



# Five Rivers Multi-Academy Trust Scheme of Reservation and Delegated Authority

Endeavour. Empower. Excel

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## 1 Introduction and Rationale

The Five Rivers Multi-Academy Trust (FRMAT) is a charitable company limited by guarantee. "It is an independent legal entity with whom the Secretary of State has decided to enter into a funding agreement on the basis of agreeing their articles of association." (Governance Handbook, 2017).

The Five Rivers Multi-Academy Trust is a registered charity which was incorporated in May 2016.

As an academy trust the FRMAT is a single legal entity, a charitable company, with a board that is accountable for all of the academies within the Trust. There is no lead academy within a MAT. The MAT board is equally responsible and accountable for the performance of all the academies within the Trust. Even where the Trust was originally established by one stronger academy 'taking on' weaker academies, once the MAT is formed it becomes one organisation and the Trust Board must not favour or show allegiance preferentially to one academy, but rather govern in the interests of all pupils and foster a common ethos and vision across the whole MAT. <sup>1</sup>

The Articles of Association for the Five Rivers Multi-Academy Trust (separate document) set out the internal management, decision making and mode of operation of the Trust, as well as its liabilities.

The Scheme of Delegation defines:

- the roles, responsibilities and decision making of the Trust Board;
- the person(s) to whom authority will be delegated for each role/responsibility/decision;
- the procedures to be followed by the person(s) with delegated authority.

The Trust Board delegates responsibility for the performance of the Trust, including academies within the Trust, to:

- committees of the Trust Board;
- the Chief Executive Officer (CEO) and the Executive Leadership Team (ELT);

The Scheme of Delegation is a critical document in the functioning of the Five Rivers Multi-Academy Trust. It is a "live" working document that not only guides the actions of those who work in the Trust but must also reflect good governance and management.

The initial version of this document was approved by Trustees in November 2016, together with a separate Scheme of Financial Delegation.

This revised version incorporates the Scheme of Financial Delegation into the main document, as well as recent developments in the MAT, designed to improve and enhance governance and stakeholder engagement. This version builds on the initial version.

The document will continue to be updated as issues arise.

The document should be seen as a means of supporting the achievement of the Trust's Vision and Values (Appendix 1), whilst ensuring that the Trust meets all

