

Summary of the Scheme of Delegation for the Collegiate Academy Trust 2016/2017

The Board is required to approve a Scheme of Delegation for governance under DfE requirements.

The intention of this summary paper is to clearly outline the responsibilities and delegated powers of the Board, its committees and key staff. The full details of the Governance structure are detailed in the Collegiate Academy **Trust Governance document**.

1.0 Matters reserved exclusively for the Collegiate Academy Trust Board's approval or decision

The Collegiate Academy Trust has a strategic role in the running of Academies within the Trust. The Trustees may delegate to any committee, any Trustee holding an executive office, or to the Executive Principal such of their powers or functions as they consider desirable to be exercised by them.

In exercising its strategic role the Collegiate Academy Trust Board will retain exclusive responsibility for the following:

- Ensuring compliance with the Trust's duties under Company Law and Charity Law and agreements made with the DfE, including the Funding Agreement, and the Deed of Gift;
- The determination of the educational character and mission of the Academy;
- Ensuring the solvency of the Academy Company and Charity, safeguarding its assets and delivering its charitable outcomes;
- The appointment or dismissal of the Executive Principal, Principal (where appointed) and Finance Director;
- Ensuring the continued charitable status of the Company;
- Setting key strategic objectives and targets and reviewing performance against these for all its academies at the year end
- Determination of the establishment, constitution, membership, proceedings and delegated powers and functions of the Committees and their annual review and revision;
- The approval of Collegiate Academy Trust policies, not otherwise delegated to Committees;
- The approval of annual estimates of income and expenditure for the Trust at the beginning of the academic year;
- To approve the appointment/resignation of the auditors for the Trust on an annual basis;
- The approval of the Trust year end accounts;
- Entering into all contracts on behalf of the Trust;

- To authorise expenditure or income over the value of £100,000;
- To authorise the opening of a bank account;
- To approve the pay structure for the Trust;
- To receive reports from its trading subsidiary company Shireland Learning Ltd (SLL) and to make recommendations to the Board of SLL regarding this company.

2.0 Matters reserved for the Standards and Performance Committee (the Local Governing Body)

The Standards and Performance Committees will be responsible for monitoring the role of the Academies at an operational day to day level and to monitor and review:

- the management and organisation of the Academies, including the safeguarding and wellbeing of all staff and students
- the implementation of the decisions of the Board and the Executive Principal
- performance in relation to targets and standards approved by the Board
- the implementation of policies as stated in the policy schedule agreed by the Board
- the implementation of policies approved by relevant committees
- the annual budget agreed by the Board
- the appraisal and pay progression of all staff
- the implementation of the single equality duty
- the implementation of all extended services and wrap around care activities

Standards and Performance Committees will report to the Board their advice and recommendations.

Over and above this structure the Standards and Performance Committees will establish a “Family Forum” for consultative purposes.

3.0 Matters reserved for other Committees

The work of the Standards and Performance Committees is supported by six Committees that report directly to the Academy Trust. These are the **Resources, Admissions, Discipline, Appeals, Remuneration and Performance Management, and Audit Committees.**

- The **Resources Committee** will be responsible for all finance and personnel related matters
- The **Audit Committee** will be responsible for reviewing and addressing the risks to internal control, informing the statement of internal control, and agreeing a programme of internal audit work to provide assurance to the external audit The Admissions committee will be responsible for all admissions issues that are referred to it by the Governing Body or the Board.
- The **Discipline Committee** will deal with all student behavior issues and any staff discipline issues in relation to the Executive Principal, and the Finance Director.
- The **Appeals Committee** will deal with any appeals from staff/students or the public.

