



Scheme of Delegation for Governance Functions

This **Scheme of Delegation for Governance Functions** was approved by the Board of Trustees of the Beckmead Trust on 22nd July 2021

1 Summary

This ***Scheme of Delegation for Governance Functions*** describes the governance structure of the Beckmead Trust (the Trust) and the powers and functions of the Members, the Board of Trustees, and its Committees and Local Governing Bodies.

The Beckmead Trust is a company limited by guarantee and an exempt charity; the formal governance arrangements for the Trust are set out in its ***Articles of Association***.

The Trust, and its Members, Trustees and Local Governing Bodies, must operate at all times within the requirements of the ***Articles of Association***; this ***Scheme of Delegation*** is consistent with those Articles and describes how the Trust's governance arrangements will be managed to give them effect.

The governance of the Trust is overseen by its **Members**; the Members appoint the **Trustees** – who are the trustees of the charity and the directors of the company. **The Board of Trustees** is the 'governing board' of the Trust and is responsible for the operation and performance of all academies in the Trust.

The Board of Trustees has delegated specific governance functions relating to the Trust as a whole to Committees of the Board; specific governance functions relating to individual academies to Local Governing Bodies; and specific governance functions relating to individuals to ad-hoc Committees; as shown in the diagram on page 2 and described in this ***Scheme of Delegation***.

The Board of Trustees appoints members to its Committees and Local Governing Bodies, and appoints members to the Trust Panel who are available to be called on to serve on an ad-hoc Committee.

