



E D U C A T I O N T R U S T

## Folio Education Trust – Scheme of Delegation 2023 / 2024

### **Policy Area**

ESFA Academy Trust Handbook Compliance  
DfE Governance Handbook

### **Statutory / Non-Statutory Guidance Documents**

<https://www.gov.uk/guidance/academy-trust-handbook>

<https://www.gov.uk/government/publications/governance-handbook>

[Statutory policies for schools and academy trusts - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/national-standards-of-excellence-for-headteachers/headteachers-standards-2020)

<https://www.gov.uk/government/publications/national-standards-of-excellence-for-headteachers/headteachers-standards-2020>

### **Author**

Chief Executive Officer

### **Version**

v.05

### **Last Updated**

July 2023

### **Approved by the Trust Board**

July 2023

### **Next Review**

June 2024

## Background

As outlined in the DfE Governance Handbook:

“There is a range of options for how to design governance structures and levels of delegation. As the need for additional tiers within non-executive and executive governance structures grow, to avoid unwieldy spans of control, there is a need for absolute clarity on the role and remit of each part of the structure and the relationship and reporting arrangements between them – including, for example in a MAT, between the role of a Local Governing Body (LGB) and a Chief Executive Officer in holding a school-level Headteacher to account.”

The Confederation of School Trusts (CST) tells us that the Scheme of Delegation outlines responsibilities that are delegated by Trustees who are the legally liable body. There are four core functions of governance which the Trust Board is accountable for delegating to its committees:

- Ensuring clarity of vision, ethos and strategic direction.
- Holding leaders to account for the educational performance of the organisation and its pupils.
- Holding leaders to account for the effective and efficient performance management of staff.
- Overseeing the financial performance of the organisation and making sure money is well spent.

### Trust Board Committee Structure:

- Trust Financial Management, Audit and Risk Committee (FMARC)
- Trust Remuneration Committee (Remco)
- Trust Education Committee
- Trust People Committee
- School Local Governing Body (LGB)

**Lead Trustees:** The Board of Trustees identify the following Lead Trustee roles:

- Education Strategy
- People Strategy
- Safeguarding
- SEND
- Financial Management
- Audit and Risk

**Lead Governors:** The LGB of each School identify the following Lead Governor roles:

- Leadership and Management
- Curriculum Intent and Implementation
- Curriculum Impact
- SEND and other vulnerable groups of children
- Personal Development, Behaviour & Attitudes (including Safeguarding and Child Protection)
- School Investment and Risk
- Health & Safety (including Educational Visits and Practical Lessons)
- Careers, Employability and Local Community Engagement

Folio Education Trust – Scheme of Delegation

VISION, ETHOS AND STRATEGY INCLUDING OPERATIONAL COMPLIANCE							
Key = Members (M) Trustees (T) Local Governance (LGB) Chief Executive Officer (CEO) Headteacher (HT)		Delegation to ... / Accountable for ...					
Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Articles of Association	Ensuring that the charity is carrying out its charitable purposes for the public benefit.	✓					
Setting Trust Mission, Vision & Strategy	Responsible for setting the Trust’s Mission (Core Purpose) Vision Statements and measurable Strategic Goals.		✓				
Delivering the Trust Mission, Vision & Strategy	Creating a Trust Development Plan and responsible for delivering the Trust’s Mission (Core Purpose) Vision Statements and measurable Strategic Goals.				✓		
Setting School Development Plan (SDP) in line with School and Trust priorities.	Developed by the School and approved by the LGB and the CEO. A summary will be sent to the Board in July.						✓
Setting Trust Culture and Ethos	While each school will have its own unique identity and values the CEO will set a collaborative culture and ethos.				✓		
Setting School culture, Ethos and Values	LGBs will ensure that all stakeholders embrace and are able to articulate core values and how these shape the school ethos.						✓
Engaging with parents	The School will ensure parental engagement takes place. Feedback will be reported to the LGB and will shape management actions.						✓
Ensuring compliance with legislation	The Board is responsible for ensuring overall compliance with legislation; compliance delivery will be delegated as needed.					✓	
Naming a LGB Lead Governor for ‘Safeguarding’ and ‘SEND’.	An individual on the Local Governing Body will take responsibility for the evaluation of the organisation’s safeguarding and SEND arrangements.			✓			
Naming a Lead Trustee for ‘SEND’, ‘Safeguarding’, ‘Financial Management, Audit and Risk’.	An individual on the Trust Board will take responsibility for the evaluation of the organisation’s Safeguarding, SEND arrangements and Financial Management, Audit and Risk.		✓				