- The **Remuneration and Performance Management Committee** will deal with the salaries and performance of the Executive Leadership Team.
- The Terms of Reference for each committee will be presented to the board for approval at its first meeting in the new academic year.
- Each committee must have a Chair and must have a minimum of 3 members to be quorate
- The membership of each Committee must always include a majority of Trustees except in the case of the Family forum

4.0 Handling of urgent decisions falling within the remit of the Board e.g. powers of the Chairman to act on behalf of the Board:

- At its meeting on 4th September 2007 the Board discussed the fact that it is **sometimes** necessary for it to act in emergencies and to make decisions on behalf of the Academy Trust. It was proposed that in such circumstances the Chairman should be granted powers in conjunction with the Executive Principal to take such action and to report to the next meeting of the Board.
- The Board approved the proposal to delegate powers to the Chairman in conjunction with the Executive Principal to agree executive decisions in emergency situations by telephone or email and to act on behalf of the full Board. All such decisions are to be reported to the next meeting of the Board.

5.0 Financial responsibilities: delegation within the Academy

- The Trust will retain overall responsibility for any major items of expenditure and income/funding over the value of £100,000 for individual items.
- The Resources Committee will approve any major items of expenditure and income/funding over the value of £40,000 up to £100,000 for individual item.
- The Finance Director of the Trust will approve any expenditure on an individual order over the value of £25,000 up to £40,000.
- The Principal of each academy will approve any expenditure on an individual order over the value of £5,000 up to £25,000.
- Individual Budget Holders will approve any expenditure up to the value of £5,000.
- Principal of each academy to authorise budget virements up to £10,000
- Finance Director to authorise budget virements from £10,001 up to £40,000 on behalf of the Executive Principal.
- The Resources Committee to authorise virements over £40,001.
- The Trust Board to authorise budget virements over £100,000

6.0 Responsibilities and decision-making powers delegated to the Executive Principal (See Appendix 1 for full details)

- The Articles of Association state that the Trustees shall appoint the Executive Principal Subject to the Articles, the Executive Principal shall be responsible for the internal organisation, management and control of the Academy, the implementation of all policies approved by the Board, and the direction of teaching and of the curriculum. In addition the Executive Principal shall be responsible for the operation of financial processes, ensuring that adequate operational controls are in place and are maintained. The Executive Principal will ensure that full and accurate financial records are kept, including those of the external auditor and Responsible Officer. In addition he will regularly monitor income and expenditure reports and highlight potential problems to the Resources Committee. Overall the Executive Principal, as Accounting Officer will ensure that the Trust fulfills the requirements of the Academies' Financial Handbook and the Funding Agreement.
- For these purposes the Trustees shall delegate those powers and functions required by the Executive Principal.
- Appendix 1 lists the key responsibilities and delegated powers for staff.

7.0 A record of financial signatories/authorisation for payments, payroll, and all official returns

7.1 Payments

- Cheques can only be signed by authorised signatories. A minimum of three signatories with the maximum number of four determined by seniority.
- The main signatories of the current bank account are;
 - **Shireland Collegiate Academy:** Executive Principal, Associate Principal, Senior Vice Principal, Vice-Principal
 - **Collegiate Academy Trust:** Executive Principal, Finance Director, Human Resources Director and Chairman of the Trust Board
 - **Deed of Gift:** Executive Principal, Finance Director, Chairman of the Trust Board.
- The Finance Director will only be a signatory on the central trust account and Deed of Gift.
- BACs payments up to £40,000 can be authorised by the Trust's Account Manager or the Principal in each academy
- Individual BACs payment over the value of £40,000 must be countersigned by the Finance Director
- Any cheque over the value of £40,000 must be signed by the Executive Principal, in conjunction with another authorised signatory.

7.2 Official Returns (DfE/EFA/LA)

- All official returns can be signed by the Executive Principal and/or the Finance Director

7.3 Orders

- All orders must be authorised and approved by the nominated Budget Holder, within their delegated powers.

- Internet orders must only be placed by approved signatories and or Finance staff, on receipt of approval of the Budget Holder
- All orders must be made in writing, using an official order form and be authorised in line with the financial authority outlined in section 5.

