions Policy and arrangements		C			R	D	R/I
Management of complaints (academy)					R	I	I

Management of complaints (Trust)		I		I			
Academy closures / emergency closures: agree				R			D/I
Daily act of collective worship: implement and monitor			M		M	D	R/I
Academy websites: ensure compliance					M	M	I
Data protection legislation / GDPR: ensure compliance					M	M	I

## Policies Scheme of Delegation

Trust-Wide Policies (* statutory)		Academy-Level Policies (* statutory)	
Curriculum (framework)	* Trustees / Governors Remuneration Policy	Curriculum Policy	
Assessment (framework)	* Register of Business Interests (CEO, Members & Trustees)	Assessment Policy	
Behaviour (framework)		* Behaviour Policy	
Pastoral Care (framework)		Pastoral Care / Well-Being Policy	
Attendance (framework)		Attendance Policy	
* Charging & Remission Policy		* Admissions Policy / Arrangements	
* Data Protection Policy		* Complaints Policy (academy)	
* Protection of Biometric Information on Children Policy		* Early Years Foundation Stage Policy	
* Complaints Policy (Trust)		* SEND Policy	
* Capability Policy		* Supporting Students with Medical Needs Policy	
* Early Career Teachers (ECTs) Policy		* Relationships Education / Relationships & Sex Education Policy	
* Procedure for Dealing with Allegations of Abuse Against Staff		* Exclusions Policy	
* Teachers Pay Policy		* First Aid Policy	
* Accessibility Plan		* Register of Business Interests (Headteacher & Governors)	
* Child Protection Policy		* Careers Guidance Policy / Provider Access Statement	
* Health & Safety Policy			
* Public Sector Equality Duty Statement			