# South East Surrey Schools Education Trust
Scheme of Delegation

This Scheme of Delegation describes the accountabilities of SESSET and how the relevant responsibilities will, where appropriate, be delegated between the Members, the Board of Trustees, the Executive Headteacher and the Governing Bodies of each school. This overarching Scheme of Delegation for governance functions and decision making in the Trust should not be confused with the written scheme of delegation of financial powers referred to in the ESFA Academy Trust Handbook.

Governance Structure
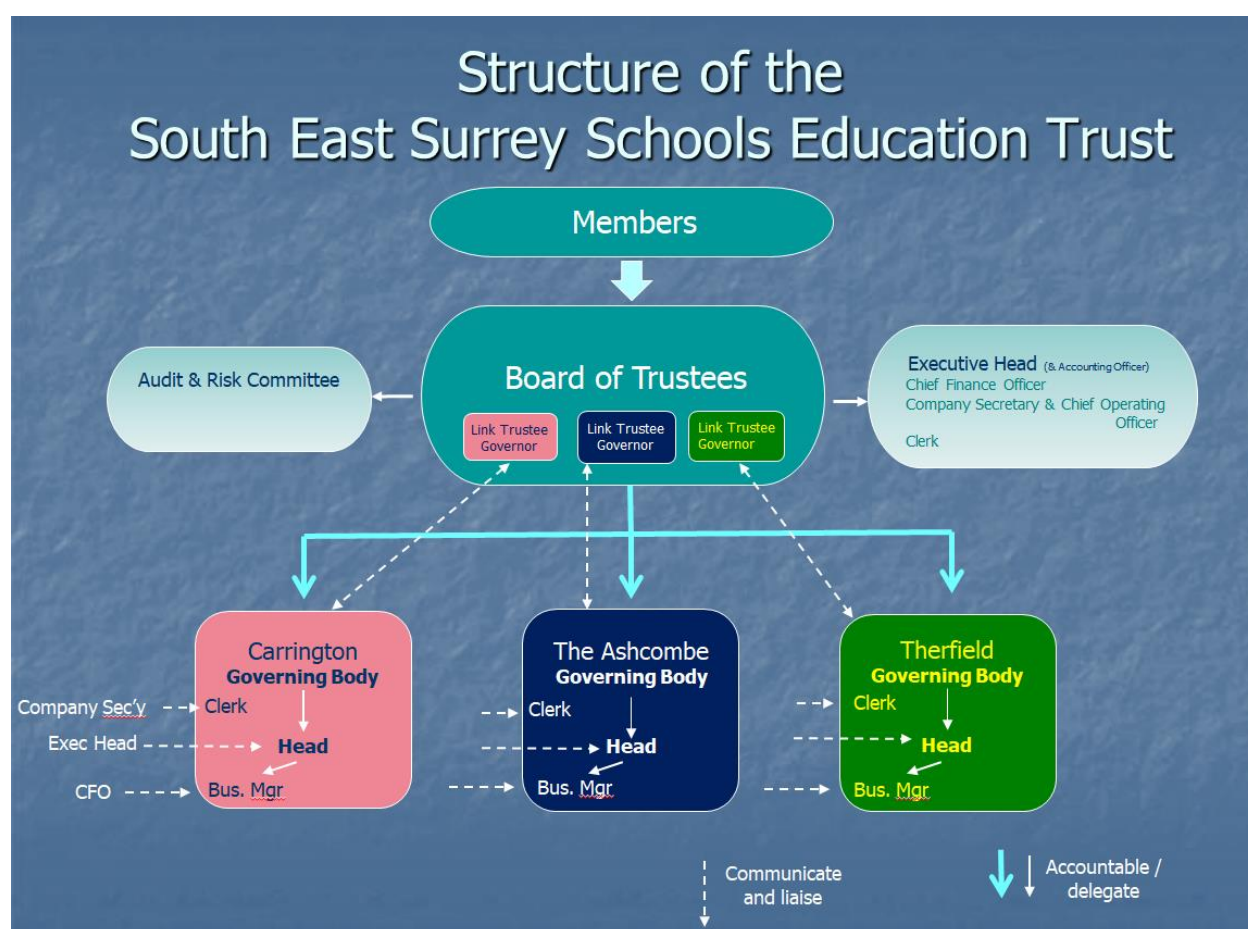
See Addendum for more detail on communication and responsibilities

Role of Members – Under the Articles of Association, Members appoint (and can remove) Trustees to ensure the Trust's Objects are carried out, approve any amendments to the Articles and appointment of external auditors and ensure the Board of Trustees is exercising effective governance.

