

# Scheme of Delegation

## Rationale

The underlying principles for this Scheme of Delegation are;

That all academies are in a partnership of equals irrespective of their length of membership

1. NCLT is a registered charity and it remains true to its aims and objectives.
2. NCLT is mindful that its function is to ensure that all statutory obligations are met (there are differences in the governance arrangements of maintained schools and academies).
3. NCLT Board's intention is to be as light-touch as possible within the Scheme of Delegation in order for Advisory Group and Directors to make decisions at a local level to fully meet the needs of the students and the local community.

This Scheme of Delegation recognises that NCLT is adopting a growth model. This Scheme of Delegation will be reviewed and amended.

## **The growth model for the Trust**

NCLT recognises that its structure will need to evolve as the Trust grows. These phases reflect the Trust's initial ideas about the structure of the Trust over time and will be reviewed and the structure amended in line with the size, performance and needs of the organisation.

At the time of writing (May 2019) NCLT anticipates that within the next 12-18 months the Trust will grow to 3 post 16 college Academies, and 1-2 secondary Academies, and 1 primary Academy.

## **Our Vision and Purpose**

### **Enjoy, succeed, progress**

The Trust will raise standards across our family of academies, schools and colleges. We will promote a culture of aspiration, excellence and enjoyment. We will use our collective strengths and expertise to benefit our children and young people.

To achieve this we will:

- Recruit and retain ambitious, dedicated and well qualified staff and develop them through high quality professional learning
- Design and implement a flexible, inspiring and outstanding teaching and learning model
- Recognise and implement systems for accountability and transparency at all levels to ensure a consistent focus on purpose and outcomes
- Foster and sustain a culture of professional generosity, honesty, integrity and trust
- Use collaborative opportunities to drive value for money and quality
- Develop and implement policies, systems and processes to reflect and support the unique context and position of each member of our family of schools
- Develop and implement a measured and sustainable growth plan predicated on impact

# Trust Structure, Communication and Influence

## **New College Pontefract**

New College Pontefract is the founder and principal sponsor of NCLT and has joined the Trust as an equal member since conversion to Academy status. New College Pontefract does not have a status different to other academies within the Trust, but in the early stages of the Trust, its systems, practices, policies and values will be built upon those already in place at New College Pontefract.

Both New College Pontefract and NCLT have a shared objective: to provide outstanding education, to raise standards and to support the aspirations of young people in our region and nationally, fostering opportunities for collaboration and engaging actively in system-led improvement.

## **New Collaborative Learning Trust (NCLT)**

Each Academy is ultimately governed by the Trust (NCLT). NCLT shall have regard to (but for the avoidance of doubt shall not be bound by) any *guidance* as to the governance of the academies that the Secretary of State may publish. All powers of NCLT are vested in the Members. The Board consisting of the Members will determine the powers which may be delegated to the Board of Directors, and in turn the Board of Directors will determine the powers which may be delegated to Advisory Groups. In normal circumstances, most of the powers of the Members will be delegated, and the Members serve to appoint Directors and to have oversight of the Trust as a whole.

## **Advisory Groups and clustered academies**

Each Academy will be served by its own Advisory Group. However the established Advisory Group at NCP was used to serve and develop the NCD Advisory Group and will in turn nurture and develop the NCB Advisory Group. This strong focus on coaching and mentoring will support fidelity to vision and culture.

The membership of the Advisory Group and delegated authority shall be for NCLT to decide. When additional academies join the Trust, NCLT will consult with the Chair of the predecessor governing body about membership of Advisory Groups. NCLT will also take account of the performance of each of the academies.

Every half term, the Chair of the Board of Directors will meet the Chair(s) of the Advisory Groups. This meeting has:

- A planning dimension – where forthcoming agendas and training sessions are planned
- A coaching dimension – since the Chairs of Advisory Groups are learning from the Chair of Directors
- A communication dimension – the CEO and Clerk are also present.

Meetings will be called as and when required by the Chair of the Board of Directors.

### **Trust Executive Team (TET)**

This forum enables principals/headteachers and senior Trust postholders to meet with the CEO, every half term. This meeting has both a communication and planning dimension and is a forum for discussion of Trust matters, as well as a means of assessing the impact of Trust senior roles.

### **Central Functions**

As a family of academies we aim to have the greatest impact by pooling and sharing key resources. We recognise that the success or failure of any one Academy is the success or failure of the Trust as a whole. For this reason, central functions and budget levies are intended to support the Trust as a whole, rather than a simple purchase of services by individual schools and colleges from the centre. Budget levies are to support our common aims and endeavours as a Trust and as a family, as well as to provide core services and functions to individual academies.