Folio Education Trust – Scheme of Delegation

Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Ensuring there is a financial management skill set on the Trust Board	There must be a Trustee who is suitably qualified to support and challenge the work of the Accounting Officer and the Chief Finance Officer.		✓				
Establishing and appointing board committees	The Trust Board will establish all committees. It must include an Audit and Risk Committee which can be combined with Finance until the Trust has an annual income over £50 million.		✓				
Establishing and appointing Chairs of Trust Committees.	Committees of the Board include a Local Governing Body (LGB) which focuses on educational matters such as Self Evaluation, School Improvement and Pupil Outcomes.		✓				
Setting governance policies (data protection, information sharing, cyber security, Freedom of Information (Fol), code of conduct, complaints, whistleblowing)	The Board will decide how policies are delegated, developed and approved, between the Trust Board, the Executive and Local Governance, in accordance with the approval levels suggested in the DfE’s Statutory policies for schools guidance – see <a href="#">here</a> .		✓				
Monitoring Policy compliance	A scorecard system to ensure local and Trust policies are regularly reviewed and made available.					✓	
Setting Trust safeguarding practices, with regard to statutory guidance, including appointing Designated Safeguarding Lead (DSL)	Schools must have arrangements in place to ensure that they carry out their functions with a view to safeguarding and promoting the welfare of children. They must also have regard to the statutory guidance (KCSIE) issued by the Secretary of State.						✓
Delivering support for Looked After Children	Schools will appoint a designated teacher to promote the educational achievement of Looked After and certain previously Looked- After Children (LAC/CLA) who are on the school roll.						✓
Carrying out disclosure and barring service (DBS) checks. (School)	Ensuring delivery of DBS and section 128 checks in line with DfE requirements. The Local Governing Body will receive assurance that these checks are delivered by the Headteacher who will be supported by their HR Officer and the Executive.						✓

Folio Education Trust – Scheme of Delegation

Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Carrying out disclosure and barring service (DBS) checks. (Central Trust)	Ensuring delivery of DBS and section 128 checks in line with DfE requirements. The Board will receive assurance that these checks are delivered by the Executive.					✓	
Ensuring safeguarding policies. (Safeguarding and Child Protection, Prevent, Looked After Children, Safer Recruitment, Behaviour)	Localised policies and procedures will include reference to peer-to-peer abuse, gender issues, and allegations made against teachers and other staff. They will be set by the Headteacher and approved locally by the LGB.			✓			
Setting Local Health and Safety policies	Trusts must ensure schools are compliant with Health & Safety legislation, including; EHCPs, First Aid, Evacuation, Lockdown, Educational Visits and Risk Assessments for Practical Lessons. The LGB will evaluate but it will be the responsibility of the Headteacher to set localised Policy.						✓
Setting Trust Health and Safety policies	Trusts must ensure schools are compliant with Health & Safety legislation, including; Food Hygiene, Fire Safety, Buildings, Environmental, Liability Insurance)					✓	
Setting Admissions policies	The School Admissions Code is the statutory guidance that schools must follow when carrying out duties relating to school admissions'. The Admissions authority i.e. Academy Trust should approve all relevant admissions arrangements in line with the Code.			✓			
Governors attending school inspections by Ofsted.	The Governance Handbook summarises the Ofsted inspection process. The LGB will decide which governance representatives will be present to support the Headteacher - depending on the Trust's size, this may include the CEO. The Chair of the Trust Board or their representative may also attend.			✓			

