



Diocese of Norwich
St Benet's
Multi Academy Trust

St Benet's MAT

Scheme of Delegation

September 2023

Summary of Changes

The following amendments have been made to the Scheme of Delegation for 2023-24:

Key

italic text = addition

strike through = removal

Page Ref	Section	Amendment	Date of Change
4	4.4	In further recognition of the Trustees' power to delegate under Articles 102 and 105, and from the date of this Scheme, <i>some</i> responsibility for the direct oversight of the Academy from the Effective Date will be delegated to the committee established by this Scheme and which shall be known as the LGC of the Academy.	July 2023
5	5.1.3	Removed – "The LGC may also have co-opted governors appointed under clause 5.3"	July 2023
5	5.2.1	The Trustees may appoint up to 7 10 persons to serve on the LGC with a minimum of 4 6 .	July 2023
5	5.2.2	Added – "1 person per academy" for new federations	July 2023
5	5.2.5	Added – "or a person with day to day care responsibilities"	July 2023
6	5.2.11	Removed – Co Opted Governors of the LGC	July 2023
6	5.3.1	Removed "including being co-opted again"	July 2023
7	5.5.9	Language updated to "DBS certificate"	July 2023
7	5.5.11	Removed – "This clause 5.6 [and paragraph B of Appendix One] shall also apply to any member of any committee of the LGC who is not a member of the LGC".	July 2023
8	6.1.4	Updated to include reference to delegation to committees, CEO and officers and remove reference to individuals.	July 2023
8	6.1.5	Clause removed to reflect centralisation of financial and contractual responsibilities	July 2023
8	6.1.6	LGC updated to Headteacher	July 2023
8	6.3.1	LGC updated to Headteacher	July 2023
8	6.3.2	LGC updated to Headteacher	July 2023
9	6.3.3	Removed "but the LGC shall be provided with the monthly management accounts"	July 2023
9	6.3.4	LGC updated to Trustees	July 2023
9	6.3.5	Clause removed to reflect centralisation of financial and contractual responsibilities	July 2023
9	6.3.5	The LGC shall devise <i>adopt</i> appropriate risk management strategies <i>as directed by the Trustees</i>	July 2023
9	6.4.1 & 6.4.2	LGC updated to Headteacher	July 2023
9	6.4.4	LGC updated to Academy	July 2023
10	6.6.3	Corrected to "the Trustees shall be responsible"	July 2023
12	Appendix One "Constitution of LGC"	Removed as duplicated by Terms of Reference of the LGC	July 2023
13	Appendix One "SoD Checklist"	Reviewed and updated.	July 2023

This Scheme of Delegation (which in this document is referred to as the "**Scheme**") is effective from 1 September 2023

1. **Definitions and Interpretations**

1.1 In this Scheme:

"**Academy**" has the meaning ascribed to it in clause 2.1;

"**Academy Trust Handbook**" means the DfE's financial handbook for Academies in force from time to time;

"**Articles**" means the Articles of Association of the Trust;

"**Budget**" means the annual budget set by the Trustees for the Academy in accordance with the Master Funding Agreement and/or the Relevant Funding Agreement;

"**DBE**" means the Diocesan Board of Education for the diocese within which the Academy is situated;

"**Incumbent**" means Priest incumbent of the parish of or parishes;

"**LGC**" means the Local Governance Committee of the Academy constituted by clause 4.4 of this Scheme and pursuant to Articles 100 - 104;

"**Headteacher**" means the headteacher or principal of the Academy;

"**Secretary of State**" means the Secretary of State for Education and their successors

"**Trustees**" (Directors) as defined in the Articles.

Except as expressly provided in this Scheme, words and expressions not defined in this Scheme shall have the same meaning accorded to them in the Articles and the Relevant Funding Agreement entered into by the Trust.

1.2 Reference in this Scheme to clauses, paragraphs and annexes shall, unless otherwise stated, be to clauses, paragraphs and annexes of this Scheme.

1.3 In the event of conflict between any provision of this Scheme and the Articles, the Articles shall prevail.

2. **Introduction**

2.1 As a charity and company limited by guarantee, the Trust is governed by a board of Trustees who are responsible for, and oversee, the management and administration of the Trust and the academies run by the Trust.

2.2 The Trustees are accountable to external government agencies including the Charity Commission and the Department for Education (including any successor bodies) for the quality of the education provided by the Trust and they are required to have systems in place through which they can assure themselves of quality, safety and good practice. As the Trust is a Church of England Multi Academy Trust, designated as such, the Trustees are also accountable to the DBE under the provisions of the Diocesan Boards of Education Measure, and to the Trustees to ensure that the Academies are conducted as Church of England schools.

2.3 In order to discharge these responsibilities, the Trustees may appoint people with appropriate skills and knowledge to serve on the LGC which has been established to assist with the good governance of the Academy in accordance with clause 4.4 of this Scheme and Articles 100 - 104.

