

EPAT

Believe Succeed Together

EASTWOOD PARK ACADEMY TRUST SCHEME OF DELEGATION

Policy Owner:	Company Secretary
Approved by:	Trust Board
Last reviewed:	December 2022
Next review due by:	December 2023



An Introduction to the Eastwood Park Academy Trust

The Eastwood Park Academy Trust (EPAT) is a cross-phase multi-academy trust providing high quality educational provision, standards and outcomes in local schools.

EPAT's ethos - 'Believe, Succeed, Together' – is an unwavering belief that all pupils can and will succeed and this will be achieved together.

EPAT's vision is to provide sustainable, high quality educational provision, standards and outcomes in local schools. This vision is articulated into 10 commitments:

1. To provide opportunities for all primary pupils to achieve:

- Good Level of Development (GLD) at Early Years Foundation Stage (EYFS).
- Required Standard (WA) in Year 1 Phonics.
- Expected Standard (EXP) at KS1.
- Expected Standard (EXP) at KS2.

2. To provide opportunities for all secondary pupils to achieve:

- Expected Progress at KS3.
- 9-5 in GCSE English and Mathematics.
- English Baccalaureate (EBacc).
- Expected Attainment 8 (A8).
- Expected Progress 8 (P8).

3. To provide environments in which all pupils feel proud of their academy, shown by their excellent behaviour, attitude to learning, attendance and punctuality.

4. To provide safe and secure environments in which all pupils are able to thrive and any concerns they have are dealt with promptly and effectively.
5. To provide learning environments in which the majority of teaching is outstanding and never less than consistently good.
6. To provide opportunities for all pupils to develop high levels of literacy appropriate to their age.
7. To provide opportunities for all pupils to develop high levels of numeracy appropriate to their age.
8. To provide environments in which all pupils are able to broaden their education through a range of SMSC opportunities.
9. To provide environments in which every opportunity is taken to celebrate and share success.
10. To provide opportunities and experiences for all pupils so that they are well equipped for the next stage in their education, training or employment.

Governance at the Eastwood Park Academy Trust

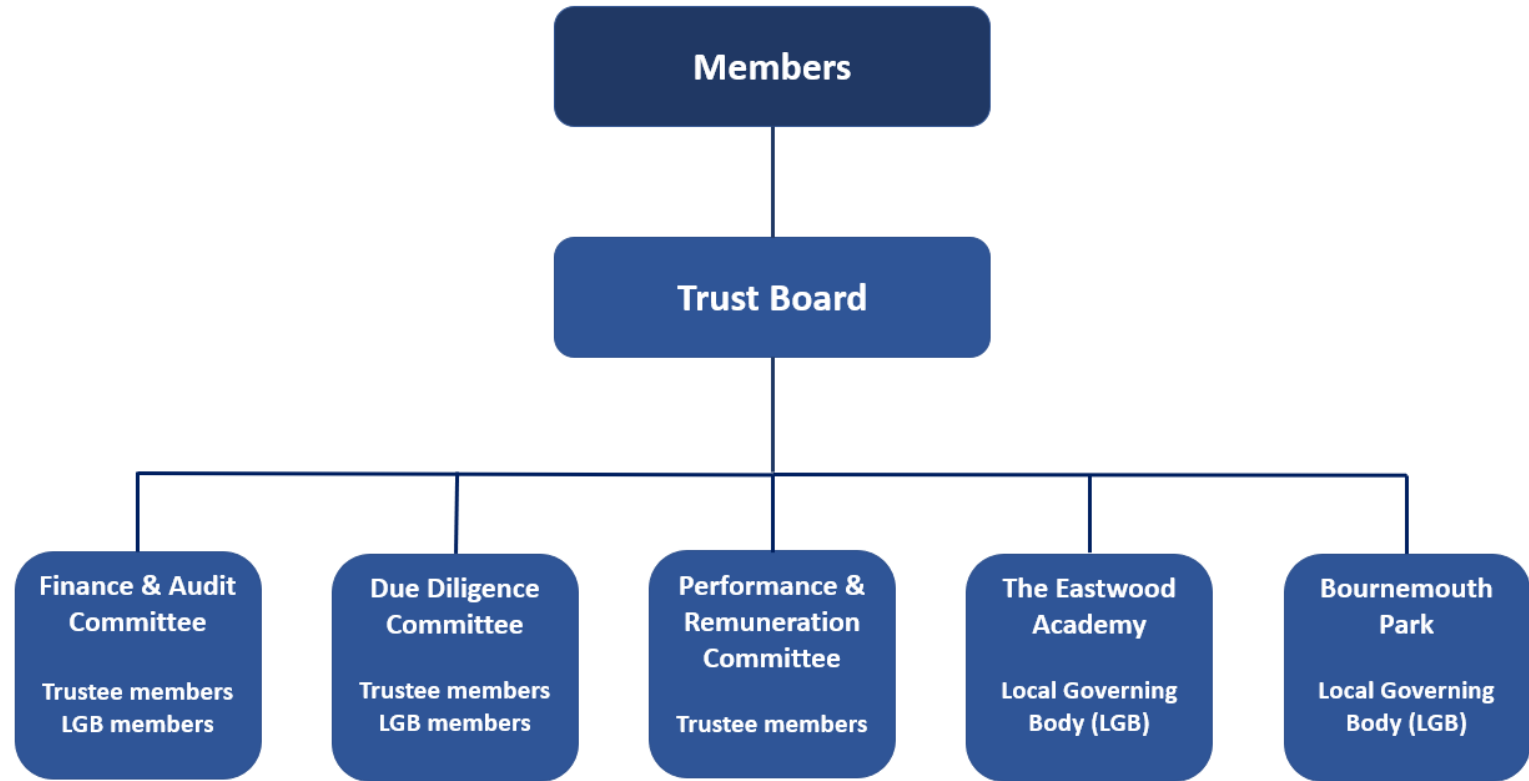
The Board of Trustees is accountable in law for all major decisions about its schools. This does not mean that the Board is required to make all the decisions. Many decisions will be delegated to the CEO, Executive Leaders and Board subcommittees, including Local Governing Bodies (LGBs). The decision to delegate a function is made by the Board of Trustees and is recorded. The Scheme of Delegation (SoD) sets out the limits and extent of each party's authority to act and is the key document defining which functions have been delegated and to whom. It is a simple yet systematic way of ensuring Members, Trustees, Board subcommittees, Executive Leaders and Principals are clear about who has responsibility for making which decisions in the Trust.

