

Ormiston Academies Trust

Scheme of Delegation

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Contents

1. Introduction	3
2. Vision, purpose and values	3
2.1. Vision.....	3
2.2. Purpose	4
2.3. Values.....	4
3. Accountability: governance and management structures	4
4. The role of the Members	6
5. The role of the Trust Board and the Trustees.....	7
6. The role of the Chair of the Trust Board	9
7. The role of the Chief Executive Officer.....	9
8. The role of the executive team	11
9. The role of the principal consultation group.....	12
10. The role of the local governing Body.....	13
11. Intervention	14

1. Introduction

- 1.1. Ormiston Academies Trust (referred to herein as “OAT”) was established in 2009.
- 1.2. OAT is a company limited by guarantee, an exempt charity and a public body regulated by the Secretary of State for Education, who acts as principal regulator.
- 1.3. OAT is a multi-academy trust capable of operating and maintaining a number of academies (each an “academy” and together the “academies”).
- 1.4. OAT’s constitution and its charitable objective is set out in its Memorandum and Articles of Association (“Articles”).
- 1.5. The OAT Board is mindful that it has an overriding responsibility to ensure that all statutory obligations to our pupils, parents, the Department for Education and the Education and Skills Funding Agency are met.
- 1.6. The OAT Board of Trustees has an overriding duty to act freely and in the best interest of OAT and the academies at all times.
- 1.7. The purpose of this scheme of delegation is to provide operating clarity as to the roles, responsibilities and authority of those who contribute to the governance and oversight of the academies and OAT itself. The Scheme of Delegation is subsidiary to the Articles, the Funding Agreement (s) and all schools/ academies legislation.
- 1.8. The Scheme of Delegation acts as a framework within which Trustees, executives and central teams, regional teams, principals and local governing bodies can make decisions to meet the needs of pupils and where appropriate the wider community.
- 1.9. The Trustees reserve the right to review the and amend this Scheme of Delegation at any time. It will be formally reviewed once a year. In so far as they are able, they will consult with those affected by any significant changes.

2. Vision, purpose and values

2.1. Vision

- 2.1.1. Our vision is for all young people to have the highest academic, social and practical skills to allow them to lead a fulfilling life. We are determined to become the Trust that makes the biggest difference, both inside and outside the classroom.
- 2.1.2. OAT academies share the Ormiston Academies Trust ethos of ensuring every child reaches their full potential; being aspirational and committed to academic excellence and being supportive yet courageous in our approach. The principles that lead to the success of our academies are not complicated:

- It's about courage – addressing the challenge where it's not being addressed.
- It's about aspiration – no 'can't' or 'won't'. There is no place for excuses when a child's future is at stake.
- It's about culture – insistence on the highest standards of performance and behaviour, without exception.
- That goes for teachers and students.
- It's about great leadership and finding the best teachers.

2.1.3. To achieve our vision, we aim to create outstanding, non-selective local academies, which give young people from all backgrounds the opportunity to succeed, build on their strengths and share their skills to make things better.

2.2. Purpose

2.2.1. When we think about what kind of difference we want to make, this is defined by our three core purposes. Everything we do should be ultimately focused on doing these three things well:

- **Teach:** We will teach all our pupils the knowledge and skills they are entitled to, and how to apply this in how they think and work.
- **Develop:** We will develop all our pupils socially and emotionally so that they can make good choices about education and life.
- **Change:** We will aim to understand what is needed for any pupil to excel, so we can create schools where no one is disadvantaged.