7.4 Tendering

- All Tenders up to £100,000 must be opened by the Executive Principal, Finance Director or Accounts Manager and one Trustee or Governor.
- All tenders over £100,000 must be opened by the Executive Principal, Finance Director, and Chair of Trust Board.
- All tender opening must be supported by the officer in charge of the tender in an advisory capacity.

7.5 Payroll

- All claim forms must be authorised by the line manager and countersigned by agreed bank signatories for each academy
- All staff appointments and dismissals can only be authorised by the Executive Principal and the HR Director.
- All new appointments forms must be authorised by the Principal of each Academy except for Senior Leadership appointments which must be authorised by the Executive Principal

7.6 Contracts

- All contracts over the value of £100,001 must be signed by the Chair of Trustees.
- All contracts over the value of £40,000, up to £100,000 must be signed by the Executive Principal with the approval of the Resources Committee, or the Chair of the Resources Committee.
- All contracts over the value of £25,000 up to £40,000 must be signed by the Finance Director
- All contracts up to the value of £25,000 must be signed by the Principal of each academy

Appendices

Appendix 1 - Responsibilities and decision-making powers delegated to the Executive Principal and senior staff

Executive Principal (Accounting Officer)

Responsible for the organisation, management and control of the academy on a day to day basis, with delegated powers for;

- approval of all new staff appointments, dismissals and changes to contracts within the authorised establishments, except for the Executive Principal post, and Finance Director post which the Full Board must approve;
- Signatory on all staff appointments/dismissals and changes to staff contracts for the Senior Leadership Team of each Academy and the Executive Leadership Team
- entering into contracts (staff, expenditure) on behalf of the Trust from £40,000 up to £100,000 with the approval of the Resources Committee;
- approval and signing on behalf of the Trust funding bids over £40,000 and up to £100,000, with the approval of the Resources Committee;
- reviewing the Management accounts in conjunction with the Finance Director on a monthly basis;
- authorising of contracts over £40,000 up to £100,000 with the approval of Resources committee
- signing of all cheques over the value of **£40,000, in conjunction** any other authorised signatory;
- counter signatory on all BACs payments over the value of £40,000;
- signatory on all EFA, DfE and LA returns;
- opening of tenders in line with financial regulations for the Trust;
- Main Credit Card holder for Shireland Collegiate Academy and the Trust

Finance Director

Responsible for the day to day management of all financial issues and delegated powers for;

- entering into contracts on behalf of the Trust up to £25,000;
- reviewing the Management accounts of the Trust in conjunction with the Executive Principal on a monthly basis;
- signing cheques in conjunction with the Executive Principal, or other authorised signatories on the Trust Account and Deed of Gift
- entering into contracts (on behalf of the Trust up to from £25,000 up to £40,000;
- authorising expenditure over the value of **£25,000** up to £40,000;
- authorising budget virements up to the value of **£10,000** up to £40,000
- authorising all BACS payments over the value of £40,000
- signatory on all EFA, DfE and LA returns;
- treasury Management for the Trust;

- signatory on the Central Trust Account and Deed of Gift;
- authorised Debit Card holder for Central Trust Account;
- opening of tenders in line with financial regulations for the Trust;

Principal of each Academy

- Appointment of staff up to Senior leadership in conjunction with the HR Director of the Trust
- Signatory on all staff appointments/dismissals and changes to staff contracts up to Senior Leadership Team
- reviewing the Management accounts of the Academy in conjunction with the Finance director or his/her representative on a monthly basis;
- signing cheques up to the value of £40,000
- entering into contracts on behalf of the Trust up to from £25,000 up to £40,000;
- authorising expenditure over the value of **£5,000** up to £25,000;
- authorising budget virements up to the value of **£10,000**
- authorising BACS payments up to the value of £40,000
- signatory on all bank accounts for the individual Academy
- authorised Credit Card holder for the individual Academy

Responsible Officer (externally appointed)

Responsible to the Board directly. The Responsible Officer's main duties are to provide the Trustees with independent assurance that:

- the financial responsibilities of the Board are being properly discharged;
- resources are being managed in an efficient, economical and effective manner;
- sound systems of internal financial control are being maintained and
- Financial considerations are fully taken into account in reaching decisions.

