



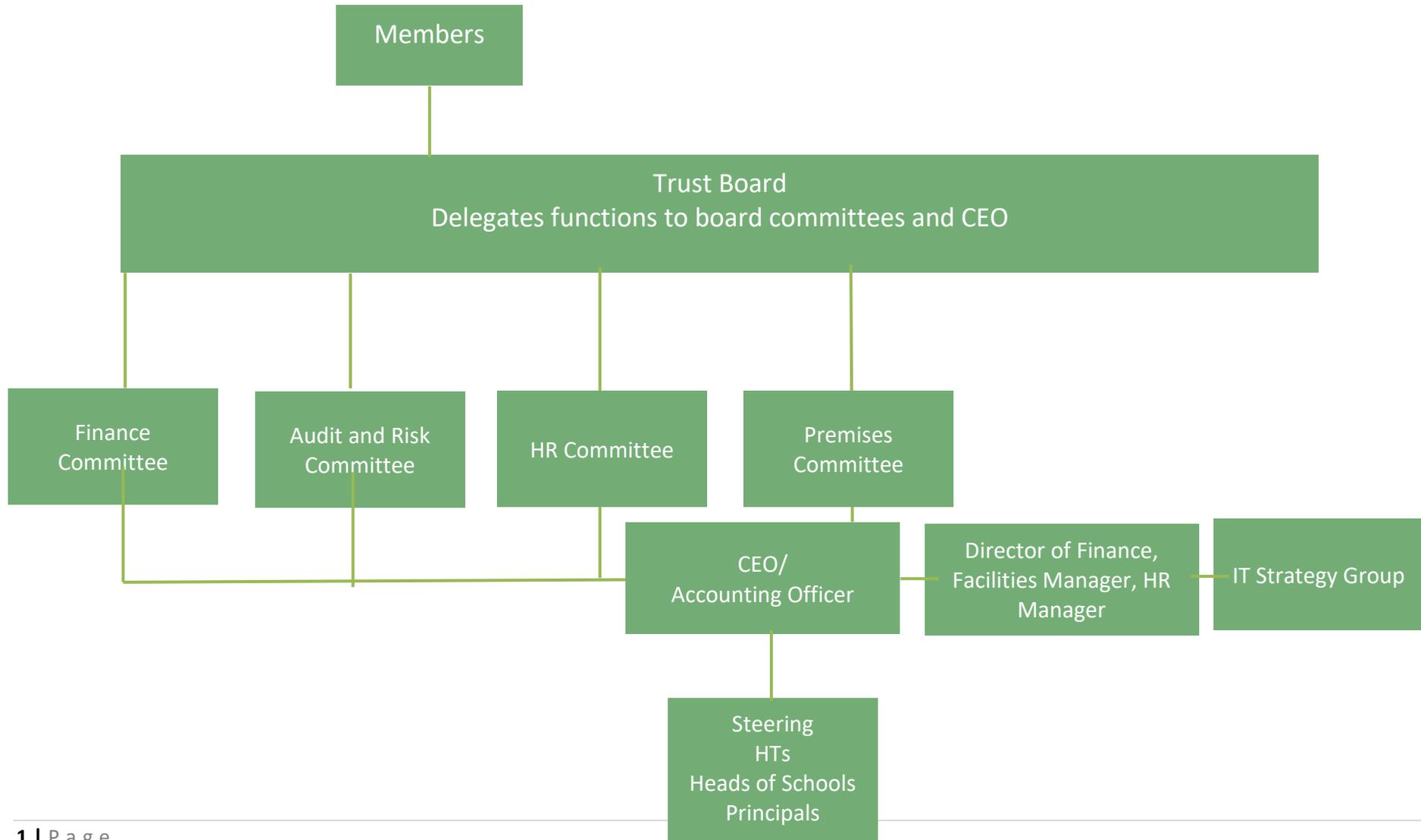
PORTICO
ACADEMY TRUST

opening doors, unlocking potential

Portico Academy Trust
Scheme of Delegation
2021/2022

Scheme of Delegation

Delegation to Academy Committees



1. MEMBERS

1.1. Introduction

The Members are the guardians of the Trust's constitution, determining the principles of the Trust's governance structure and providing oversight and challenge of the Trustees to ensure the charitable object of the Trust is being fulfilled.

The Members are distinct from the Trustees and are appointed in accordance with the Trust's Articles of Association.

Members have an overview of the governance arrangements of the Trust and have the power to appoint and remove Trustees.

1.2. Number of Members

The Trust must have at least three Members, but preferably at least five Members in total, as this ensures enough Members can take decisions via special resolution (which requires 75% of Members to agree) without requiring unanimity; and facilitates majority decisions being taken by ordinary resolution (which requires a majority of Members to agree).