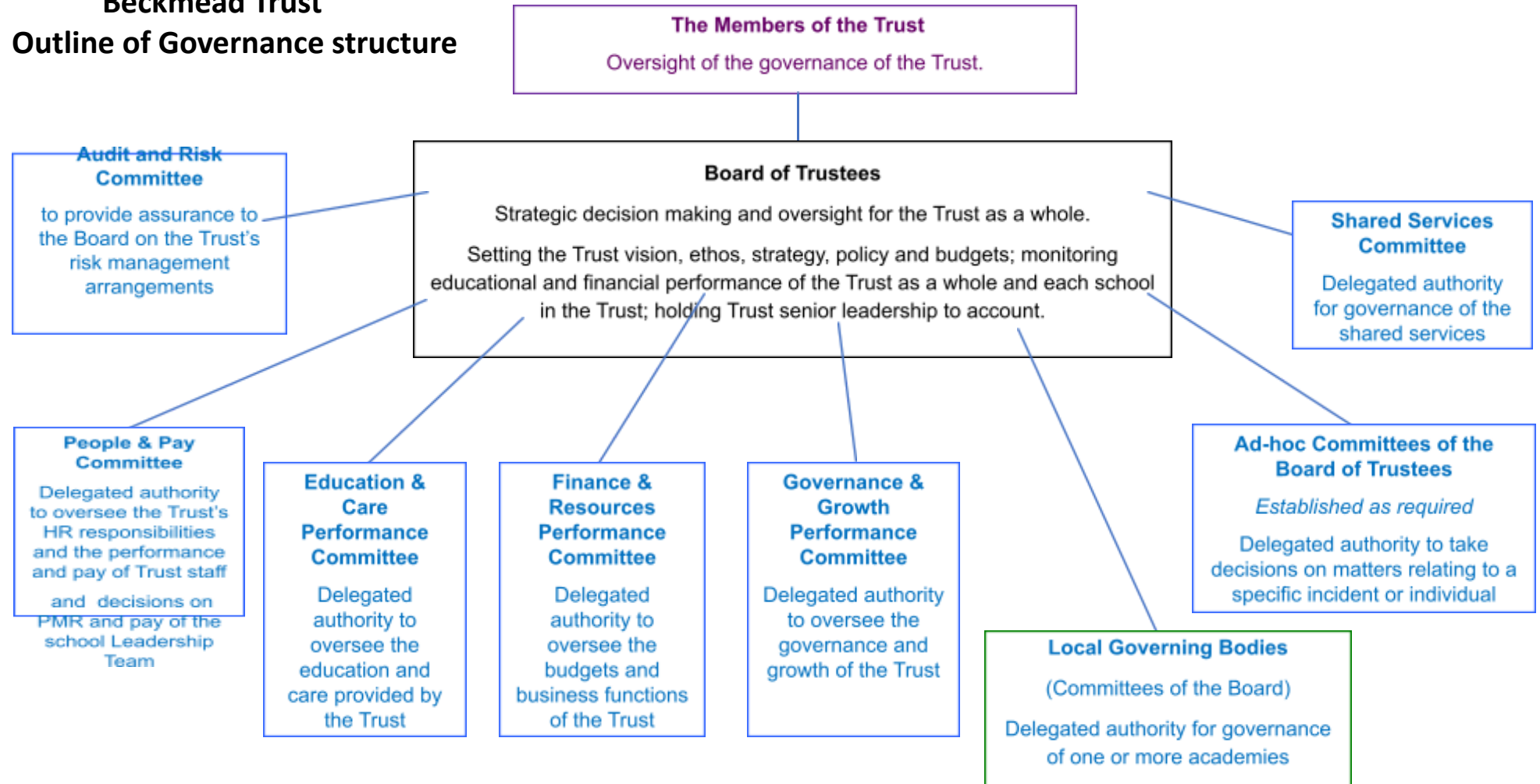


The Board of Trustees has delegated the organisation and management of the Trust, including its academies and Shared Services, to the **Chief Executive Officer** (CEO), who has in turn delegated the organisation and management of each academy in the Trust to the academy's **Headteacher**.

Any power or function that has been delegated by the Board of Trustees, except for that delegated to the CEO, cannot be further delegated.

The composition and terms of reference for the Board of Trustees and its Committees are set out in the ***Beckmead Constitution***.

Beckmead Trust Outline of Governance structure





2 Principles

All academies within the Beckmead Trust operate in accordance with the shared values of the Trust.

The key principle of the governance of the Beckmead Trust Governance is that local and Trust governance work together, collaboratively; each providing an aspect of governance that the other cannot. The Board and its Committees will make decisions on matters which affect the Trust as a whole and as a legal entity: Local Governing Bodies will make decisions on matters relating to their individual academy(ies).

In the interests of good governance and clarity of role, the Trust has adopted the principle of maximum separation in its governance arrangements, so no Member will be a Trustee or local governor, and no Trustee will be a local governor.

3 The Members of the Trust

At the highest level of governance in the Trust are the Members of the Academy Trust, who have an overview of the governance arrangements of the Trust. The Members are the guardians of the governance of the Trust and hold the Board of Trustees to account for the governance of the Trust

The Members are the people who formally established the Trust, as the subscribers to the Memorandum of Association, and any other individuals subsequently appointed by the Members.

The Members have statutory rights and powers to:

- Appoint additional Members (1).
- Remove a Member where they believe it is in the interests of the Trust (1).



- Appoint up to 11 Trustees (2).
- Remove a Trustee before the expiration of their term of office (2).
- Amend the Trust's Articles, subject to any consents required from the Charity Commission and the Secretary of State for Education (via the Education and Skills Funding Agency) (1).
- Appoint, and may remove, the Trust's external auditors (2).
- Receive the Trust's audited annual accounts.
- Issue a direction to the Board of Trustees to take a specific action (2).

(1) - by means of a special resolution, i.e. a 75% majority vote.

(2) - by means of a normal resolution, i.e. a simple majority vote.

All other powers and duties with regard to the management and governance of the Trust are vested in the Board of Trustees.

The Members meet once per year at the Annual General Meeting and may call additional General Meetings.

3 **The Board of Trustees**

The Board of Trustees is responsible for strategic decision-making for the Trust and is accountable for the statutory functions of the Trust and for the operation and performance of all academies in the Trust.

The Board delegates functions to Committees including Local Governing Bodies as set out herein, but retains formal responsibility for any such delegated functions.

The Board of Trustees retains responsibility for:

- Ensuring clarity of vision, ethos and strategic direction of the Trust as a whole and approving the Trust's vision, mission and values.
- Reviewing and approving the Trust's governance arrangements.
- Approving the Trust Budget and the Annual Report & Financial Statements of the Trust, and the annual budget of each academy and the



Shared Services.