The Responsible Officer reports to the Audit Committee and thereafter to the Trust Board. The Responsible Officer works in a complementary role and supportive role with the auditors to ensure a comprehensive oversight of the company's internal controls.

This post has no delegated authority.

Appendix 2 -Summary of Authorisation Levels and Responsibilities check agrees with limits above

Duty	Value	Delegated Authority
Income/Funding- Authorisations	Up to £40,000 Over £40,000 up to £100,000 Over £100,000	Finance Director Resources Committee Trust Board
Grant Funding - Signatories	Up to £40,000 Over £40,000 up to £100,000 Over £100,000	Finance Director Executive Principal r, on approval of Resources Committee (must reference to minutes) Chairman of the Trust
Expenditure/Ordering Limitations	Up to £5,000 Over £5,000 to £25,000 Over £25,000 to £40,000 Over £40,000 to £100,000 Over £100,000	Individual Budget Holders Principal of each Academy Finance Director Resources Committee Trust Board Note Any orders if not within annual spending plan must be agreed in advance by ELT then limitations applied.
Tendering Limits (excluding VAT)	Up to £5,000 Over £5,000 up to £40,000 Over £40,000 up to Current OJEC limit Over OJEC limit	Sourced on internet/catalogues, directories to obtain best value, 3 written quotes 4 tenders to be invited Tender following OJEC Rules and Regulations Note

		As agreed by Audit Committee on 15 th July 2014, Tendering limits will exclude year on year contracts that have already been agreed or fixed costs such as exams, rates
Tendering - Opening	Over £40,000 up to £100,000	Executive Principal, Finance Director and one Trustee or Governor
	Over £100,000	Executive Principal, Finance Director and Chair of Trust Board
Contracts- Signatories	Up to £25,000	Principal of the Academy
	Over £25,000 up to £40,000	Finance Director
	Over £40,000 up to £100,000	Executive Principal, on approval of Resources Committee (must reference to minutes)
	Over £100,000	Chairman of the Trust
Virements Limits	Up to £10,000	Principal of the Academy
	Over £10,001 up to £40,000	Finance Director
	Over £40,001 up to £100,000	Resources Committee
	Over £100,000	Trust Board
Bank Accounts	Opening a new account	Trust Board
	Agreeing new Investments	Resources Committee and or Trust Board
	Transfer between Accounts	Accountancy Manager
	Transfer into Investment Accounts	Executive Principal and or Finance Director
Payment Authorisation	Cheques - Shireland Account	Associate Principal, Senior Vice Principal and Vice Principal
	Cheques - Trust Account	Executive Principal, Finance Director, HR Director and Chairman of Trust Board
	Deed of Gift Account	Executive Principal, Finance Director and Chairman of Trust Board

	<p>BACS Runs</p> <p>Individual BACS payments runs Over £40,000</p> <p>Individual Cheques and BACS over £40,000</p>	<p>Accounts Manager or Principal of each Academy</p> <p>Finance Director, Counter signed by Executive Principal</p>
Staffing Establishment Authorisations	<p>Executive Principal and Finance Director</p> <p>All other staff</p>	<p>Board of Trustees</p> <p>Executive Principal</p>
Payroll Authorisations	<p>Claim Forms</p> <p>Appointments/Dismissals/Change in Contractual Terms</p>	<p>Line Manager and counter signed by Bank Signatories as above</p> <p>Executive Principal and HR Director</p>
Disposal of Assets	<p>Approval of disposals up to value of £45,000</p> <p>Approval of disposals over £45,000</p>	<p>Resources Committee</p> <p>Resources Committee with EFA approval if necessary</p>
Debt write off	<p>Up to £45,000</p> <p>Over £45,000</p>	<p>Resources Committee</p> <p>Board with EFA approval</p>
Official Returns and all grant funding bids	DfE/EFA/LA	<p>Executive Principal and or Finance Director</p> <p>Note</p> <p>If necessary approval must be sought from the correct committee in line with limitations over £40,000 Resources Committee over £100,000 Trust Board</p>