EDUCATION STRATEGY, SCHOOL IMPROVEMENT AND PUPIL OUTCOMES							
Key = Members (M) Trustees (T) Local Governance (LGB) Chief Executive Officer (CEO) Headteacher (HT)		Delegation					
Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Setting an Education Strategy for the Trust.	The Trust Board will create an Education Strategy which will be delivered by each school. This will be evaluated by the Trust Education Committee.		✓				
Creating a collaborative Teaching & Learning Evaluation tool across all schools.	The CEO will develop a collaborative Teaching & Learning Evaluation Framework with the support of each Headteacher.				✓		
Create opportunities for collaborative CPD across all schools to aid school improvement.	The CEO will develop a collaborative CPD Framework with the support of each Headteacher. This will compliment and contribute towards a school focused CPD offer which will have local context. Headteachers are responsible for the design and delivery of locally focused CPD.				✓		
Create a collaborative Peer Review model for all schools to aid school improvement and sharing of best practice.	The CEO will develop a model of Peer Review with Headteachers to aid school improvement.				✓		
Analysis of specific data and management actions linked to groups of students who are identified as a risk.	The Trust Education Committee will evaluate specific data linked to groups of students who are identified as a risk. Data will be presented by Headteachers with the support of the CEO.		✓				
Ensuring a school focused approach to curriculum and assessment, with regard to statutory requirements.	Education legislation states that the school curriculum should be balanced and broadly based. The Trust Board remains accountable for ensuring statutory requirements are met but the Headteacher’s approach to Curriculum and Assessment will be evaluated by the LGB. Headteachers will set the curriculum focus and be supported by the CEO.						✓
Ensuring the delivery of Early Years Foundation Stage (EYFS), in line with statutory requirements.	The EYFS sets out requirements for both learning and development, and safeguarding and welfare provision for children from birth to five’. EYFS policies and procedures should be set in line with the EYFS framework. The LGB will evaluate the work of the Headteacher.			✓			

Folio Education Trust – Scheme of Delegation

Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Production and analysis of data which focuses upon Curriculum Impact / Pupil Outcomes.	The Trust Board must have access to objective, high quality and timely data if it is to ensure and embed robust accountability and know the questions that need to be asked of the executive leaders.						✓
Challenge of data which focuses upon Curriculum Impact / Pupil Outcomes with regards to specific groups of children.	The LGB have delegated responsibility from the Trust Board to conduct a deep analysis of performance data looking specifically of the progress made by disadvantaged and vulnerable groups of children (SEND, EAL, LAC, PPG etc.)			✓			
Ensuring compliance with SEND Code of Practice	The Trust Board has legal duties in relation to pupils with SEND. Legal duties on SEND are set out in the Children and Families Act 2014 and statutory guidance on the SEND code of practice. The Trust Board holds responsibility for ensuring compliance, with delivery carried out by the trained experts (SENDCos) who are line managed by Headteachers.						✓
Ensuring contextual curriculum policies as required by school(s) (e.g. religious education, relationships, sex & health education, collective worship)	Schools do not have to follow statutory guidance designed for maintained schools in relation to these areas - however they must deliver these curriculum areas in line with their funding agreement and any emerging areas of government guidance that will apply to academies. Headteacher are responsible for setting locally focused policy.			✓			

PEOPLE STRATEGY AND STAFF PERFORMANCE MANAGEMENT							
Key = Members (M) Trustees (T) Local Governance (LGB) Chief Executive Officer (CEO) Headteacher (HT)		Delegation					
Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Setting a People Strategy for the Trust.	The Executive will create a People Strategy which will be approved and evaluated by the Trust People Committee. Each school will be responsible for delivering the approved People Strategy.		✓				
Creating a collaborative Pastoral Care Evaluation tool across all schools.	The CEO will develop a collaborative Pastoral Care Evaluation Framework with the support of each Headteachers.				✓		
Analysis of specific data and management actions linked to groups of students who are identified as a risk.	The Trust People Committee will request and then evaluate specific data linked to groups of students who are identified as a risk. Data will be presented by Headteachers with the support of the CEO.		✓				
Developing Trust wide HR policies with regards to employment, contracts and equality (e.g. Pay Policy, Privacy Policy, Disciplinary, Grievance, Complaints, Whistleblowing, Safer Recruitment)	Trusts are responsible for establishing their own staff procedures in line with relevant legislation and guidance. The Trust Board holds responsibility for ensuring compliance, with delivery carried out by the executive team and schools, and input from Trade Unions as required.					✓	
Developing contextual Pastoral Care policies and procedures as required by school(s) (e.g. behaviour, power to search students, medical care)	Schools must promote good behaviour amongst pupils and must ensure that a written behaviour policy is drawn up, implemented effectively and a record is kept of the sanctions imposed upon pupils for serious misbehaviour.						✓
Production and analysis of data which focuses upon Pastoral Care / Pupil Outcomes.	The Trust Board must have access to objective, high quality and timely data if it is to ensure and embed robust accountability and know the questions that need to be asked of the executive leaders.						✓
Evaluation of data which focuses upon Pastoral Care / Pupil Outcomes.	The LGB have delegated responsibility from the Trust Board to conduct a deep analysis of performance data looking specifically at the pastoral data linked to disadvantaged and vulnerable groups of children (SEND, EAL, LAC, PPG etc.)			✓			



