Scheme of Delegation

New Seaham Academy Trust has two layers of governance:

Members and Trustees

Members

The Members are 'guardians' of the governance of the Trust. As per the Academies Financial Handbook, as responsibility to conduct the trust's business sits with the trustees, members should be 'eyes on and hands off' and avoid compromising the board's discretion

There should be significant separation between the individuals who are members and those who are trustees. If members sit on the board of trustees this may reduce the objectivity with which the members can exercise their powers. The Department's strong preference is for a majority of members to be independent of the Board of Trustees. At New Seaham Academy three out of the four members are independent of the Board of Trustees

However, if the governance of the trust by the board of trustees becomes dysfunctional the members will have a strong interest in ensuring the board has plans to address the issues or otherwise to remove the board or individual trustees and re-appoint trustees with the skills necessary for effective governance.

It is important, therefore, for members to be kept informed about trust business so they can be assured that the board is exercising effective governance.

This **must** include providing the members with the trust's audited annual report and accounts

Trustees

New Seaham Academy Trust is a charitable company and so Trustees are both charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and Company Directors. To ensure ease of reference, they will always be referred to as Trustees.
The Trustees are responsible for the general control and management of the administration of the Trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement, it is legally responsible and accountable for all statutory functions and for the performance of the school as a Trust.

The Board of Trustees is supported by a Finance and Audit sub Committee to carry out some of its governance functions which will include making decisions, although any decisions made will be deemed decisions of the Trust Board. Trustees make up the membership of this committee.

Trustees must carry out the three core governance functions:

1. Ensure clarity of vision, ethos and strategic direction.
2. Hold the Head Teacher and senior leaders to account for the educational performance of the school and its pupils, and the performance management of staff.
3. Oversee the financial performance of the Trust and make sure its money is well spent.

Board of Trustees and Finance and Audit Committee

These have powers delegated to them in accordance with this Scheme of Delegation, which include:

- Setting the vision, values and strategic aims of the academy, in line with the overall trust vision.
- Developing the budget plan for the academy.
- Monitoring and reviewing academy expenditure.
- Ensuring appropriate risk assessments are in place for the academy.
- Challenging attainment and progress across the curriculum.
- Ensuring implementation of policies and procedures and evaluating impact of those policies to report to trustees.
- Engaging with stakeholders.

The Head Teacher

The Head Teacher is the Accounting Officer so has overall responsibility for the operation of the Academy Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The Board will delegate functions appropriate to the Head Teacher but they will remain accountable for their individual performance and the performance of the Trust. They will meet regularly and accept responsibility for operational tasks delegated in order to drive forward school improvement.

The Head Teacher is responsible for the day-to-day management of the Academy and reports to the Board of Trustees on matters which have been delegated to them in regard to both function and accountability.

Area	Function	Members	Board of Trustees	Other	Notes
Strategic Direction	Setting the vision, values & strategic aims of the trust		✓	✓	HT to prepare and Board to agree
	Trust Strategic Plan: establish & monitor		✓	✓	HT to report termly
	Academy Development Plan: establish & monitor			✓	HTs will share draft development plans with Board of Trustees when complete
Financial & Operational Management	Budget plan for Trust- agree & approve (a deficit budget is not allowed)		✓		
	Budget plan for academy- monitor		✓	✓	Finance Audit & Risk Committee
	Budget plan for Academy: develop			✓	In line with academy improvement priorities and will be recommended to the Board of Trustees Academy outsourced Financial support to EPM
	Agree corporate and trust-wide contracts for service		✓		
	Agree academy contracts/binding agreements		✓	✓	Each agreement will comply with ATH and financial elements within the scheme of delegation and will be signed off by trustees as necessary.

	Financial procedures: approve in accordance with legal & DfE requirements, best practice & auditor recommendations		✓		Agreed by Board of Trustees
	Authorise expenditure and make payments • Expenditure up to £5,000 • Expenditure of £5,000 and up to £10,000 • Expenditure of £10,000 to £100,000 • Expenditure over £100,000		 ✓ ✓	 ✓ ✓	Delegation as outlined in New Seaham Academy's Finance Handbook Head Teacher-Where appropriate, 3 quotes obtained Finance Audit &Risk Committee authorization and tendering procedures All orders of a value from £10,000 to £100,000 must be approved by the Finance Audit and Risk committee and over £100,000 by the Board of Trustees
	Approve charging policy for academy services		✓		
Area	**Function**	**Members**	**Board of Trustees**	**Other**	
Financial & Operational Management	DfE indicative funding of Academies: consider & assess implications		✓	✓	Finance Audit and Risk Committee EPM Financial services prepare reports for Trustees to consider and approve