Appendix 3 - Appointment of Staff

To ensure a transparent interview process, the Trust has agreed the following appointment panel within the Academy;

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Support Staff	To be determined by HR Director
Teaching Staff	<ul style="list-style-type: none"> • Principal of the Academy • HR Director or his/her representative • 1 Governor (optional)
Senior Management Team	<ul style="list-style-type: none"> • Executive Principal • Principal of the Academy • HR Director or his/her representative • 2 Governors
Executive Leadership Team	<ul style="list-style-type: none"> • Executive Principal • HR Director or his/her representative • 2 Trustees to include Chair of the Trust Board

Appendix 4- Tendering Limits

It is important that all purchases show best value has been achieved; to do this the Trust has adopted the follow procedures, which must be adhered to by all Budget Holders:

Estimated Value of Goods, Services or Construction Works	Minimum Number of Quotes/ Tenders	Method of Inviting Quotes/ Tenders	Basis of Selecting Supplier/ Contractor	Records Required	Formal Contract Required
Up to 5,000	Budget Holder to ensure Academy achieving Best Value	Informal Quotes – sourced verbally or internet	Purchasing Knowledge/ Trade Directories Internet	Note to be made of source, name and value of quotes obtained	No, order only
5,001–40,000	Best Value for money minimum of 3 quotes must be obtained	Formal written quotation	Purchasing Knowledge/ Trade Directory Sandwell Council's Approved/Special list use of purchasing framework Use of Academy approved list	All 3 quotes attached to details of order and information retained by Budget Holder and copy in Finance	No, order only
40,001 and over	Minimum of 4 to be invited to ensure best value is achieved	Sealed tenders, in line with Academy Financial Regulations	Advertisement/ Trade directory Council's Approved/ Special list use of purchasing framework Use of Academy approved list	Tender Schedule and tenders	Yes where value exceeds £100,000

All of the above limits are exclusive of VAT

Any order over the value of £5,000 must be countersigned by the Principal of each Academy

In certain instances where the Budget Holder cannot seek other competitive quotes, a Sole Supplier Declaration can be completed if the reasons are compatible with those stated on the declaration form. This process must be used as the exception and not the norm.

Appendix 5 - Financial Reporting Structure for The Collegiate Academy Trust

Financial information will be considered by the Trust Board, the Resources Committee and the Standard and Performance Committee.

Each Committee will have a direct reporting line into each other.

The Collegiate Trust Board

Will consider and approve;

- The Annual Budget for the Trust and its academies as recommended by the Resources Committee
- The year-end Accounts

In addition to this the Board will act on any recommendations of the Resources Committee and consider any issues brought to the board from the Standards and Performance Committee as actions.

The Resources Committee

Will consider and make decisions on the Trust accounts to include receiving three times per year;

- Income and Expenditure statement
- Cash flow statement
- Balance sheet
- Statement of Financial Activities
- Overview the management reports from each Academy (income and expenditure)
- On Budget virement Requests
- Forecast of spend for Trust and its academies to cover a 3-year period
- KPI's for the Trust
- Benchmarking information internally and externally

In addition to this, the Committee will refer the Annual budget and year end accounts to the Trust board for approval

The Standards and Performance Committee

Will consider and make suggestions to the Resources Committee on;

- In year spend to the annual agreed budget to include a cash flow statement
- Forecast planning for up to 3 years
- KPI's for the Academy

In addition to this, this committee will refer any issues or items for actions to the Resources Committee or Trust Board for consideration and or decision

Reviewed: October 2016

Reviewed: When necessary (triannual)