

# NCLT Scheme of Delegation for Sixth Form Colleges

Responsibility of: Date of Approval: Governance Manager
1 February 2022

**Review Cycle:** 

Annual



# **Scheme of Delegation**

### Rationale

The underlying principles for this Scheme of Delegation are;

That all schools/colleges 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.

### **Our Vision**

Vision - Our colleges and school will make a significant difference to the lives of young people. As a result, together we will make a positive contribution to social mobility.

Commitment- To provide an outstanding, consistent experience through collaboration.

### Our Values - The 5 Cs

**Candour** – To be open, honest and fair to everyone

Challenge - To have high expectations of ourselves and each other

**Collaboration** – To learn from each other for the benefit of all

**Commitment** – To be dedicated, resilient and strive for continuous improvement

Care - To be considerate of others and their needs

### Excellence in education should be everyone's right

We believe that high quality education should not be the preserve of those living in the right catchment areas. That's why as a Trust we have targeted geographical regions of educational underperformance, where we can make a significant impact on the lives of the region's young people.

### Thinking in hundreds, counting in ones

Although we work with thousands of young people, it's important to us that we treat every student as an individual. That's why we spend so much time interviewing young people as part of our application and enrolment process, so we understand their aims and goals well enough to ensure we have put them on the right path to success.

### Learn...succeed...progress

We want every student to enjoy their time with us. Our primary focus is on their academic success, but we also provide them with a wide range of extracurricular and super-curricular activities, from music, foreign exchanges, performance and sport through to World Challenge expeditions to India and Mozambique, and the Duke of Edinburgh Award scheme. Our young people need both academic success and life skills to help them flourish in university and the world of work.

## **Trust Structure, Communication and Influence**

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

Each school/college 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**

Each Academy will be served by its own Advisory Group. Established Advisory Groups will be used to nurture and develop the new Advisory Groups as the Trust grows. This strong focus on coaching and mentoring will support fidelity to the Trust's vision and values.

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 post holders 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:

For post-16 colleges the services below are currently provided at cost. This cost is shared between the colleges on the basis of student numbers on roll:

- All HR functions
- All finance functions including payroll
- All MIS functions including Cedar
- All student services functions
- All Estate and Health & Safety functions
- All IT support and provision
- All central reprographics functions

For pre 16 schools the level of support required will determine the resource fee to be paid. This will be determined in negotiation with the Headteacher/Board of Directors prior to joining following the due diligence process, and will be reviewed annually.

# Scheme of Delegation for Sixth Form Colleges (Approved 12.10.2021)

EIF	College Principal  (Delivers on College performance and student experience)	Local Advisory Group (Monitors and challenges Academies)	CEO and other Executive Members as appropriate  (e.g. COO and Director of HR)  (Approves key items and supports Academies)	Board of Directors  (Ultimately accountable and approves all statutory policies and finance)
College Improvement	<ul> <li>Develops and implements College strategy, culture and ethos in line with overall Trust mission</li> <li>Develops and then proposes College priorities and College improvement plan (QuIP), including suggesting targets</li> <li>Delivers as per QuIP and targets</li> <li>Hold all College staff members to account</li> <li>To have operational College leadership</li> <li>Complies with all Trust policies and implements Trust systems</li> <li>Initiates College expansion strategy</li> <li>Monitor overall staff performance and improvement, and strategies for talent management and staff development.</li> </ul>	<ul> <li>Ensure that the values, ethos, culture, mission, policies and strategies of the Trust permeate throughout each College within the cluster.</li> <li>Ensure that within each College, culture and relationships between leaders, staff, students and parents are based on mutual respect, trust, challenge, high expectations and accountability, so that staff and students excel.</li> <li>Review the overall effectiveness and performance of the College in order to develop robust self-evaluation and quality improvement plans.</li> <li>Provide review, challenge and support to ensure that the College makes good progress in relation to improvement plans, strategic plans and targets.</li> <li>Review quality assurance systems and standards frameworks that exist within the College and monitor their impact.</li> </ul>	<ul> <li>Develops and implements Trust strategy ensuring college priorities/QuIP fit within the overarching strategy and Trust priorities</li> <li>Monitors College culture and ethos, ensuring alignment to the Trust ethos and culture</li> <li>Approves College Key Performance Indicators</li> <li>Approves QuIP and College priorities</li> <li>Develops and approves College expansion strategy</li> <li>Deploys support to Colleges, including: implementing QuIP; improving teaching quality; managing assessment processes; analysing College data</li> <li>Decides on the levels of strategic alignment and the harmonisation of Trust policies across the Colleges</li> <li>Makes decisions regarding levels of autonomy at senior and subject level</li> </ul>	<ul> <li>Ensures clarity of vision and ethos, and sets the strategic direction of the Trust: -holds CEO to account on College improvement and all operational areas.</li> <li>To endorse annually the 3-year strategic plan for the Trust as a whole</li> <li>Review the progress of the Trust in relation to these strategic plans</li> <li>Upholding the Trust's standards of conduct and values</li> <li>Review the academic performance of the Trust as a whole and each Academy within it</li> <li>Ensure that robust self-evaluation and improvement planning takes place at all levels of the Trust and that Advisory Groups are reviewing progress and taking appropriate steps to drive improvement</li> </ul>

