

## **Introduction**

Whilst the Board of Trustees cannot delegate overall responsibility for the Academy's funds, it must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements.

This Scheme of Delegation sets out those powers and duties which are reserved for the Board of Trustees (Governing Body) and those delegated to its committees: the Education Committee, Finance and Resources Committee, Audit Committee, Human Resources Committee; Disciplinary Committee and to officers: the Chief Executive and Principal and Associate Principals and Director of Finance and Resources.

## **Scope**

- 1.0 Powers and duties reserved for the Governing Body
- 2.0 Powers and duties to the Finance and Resources committee and Terms of Reference
- 3.0 Powers and duties delegated to the Audit Committee and Terms of Reference
- 4.0 Powers and duties delegated to the Human Resources Committee and Terms of Reference
- 5.0 Powers and duties delegated to the Education Committee Terms of Reference
- 6.0 Financial Powers and Duties delegated to the Chief Executive & Principal
- 7.0 Financial Powers and Duties delegated to the Director of Finance and Resources

### **1.0 Powers and duties reserved for the Governing Body**

1.1 The Board of Trustees, known as the Governing Body and its committees must meet regularly enough to discharge their responsibilities under the Articles of Association, Funding Agreement and the Academies Financial Handbook, to ensure robust governance and effective financial management arrangements. Board meetings must take place at least three times a year (and business conducted only when quorate). The Board should identify actions to accomplish during the year and this should inform the frequency of meetings.

1.2 In the interests of transparency, it will publish on its website up to-date details of its governance arrangements in a readily accessible format.

1.3 The Governing Body must approve a balanced budget and any significant changes to that budget for the financial year to 31 August. In balancing the budget it can draw on unspent funds brought forward from previous years. A significant change is over £100,000.

1.4 The Governing Body must adopt the Academy's Financial Statements and approve the accounting policies. It must review the Annual Management Letter from the external auditor responsible for auditing the Financial Statements.

1.5 The Governing Body must satisfy itself the Academy's arrangements for financial governance are effective and have in place a system of sound internal control. This should include risk management and assurance processes, and the Governing Body should review at least annually the corporate risk register.

1.6 The Governing Body must approve:

- The appointment of external auditors.
- The appointment of a Responsible Officer or alternative arrangement that meets the requirement of the Academies Financial Handbook.
- Receive the reports of the Responsible Officer on systems of internal financial control, and discharge of financial responsibilities.
- Inform the Education and Skills Funding Agency if it suspects any irregularity affecting resources

1.7 The Governing Body must maintain a Register of Interests that complies with the requirements of the Academies Financial Handbook as set out at paragraphs 1.6 to 1.9 below.

1.8 The Register of Interests must capture relevant business and pecuniary interests of members, trustees, and senior employees, including:

- directorships, partnerships and employments with businesses;
- trusteeships and governorships at other educational institutions and charities;
- for each interest: the name of the business; the nature of the business; the nature of the interest; and the date the interest began.

1.9 The Register must also identify any material interests arising from close family relationships between the Academy trust's members or trustees, and relationships between members or trustees and employees. Close family relationships is defined in section (third bullet).

1.10 The Register should include the interests of the Leadership Team and close family members of individuals already on the Register. Interests are not limited to the items in paragraphs 1.6 and 1.7. If in doubt the presumption should be towards including an interest in the Register. The Governing Body should keep the Register of interests up-to-date

through regular review.

1.11 The Academy will publish on its websites relevant business and pecuniary interests of members, trustees and the Chief Executive and Principal, Associate Principals, Head of Primary Phase, Director of Finance and Resources and any other key staff with a role in selecting contractors or suppliers for major purchases. This will be used to ensure there are no conflicts of interest in awarding major works or that any such interest is declared in advance so that the individual can be removed from any decision taking on the award of such a contract or major purchasing decision.

1.12 The Governing Body must receive key correspondence from the Education and Skills Funding Agency such as the annual 'Dear Accounting Officer' Letter from the Chief Executive of the Education and Skills Funding Agency.

1.13 It must ensure that arrangements for financial management, scrutiny and oversight are effective and that the Academy complies with the Academies Financial Handbook and its Funding Agreement. The Governing Body will authorise the award of contracts or purchases of over £100,000.

### **Committee structure**

1.14 The Articles of Association permit the Governing Body to establish committees to exercise its powers and functions. The constitution, membership and proceedings of any committee shall be determined by the Governing Body. The establishment, terms of reference, constitution and membership of any committee shall be reviewed at least once in every twelve months.

