



HILBRE HIGH SCHOOL HUMANITIES COLLEGE

SCHEME OF DELEGATION

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TRUSTEES SCHEME OF DELEGATION

The Scheme of Delegation allows the Trustees to determine how certain roles and functions are delegated. The board can delegate any function except the approval of the budget.

The Governing Body as a whole is responsible for any decision delegated and, therefore, any decisions made must be reported back to the Governing Body at the first available opportunity. The Scheme of Delegation (see Appendix 1) should not be confused with the Financial Scheme of Delegation as detailed in the Academy Financial Handbook (see Appendix 2).

The definition of a Member:

The role of the Member:

The Members are members of the Academy Trust for the purposes of the Companies Acts.

In simple terms, the Members “own” the Academy Trust. They have a number of statutory rights, including the right to appoint and remove trustees, the right to amend the Articles and the right to receive the annual accounts.

The Members guarantee that, if the Academy Trust is wound up and its assets do not meet its liabilities, then they will each contribute £10 towards the costs.

The Members will meet once a year at the annual general meeting (AGM) and can also meet as and when required, (for example if any amendments to the Articles are required).

The appointment of Members:

Members are appointed in accordance with Articles 12 to 18 of the Articles of Association.

On appointment, all Members shall sign a written consent to be a Member. The Clerk shall also update the register of Members, as appropriate. Companies House does not need to be notified of appointments or removals/resignations of Members, other than the Confirmation Statement.

Definition - Trustee:

The capacity of a Trustee:

Each Director is

1. A Director of the Academy Trust under company law, and
2. A Trustee of the Academy Trust under charity Law.

The Trustees manage the affairs of the Academy Trust and are responsible for its day-to-day operation, including by its committees and executives (including the Headteacher).

Meetings of the Board of Trustees:

The Trustees shall hold at least three meetings in every school year. Meetings shall normally be held towards the end of each term and the dates published at the beginning of each academic year.

All meetings of the Trustees shall be convened and conducted as provided by the Articles of Association.

Each meeting of the Trustees shall, in respect of the Academies and the Academy Trust, cover:

- A report of the financial position, including income and expenditure and financial commitments against agreed budgets.
- Whether adequate financial monitoring of budgets and activities is being undertaken.
- Progress on any action identified to improve financial arrangements.
- Significant contracts entered (or proposed to be entered) into.
- Details of any significant matters affecting:
 - a. Staffing matters.
 - b. Student welfare/wellbeing and education.
 - c. Safeguarding.
 - d. Behaviour and exclusions.
 - e. Special Educational Needs.
 - f. Curriculum.
 - g. Admissions.
 - h. Health and Safety.
 - i. Finance and Assets.

Accountability of Trustees:

The Trustees are chiefly accountable to:

- The members of the Academy Trust.
- The beneficiaries of the Academy Trust (ie. the students at the Academy and their parents/ carers).
- The DfE, the ESFA and specifically the Secretary of State under the terms of the Funding Agreement.
- The Secretary of State (in their role as principal regulator in respect of charity members) for operating the Academy Trust for the public benefit, for the prudent management of the Academy Trust and its financial efficiency and for compliance with legislation, including charity law.
- The employees of the Academy Trust for their working environment and for compliance with the contracts of employment and employment law requirements and matters of Health and Safety.
- Other regulatory authorities from compliance with regulated responsibilities to which the Academy Trust and the Academy is subject.

Powers, functions and responsibilities of Trustees:

The business of the Academy Trust is managed by the Trustees, fulfilling a largely strategic role, who may exercise all of the powers of the Academy Trust as set out in the Articles. The Trustees have a number of duties and responsibilities towards the management of the Academy Trust and its finances.

In summary, the Trustees are responsible for:

- Carrying on the Academy Trust in accordance with the objects of the Academy Trust as set out in the Articles and safeguarding its assets.
- Running the Academy and directing the education, pastoral care, financial and other policies, Funding Agreements and the Academies Financial handbook.
- Ensuring sound management and administration of the Academy Trust and ensuring that managers are equipped with the relevant skills and guidance.

- Financial controls and the financial management of the Academy Trust in accordance with the provisions of the Handbook, which sets out in detail provisions for the financial management of the Academy including guidance on financial systems and controls and accounting and reporting requirements.
- Setting standards of conduct and values, monitoring performance and the achievement of objectives and ensuring that plans for improvement are acted upon.
- Risk Management, that in identifying, quantifying and devising systems to identify and mitigate risks the Academy Trust.
- Ensuring the Academy Trust and the Academy are conducted in compliance with the general law.

The Trustees are required to:

- Act together and in person and not delegate overall responsibility for the Academy Trust to others.
- Act strictly in accordance with the Academy Trust’s Articles.
- Act in the Academy Trust’s interests only and without regard to their own private interests.
- Manage the Academy Trust’s affairs prudently.
- Not take personal benefit from the Academy Trust unless expressly authorised by the Articles of the Charity commission.
- Take proper professional advice on matters on which they are not themselves competent.

The Trustees should hold the Headteacher accountable. They should offer support, constructive advice, be a sounding board for ideas, a second opinion on proposals and help where needed, but will also challenge, ask questions, seek information and improve proposals, where appropriate, and act in the best interests of the Academy Trust.

The Trustees shall have a regard to the framework for inspecting schools in England under Section 5 of the Education Act 2005 (as amended) issued by the Office for Standards in Education, Children’s Services and Skills (Ofsted).

The Trustees shall have regard to the Academies Financial Handbook, which is updated annually and is available at www.gov.uk.

Delegation of Powers of Trustees:

The Trustees may delegate such of their powers or functions that they can legally delegate and which they consider would be desirable to delegate.

The Trustees shall not delegate any of their powers listed in Appendix 1 (the “**Reserved Matters**”).

Delegation can be made to:

- Academy Trust Committees (committees with functions related to the Academy Trust), including a Finance and Audit Committee, whose remit includes the usual auditing functions.
- Any Director holding executive office.
- The Headteacher.

However, every act of delegation shall be a delegation of powers and duties and not a delegation or shedding of responsibilities.

Trustee Board Committees:

The Trustee Board will incorporate the following Committees:

- Finance and Audit Committee.
- Pay Committee.

Hilbre High School- Single Academy Trust Structure

Level 1: Members.

Level 2: Academy trust board of trustees (FGB).

Level 3: Board Committees (Finance and Audit and Pay).

Level 4: Individual trustee.

Level 5: Senior executive leader (Accounting Officer).

Blue box Function cannot be carried out at this level

□ Decision to be taken at this level.

A Preparatory work, advice and support to those accountable for decision making.

<> Direction of advice and support.