2.4 This Scheme explains the ways in which the Trustees fulfil their responsibilities for the leadership and management of the Academy, the respective roles and responsibilities of the Trustees and the governors of the LGC and the commitments to each other to ensure the success of the Academy.

2.5 This Scheme has been put in place by the Trustees from the Effective Date in accordance with the provisions of the Trust's Articles and it should be read in conjunction with those Articles as well as

with:

- (i) the Trustees' strategic plans and policies;
- (ii) any budget set; and
- (iii) any directions given or rules and regulations set by the Trust Trustees.

2.6 References in this Scheme to numbered Articles shall be to the relevant provision of the Articles.

3. **Ethos and Mission Statement**

3.1 The ethos is as follows:

Recognising its historic foundation, the Academy will preserve and develop its religious character in accordance with the principles of the Church of England and in partnership with the Church at Parish and Diocesan level.

3.2 The mission statement is as follows:

The Academy aims to serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers to all its pupils.

4. **Trustees' Powers and Responsibilities**

4.1 The Trustees are appointed by the Members to have overall responsibility and ultimate decision-making authority for all the work of the Trust, including the establishing and running of schools and in particular the Academy as a Church of England school. This is both exercised through strategic planning and the setting of policy and is managed through business planning, monitoring of budgets, performance management, the setting of standards and the implementation of quality management processes. The Trustees have the power to direct change where required.

4.2 The Trustees have a duty:

- 4.2.1 to comply with any lawful directions issued to the Trust;
- 4.2.2 to act in the fulfilment of the Trust's objects; and
- 4.2.3 to have regard to the advice of the DBE generally and in particular in respect of upholding the Trust's objects.

4.3 Trustees will have regard to the interests of the other academies for which the Trust is responsible in deciding and implementing any policy or exercising any authority in respect of one Academy.

4.4 Article 101 provides for the appointment by the Trustees of committees to whom the Trustees may delegate certain of the functions of the Trustees. In further recognition of the Trustees' power to delegate under Articles 102 and 105, and from the date of this Scheme, some responsibility for the direct oversight of the Academy from the Effective Date will be delegated to the committee established by this Scheme and which shall be known as the LGC of the Academy.

4.5 The constitution, membership and proceedings of the LGC are determined by the Trustees and this Scheme expresses such matters as well as acknowledging any authority delegated to the LGC in order to enable the LGC to assist with the running of the Academy and fulfil the Academy's mission.

5. **Constitution of the LGC**

5.1 **Governors of the LGC**

5.1.1 The number of people who shall sit on the LGC shall be not less than three and no more than sixteen but there must be a majority of Trust Appointed Governors, unless otherwise determined by the Trustees.

5.1.2 The LGC shall have the following governors (Appendix 2 shows the constitution of the Local Governing Committee):

- 5.1.2.1 Up to 7 governors, appointed by the Trust under clause 5.2.1;

- 5.1.2.2 1 staff governor, appointed under clause 5.2.2; in the case of a new federation, 2 staff governors from different academies may be appointed for one term of office following which it will revert to 1 staff governor across the federation
- 5.1.2.3 2 parent governors (number subject to variation with prior agreement of the Trustees) elected or appointed under clause 5.2.5; and
- 5.1.2.4 the Headteacher, and
- 5.1.2.5 The Incumbent; "Incumbent" either the priest incumbent of the parish of or such other person as the Incumbent shall nominate, and the Trustees shall appoint as under clause 5.2.1.

5.1.3 The Trustees (all or any of them) shall also be entitled to attend any meetings of the LGC. Any Trustee attending a meeting of the LGC shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the LGC.

5.1.4 All persons appointed or elected to the LGC shall give a written undertaking to the Trustees to uphold the objects of the Trust.

5.2 Appointment of governors to the LGC

General governors

5.2.1 The Trustees may appoint up to 7 persons to serve on the LGC with a minimum of 4 (including the appointment of the Incumbent as in clause 5.1.2.5 above). The Trustees will have regard to nominations from the principal officiating ministers for the parishes in the area served by the Academy but shall not be bound by them.

Staff governors

5.2.2 The Trustees may appoint 1 person who is employed at the Academy to serve on the LGC in the case of a single academy, or 1 person per Academy employed by the Academies for one term of office in the case of a federation through such process as they may determine, provided that the total number of such persons (including the Headteacher) does not exceed one third of the total number of persons on the LGC. The positions held by those employed at the Academy (e.g. teaching and non teaching) may be taken into account when considering appointments.

5.2.3 In appointing persons to serve on the LGC who are employed at the Academy the Trustees may invite nominations from all staff employed under a contract of employment or a contract for services or otherwise engaged to provide services to the Academy (excluding the Headteacher) and, where there are any contested posts, shall hold an election by a secret ballot. All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be determined by the Trustees.