1.15 The membership of any committee may include persons who are not governors (also known as trustees), provided that a majority of members of any such committee shall be governors. The governors may determine that some or all of the members of a committee who are not trustees shall be entitled to vote in any proceedings of the committee.

1.16 The Chief Executive and Principal is an ex-officio member of each committee with the exception of the Audit Committee.

1.17 The membership of each committee will be agreed on an annual basis by the Governing Body. The Chair of the Committee shall be elected by the Governing Body.

1.18 Any member of the Governing Body may attend any Committee meeting.

1.19 The quorum for each committee is two governors who are members of the committee.

1.20 Each committee will meet as often as is necessary to fulfil its responsibilities.

1.21 Every question shall be decided by a majority of votes of the members of the committee present and the Chair shall exercise a casting vote if required. No vote on any matter may be taken at a meeting of any committee unless the majority of the members of the committee present are members of the Governing Body.

1.22 The agenda for any meeting of a committee shall be prepared by its chair in consultation with the CE & Principal. Each meeting shall be convened by the Clerk or Acting Clerk of that committee who shall give each member at least five clear days' notice and a copy of the agenda for the meeting save in cases of emergency.

1.23 The minutes of the proceedings of each meeting of a Committee shall be drawn up, recorded, and duly approved. Minutes should record decisions and other main points together with such brief explanations as may be necessary. Confidential matters shall be recorded as Part 2 items and, as such, subject to restricted circulation (in case of doubt to be resolved by the Chair). The Clerk to the Governing Body shall arrange for such minutes to be circulated to all members of the Governing Body and for them to be included as an item on the Agenda at the next meeting of the Governing Body.

1.24 If the person appointed as chair of a committee is absent from any meeting of the committee, the members of the committee who are present shall, before proceeding to any other business, appoint any of their number to be chair of the meeting, precluding anyone who is employed by the Academy.

1.25 In the event of a need to make genuinely urgent decisions between meetings on matters falling within the remit of a committee, the Chair of Governors, in consultation with the Chief Executive and Principal and chair of the committee, will take appropriate action on behalf of the committee. The decisions taken and the reasons for urgency will be explained fully at the next meeting of the whole Governing body.

1.26 In the event of a need to make genuinely urgent decisions between meetings on matters falling within the remit of a committee, the chair of governors, in consultation with the Chief Executive and Principal and chair of the committee, will take appropriate action on behalf of the committee. The decisions taken and the reasons for urgency will be explained fully at the next meeting of the whole Governing body.

1.27

## **2.0 Powers and duties delegated to the Finance and Resources Committee**

The Committee is responsible for:

- 2.1 Exercising the powers and duties of the Governing Body for financial scrutiny and oversight and management of resources, except for those items specifically reserved for the Governing Body and those delegated to the CE & Principal and other staff.
- 2.2 Reporting on decisions taken under delegated powers to the next meeting of the Governing Body. To consider reports and funding proposals from the HR and Education Committees and any other committee and from the Chief Executive and Principal.
- 2.3 Reviewing the Academy's annual funding, notified by the ESFA, and to assess its implications for the Academy, in advance of setting the annual budget, drawing any matters of significance or concern to the attention of the Governing Body.
- 2.4 Agreeing an Annual Budget reflecting the priorities of the Academy Improvement Plan and present it for approval by the Governing Body prior to the start of each financial year.
- 2.5 Receiving and consider information about the financial performance of the Academy at least three times a year and bringing any significant financial matters and any actual or potential overspending to the attention of the Governing Body and to approve any significant mid-year changes to planned expenditure.
- 2.6 Reviewing any virement approved and authorised by the CE and Principal, Director of Finance & Resources or Chair of the Governing Body.
- 2.7 Authorising opening and closure of bank accounts and cheque signatories.
- 2.8 Approving the Academy's Investments Policy to manage, control and track financial exposure, and ensure value for money; to review the Trust's investments and investment policy on a regular basis.
- 2.9 Authorising the award of contracts or purchases of over £20,000 and up to £100,000.
- 2.10 Overseeing all matters relating to the construction, improvement, maintenance, and insurance and upkeep of the Academy buildings and grounds, and any furniture or equipment of or used in connection with them, and the provision of any services relating thereto, and to make recommendations as to any sinking fund or reserve fund in respect of the premises or equipment budget.
- 2.11 Overseeing the arrangements for catering, cleaning, caretaking and security, and to review annually all insurance arrangements.
- 2.12 Liaising with the ESFA (and LA where appropriate) over any matter relating to finance and resources.
- 2.13 Overseeing arrangements for the use of the Academy premises otherwise than by the Academy and to review annually the policy of the Academy on lettings.