2.3. Values

2.3.1. Our work is informed by the following values:

- **Anyone can excel:** supporting young people to fulfil their individual potential.
- **Be inclusive:** responding to the individual needs of all students, whatever their background or ability.
- **Enjoy the challenge:** stimulating curiosity and making learning fun.
- **Share what is best:** working in partnership to address local needs and build support for education

3. Accountability: governance and management structures

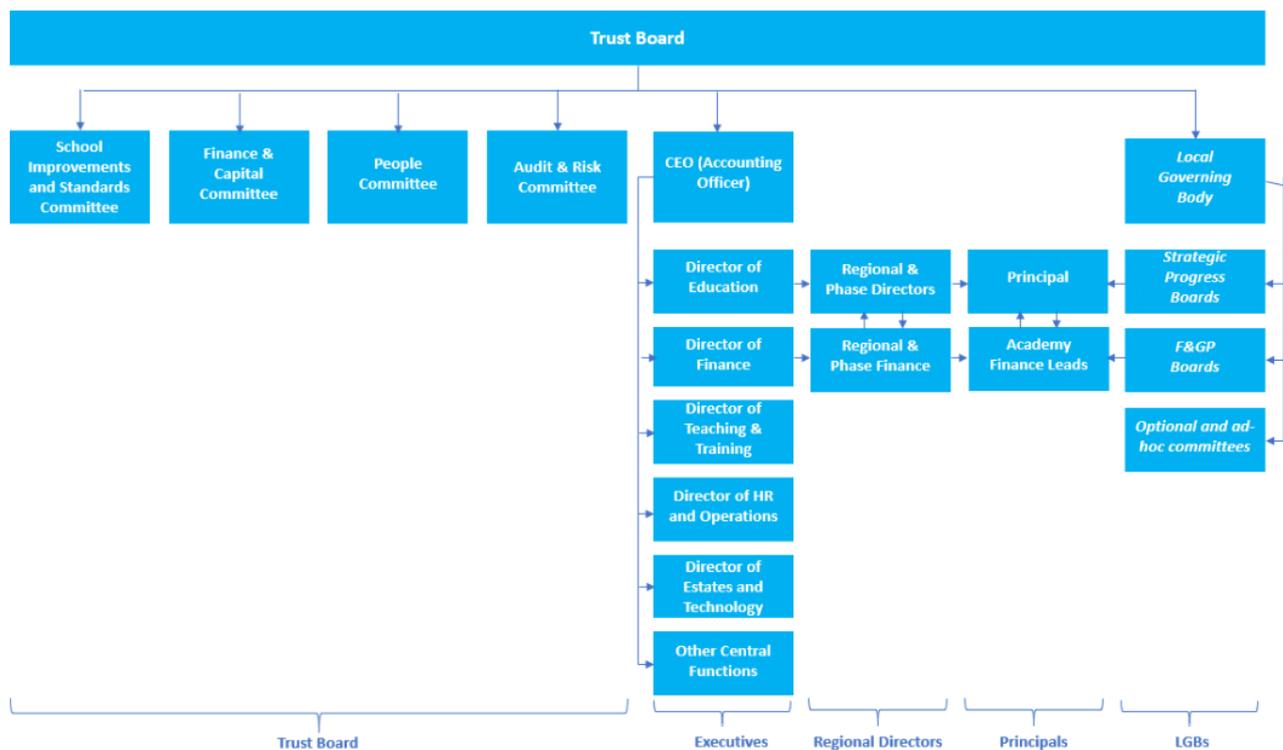
3.1. **Overall Structure:** OAT is a company limited by guarantee. It has no shareholders. The highest tier of oversight is provided by the “**Members**” who, through general meetings, are the guardians of OAT, its purpose and welfare. As “**Members**”, each member has limited liability, accountability, governance and no day to day management responsibilities.

3.2. The next tier of oversight is provided by the “**Trustees**”. Trustees are appointed by the members to whom they report. They are trustees for charity law purposes and also company Trustees are appointed

directors registered with Companies House. The Trustees are personally responsible for the actions of OAT and the academies and are accountable to the members, the Secretary of State for Education and the wider community for the quality of the education received by all pupils of the academies and the expenditure of public money. In accordance with the Funding Agreement(s), Trustees are required to have systems in place which they can assure themselves of the quality, safety and good practice of the affairs of OAT. The trustees meet as a Board of Trustees, generally known as the “**Trust Board**”. All Trustees have the same responsibility to act in the best interests of OAT and the academies, irrespective of any other role that they may undertake within OAT or the academies.

3.3. The Trust Board will oversee the management and administration of OAT and the academies run by OAT and herein delegates authority and responsibility to others.

