

SCHEME OF DELEGATION POLICY

Version 2017-1



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The Heath Academy Trust
Registered Address: St Ives Primary School, Sandy Lane, St Ives, Ringwood. BH24 2LE
Registered in England and Wales
Registration Number 09809895
Note: School signatures are required on the following page

HEATH ACADEMY TRUST SCHEME OF DELEGATION

Version 2017-1 Dated March 2017

FOR

Insert school name

WERE ADOPTED BY THE LOCAL GOVERNING BODY

ON

Date

SIGNED

Chair of Local Governing Body

SIGNED

Headteacher

Date

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Part 1: Scheme of Delegation Overview

HEATH ACADEMY TRUST SCHEME OF DELEGATION

Part 1 approved by the Board 16th January 2016, and revised February 2017

Introduction

The Scheme of Delegation sets out the delegated powers between the different bodies involved in the governance and operation of the Multi Academy Trust and member academies.

The bodies may include:

1. Trust Members
2. Trust Board of Directors
3. Trust Finance & Audit Committee
4. Trust HR & Standards Committee
5. Local Governing Body
6. Leadership group of Headteachers
7. Headteacher of individual academies

The delegated powers are broken down into different levels in line with the Trust's principles of governance, leadership and operation. The delegated autonomy for individual academies is aligned with the need for the Trust to fulfil its corporate responsibilities and accountabilities to the Department for Education, Education Funding Agency, Charities Commission, HMRC and Companies House. The Scheme of Delegation will also need to take into consideration any requirements of the Diocese of Salisbury.

The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined:

- Approve (A)
- Recommend (R)
- Propose (P)
- Develop (D)
- Monitor & Report (M)
- Consult (C)
- Implement (I)

The Scheme of Delegation should be read in conjunction with the Terms of Reference for the relevant committee body. While the Scheme is designed to be comprehensive it will not cover every task.

Rules of Delegation

	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consult (C), Implement (I)	Notes	Board	Fin & Res including Audit	HR & Standards		LGB	HT Grp	HT
1.	Governance								
1.1.	Approve Trust Articles of Association	Members							
1.2.	Appointment of Directors to the Board	Members							
1.3.	Approve Trust Board Terms of Reference		A						
1.4.	Approve Trust Scheme of Delegation		A				C	C	C
1.5.	Approve new convertor or sponsored academies joining MAT		A						
1.6.	Establish Trust Committees		A	P	P		P	P	
1.7.	Approve Trust Committee Terms of Reference		A	P	P				
1.8.	Approve Local Governing Body (LGB) Terms of Reference		A				P	P	
1.9.	Establish LGB working groups						A		
1.10.	Appoint Chair of Trust Board		A						
1.11.	Appoint Chair of LGB						A		
1.12.	Remove Chair of LGB	In exceptional circumstances	A						
1.13.	Appoint (and remove) LGB members	Board if exceptional	A				A		
1.14.	Appoint (and remove) Chair(s)/Vice Chairs of Trust Committees		A						
1.15.	Appoint (and remove) Trust Committee members	As per agreed composition	A						
1.16.	Appoint (and remove) Clerk to Trust Board		A						
1.17.	Appoint (and remove) Clerk to LGB						A		
1.18.	Organise calendar of Trust Board and LGB meetings		A				C		
1.19.	Approve Directors Expenses Policy		A						
2.	Trust & Academy Performance, Curriculum and Teaching								
2.1.	Trust Business or Strategic Plan		A	C	C			PC	
2.2.	Academy Performance Targets						A	C	D
2.3.	Academy Performance Review <i>e.g. SEF</i>						A	C	D
2.4.	Academy 1 Year Plan						A	C	D
2.5.	Teaching & Learning Policy						A	C	PI
2.6.	Curriculum Policy						A	C	PI
2.7.	Sex Education policy						A	C	PI
2.8.	Religious Education policy						A	C	PI
2.9.	SEN & Inclusion policy						A	C	P
2.10.	Trust Staff Development Plan						A	RI	
2.11.	Academy Staff Development Plan						A	RI	P
2.12.	Trust Inset Days						A	R	I

