

# EvolveCAT Scheme of Delegation

2021



<b>Approved by:</b>	Gill Nunn	<b>Signed:</b> G.Nunn	<b>Date:</b> January 2021
<b>Last reviewed on:</b>	March 2020		
<b>Next review due by:</b>	September 2021		

### **Our Church Trust Vision**

As an educational trust, made up entirely of Church of England Schools, our vision is firmly grounded in our Christian values, principles and core behaviours. We aim to support and nurture all children within the community of our schools to achieve their very best, academically, and to prepare them for life, in its entirety, beyond primary education. Our board of trustees, directors and school leaders have created the following mission statement that encapsulates all that we strive for as a collective across Evolve:

### **Vision Statement**

Our purpose is to **discover** and **enable** to the full, the talents, skills, spirituality, and personalities of all children within a safe, happy, nurturing environment of a caring Christian community.

### **Mission**

#### **'Achieving Together with God by our Side'**

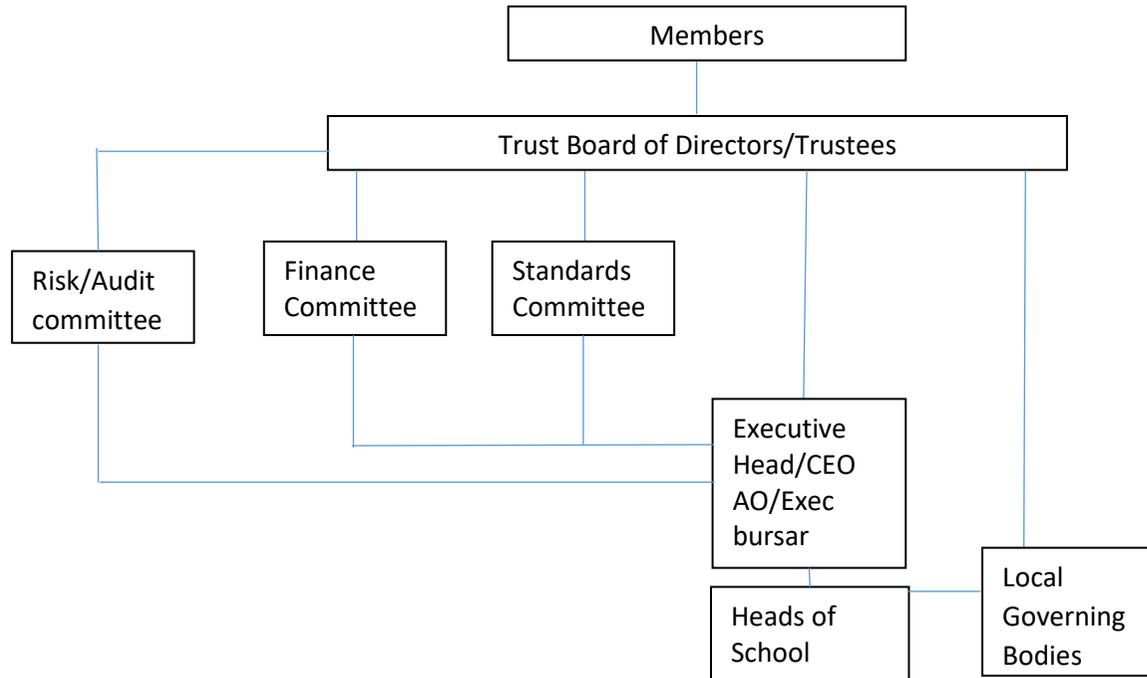
**Spirituality:** Develop, within children, the knowledge and skills required to access their own spirituality and inner peace reflecting Christian values within their daily lives.

**Creativity:** Create successful, independent, and lifelong creative learners who enjoy learning, make excellent progress and achieve to the best of their ability, adapting to the potential demands of our rapidly evolving society.