1.3. Role of Members

The role of the Members is to:

1. Ensure that the objects of the Trust, as set out in the Articles of Association, are met
2. Ensure that the income and property of the Trust are used only to promote these objects
3. Promote the values and vision of the Trust
4. Oversee the principles of the governance arrangements
5. Take part in annual and extraordinary general meetings
6. Appoint the Trust's auditors and receive the trust's audited annual accounts, along with an annual report on performance
7. Sign off /amend the Articles of Association
8. Appoint Trustees under Article 50 of the Trust's Articles of Association
9. Remove Trustees under Article 50 of the Trust's Articles of Association
10. Establish clear and effective lines of communication with the Trustees in order to effectively undertake Members' responsibilities

1.4. Appointment of Members

Portico Academy Trust, as the founding sponsor, will have majority control of the Trust by having the right to appoint the majority of its Members and Trustees.

Employees of the Trust cannot be appointed as Members. Members comprise the original signatories of the Memorandum. Members can, by special resolution, appoint and remove

additional Members (under Article 15A). Members may also agree unanimously to remove any Member who is a signatory, except Members appointed by Portico Academy Trust (that Member's agreement is not required). See Articles 12 to 16 for further detail.

There is no specific term of office for Members; once a person has been appointed as a Member, he or she remains one indefinitely, until a specific event occurs. Article 18 allows for any Member to resign by handing a signed notice to the Trust or his or her membership may be terminated under Article 15. A Member ceases to hold his or her post once the Trust receives the notice. However, the Articles state that the resignation cannot take effect if it results in the number of Members being less than three, unless the resignation is accompanied by the appointment of a replacement Member.

1.5. Information from the Board of Trustees

Members will receive all minutes of meetings of the Board of Trustees, which Members may be invited to attend and at which they have speaking rights but no voting rights (unless they are also a Trustee); Members may also be invited to committee and working party meetings. Members should be in an informed position so that they can provide objective challenge, without taking an active role in Board decisions and operations; they will be 'eyes on, hands off'.

For details of the current Members, please see the Our Members and Trustees page of the MAT website

2. BOARD OF TRUSTEES

2.1 Introduction

The Trustees oversee the management and administration of the Trust and the Academies run by the Trust.

The Articles have made provision for up to seven Trustees to be appointed, a majority of whom will be appointed by Portico Academy Trust. Appointments are made following a skills audit to ensure that the MAT Board of Trustees continues to have the breadth and depth of experience and expertise to expertly fulfil all the functions of governance.

The Board of Trustees is subject to the duties and responsibilities of charitable trustees and company directors as well as any other conditions that the Secretary of State agrees with them. The corporate management and "trustee" responsibility for the Trust is vested in the "Trustees", who will also be the company directors registered with Companies House. The Trustees are personally responsible for the actions of the Trust and the Academies and are accountable to the Members of the Trust, 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. The Trustees are required as trustees and pursuant to the Funding Agreements to have systems in place through which they can assure themselves of the quality, safety and good practice of the affairs of the Trust.

The Board of Trustees has three core functions:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding executive leaders to account for the educational performance of the Trust and its pupils, and the performance management of staff; and
- Overseeing the financial performance of the Trust and making sure its money is well spent.

The Board of Trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

2.2 Role of Trustees

The role of the Trust Board and the Trustees collectively is to provide:

Strategic oversight and overall performance

- provide strategic leadership and governance and determine the strategic vision and overarching strategic plan of the Trust
- ensure the agreed underlying principles of the Trust are consistently adhered to
- represent the Board on recruitment panels for the appointment of Headteachers (according to the Trust's procedure for staff appointments), Heads of Schools or Principals
- ensure performance management of headteachers and other senior leaders is carried out according to the Trust's Pay and Appraisal policy
- represent the Board on recruitment panels for the appointment of executive team members (according to the Trust's procedure for staff appointments)
- support and promote the development and building of leadership and governance capacity across the Trust
- provide challenge and support to the Trust's senior leaders
- develop and agree strategic and operational policies and monitor their impact
- ensure policy and procedures are followed with regard to any complaints or appeals and act as final decision maker where appropriate
- develop effective links within the Trust's community, communicating regularly and openly; and ensuring clear flows of communication across the Trust and with external partners
- ensure that all Academies meet their responsibilities to serve their community's needs in relation to the safeguarding and education of all pupils and ensure consistency of approach
- promote close links with individual Academies and actively take into account and respond to the issues and risks they identify and escalate