Ex officio governors

5.2.4 The Headteacher and the Incumbent (if so appointed as a governor by the Trustees under clause 5.1.2.5) shall both be treated for all purposes as being an ex officio governor of the LGC.

Parent governors

5.2.5 Subject to clause 5.2.10, the parent governors of the LGC shall be elected by parents of registered pupils at the Academy and they must be a parent of a pupil at the Academy or a person with day to day care responsibilities, at the time when they are elected.

5.2.6 The Trustees shall agree all necessary arrangements for, and determine all other matters relating to, an election of the parent governors of the LGC, including any question of whether a person is a parent of a registered pupil at the Academy. Any election of persons who are to be the parent governors of the LGC which is contested shall be held by secret ballot.

- 5.2.7 The arrangements made for the election of the parent governors of the LGC shall provide for every person who is entitled to vote in the election to have an opportunity to do so by post or, if they prefer, by having their ballot paper returned to the Academy by a registered pupil at the Academy.
- 5.2.8 Where a vacancy for a parent governor of the LGC is required to be filled by election, the LGC shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil at the Academy is informed of the vacancy and that it is required to be filled by election, informed that they are entitled to stand as a candidate, and vote at the election, and given an opportunity to do so.
- 5.2.9 The number of parent governors of the LGC required shall be made up by persons appointed by the Trustees if the number of parents standing for election is less than the number of vacancies.
- 5.2.10 In appointing a person to be a parent governor of the LGC pursuant to clause 5.2.9, the Trustees shall appoint a person who is the parent of a registered pupil at the Academy; or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.
- 5.3 Term of office**
- 5.3.1 The term of office for any person serving on the LGC shall be 4 years, save that this time limit shall not apply to:
- (i) the Headteacher who shall be treated for all purposes as being an ex officio governor of the LGC;
 - (ii) the Incumbent (if so appointed as a governor by the Trustees under clause 5.1.2.5) who shall be treated for all purposes as being an ex officio governor of the LGC.
- Subject to remaining eligible to be a particular type of governor on the LGC, any person may be re-appointed or re-elected to the LGC.
- 5.4 Resignation and removal**
- 5.4.1 A person serving on the LGC shall cease to hold office if they resign their office by notice to the LGC (but only if at least three persons appointed under clause 5.2.1 will remain in office when the notice of resignation is to take effect).
- 5.4.2 Any person (including Parent governors) serving on the LGC shall cease to hold office if the Trustees decide to remove them. Persons may be removed by Trustees where there is evidence that the person is not carrying out their role effectively or is bringing the Trust into disrepute or is failing to uphold the ethos and values of the Trust.
- 5.4.3 If any person who serves on the LGC in their capacity as an employee at the Academy ceases to work at the Academy then they shall be deemed to have resigned and shall cease to serve on the LGC automatically on termination of their work at the Academy.
- 5.4.4 Where a person who serves on the LGC resigns their office or is removed from office, that person or, where they are removed from office, those removing him, shall give written notice thereof to the Trustees.
- 5.5.5 Any or all persons serving on the LGC may be removed when it is deemed necessary for that LGC to be replaced by a Transition Board.
- 5.5 Disqualification of governors of the LGC**
- 5.5.1 No person shall be qualified to serve on the LGC unless they are aged 18 or over at the date of their election or appointment. No current pupil or student of the Academy shall be entitled to serve on the LGC.

- 5.5.2 A person serving on the LGC shall cease to hold office if they become incapable by reason of illness or injury of managing or administering their own affairs.
- 5.5.3 A person serving on the LGC shall cease to hold office if they are absent without the consent of the Chair of the LGC from three consecutive full meetings of the LGC and the LGC resolves that their office be vacated.
- 5.5.4 A person shall be disqualified from serving on the LGC if:
- 5.5.4.1 Their estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
- 5.5.4.2 They are subject of a bankruptcy restrictions order or an interim order.
- 5.5.5 A person shall be disqualified from serving on the LGC at any time when they are subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
- 5.5.6 A person serving on the LGC shall cease to hold office if they would cease to be a director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).
- 5.5.7 A person shall be disqualified from serving on the LGC if they have been removed from the office of charity trustee or trustee for a charity by an order made by the Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which they were responsible or to which they were privy, or which by their conduct contributed to or facilitated.
- 5.5.8 A person shall be disqualified from serving on the LGC where they have, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 (persons disqualified from being charity trustees or trustees of a charity) of the Charities Act 2011.
- 5.5.9 After the Academy has opened, a person shall be disqualified from serving on the LGC if they have not provided to the Trustees a DBS certificate at an enhanced disclosure level. In the event that the certificate discloses any information which would in the opinion of either the chair or the Headteacher confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.
- 5.5.10 Where, by virtue of this Scheme, a person becomes disqualified from serving on the LGC; and they were, or was proposed, to so serve, they shall upon becoming so disqualified give written notice of that fact to the Trustees.

