Scholars Academy Trust

Governance Framework and Scheme of Delegation

SCHOLARS ACADEMY TRUST
STRIVING FOR EXCELLENCE

Striving for Excellence

Governance Framework and Scheme of Delegation

Introduction

This document is intended to provide an overview of the governance structure and systems of Scholars Academy Trust. It is not intended to be exhaustive and, in the event of an issue arising that is not covered, please refer in the first instance to the Head of Governance headofgovernance@scholarstrust.co.uk. It may be used for the induction of new School Community Council Associates, and as a useful reference tool for community stakeholders and representatives of external agencies such as DfE and Ofsted.

Scholars Mission and Values

Our Mission

Striving for Excellence so that:

'Every Child, in every school receives an excellent education and the opportunity to develop character in a safe and caring environment.'

Our Values

Our vision and approach are built on the Scholars Six:

1. **Support**
2. **Tenacity**
3. **Responsibility**
4. **Innovation**
5. **Voice**
6. **Equity**

These values shape the way we work with individual schools, as well as the way the schools work with each other, to try to provide the best possible start in life for all our learners.

Scholars Governance Structure

Effective governance provides scrutiny and challenge to the leadership and operations of an organisation to ensure that it is delivering its objects.

Scholars is the legal entity for which the Board of Trustees is ultimately responsible, and the Community Councils attached to schools have responsibilities delegated by the Board.

The governance role exists to ensure that a Scholars school:

- is properly run
- demonstrates high standards in all aspects, including those inspected by Ofsted and other regulators
- fulfils the purpose of Scholars
- meets the needs of the beneficiaries – the pupils and community
- complies with legislation and statutory guidance.
- The Board follows the Charity Commission Code of Governance 2017 and the Academy Trust Governance Guide 2024.

Legal structure of Scholars

The structure of governance at Scholars follows the hierarchy below:

Members
Supervisory role to hold the Board of Trustees to account

Trustees
Overall *strategic* responsibility for the Trust

Executive Team
Executive role to recommend strategic decisions to Trustees and oversee performance across the Trust

Headteacher
Operational at local level, with strategic authoriry within the school context

School Community Council
Focus on the school's *ethos, standards and relationship* with the local community

Scholars is legally a charity as well as a company and is therefore subject to charity law and company law. Scholars is a company limited by guarantee which means that it does not have share capital or shareholders, but instead has members who act as guarantors.

Although Scholars is a charity, it is exempt from registration with the Charity Commission as it is regulated by the Education and Skills Funding Agency (ESFA). This means it does not have a charity number, but it must comply with charity law and operates in all other respects as any other charity. As a company, it is also subject to the regulator for companies called Companies House. The company number for Scholars Academy Trust is **08515149.**

Relationship to the Department for Education (DfE)

Scholars has a funding agreement with the Department for Education (DfE) called the Master Funding Agreement. This is the contract by which Scholars receives funds to run its schools. Attached to this Master Funding Agreement is a Supplemental Funding Agreement for each school that includes clauses specific to that school.

The DfE has delegated the day-to-day regulation of academies to the Regional Schools Commission, for educational standards and performance, and the Education and Skills Funding Agency (ESFA) for financial performance.

Local Authorities retain certain statutory functions, e.g. pupil admissions or special educational needs, and the schools work with their Local Authority (LA) in these statutory areas. In other areas, such as the supply of services, it is up to Scholars and/or the school to decide how it wants to work with the LA.

Constitutional structure

The Scholars Terms of Reference set out the constitution of the Trust.

Members

As a company limited by guarantee, Scholars has Members which are akin to shareholders of a commercial company. The difference is that they do not contribute financially; they act as a guarantor and no dividend is payable to them.

The role of the Members is to safeguard the mission, ethos and values of the Trust and to hold the Board to account. They appoint as well as dismiss Trustees that sit on the Board.

The Members of Scholars are:

- Five independent individuals

The Board of Trustees

The Board is made up of:

- Independently recruited individuals
- The CEO of the Trust

The Trustees have the usual duties of Trustees of a charity and are also the legal Directors of the company under company law.

The Board delegates some of its work to committees. Currently it has three such committees to cover these areas of operations: Finance and Personnel, Audit and Risk, Pay and Performance Management.

The Board is also accountable to external government agencies, including the Department for Education (DfE), for the quality of the education provided in Scholars schools.

The Board are required to have systems in place through which they can assure themselves of the quality of the education and other legal matters, such as safeguarding and health and safety, across the Trust. In order to help it discharge these responsibilities, the Board appoints a Chief Executive (CEO) to lead and manage the Trust, who in turn appoints the Executive Team and Headteachers.