2.14 Overseeing all matters relating to the health and safety of pupils and staff and other persons while using the Academy premises and equipment and to take reasonable steps to procure the due compliance with any laws, directives or regulations relating to them.

2.15 Reviewing the Corporate Risk Register every quarter to consider and review specific strategic and high level risks which impact significantly on the financial position of the organisation and any changes to the Corporate Risk Register. To reporting significant risks and mitigating actions to the Governing Body.

2.16 Authorising the disposal of items of equipment that have become surplus to requirements, unusable or obsolete with an original purchase value of over £5,000 and up to £20,000 and to report such authorisations to the Governing Body. Disposals valued at over £20,000 must be reported to the Governing Body and authorised by the ESFA. Disposals valued under £5,000 should be authorised by the CE & Principal and reported retrospectively to the Finance & Resources Committee.

2.17 To ensure the withdrawal of any individual if she/he has a business, pecuniary or personal interest in the business of the committee.

### **3.0 Powers and duties delegated to the Audit Committee**

3.1 Exercising the powers and duties of the Governing Body in respect of ensuring satisfactory arrangements for financial governance are in place, except for those items specifically reserved for the Governing Body and those delegated to the CE & Principal and other staff. Reporting any concerns in relation to the Academy's arrangements for financial governance to the Governing Body.

3.2 To review the Academy's programme of risk review and checking of financial controls to confirm adequate internal controls and systems are in place and risks are mitigated. To advise the Governing Body on the appointment of internal audit / responsible officer, meeting any specific requirements of the Academies Financial Handbook. To inform the Governors' Report and Governance Statement published in the Academy's Financial Statements.

3.3 To review reports issued by the Responsible Officer on the effectiveness of the financial procedures and internal controls and monitor progress to implement recommendations. These reports should be reported to the Governing Body.

3.4 To review policies and controls over the effective operation of financial procedures, including the implementation of bank account arrangements and, where appropriate make recommendations for improvement.

- 3.5 To review the Academy's policy on fraud and irregularity.
- 3.6 To review the Academy's governance arrangements including review of the code of practice for the Governing Body and code of conduct for staff.
- 3.7 To review the draft financial statements and ensure they are prepared in accordance with the ESFA Accounts Direction, Companies Act and Charities SORP requirements. To highlight any significant issues to the Governing Body and, once any issues have been resolved, recommend to the Governing Body acceptance and approval of accounts, prior to submission to the Secretary of State by 31 December.
- 3.8 To receive and consider the management letter from the external auditor and present it to the Governing Body with the Financial Statements.
- 3.9 To advise the Governing Body on the appointment and remuneration of external auditors and the scope of their work.
- 3.10 To ensure the withdrawal of any individual if she/he has a business, pecuniary or personal interest in the business of the committee.

#### **4.0 Powers and duties delegated to the Human Resources Committee**

- 4.1 To authorise permanent changes to the Academy's establishment. The CE and Principal may, when urgency requires, obtain prior approval of permanent changes to the establishment from the Chair of Governors.
- 4.2 To determine the policy on teachers', education support workers and associate staff pay; and review this policy annually and to monitor the implementation and outcome(s) of the arrangements and to review this policy and its operation every year.
- 4.3 To review and authorise teaching, education support workers and associate staff pay progression.
- 4.4 To conduct, at least annually, a confidential review of the salaries of the Chief Executive and Principal, Associate Principals, Head of Primary Phase, Director of Finance & Resources and shall consider any other individual salary questions.
- 4.5 To set and review staff related policies including, but not restricted to, policies covering; staff absence, staff discipline, equal opportunities in employment, maternity, paternity and adoption, Appraisals, staff grievances, travel and subsistence, and whistle blowing.
- 4.6 Determining how the recruitment and appointment of staff will be managed, establishing procedures for management of staff conduct, discipline and grievances.

4.7 Establishing, following consultation with all staff, and reviewing annually an Appraisal Policy for all staff.

4.8 To ensure the Finance and Resources Committee is consulted and approval obtained for decisions with financial implications.