- Approving the Trust's strategic plans, including plans for growth, financial and educational strategy, and annual operating plans.
- Overseeing the financial and educational performance of the academies in the Trust and the Shared Services.
- Appointment and performance management of the CEO and Trust Executive Leadership Team.
- Holding the Trust's executive leaders to account for the financial and educational performance of the Trust as a whole.
- Agreeing Trust and academy policies and procedures as required to ensure that the Trust fulfils its statutory responsibilities, and the oversight, monitoring and review of the implementation of those policies.

Further information on powers retained by the Board of Trustees, and the powers delegated to Committees including Local Governing Bodies, and to individual Trustees and governors and executive officers, is contained in the **Accountability Schedule**.

The composition and terms of reference of the Board of Trustees are set out in the **Beckmead Constitution**.

4. **Local Governing Bodies**

The Board of Trustees has established a Local Governing Body for each academy or group of academies (shared governing bodies) in the Trust. The purpose of the Local Governing Body is to carry out governance functions for that academy or group of academies, on behalf of the Board of Trustees. The membership of the LGBs is noted in the Accountability Schedule. Prior to the formation of an LGB, a Link Trustee will be appointed as a formal line to the Board of Trustees – this role will cease once the LGB is formed.

The Board of Trustees has given delegated responsibility to each Local Governing Body to:

- Ensure clarity of vision, ethos and strategic direction of the academy(ies).
- Oversee the provision of education and care and the financial performance of the academy(ies) and ensure that money is well spent.
- Hold the Headteacher(s) to account for the education and care of the academy(ies) and its(their) pupils, and for the performance management of staff.



- Uphold the ethos of the academy(ies) and the Trust and ensure that the academy(ies) operates in accordance with the policies and procedures of the academy(ies) and the Trust.

The Local Governing Body may report to and make recommendations to the Board of Trustees on the governance and operation of the academy. The Local Governing Body will consider any other matters referred to it by the Board of Trustees and must take account of any advice given to it by the Board of Trustees or CEO.

The Board of Trustees has given delegated authority to the Performance Management Review Committee of the Local Governing Body for decisions on pay and performance of the Headteacher and the academy's (ies)' Senior Leadership Team(s), in accordance with Trust HR policies and procedures.

The Local Governing Body shall have no other standing committees, but may have ad hoc committees in accordance with clause 6.2.

Any powers or functions delegated to the Local Governing Body or a Local Governing Body Committee cannot be further delegated.

Further information setting out the delegated powers of the Local Governing Body is contained in the **Accountability Schedule**.

The preferred position of the Board of Trustees is for Local Governing Bodies to have full delegated authority to exercise governance functions and take decisions as set out in this Scheme of Delegation and in the Accountability Schedule and in accordance with the Policies and Procedures of the Trust. However, the Board of Trustees reserves the right to vary, or to place restrictions or conditions on, all or any aspect of that delegated authority, at any time, and as it feels appropriate to the capacity and/or performance of the Local Governing Body and/or the academy(ies) for which it is responsible.

In the event that a decision by a Local Governing Body is in conflict with that of the Board, the two bodies will endeavour to settle the matter between themselves. In the event that the two bodies are unable to agree on a mutually acceptable decision, the decision of the Board will prevail.

The composition and terms of reference of each Local Governing Body established by the Board of Trustees are set out in the **Beckmead**

Constitution.



5. Board Committees

The Board of Trustees has established the Board Committees set out here in clause 5 to which it has given delegated responsibility for the specific powers and functions set out herein; in addition the Committee will consider any other matters referred to it by the Board of Trustees.

Further information setting out the delegated powers of the Committees is contained in the

Accountability Schedule.

Any powers or functions delegated to the Committee cannot be further delegated.

The composition and terms of reference of each Committee are set out in the ***Beckmead Constitution.***

5.1 Audit and Risk Committee

The purpose of the Audit and Risk Committee is to provide assurance to the Board on the Trust's risk management arrangements, and that risks to internal financial control are being adequately identified and managed across the Trust and in its individual academies.