Steering

- take responsibility for ensuring there is always a link between steering governance and the parent community
- ensure that key duties are undertaken effectively across the organisation such as safeguarding, inclusion, special education needs and disability (SEND), and monitoring and oversight of the impact of pupil premium and other targeted funding streams, in conjunction with steering
- ensure an understanding of, and adherence to, responsibilities under the Equalities Act, promoting equality and diversity throughout the organisation including in relation to its own operation, with steering
- ensure the development of staff training programmes and a range of opportunities for professional and career development for all staff employed by the Trust
- promote collaboration between the Academies to actively seek opportunities for the Academies to work together to benefit from:
 - sharing and implementing best practice and evidence based research findings
 - shared services and resources where appropriate
 - a broader range of opportunities for children creating the conditions for innovative thinking and incubation of new ideas
 - determine curriculum priorities
- ensure regular analysis and reporting of a wide range of progress data takes place across the Trust and that any mitigating actions are implemented with pace
- monitor and oversee the implementation of Academy development or action plans focusing on school improvement

Accountability for educational standards and outcomes

- set expectations through performance benchmarks and key performance indicators for educational standards; regularly monitoring progress and providing challenge, support or determining levels of intervention

Accountability for financial standards, financial viability and risk management

- set the overall Trust budget, ensuring financial viability of individual Academies and the overall Trust
- ensure the Trust and the Academies comply with their legal obligations, all ESFA policy and procedures, and requirements for financial reporting of academies
- ensure all financial accounting processes and procedures are robust and adhered to, that the accounts are properly audited and that the scheme of delegation is in place, adhered to and kept under review
- determine the Trust's reserves/contingency policy
- ensure appropriate insurance or risk cover is put in place
- monitor and oversee the implementation of any Academy financial action plans
- approve site and asset management strategies
- oversee any significant capital expenditure and building projects
- approve all funding applications
- develop and implement a risk management strategy, commissioning internal audit work as appropriate

Chair's permission to act in cases of urgency

The chair is permitted to act in cases of urgency where a delay in exercising the function would be likely to be seriously detrimental to the interests of the Trust, an academy, pupil, parent or member of staff.

2.3 Core Competencies

The following are the core competencies and skills expected of the Trustees:

- to work as a team
- to attend meetings and be prepared to contribute to discussions and commit to agreed actions
- to be respectful of the views of others and to be open to new ideas and thoughts
- to treat all confidential information confidentially
- to act with integrity, avoiding any personal conflicts of interest and complying with the Trust's Conflict of Interest policy
- to develop a deep understanding of the vision and ethos of the Trust and its academies and the roles played by all individuals in fulfilment of the Trust's mission;
- understand the policies and procedures of the Trust and how these operate consistently across the Trust
- to support the Trust in any public forum and act as an ambassador of the Trust and the academies
- to commit to training and skills development
- to be focused on problem solving and be ready to learn from past experiences

2.4 Review of the Effectiveness of the Board of Trustees

The Board of Trustees will ensure the following are in place:

- processes for regular self-evaluation and review of individuals' contribution to the Trust Board as well of the Trust Board's overall operation and effectiveness, commissioning external reviews where appropriate
- active succession planning to ensure the Trust Board, and the whole organisation, continues to have the people and leadership it needs to remain effective. It will carry out regular skills audits, aligned to the organisation's strategic plan, to identify skill and knowledge gaps, define recruitment needs and inform a planned cycle of continuous professional development (CPD) activity including appropriate induction for those new to governance to the Trust Board.

3. The Role of the Chief Executive Officer (CEO)

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's academies and so the CEO performance manages the academy principals, Headteachers, Heads of Schools.

The CEO 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 CEO leads the executive management team of the Academy Trust. The CEO will delegate executive management functions to the executive management team and is accountable to the Trust board for the performance of the executive management team.

4. The role of the academy Principal/Headteacher/Head of School

The academy principal is responsible for the day to day management of the academy and is managed by the CEO

		Members	Trustees	CEO	Heads
STRATEGY AND LEADERSHIP	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓	<A	<A
	Deliver strategic objectives of the Trust		✓	✓	✓
	Set strategic objectives of the Academies			✓	✓
	Deliver strategic objectives of the Academies		✓	✓	✓
	Scrutiny – review & challenge progress of the Trust against its strategic objectives and KPIs		✓	<A	
	Compliance: Funding Agreement – comply with all obligations including the Academies Financial Handbook	✓	✓	✓	✓
	Compliance: Regulatory – with all regulations affecting the Trust (including all charity law, company law, employment law and health and safety)		✓	✓	
	Compliance: Financial Oversight - ensuring that there are appropriate financial controls so that there is regularity, probity and value for money in relation to the management of public funds			✓	<A