6. **Delegated Powers**

6.1 **General Provisions**

6.1.1 Subject to the provisions of:

- (a) the Companies Act 2006;
- (b) the Articles;
- (c) the strategic plan and policies of the Trustees of the Trust;
- (d) any Budget set by the Trustees for the Academy; and
- (e) any directions given and rules and regulations set by the Trustees of the Trust,

the management of the business of the Academy shall otherwise be delegated by the Trustees to the LGC who may exercise all the powers of the Trust in so far as they relate to the Academy, in accordance with the terms of this Scheme.

- 6.1.2 No alteration of the Articles and no such direction shall invalidate any prior act of the LGC which would have been valid if that alteration had not been made or that direction had not been given.
- 6.1.3 Except as provided for in this Scheme, the powers given by this Scheme shall not be limited by any special power given to the Trustees by the Articles or to the LGC by this Scheme and a meeting of the LGC at which a quorum is present may exercise all the powers so delegated.
- 6.1.4 The Appendices to this Scheme set out the general principles and levels of delegation of responsibilities from the Trustees to committees, the CEO, officers and LGCs. The Appendices will be reviewed by the Trustees on an annual basis. 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 LGC.
- 6.1.5 In the exercise of its powers and functions, the LGC shall consider any advice given by the Headteacher and any other executive officer as well as the Trustees.
- 6.1.6 Any bank account in which any money of the Trust in so far as it relates to the Academy is deposited shall be operated by the Headteacher in the name of the Trust.

6.2 **Ethos and Values**

- 6.2.1 Whilst the LGC shall be responsible for ensuring that the Academy is conducted in accordance with its ethos and values referred to in clause 3, the determination of the Academy's ethos and mission statement shall be the responsibility of the Trustees.
- 6.2.2 At all times, the Trustees and the LGC shall ensure that the Academy is conducted in accordance with the object of the Trust, the terms of any trust governing the use of the land which is used for the purposes of the Academy, and any agreement entered into with the Secretary of State for the funding of the Academy.

6.3 **Powers**

Contracts

- 6.3.1 Whilst the Headteacher shall have the power to enter into contracts on behalf of the Company in so far as they relate to the Academy pursuant to clause 6.1.4, the Headteacher shall first obtain the written consent of the Trustees via the Finance, Audit and Resources Committee to any contracts or expenditure or any single matter above the levels permitted by the Finance Policy. In addition, the Headteacher will notify the Trustees via the Finance, Audit and Resources Committee of any single matter of expenditure within parameters set out in the Finance Policy.

Finance

- 6.3.2 The Trustees delegate to the Headteacher the responsibility to plan, manage and expend such of the monies received under the Relevant Funding Agreement or otherwise for the purposes of the Academy as may be determined each year by the Trustees in accordance with the Budget. All such activity must be in accordance with the Trust's Finance Policy and this Scheme of Delegation.
- 6.3.3 The accounts of the Trust shall be the responsibility of the Trustees.
- 6.3.4 The Trustees shall ensure that proper procedures are put in place for the safeguarding of funds responsibility for which is delegated to them and that the requirements of the Academy Trust Handbook as per clauses 67 and 67A of the Master Funding Agreement are observed at all times as well as any requirements and recommendations of the Trustees and the Secretary of State.

6.3.5 The LGC shall comply with Trust risk management strategies and shall at all times adopt financial prudence in managing the financial affairs of the Trust in so far as these relate to the Academy and responsibilities delegated to them pursuant to this Scheme, and in accordance with the Trust's Finance Policy.

6.4 Premises

6.4.1 Subject to and without prejudice to clauses 6.3.4 and 6.4.4, the use of monies apportioned in the Budget for the routine maintenance of the buildings and facilities used in respect of the Academy will be the responsibility of the Headteacher, who shall have regard at all times to the safety of the users of the buildings and the facilities and the legal responsibilities of the Trustees (and/or any others) as owners of such buildings and facilities.

6.4.2 The Trustees may have regard to, but not be bound by, the views of the LGC and Headteacher in developing any mid to long term estate management strategy that will identify the suitability of building and facilities in light of long term curriculum needs and the need for and availability of capital investment to meet their responsibility to ensure the buildings and facilities are maintained to a good standard.

6.4.3 The responsibility for any disposals or acquisitions of land owned by the Trust will be that of the Trustees.

6.4.4 Insuring the land and buildings used by the Academy will be the responsibility of the Trustees who will recover the cost from the budget delegated to the Academy.