4.9 Monitor plans for and assess the impact of CPD and other development interventions.

4.10 To review arrangements and monitor performance for:

- succession planning
- strategies to aid retention
- staff absence
- employee engagement and staff satisfaction surveys

4.11 To ensure the withdrawal of any individual if she/he has a business, pecuniary or personal interest in the business of the committee.

## **5.0 Powers and duties delegated to the Education Committee**

5.1 To consider all matters relating to curriculum development and achievement of pupils at the Academy.

5.2 In conjunction with the Principal to monitor the delivery of the National Curriculum and advise the Governing Body on the content of the Academy Curriculum over and beyond the requirements of the Curriculum.

5.3 To hear complaints in respect of any curricular matter including a decision to disapply or modify the Curriculum in respect of a particular pupil.

5.4 In conjunction with the Principal, to oversee the arrangements made for religious education and collective worship and to ensure that they are in accordance with the Academy's memorandum and Articles of Association and the Funding Agreement with the DfE.

5.5 In conjunction with the Principal, to make recommendations to the Governing Body with a view to ensuring that its duties in respect of the following matters are duly performed and that the Academy's policies in respect of such matters are carried out and kept under review:

- a) Special and additional Educational Needs including disapplication of the Curriculum:
- b) Sex Education.

5.6 In conjunction with the CE & Principal and the Academy Leadership Team to keep the Academy Improvement Plan and the Self Improvement Plan (SEF) under review.



Subject to consultation with the Finance and Resources Committee or of the Chair of the said Committee, to recommend to the Governing Body any amendments to the Academy Improvement Plan which from time to time appear necessary in light of changing circumstances including any Ofsted or other authorised Inspection Reports and in this respect to oversee arrangements for inspections and the preparation of subsequent Action or Improvement Plans.

5.7 To ensure the withdrawal of any individual if she/he has a business, pecuniary or personal interest in the business of the committee.

## **6.0 Powers and duties delegated to the Chief Executive and Principal**

6.1 The Chief Executive and Principal is the Academy's Accounting Officer and under the guidance of the Board, must have appropriate oversight of financial transactions, by:

- ensuring that all the Academy's property is under the control of the Trustees, and measures are in place to prevent losses or misuse, including maintenance of fixed asset registers;
- ensuring that bank accounts, financial systems and financial records are operated by more than one person;
- keeping full and accurate accounting records; and preparing accruals accounts which give a true and fair view of the trust's use of resources, in accordance with existing accounting standards.

6.2 The Chief Executive and Principal has delegated powers and functions in respect of internal organisation, management and control of the Academy, the implementation of all policies approved by the Governing Body and for the direction of teaching and the curriculum. The CE & Principal shall be responsible for:

### **Budgetary control**

6.3 Reviewing income and expenditure reports and highlighting actual or potential overspending to the Finance and Resources Committee.

6.4 Approving any virement between budget headings, with the Director of Finance & Resources up to £20,000 which have no effect on the forecast budget surplus/deficit and reporting such approval to the Finance and Resources Committee.

### **Financial Management**

6.5 Ensuring the arrangements for collection of income, ordering of goods and services, payments and security of assets are in accordance with the Financial Regulations.

**Purchasing**

6.6 Authorising orders and contracts over £5,000 and up to £20,000 in conjunction with the Director of Finance & Resources.

6.7 Ensuring that all contracts and agreements conform to the Financial Regulations.

**Payroll and Personnel**

6.8 Approving new staff appointments within the authorised establishment, except for any senior staff posts which the Governing Body has agreed should be approved by it.

6.9 Certifying the payment of salaries each month, in conjunction with the Director of Finance & Resources The CE & Principal may delegate the certification of salaries to an Associate Principal if he considers it appropriate.

**Security of Assets**

6.10 Ensuring that proper security is maintained at all times for all buildings, furniture, equipment, vehicles, stocks, stores, cash, information and records etc. under his/her control.

**Accounts and Audit**

6.11 The operation of financial processes within the Academy, ensuring that adequate and effective internal controls are in place and that the principles of internal control are maintained.

6.12 Ensuring that full, accurate and up to date records are maintained in order to provide financial and statistical information.

6.13 Ensuring that all records and documents are available for audit by the appointed external auditors and by the Responsible Officer.

**Corporate Risk Management**

6.14 To maintain and monitor the corporate risk register, ensuring all risks to the Academy's operations are identified and management action is taken to mitigate identified risks.