		Members	Trustees	CEO	Heads
STRATEGY AND LEADERSHIP	Compliance – completing the register of business interests and put in place a procedure to deal with any conflicts of interest and connected party transactions		✓	✓	
	Appointments of Trustees - ensuring processes in place for appointment of Trustees (including ensuring that the Trustees have the skills to run the Trust and the Academies)	✓	✓		
	Appointment of the Accounting Officer and Audit Committee		✓	<A	
	Policies – review and approval of Trust Wide Policies which reflect the trust’s ethos and values (facilitating discussions with unions where appropriate) including admissions, DBS, charging and remissions policies, complaints, expenses, health & safety and safeguarding, premises management, data protection and FOI, staffing policies including capability, discipline, conduct and grievance: approve		✓	<A	
	Policies – review and approval of Academy specific Policies (including admissions, DBS, charging and remissions policies, health & safety and safeguarding)		✓	✓	<A

		Members	Trustees	CEO	Heads
STRATEGY AND LEADERSHIP	Determine school level policies which reflect the school's ethos and values to include e.g. admissions, SEND, safeguarding and child protection, curriculum, behaviour: approve			✓	<A
	Management of risk: establish register, review and monitor		✓	<A>	<A
	Engagement with stakeholders	✓	✓	✓	
	Training programme for Trustees			✓	<A
	Trust Development Plan		✓	✓	<A
	Academy Development Plan - for each Academy in line with strategic aims of the Trust				✓

		Members	Trustees	CEO	Heads
STRATEGY AND LEADERSHIP	Key Performance Indicators – setting and reviewing performance of the Trust		✓	<A	
	Setting and reviewing the performance the Academies			✓	<A
	Succession plan		✓	<A	<A
	Annual report on performance of the trust to Members		✓	<A	<A
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money to Members	✓	✓	<A	

		Members	Trustees	CEO	Heads
EDUCATION	Trust Development Plan		✓	✓	✓
	Academy Development Plan - for each Academy in line with strategic aims of the Trust			✓	✓
	Key Performance Indicators – setting and reviewing performance of the Trust		✓	<A	
	Setting and reviewing the performance of the Academies			✓	<A
	Quality of Teaching - ensuring appropriate levels of support, challenge and intervention to support delivery of education outcomes			✓	✓
	Curriculum – setting the curriculum for the Academies and reviewing its effectiveness			✓	✓
	Pupil Premium – reviewing and challenging the value for money/ ROI of the Pupil Premium in terms of educational outcomes and narrowing the achievement gap			✓	✓

		Members	Trustees	CEO	Heads
EDUCATION	Set admissions policy		✓	<A	
	Admission decisions		✓		✓
	Collective worship arrangements for school, without religious character				✓
	Pupil issues (including attendance, exclusions, punctuality and disciplinary matters for each Academy)				✓
	Academy Hours – setting the opening and closing times for the Academies		✓	<A	<A
	Term Dates and length of Academy day		✓	<A	<A
	Academy lunch – ensure provided to appropriate nutritional standards		✓	✓	
	Provision of “free school meals” to those meeting criteria				✓

		Members	Trustees	CEO	Heads
FINANCIAL	Funding Model - agreeing a funding model across the Trust so as to secure the Trust's financial health in the short term and the long term		✓	<A	
	Trust Annual Budget – formulating and setting the Trust wide budget		✓	<A	
	Expenditure and ensuring delivery of Annual Budgets		✓	✓	✓
	Reporting: financial reporting and KPIs		✓	<A	<A
	Financial Policies –establishing of policies and procedures to ensure compliance with the Trust's financial and reporting requirements		✓	<A	

		Members	Trustees	CEO	Heads
FINANCIAL	Approving annual accounts		✓		
	Corporate Risk Register		✓	<A	
	Investments – agreeing the investment policy in line with the Academies Financial Handbook and any internal polices and controls		✓	<A	
	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S):		✓	<A	
	Auditing and reporting arrangements for matters of compliance (e.g. employment):		✓	<A	

		Members	Trustees	CEO	Heads
HR AND OPERATIONS	Appointing and dismissing the [CEO/EH]		✓		
	Appointing and dismissing the Head		✓	<A>	
	Appointing of -Trust Staff (in line with recruitment policy)		✓	✓	
	Appointing Academy Staff including Deputy and Assistant Head			A>	✓
	Establishing Trust wide HR Policies (including recruitment, discipline, capability, grievance and absence policies) in accordance with all appropriate regulations		✓	✓	

