



Transforming
Futures
TRUST

Scheme of Delegation

September 2020

Policy Information	
Policy Owner	Chief Operating Officer
Issue Version	1.0
Approving Committee	Board
Adopted Date	09.09.20
Review Cycle	
Last Review Date	09.09.20
Next Review Date	

Adoption of the Policy

This Policy has been adopted and reviewed by the Trustees of Transforming Futures Trust



Signed

Date: 18.01.21

(Trustee)



UNDERLYING PRINCIPLES

This Scheme of Delegation (SoD) identifies the key decisions required in connection with the overall governance and management of the Trust and its academies. The SoD sets out the delegation by the Trustees under Article 105 of the Trust's Articles of Association. It is designed to set out clearly the respective roles and responsibilities across all layers of governance. This SoD should be read in conjunction with the Trust's Articles of Association, Funding Agreement, Academies Financial Handbook and Trust Policies. This SoD will be reviewed on an annual basis by the Board of Trustees, or more frequently if required.

Transforming Futures Trust Governance

The Board of Trustees delegates responsibility for delivery of the vision and strategy to the Chief Executive Officer, who is also the Accounting Officer. The Board of Trustees holds the Chief Executive Officer to account for the performance of the Trust, including the performance of the Academies. The Chief Executive Officer in turn holds the Headteachers to account through line management. The Chief Executive Officer reports to the Board of Trustees on the performance of the Trust including the performance of the Trust's academies.

The Chief Executive Officer is supported by a Trust Executive Leadership Team, consisting of a Chief Operating Officer, a Chief Finance Officer, and the Academy Headteachers.

Layers of Governance – Key Roles and Responsibilities

The Trust is a company limited by guarantee and in accordance with the Academies Act 2010 is an exempt charity.

Members

The Members are akin to the shareholders of a company and are often referred to as the 'gatekeepers'. The academy trust must have at least three members, although the Department's strong preference is that trusts should have at least five members. They cannot be employees of the Trust. They:

- are the subscribers to the memorandum of association (where they are founding Members)
- may amend the articles of association subject to any restrictions created by the funding agreement or charity law
- may, by special resolution, appoint new members or remove existing members other than, where there is one, the foundation/sponsor body and any members it has appointed
- have powers to appoint trustees as set out in the trust's articles of association and powers under the Companies Act 2006 to remove trustees
- may, by special resolution, issue direction to the trustees to take a specific action
- appoint the trust's external auditors and receive (but do not sign) the audited annual report and accounts (subject to the Companies Act)

- have power to change the company's name and, ultimately, wind it up.

Trustees

The Trustees are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the Memorandum and Articles of Association. The Board of Trustees is the accountable body for the performance of all Academies within the Trust and as such must:

- Ensure clarity of vision, ethos and strategic direction
- Hold the Chief Executive Officer to account for the educational performance of the schools and their pupils, and the performance management of staff
- Oversee the financial performance of the Trust and make sure its money is well spent

Because Trustees are bound by both charity and company law, the terms 'Trustees' and 'Directors' are often used interchangeably. The term Trustee is used to avoid confusion caused when executive leaders are called Directors but are not Company Directors and Trustees. The Board of Trustees is permitted to exercise all the powers of the Trust. The Board of Trustees delegate responsibility for the day to day operations of the Trust to the Chief Executive Officer. The Board of Trustees has the right to review and adapt its governance structure at any time which includes removing delegated responsibilities.

Trustees must apply the highest standards of conduct and ensure robust governance, as these are critical for effective financial management. They should follow the Governance Handbook, which describes the following features of effective governance and will aid compliance with the Academies Financial Handbook:

- strategic leadership that sets and champions vision, ethos and strategy
- accountability that drives up educational standards and financial performance
- people with the right skills, experience, qualities and capacity
- structures that reinforce clearly defined roles and responsibilities
- compliance with statutory and contractual requirements

- evaluation of governance to monitor and improve its quality and impact.

Trustees have statutory duties. They must comply with the trust's charitable objects, with company and charity law, and with their contractual obligations under the funding agreement. Company directors' duties are described in sections 170 to 181 of the Companies Act 2006, but in summary are to:

- act within their powers
- promote the success of the company
- exercise independent judgement
- exercise reasonable care, skill and diligence
- avoid conflicts of interest
- not accept benefits from third parties
- declare interest in proposed transactions or arrangements.
- As the employer, the trust has a range of wider obligations including such matters as employment law and health and safety.

The trustees must ensure regularity and propriety in use of the trust's funds, and achieve economy, efficiency and effectiveness – the three elements of value for money. The trustees must also take ownership of the trust's financial sustainability and its ability to operate as a going concern.

Accounting Officer

The board must also appoint, in writing, a named individual as its accounting officer, which in this Trust is the CEO.

The accounting officer role includes specific responsibilities for financial matters. It includes a personal responsibility to Parliament, and to ESFA's accounting officer, for the trust's financial resources. Accounting officers must be able to assure Parliament, and the public, of high standards of probity in the management of public funds, particularly regularity, propriety and value for money. The Academies Financial Handbook lays out the duties and requirements of this role.