**Independence:** Build confident happy individuals, who are healthy, purposeful and enjoy meeting challenges while being humble of their own gifts and skills and generous in spirit to others.

**Collaboration:** For our children to be responsible citizens of the world and their own country who care for their environment, their community, their families, their school and make a positive contribution to society, respecting the diversity within the world and their community.

**Evolve Church of England Academies Trust Scheme of Delegation**



This diagram displays the structure of governance within Evolve Church Academies Trust. The two board committees, standards and finance carry the overall responsibility for the two large areas of MAT business. Responsibility for carrying out associated work is delegated to the Executive head, who, in turn, distributes a proportion of this work to heads of school and local governing bodies, who report back to the full board through local committees, chairs of local boards and the executive head/CEO.

The following table contains details of responsibility for tasks under the various different areas of trust business.

### **The Role of the Local Governing Board**

The Local Governing Board (“LGB”) is a committee of the Directors of Evolve CAT. Each LGB is established by the Directors in accordance with the Articles of Association of Evolve CAT, a copy of which is attached as Annex 2 and will be subject to the Delegation set out in Annex 1. This details the responsibilities of the LGB and the Head of School and their relationship with the Directors.

### **Evolve CAT and the Local Governing Board**

Evolve CAT is a charitable company limited by guarantee. It has entered into a Master Funding Agreement with the Department for Education and a Supplemental Funding Agreement in respect of each Academy (together the “Funding Agreements”) and so it is Evolve CAT that is ultimately responsible to the Department for Education under the Funding Agreements.

The Directors are the charity trustees (within the terms of section 177 of the Charities Act 2011) and are responsible for the general control and management of the administration of Evolve CAT, in accordance with the provisions set out in the Articles. The LGB of each academy is a committee of the Directors established by Evolve CAT, using their powers in the Articles of Association of Evolve CAT. It is expected that the LGB will act in accordance with this **Scheme of Delegation** unless otherwise directed by the Directors. The LGB will be accountable to the Directors for its decisions.

### **The Local Governing Board –**

*Governors* - Membership of the LGB will comprise the following Governors:

The Head of School, 2 elected parents, up to 2 elected Staff Members, Foundation Governors in numbers appropriate to the previous status of the Academy as a Voluntary Aided or Voluntary Controlled school and those as may from time to time be co-opted with the express approval of Evolve CAT

A Governor must be aged 18 or over and must not be a current pupil of the Academy. A Governor’s term of office will be for a period of 4 years. A Governor’s term of office will be terminated if:

he/she resigns by serving written notice to the Chair of the LGB and to Evolve CAT; in the case of a Staff Member, his/her employment is terminated; he/she becomes incapable by reason of mental disorder, illness or injury of managing or administering his/her own affairs; he/she is absent, unless agreed

otherwise, for two consecutive meetings of the Governors, in which case the Governors and/or Directors may remove a Governor at their discretion; he/she would be disqualified from acting as a charity trustee (by virtue of section 72 of the Charities Act 1993); his/her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced or if he/she is the subject of a bankruptcy restrictions order or an interim order; he/she is: (i) included in the list of teachers and workers with children or young persons whose employment is prohibited or restricted under section 1 of the Protection of Children Act 1999; or (ii) disqualified from working with children under section 28, 29, 29A and 29B of the Criminal Justice and Court Services Act 2000; he/she is a person in respect of whom a direction has been made under section 142 of the Education Act 2002; he/she has not complied with Evolve CAT's safeguarding/DBS policies or a material part of this Scheme of Delegation; at any time the Directors reasonably consider, after discussions with the LGB, his/her removal to be in the interests of Evolve CAT.

Where a person becomes disqualified from holding, or continuing to hold office as a Governor and he/she is, or is proposed, to become such a Governor, he/she shall, upon becoming so disqualified, give written notice of that fact to Evolve CAT and to the Chair of the LGB. The LGB may continue to act notwithstanding a temporary vacancy in its composition. Each Governor, on appointment, will sign Evolve CAT's Code of Conduct Governors section.