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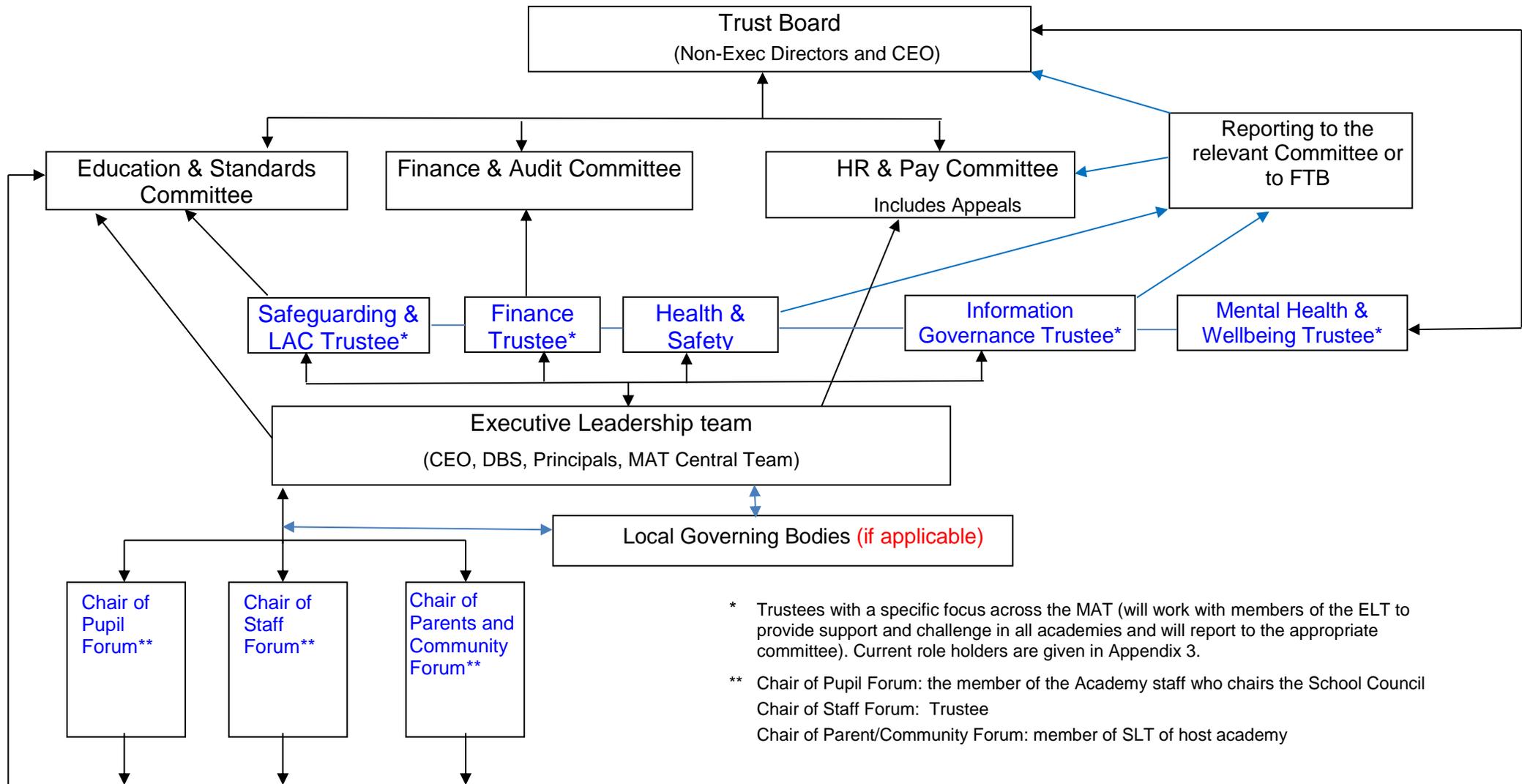
<sup>1</sup> See Governance Handbook January 2017 section 5.2.2 for more details



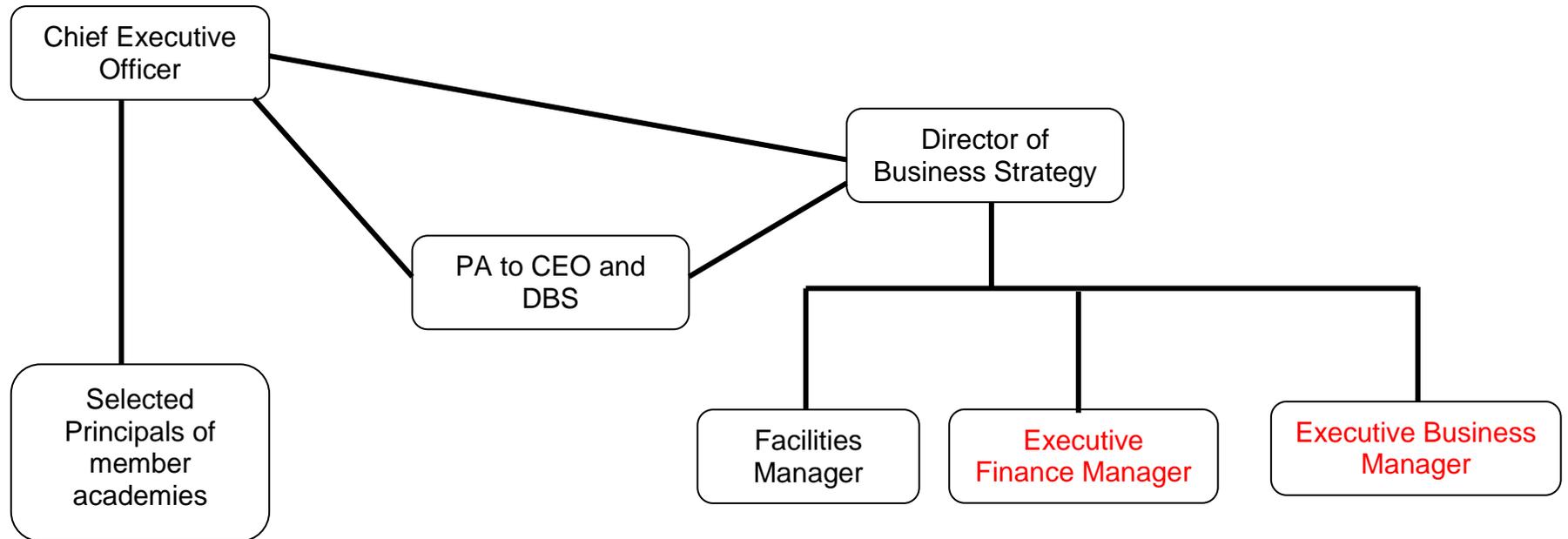
statutory obligations. There will also be a continuing reference to parents, staff and children in order to ensure engagement and involvement with the local community.