Chief Executive Officer - CEO

The CEO is the accounting officer with overall responsibility for the operation of the Trust's financial responsibilities and must ensure that the organisation is run with financial probity, effectiveness and stability, avoiding waste and securing value for money. The CEO has delegated responsibility for the operation of the Trust, including the performance of the Trust's Academies and is responsible for all staff across the Trust.

Chief Finance Officer – CFO

The CFO also has an important role in supporting and advising the governing body/board of trustees on all financial matters. The board must appoint a CFO, who is (and whose job title may instead be) the trust's finance director, business manager or equivalent, to whom responsibility for the trust's detailed financial procedures is delegated. The CFO should play both a technical and leadership role. The CFO should be employed by the trust, and the trust must obtain prior ESFA approval if it is proposing, in exceptional circumstances, to appoint a CFO who will not be an employee.

Chief Operating Officer - COO

The COO reports to the CEO and has oversight of operational aspects of the Trust. An interim management agreement is in place with Delt Services Ltd to provide Management support to these operational functions and a key role of the COO is to effectively manage this relationship and agreement to ensure compliance and value for money from this service.

Academy Headteacher

The Academy Headteachers are responsible for the day-to-day management of their Academies. Headteachers are directly line managed by the CEO and are accountable to the Regional Clusters and Trust Board.

Advisory Committees

The trust has three advisory Committees, covering Devon, Plymouth and Cornwall. These act as the "eyes and ears" of the Board in the various Academy sites within their geographical area. The Cluster has responsibility for monitoring the Academy Improvement Plans delivery; safeguarding and other Trust policies are adhered to; and that the pupil development within the academies is rigorous, challenging and always encouraging pupils to develop to their maximum potential.

Clerk to the Board

The trust must appoint a clerk to support the board of trustees who is someone other than a trustee, principal or chief executive of the trust. For non-executive trustees a knowledgeable clerk to the board (or company secretary) is an essential part of their tool kit

The clerk helps the efficient functioning of the board by providing:

- guidance to ensure the Board and Clusters work in compliance with the appropriate legal and regulatory framework, and understands the potential consequences of non-compliance
- advises on procedural matters relating to the operation of the Board and Clusters
- administrative and organisational support

Executive Committee – XCOM

The XCom comprises, ex officio the CEO (who Chairs the committee), COO and CFO and up to three Head Teachers. XCom's purpose is to oversee the day to day running of the Trust, advising the Board on operational matters, holding the Academies and Services to account and ensuring both the educational and operational performance of the Trust accords with the Academies Financial and Governance Handbooks.



FA	FINAL APPROVAL
DA	Delegated Authority to approve by Final Approver
R	Support / Advisor / Recommendation / Information

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each	
Governanace												
Appointment of Members	FA											following Article of Association
Appointment of Trust Board Directors (Trustees)	FA	R				R						
Appointment of Co-opted Directors (Trustees)		FA										

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	LEG	CEO	Exec Comm headers(XCOM)	COO	COO	HR	Headt each	
Appointment of Trust Board Chair & Vice Chair		FA										
Appointment of Board Committee Chairs (F&A / E&S / Remuneration)		FA										
Appointment of Regional Cluster Chairs & Vice Chairs		FA					R					following fair & transparent process managed by Clerk to TB
Appointment of Regional Cluster Members		FA				R						following fair & transparent process managed by Clerk to TB
Dismissal of Directors (Trustees)	FA											only applies to Trustees appointed by Members. Co-opted can be dismissed by the Trust Board

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each	
Dismissal of Co-opted Directors (Trustees)		FA										only applies to Trustees appointed by Members. Co-opted can be dismissed by the Trust Board
Trust Articles of Association	FA	R					R					In association with Secretary of State
Scheme of Delegation and Terms of Reference		FA					R					
Approve Trust vision and strategy and agree key priorities		FA					R					
Appointment of Clerk to the Trust Board		FA				R						
Trust website management and updating						D A						

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
Trust Board expenses									D A		
Growth of Transforming Futures Multi Academy Trust											
Approval of new schools joining Transforming Futures Multi Academy Trust		FA	R	R			R				
Statutory Requirements											
Approval of audited financial statements		FA	R				R		R		
Updating GIAS & Companies House						D A					
Appointment of Company Secretary and/or Clerk to the Trust Board						D A					

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
Managing the Single Central Records				FA			R				
Appointment of auditors	FA		R								
GDPR compliance and monitoring			FA				R				
Approving statutory policies		FA	R	R							
Budget Setting and Control											
Approving Annual Budget		FA	R				R				
Approving budgets for premises, IT, recruitment and other capital expenditure			DA				R				

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each	
Agreeing Monthly Management Accounts			DA				R					
Agreeing Monthly Balance Sheet Reconciliation						DA	R					
VAT Returns									DA			
Statutory Financial Returns	FA		R				R		DA			
Approving Expenditure from Reserves												
Expenditure funded from reserves		FA				R						
Authorising orders and contracts for goods and services												
Single expenditure up to £5,000 in											DA	see procurement and purchasing policy for full details