School Community Council

Each school's School Community Council has devolved responsibilities under an agreed Scheme of Delegation. They are accountable to the Board and is its local presence. The Board has the right of appointment and removal of all School Community Council Associates.

The recommended number School Community Councillors is between six and ten. Councillors are appointed according to their skills and the needs of their school and will serve for a four-year term of office.

The key delegated responsibilities relate to the Scholars Four S's:

Safeguarding, SEND, Standards, Stakeholders

Safeguarding

• Monitor safeguarding practice, ensuring compliance with school and trust wide policies and statutory requirements.

SEND

 • Ensure pupils with special educational needs and disabilities (SEND) get the support they need and seek assurance that staff are adequately trained.

- Provision for children with Special Educational Needs and Disabilities

Standards

- Monitor school performance – reviewing data, including exam results, attendance rates, and pupil progress, pupil premium, PE and sport premium and providing understanding of the local context and the challenges and opportunities this presents
- Work with school leaders to identify areas for improvement
- Act as a sounding board for the school's leadership team
- Provide supporting members for pupil and staff disciplinary panels and complaints hearing

Stakeholder engagement

- Develop communication channels, consult stakeholders and work in partnership with the local community
- Build and maintain positive local perceptions of the school
- Building and maintaining relationships with the local and regional business community
- Ensure stakeholder views are accounted for
- Building and maintaining relationships with community partners (e.g. health services, police, social services, religious organisations)
- Undertake local fundraising

The CEO can recommend to the Trustees the disbanding of a School Community Council that fails to serve the school in the appropriate manner.

Scheme of Delegation Matrix

This Scheme of Delegation is structured in accordance with these 8 functions:

- Governance
- Human Resources
- Strategy and Quality
- School Improvement
- Human Resources
- Estates and Technology
- Finance
- Community Engagement

Under each function the role of each level of governance is identified using the key:

M = Member	**T** = Trustees	**E** = Executive (CEO/CFO/COO)	**SCC** = School Community Council	**HT** = Headteacher

Responsible	Accountable	Support	Consulted	Informed

Responsible

Those responsible for the task, who ensure that it is done.

Accountable

Those ultimately answerable for the correct and thorough completion of the deliverable or task, and who delegate the work to those responsible.

Support

Those who provide support to those responsible.

Consulted

Those whose opinions are sought, and with whom there is two-way communication.

Informed

Those who are kept up to date on progress and key information.

Approval and Renewal

The Scholars Scheme of Delegation is renewed and approved by the Board of Trustees annually, so that the roles and responsibilities outlined continually reflect organizational realities and updates to statutory legislation.

Date of last renewal: May 2024   **Date of next renewal:** July 2025

Governance

Members		M	T	E	SCC	HT
A	Review the quality of the Trust's work providing challenge	A	S	I	I	I
B	Appoint (and remove) the Members Board	A	S	I	I	I
C	Receive the Trust accounts and practice	A	S	S	I	I
D	Hold a full Members Annual AGM	A	S	I	I	S
E	Approve the appointment of Members	A	S	R	I	C
F	Actively seek board members	A	S	S	I	S
H	Appoint external auditors	A	S	S	I	I

Trustees		T	E	SCC	HT
A	Create and update governance documentation	A/R	C	I	I
B	Appoint (and remove) the Chair of the Trustees	A/R	I	I	I
C	Appoint and dismiss the Clerk to the SCC	A/R	S	I	I
D	Hold a full Trustee meeting at least 5 times per academic year	A/R	I	I	S
E	Approve the appointment of Trustees	C	I	I	I
F	Actively recruit Trustees	A/R	S	I	S
G	Remove Trustees other than the Chair	A/R	S	I	I
H	Determine Trustee development needs and put in place an appropriate programme	A	R	I	S
I	Produce and update statutory and best practice Trust-wide policies	A	R	C	C
J	Implement Trust-wide policies	A	R	I	R
K	Produce and update policies particular to the Trust	A	R	C	R
M	Develop and monitor risk management strategies	A	S	S	R

M = Member	**T** = Trustees	**E** = Executive (CEO/CFO/COO)	**SCC** = School Community Council	**HT** = Headteacher