Role of Board of Trustees – Bound by charity and company law, Trustees are accountable for the performance of all schools within the Trust.

The three core functions are to ensure clarity of vision, ethos, and strategic direction; to hold executive leaders to account for educational performance of the organisation and its pupils, and performance management of staff; and to oversee and ensure effective financial performance. In

addition, Trustees are responsible for ensuring strong governance in order that the Trust meets its statutory obligations in such matters as safeguarding, health and safety and estates management.

Role of Executive Head/CEO - Responsibility for the day-to-day operation of the Trust is delegated by the Board to the Executive Head/CEO. The Executive Head is also the Board appointed Accounting Officer who has specific responsibilities for financial matters.

Role of Audit & Risk Committee – Overall responsibility for risk management is retained by the Board of Trustees who must appoint an audit and risk committee to oversee and approve the Trust's internal scrutiny programme and report to the Board on the adequacy of the internal control framework, including financial and non-financial controls and management of risks.

Role of Governors - The role of governors in each Governing Body is like that of LA-maintained school governors. The SESSET Board of Trustees has delegated relevant powers to the Governing Body of each school, and therefore all governors are responsible for contributing to the work of the Governing Body in ensuring high standards of achievement for all children and young people, robust safeguarding, and sound financial management.

SESSET Principles and Aims

The Trust Board is committed to the following principles:

- o Schools retain and celebrate their distinctive identity, whilst benefiting from:
    - Continuous improvement through mutual support and collaboration
    - Financial sustainability and legal compliance
    - Business resilience

- o Schools embrace a culture which:
    - Promotes openness, honesty, and fairness
    - Encourages and supports staff, students and parents/carers in an environment of development and challenge
    - Enables staff to be pioneering, innovative and outward facing
    - Promotes trust and respect for each other
    - Encourages staff as they develop their careers to their full potential
    - Promotes the well-being and mental health of students and staff

o   We aim to provide a safe, learning environment in which:

- our students are inspired to achieve the best possible outcomes

- each student is encouraged and enabled to grow personally, culturally, emotionally, and spiritually

- we are inclusive, having particular regard to our most vulnerable children

- students are best able to flourish

o   We aim to operate a business environment where:

- financial management is fully effective and transparent

- the central capacity is closely linked to the size of the top-slice, and that in general, this is kept as small as will deliver effective functioning

- compliance is assured

- risks are identified and managed, and

- effective succession planning provides a sustainable future

Governing Bodies

The Board of Trustees of SESSET delegates the day-to-day management of each school and its monitoring of the budget to the Headteacher and the Governing Body. Each Governing Body will inform the Board of Trustees about how its duties are being discharged and how monitoring mechanisms are used to ensure that the delegated duties are properly discharged. The mechanism for reporting to Trustees will be via the Full Governing Body and Governing Body Committee meeting minutes and papers which are shared with Trustees and stored in the SESSET SharePoint. These minutes and papers will be regularly reviewed by the Audit and Risk Committee as part of the Trustees assessment of non-financial risks and general school management.

 The level of delegation to Governing Bodies can be varied to suit specific circumstances. The ability to delegate more responsibility or to remove it from a Governing Body is not static and the level of delegation can be reviewed to meet changing circumstances.

The Governing Body will:

- set the vision, ethos and strategic direction of the school, including oversight of the School Improvement/Development Plan, within the Principles and Values of SESSET

- oversee the financial performance of the school, scrutinise financial activity against the approved budget and ensure financial regularity, propriety and value for money in the use of public funds in the achievement of SESSET's aims

- recruit the Headteacher subject to ratification by the Trustees

- undertake Headteacher performance management supported by the Executive Headteacher and a Trustee (where possible the Trustee responsible for school improvement)

- hold school leaders to account for: Quality of Education; Behaviour and Attitudes; Personal Development of Pupils; and Leadership and Management

1. Membership of Governing Bodies

The governance and membership arrangements of each Governing Body, and associated procedures, will be determined locally and ratified by the Board of Trustees in accordance with the guidelines below.