3.4. The main delegation will be:



- to “**Trust Board Committees**” or “**Working Groups**” of the Trust Board, who will act either in a permanent capacity or a temporary capacity where the terms of delegation will be determined by the Trust Board at least annually.
- to a “**Local Governing Body**” for each academy to undertake elements of the Trustee Board’s role of strategic direction and oversight at a local level. Each local governing body is accountable to the Trust Board in relation to any matter delegated to it. The duties, responsibilities and authorities of each local

governing body are generally consistent and in line with those outlined in the Decision-Making Framework and LGB Terms of Reference.

- to the “**Chief Executive Officer**”, who will be responsible for the day to day management of the Trust and the academies. The Chief Executive Officer will be appointed by the Trust Board and report directly to it.
- to the “**Executive Team**” which is the executive management arm of the Trust, focusing on the education performance and operations of the academies. The Executive Team operate under the leadership and direction of the CEO, who is by virtue of position a Trustee of the Trust. The Executive Team work directly with the staff in each academy and the local governing body to ensure that the required outcomes are achieved in accordance with the direction of vision of the Trust Board. The “Executive” Team includes the Chief Executive Officer, National Director of Education, National Director of Finance, National Director of Teaching and Training, National Director of HR and Operations, National Director of Estates and Technology
- to the “**Regional or Phase Director**”, “**Executive Principal**” and “**Principal**” through the formal delegation of powers from the Trust Board through the executive team. The operation of each academy will be managed by a principal. The duties, responsibilities and authorities of a principal may vary between academies as determined by the Chief Executive Officer in consultation with the Trust Board. A principal will report directly to a regional or phase director who, in turn, report directly to the Director of Education.

3.5. The Decision-Making Framework provides clarity as to who the decision makers are for different levels of decisions. Effectiveness of both management and governance is supported through clarity over who holds the decision-making responsibility and accountability and who supports and advises the decision makers.

4. The role of the Members

4.1. The role of the Members is laid out in the Articles and in company law. The members role is that of guardians of the constitution, ensuring the charitable objective is fulfilled and to conduct the oversight of the Trust Board. Members have limited governance and no day to day management responsibilities.

4.2. The Members’ key responsibilities are:

- to ensure the objectives of the Trust are met
- to receive the Annual Report (prepared by the Trustees) at a general meeting of the Trust
- to appoint the Trust’s auditors
- to determine the Trust’s constitution by adopting the Company’s Articles;
- to exercise either a direct power under the Articles of Association or a statutory power;
- under the Companies Act 2006 to appoint and remove Trustees (noting any powers delegated by the members to the Trust Board to make such appointments and removals.).

4.3. The Academies Financial Handbook recommends that a majority of members should be independent of the Board of Trustees, to ensure a significant degree of separation between the individuals who are members and those who are directors. Distinction between the two layers ensures that members, independent of trustees, provide oversight and challenge.

4.4. OAT's members currently are:

- Ormiston Trust (the sponsor)
- 2 x members appointed by Ormiston Trust: Diana Murray and Ian Brookman

4.5. The members must authorise any:

- amendments to OAT's Articles of Association
- documents containing any unusual or onerous provisions where it may be appropriate for the Board of Trustees to discuss it with members first; and
- any project matter in which the Chief Executive Officer may be reasonably considered to have a conflict of interest.

4.6. Notwithstanding the above and any provision of the Articles, the members have formally delegated to the Trustees the power and responsibility to appoint and remove Trustees, and such appointments will be ratified at the next general meeting of the members. Any removal by the Trust Board of a Trustee appointed or ratified by the members can only be undertaken by majority vote in general meetings or by written resolution of a majority of members.

4.7. **Ormiston Trust - principal sponsor and member.** Ormiston Trust OAT's sponsor Trust is a charity and grant-making trust dedicated to improving the life chances of children and young people who face disadvantage. Ormiston Trust and those appointed by Ormiston Trust as members have responsibility for the constitution. Ormiston Trust (OT) was founded by Peter Murray in 1969 in memory of his sister Fiona Ormiston Murray.