Responsible	Accountable	Support	Consulted	Informed

School Community Council		T	E	SCC	HT
A	Create and update governance documentation	A	R	I	I
B	Appoint (and remove) the Chair of the SCC	A	R	I	I
C	Appoint and dismiss the Clerk to the SCC	A	S	R	I
D	Hold a full SCC meeting at least three times per academic year	A	I	R	S
E	Approve the appointment of the Community Councillors of the SCC	A	R	C	C
F	Actively seek SCC Councillors	A	S	R	S
G	Remove Councillors from the SCC other than the Chair	A	S	R	C
H	Determine SCC Councillors' development needs and put in place an appropriate program	A	S	R	S
I	Produce and update statutory and best practice, Trust-wide policies	A	R	C	C
J	Implement Trust-wide policies	A	S	I	R
K	Produce and update policies particular to the school	A	S	C	R
L	Appoint internal and external auditors	A*	S	I	I
M	Develop risk management and monitor strategies	A	R	S	R

Trustees, Executive Team, School Community Council and Headteachers

Strategy and Quality (Services)		T	E	SCC	HT
1	Determine the scope of central services to be delivered by Scholars to schools	A	R	I	I
2	Identify additional services to be procured on behalf of schools	A	R	I	C
3	Ensure centrally delivered and procured services provide value for money	A	R	I	C

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Responsible	Accountable	Support	Consulted	Informed

School Improvement: Education (Development and Operations)		T	E	SCC	HT
4	Set the timing of the school day and the dates of school terms and holidays	A	C	C	R
5	Consider requests from other schools to join Scholars Academy Trust	A	R	I	I
6	Consult before setting/amending an admissions policy	A	S	C	R
7	Admissions application decisions	A	S	S	R
8	If appropriate, appeal against LA directions to admit pupil(s)	A	S	C	R
9	Publish proposals to change category of school	A	R	C	S
10	Prepare and publish the school prospectus	A	S	I	R
11	Ensure school website is fully compliant	A	S	I	R

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Responsible	Accountable	Support	Consulted	Informed

School Improvement: Education (Development and Operations)		T	E	SCC	HT
12	Propose targets for pupil achievement	A	S	C	R
13	Approve targets for pupil achievement	A	R	I	C
14	Establish and update the Trust behaviour policy	A	R	I	C
15	Establish the school behaviour policy	A	S	C	R
16	Review school-level exclusions data and uphold or overturn permanent exclusions	A	R	C	S
17	Direct reinstatement of excluded pupils	A	R	C	I
18	Produce the School Development Plan	A	S	C	R
19	Approve the School Development Plan	A	R	I	S
20	Compile post-inspection action plans and RAPs (raising attainment plans)	A	S	I	R
21	Develop and update the Trust's safeguarding policy	A	R	I	I
22	Implement the Trust's safeguarding policy	A	R	S	R
23	Put in place and monitor any additional educational support services	A	S	I	R

#		T	E	SCC	HT
24	Maintain accurate, effective and secure pupil records	A	S	I	R
25	Set monitoring and evaluation cycle	A	R	I	C
26	Comply with all Data Protection legislation and good practice	A	R	R	R
27	Collate data for pupil assessment and other returns	A	S	I	R
28	Develop a school curriculum policy	A	S	C	R
29	Develop and implement Trust's curriculum vision and strategy	A	R	I	R
30	Implement a school curriculum policy	A	C	S	R
31	Prohibit radicalisation, and promote equality, diversity and tolerance and ensure the balanced treatment of political issues	A	R	S	R
32	Ensure provision of RE in line with statutory requirements	A	S	S	R
33	Ensure that all pupils take part in a daily act of collective worship	A	S	S	R
34	Discharge duties in respect of pupils with special educational needs and disabilities	A	S	S	R
35	Ensure high-quality educational experiences and outcomes	A	R	I	R
36	Ensure provision of free school meals to those pupils meeting the criteria	A	I	S	R
37	Determine and evaluate use of Pupil Premium funding and Sports Funding	A	S	C	R
38	Develop and implement a compliant relationship and sex education policy at school level	A	I	C	R

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Responsible	Accountable	Support	Consulted	Informed

Human Resources		T	E	SCC	HT
39	Draft and update all employee contracts and HR policies	A	R	I	C
40	Appoint a Headteacher	S	R	C	I
41	Dismiss or suspend a Headteacher	A	R	I	I
42	Appoint the Deputy and other leadership members	A	S	C	R
43	Dismiss or suspend the Deputy and other leadership members	A	C	C	R
44	Appoint, dismiss or suspend all other school staff	A	S	S	R
45	Ensure that an approved appraisal policy is in place	A	R	I	C