The Scheme of Delegation will be reviewed annually and will be responsive to the changing circumstances of the Trust. Trustees reserve the right to review and alter this Scheme of Delegation at any time.

The Scheme of Delegation will:

1. Ensure the Executive Leaders are clear about which decisions are the remit of the Trust Board.
2. Ensure that the role of Members, Trustees, Board subcommittees, Executive Leaders and Principals are fully understood throughout the MAT.
3. Promote a culture of honesty and accountability.
4. Identify responsibility for the appointment and performance management of the CEO and academy Principals.
5. Identify responsibility for policy and practice in each academy.
6. Identify responsibility for overseeing each academy's budget.
7. Identify responsibility for assessment of risk in each academy.
8. Identify responsibility for overseeing educational performance in each academy.

Eastwood Park Academy Trust Governance Structure



Roles and Responsibilities at The Eastwood Park Academy Trust

The Role and Responsibilities of the Members

The members are the subscribers to the Memorandum of Association (where they are founding members) and are responsible for the Trust's Articles of Association, which include the Trust's charitable objects and sets out how the Trust will be governed. Members are responsible for approving any amendments made to the Trust's Articles of Association. The Articles of Association describe how members are recruited and replaced, and how many trustees the members can appoint to the Trust Board. One of the members' key responsibilities is the appointment of trustees; the members can also remove trustees if they fail to fulfil their responsibilities. The members also appoint the Trust's external auditors and receive (but do not sign) the audited annual report and accounts. The members have the power to change the company's name and, ultimately, wind it up.

The academy trust must have at least three members, although the Department's strong preference is that trusts should have at least five members. Members cannot be employees nor occupy staff roles on an unpaid voluntary basis. While members hold the Trust Board to account for the effective governance of the Trust, the members themselves have a minimal role in the actual running of the Trust. It is the Trust Board, not the members, who are the organisation's key decision makers.