The Board of Trustees has given delegated responsibility to the Audit and Risk Committee to:

- Oversee the Trust's internal control framework, including financial and non-financial controls and the management of risks for the Trust and its constituent academies.
- Review the effectiveness and appropriateness of the Trust's financial and non-financial controls and reporting arrangements and monitor their implementation to confirm they are being carried out appropriately.
- Monitor and review the Trust's risk registers and the processes and checks required to identify and manage the risks to the Trust.
- Agree annually a programme of assurance testing to be carried out by the Trust's external auditors and a programme of internal audit.
- Monitor and review the external and internal audit programmes, receive reports from those carrying out the work, review the appropriateness of management's response to those reports, and monitor implementation of action in response to them.



- Receive and review reports received from and required to be submitted to third parties including the DfE related to assurance and risk.
- Provide assurance to the Board that the Trust and its academies are complying with its Funding Agreements and appropriate accounting standards and Financial Regulations.
- Review the Trust's Annual Report and Accounts.
- Report to and make recommendations to the Board on any of the above.

5.2 People and Pay Committee

The purpose of the People and Pay Committee is to oversee Trust's Human Resources responsibilities and the performance and remuneration of Trust staff and to take decisions on pay and performance of the CEO, the Trust Senior Executive and Headteachers, in accordance with Trust HR policies and procedures.

The Board of Trustees has given delegated responsibility to the People and Pay Committee to:

- Monitor and review the Trust's workforce and oversee the Trust's responsibilities as 'single employer'.
- Monitor and review staff welfare, absence, turnover, recruitment and retention.
- Monitor and review staff remuneration and terms and conditions, and strategies to incentivise staff and reward good performance.
- Monitor the implementation of the Trust's Human Resources strategy, policies and procedures.
- Oversee the performance management review and appraisal of the CEO and Trust Senior Executive and Headteachers.
- Agree the performance objectives of the CEO and monitor and review the performance of the CEO against the objectives.
- Take decisions on the pay and pay progression of the CEO and Trust Senior Executive and Headteachers in accordance with Trust Human Resources policies and procedures.
- Take decisions on progression of more than one point and on applications to move onto the Upper Pay Scale and to progress through the Upper Pay Scale for staff of the Shared Services.
- Report to and make recommendations to the Board regarding any of the above.



5.3 Finance and Resources Performance Committee

The purpose of the Finance and Resources Performance Committee is to oversee the budgets and the business functions of the Trust and its academies on behalf of the Board of Trustees.

The Board of Trustees has given delegated responsibility to the Finance and Resources Performance Committee to:

- Provide detailed oversight and scrutiny of the Trust's business and financial plans and budgets.
- Monitor and review the budgets and budgetary performance of Trust academies, the Shared Services and the Trust as a whole.
- Monitor and review the business functions of the Trust and its academies, including all aspects of estates management and development, capital programmes and projects, maintenance and repairs.
- Approve and review the Trust's financial performance management and reporting framework including the format of the management accounts.
- Monitor the implementation of the Board's financial and business-related policies and procedures.
- Review the financial and business support needed by academies in the Trust and the financial and business support provided through the Shared Services.
- Report to and make recommendations to the Board of Trustees on the above.

5.4 Education and Care Performance Committee

The purpose of the Education and Care Performance Committee is to oversee the educational performance of the Trust and its academies on behalf of the Board of Trustees.



The Board of Trustees has given delegated responsibility to the Education Performance Committee to:

- Monitor and review the educational performance of Trust academies.
- Monitor and review the residential provision, where applicable.
- Oversee the development and quality of teaching, learning and assessment; safeguarding; academy culture; achievement and admissions.
- Monitor and review the support needs of Trust academies and the additional support that is provided to them.
- Monitor the implementation of the Board's educational policies and procedures.
- Review the education and care support needed by academies in the Trust and provided through school-to-school collaboration and the Shared Services.
- Report to and make recommendations to the Board of Trustees on the above.