Each Governing Body must include:

- elected parent governors

- an elected staff governor

- the Head Teacher (or a designated alternate from the Senior Leadership Team) as an ex-officio member

Each Governing Body may include:

- Trust-appointed co-opted governors

Governing Body clerks will notify the clerk to the Board of any changes to the membership and/or terms of reference of any committees or working groups, for review by Trustees.

2. Appointment and election processes

- Parent Governors will be nominated and elected by the same process used in maintained schools.

- A Staff Governor will be nominated and elected by the staff members in each school.

- Trust-appointed Governors will be nominated by the Governing Body and approved by Trustees; or appointed directly by the Trustees, as required. Appointed Governors will be selected based on the contribution they can make to the overall effectiveness of the Governing Body.

- The notification of appointments, terms of office, removal and disqualification of Governors shall follow the Statutory guidance for governing bodies of maintained schools and local authorities in England, and the responsibility for the day-to-day implementation of these shall rest with the Governing Body of each school.

- The Trustees have delegated to the school governing bodies the responsibility for the appointment of governors but retain the right to object to an appointment where they believe there are grounds to do so. In the absence of any objections to an appointment within 14 days of that appointment being announced by the school governing body, it may be assumed that the Trustees have ratified the decision of the governing body to appoint.

- The Trustees retain the right to remove or disqualify governors from office at any time in line with the principles of this guidance. Overarching statutory guidance will apply if not specifically referred to herein.

3. Governance Arrangements

- The Full Governing Body will meet no less than three times a year.

- The Chair and Vice Chair(s) will be elected on an annual basis at the first Governing Body meeting held each academic year.

- The Governing Body may establish Committees to oversee particular aspects of the school's functions, and Working Groups as required to deal with specific projects/topics. Non-voting associate members (such as members of the school's staff) can be appointed to any of the Working Groups.

- Governors will undertake training where necessary and form a pool from which ad hoc committees of no less than three governors can be drawn, if the need arises in accordance with the school's policies and procedures to deal with matters including:
  - Student discipline
  - Complaints appeals
  - Staff discipline and dismissal
  - Staff dismissal appeal
  - Staff grievance appeal
  - Staffing reorganisation proposals

  Elected staff governors may not sit on these ad hoc committees. As required, governors from one of the other SESSET Governing Bodies may sit on ad hoc committees to ensure that the appropriate expertise is available in these committees.

- One member of the governing body will also serve concurrently as a Trustee of SESSET ("Link Trustee Governor"). This is designed to support good communications between Trustees and each school Governing Body. In the event that this person ceases to be a governor but remains a Trustee, alternative arrangements may be agreed by the Trustees to preserve good communications with the school. These arrangements may include the appointment of another governor from the school being appointed or co-opted as a Trustee. If the Link Trustee Governor is unable to attend a Board meeting, then the Chair of GB should arrange for a substitute to attend.

- Each Full Governing Body meeting in each school will have an Agenda Item entitled "Feedback from and to SESSET".

4. Remuneration Committee for each Governing Body

Each governing body will establish a Remuneration Committee to carry out the Headteacher's performance review, in accordance with the Pay Policy. The committee comprises the Chair of Governors, the Executive Headteacher [1], a Trustee (preferably the Trustee with responsibility for School Improvement) plus up to two further governors selected by the Chair of Governors. The Remuneration Committee's procedures are laid down by the statutes governing the Headteacher's Performance Management. The pay review of members of the Leadership Team falls under the school's Performance Management processes, but this committee will review Leadership Team salaries and salary ranges to ensure that they are in accordance with the statutes.

The Committee will meet at least once a year to review the Headteacher's performance and pay; further meetings may be arranged as required.

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[1] Except where the Executive Headteacher is the Headteacher of that school.