The Role and Responsibilities of the Trust Board

Because Trustees/Directors are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. The Directors are responsible for the management of the Trust in accordance with the provisions set out in the Memorandum and Articles of Association. The Trust Board is the accountable body for the performance of all schools within the Trust and as such must:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the Chief Executive Officer to account for the educational performance of the schools and their pupils, and the performance management of staff
3. Oversee the financial performance of the Trust and make sure its money is well spent
4. Ensure statutory and regulatory requirements are met within its schools and across the Trust

The Trust Board is permitted to exercise all the powers of the academy trust. The Trust Board delegates to the Chief Executive Officer responsibility for the day-to-day operations of the Trust and holds them to account for operational performance of the Trust through monitoring reports and KPIs. The Trust Board has a responsibility to regularly review, and where necessary, to amend the governance structure, which includes changes to the Scheme of Delegation. The Trust Board must ensure that it has the necessary skills to discharge its duties and that all Trustees are appropriately trained.

The Role and Responsibilities of the Trust Board Subcommittees

The Trust Board may establish subcommittees to carry out some of its governance functions, which may include making decisions, although any decisions made will be deemed decisions of the Trust Board. There are certain decisions that the Trust Board is not permitted to delegate. The responsibilities of the Board subcommittees are set out in the committees' Terms of Reference, but an overview of the Board's current committees is as follows:

(1) Finance & Audit Committee

The Trust Board has established the Finance & Audit Committee to support it in the discharge of its responsibilities for financial security, operational controls, governance and risk and oversight.

The majority of the Finance & Audit committee members must be Trustees. The Chair of the Board of Trustees must not hold the position of Committee Chair. Employees of the Trust must not be Finance & Audit committee members, but the Accounting Officer (CEO) and the Chief Financial Officer (CFO) will attend meetings to provide information and take part in discussions.

The role of the committee is to:

- Ensure the highest standards of stewardship and propriety in the use of public funds and ensuring proper accountability for the use of those funds
- Ensure efficiency and value for money in EPAT's activities
- Ensure that EPAT fulfils its audit duties in matters involving risk management, internal control functions, accounting, auditing, financial reporting, fraud and health and safety compliance.
- Ensure that the Company operates within the regulatory frameworks imposed upon it by the Companies Act 2006, the Department of Education (DfE) and the Education Funding Agency (EFA).

(2) Due Diligence Committee

The Trust Board has established the Due Diligence Committee to support it in the discharge of its responsibility to ensure that due diligence is carried out robustly, timely and professionally on all schools, academies and MATs potentially interested in applying to join EPAT. The committee meets as often as necessary, dependent on applications received.

Due Diligence committee members must be Trustees. The Chair of the Board of Trustees may be the audit and risk committee Chair. Employees of the Trust may not be Due Diligence committee members, but the Accounting Officer (CEO), the Chief Financial Officer (CFO) and other employees, as instructed by the committee, will attend meetings to provide information and take part in discussions.

(3) Performance & Remuneration Committee

The Trust Board has established the Performance & Remuneration Committee to support it in the discharge of its responsibility to consider, determine and keep under review a framework for the performance management, remuneration, benefits and incentives of Trust staff, including the CEO. The committee quality assures the performance management process for staff; reviewing the annual Pay Review Statement for each school; and hearing pay appeals. The committee also considers the outcome of every appraisal of the performance of the CEO and makes recommendations to the Trust Board as to the remuneration, benefits and incentives which should be paid to the CEO.

Additional members of the committee may be appointed from the Local Governing Bodies, but a majority of members must be Trustees.

The Role and Responsibilities of the Local Governing Body (LGB) Committees

The Trust Board delegates responsibilities to the LGBs for each school as outlined in the decision-making matrix. The role of the LGB Committee is to:

1. Determine the academy's vision, strategy and key priorities within the parameters of the Trust vision and strategy, as set out by the Trust Board
2. Monitor and hold academy leaders to account for the quality of education; behaviour and attitudes; personal development and leadership and management
3. Approve academy level policies, including the admissions policy and criteria
4. Monitor whether the academy is working within agreed Trust and academy policies
5. Monitor whether the academy is meeting statutory requirements
6. Review stakeholder complaints in line with Trust policy
7. Review pupil exclusions in line with DfE guidance
8. Engage with stakeholders
9. Report to the Board
10. Ensure that the LGB has the necessary skills and all members are appropriately trained.