The overall structure of the governance and leadership of the FRMAT is shown in Section 2 of this document. The names of the role holders can be found in Appendix 3.

## 2 Overall Governance Structure (revised March 2019)



## 2.1 FRMAT Staffing Structure – Executive Leadership Team



### 3 Non-Executive Directors

Non-Executive Directors are responsible for ensuring that:

- the annual accounts for the MAT are filed with Companies House by the due date;
- the annual return for the MAT is filed with Companies House by the due date;
- Companies House is notified of any changes to the directors (additions or resignations);
- Companies House is notified of any change to the address of the MAT.

\*these responsibilities will all be delegated to the CEO and Executive Director(s)

The current membership is given in Appendix 3.

### 4 Members

The members are equivalent to the shareholders of the Academy Trust, a charitable company. They have ultimate control over the Academy Trust with the right to amend the Trust's Articles of Association.

Members are responsible for:

- the appointment of trustees;
- ensuring the governance structure is fit for purpose;
- holding the Trust Board to account;
- performance managing the Trustees, using an approximate three year cycle.<sup>2</sup>

Further details may be found in the Governance Handbook (Jan. 2017) section 5.2.1.

The current membership is given in Appendix 3.

### 5 Trustees

The Trustees are equivalent to the directors (Executive and Non-Executive) of the Academy Trust, a charitable company and must comply with company law requirements.

The trustees are responsible for setting the direction of the Academy Trust, holding the Chief Executive Officer (CEO) to account and ensuring financial probity. As charity trustees, they must also ensure that they are complying with charity law requirements.

Further details may be found in the Governance Handbook (Jan 2017) section 5.2.1.

The current membership is given in Appendix 3.

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<sup>2</sup> Approximately every 3 years, a Member will discuss with each Trustee, their performance, tenure, meeting attendance, etc.

Trustees have a number of areas of work:

**Strategy and Planning:**

- establishing and steering the Trust's clarity of purpose;
- scrutinising plans for growth or consolidation;
- education policy;
- information systems;
- Human Resource Management.

**Governance:**

- overseeing effective governance and decision-making;
- internal control and managing risk: ensuring that the Trust is meeting its statutory and legal responsibilities.

**Financial stewardship:**

- ensuring the trust is financially competent and has a sustainable budget;
- audit;
- asset management;
- fundraising.

**Performance:**

- ensuring pupils are gaining the best education and experience possible;
- putting in place effective leadership and holding the executive leadership to account;
- performance management.

## 5.1 Strategy and Planning:

**The Board of Trustees is responsible for:**

approval of the Trust's:

- vision, mission and values;
- strategic direction;
- strategic and annual operating plans and budgets;
- Education Policy;
- communications and systems for ensuring effective stakeholder engagement;
- Quality Assurance framework.

planning the development and future growth of the MAT; liaising with the Finance and Audit Committee re top slicing arrangements;

monitoring the strategic plan for the MAT in line with its growth model;

developing options, appraisals and proposals for the Trust Board in relation to the future sponsorship of academies within the MAT;

agreeing the MAT's corporate image, branding and marketing plans;

actively seeking out research projects and national policy development projects that directly relate to and have the potential to benefit Five Rivers Multi Academy Trust;

agreeing a suite of corporate policies to be adopted by all academies within the MAT;

approval of the Development Plans, Post Inspection Action Plans and/or Academy Improvement Plans of the individual academies in the MAT.