	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consult (C), Implement (I)	Notes	Board	Fin & Res including Audit	HR & Standards		LGB	HT Grp	HT
3.	Staff Policies and Pay								
3.1.	Pay Policy		A		RM		M	P	I
3.2.	Changes to Employee Terms & Conditions or Collective Agreements		A		R			P	
3.3.	Adoption of Transferring Policies and Collective Agreements		A		R			P	
3.4.	Teachers Annual Pay Award						A		R
3.5.	Support Staff Annual Pay Award						A		R
3.6.	Individual Performance Pay Awards						A		P
3.7.	Performance Management Policies		A		RM		M	P	I
3.8.	Disciplinary Policy		A		RM		M	P	I
3.9.	Grievance Policy		A		RM		M	P	I
3.10.	Capability Policy		A		RM		M	P	I
3.11.	Whistleblowing Policy		A		RM		M	P	I
3.12.	Re-structuring & Redundancy Policy		A		RM		M	P	I
3.13.	Adoption of DCC employment policies as per TUPE		A		RM		I		
4.	Staff Management								
4.1.	Staff complement, structure and grades						A		R
4.2.	CEO appointment		A						
4.3.	Trust Business Manager appointment		A						
4.4.	Trust leadership structure		A				C	C	
4.5.	Headteacher appointment		A				R	C	
4.6.	Senior leadership appointments						A	C	R
4.7.	Teaching and support staff appointments						A		R
4.8.	Suspension of CEO	Members	A						
4.9.	Return of CEO after suspension	Members	A						
4.10.	Dismissal of CEO	Members	A						
4.11.	Suspension of Headteacher	As per approved policy	AI				R		
4.12.	Return of Headteacher after suspension		A				R		
4.13.	Dismissal of Headteacher		A				R		
4.14.	Suspension of teaching and support staff	As per approved policy					A		I
4.15.	Return of teaching and support staff after suspension						A		I
4.16.	Dismissal of teaching and support staff						A		R
4.17.	Restructure or redundancy of Trust staff	As per approved policy	A		R			P	
4.18.	Restructure or redundancy of Academy staff	As per approved policy	A	C	R		P	C	D

	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consult (C), Implement (I)	Notes	Board	Fin & Res including Audit	HR & Standards		LGB	HT Grp	HT
5.	Financial Governance & Management								
5.1.	Trust & Academy Financial Regulations		A	RM			I	P	
5.2.	Trust & Academy Financial Procedures		A	RM			I	P	
5.3.	Trust and Academy Accounting and Financial Policies		A	RM			I		
5.4.	Appoint Trust auditors		A	R					
5.5.	Academy Budget plans		A	R			P	C	D
5.6.	Trust Budget plans		A	R					
5.7.	Academy Interim Year End Accounts		AM	R			R		P
5.8.	Trust Annual Accounts		A	R					
5.9.	Trustees Report		A	R				C	
5.10.	Trust Academies Accounts Return to EFA		A	R					
5.11.	Response to Auditor's Management Letter		A	R/I					
5.12.	Academy YTD reports		RM	RM			RM		PM
5.13.	Trust YTD & Interim year-end reports		RM	RM				C	
6.	Financial Authorisation For detailed split of approval authorities, see Part 2 Section 2 which overrides this section 6								
6.1.	Expenditure or contracts up to Lower Limit								A
6.2.	Expenditure or contracts from Lower Limit to Upper Limit						A		P
6.3.	Expenditure or contracts from Upper Limit to OJEU limit			A			P	P	
6.4.	Expenditure over OJEU limit		A	R			P	P	
6.5.	Disposals or write off of stock, assets or debts up to Lower Limit								A
6.6.	Disposals or write off of stock, assets or debts from Lower Limit to Upper Limit			A			P	P	P
6.7.	Disposals or write off of stock, assets or debts over Upper Limit (up to AFH limit)		A	R			P	P	P
6.8.	Compensation payments up to £50,000 (Above this requires EFA approval)		A	C	R		P	P	P
7.	Academy Policies & Procedures								
7.1.	Academy times, terms and holidays		C				A	C	P
7.2.	Change of Academy Age Range		A				R	P	D
7.3.	Expansion of Academy PAN		A				R	P	D
7.4.	Extension of Academy provision		A				R	P	D
7.5.	Child Welfare & Safeguarding Policy		A				C	P	
7.6.	Attendance Policy & Plan				M		A	C	P
7.7.	Pupil Premium Policy				M		A	C	R