		Members	Trustees	CEO	Heads	
HR AND OPERATIONS	Setting Appraisal Performance Management Policy together with pay reviews (in line with the Trust's pay policy and all statutory regulations)	Academy Staff			✓	✓
		Trust Staff		✓	✓	
		Headteacher / Head of School / Principal		✓	✓	
		CEO		✓		
	Setting Terms and Conditions of Employment for staff employed post Academy status		✓			
	Staff Handbook		✓	✓	✓	
	Dismissing CEO, Head, senior Trust staff (in accordance with the Trust disciplinary and capability policies)		✓		<A	
Dismissing all other staff (in accordance with the Trust disciplinary and capability policies)		✓		✓	<A	

		Members	Trustees	CEO	Heads
HR AND OPERATIONS	Reviewing discipline and grievance policy		✓	✓	
	Setting trust wide procurement policies (for suppliers including auditors, HR and payroll providers and solicitors) in accordance with the Funding Agreement, Academies Financial Handbook and the Trust's procurement policy		✓	✓	
	Determining and allocating central services provided to the Academies by the Trust		✓	<A	
	Overseeing the effectiveness of services provided centrally by the Trust		✓	✓	
	Asset and Premises Maintenance Strategy – determining use of Academies' premises and ensuring premises are adequately maintained		✓	✓	<A
	Acquiring and disposing of Trust land		✓	<A	

		Members	Trustees	CEO	Heads
HR AND OPERATIONS	Changing use of Assets		✓	✓	
	Arranging insurance for the Trust			✓	
	Media and PR - overseeing public relations activities to project the activities of the Trust and the Academies to the wider community			✓	✓
	Academy Prospectus				✓
	Websites			✓	✓

Portico Financial Delegated Authority

Delegation duty	Value	Delegation Authority	Procurement Requirement
In budget ordering goods and services, raising requisitions and asset purchases – Academy budget	Up to £500	Principal/Headteacher/Vice Principal/Deputy Heads	Ensure probity
	Up to £5,000	Principal/Headteacher/Vice Principal/Deputy Heads	Ensure probity and best effort to secure value for money
	Up to £10,000	Principal/Headteacher	Ensure probity, best effort to secure value for money and 3 written quotes
	Up to £20,000	CEO	Ensure probity, best effort to secure value for money and 3 written quotes
	Up to £50,000	Finance committee	Ensure probity, best effort to secure value for money and 3 written quotes
	Over £50,000	MAT Board	Ensure probity, best effort to secure value for money and 3 written quotes. Minimum of three quotes.
Budgeted, but with offset, ordering goods and services, raising requisitions and asset purchases – Trust centred budget	Up to £15,000	CEO	Ensure probity, best effort to secure value for money and 3 written quotes
	Up to £25,000	Trust Finance Committee	Ensure probity, best effort to secure value for money and 3 written quotes
	Over £25,000	MAT board	Ensure probity, best effort to secure value for money and 3 written quotes

Portico Financial Delegated Authority

Delegation duty	Value	Delegation Authority	Procurement Requirement
Unbudgeted, ordering goods and services, raising requisitions and asset purchases	Up to £5,000	CEO	Ensure probity, best effort to secure value for money and 3 written quotes
	Over £5,000	MAT Board	Ensure probity, best effort to secure value for money and 3 written quotes
Award of contracts within budget	Up to £5,000	Principal/Headteacher (Academy) CEO (Trust)	Minimum of 3 quotes
	From £5,000 to £20,000	CEO	Minimum of 3 quotes
	Up to £30,000	Finance committee	Minimum of 3 quotes
	Over £30,000	MAT Board	Minimum of 3 quotes and full tender procedure above EU threshold
Signatories of cheques, BACS payments and bank transfers	Any	Two signatories	On production of an invoice or receipt and relevant approval authority to purchase

Portico Financial Delegated Authority

Delegation duty	Value	Delegation Authority	Procurement Requirement
Disposal of Assets	Up to £2,000	Principal/Headteacher	On production of a report from finance to Exec
	Up to £10,000	CEO	On production of a report from finance to Trustees
	Up to £20,000	Finance committee	On production of a report from finance to Trustees
	Over £30,000	MAT Board	On production of a report from finance
Borrowing	All	MAT Board	On production of a report from CEO & finance
Non property leases	Up to £10,000	CEO	On production of a report from finance to Trustees
	Up to £20,000	Finance Committee	On production of a report from CEO & finance to Trustees
	Over £20,000	MAT Board	On production of a report from CEO & finance
Purchase of property	All	MAT Board	On production of a report from CEO, central finance and solicitors
Leasehold or tenancy agreement	All	MAT Board	Central finance and solicitors
Staff severance payment		To be approved at Trustee level only	