monitoring of the policy implementation and decision making on action required.

approval of Information Systems Strategy and Policy.

approval of HR Strategy and Policies

final appeals for all staff under the Disciplinary and Grievance Policy.

appointment of the Trust's main legal advisers, investment advisers, & approving the terms of their appointment.

horizon scanning to keep abreast of the national direction of travel and make recommendations to the Trust Board accordingly;

developing and monitor the strategic risk register for the MAT.

## 5.2 Governance:

**The Board of Trustees is responsible for:**

**Review and approval of governance arrangements including:**

- the schedule of Trust Board meetings and the format of the agendas;
- approval of the minutes;
- Trust Committee structures and terms of reference including those for the local governance arrangements;
- the approval of the constitution of academy forums;
- the election of a designated officer to carry out an initial review of new Local Governing Bodies;
- the decision to constitute an Academy Interim Board for any newly acquired academy for which there are concerns about performance, leadership or governance;
- the timing and transition arrangements for an AIB to be replaced by academy forums, once the Trust Board is satisfied that the academy has overcome initial concerns;
- levels of delegated authority including limits of financial authority;
- policy on Trustee Induction and Appraisal;
- support the creation, implementation and monitoring of the Trust's self-evaluation;
- Trust Board review and development;
- Trustee Code of Conduct and Conflict of Interest Policy;
- appointment of:
  - Trustees;
  - the Chair of Trustees;

- Committee Chairs and Members.

### **Internal control and managing risk:**

Approval of the Trust's systems of internal control including policies on:

- health and safety;
- data protection;
- fraud prevention and detection;
- whistle blowing
- safeguarding

and decision on action required.

Approval of the Trust's risk management strategy and twice yearly review of:

- major risks;
- health and safety reports;
- safeguarding;

and decision on action required.

Appointment of Trust's Responsible Officer and Accounting Officer;

Decision making on any other matter or prospective transaction which might reasonably be expected to expose the Trust to significant reputational, business, financial, legal or other risk.

## **5.3 Financial Stewardship:**

**The Board of Trustees is responsible for:**

### **Approval of Financial Regulations/Standing Orders.**

#### **Approval of:**

- opening/closing of bank accounts and cheque signatories;
- all loan agreements (including overdraft facilities, mortgages or other collateral or security);
- within budget revenue expenditures over £50,000;
- all unbudgeted revenue expenditures over £25,000;

Covenants on prospective restricted donations.<sup>3</sup>

Approval of the Trust's Reserves Policy.

Approval of Investment Strategy and Policy.

Monitoring and review of financial performance of the Trust and decision making on action required.

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<sup>3</sup> To be reviewed in revised Financial Standing Orders

**Audit:**

Appointment of external auditors and approval of changes to auditors' terms of engagement.

Review of external auditors' management letter and decisions re action on issues arising.

Approval of the Annual Report and Accounts.

**Asset Management:**

Approval of the sale, purchase or disposal of any capital asset over £50,000 in value in line with provisions of the Funding Agreement.

**Fundraising:**

Approval of the Trust's Fundraising Strategy and Policy.

## **5.4 Performance:**

**The Board of Trustees is responsible for:**

**Pupil outcomes and experience:**

Monitoring pupil performance in each academy in the Trust against a range of agreed measures, both formal and informal;

Ensuring that there are effective channels of communication between pupils and carers and the Trust Board members.

**Ensuring effective leadership:**

Appointment of the CEO and other Trust Senior Managers.

Approval of the structure of the Trust's Executive Leadership Team (beyond the academy) and each academy's SLT and staffing complement.

Nomination of Trustees to support the CEO in the recruitment of Executive Team members/Academy's SLT and approval of these appointments.

Review of the Trust Board skills requirements and recruitment of new Trustees to meet identified objectives.

Monitoring the effectiveness of the executive leadership against the agreed objectives of the Trust.