Folio Education Trust – Scheme of Delegation

Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Delivering careers guidance, with regards to statutory requirements	Schools must ensure there is an opportunity for a range of education and training providers to access all pupils in both Primary and Secondary settings. Statutory careers guidance must be met. The LGB should ensure compliance is achieved, with the Headteacher being accountable for the delivery careers guidance in Secondary Schools.						✓
Keeping admission and attendance registers.	All Local Governing Bodies must reassure themselves that the school keeps admission and attendance registers in accordance with regulations. The Local Governing Body holds responsibility for receiving assurance on overall compliance, with delivery carried out by the Headteacher.						✓
Setting an approach and making decisions to direct pupils offsite - 'suspensions'.	Schools may direct a pupil off-site under general powers in the Trust's Articles of Association. The Trust Board holds responsibility for ensuring overall compliance with DfE Exclusion Guidance, with delivery carried out by Headteachers.						✓
Setting an approach and making decisions to remove pupils from lessons for isolated support.	Headteachers will design and deliver procedures linked to the removal of children from timetabled lessons to support their behaviour and attitude towards learning. Support may be in an isolated setting.						✓
Recommending decisions to permanently exclude pupils from school to the CEO and LGB.	The Headteacher, with the support of the CEO, is responsible for building evidence which leads them to make a decision to recommend the permanent exclusion of a child from school. This recommendation will demonstrate that this is a last resort following targeted and dynamic support and intervention.						✓
Upholding or overturning a Headteacher's decision to permanently exclude a pupil from school.	The Trust Board delegates to the LGB who holds key responsibilities in relation to considering whether permanently excluded pupils should be reinstated and will arrange an independent review panel when required.			✓			

Folio Education Trust – Scheme of Delegation

Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Setting approach to staff appointment and dismissal, with regard to statutory requirements	The requirements of Trusts are set out in their Funding Agreements. The Board holds overall responsibility for ensuring compliance with regards to safer recruitment, with delivery carried out by Headteachers with input from Trade Unions and with support from the Executive with regards to HR and Compliance.						✓
Setting approach to appraisal and performance management	Trusts are free to determine their own appraisal process. The CEO will work with Headteachers to design and deliver a collaborative model to ensure equity across all schools.				✓		
Ensuring all staff complete a process of appraisal and performance management in a school setting.	Headteachers are responsible for ensuring all staff are supported and challenged by appraisal and performance management. This will be moderated by the CEO with the support of the LGB.						✓
Setting and approving pay levels, including executive pay.	Trusts are free to set their own pay and conditions of service for any Teachers and Support Staff. The Trust Board is responsible for ensuring compliance with all requirements as laid out in the Academy Trust Handbook. The Board of Trustees must ensure its decisions about levels of executive pay follow a robust evidence-based process and are reflective of the individual's roles and responsibilities.		✓				