Q of E	<ul> <li>Develops and proposes curriculum, teaching and assessment model</li> <li>Propose and deliver staffing model and associated College timetable</li> <li>Delivers Trust assessment processes</li> <li>Improves teaching quality through the annual performance review (APR) and CPD</li> <li>Leads on all aspects of teaching and learning strategy</li> </ul>	<ul> <li>Provide challenge and support for senior leaders which sustains constant focus on the link between effective leadership, staff performance and development, and outcomes for students.</li> <li>Provide review and challenge so that staff and resource deployment within the College best supports outcomes for students</li> <li>Promote cooperation and collaboration between Colleges within the the Trust.</li> <li>Recommend to the Board of Directors, where appropriate, individuals to be considered for appointment to the Advisory Group</li> <li>To review the overall attainment and progress of students within the College, including that of students on different qualification types</li> <li>Support College leaders to ensure that the proportion of students completing courses and achieving meaningful qualifications (including English and maths) is high or improving rapidly, and that courses are relevant to student's</li> </ul>	<ul> <li>Monitors College performance</li> <li>Holds Principals to account</li> <li>Ensures all Trust policies and systems are being followed</li> <li>Approves curriculum model</li> <li>Approve staffing model at each college ensuring its affordability</li> <li>Approves any new qualifications/courses to be offered.</li> <li>Approves the Trust assessment cycle</li> <li>Ensure that a robust and incisive annual performance review (APR) is in place, in accordance with Trust policies and procedures.</li> </ul>	•
PD	Lead on PD agenda ensuring students develop their knowledge and skills beyond just academic.	Review PD curriculum including participation rates, subject enrichment and extra curricular activities	Monitor the destination and progression rates ensuring low numbers of NEET students	•

		<ul> <li>Provide an effective careers programme; supporting the next stage of student's education and development.</li> </ul>	<ul> <li>Monitor closely the progression of completing students to positive destinations, such as HE, further education or training, apprenticeships or employment.</li> <li>Appoint link Advisor for Careers.</li> </ul>		
	B & A	<ul> <li>Delivers Trust Behaviour and Attendance policy</li> <li>Leads all exclusion processes</li> </ul>	<ul> <li>Ensure that high expectations for pupil behaviour, attendance and punctuality permeate throughout the College.</li> <li>Monitor attendance and punctuality rates.</li> </ul>	<ul> <li>Recommends Behaviour and Attendance Policy to BOD</li> <li>Holds Principals to account for attendance and punctuality rates.</li> </ul>	Approves Behaviour and     Attendance Policy
CEO Recruitment, APR and CEO/COO Salary					<ul> <li>Conducts recruitment of a CEO – panel to include at least 1 Member and 1 Director</li> <li>Ensure that the performance of the CEO is managed effectively by the Board of Directors and by the Chair of the Board of Directors</li> <li>Review and determine annually the criteria against which the performance of the CEO will be judged within annual appraisal</li> <li>To determine the terms and conditions of employment of the CEO, including salary review and progression</li> <li>Chair leads on complaints against CEO</li> <li>Chair to conduct the APR of the CEO</li> <li>Delegation of salary of CEO/COO recommendations to remuneration Committee</li> </ul>