Undertaking the role of the dispute resolution panel to consider appeals against the Chief Executive Officer or Academy Trust decisions.

**Performance Management:**

Approval of the Trust's performance management and reporting framework including key performance indicators.

Monitoring of performance in implementing the strategy and managing the Trust, and decision-making on action required.

Approval of the Trust's Complaints Policy and decision making on appeals in line with the policy.

Approval of Policies for the Reward and Remuneration Strategy and annual pay award.

Approving a policy for the Executive Team's appraisal.

Approving performance pay awards (or otherwise) of CEO following recommendations from the Remuneration Committee.

## 5.5 Delegation to the Chair and/or Vice Chair

### Matters delegated to the Chair and/or Vice Chair of the Board of Trustees:

#### Strategy and Planning:

Recommending a policy and procedure for the CEO's appraisal.

Leading in the process of recruiting the CEO and making recommendations to the Trust Board re an appointment.

#### Governance:

- approval of Trust Board agendas and draft minutes for circulation to the Trust Board;
- final decision on interpretation of any aspects of the operation of the Trust Board or its Committees;
- recommendation to the Trust Board re: committee chairs and Members and chairs of academy forums.

#### Financial Stewardship:

Authorisation of payment/signature of cheques in line with Financial Regulations/Standing Orders

#### Performance Management:

Either directly or, by nominating a relevant Trustee, setting or reviewing the CEO's objectives, carrying out a performance appraisal on behalf of the Trust Board and reporting on this to the Trust Board.

## 6 Committees of the Board of Trustees

### A note on the Covid 19 pandemic:

A **FRMAT Special Committee** was constituted in April 2020 as a response to the Covid-19 pandemic, in order to streamline the business of the Trust Board and its constituent sub-committees and to facilitate decision making.

The schedules of all sub-committees (except for the FAC as above) have been superseded by that of the Special Committee during the pandemic, as of April 2020. See **Appendix 4**.

Committees will meet at least three times per year (this may include virtual meetings).

Committees will be deemed to be quorate when three trustees are present. Virtual or remote attendance (Skype, telephone or via other ICT links) will be accepted.

Trustees are assigned to specific committees, however other trust board members may attend meetings as required, if sufficient notice is given, and may expect to be asked if this is necessary to meet quoracy requirements.

When a committee meeting is not quorate (after above steps have been taken), a meeting may still be held to allow continuity of the Trust's business. In such situations, the notes will be made available for comment at the earliest opportunity to those trustees unable to attend. In all situations, if the business conducted by the committee requires urgent decision(s) then the notes will be sent to all Trust Board members with an addendum explaining the issue(s) and the Chair of the Trust Board shall determine whether an actual or virtual meeting is necessary prior to the next Trust Board meeting for the decision(s) to be taken.

Chairs and Vice Chairs of Committees will be elected at the first meeting of the committee. This will be reviewed annually thereafter as part of the business of the Committee.

The notes of all committee meetings will be confirmed by the committee members then circulated to all members of the Trust Board.

The current membership of the committees is given in Appendix 3.

## 6.1 Education and Standards Committee

The purpose of the Education and Standards Committee (ESC) is to monitor the performance of the MAT and the performance of academies within the MAT. To hold academies to account for effective accountability and high performance.

The committee will:

- ensure that the highest possible standards are set and maintained across the Academy Trust;
- receive a termly report from the Executive Leadership Team regarding standards and performance of the Academy Trust against key performance indicators;
- identify any areas of concern in respect of standards and performance and implement an action plan with the Executive Team;
- ensure that the Academy Trust's curricula are balanced and broadly based. This will require an annual statement from the CEO confirming that the academies are compliant;
- ensure that effective processes are in place for the quality assurance of teaching and learning, the curriculum, inclusion and the sharing of good practice across the Academy Trust;