**7.0 Financial Powers and duties delegated to the Director of Finance and Resources**

7.1 The Director of Finance and Resources should play both a technical and leadership role, including ensuring sound and appropriate financial governance and risk management arrangements are in place, preparing and monitoring of budgets, and ensuring the delivery of annual accounts. Specifically h/she shall be responsible for:

**Budgetary Control**

7.2 Preparing an annual draft budget plan for consideration by the Finance and Resources Committee and Governing Body before the start of the relevant financial year.

7.3 Monthly monitoring of expenditure and income against the approved budget and submitting reports on the Academy's financial position to a minimum of 3 meetings of the Finance & Resources Committee. Any actual or potential overspending shall be reported to the Finance & Resources Committee.

7.4 Approving virement between budget headings of under £10,000 which have no effect on the forecast budget surplus/deficit and reporting such approval to the Resources & Facilities Committee.

**Purchasing**

7.5 Authorising orders and contracts up to £20,000 in conjunction with Budget Holders and CE& Principal.

7.6 Maintaining a register of formal contracts entered into, amounts paid and certificates of completion.

7.7 Retention of quotes obtained for goods, works and services.

7.8 Ensuring that all correct invoices are duly certified by authorised staff before payments are made and that invoices, vouchers and other records are retained and stored in a secure way and are readily available for inspection by authorised persons.

7.9 Ensuring the appropriate division of duties between staff responsible for processing orders, receiving deliveries and processing payments.

**Payroll and Personnel**

7.10 Ensuring that the monthly payroll is checked, and certifying it for payment in conjunction with the CE & Principal or Associate Principal and HR Manager.

**Income**

7.11 Ensuring that all income is accurately accounted for and is promptly collected and banked intact.

7.12 Authorisation of the write off of debts not collectable below £1,000.

**Banking Arrangements**

7.13 Maintaining proper records of account and reviewing monthly bank reconciliations.

7.14 Preparing cash-flow forecasts and overseeing investment of surplus funds in accordance with the Academy's approved investment's policy.

**Insurances**

7.15 Ensuring adequate insurance arrangements are in place. Notifying the Finance & Resources Committee on any eventuality that could affect the Academy's insurance arrangements.

**Security of Assets**

7.16 Maintaining a permanent and continuous register of all items of furniture, equipment, vehicles and plant.

**Information and Communication Systems**

7.17 Maintaining the standards of control for such systems in operation within the Academy to include the use of properly licensed software, and for the security and privacy of data in accordance with the Data Protection Act.

**Delegated Authority**

<b>Delegated duty</b>	<b>Value</b>	<b>Delegated authority requiring signature</b>	<b>In consultation with</b>
Virement between and within budget heads (all reported to the Finance & Resources Committee)	Up to £20,000	Principal & DF&R	
	Over £20,000	Chair of Governing Body	
Bank account transfers and cheque / BACS payment authorisation	Any	Two account signatories being any two from Chair of Governing Body, Principal, Associate Principal and DF&R	
Requisitions for orders / Invoice approval	Up to £1,000	Budget Holder (and in Academy Improvement plan)	
	With a single item value over £1,000	Budget Holder and Associate Principal and DF&R	
	£5,000 to £20,000	Budget Holder, DF&R, and CE & Principal or Associate Principal	
	Above £20,000	CE & Principal; DF&R Finance & Resources Committee (FRC)	Chair of the Governing Body
Quotations and tendering	£5,000 to £30,000	Minimum of three quotes to be obtained by Budget Holder plus DF&R and subject to best value	Principal
	Over £30,000 to relevant Official Journal of the European Union (OJEU) limit	Formal tendering process requiring Finance & Resources Committee approval and minuted accordingly	
	Over OJEU limit	OJEU advertising required, Finance & Resources Committee approval and minuted accordingly	

Authority to accept other than lowest quotation	Up to £20,000	DF&R	Principal
	Above £20,000	Finance & Resources Committee	
Disposal of assets	Up to £5,000 per balance sheet	DF&R	
	Over £5,000 per balance sheet	Finance & Resources Committee	
Write-off of bad debts	Up to £1,000	DF&R	
	Over £1,000	Finance & Resources Committee	
Signatories for grant claims / DfE returns	Any	Any two (or as required) of Principal and DF&R	
Income invoice approval for services to others	Up to £10,000	DF&R	
	Up to £30,000	DF&R	Principal
	Over £30,000 to £100,000	DF&R and Principal	Chair of the Governing Body
	Over £100,000	Finance & Resources Committee	