6.5 Human Resources

6.5.1 *Headteacher*

The Trustees shall appoint the Headteacher in accordance with the Articles. The Trustees may delegate such powers and functions as they consider are required by the Headteacher for the internal organisation, management and control of the Academy (including the implementation of all policies set by the Trustees for the direction of the teaching and curriculum at the Academy). The LGC will be expected to take part in the selection and appointment process.

6.5.2 *Other Staff*

6.5.2.1 The Trustees shall be responsible for the appointment and contractual management and compliance of all other staff (to include teaching and non-teaching staff) to be employed by the Academy but may delegate all or any of these powers to the LGC as it may see fit.

6.5.2.2 In so far as there is delegation of powers to the LGC pursuant to clause 6.5.2.1 above, the LGC shall:

6.5.2.2.1 comply with all policies dealing with staff issued by the Trustees from time to time;

6.5.2.2.2 take account of any pay terms set by the Trustees;

6.5.2.2.3 adopt any standard contracts or terms and conditions for the employment of staff issued by the Trustees; and

6.5.2.2.4 manage any claims and disputes with staff governors having regard to any advice and recommendations given by the Trustees.

6.5.2.3 The Trustees together with the LGC shall ensure the performance management of all staff (including the Headteacher) and that place procedures for the proper professional and personal development of staff are put in place.

6.6 Curriculum and Standards

6.6.1 In recognition of the Trustees' obligation to the Secretary of State to provide a broad and balanced curriculum, the Trustees shall be responsible for the setting and review of the curriculum for the

Trust but shall have regard to, but not be bound by, any views of the LGC.

6.6.2 The Trustees shall be responsible for the standards achieved by the Academy and the pupils attending the Academy but may have regard to, but not be bound by, the advice and recommendations of the LGC.

6.6.3 Subject to the provisions of any statutory admissions code, the Trustees shall be responsible for the review from time to time of the Academy's admissions policy. The Trustees shall be ultimately responsible for the setting and approval of the admissions policy and no change will be made to the admissions criteria without the written consent of the Trustees.

6.6.4 Any decision to expand the Academy shall be that of the Trustees (with the written consent of the DBE) who shall have regard to, but not be bound by, the views of the LGC.

6.7 **Extended School and Business Activities**

Whilst the undertaking of any activities which would be described as part of the Academy's "extended schools agenda" or any activities designed to generate business income, shall be the responsibility of the LGC, this shall only be undertaken in a manner consistent with any policy set by the Trustees provided that:

- (i) such policy is consonant with the values and ethos of the Academy; and
- (ii) that the LGC shall have regard to the viability of such activities, the impact on the Academy's activities and any financial implications, such as the threat of taxation in light of the Trust's charitable objects and any threat to funding provided by the Secretary of State.

6.8 **Regulatory Matters**

The Trustees shall be responsible for the satisfaction and observance of all regulatory and legal matters, but the LGC shall do all such things as the Trustees may specify as being necessary to ensure that the Trust is meeting its legal obligations.

7. **Operational Matters**

7.1 The LGC shall comply with the obligations set out in the LGC Terms of Reference and Appendix 1 of this scheme, which deal with the day-to-day operation of, and delegation of responsibilities to, the LGC.

7.2 The LGC will comply with all policies of the Trustees communicated to the LGC from time to time.

7.3 Both the Trustees and all governors of the LGC have a duty to act with integrity, objectivity and honesty in the best interests of the Trust and the Academy and shall be open about decisions and be prepared to justify those decisions except in so far as any matter may be considered confidential.

7.4 The LGC will review its policies and practices on a regular basis, having regard to recommendations made by the Trustees from time to time, in order to ensure that the governance of the Academy is best able to adapt to the changing political and legal environment.

7.5 The LGC shall provide such data and information regarding the business of the Academy and the pupils attending the Academy as the Trustees may require from time to time.

7.6 The LGC shall submit to any inspections by the Trustees, and any inspections pursuant to section 48 of the Education Act 2005 (Statutory Inspections of Anglican and Methodist Schools).

7.7 The LGC shall work closely with and shall promptly implement any advice or recommendations made by the Trustees in the event that intervention is either threatened or is carried out by the Secretary of State and the Trustees expressly reserve the unfettered right to review or remove any