SESSET Scheme of Delegation – Delegated Responsibilities

				Key				
			X	responsibility / for action				
			A	advisory / input to				

			Decision Level					
Function/Area	**Ref**	**Responsibility**	**Trustees**	**Audit & Risk Committee**	**Executive Head**	**Internal Scrutiny**	**Governing Body**	**Head**
Strategic Direction	SD.01	Development of Trust Strategic Plan	X				X	
	SD.02	Development of School Improvement/Development Plan. Monitor school performance and improvement using agreed KPIs					X	X
	SD.03	Establish and review Trust wide policies reflecting and promoting Trust's vision and values	X		A			
	SD.04	Establish and review school level policies, promoting the school's, and supporting Trust's, vision and values			A		X	X
Governance	GOV.01	Ensure compliance with Articles and Academy Trust Handbook	X					
	GOV.02	Review GB and committees' membership and terms of reference	X					
	GOV.03	Advise Trustees of changes to GB and committee membership					X	
	GOV.04	Ensure governance details and meeting attendance published on website (Trust and school level)	X				X	
	GOV.05	Maintain register of Members and Trustees business interests	X					
	GOV.06	Maintain register of Governors and senior staff business interests					X	
Curriculum, Assessment & Reporting	CUR.01	Monitor in year and end of year standards and progress Provide summary report to Trustees					X	
	CUR.02	Oversee standards and progress of all learners across the Trust	X					
	CUR.03	Ensure curriculum serves local					X	

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		community						
	CUR.04	Ensure robust assessment procedures are in place					X	
Admissions	ADM.01	Recommend admissions policy and manage appeals (Trust will adopt SCC admissions procedures)	X					
	ADM.02	Establish policy and monitor admission numbers					X	
Safeguarding and GDPR (General Data Protection Regulations)	SG.01	Appoint Trustee responsible for safeguarding	X					
	SG.02	Appoint Governor responsible for safeguarding					X	
	SG.03	Ensure all stakeholders understand and comply with statutory guidance from DfE (Keeping children safe in education)	X				X	X
	SG.04	Participate in annual review of safeguarding led by Designated Safeguarding Lead (DSL) of each school. Report shared with Trustees					X	
	DP.01	Appoint Trust Data Protection Officer (DPO) who ensures GDPR compliance across the MAT, working with schools' DPOs	X					
	DP.02	Implement data protection policy						X
	DP.03	Ensures GDPR compliance within the school					X	
Organisation	ORG.01	Develop communications	X				X	

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		strategies						
	ORG.02	Review Trust website, ensuring compliance with ESFA reporting requirements	X					
	ORG.03	Review school's website, ensuring compliance with ESFA reporting requirements					X	
Risk Management	RM.01	Risk framework - oversight and review		X				
	RM.02	Risk register - oversight and review of consolidated Trust register incorporating Trust and school specific risks and mitigations. Findings to inform Internal Scrutiny programme (see AUD)		X				
	RM.03	Risk register - review and approve school's register. Advise Trustees of changes and new/emerging risks				A	X	X
Budgets and Finance	FIN.01	Set school's annual budget plan with reference to the integrated curriculum and financial planning (ICFP) process						X
	FIN.02	Approve annual budget and monitor school's expenditure, income and cashflow against budget and supply financial information to the Trust					X	
	FIN.03	Review and approve consolidated Trust annual budget plan	X		A			
	FIN.04	Monitor trust level expenditure, income, cashflow and balance sheet (actual and forecast) against budget	X		A			
	FIN.05	Ensure completion of ESFA			X			

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		annual financial returns (e.g., Annual Accounts Return, Budget Forecast Return, School Resource Management Self-Assessment Tool) within deadlines						
	FIN.06	Ensure compliance with internal financial policy and procedures including Trust's Competitive Tendering, Finance and Investment policies	X				X	
Audit & Statutory Reporting	AUD.01	Ensure compliance with ESFA Academy Trust Handbook and Accounts Direction	X					
	AUD.02	Annual Trustees report and approval of externally audited financial statements for submission to DfE	X		X			
	AUD.03	Oversee internal audit/scrutiny programme and report to Board		X				
	AUD.04	Examine and review internal systems and methods of control, both financial and non-financial. Report findings to Audit & Risk Committee				X		
	AUD.05	Annual summary internal scrutiny report to ESFA		X		A		
	AUD.06	Submission of Land and Building Collection Tool, Gender Pay Gap Report, Payment Practices Report and Apprenticeships for the School Workforce returns			X			
Human Resources	HR.01	Recruitment and Performance management of Executive Headteacher	X					
	HR.02	Recruitment and Performance management of Headteacher			X		X	