				BOD approves salary review.
Principal/ Trust Director/ Vice Principals/ Assistant Principals Recruitment, APR and Salary Review			Conducts Principal/COO/Trust Director recruitment and appraisals with engagement from Chair of Directors and other Directors as determined by CEO Determines salary point and pay progression of Principals/Trust Directors /Vice Principals/Assistant Principals within set range as recommended by Remuneration Committee Initiates/approves recruitment of Principal and senior teams and other senior Trust positions Reviews and recommends salary	Board of Directors approves salary ranges of Principals and senior staff on recommendation of Remuneration Committee      Supports recruitment of a Principal/COO
			ranges to Remuneration Committee	
Finance, Procurement and Estates	<ul> <li>Monitors budget and financial targets</li> <li>Works with COO to prepare and propose budget and 3-year forecasting</li> <li>Works with COO on preparation of end-of-year College finance documents</li> <li>Provides feedback to CEO on performance of central services</li> <li>Manages curriculum reserve budget (agreed by CEO/COO)</li> </ul>	<ul> <li>Finance and audit functions are not performed by Advisory Groups.</li> <li>Financial handling will be managed centrally by the Trust. College budgets, financial planning, financial policies and procedures, review of management accounts will be managed by the COO and Board of Directors. Issues relating to audit and financial controls will be managed by the Trust's Audit Committee.</li> <li>The management of estates, a range of core contracted services and large-scale procurement are managed centrally by the Trust, rather than individual Colleges or Advisory Groups. This includes cleaning, catering, transport,</li> </ul>	<ul> <li>Sets financial policies with COO for approval by Audit Committee and Board of Directors</li> <li>Recommends to Board of Directors:         <ul> <li>College 3-year budgets and forecasts</li> </ul> </li> <li>Recommends College finance targets to Audit Committee and Board of Directors (COO)</li> <li>Supports Principals with College finances and budget monitoring (COO)</li> <li>Responsible for all Trust finances as delegated by Accounting Officer</li> <li>Recommends the use of reserves to the Board of Directors</li> </ul>	<ul> <li>Ensure the effective financial management of the Trust and its Colleges ensuring compliance with general legislative requirements. Receive and review management accounts to ensure financial probity</li> <li>Review and approve the budgets of each College, including the determination of the overall College budgets to be retained for core central services (resource fee) and to be allocated for procured essential services, based upon the recommendations of the Audit Committee</li> <li>The Audit Committee will review the Trusts internal control environment ensuring its effectiveness and that management</li> </ul>

		utilities printing and IT		responses to internal audit renerts
		utilities, printing and IT		responses to internal audit reports
		procurement. This is in order to		are adequate and appropriate.
		secure value for money and to free		• Ensure that the resources of the
		Advisory Groups to focus on their		Trust are appropriately allocated to
		key responsibility of securing		support the Trust's aims and the
		outstanding outcomes for students		needs of individual Colleges
		and teaching and learning.		Consider recommendations about
		Advisory Groups must:		risk and financial controls from
				auditors and the Audit Committee
				Review the draft financial
				statements prior to audit and
				approval of audited financial
				statements and Directors reports
				prior to submission to the Secretary
				of State by 31 <sup>st</sup> December
				Receive the reports of the external
				auditors
				Approve any borrowing against the
				property and assets of the Trust in
				line with the terms of the Master
				Funding Agreement
				Ensure the Trust achieves value for
				money as well as propriety in the
				management of funds.
				Take decisions about the Trust's
				assets and finances, and reserves as
				set out in the Financial Regulation
				Policy
	Ensures HR policies and processes	Human resources policies and	Drafts HR and Recruitment Policies	To contribute to wider HR functions
	are implemented in line with Trust	procedures will largely be	(Director of HR) for Board of	e.g. grievances and disciplinary
	policy, e.g.: performance	determined and managed centrally	Directors approval	hearings
HR	appraisals, pay reviews, grievance,	by the Trust, including recruitment	Approves staff restructures making	To review and approve Trust HR
	capability and disciplinary hearing	and selection policies and	recommendations to Board of	policy, in line with statutory
	keeping Director of HR and CEO	procedures, pay frameworks,	Directors if restructure involves	legislation.
	fully informed	annual performance review (APR),	major redundancies	3 3 3 3 3 3 3 3
	,	discipline, grievance and capability.		
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	<ul> <li>Develops and presents staff restructure proposals</li> <li>Develops and retains high quality staff</li> <li>Has the power to dismiss, in line with Trust policies and having consulted the CEO and Director of HR</li> <li>Conducts appraisals of senior leadership team</li> <li>Conducts recruitment of Heads of School and other teaching posts with support from Director of HR</li> <li>Recommends to CEO creation of new College teaching or support posts/allowances</li> <li>Monitors staff workload, staff voice and wellbeing and responds accordingly</li> </ul>	The responsibility of the Principal is to ensure that these policies are implemented appropriately at College level, in accordance with the scheme of delegation. The responsibility of the Advisory Group is to ensure that the work of each College is carried out in accordance with such HR policies that are determined by the Trust centrally, via the Board of Directors.  • Reviews annual staff voice surveys	<ul> <li>Supports academies with ongoing HR guidance (Director of HR)</li> <li>Responsible for additional HR activities including: - supplying representation for hearings</li> <li>Conducts 'Staff Voice' and reports to BOD including the monitoring staff wellbeing</li> <li>Recruits Trust operational staff (Director of HR)</li> <li>Liaising with national level unions when required</li> <li>Recommends Trust support and teaching staff pay scales to Board of Directors</li> <li>Re-grading or re-designation of staff</li> <li>Approves new College teaching or support posts</li> <li>Has the power to dismiss, in line with Trust policies (CEO and/or HR Director)</li> <li>Responds to all formal complaints (HR Director)</li> </ul>	
Compliance with Statutory Obligations	<ul> <li>Ensures compliance with statutory obligations and mandatory Trust policies</li> <li>Responds to all informal College level complaints (HR to be informed)</li> </ul>	Appoints link governor for safeguarding and SEND (mandatory)	Drafts statutory and Trust policies	<ul> <li>Accountable for all compliance</li> <li>Approve all statutory policies</li> <li>Monitors College implementation of statutory compliance and risk management</li> </ul>
Communication	<ul> <li>Manages parent, community, local stakeholder and College media engagement</li> <li>Leads on LA communications</li> </ul>	Supports college and community events and community engagement	<ul> <li>Develops communications strategy and guidance</li> <li>Manages crisis communications and reputational risk</li> </ul>	Approves any significant changes to the overall Trust brand