- support the Chief Executive Officer in the creation, implementation and monitoring of any post-OFSTED action plans;
- ensure that effective arrangements are in place in each of the academies in the Trust for pupil support and representation - a statement is required from each academy detailing how they are capturing pupil voice;
- ensure that effective arrangements are in place for monitoring pupil attendance;
- ensure that effective arrangements are in place for monitoring pupil discipline and behaviour;
- agree an approach for the monitoring of performance of new arrivals including associated reports and research;
- receive initial assessments on new governing bodies and agree any intervening action as required;
- agree standards and common goals to ensure the safeguarding of children across the MAT;
- ensure a designated Safeguarding Trustee is identified;
- assess compliance with local and national safeguarding requirements using the LA safeguarding audit template which must be completed by each academy;
- horizon scan and keep the responsibilities of the committee under review;
- receive reports on academy level and Trust level website compliance annually (or as new academies join the trust);
- develop and monitor the risks pertaining to education and standards on the MAT's strategic risk register; reporting significant risks to other committees or the Trust Board as appropriate;
- receive reports from the Executive Leadership Team regarding Health and Safety standards across the MAT (relevant to this committee e.g. safeguarding);
- Agree and review a suite of education and standards related policies (taking into account all statutory duties) to be adopted by all academies within the MAT.

## 6.2 Finance and Audit Committee

The purpose of the Finance and Audit Committee (FAC) is:

- To ensure financial probity of the Trust and strategically plan and monitor the financial growth of the MAT.
- To advise the Board of Trustees on the financial strategy and to provide assurance to the Board of Trustees that the School has adequate financial and other management controls in place
- To monitor progress on the finance, estate and capital programmes in respect of the strategic development of the Trust.

### Ensure Financial Probity

The committee will:

1. On an annual basis, agree the appointment of the external auditor; the scope of the audit work; the scale of audit fees; and consider any questions of resignation or dismissal.
  - Review the annual financial statements prepared by the auditors before submission to the Trust Board;

- Consider the management letter about actions arising from the audit and advise the Trust Board regarding adoption of the annual accounts and report;
- Monitor the performance and effectiveness of external auditors and make recommendations to the Board of Trustees where appropriate;
- Notify the Trust Board of any financial matters which may materially affect the current or future position of the Academy Trust.

2. Review the internal audit function; consider the major findings of internal audit investigations; and ensure co-ordination between internal and external auditors.

Agree on the appointment, scope of audit work, audit fee and consider any questions of resignation or dismissal

Agree internal control arrangements and monitor their performance and effectiveness.

Consider the Trust's strategy for the prevention of fraud, theft and corruption, and advise if appropriate; ensure all significant losses have been properly investigated and that internal and external auditors have been informed;

Agree a manual of financial procedures which includes clear separation of responsibilities;

Approve the Trust's bankers and bank account arrangements.

3. Consider all financial risks, agreeing a programme of risk management to ensure the Trust is compliant with ESFA/DfES requirements and is acting with probity and transparency.

- Scrutinise financial regulations and all financial decisions reserved to the Trust Board;
- Escalate to the Trust Board any issues or concerns which might reasonably be expected to expose the Trust to significant financial, business, legal or reputational risk.
- Give reassurance and clarity to the Trust Board on matters of primary concern to include accounting principles and their applications, the annual financial statements accuracy as an accounting record and statement of the Trust's financial performance, critical accounting judgements and estimates and necessary disclosures
- to support the planned growth of schools by adding-ensuring necessary actions and consideration is taken in terms of financial due diligence when looking to take on new School

## **Strategically Plan**

The committee will:

1. On an annual basis and once notified by the ESFA, assess the Academy Trust's indicative funding.
  - In consultation with the CEO and Financial Manager, consider the funding implications for the Trust, drawing any matters of significance or concern to the attention of the Trust Board;
  - Assess the Trust's strategic and annual plans in the context of this funding and, if appropriate, make recommendations for changes;
  - Liaise with the HR & Pay Committee and the Education & Standards Committee and, where appropriate, make recommendations about the financial aspects of matters being considered by them.
  