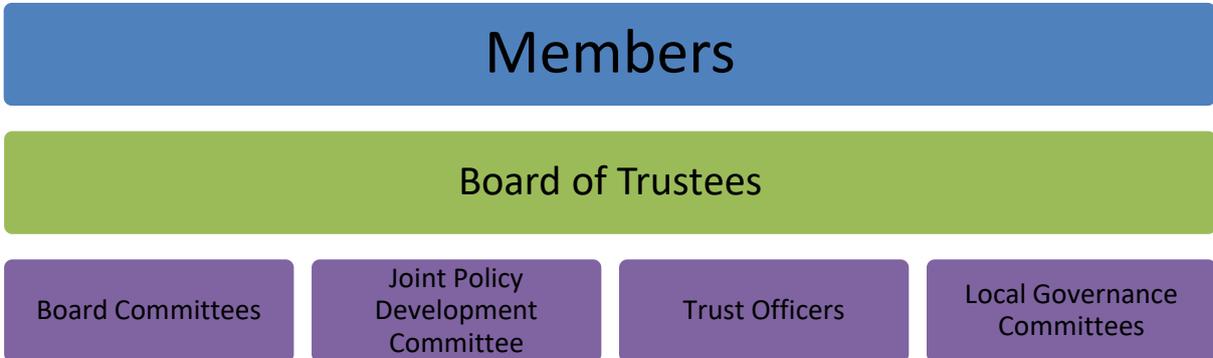
power or responsibility conferred on the LGC under this Scheme in such circumstances.

8. **Annual Review and Termination**

- 8.1 This Scheme shall operate from the Effective Date in respect of the named Trust.
- 8.2 This Scheme may be terminated by the Trustees at any time by giving notice in writing to the LGC. The termination will be immediate unless a future date is specified by the Trustees.
- 8.3 The Trustees will have the absolute discretion to review this Scheme at least on an annual basis and to alter any provisions of it.
- 8.4 In considering any material changes to this Scheme or any framework on which it is based, the Trustees will have regard to and give due consideration of any views of the LGC.

Appendix One
Scheme of Delegation Checklist

Governance Reporting Levels



It should be remembered that although decisions may be delegated the Trust as a whole remains responsible for any decision made under delegation.

This schedule will be reviewed at least annually and may be subject to more frequent review where there is cause for concern.

Responsibilities may be delegated differently based on the Trust risk rating process or where the Trust has identified areas of concern. Specific areas which may trigger the removal of a responsibility are shown overleaf.

Accountable	The person/group who is ultimately accountable for the process or task being completed appropriately; responsible person(s) are accountable to this person/group. Where the Board or CEO is Accountable this is likely to be to the Secretary of State, where the HT or LGC is accountable this will usually be to the Trust.
Responsible	The person who actually carries out the process or task assignment; responsible for getting the job done.
Consulted	People who are not directly involved with carrying out the task, but who are consulted; may be a stakeholder or subject matter expert.

Where accountability or responsibility sits with the CEO, it may be delegated to central Trust or DoNESC staff, reporting back via the CEO.

Abbreviations:

CEO	Chief Executive Officer
DCEO	Deputy Chief Executive Officer
FARC	Finance, Audit and Risk Committee (St Benet’s Board sub-committee)
SPC	Standards and Performance Committee (St Benet’s Board sub-committee)
HRC	Human Resources Committee (St Benet’s Board sub-committee)
JPDC	Joint Policy Development Committee
LGC	Local Governance Committee
HT	Headteacher

Triggers for removal of responsibilities	
Area of concern	Evidence base
The current overall effectiveness	<ul style="list-style-type: none"> • An analysis of pupil outcomes using national data sets for the end of each key stage and the current assessment information held for all year groups by each academy • An analysis of attendance and exclusion rates using national and academy data sets • Ofsted “4” grading.
The capacity of leadership to improve	<ul style="list-style-type: none"> • The validation of each academy’s monitoring evidence by academy improvement team • Academy Effectiveness Reviews • St Benet’s Central Team records of visit • External scrutiny and reporting, for example DFE adviser, Ofsted and other visit reports • Governance quality assurance • High governor vacancy rates • Website compliance checks • Quality of safeguarding • Observations of teaching and scrutinies of work • Pupil/parent voice and parental complaints • Accuracy of assessment information and quality of analysis to identify essential priorities • Quality of self-evaluation and improvement planning
The number of years each academy has been part of the trust	<ul style="list-style-type: none"> • Progress over time with account taken of the time remaining before inspection
Finance	<ul style="list-style-type: none"> • Financial risk rating
Staffing	<ul style="list-style-type: none"> • Staff turbulence • Interim Leadership

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
Admissions							
1	Review and approve an Admissions Policy	C	A	R			
2	Consider admissions application decisions and appeals		A		C	R	Panel
3	Appeal against LA directions to admit pupil(s)		A	R	C	R	
Central Services							
4	Determine the scope of mandatory core services to be delivered by the Trust on behalf of its Academies		A	R			FARC
5	Identify those additional services to be procured on behalf of individual academies		A	R			FARC
6	Ensure centrally procured services provide value for money		A	R			FARC
Collective Worship							
7	Review and approve a Collective Worship Policy		A	R			Diocese - C
8	Ensure that all pupils take part in a daily act of collective worship		A		R	R	
Curriculum							
9	Develop and review the individual academy curriculum and planning policy				A	R	
10	Implement the curriculum and planning policy					A, R	
11	Be responsible and accountable for standards of teaching					A, R	
12	Hold the Headteacher to account for standards of teaching		A	R	R		S&P
13	Be responsible and accountable for any individual child's education					A, R	