	Task Key: Approve (A), Recommend (R) Propose (P), Develop (D), Monitor & Report (M), Consult (C), Implement (I)	Notes	Board	Fin & Res including Audit	HR & Standards		LGB	HT Grp	HT
7.8.	Pupil Premium Plan				M		A	C	R
7.9.	Outdoor Activities Policy	Board if exceptional			M		A	C	R
7.10.	Pupil Behaviour & Exclusions Policy				M		A	C	R
7.11.	Short-term Exclusion	As per approved policy							AI
7.12.	Return after short-term exclusion	As per approved policy			M		A		I
7.13.	Permanent Exclusions	As per agreed policy					A		I
7.14.	Appeals against Permanent Exclusion	Independent panel					I		
7.15.	Complaints Policy		A				C		
7.16.	Complaints Appeals		I						
7.17.	Admissions Policy		A				R	C	P
7.18.	Allocation of places against Admissions Policy	<i>LA scheme</i>					I		
7.19.	Admissions Appeals	Independent panel					I		
7.20.	Academy prospectus						A		P
7.21.	Academy website						A		P
7.22.	Academy logo & branding						A		P
7.23.	Academy uniform						A		P
7.24.	Extended services on-site						A		P
7.25.	Trust website, logo and branding		A					P	

8.	Premises & Assets & Risk								
8.1.	Business Continuity Plan		A	R			M	C	I
8.2.	Health & Safety Policy		A		R		M	C	I
8.3.	Risk Register		A	R			M	C	I
8.4.	Fixed Asset Registers			A					RA

Part 2: Financial Scheme of Delegation

Extracted from the approved Financial Regulations Policy, and revised January - March 2017

1. Ordering Goods and Services

Process	Value	Delegated Authority
Order Approval	£1 to £500	Budget Holder
Order Approval	£500 to £5,000	As above plus Headteacher for the School, or Trust Business Manager and one Director for the Trust
Order Approval	£5,000 to £10,000	As above plus the LGB, or CEO for the Trust
Order Approval	£10,000 to £20,000	<p>School: provided that the project is within Board approved plans, funds are currently available (allowing for other commitments), and reserves are not depleted unacceptably as a result of the spend, approval is by Headteacher and LGB.</p> <p>Trust: provided that the project is within Board approved plans, funds are currently available (allowing for other commitments), and reserves are not depleted unacceptably as a result of the spend, approval is by the CEO.</p>
Order Approval	Over £10,000	Projects that are not within Board approved plans, where funds are not immediately available after allowing for other commitments, or where the spend would deplete reserves unreasonably, must be reviewed by the Finance Committee then referred to the Board of Directors. See the Important Notes on page 10.
Best value evidence and / or quotes required	£3,000 to £25,000	For all spend over £3,000 see the latest Tendering Policy for approval conditions.
Formal Tender Process required	Over £25,000	Trust Board of Directors would oversee process usually in conjunction with a specialist. See the latest Tendering Policy.
Authority to accept other than lowest quote		Next person on procurement chain. e.g. If the Budget holder is the Headteacher, the Chair of the LGB approval must be obtained.
Authorised limit on charge cards (to be used for on-line and other purchases) Authorised limit on debit cards (to be used only for obtaining cash for petty cash purposes)	£2,000 £1,000	In accordance with EFA guidelines charge cards and debit cards will only be used as a last resort for the purchase of goods and services and with the authority of a signed purchase order

2. Bank Signatories (bank mandate)

Name	Position	Additional Guidance
To be decided locally in accordance with local bank mandate		Any two may sign in payment of expenditure with appropriate level of authorisation as detailed above

3. Virement Approval

Value	Delegated Authority	Additional Guidance

This section is no longer applicable as Virements are not part of the current accounting systems