5.5 Governance and Growth Performance Committee

The purpose of the Governance and Growth Performance Committee is to oversee the governance of the Trust and its strategies for growth on behalf of the Board of Trustees.

The Board of Trustees has given delegated responsibility to the Governance and Growth Performance Committee to:

- Monitor and review the effectiveness of the Trust's governance arrangements including the Trust's governance policies and procedures and its Scheme of Delegation.
- Monitor and review the performance of the Trust's Committees, which include Local Governing Bodies.
- Monitor and review the support, training and development needs and recruitment of Trustees, local governors and members of the Trust Panel.
- Monitor and review plans for Trust growth, including the process for and outcomes of due diligence on prospective academies and the establishment of new academies.
- Oversee on behalf of the Board of Trustees any Trust academies that are not under the oversight of a Governing Body, on a temporary basis and until they are put under the oversight of a Governing Body.
- Report to and make recommendations to the Board of Trustees on the above.



5.6 Shared Services Committee

The purpose of the Shared Services Committee is to carry out governance functions in relation to those services and functions of the Trust that are not contained within an academy budget and are not the responsibility of an academy Headteacher and/or Local Governing Body.

The Shared Services include functions and services that:

- The Trust is required to carry out to fulfil its statutory responsibilities.
- The Board of Trustees has decided need to be provided once and/or consistently across the whole Trust.
- Academies and the Board of Trustees have agreed should be used by, and/or provided centrally for, all Trust academies.
- One or more Trust academies have decided individually or collectively to secure through the Shared Services.
- Are offered by and through the Shared Services on a traded basis to schools and academies outside the Trust.

The Committee takes the place of a Local Governing Body with regard to those governance responsibilities.

The Board of Trustees has given delegated responsibility to the Shared Services Committee to:

- Ensure clarity of vision, ethos and strategic direction of the Shared Services.
- Oversee the performance of the Shared Services and ensure that money is well spent.
- Hold the CEO to account for the performance of the Shared Services, and for the performance management of staff of the Shared Services.
- Ensure the Shared Services operate in accordance with the policies and procedures of the Trust and of the Shared Services.

This will include:

- Overseeing the provision of and development of, and monitoring the performance of, the Shared Services.
- Approving the annual budget for the Shared Services for recommendation to the Board of Trustees and regularly monitoring the budget.
- Monitoring and reviewing the staffing of the Shared Services.
- Considering and approving policies for the Shared Services in accordance with the policies and procedures of the Trust.



The Board of Trustees has given the Chair of the Shared Services Committee delegated authority to take decisions on behalf of the Committee, in the same way as a Chair of a Local Governing Body, in cases of urgency where delay until the next meeting of the Committee or the Board of Trustees would be harmful to the Trust.

Unless explicitly stated, in relation to the functions and services under the remit of the Shared Services Committee, in the **Accountability Schedule** and in relevant Trust policies and procedures reference to the Local Governing Body will be read as the Shared Services Committee; reference to the PMR committee of the Local Governing Body will be read as the People and Pay Committee of the Board of Trustees; and reference to an ad-hoc Committee of the Local Governing Body will be read as an ad-hoc Committee of the Board of Trustees.

6 Ad-hoc Committees

6.1 Ad-hoc Committees of the Board of Trustees

The Board of Trustees has given delegated authority to the following ad hoc Committees of the Board where they are required to consider matters relating to specific individuals or incidents in accordance with the Trust's policies, and where they have been established in accordance with this **Scheme of Delegation**, the **Beckmead Constitution** and the appropriate Trust policies and procedures:

- **Pay & Performance Appeals Committee** – to consider appeals against decisions on pay and performance matters relating to staff of the Trust Senior Executive and Shared Services.
- **Staff Discipline, Grievance & Redundancy, first committee** – to consider matters of discipline, grievance, redundancy, redeployment and early retirement relating staff of the Trust Senior Executive and Shared Services.
- **Staff Discipline, Grievance & Redundancy, second committee** – to consider matters at the second stage of discipline, grievance, redundancy, redeployment and early retirement relating to staff of the Trust Senior Executive and Shared Services.