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	HR.03	Setting and approval of human resources policies for the Trust based on Strictly model policies	X					
	HR.04	Ensure compliance with HR policies including Safer Recruitment guidelines					X	
	HR.05	Manage Stage 3 Disciplinary & Capability Hearings, reporting outcomes to Trustees					X	
	HR.06	Ensure compliance with Trust remuneration policy					X	
Estates	EST.01	Review of emergency and disaster recovery plans					X	
	EST.02	Review and approve building projects and make recommendations to Trustees					X	
	EST.03	Agree all building projects and review progress	X					
	EST.04	Ensure health & safety policies are implemented, regulations and statutory testing is complied with					X	

Addendum to Scheme of Delegation

The Role of Members and Trustees in upholding the ethos and values of SESSET

This Addendum aims to reiterate the key responsibilities of SESSET Members and Trustees within our delegated model of governance and is an outcome from the internal board effectiveness review completed in summer 2022.

Unlike some multi-academy trusts that operate with direct control, SESSET's delegated structure means day to day management responsibilities are retained by the school Governing Bodies (GB) and Heads. Trustees remain legally accountable and have a strategic role but are not routinely involved in operational matters. Aside from the Link Trustee Governors, Members and Trustees do not sit on local GB committees but have oversight (through minutes and papers) of their proceedings, including financial and non-financial risk management. There is regular opportunity to question, support and challenge schools formally at SESSET meetings where the Heads and the Link Trustee Governor are present, and through the Chair of SESSET to the Chair of each GB, and through the Executive Head and CFO to the Heads and Business Managers.

The board of Trustees reports to Members who are guardians of the Trust's ethos and values through its governance and have an "eyes on, hands off" function. Members have a minimal role in the actual running of the Trust but are responsible for the appointment of Trustees and for holding them to account for the effective governance of the organisation. Members ensure the charitable purposes (under the Articles of Association) are achieved, and by the appointment of skilled and supportive Trustees, ensure the shared visions, values and ethos of SESSET are upheld. Members are invited to attend all board meetings and, even if not able to attend, are kept fully informed via the sharing of meeting papers and presentation of the Trustees annual report and accounts at the AGM. There is also an annual informal meeting between the Members and Chair and Executive Head of SESSET, and Members are encouraged to contact the Chair or Executive Head if they have questions or concerns at any time, but they do not participate in the work of Trustees. In exceptional circumstances Members can act if they are concerned the Board of Trustees is underperforming.

To highlight the differences and importance of each of the SESSET governance roles, taking the example of what happens if a school were to propose setting a deficit budget:

- School budget presented by Head/Business Manager and approved by the local GB

- Trustees review and approve the SESSET consolidated budget, consider the impact of individual school's position on the Trust as a whole and decide if actions are required by the school to restore revenue reserves (with reference to Trusts reserves policy). Head and Chair of GB may be invited to present to the SESSET meeting their rationale and answer questions.

- Board decisions communicated to the Head and GB by the Executive Head and Chair of Trustees who may attend subsequent GB committee meetings to advise and monitor school's progress

- GB reviews school's financial performance throughout the year, agreeing spending plans and revised current year forecasts which are then submitted to Trustees (x6)

- GB minutes are shared and reviewed by Trustees (Audit & Risk Committee) and minutes from Trust meetings are shared with the chairs of the local GB to ensure effective two-way communication

- Trustees monitor the financial performance of all schools and measure against the approved budget (monthly management accounts reviewed by Trust Chair and Vice Chair, and all Trustees receive the finance report and management accounts 6x per year) and three-year forecasts submitted as part of the ESFA's annual Budget Forecast Return

- To assure Members of the Boards effective and robust financial oversight, Members are kept informed via copy of Trust meeting papers and minutes

- Each GB and Head is aware that ultimately, the Trustees could decide to rescind all or part of the delegation to that GB.