	Academy budget headings & areas of expenditure: receive & recommend, inc, level & use of contingency funds or balances		✓		
	Income & expenditure-: monitor and review		✓	✓	Monthly management reports sent to Chair of Trust Board and Accounting Officer by EPM

	Income & expenditure (Academy): monitor and review		✓	✓	Monthly Management reports and all finance documents shared with all trustees
	Financial procedures: monitor & review to ensure effective implementation & operation inc, bank account arrangements, recommend improvements		✓	✓	All Finance documents sent out to all trustees
	Financial Statements/ Annual Report receive	✓			Prepared by external auditors- AZETS
	Appointment of external auditors	✓	✓		
	External Audit: determine nature & scope		✓		Trust board to determine who and when.
	Internal control systems: establish		✓	✓	External Auditor termly assurance visits. Head Teacher to report findings/actions related to IA to Finance Audit and Risk committee and then all docs disseminated to trustees
	Internal control systems review effectiveness		✓		

	Auditor's reports: receive, consider & recommend action to findings & good practice		✓	✓	Head Teachers to present reports findings to finance Committee which acts as Audit Committee
	Internal Audit provision: ensure it meets relevant standards & is compliant with guidelines		✓	✓	Finance Audit and Risk committee consider then disseminate to all trustees
	Academy's internal and external financial statements & reports: review to ensure sound financial management & good practice		✓		

Premises	Security of premises & equipment: oversee & monitor academy activities			✓	HT and Estates manager
	Premises related funding bids: oversee		✓		
	Building Development Programme & Asset Management Plan approve		✓		
	Capital development projects: monitor academy activities, advise & make recommendations		✓		
Area	**Function**	**Members**	**Board of Trustees**	**Other**	

Insurance	Insurance arrangements: oversee		✓	✓	Finance Audit and Risk Committee recommends to Board of Trustees
Health and Safety	Health & Safety: oversee & monitor health and safety across the school including policies & procedures across the trust			✓	HT is H&S Officer. Estates Manager has H&S responsibility
	Health and Safety: audit academy		✓	✓	SLA with Durham HSE-Reports to be submitted to trustees
	Health & Safety: ensure risk assessment processes in place		✓		Reports prepared by Estates Manager, approved by HT- to be submitted to all trustees for information
Risk Management	Management of risk: establish & monitor Risk Register & risk management systems		✓	✓	Finance Audit and Risk committee- then reports to Board of Trustees .Risk Management agenda item on each Finance Audit and Risk Committee meeting

	Information Security: oversee & monitor policies & procedures across trust		✓		Board of trustees to agree policy and procedure.
	Information Security: for ensuring effective implementation & operation of information security control processes at academy		✓	✓	Board of Trustees to receive reports from HT and DPO at meetings termly
Governance	Members: appoint/remove	✓			
	Trustees: appoint/remove	✓	✓		
	Co-opted Trustees: appoint/remove		✓		

	Board/ Board Committee Chairs/Vice Chair: appoint/remove		✓		Annually
	Clerk to Board: appoint/remove		✓		Outsourced clerking to Berry Education
	Articles of Association: agree & review	✓			Agreement from Secretary of State will be sought.
	Governance Structure (Committees) for the Trust: Establish & Review		✓		
	Scheme of Delegation: agree & review		✓		
	Terms of Reference for Trust Committees: agree & review		✓		Each committee has opportunity to review first meeting in each term so would have input into any recommended changes to trustees.
	Policies & Procedures: establish, approve & review (delegated in accordance with Policy Approval Schedule)		✓		

	Register of Business & Pecuniary Interests for Members/ Trustees/ Governors: establish & publish		✓		Trust has this administered online by Berry Education- Trust's governance support
	Compliance with legislative requirements		✓		
	Academy self-evaluation process: establish & monitor		✓		HT will write the SSE in consultation with then SLT then present to trustees for approval