- **Appointments** of the Trust Senior Executive.
- **Appointments Committee, CEO** – to carry out the process of recruitment of the CEO and recommend an appointment to the Board of Trustees.
- **Appointments Committee, Senior Staff** – to carry out the process of recruitment and appointment of members of the academy Leadership Team(s).
- **Appointments Committee, Headteacher** – to carry out the process of recruitment of a Headteacher and recommend an appointment to the Local Governing Body and Board of Trustees.
- **Trustees.**
- **Complaints Against the Trust Committee** – to consider complaints against the Trust.
- **Trustee & Governor Disciplinary Committee** – to consider disciplinary matters concerning a governor or Trustee, including removal.

The composition and terms of reference of these ad-hoc Committees are set out in the ***Beckmead Constitution***.

6.2 Ad-hoc Committees of the Local Governing Body

The Board of Trustees has given delegated authority to the following ad hoc Committees of the Local Governing Body where they are required to consider matters relating to specific individuals and incidents relating to the academy(ies) over which they have oversight, in accordance with the Trust's policies, and where they have been established in accordance with this ***Scheme of Delegation***, the ***Beckmead Constitution*** and the appropriate Trust policies and procedures:

- **Pay & Performance Appeals Committee** – to consider appeals against decisions on pay and performance matters relating to staff of the academy(ies).
- **Staff Discipline, Grievance & Redundancy, first committee** – to consider matters of discipline, grievance, redundancy, redeployment and early retirement relating staff of the academy(ies).
- **Staff Discipline, Grievance & Redundancy, second committee** – to consider matters at the second stage of discipline, grievance, redundancy, redeployment and early retirement relating to staff of the academy(ies)
- **Appointments Committee, Senior Staff** – to carry out the process of recruitment and appointment of members of the academy Leadership Team(s).
- **Appointments Committee, Headteacher** – to carry out the process of recruitment of a Headteacher and recommend an appointment to the Local Governing Body and Board of Trustees.
- **Complaints Against the Academy Committee** – to consider complaints against the academy.



The composition and terms of reference of these ad-hoc Committees are set out in the **Beckmead Constitution**.

7. Trust Executive

The Board of Trustees has delegated to the Chief Executive Officer (CEO) responsibility for delivery of the Trust's strategy, for the implementation of the policies of the Trust, and for the day-to-day running, internal organisation, management and control of the Trust, all the academies in the Trust and the Shared Services.

The CEO is responsible for the performance management of the Trust Senior Executive, the staff of the Shared Services and the Headteachers of the Trust's academies.

The CEO may delegate any of their responsibilities to an appropriate executive officer of the Trust, but retains formal accountability for any such delegated decisions.

The CEO has delegated to the Headteacher of each academy in the Trust responsibility for the day-to-day running of their academy, including the internal organisation, management and control of the academy, the performance management of academy staff, and the implementation of the policies of the Trust and the academy's Local Governing Body.

The Headteacher may delegate any of their responsibilities to an appropriate member of academy staff or executive officer of the Trust, but retains formal accountability for any such delegated decisions.

8. Individual Trustees and governors

The Board of Trustees has given delegated authority to the Chair of the Board of Trustees to take a decision on behalf of the Board in cases of urgency where delay until the next meeting of the Board would be harmful to the Trust. The Board of Trustees has given delegated authority to the Vice-Chair of the Board of Trustees to exercise that delegated authority if the Chair is unable to do so. Any such decision must be reported to the next meeting of the Board of Trustees.



The Board of Trustees has given delegated authority to the Chair of each Local Governing Body, in consultation with other governors and/or the Chair of the Board of Trustees as appropriate, to take decisions on behalf of the Local Governing Body where such action is required as a matter of urgency and it would not be in the interests of the academy(ies) or the Trust to delay such action until the next available meeting of the Local Governing Body or its appropriate committee. The Board of Trustees has given delegated authority to the Vice-Chair of the Local Governing Body to exercise that delegated authority if the Chair is unable to do so. Any such decision must be reported to the next meeting of the Local Governing Body.