#		T	E	SCC	HT
46	Conduct the appraisal of the Headteacher	A	R	S	C
47	Recommend a pay award for Headteachers	A	R	I	I
48	Conduct the appraisal of all school staff	A	C	I	R
49	Hold an annual pay committee meeting to approve school staff pay awards (excluding Headteachers)	A	R	C	S
50	Formulate Staff Handbook	A	R	C	C
51	Determine staff complement within agreed budget	A	C	C	R
52	Determine settlement payment/early retirement of Headteacher	A	R	C	I
53	Determine dismissal payment/early retirement of all other staff within the delegated responsibilities of the Scheme of Delegation	A	S	I	R
54	Monitor and support the wellbeing of all staff, including through staff surveys	A	R	I	R

Estates and Technology: Estates		T	E	SCC	HT
55	Institute a health and safety policy	A	R	I	S
56	Place insurance for buildings, contents and other liabilities	A	R	I	C
57	Develop school buildings and facilities, estate long-term strategy or master plan	A	R	C	S
58	Produce and maintain buildings, including developing properly funded maintenance plan	A	S	I	R
59	Ensure that health and safety regulations are followed	A	S	S	R
60	Premises management and security	A	S	I	R

Estates and Technology: Technology		T	E	SCC	HT
61	Produce and update the Trust IT strategy, setting minimum requirements for digital systems including security and back up	A	R	I	C
62	Formulate the school IT strategy within the framework set by the Trust IT strategy	A	S	I	R

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Responsible	Accountable	Support	Consulted	Informed

Finance		T	E	SCC	HT
63	Develop and propose the individual school budget	A	S	C	R
64	Approve the formal budget plan each financial year and submit to the ESFA	A	R	I	C
65	Plan, manage and monitor monthly expenditure and financial reports, and identify actual or potential items of budget overspend/underspend	A	S	I	R
66	Approve any variations to budget and/or likely budget overspends within Scholars	A	R	I	C
67	Establish financial decision levels and limits	A	R	I	I
68	Establish a charging and remissions policy for the school	A	R	I	I
69	Produce and update the Scholars Financial Handbook	A	R	I	C
70	Abide by the financial limits and authorisation levels set within the Scholars Financial Handbook	A	R	I	R
71	Monitor compliance with approved financial procedures	A	R	I	R
72	Decide how to apply Pupil Premium	A	C	C	R

* Trustees are accountable and responsible in this instance

Community Engagement		T	E	SCC	HT
73	Liaise with PTA or other Parent fundraising groups	I	S	S	R
74	Promote effective communication with external stakeholders, including local businesses	A	I	S	R
75	Ensure parental support, undertaking annual pupil and parent satisfaction surveys	A	S	S	R
76	Positively Promote the school's profile	A	I	S	R
77	Build relationships with external organisations that can add value to the school	A	R	R	R

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Responsible	Accountable	Support	Consulted	Informed

Governance meeting schedules

School Community Council

Term	Date	Meeting
Autumn 1	September	Academic performance data, SEF/SDP priorities, Head's report
Autumn 2	November	Pupil Premium, performance management and SDP priorities
Spring 1	January	Data and SDP priorities, Head's report
Spring 2	March	Councillor training
Summer 1	May	Academic performance data, SDP priorities, Head's report
Summer 2	June	Annual School Review presentation and Councillor training

Trustee/Members Meetings

Term / Date	Board / Committee	Focus *(See Annual Agenda Items and Tasks for full details)*
Autumn 1		
October	Trustee Board	Safeguarding policy / Website compliance / Review end of year statutory data / Review Annual Attendance
September	Audit and Risk	Annual audit report / Audit management points
September	Finance	Pay Policy / Review capital spend / Contracts overview / H&S update / HR / Bids update / Benchmarking - supplies and services / Land building return / Good estate management (GEM) tasks / Census update
Autumn 2		
December	Trustee Board	Review skills audit for Trustees / Approve annual accounts / Review Data Dashboard
November	Pay Committee	Review performance and pay of staff
Spring 1		
January	AGM	Report to Members
February	Audit and Risk	Internal scrutiny / Risk registers update
February	Finance	SRM return / Planning for next academic year / Leases / Census update / Benchmarking – premises / IT management and spend
Spring 2		
March	Trustee Board	Review equality policy / GDPR report / SRM signed off
Summer 1		
May	Trustee Board	Budget approval for following year / Skills audit / Standards review
Summer 2		
June	Trustee Board	Complete governance review for trust and LGBs / Review against KPIs / Review KPIs for the following year
June	Audit and Risk	Statutory audit plans / timetables / Risk register / Academy accounts direction
June	Finance	Budget plans for following year / Staffing / Review changes in Academy Trust Handbook / Benchmarking - staff costs / Census update / Recap capital spend / Review IT spend / Update of central contracts / Potential bids for following year