	Skills Audit of Board		✓		Annually
	Self-review of Board: performance		✓		Annually
Area	**Function**	**Members**	**Board of Trustees**	**Other**	
Human Resources and Staffing	HT appointments		✓		Advised by external school accountability consultant
	HT dismissals		✓		Disciplinary/capability policy and procedure to be followed. Trust board to make final decision based on evidence and guidance.
	Performance Management HT undertake		✓	✓	The Finance Audit and Risk committee which will include the Chair of Trustees will lead the process and be supported by an external consultant. Appraisal trustees- minimum of two to be appointed
	Pay Awards – Head teacher		✓	✓	Finance Audit and Risk Committee Trustee and external consultant (to be agreed by trustees)
	Performance Management of Academy staff.			✓	HT and SLT as Line Managers
	Academy Senior Leadership: Appoint		✓	✓	Advised by School Accountability Consultant
	Academy Senior Leadership: Remove		✓	✓	Disciplinary/capability policy and procedure to be followed. Trust board to make final decision based on evidence and guidance.
	Academy Staff: Appoint			✓	HT

	Academy Staff: Remove		✓	✓	Disciplinary/capability policy and procedure to be followed. In the event of any appeal the matter will be determined by the trust board
	Academy Staffing Structure: agree			✓	Structure to be shared with trustees as part of agreeing the annual budget plan.
	Agree general employment terms and conditions for staff, including pay structures and policy		✓	✓	Finance Audit and Risk committee with advice from HR and legal team
	Pay Awards/ Staff Pay- agree			✓	Finance Audit and Risk Committee
	Staff Appraisal Policy: agree policy Review process & procedure in line with policy		✓		Finance Audit and Risk Committee
	Personnel Policies: develop, review, oversee implementation & monitor impact via KPIs		✓		Delegated to remit of Finance and Audit Committee- outsourced to Durham CC HR
Pupil Development	Academic Performance: setting targets			✓	The HT will set improvement targets in collaboration with the SLT
	Academic Performance: monitor & review pupil progress, attainment & achievement against targets		✓	✓	The HT will monitor improvement targets in collaboration with the SLT and report progress termly to Trust Board
	Academy Improvement/ Raising Standards			✓	HT

Area	**Function**	**Members**	**Board of Trustees**	**Other**	

Performance Management	Holding the Head teacher to account for performance			✓	This will include reports on Performance management interim and end of year reviews, School improvement work with SLT and external consultant and Performance Management trustees(one of which must be Chair of Board of Trustees)
	Teaching & Learning: monitor quality			✓	External consultant advice will be timetabled as part of school improvement. HT will create an annual timetable of reviews which could include, data, teaching and learning and curriculum.
	Selected Groups (eg SEND/EAL/Pupil Premium/Most Able): monitor progress & provision		✓	✓	HT/SLT Finance Audit and Risk committee-PP and Sports Premium- report to trustees
	Inclusion, equality & diversity: promote & monitor		✓	✓	
Admissions	Admissions policy		✓	✓	In the event of appeal the academy trust will comply with Code of Practice and for the purpose of appeal will use LAs.
	Admissions: admitting pupils above the school's pupil admission number			✓	School will know if they have the capacity to go over their numbers in any particular year group, taking in to consideration class sizes, number of staff, number of SEN, pupils with EAL etc. Therefore, this will vary from school to school and needs to be a school level operational decision
	Behaviour Policy: review and monitor			✓	SLT

Behaviour, discipline & exclusions	Personal Development, Behaviour, Attendance & Welfare of Students: review & monitor			✓	SLT
	Pupil Exclusions: policy & procedure		✓		Has to comply with statutory guidance agreed by trustees
	Pupil Exclusions: review fixed term/permanent exclusions		✓	✓	Head Teacher- Fixed term exclusions
Attendance	Attendance Policy: review and monitor			✓	SLT – Attendance lead
Complaints	Complaints: policy & procedure		✓		Trustees agree policy for implementation
	Review complaints:		✓		Appeal Panel of Board of Trustees+ external person
Curriculum	Curriculum policy: review and monitor			✓	Head Teacher and SLT
	Setting the aims of the curriculum across the Trust.		✓		
	Curriculum: review & monitor scope, impact & implications			✓	This is part of the monitoring and review- SLT
	Curriculum: ensure compliant with legal requirements & funding agreement			✓	HT
	British Values & strategies to avoid radicalisation: promote & monitor impact			✓	HT

Community	Community Relations & Marketing: Trust		✓		
Safeguarding	Safeguarding procedures: agree and review		✓	✓	Policy and procedure agreed according to KCSIE
	Safeguarding procedures: monitor implementation			✓	DSLs
Term Time	Term Time dates: set		✓		
	School day: times		✓		

Reviewed Oct 2024