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
14	Hold the Headteachers to account for any individual child's education			A,R			
15	Hold the Headteacher to account for the overall pupil experience at the school			A	R		
16	Review and approve the Trust's model policy for Relationships, Sex and Health Education (RSHE)		A	R			S&P
Equality and Diversity							
17	Review and approve an equality and diversity policy		A	R			HRC
18	Ensure that the equality and diversity policy is implemented, monitored and evaluated		A	R – at Trust Level		R – at school Level	HRC
Ethos and Christian Distinctiveness							
19	Establishing and promoting the Trust's Christian vision		A	R			
20	Establishing and promoting the academy's Christian vision within the vision of the Trust				A	R	
21	Monitoring spiritual development in accordance with the requirements of the SIAMS inspection schedule		A	R	R	R	
22	Developing and sustaining the religious character of the academy				A	R	
23	Promoting the academy and Trust in the wider community		A	R	R	R	
24	Ensure provision of Religious Education in line with the Trust's Religious Education policy.				A	R	

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
25	Review and approve a Religious Education Policy		A	R			
Extended Schools							
26	Decide to offer additional activities and what form these should take				A	R	
27	Put into place the additional services provided				C	A / R	
28	Ensure delivery of services provided				C	A / R	
29	Cease providing extended school provision				A	R	
Finance and Budgets							
30	Develop and approve a Finance Policy		A	R			FARC
31	Determine the proportion of the overall Academy budget to be delegated to individual Academies		A	R			FARC
32	Develop the Academy budget and propose to the Trust Financial Controller					A, R	
33	Approve the formal budget plan each financial year		A	R			FARC
34	Monitor academy expenditure against budget on a regular basis			A		R	
35	Propose to the Trust Financial Controller likely budget overspends where this would produce a deficit and to seek approval from the Trust			A		R	
36	Establish financial decision levels and limits in accordance with section 6 of the Scheme of Delegation and the Trust Finance Policy		A	R			FARC

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
37	Review and approve a charging and remissions policy		A	R			FARC
38	Implement the Trust's Charges and Remissions Policy for activities at the Academy			A		R	
39	Appoint the Accounting Officer		A, R				
40	Enter into contracts of less than one year up to the limits of delegation and within an agreed budget					A,R	
41	Enter into contracts of more than one year up to the limits of delegation and within an agreed budget.		A	R			FARC / COO
42	Receive annual accounts	A	R	R			
Governance							
43	Draw up governing structures and documents and any amendments thereafter		A	R			CEO/HoG
44	Appoint and remove the chair of the LGC		A	R	C	C	
45	Approve appointment and dismissal of the clerk to the LGC		A	R	C	C	
46	Hold a full LGC meeting in line with the Trust's Governance Framework and schedule of business or a meeting of the temporary governing body as often as may be required				A, R		
47	Appoint governors of the LGC and remove governors of the LGC in line with section 5.5 of the Scheme of Delegation		A	R	C	C	Committee Chairs and Chair of Trust Board
48	Maintain a Register of LGC Governors' Pecuniary and Personal Interests				A, R		

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
49	Approve and set up a Governors/Trustees' Allowances Scheme		A	R			
50	Appoint a link governor to discharge duties in respect of Safeguarding, SEND, (careers in secondary).				A, R	R	
51	Ensure proper election processes are followed for staff and parent representatives on the LGC				A, R	R	
52	Regulate the LGC procedures (where not set out in law)		A	R			
53	Determine the development needs of governors and put in place an appropriate programme based upon a skills audit				A, R		
54	Approve the formation of federated governing bodies under executive headship		A	R	C	C	
55	Agree proposed amendments to the Articles of Association	C	A	R			
56	Approve amended Articles of Association, once consent has been obtained from ESFA/DfE (and Charity Commission, if required)	A	R	R			
57	Make changes to Funding Agreement or name of Trust	A	R	R			
59	Ensure clear structures and systems are in place to manage public funds in line with the Nolan Principles and to protect the reputation of the Trust and academies within the Trust	A - at Trust level	A - Trust and academy level	R	R - at academy level	R - at academy level	Nolan Principles / Code of Conduct
60	Appoint and remove Trustees in accordance with the Articles of Association	A	R				