4. Disposal of assets

Value	Delegated Authority	Additional Guidance
£1 to £500	Headteacher	
£500 to £3,000	Local Governing Body	
£3,001 and above	Board of Directors	

5. Write off bad debts

Value	Delegated Authority	Additional Guidance
Up to £200	Headteacher	Maximum £1,000 pa
£200 to £500	Local Governing Body	Maximum £2,000 pa
£501 and above	Local Governing Body	These must be reported to the Finance Committee of the Board of Directors

6. Preparation/Approval of returns

Return	Delegated Authority	Additional Guidance
VAT Return	Trust Business Manager	Consolidated VAT returns will be completed by the TBM and submitted under VAT 126 reclaim scheme.
Bank Reconciliation	Headteacher	To be prepared monthly and signed off in line with monthly deadlines
Budget Forecast Return	Accounting Officer	Budgets will be prepared locally and approved by LGB prior to being consolidated by the Trust Business Manager. The Trust budget forecast will be submitted to the EFA by the TBM on behalf of the School.
Risk Register	Trust	To be updated and submitted at least annually to Trust Board for approval
Financial Reporting	Headteacher and TBM	Monthly budget monitoring will be carried out at School level. Consolidated monthly management reports will be produced by the TBM.
Accruals and prepayment limit	£500	Accruals and prepayments will be included in monthly and annual accounting procedures only when the value of the adjustment exceeds £500

Fixed Asset Register	Headteacher and Trust Business Manager	To be maintained in accordance with Trust accounting policies and reviewed at least annually.
Register of Business Interests	Local Governing Body for schools and Board for Trust	Updated as required and reviewed at least annually. Must be available on the websites.
Gifts and Hospitality Register for gifts received	Local Governing Body for schools and TBM for the Trust	To be maintained in accordance with the Gifts and Hospitality policy
Gifts and Hospitality offered	Gifts approved by the CEO, hospitality by the Board	Proposals to offer gifts or hospitality must be made in accordance with the Gifts and Hospitality Policy
Business Continuity Plan	Local Governing Body for schools, and the Board for the Trust	To be stored centrally in a form accessible by schools and Trust

7. Capital Grant Project Approval

Value	Delegated Authority	Additional Guidance
Up to £10,000	Headteacher and LGB	Provided that the School's Capital Grant Funds are available to fund the project, which must be part of the approved School Development Plan. All approvals above £3,000 must be reported to the Finance Committee, and where assets are purchased, added to the Fixed Asset register as per Financial Regulations.
All others above £3,000, i.e where not funded from approved capital grants.	Trust Board	Reviewed by the Finance Committee first.

8. Accruals and Prepayments

Value	Delegated Authority	Additional Guidance
£>500	FO/Trust Business Manager	Monthly accrual level

9. Internal Bank Transfers

Value	Delegated Authority	Additional Guidance
Any amount transferred between Trust's and School's bank accounts	Trust Business Manager and one Board Director with bank signatory powers	Access to the Trust's bank accounts for any transfer must be approved by two separate officers, acting independently.

Important Notes:

1. Approval by the Board of Directors.

Where matters are referred to the Board for approval, or the CEO or other members of the Board require approval for matters raised by them, approval would normally be considered and granted if appropriate at the next Board Meeting.

In some circumstances, timing may be such that waiting for a full Board Meeting approval may introduce unacceptable delays.

In this situation, and provided that certain conditions are true, the approval should be considered by the CEO, the Chair of the Board or one other Director, and ratified at the next Board meeting.

The conditions that must prevail are as follows:

The matter being approved must be:

- within or closely associated with the strategic activity defined in the Trust's Business Plan, or
- a matter previously discussed and agreed as strategic by the Board, or
- a matter for which timing is of critical importance which would otherwise have been agreed by the Board at the next meeting.

2. Exceptional Items

The Board must obtain approval from EFA:

- where it is considering entering into liabilities such as leases or tenancies beyond delegated limits.
- before making any novel or contentious payments.

The Board must also report to the EFA any instances of fraud or theft above £5,000 against the Trust whether by employees, Trustees or third parties, or where fraud is unusual or systematic in nature.

The Board must also seek approval for payment of severance above the current limit as detailed in the Academy Financial Handbook.