Folio Education Trust – Scheme of Delegation

FINANCIAL PERFORMANCE, AUDIT AND RISK							
Key = Members (M) Trustees (T) Local Governance (LGB) Chief Executive Officer (CEO) Headteacher (HT)		Delegation					
Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Appointing a senior executive leader as accounting officer (CEO)	The CEO must be the head of the line management executive chain and be held accountable by the Board of Trustees for the performance of the whole Trust. The Board appoints the accounting officer.		✓				
Appointing CFO or Director of Finance to act as CFO.	The Trust must appoint a person to acts as the Chief Financial Officer (CFO). This could be in the form of a finance director, business professional or equivalent. The Board appoints the person who acts as Chief Finance Officer and other executives such as the Chief Operations Officer (COO).		✓				
Setting delegated authority limits for financial transactions	Delegated authority limits must be set by the Board and communicated throughout the Trust. The Board approves delegated authority limits.		✓				
Establishing controls framework including internal audit	A Trust must establish a control framework and establish processes to provide assurance over the suitability of, and compliance with, its financial systems and internal controls. The Board, and Audit and Risk Committee, hold responsibility for approving the annual programme of internal scrutiny as put forward by the executive team, with input from internal auditors as relevant.		✓				
Approving budgets	The Board approve the budget which has been developed by the Executive team, with local governance and Headteachers inputting in line with delegated authorities.		✓				
Delivering monthly management accounts and forecasts	The Trust must prepare management accounts every month setting out its financial performance and position. Management must take appropriate action to ensure ongoing viability. The Board must ensure budget forecasts for the current year and beyond are compiled accurately. The Board must review management accounts at least six times each year that have been prepared by the Executive.					✓	

Folio Education Trust – Scheme of Delegation

Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Managing cash position	The Trust must manage its cash position robustly. It must avoid becoming overdrawn on any of its bank accounts. The Board are responsible for holding oversight of cash management across the Trust.		✓				
Monitoring pupil premium spend inc. Pupil Premium strategies and the PE and sport premium.	Delegated to Local Governing Boards, they should discuss with senior leaders the rationale for spending pupil premium and ensure that both pupil need, and effective practice are central to the strategy.			✓			
Approving and monitoring the investment in school improvement.	School Development Plans (SDPs) will be co-constructed with stakeholders following accurate self-evaluation. They will have clear objectives and action steps which will attract specific funding included in the annual budget approved by the Trust Board. Headteachers are responsible for developing and delivering the SDP. The LGB is accountable for monitoring the delivery of the SDP.			✓			
Appointing external auditor	The Members must appoint a registered statutory auditor. The statutory auditor should be appointed by the Members in writing following recommendations by the Trust Board.	✓					
Delivering annual report and accounts, with regard to accounts consolidation exercises required by DfE / EFSA.	The Executive will prepare annual financial statements in line with the ESFA's Academy Trust Handbook direction. The Board will approve the annual report and accounts.		✓				
Developing finance policies (charging and remission, procurement)	The Board approve finance policies, as developed by the Executive team.		✓				
Managing conflicts of interest and related party transactions	The Executive will maintain a register of interests.					✓	
Ensuring compliance with ESFA requirements	Compliance must be ensured in areas including novel, contentious and repercussive transactions, disposal of land and assets and use of School Condition Allocations, use of school premises. The Board should ensure compliance with the executive team delivering on all requirements.		✓				

Folio Education Trust – Scheme of Delegation

Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Ensuring adequate insurance cover is in place	The Trust must ensure that they have adequate insurance cover in compliance with their legal obligations or have opted into the academies Risk Protection Arrangements (RPA).					✓	
Maintaining Risk Register	The Trust must manage risks to ensure its effective operation and must maintain a Risk Register. The Board should hold oversight of strategic risks across the Trust. Local Governance will hold oversight of school-level Risk Registers produced by Headteachers.					✓	

## Other specific features of delegation

Key = Members (M) Trustees (T) Local Governance (LGB) Chief Executive Officer (CEO) Headteacher (HT)		Delegation					
Area of Responsibility	Details	M	T	LGB	CEO	EXEC	HT
Line management of Folio Central Services staff	<p>All Folio Central Services Staff have an allocated Line Manager. This person has delegated responsibility for an employee's appraisal and performance management. The line manager will also deal with all employment issues such as grievances, complaints and disciplinary matters.</p> <p>Where Folio Central Services Staff are deployed in one school, line managers should consult with the Headteacher to see if a joint appraisal meeting would be appropriate to seek input from the school.</p> <p>It is also expected that Folio Central Services Staff deployed in schools follow all reasonable management instructions from Headteachers unless there is a danger that they conflict with overall Trust priorities in which case they should seek advice from their line manager.</p>					✓	