The role and responsibilities of the Chief Executive Officer

The Chief Executive Officer has the delegated responsibility for the operation of the Trust including the setting of targets, the performance of the Trust's academies and performance managing the academy Principals, with input from the Local Governing Bodies. The EPAT Chief Executive Officer is the Accounting Officer so has overall responsibility for the operation of the 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 Role and Responsibilities of the Academy Principals

The Principals of The Eastwood Academy and Bournemouth Park Academy are responsible for the day-to-day management of their academy. They are managed by the Chief Executive Officer, but report to the LGB on matters that have been delegated to the local governing body.

Decision-making matrix

Governance framework: People

Governance function		Members	Trust Board / Board Committee	CEO / Accounting Officer	Local Governing Bodies	Principals	Commentary
Governance framework: people	Appointment/removal of members in accordance with the Articles of Association	✓					The Members appoint and remove Members, in accordance with the Articles of Association
	Appointment/removal of trustees in accordance with the Articles of Association	✓					The Members appoint and remove Trustees, in accordance with the Articles of Association. The Trust Board can recommend Trustees to the Members for their approval.
	Parent trustees/parent academy committee (LGB) members: appoint when elected				✓		The Local Governing Bodies undertake the election process for the appointment of parent governors.
	Staff academy committee (LGB) members: appoint when elected				✓		The Local Governing Bodies undertake the election process for the appointment of staff governors (representatives to be ideally a teacher and a member of support staff).
	Board committee chairs: appoint and remove		✓				Committee members are appointed by the Board. Dependent on the committee, membership may be made up of trustees only or a mix of trustees

							and LGB governors. Committee Chairs are elected annually by the members of that committee
	Named safeguarding trustee: appoint and remove		✓				The named Safeguarding Trustee is appointed by the Trust Board
	Academy committee (LGB) chairs: appoint and remove				✓		Local Governing Body Chairs are elected annually by LGB governors. The Trust Board reserves the right to remove or appoint a LGB Chair in exceptional circumstances, after prior discussion with the LGB.
	Academy committee (LGB) members: appoint and remove		✓				Local governors are appointed by the LGBs (with right of veto by the Trust in exceptional circumstances only and with prior discussion with the LGB). LGB governors are appointed for a 4-year term and can be reappointed for a second term (and exceptionally a third term where special circumstances determine it is in the best interest of the Trust.)
	Company secretary: appoint and remove		✓				The Trust Board appoints and dismisses the Company Secretary in consultation with the CEO and in line with EPAT HR protocols

Governance framework: systems and structures

Governance function		Members	Trust Board / Board Committee	CEO / Accounting Officer	Local Governing Bodies	Principals	Commentary
Governance framework: systems and structures	Articles of association: review and agree	✓					The Members agree, review and update the Articles of Association. The Trust Board recommends amendments to the Articles to Members for approval
	Governance structure for the trust: establish and review annually		✓				The Trust Board is responsible for the annual review of governance and for approving the governance structure for the Trust, including the Scheme of Delegation
	Committee terms of reference and scheme of delegation: agree annually		✓				The Company Secretary is responsible for producing the Scheme of Delegation and Terms of Reference for each of the Board's committees and for taking these to the Trust Board for approval. The Local Governing Bodies may recommend amendments for approval by the Trust Board.
	Stakeholder complaints: review in line with Trust complaints policy				✓		Local Governing Bodies review stakeholder complaints in line with the Trust's complaints policy and procedure
	Pupil exclusions: review in line with DfE guidance				✓		Local Governing Bodies review pupil exclusions in line with DfE statutory guidance

	Annual schedule of governance business: agree		✓				Supported by the CEO and Company Secretary, the Chair of the Trust Board is responsible for producing the annual cycle of business and taking it to the Trust Board for approval
	Self-review of trust board and committees: complete annually		✓				The Trust Board is responsible for evaluating its performance annually, including the performance of its committees, and for ensuring that its members have the necessary skills and are appropriately trained.
	Self-review of academy committees (LGBs): complete annually				✓		The Local Governing Body is responsible for ensuring that its members have the necessary skills and are appropriately trained. The LGB carries out an annual self-review, which is reported to the Board.
	Chair's performance: carry out 360° review periodically		✓				The Trust Board carries out an annual review of the Chair's performance. Members reserve the right to remove or appoint a Chair if the need arises.