4.8. In 2006 the Trust became an academy sponsor, aiming to increase educational opportunity for all young people and to narrow the attainment gap. Through its subsidiary, Ormiston Academies Trust, OT is now responsible for a network of over 40 academies across the country from Grimsby to the Isle of Wight.

4.9. Work in Ormiston academies is underpinned by a set of shared values including a commitment to parental and community engagement. In addition to this, Ormiston Trust in partnership with OAT is joint sponsor of Birmingham Ormiston Academy.

5. The role of the Trust Board and the Trustees

5.1. The Trustees have overall responsibility and ultimate decision-making authority for all the work of the Trust.

5.2. The Trust Board will set the strategic direction of the Trust, maintain legal oversight, monitor all activities, assess the performance of the academies and establish and review material policies and practices governing the life of the academies.

5.3. The specific tasks and responsibilities of the Trust Board are as follows:

- 5.3.1. to determine the vision and ethos of the Trust whilst acknowledging the uniqueness of each individual academy and the needs of the communities they serve
- 5.3.2. to, in conjunction with the Chief Executive officer, develop a strategic plan for the Trust and to ensure the effective communication of that plan so it is implemented across the Trust and in all the academies
- 5.3.3. to establish and maintain the academies (including considering expansion of the Trust by taking existing schools into the Trust or opening new schools)
- 5.3.4. to determine and ensure the implementation of material policies and procedures with the intention of achieving and then maintaining a consistently high standard of education and financial prudence across all areas of the Trust
- 5.3.5. to approve the overall Trust budget and the budgets of each academy, having regard to any recommendations of the Finance Committee which will be responsible for conducting a thorough review of all budget proposals
- 5.3.6. to formally appoint the Chief Executive Officer
- 5.3.7. to provide challenge and support to the Chief Executive Officer through him to the academies
- 5.3.8. to set goals and undertake the performance management of the Chief Executive Officer
- 5.3.9. to ensure that the Chief Executive Officer is effectively overseeing the objectives and outcomes of each of the academies
- 5.3.10. to ensure appropriate performance management systems are in place and are effective across the Trust and are accompanied by relevant programmes for the professional development of staff
- 5.3.11. to regularly receive and review the KPIs from the academies
- 5.3.12. to oversee the delivery of the benefits of collaborative working, common approaches and common systems will bring across the academies
- 5.3.13. to ensure that the Trust operates effective health and safety systems and procedures (including safeguarding)
- 5.3.14. to ensure there are robust financial systems and procedures in place that are adhered to by the Trust and each academy (using periodic internal audits to provide such assurance)

- 5.3.15. to ensure the performance and delivery of any service provided by the Trust to the academies
 - 5.3.16. to ensure proper advice is available to the Trust in relation to legal and compliance matters
 - 5.3.17. to ensure a comprehensive risk management framework and appropriate risk management strategies are put in place and maintained across the Trust.
- 5.4. Trustees have both a Code of Conduct and role description to adhere to. Specific skills may be needed if a Trustee is to take responsibility for a lead on a specific area, or to undertake the role of the Chair of the Trust. An annual skills audit will be undertaken in which Trustees will be asked to articulate their contribution to the success of the Trust and the academies during the period of review.

6. The role of the Chair of the Trust Board

- 6.1. The Chair and the Trust Board (“Chair”) has a fundamental role in leading the business of the Trust and as a fulcrum between the Trustee Board and the Chief Executive Officer.
- 6.2. The Chair is first amongst equals but does not have defined individual power (except in an emergency).
- 6.3. The specific tasks and responsibilities of the Chair are as follows:
- 6.3.1. to ensure the Trust Board provides a strategic focus to the Trust and its academies
 - 6.3.2. to manage the business of the Trust Board to ensure it undertakes its duties efficiently and effectively in and between board meetings
 - 6.3.3. to build, develop and meld the Trustees into an effective team, taking account of recruitment, succession and the professional development needs of the Trust Board
 - 6.3.4. to work in partnership with the Chief Executive Officer, developing a professional relationship, providing appropriate encouragement, challenge and support
 - 6.3.5. to promote a culture of robust evaluation and continuous improvement across the Trust striving to drive up standards everywhere
 - 6.3.6. to ensure the Trust Board meets all its legal requirements by working closely with the clerk/ secretary of the Trust Board
 - 6.3.7. to represent the Trust to key external partners, the media and the public when required

7. The role of the Chief Executive Officer

- 7.1. The Chief Executive Officer will be responsible for managing the Trust and its academies on a day to day basis. The role, function, responsibility and authority of the Chief Executive Officer are delegated by the Trust Board and may be varied at its sole discretion.