#### **Appointment of a Chair of the Local Governing Board**

The Chair of the LGB will be appointed each academic year by the Governors from amongst all of the Governors and the Clerk to the LGB will notify Evolve CAT following such appointment. If both the Chair and the Vice-Chair are absent from any meeting of the LGB, those Governors present will appoint one of their number to chair the meeting.

### **Responsibilities of Directors and Governors**

Responsibilities are as set out in the Evolve CAT governance handbook. Each Governor will act in the best interests of the Academy and of Evolve CAT at all times. No Governor is to act or omit to act in a way which would be prejudicial to the interests of the Academy or Evolve CAT at any time, including any actions or omissions which might create bad publicity for the Academy or Evolve CAT. The Governors must keep confidential all information of a confidential nature obtained by them relating to the Academy and/or Evolve CAT. When a Governor becomes a Governor of an Academy within Evolve CAT (following his/her appointment or his/her transfer from a maintained school), he/she will be required to complete and sign a registration form (with details required for Evolve CAT) in which the Governor agrees to comply with:

- the Articles of Association;
- the Funding Agreements;
- this Scheme of Delegation;
- any terms of reference of sub-committees which may apply to that Governor; Evolve CAT Code of Conduct.

In addition, each Governor will be required to be aware of the terms of Evolve CAT's Governors' Handbook and Evolve CAT's Financial Regulations Manual and know how to access them. Each Governor will be required to carry out appropriate training as provided by Evolve CAT and such other training, including Safeguarding Training, as is required to enable them to effectively undertake their role as Governor. Each Governor will also be required to take part in regular self-reviews and Skills Audits and is accountable for meeting his/her own training and development needs. It is a Governor's responsibility to consider if, and raise any concerns where, he/she feels that appropriate training and development is not being provided. Each Governor will be required on an Annual basis to complete and then periodically update their entry in the Register of Interests.

### **Role of the Chair**

The Chair will: meet regularly with the Head of School; communicate regularly with the Clerk to the LGB; preside over efficient LGB meetings; and be accountable to the Directors for the operation of the Academy.

### **Conflicts of Interest**

The income and property of Evolve CAT must be applied solely towards the provision of the Objects as detailed in the Articles. The restrictions and procedures which apply to the Directors in the Articles of Association with regard to having a Personal Financial Interest also apply to the Governors.

Any Governor who has any duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his/her duties as a Governor must disclose that fact to the Governors as soon as he/she becomes aware of it. A Governor must absent himself/herself from any discussions of the Governors in which it is possible that a conflict will arise between his/her duty to act solely in the interests of the Academy and/or Evolve CAT and any duty or personal interest (including but not limited to any Personal Financial Interest).

### **Meetings of the Local Governing Board**

The LGB must meet times per academic year, and will hold such other meetings as may be necessary. A quorum must be present, being three or one third of the Governors (if greater). A Clerk must be appointed by the Governors and all meetings will be convened by the Clerk, who will send to the Governors, and to Evolve CAT, written notice of the meeting and a copy of the agenda at least 7 clear days in advance of the meeting.

A special meeting of the LGB will be called by the Clerk whenever requested by the Chair or at the request in writing of any three Governors. Where there are matters demanding urgent consideration, the Chair or, in his/her absence, the Vice-Chair may waive the need for 7 days' notice of the meeting and its content and substitute such notice as he/she thinks fit.

The convening of a meeting and the proceedings conducted will not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda. If the number of Governors assembled for a meeting of the LGB does not constitute a quorum, the meeting must not be held. If in the course of a meeting of the LGB the number of Governors present ceases to constitute a quorum, the meeting must be terminated forthwith. If, for lack of a quorum, a meeting cannot be held or, as the case may be, cannot continue, the Chair will, if he/she thinks fit, determine the time and date at which a further meeting will be held and will direct the Clerk to convene the meeting accordingly.