	<ul> <li>Refers any reputational risk to the CEO</li> <li>Works with the Trust's Marketing Manager to ensure the college has a strong profile both locally and nationally</li> </ul>	Be an advocate in the local community for the Trust/College	<ul> <li>Supports Principals with LA and families as needed</li> <li>Leads on marketing for Trust and Colleges and develops brand guidelines</li> </ul>	
Capital Projects	<ul> <li>Contributes/proposes development of significant building projects and refurbishments</li> <li>Support project delivery with engagement from COO and Trust Estates Manager</li> </ul>		<ul> <li>Approves significant building projects</li> <li>Leads on significant building project delivery in conjunction with Trust Estates Manager (COO)</li> <li>Engages in project delivery for procurement if subject to OJEU procurement law (COO)</li> </ul>	<ul> <li>Accountable for all compliance with building projects</li> <li>Engages in procurement process for significant projects</li> <li>Grants initial approval of all building projects over £100,000</li> <li>Monitors, supports and challenges the development of College building projects/refurbishments</li> </ul>
Health and Safety	<ul> <li>Responsible for local implementation of policies, aligning with Trust policy, including development of College procedures and internal reporting on statutory requirements</li> <li>Work with Trust Health and Safety Manager to ensure compliance</li> </ul>	Notify the Board of Directors if they become aware of any Health and Safety compliance concerns, accidents or near misses that have not already been reported	<ul> <li>Drafts Trust H&amp;S policies (COO and Trust H&amp;S Manager)</li> <li>Monitors College H&amp;S by arranging inspections/audit and supports implementation, as needed. (COO and Trust H&amp;S Manager)</li> </ul>	<ul> <li>Accountable for ensuring a safe and healthy environment for staff, students and other persons on Trust premises</li> <li>Approves H&amp;S Policy</li> <li>Monitors College compliance, with H&amp;S policies and statutory obligations as well as challenging Colleges to ensure best practice is followed</li> </ul>
Safeguarding	<ul> <li>Ensure Trust Safeguarding Policy is implemented including prevent responsibilities</li> <li>Appoints Designated Senior Lead (DSL) and deputy</li> <li>Manages all safeguarding complaints (exc. against Principal)</li> </ul>	<ul> <li>Ensure robust safeguarding and child protection policies and procedures are in place and implemented effectively</li> <li>Appoint a designated Advisory Group Safeguarding and Child Protection lead to challenge and support the DSL for each college</li> </ul>	<ul> <li>Ensures Safeguarding Policy is in line with statutory policy including Prevent responsibilities</li> <li>Responsible for dealing with any safeguarding complaints against Principal/Trust employees (Director of HR)</li> </ul>	<ul> <li>Accountable for all legal responsibilities</li> <li>Approves Safeguarding Policy and ensure it is being implemented across the Trust</li> <li>Appoints designated lead from Board of Directors</li> </ul>