7.2. The specific tasks and responsibilities of the Chief Executive Officer are as follows:

- 7.2.1. to support the Trustee Board in the formulation and development of its strategy
- 7.2.2. to ensure all decisions made by the Board are implemented in a timely and effective manner
- 7.2.3. to actively promote the values of the Trust through actions, policies and procedures
- 7.2.4. to ensure striving for outstanding educational performance is embodied across the Trust
- 7.2.5. to provide direction and oversight to all of the Trust's operations
- 7.2.6. to line manage members of the executive team
- 7.2.7. to manage the central operations of the Trust and the delivery of the key objectives of the functions delivered by the Executive team
- 7.2.8. to provide strong and effective leadership to the Trust staff to achieve the highest levels of performance and ensure a culture of continuous improvement
- 7.2.9. to work effectively with a range of external stakeholders, including communities, parents, government, funding and regulatory bodies
- 7.2.10. to ensure the highest standards of safeguarding and child protection are maintained across the Trust and in each academy
- 7.2.11. to oversee the effective management of risk within the Trust
- 7.2.12. to ensure, as accounting officer, robust financial systems are in place so that the Trust's funds are used properly, efficiently and effectively
- 7.2.13. to ensure the Trust's internal communications with staff, pupils, parents and governors are effective
- 7.2.14. to develop the relationship that the Trust has with the Secretary of State for Education (including also the Department for Education, the Education and Skills Funding Agency, the Regional Schools Commissioner and Ofsted)
- 7.2.15. to develop strategic partnerships with other bodies and organisations, including service providers, which will further the Trust's strategic plan
- 7.2.16. to represent the Trust to key external partners, the media and the public on a national platform.

8. The role of the executive team

- 8.1. The “Executive Team” is made up of the key leads that oversee functional operations and resources on a pan Trust basis (including teaching and learning, academy standards and improvement, HR, finance, school premises, health and safety, ICT and risk management) to support the educational performance of academies. The Executive Team works directly with the staff in each academy to ensure that the Trust’s strategic plan (incorporating each academy Improvement Plan) is being implemented and the required outcomes are achieved in accordance with the strategy and vision of the Trust Board. The individuals who form the Executive Team operate under the leadership and direction of the Chief Executive Officer.
- 8.2. Each functional lead within the Executive Team has individual responsibilities, performance targets and is managed directly by the Chief Executive Officer. The Executive team as a body has no executive authority or responsibility, as all functions that it delivers are the responsibility of an individual with the team.
- 8.3. The Executive team supports the Chief Executive Officer in delivering the following specific tasks and responsibilities:
 - 8.3.1. to manage the processes for the schools joining the Trust (including carrying out appropriate due diligence and identifying any actions required to address areas of weakness or opportunities for improvement)
 - 8.3.2. to support academies to improve educational outcomes through the provision of academy improvement services
 - 8.3.3. to advise on, facilitate, supplement and provide (as necessary) any operational or managerial support to each academy, with regard to the core functions overseen by the Executive Team in accordance with the requirements on the Trust Board
 - 8.3.4. to specify management controls and management reporting requirements, audit the associated processes, procedures and outcomes in each academy, and identify and ensure the delivery of appropriate training and support
 - 8.3.5. to provide operational and management support to the principals and senior leadership teams within the academies
 - 8.3.6. to assist the Trust, by working with the various tiers of governance, to achieve the collective strategic aims and objectives of the academies
 - 8.3.7. to advise on staffing structures within each academy, identifying areas and implementing plans where collaboration will lead to improvements in teaching and learning and/ or efficiencies
 - 8.3.8. to implement and review systems for the benchmarking of the academies across the Trust, developing systems for cross fertilization and supporting the Chief Executive Officer in maximizing the opportunities for resource sharing and collaboration