NCLT recognises that some academies may require additional support from the Trust, depending on their needs and circumstances. As such, the core resource fee will be determined as follows:

### Budget Setting

All final Academy budgets must be submitted to the Board for ratification by the 30 June. Indicative budgets must be in place by 31 May each year. Budgets require authorisation by the Principal/Headteacher, Executive Principal (where relevant), CEO and Director of Finance and Business (DFB) prior to being presented to the Board of Directors.

Delegated Duty	Delegated Authority	Comment
Admissions pre 16	Advisory Group	All Academies will follow the Local Authorities admission policy for 11 – 16 and their own at post 16 taking into account Local Authority admission policies.
Admissions post-16	Board of Directors	In consultation with Advisory Groups, to take account of local circumstances
Capital Programme	Board of Directors	Proposed capital programmes need to be submitted by June each year with the approval of the DFB, Advisory Group and CEO.
Health and Safety	Board of Directors	It is the responsibility of NCLT to ensure that health and safety laws are adhered to and the appropriate health and safety certificates are in place. The operational compliance of this function will be delegated on a day to day basis to the Estates Manager and their team, otherwise the responsibility lies with the CEO.
Income Generation	Advisory Group	Any income generated belongs to each individual school and college for them to invest in the future learning of the students. Any income generated by the Trust will be for the benefit of the Trust
Investments	Board of Directors	NCLT will invest any surplus monies on behalf of the Academies for the benefit of the Trust.

		See 17.1 of Financial regulations
Temporary Exclusions	Principal/Headteacher and Advisory Group	A fixed period agreed by the principal/headteacher, and a return to school/college within an agreed time frame.
Permanent Exclusions	CEO (or delegated authority)	All Academies will follow Local Authority procedures for permanent exclusions and independent permanent exclusion appeals.
Safeguarding	Board of Directors	NCLT will, in respect of each school and college, act in accordance with, and be bound by, all relevant statutory and regulatory provisions for safeguarding. All schools and colleges will follow NCLT's policy on safeguarding (the same staff identification scheme will operate in all schools and colleges).
Equality and Diversity	Board of Directors	Copy from H & S statement

# Financial Levels of Authority

Please refer to NCLT Financial Regulations policy

# HR Levels of Authority

## APPOINTMENTS

**All appointment panels must contain at least one member who has undertaken Safer Recruitment Training.**

*(Where a named member of the appointed panel is not trained in safer recruitment, the Trust will provide an additional suitably trained and appropriate panel member)*

**The CEO may nominate an alternative representative if they are unavailable to make up a panel.**

**The individuals outlined below are the minimum requirement.**

Position Being Appointed To	Appointees
CEO	Panel of at least 3 Directors / Members, to include at least 1 Member and 1 Director
Principal/Headteacher	CEO, 1 Board of Directors and 1-2 others as determined by the CEO
Cross-Trust leadership posts	CEO , 1-2 others as determined by the CEO
Directors of central functions e.g. finance, HR	CEO , 1-2 others as determined by the CEO
Vice Principals	CEO and Principal/Headteacher, plus others if relevant and as determined by the CEO
Other SLT posts (e.g., Assistant Principals)	CEO, Principal/Headteacher and 1-2 others as determined by the Principal/Headteacher
Head of Department / School (within an Academy)	Principal/Headteacher and/or Vice Principal, 1-2 others as determined by the Principal/Headteacher, to include cross-Trust post-holders if applicable
Other responsibility (RA) posts	Principal/Headteacher (or nominated representative), 1-2 others as determined by the Principal/Headteacher
All other Teaching posts	Principal/Headteacher (or nominated representative), 1-2 others as determined by the Principal/Headteacher
All Support Staff posts (other than SLT posts)	A minimum of 2 relevant staff, as determined by the CEO
Casual (non-contracted) Staff	HR Director (or nominated representative), 1-2 others as determined by the HR Director
Letter of appointment to staff/staff contracts	HR Director

## DISCIPLINARY CASES, CAPABILITY PROCEDURES AND DISMISSALS

**For all disciplinary cases, use of capability procedures and dismissals the following delegation model shall apply:**

- Disciplinary
- Capability
- Redundancy
- Statutory legality or breach of statutory restriction
- Some other substantial situation

**For all disciplinary cases and dismissals the following delegation model shall apply:**

The Director of HR will be responsible for appointing an Investigating Officer and for oversight of the process, with the Delegated Authority hearing the case and imposing any formal sanctions/dismissal.