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	LEG	CEO	Exec Comm headers(XCOM)	COO	COO	HR	Headt each	
departments / cost centre												
Single expenditure over £5,000 in departments / cost centre						DA	R					see procurement and purchasing policy for full details
Orders and/or contracts with an estimated value of between £5,001 and £50,000						DA						see procurement and purchasing policy for full details
Orders and/or contracts with an estimated value of between £50,001 to the EU procurement threshold			FA				R					see procurement and purchasing policy for full details

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each	
Orders and/or contracts with an estimated value above the EU procurement threshold		FA					R					see procurement and purchasing policy for full details
Policy and management use of business credit cards									D A			
Bank Accounts												
Making changes to the bank mandate						D A			R			
Making payments from bank accounts						D A			D A			
Making decisions on investing any reserves			FA				R					
Other Finance												

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
Approving the disposal of assets - subject to ESFA limits			FA				R				
Approving the write-off of bad debts			FA				R				
Purchase of freehold property		FA	R				R				
Taking up property leases		FA	R				R				
Agreeing appropriate and adequate insurance is in place MAT wide			FA				R				
Bids						D A	R				
Premises											

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
Trust Asset Management Plan		FA	R				R				
Management of Central Estates budget							DA				
Trust Capital Programme			FA				R				
Structural or alterations within the existing building							DA				
Significant use of buildings for hire or reward			FA		R		R				
Submission of RPA insurance claims							FA				
Approval of Business Continuity Plan		FA					R				

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
Building Maintenance & Servicing Contracts							DA				
HR Policies											
Pay Policy/Changes to MAT terms and conditions			FA				R			R	
All other policies (employment related)				FA			R			R	
Staffing Structures											
Approval of changes to structures - MAT Team						DA	R			R	
Approval of changes to structures - School Leadership						DA	R			R	

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
Approval of changes to support staff structures in academies						D A	R			R	
Approval of changes to teaching staff structures in academies						D A	R			R	
Approval of Appointments											
CEO		FA								R	
MAT staff						D A				R	
Headteachers					R	D A				R	
Deputy Headteacher					R	D A				R	R

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
Assistant Headteacher					R	A				R	R
Staff in academies						A				R	R
Approving monthly payroll and staff expenses											
MAT Payroll						A	R				
Academy staff Payroll											DA
Academy staff timesheets											DA
CEO expenses									D A		
MAT staff expenses						A					

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
Academy staff expenses											DA
Approving staff severance, compensation, ex gratia payments			FA			R				R	
Annual Appraisal											
CEO		FA								R	
Headteachers					R	DA				R	
MAT Trust staff						DA				R	
Staff in academies						R				R	DA
Employee Pay and Reward											
Recommendations to award pay increments		FA									

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
linked to appraisals for CEO											
Recommendations to award pay increments linked to appraisals for Headteachers			FA			R				R	
Recommendations to award pay increments linked to appraisals for all other staff							R				DA
Organisational Change and Redundancies											
Approval of business case			FA			R	R			R	
Recommendations to dismiss on redundancy grounds						FA	R			R	

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headteacher
Dismissals on redundancy grounds			FA							R	R
Appeals against redundancy dismissals		FA				R				R	
Dismissals											
CEO		FA								R	
Headteachers		FA				R				R	
MAT Trust staff						D A				R	
Staff in academies						D A				R	R
Appeals		FA				R				R	
Safeguarding											
Overarching Safeguarding		FA		R			R				

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Statement of Intent and appointment of Safeguarding Trustee												
Appointment of Safeguarding Cluster Advisory Committee member					F A		R					
Approval of Trust Safeguarding Policy				FA			R					
Appointment of Academy DSL							R				DA	
Measuring and Reviewing Performance				FA			R					
Academy based activities												

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each	
Making significant variations to the curriculum				FA	R		R			R	R	
Approve annual school targets		FA		R			R				R	
Operational Health and Safety Matters											DA	
Emergency School Closure						FA					R	
School Improvement Plan (SIP)				FA	R	R					R	
Risk Management							DA					
Making variations to the length/structure of the academy day		FA		R			R					

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each	
Make changes to Admissions Policy, inc PAN changes		FA		R	R		R					
Permanently exclude a student											DA	
Complaints - Informal											DA	
Complaints - Formal					R		R				DA	
Complaints - Appeals		FA			R		R					
Approving non-statutory education policies				FA	R		R					
	Information Technology											
Approve IT Strategy		FA					R					
Management of Central IT budget							DA					see procurement and purchasing policy for full details

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Management & Design of IT Infrastructure							DA				
IT Hardware Specification							DA				
IT Software Packages							DA				
Approving changes to Data Protection Policy/GDPR			FA				R				
Learning Provision (including SEND)											
SEND Plan and Strategy				DA			R				
Pupil Premium Plan review and spend				DA			R				
Sports Premium				DA			R				

	Members	Trust Board (Trustees)	Finance & Audit Committee	Educn & Safeguarding Comm	L G A G	C E O	Exec Comm headers(XCOM)	C O O	C F O	H R	Headt each
Y7 catch up funding				DA			R				