	with Executive engagement (HR informed)  • Has oversight of SCR and ensure it is up to date and well maintained	Ensures Prevent statutory duty is being followed.	<ul> <li>Consulted in responding to any complaint against a staff member (Director of HR)</li> <li>Responsible for maintaining SCR and ensuring it is up to date</li> </ul>	<ul> <li>Ensures Board of Directors and Advisory Groups have completed suitable training</li> <li>Responsible for any safeguarding complaints against the CEO</li> <li>Have oversight of the Single Central Record (SCR) and ensure it is up to date and maintained in line with guidance</li> </ul>
SEND	<ul> <li>Implements Trust specific SEND         Policy         <ul> <li>Appoints qualified SENDCO</li> </ul> </li> <li>Responsible for implementation in line with all relevant statutory requirements</li> </ul>	Monitors and challenges implementation of SEND Policy and performance of SEND students	Drafts Trust SEND Policy (Semco)     Supports Colleges and monitors implementation of SEND Policy	Accountable for all legal responsibilities     Approves SEND Policy
Equalities	<ul> <li>Responsible for ensuring compliance with all aspects of equalities legislation and Trust policy</li> <li>Sets college employee equalities objectives</li> </ul>	Monitors the performance of sub- groups	<ul> <li>Scrutinises complaints in relation to equality (Director of HR)</li> <li>Sets Trust employee equalities objectives</li> </ul>	Monitors compliance against     Equality Act/Single Equality Scheme     and Public Sector Equality Duty
Admissions/Enrolments	<ul> <li>Implements Trust policy on admissions and enrolment</li> <li>Manages admissions appeals</li> </ul>	Informed of major aspects such as policy and appeals	Drafts Admissions Policy and responsible for its implementation across the Trust	<ul> <li>Accountable for all legal responsibilities</li> <li>Agree any significant changes to the Admissions Policy i.e. selection criteria</li> </ul>
Exclusions	Responsible for issuing an exclusion, informing all relevant parties and managing any appeal processes	<ul> <li>Informed of every permanent exclusion and monitors FTE frequency and trends</li> <li>Involved in the appeal process of the Trust's Behaviour and Attendance Policy at BOD discretion</li> </ul>	<ul> <li>Provides expert support to help manage exclusions appeals (esp. for independent review panel)</li> <li>Accountable for all legal responsibilities in respect of</li> </ul>	<ul> <li>Responsible for holding executive leaders to account for lawful use of exclusions and other student movements such as potential 'off rolling'</li> <li>Approves Behaviour and Attendance Policy</li> </ul>

	Don't les information acade des		exclusions and other potential 'off rolling'.	Monitors exclusion patterns, trends and actions across all Colleges     Leads the appeal process by appointing Directors and/or Advisors to hear the student appeal
FOI/GDPR requests	<ul> <li>Provides information needed to respond to FOI requests and subject access requests</li> </ul>		Responds to all FOI requests (Data Protection Manager)	Accountable for ensuring Trust fulfils FOI/ data protection statutory obligations
Financial Probity and Value for Money	Accountable for financial probity and best value in College expenditure		Responsible for Trust-wide financial regularity, propriety and compliance (COO)     Prepares ESFA returns and Annual Report (COO)      Ensure internal audit is conducted and respond to any recommendations – reporting to Audit Committee	Accountable for Trust-wide financial regularity, propriety and compliance     Responsible for approving Financial Regulations Policy     Acts on the advice of its Audit Committee
Trips and Visits	<ul> <li>SLT to approve all non-residential trips and visits on recommendation of Health and Safety Manager</li> </ul>	To approve all residential trips in UK and abroad on recommendation of Trust Executive Team	To recommend to Advisory Board for approval all overseas and residential trips and visits	Delegated authority to Local     Advisory Board and Trust Executive     Team for overseas and residential     trips
Scheme of Delegation	Adhere at all times to Scheme of Delegation	<ul> <li>Registers and publishes all pecuniary and business interests of advisors.</li> <li>Adhere at all times to Scheme of Delegation</li> </ul>	<ul> <li>Draft, review and recommend changes to Scheme of Delegation annually.</li> <li>Adhere at all times to Scheme of Delegation</li> </ul>	<ul> <li>Responsible for approving Scheme of Delegation</li> <li>Registers and publishes all pecuniary and business interests of Members and Directors</li> </ul>