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
61	Appoint and remove the Trust's external auditors	A	R	R			
Health and Safety							
62	Develop, review and approve a Health & Safety Policy and framework.		A	R			FARC
63	Monitor the Trust health and safety policy in line with the policy framework				A	R	
64	Ensure that health and safety regulations are followed		A - Trust and academy level	R	R - at academy level	R - at academy level	
HR							
65	Appoint the Chief Executive Officer		A, R				
66	Appoint the Trust senior team		A, R	R			
67	Make Headteacher appointments in accordance with 6.5.1 of the Scheme of Delegation.		A	R	C		Panel
68	Make Deputy Headteacher appointments			A	C	R	Panel
69	Appoint other teachers			A	C	R	Panel
70	Appoint non-teaching staff			A	C	R	Panel
71	Review and approve a pay policy and other HR policies and procedures		A	R			HRC
72	Implement the Pay Policy and procedures in line with agreed budget					A, R	
73	Approve pay discretions in accordance with the agreed Pay Policy			A		R	
74	Implement the performance management policy excluding the Headteacher					A, R	

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
75	Lead and implement the Headteacher's and central staff senior team's performance management		A	R			HRC
76	Review and approve annually the performance management policy		A	R			HRC
77	Promoting well-being and good morale		A	R	A	R	
Information for Parents							
78	Ensure that information for prospective and existing parents is available online or paper-based if required					A, R	
79	Ensure provision of free school meals to those pupils meeting the criteria					A, R	
80	Ensure statutory information regarding SEND (including annual SEN Information Report) is published on the academy website		A		R	R	
Monitoring and Evaluation							
81	Ensure all academies are conversant with Ofsted and SIAMS inspection frameworks and prepared for inspection		A	R			
82	Carry out an annual self-review of Trust board and committee performance		A	R			
83	Carry out annual self-assessment of the LGC and report to Trust Board			R	A		
84	Carry out succession planning of Trustees/governors based on skill-set review		A – at Trust level	C	A - at academy level	C	Chairs
Premises and Insurance							

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
85	To review arrangements for buildings insurance and employers' and personal liability (currently through the ESFA RPA scheme)		A	R			FARC
86	To review arrangements for Vehicle, Equipment, Sickness and Maternity Cover and any other insurance not included in RPA				A	R	
87	To develop and update academy premises development and maintenance plan				C	A,R	
88	Cost and approve capital development plans		A >£100K	A,R <£100K		C	
89	To maintain site and buildings, in line with maintenance and premises development plans, including carrying out relevant checks			C		A,R	Head of Estates consulted
Policies and Compliance							
90	Determine, on an annual basis, those policies which will be developed by the Trust and are mandatory for all Trust Academies		A	R			
91	Determine, on an annual basis, those policies which will be developed, reviewed and approved by the Joint Policy Development Committee (JPDC)		A	R			
92	Monitor the implementation of Trust policies				A	R	
93	Approve, implement and monitor all Academy policies				A	R	
94	Ensure Trust website is compliant with legislative requirements		A	R			
95	Ensure the academy website is compliant with legislative requirements				R	A,R	

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
96	Produce and monitor an academy level risk register taking into account Trust-wide Risk Register		A	A	R	R	
Safeguarding							
97	Review and approve a safeguarding policy		A	R			S&P
98	Ensure compliance with the Trust Safeguarding Policies and Procedures				A	R	
99	Ensure that the safeguarding policy is implemented, monitored and evaluated				A	R	
100	Monitor adherence with Safeguarding policy and procedures		A	R			S&P
101	Ensure that the academy Single Central Record is checked at least termly		A		A,R		
School Organisation							
102	Publish proposals to change category of school		A	R			
103	Approve changes to the times of the school day		A	R			
104	Set the times of school sessions and extended activities				A	R	
105	Approve the dates of school terms, holidays and Trust-wide CPD days		A	R			
106	Ensure that the school meets for 380 sessions in a school year		A		R	R	
107	Determine a strategy and matrices to measure the continued viability of small schools		A	R			
108	Propose potential school closures		A	A,R	C	C	
109	Agree potential school closures		A,R	R	C	C	
Standards and Behaviour							
110	Propose targets for pupil achievement				C	A, R	
111	Approve targets for pupil achievement		A	R			S&P

No	Responsibility	Members	Trust Board	CEO	LGC	HT	Notes
112	Be responsible and accountable for pupil outcomes		A	R		A, R	
113	Hold the Headteacher to account for pupil outcomes		A	R	R	R	
114	Develop and approve the Behaviour Policy				A	R	
115	Implement the Behaviour Policy					A, R	
116	To appoint the members of the panel to review whether to uphold a pupil exclusion			A	R		

Appendix Two

Constitution of a Local Governance Committee in St Benet's MAT

Type of Governor	Number of Positions	Term of office	Appointed by
Appointed Governor	4-7	4 years	Trustees
Incumbent	1	Ex-officio (once approved by the Trust)	Trustees
Parent Governor	2	4 years	Parent election
Staff Governor	1 (or one per Academy in new federations)	4 years	Staff election
Headteacher	1	Ex-officio	
Co-opted	2	4 years	Trustees