All issues to be decided at a meeting of the LGB will be determined by a majority of the votes of the Governors present and voting on the question. Every Governor will have one vote. Where there is an equal division of votes the Chair of the meeting will have a second or casting vote. A Governor may not vote by proxy.

No resolution of the Governors may be rescinded or varied at a subsequent meeting unless consideration of the rescission or variation is a specific item of business on the agenda for that meeting. Any Governor who is also an employee of Evolve CAT must withdraw from that part of any meeting of the LGB at which his/her remuneration, conditions of service, promotion, conduct, suspension, dismissal or retirement are to be considered.

A resolution in writing, signed by all the Governors will be valid and effective as if it had been passed at a meeting of the Governors duly convened and held. Similarly, a resolution in writing signed by all the members of a committee of the Governors will be valid and effective as if it had been passed at a meeting of that committee. Such a resolution may consist of several documents in the same form, each signed by one or more of the Governors (or the members of a committee as the case may be). Any Governor will be able to participate in meetings of the Governors by telephone or video conference provided that he/she has given reasonable notice to the Clerk and that the Governors have access to the appropriate equipment.

Minutes must be prepared of all LGB meetings and meetings of all subcommittees. Drafts of those minutes must be sent to all who attended and Evolve CAT no later than 14 days after the date of the meeting. Final minutes, as approved by the Governors, must be sent to Evolve CAT within 7 days of approval.

### **Accounts and Audit**

Producing and filing accounts and audit requirements is the responsibility of the Academy and the Academy must keep proper accounts and records to enable it to meet its responsibilities and the LGB is responsible for ensuring this happens (see paragraph 5.1). The LGB must ensure compliance with Evolve CAT's Financial Regulations Manual.

### **Rules and Operating Procedures**

The LGB has power to make rules and develop operating procedures in respect of the governance and conduct of the Academy as appropriate. Such rules and operating procedures and any amendments to them will be subject to the provisions of this document and also, where such rules or operating procedures relate to governance and/or the roles and responsibilities of the Governors, to approval by the Directors.

**Ammendment of Rules of Governance**

This Scheme of Delegation is drafted and maintained by Evolve CAT. The Directors may make amendments to this Scheme of Delegation from time to time. In the event that amendments are made, Evolve CAT will notify the Chair of each LGB, who will be expected to make the other Governors aware of such changes. This document will be subject to review by the Directors

**A grid displaying responsibility for strategic decision making within Evolve:**

Area	Decision	Delegation						
		Members	Trust Board	TB Finance Committee & Exec Bursar	TB Standards Committee	Exec head/CEO	Academy Committee	Head of school
<b>Governance framework</b>								
People	Members: Appoint/Remove	✓						
	Trustees: Appoint/Remove	✓	✓					
	Role descriptions for members (do we have?)	✓						
	Role descriptions for trustees/chair/ specific roles/committee/council members: agree		✓			<A		
	Parent trustee/committee/council member: elected		✓				✓	
	Board committee chairs: appoint and remove		✓	✓	✓	<A		
	Academy governing body/council chairs: appoint and remove		✓			<A		
	Clerk to board: appoint and remove		✓					
	Clerk to academy governing body/council: appoint and remove			✓				✓
Systems	Articles of association: review and agree	✓	<A			<A		
	Governance structure (committees) for the trust: establish and review annually		✓			<A		

	Terms of reference for board committees and scheme of delegation for academy committees: agree annually		✓			<A			
	Skills audit: complete and recruit to fill gaps		✓			<A>	✓	A	
	Annual self-review of trust board and committees: complete annually		✓						
Area	Decision	Delegation							
		Members	Trust Board	TB Finance Committee & Exec Bursar	TB Standards Committee	CEO/Exec head	Local Governing Body	Head of School	
Systems and structures	Annual self- review of academy committees/councils: complete annually (pro-forma needed)						✓		
	Chair's performance: carry out 360 review periodically (pro-forma needed)		✓				✓		
	Trustee / academy committee/council member contribution: review annually		✓				✓		
	Succession: plan		✓			<A>	✓	A	
	Annual schedule of business for trust board: agree (MAT priorities)		✓	✓	✓	<A			
	Annual schedule of business for academy committee/council: agree (school priorities)					A>	✓	A	
	Reporting								
		Publication on trust and schools' websites of all required details on governance arrangements: ensure		✓			<A	✓	A