Scholars Connect

At Scholars Academy Trust, 'voice' is one of our core values. As part of our commitment to upholding this value, we conduct three online termly meetings that facilitate connections among School Community Councillors, Trustees, and the Executive Team. All tiers of governance are entitled to attend these meetings. The primary purpose of these gatherings is to provide updates on the progress against the Trust Development Plan, inform about any changes, Scholars' updates, and offer informational briefings from our Head of Governance to support Councillors in their roles.

Term/ Date	Board / Committee
Autumn 1	
October	Scholars Connect
Spring 1	
February	Scholars Connect
Summer 1	
May/June	Scholars Connect

Terms of Reference - Overview

Introduction

As a charitable organization and company limited by guarantee, Scholars Trust (referred to as "the Company") operates under the governance of a Board of Trustees. This board is responsible for overseeing the management and administration of the Company as well as the academies it operates. Accountability extends to regulatory bodies such as the Charity Commission and the Department for Education, ensuring adherence to quality standards and statutory requirements.

To effectively discharge these responsibilities, the Trustees appoint individuals from local communities to serve on School Community Councils (SCCs). The primary function of these bodies is to ensure clarity of vision, ethos, and strategic direction at the school level within the parameters set by Scholars Academy Trust. Additionally, SCCs hold Headteachers accountable for educational performance, staff management, and adherence to teaching and learning standards.

These terms of reference outline the roles and responsibilities of Trustees and SCC Councillors, fostering collaboration to ensure the success of each school. Annual reviews conducted by the Trustees evaluate the performance of the SCC, covering aspects such as function, skills, effectiveness, strategy, engagement, chairmanship, and executive accountability. These terms of reference are established in accordance with the Company's Articles of Association and should be read alongside them.

Trustees' Powers and Responsibilities

The Trustees hold overall responsibility and decision-making authority for the Trust's work, including the establishment and operation of schools. This authority is exercised through strategic planning, policy setting, business planning, budget monitoring, performance management, and quality assurance processes.

- Trustees are duty-bound to act in alignment with the Trust's charitable objectives.

- Trustee decisions and policies consider the interests of all schools under the Trust's purview.

Delegation of certain responsibilities to committees or Community Councillors is permissible as outlined in the Articles. The composition and proceedings of the Local Governing Body are determined by the Trustees.

SCC Constitution

Members of the SCC are referred to as 'Community Councillors.'

The composition of the SCC includes up to 10 board-appointed Community Councillors, including a minimum of two parent representatives and the Headteacher of the school.

Appointment of Community Councillors

Parent community Councillors are appointed by each school's SCC and serve a term lasting four years.

Procedures for appointing parent community Councillors involve informing all parents, shortlisting candidates based on skills, and conducting interviews.

Vacancies for parent Councillors may be filled from parents of pupils within the school or other schools under the Trust.

Term of Office, Resignation, and Removal

The term of office for Community Councillors is four years, except for the Headteacher, who remains a Community Councillor as long as they serve in that capacity.

Circumstances under which Community Councillors may resign or be removed from office are outlined, including misconduct, disqualification, or failure to fulfil duties.

Disqualification of Community Councillors

Criteria for disqualification from serving on the SCC are specified, including bankruptcy, criminal convictions, failure to provide required disclosures, and disqualification orders.

Appointment and Removal of Chair and Vice-Chair

Procedures for appointing and removing the Chair and Vice-Chair of the SCC are detailed, including eligibility criteria and terms of office.

Committees

Provisions for establishing subcommittees and delegating powers are outlined, subject to SCC approval and reporting requirements.

Proceedings of the SCC

Guidelines for meetings, quorum, voting procedures, conflicts of interest, and minutes of meetings are established to ensure transparent and effective governance.

Clerk (Governance Professional)

The appointment and responsibilities of the Clerk to the SCC are outlined, including convening meetings and maintaining records.

Delegated Powers

Principles guiding the exercise of delegated powers, levels of delegation, and accountability mechanisms are established, with reference to appendices detailing retained and delegated powers.

Delegation to Headteacher of School of the Academy

Responsibilities delegated to the Headteacher include implementing policies, advising on strategic matters, managing resources, and ensuring compliance with statutory regulations.

A full, detailed terms of reference is available - see Scholars Academy Trust Terms of Reference.