- 8.3.9. to build and keep under constant review a comprehensive risk management framework ensuring risk management strategies are executed appropriately across the Trust and in each academy (including the adequacy of insurance)
 - 8.3.10. to undertake the strategic management of the Trust's estate, including drawing up a strategic asset plan which identifies areas in need of expansion and/ or development and areas likely to be surplus to requirements
 - 8.3.11. to take a lead on any capital bids and allocations, supporting each academy's premises team to carry out works safely and cost effectively
 - 8.3.12. to support each academy and local governing body in the development of its financial planning and reporting in the context of the respective academy's strategic goals and visions and strategy of the Trust
 - 8.3.13. to seek out and apply for grant funds for the Trust and each academy and to raise further discretionary funds from DfE/ LA and third-party sources; and
 - 8.3.14. to aid the Chief Executive officer in reporting appropriately to the Trust Board.
- 8.4. The cost of the functions undertaken by the Chief Executive Officer and Executive Team will be funded on a fair basis by the academies by the contribution of a percentage of the government funding provided to each academy (the "Partnership Fee"). This contribution will be set each year based upon a budget for the shared costs approved by the Trust Board. The percentage will vary from year to year depending on the level of activity carried out by the Executive Team and any additional specific needs determined to be necessary by the Trust Board for an individual academy. This percentage could increase over time as the procurement of some activities are centralized so as to optimize Value for Money opportunities.

9. The role of the principal consultation group

- 9.1. The Principal Consultation Group comprises of 2 secondary principals from each region plus 2 primary principals. Each principal serves on the group for one year.
- 9.2. The Principal Consultation Group is responsible for representing the voice of principals across the Trust and will meet at least once but no more than twice per term.
- 9.3. The CEO and Chair of the Trust Board will attend meetings of the group in order to facilitate meaningful engagement with principals.
- 9.4. Principals on this group will be responsible for reporting back to other principal colleagues on the group's discussions and when required, members of the Principal Consultation Group will collate feedback from principal colleagues.

10. The role of the local governing Body

- 10.1. The Trust Board has determined to establish a “local governing body” for each academy. The overarching purpose of a local governing body is to support and provide effective challenge around the strategic direction and performance of the relevant academy within the framework and parameters set by the Trust Board. It is a non-executive body supporting the Trust Board to deliver its responsibilities.
- 10.2. Those serving on local governing bodies are accountable to the Trust Board and must ensure that at all times they act in good faith and in the best interests of the academies and the Trust, exercising reasonable care and skill having particular regard to the personal knowledge and experience. Members of the local governing body must comply with the Trust’s Business and Pecuniary Interests policy.
- 10.3. Governors have both a code of conduct and role description to adhere to. Specific skills may be needed if an individual is to take responsibility for and lead on specific areas, or to undertake the role of chair of the local governing body. An annual skills audit will be undertaken in which LGB members will be asked to articulate their contribution to the success of the Trust and the academy in the period of review.
- 10.4. The core duties of the local governing bodies are:
- Ensuring clarity of vision, ethos and strategic direction
 - Effective challenge of the principal for the educational performance of the academy and its students
 - Effective review and challenge of the financial performance of the academy to ensure that its money is well spent, ensuring that the funds allocated to it are used only in accordance with the law, OATs Articles of Association, the Funding agreement and the ESFA academies Financial Handbook
- 10.5. To achieve its objectives the local governing body should address matters such as:
- 10.5.1. Monitoring performance and the achievement of objectives and ensuring that plans for improvement are acted on including the quality of provision
 - 10.5.2. Policy development and strategic planning, including target-setting to keep up momentum on school improvement
 - 10.5.3. Ensuring the sound management and administration of the academy
 - 10.5.4. Ensuring that managers are equipped with relevant skills and guidance
 - 10.5.5. Ensuring compliance with legal requirements
 - 10.5.6. Implementation of actions required to comply with statutory regulations and the Funding Agreements
 - 10.5.7. Establishing and maintaining a transparent system of prudent and effective internal controls