Governance framework: reporting

Governance function		Members	Trust Board / Board Committee	CEO / Accounting Officer	Local Governing Bodies	Principals	Commentary
Governance framework: reporting	Publish governance arrangements on trust and schools' websites: ensure			✓			The Company Secretary is responsible for publishing and maintaining governance documents on the Trust's website. Compliance is monitored by the Trust Board.
	Annual report on the performance of the trust: submit to members and publish		✓				The Trust Board is responsible for reporting back to Members annually on the performance of the Trust.
	Annual self-review/triannual external review of board effectiveness: submit to members		✓				The Trust Board is responsible for arranging a triannual external review of governance and for submitting the report to Members
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit to members and Companies House		✓				The annual report and accounts are reviewed in detail by the Finance & Audit Committee, which recommends these to the Trust Board for signing and submission to Members and Companies House.

	ESFA / DfE required reports and returns: authorise and ensure submission to deadlines		✓				The Trust Board is responsible for ensuring that all reports and returns are submitted to the ESFA / DfE to deadline.
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Governance framework: Being strategic

Governance function		Members	Trust Board / Board Committee	CEO / Accounting Officer	Local Governing Bodies	Principals	Commentary
Being strategic	Determine trust wide policies which reflect the trust's ethos and values: approve		✓				The Trust Board determine, review and approve Trust-wide policies on an appropriate cycle. LGBs have the opportunity to add their comment to the reviewing of policies.
	Determine school level policies: approve				✓		The LGBs are responsible for determining, reviewing and approving school policies on an appropriate cycle.
	Management of risk: establish register, review and monitor		✓				The Finance & Audit committee establish, monitor and approve the risk register, reporting back to the Board. The management of Trust operational risks is delegated to the CEO and Executive Team.
	Engagement with stakeholders: ensure		✓	✓	✓	✓	A formal programme of stakeholder engagement (parent, student and staff voice) is led by the Trust Board. Staff and governance officers at all levels are responsible for effective community relations.
	Determine trust's vision, strategy and key priorities: approve		✓				The Trust Board determines and monitors the Trust vision and strategy, delegating the responsibility for delivering the strategy to the CEO

	Determine academy's vision, strategy and key priorities: approve				✓		The Local Governing Bodies determine and monitor their Academy vision and strategy, within the parameters of the Trust vision and strategy determined by the Trust Board. The LGB delegates the responsibility for delivering the strategy to the Principal.
	ADP and SEF for each academy: approve		✓				In consultation with the Principal, the LGB recommends the Academy Improvement Plan and SEF to the Trust Board.
	Chief executive officer: appoint and dismiss		✓				The Trust Board determines the selection panel, appoints and dismisses the CEO in line with EPAT HR protocols.
	Accounting officer: appoint and dismiss		✓				The CEO is the Accounting Officer. The Trust Board determines the selection panel, appoints and dismisses the Accounting Office in line with EPAT HR protocols
	Principals: appoint and dismiss		✓				The Trust Board determines the selection panel, appoints and dismiss the academy Principals, taking into account the recommendations of the LGB and CEO
	Budget plan (1-year and 3-year) to support delivery of trust key priorities: agree		✓				The Trust Board sets out the parameters, such as the minimum levels of reserves, at the start of the budget process. The Finance & Audit Committee recommends the Trust-wide budget plan for approval by the Trust Board.
	Budget plan (1-year and 3-year) to support delivery of schools' key priorities: agree		✓				The Trust Board sets out the parameters, such as minimum levels of reserves, at the start of the budget process. The Finance & Audit Committee recommends

						the budget plan at Academy level for approval by the Trust Board.
	Admissions: determine arrangements for all academies		✓			The Trust Board delegates its authority to the LGBs in determining admissions arrangements for their academy, in line with their Supplementary Funding Agreements.
	Trust's staffing structure: agree		✓			The CEO recommends the Trust staffing structure, which is reviewed and approved by the Trust Board.
	Schools' staffing structure (leadership): agree		✓			The CEO recommends the Trust leadership structure, which is reviewed and approved by the Trust Board.
	Schools' staffing structure: agree				✓	In consultation with the CEO, the Principals recommend the academy staffing structures, which are reviewed and approved by the Local Governing Bodies.