Posts Concerned	Delegated Authority	Appeal Heard By
CEO	Member of Board of Members	2 Members
Principal/Headteacher	CEO	CEO or 2 Directors
Trust level leadership posts	CEO	CEO or Director
Vice Principal	Principal/Headteacher or CEO	CEO or Director
Assistant Principal	Vice Principal and Principal/Headteacher	CEO
All other Academy posts	The school and college Senior Management Team or a Trust Director	Principal/Headteacher or CEO
All central Trust administration posts	Trust Director	CEO
Issuing of an informal verbal warning	Line manager or above, where agreed in advance with the HR Director.	n/a – no formal right of appeal as an informal process

**NOTE – for Complaints – please see the separate Trust Complaints Policy, which may or may not lead to a related HR Policy.**

## GRIEVANCE

### Delegated authority always 2 points of seniority above

The Director of HR will be responsible for appointing an Investigating Officer and for oversight of the process, with the Delegated Authority holding grievance meetings in line with the policy.

Post Raising the Grievance	Delegated Authority	Appeal Heard By
CEO	Member	Chair of Members
Principal/Headteacher	CEO or Director	Director or Chair of Board of Directors
Trust level leadership posts	CEO or Director	Director or Chair of Board of Directors
Vice Principal	CEO	CEO / Director
School and College senior leaders (eg Assistant Principal)	Principal/Headteacher/ CEO	CEO / Director
All other Academy posts	Assistant Principal / Vice Principal / Trust Director	Trust Director / Principal / Headteacher / CEO
All central Trust administration posts	Trust Director / CEO	CEO / Director

## OTHER HR FUNCTIONS

Function	Delegated Authority
Settlement Agreements up to £50,000	Principal/Headteacher / Director of HR and Director of Finance to agree terms CEO to sign
Settlement Agreements in excess of £50,000	Prior approval to be sought from the ESFA Chair of Board of Members to approve
<b>Acting up Payments/Additional Payments</b> <i>(notified to, and actioned by, the Director of HR and Director or Finance)</i> <ul style="list-style-type: none"> <li>• CEO/Executive Principal/Headteacher</li> <li>• Principal/Headteacher</li> </ul>	<ul style="list-style-type: none"> <li>• Board of Directors and CEO</li> <li>• CEO</li> <li>• CEO, Director of Finance and Director of HR</li> <li>• CEO</li> </ul>

- Other Academy senior leaders (Assistant Principals/Vice Principals)
- Trust level leadership posts
- All other school and college staff
- Any additional payment for external work, e.g. through Teaching School

- CEO, Director of Finance and Director of HR
- Director of HR

Function	Delegated Authority
Staffing restructures which may involve redundancies or major structural change	Chair of Board of Directors, CEO, / Principal / Headteachers and Director of HR, Director of Finance
Re-grading/Re-designation of: <ul style="list-style-type: none"> <li>Academy staff</li> <li>Trust staff</li> <li>Principal/Headteacher</li> <li>CEO</li> </ul>	To be undertaken by an appropriate panel, consisting of the Director of HR, the Director of Finance, plus: <ul style="list-style-type: none"> <li>Principal/Headteacher or delegated alternative (as appropriate)</li> <li>CEO or delegated alternative (as appropriate)</li> <li>CEO</li> <li>Board of Directors</li> </ul>
Increase in hours	Director of HR
Authorisation of overtime payments	Director of HR
Decision to initiate recruitment to existing, or creation of, new main scale Academy posts	Director of HR (following discussion with Director of Finance and CEO)
Decision to initiate recruitment to existing, or creation of new management Academy posts	Director of HR (following discussion with Director of Finance, CEO and Principal/Headteacher)
Decision to initiate recruitment to existing, or creation of all new Trust posts	Director of HR (following discussion with Director of Finance and CEO)
Determination of, and major revisions to, pay framework and terms and conditions (outside of national framework)	Board of Directors
Determination of pay and pay progression (within set range) of the CEO	Board of Directors
Determination of pay and pay progression (within set range) of Principals/Headteachers	CEO
Determination of pay and progression (within set range) of Vice Principals/Headteachers and other Academy SLT	CEO
Determination of pay and progression (within set range) of Trust level posts (leadership and support)	Director of HR
Minor adjustments to terms and conditions of employment	Director of HR
Authorisation of redundancy/early retirement payments	Director of HR and Director of Finance. See Financial Regulations 22.9

Administration of employment contracts, pay and conditions of services (with the exception of previous delegated authorities)	Director of HR
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N.B – Any other delegated Authority not described above would need to be referred to the Board of Members for a decision, which may in some cases be delegated to the Board of Directors by the Chair  
The term 'Principal' will include Acting Principal