- 10.5.8. Management of the academy's financial, human and other resources (in particular controls over the spending identified in the Academy Development Plan
- 10.5.9. Helping the academy be responsive to the needs of parents and the community and making it more accountable through consultation and reporting
- 10.5.10. Setting the academy's standards of conduct and value
- 10.5.11. Assessing and managing risks
- 10.5.12. Implementation of the policies agreed by the Trustees and the Trust
- 10.5.13. Notifying the Trust of any changes to fixed assets used by the academy and maintaining an individual fixed asset listing for the academy.
- 10.5.14. Reviewing the academy's risk register, ensuring that the RAG ratings are accurate and that the mitigating controls are working effectively.
- 10.5.15. Reviewing when relevant any internal audit reports.
- 10.5.16. The appointment, job description, appraisal and dismissal of all members of staff of the academy excluding the principal but the remuneration of every member of staff and their terms of service shall be within the parameters from time to time established by the Trustees

10.6. Specific areas which the local governing body will oversee include:

- Approving the Academy Development Plan ensuring the compliance of the curriculum and making sure the longer-term budget plans take account of and deliver it
- Reviewing the academy improvements in terms of quality and curriculum and teaching
- Monitoring the academy safeguarding and equalities procedures and compliance
- Approving specific academy policies
- Recommending the academy budget for approval to the Ormiston Academies Trust
- Monitoring financial performance against the approved budget and approving or recommending changes or additions to the planned expenditure with the financial limits by the scheme of delegation.
- Oversight of maintenance of the academy estate in accordance with the guidelines established by the Trust

10.7. The main tasks and responsibilities of the local governing body are detailed in the LGB Terms of Reference.

11. Intervention

11.1. Ormiston Academies Trust will stand down a local governing body (LGB) and appoint an interim advisory board (IAB) in one or more of the following circumstances:

- Identification of weak governance
 - In response to the outcome of an annual review of governance or Ofsted inspection
 - In response to the outcome of an Ofsted inspection where there is a rating decline or an academy moves into a category of serious weakness or requiring improvement
 - A sudden or unexpected dip in the academy's mid-term performance
 - Any identified safeguarding concern within the academy
- 11.2. On appointment of the IAB, the local governing body is fully disbanded and all delegated responsibilities of the LGB transfer to the IAB with immediate effect. The main function of the OAT-appointed IAB will be to secure governance of the academy, developing a sound basis for improvement and will be in place until the trigger is removed. The regional director will work in partnership with an IAB to determine priorities and set targets.
- 11.3. OAT does not adopt a one size fits all approach and is committed to appointing IABs which are small, focused groups. Members will be chosen on a case-by-case basis in accordance with the skill and knowledge and the needs of individual academies.
- 11.4. The IAB will be responsible for monitoring the quality of provision and standards of achievement within the academy by:
- Monitoring performance against targets set by the IAB
 - Monitoring the implementation of the policy framework set by the IAB and its impact on standards of achievement
 - Monitoring the academy self-evaluation and satisfying itself to the accuracy of this, including via external support as determined by the IAB
 - Ensuring the academy complies with statutory requirements
 - Providing robust challenge and support to the principal and SLT
 - Monitoring and evaluating progress towards post-inspection or review action points
 - The IAB will hold the principal and SLT to account, and be accountable to any interested party for the academy's performance by:
 - Receiving regular information from the principal and SLT on the performance of all aspects of the academy
 - Agreeing a performance management policy and monitoring its implementation
 - Conducting the performance management of the principal and monitoring progress towards agreed targets
 - Ensuring that the annual academy prospectus meets statutory requirements
 - Monitoring the implementation of the OAT complaints policy
 - Receiving appeals on issues relating to staff grievance, capability, complaints and exclusions
 - Determining how the academy's relationships with key stakeholders will be managed including what will be communicated, in what medium and how frequently