Reporting	Annual report on performance of the trust: submit to members and publish		✓			<A		
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	<A		<A		
	Annual report work of academy committee/council: Submit to trust and publish						✓	A
Being Strategic								
Being Strategic	Determine trust wide policies which reflect the trust's ethos and values (facilitating discussions with unions where appropriate) including: admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✓	✓	✓	<A		
	Determine school level policies which reflect the school's ethos and values to include e.g. admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve		✓		✓	A>	✓	A
	Central spend / top slice: agree		✓	<A		<A		
	Management of risk: establish register, review and monitor		✓	<A	<A	<A>	✓	A
	Engagement with stakeholders	✓	✓	✓	✓	✓	✓	✓
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓				<A	

Area	Decision	Delegation						
		Members	Trust Board	TB Finance Committee & Exec Bursar	TB Standards Committee	CEO/Exec head	Local Governing Body	Head of School
Being Strategic	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓			A>	A	✓
	Chief executive officer: appoint and dismiss		✓					
	Head of School : appoint and dismiss					✓	<A	
	Budget plan to support delivery of trust key priorities: agree		✓	<A		<A		
	Budget plan to support delivery of school key priorities: agree					A>	✓	A
	Trust's staffing structure: agree		✓	<A	<A	<A		
	School staffing structure: agree					✓		A
	Holding to account							

Holding to account	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	✓	✓	<A>	✓	A
	Decision	Delegation						
		Members	Trust Board	TB Finance Committee & Exec bursar	TB Standards Committee	CEO/exec head	Local Governing body	Head of School
	Reporting arrangements for progress on key priorities: agree		✓	<A	<A	<A>	✓	A
	Performance management of the Executive Head/ Chief Executive Officer: undertake		✓					
	Performance management of academy principal : undertake					✓	A	
	Trustee monitoring: agree arrangements		✓			<A		
	Local Governing Body member monitoring: agree arrangements						✓	A
	Local Governing Body overall performance monitoring: agree arrangements		✓			<A		

Ensuring financial probity

Ensuring financial probity	Appoint Exec Bursar Chief financial officer for delivery of trusts detailed accounting processes		✓	<A		<A		
	Trust's scheme of financial delegation: establish and review		✓	✓		<A		
Area	Decision	Delegation						
		Members	Trust Board	TB Finance Committee & Exec bursar	TB Standards Committee	CEO/exec head	Local Governing Body	Head of School
	School's scheme of financial delegation: establish and review – <i>Appendix 3 to this document</i>			✓		<A		
	External auditors' report: receive and respond		✓	<A		<A	✓	A
	CEO pay award: agree		✓					
	Head of School pay award: agree					✓	A	
	Staff appraisal procedure and pay progression: review and agree		✓			✓		
	Benchmarking and academy value for money: ensure robustness						✓	A
	Develop trust wide procurement strategies and efficiency savings programme			✓		<A		
	Review and approve trust wide procurement strategies and efficiency savings programme			✓				

## Key

Column 1: Members

Column 2: Board of trustees of the multi academy trust

Column 3: Trust board finance committee

Column 4: Trust board standards committee

Column 5: Chief executive officer

Column 6: Academy committee

Column 7: Academy principal

Blue box      Function cannot be legally carried out at this level.

✓ Action to be undertaken at this level

✓ Action to be undertaken at this level

A Provide advice and support to those accountable for decision making

<> Direction of advice and support