Governance framework: Holding to account

Governance function		Members	Trust Board / Board Committee	CEO / Accounting Officer	Local Governing Bodies	Principals	Commentary
Holding to account	Ensuring compliance (e.g. safeguarding, H&S, employment): agree auditing and reporting arrangements		✓				The Local Governing Bodies are responsible for monitoring and evaluating the effectiveness of statutory compliance for their individual schools. The LGBs report their findings to the Trust Board.
	Monitoring progress on key priorities set out in Trust Improvement Plan: agree reporting arrangements		✓				The Trust Board is responsible for monitoring the Trust Improvement Plan, which is delivered by the CEO
	Academic performance, including the quality of teaching, learning and assessment: monitor		✓		✓		The Local Governing Bodies are responsible for monitoring and their Academy Improvement Plan, which is delivered by the Principal, and for ensuring the the quality of teaching, learning and assessment is high. Progress is reported to the Board.
	Quality of provision relating to personal development, behaviour and welfare: monitor				✓		The Local Governing Bodies are responsible for monitoring personal development, behaviour and welfare in their Academy.
	Monitoring visits in line with ADP priorities: undertake				✓		The Local Governing Bodies are responsible for monitoring and evaluating progress on the Academy

						Development Plan through a programme of visits
	Oversight of safeguarding: review the LSB Audit for Safeguarding for each academy		✓		✓	The LGBs are responsible for monitoring and evaluating the effectiveness of safeguarding procedures and for reporting back to the Trust Board.
	Performance management of the chief executive: undertake		✓			The Trust Board is responsible for the performance management of the CEO, in line with EPAT HR protocols
	Performance management of Principals: undertake			✓		The CEO undertakes performance management for the Principals and approves the Principals' pay award in consultation with the relevant LGB Chair and within the parameters (Headteacher Group) set by the Remuneration committee.
	Act as a 'critical friend' to the Principal				✓	The Local Governing Bodies act as a 'critical friend' to the Principal

Governance framework: Ensuring financial probity

Governance function		Members	Trust Board / Board Committee	CEO / Accounting Officer	Local Governing Bodies	Principals	Commentary
Ensuring Financial Probity	External auditors: appoint	✓					In line with the Academies Handbook, the Members are responsible for appointing the external auditors. The Trust Board establishes the selection criteria for the appointment of the external auditors and recommends their appointment or termination of appointment to the Members.
	Chief financial officer: appoint		✓				The Trust Board appoints and dismisses the CFO in consultation with the CEO and in line with EPAT HR protocols
	Trust's scheme of financial delegation: establish, monitor and review		✓				The Trust Board establishes, monitors and reviews the Scheme of Financial Delegation, taking into account the recommendations of the CEO and CFO.
	External auditors' report: receive and respond		✓				The Finance and Audit Committee receives and responds to the external auditors' report and is responsible for advising the Board of any findings, as set out in the management letter. The Finance and Audit committee is responsible for monitoring the implementation of any recommendations and for reporting back to the Trust Board on progress.

Internal scrutiny: agree programme, receive reports and review		✓				The Finance & Audit committee agrees the programme for internal scrutiny and monitors, reporting back to the Board.
CEO pay award: agree		✓				The Trust Board undertakes performance management for the CEO. The remuneration committee approves the CEO's pay award in line with EPAT HR protocols.
Principals' pay award: agree			✓			The CEO undertakes performance management for the Principals and approves the Principals' pay award in consultation with the relevant LGB Chair and within the parameters (Headteacher Group) set by the Remuneration committee.
Staff appraisal procedure and pay progression: review and agree		✓		✓		The Trust Board establishes and annually reviews the staff pay and performance management policy. The LGBs implement the policy ensuring that any award pay progression is in line with the Trust policy.
Benchmarking and trust wide value for money: ensure robustness and consider the achievement of value for money		✓				The Finance & Audit Committee receives an annual financial benchmarking report and ensures that value for money is being achieved across the Trust.
Procurement: Oversee tendering procedures and authorise the award		✓				The Finance & Audit Committee establishes the Tendering and Procurement policy and the scope of Trust-wide contracts. The Committee monitors the implementation of the

	of contracts over values set out in SoFD						policy, reporting its findings back to the Board.
	Monitoring budget at Trust level: agree reporting and monitor		✓				The Finance & Audit committee undertakes the ongoing monitoring of management accounts at Trust level, reporting back to the Trust Board
	Budget at Academy level: monitor		✓				The Finance & Audit committee undertakes the ongoing monitoring of management accounts at Academy level, reporting back to the Trust Board