2. Assist in developing financial strategies for the Academy Trust and consider necessary policies, procedures or plans to achieve these strategies. **Make recommendations on financial policies and financial regulations**
  - Examine and review new initiatives for financial development, including fundraising;
  - Scrutinise fundraising and performance to ensure these are carried out effectively;
  - Recommend and/or approve the appointment of financial, legal, or insurance providers and the terms/cover of their appointment;
  - Provide advice on legal and/or insurance matters;
  - Examine and review investment policy and investment;
  - Approve and oversee major investment or capital financing.

**Note:** Trust approval is required for the disposal of any assets valued at more than £10,001.
  
3. Agree/recommend operational methods - e.g. competitive tender/charging policies **to ensure a sound capital, estate and building programme.**

## **Monitor**

The committee will:

1. Receive the Trust Academy's annual budgets for approval:
  - Accept and/or make recommendations on the use of broad budget categories of income and expenditure;
  - Agree acceptance or non-acceptance on the basis of (a) the Trust's projection of the year's income and expenditure; and (b) compliance with the requirements for Academy Trust reserves.

2. Monitor and review income and expenditure on a regular basis, ensuring compliance with the overall financial plan for the Academy Trust and reporting any matters of concern to the Trust:
  - approve the format/presentation of management accounts;
  - assesses any significant variances from the agreed annual budgets;
  - investigate any known deficits, reporting to the Trust Board if significant or and/or in breach of legal requirements.
  - Make recommendations for any amendments to the Scheme of Delegation.
3. Develop and monitor financial risks as per the MAT's strategic risk register; reporting significant risks to other committees or the Trust Board as appropriate.
4. Agree and review a suite of financial policies (taking into account all statutory duties) to be adopted by all academies within the MAT.
5. Receive reports from the Executive Leadership Team regarding finance/capital related Health and Safety standards and risks across the MAT (this includes Trust delegated standards and national standards as set out by the Health & Safety Executive).

### 6.3 HR and Pay Committee:

#### General

##### The Committee will:

- develop and monitor HR and pay related risks on the MAT's strategic risk register; reporting significant risks to other committees or the Trust Board as appropriate;
- receive reports from the Executive Leadership Team regarding staff-related Health and Safety standards across the MAT
- Agree and review a suite of HR and pay related policies (taking into account all statutory duties) to be adopted by all academies within the MAT.

#### Remuneration

##### The Committee will:

- review levels of remuneration of all staff, with independent, expert advice where necessary;
- oversee the appraisals of the CEO and Executive Directors and make recommendations to the Trust Board regarding any performance pay awards;
- approve any performance pay awards for an Academy's SLT;
- approve anonymised performance pay awards for all teachers;
- **approve annual inflationary pay awards for all staff;**
- consider, determine and keep under review effective arrangements for consultation with staff as a whole and for negotiation and consultation with appropriately recognised Trade Unions and/or other representatives (e.g. annual pay negotiations);

- approve any performance pay awards for the Academy's SLT and Executive Leadership Team (beyond the academy) on the basis of recommendations and approve new appointments to the Executive Leadership Team.

## Staffing

### The Committee will:

- develop strategies designed to encourage a high performing culture amongst staff;
- develop methodologies to measure impact and measure improvement;
- develop and review strategy and policy in all matters relating to the recruitment, reward, retention, motivation and development of the Academy Trust's staff, in liaison with MAT workforce (consultation);
- develop a succession planning strategy for teaching and non-teaching staff;
- encourage talent management by appropriate methods and processes
- approve new appointments to the Executive Leadership Team;
- ensure effective measures are in place to promote equality and diversity in employment;
- consider the details of restructuring programs following any necessary approvals in principle by the Trust Board;
- review and make recommendations to the Trust Board re:
  - recruitment policies;
  - HR Strategy and Policies including Reward and Remuneration Strategy and terms and conditions of employment;
  - the staff annual pay award;
- undertake a detailed scrutiny of the Trust's performance management and reporting framework, and advise the Trust Board accordingly;
- review the performance management objectives all senior staff (CEO, Directors, Principals, etc.), what they mean in terms of the Trust, individual development, consequences of achieving/failing objectives;
- consider alternative strategies used in business, such as regular 360° Feedback;
- ensure personal development plans are in place for all staff, including the identification of potential training which can be hands on, online courses, mentoring etc.
- oversee the policies and processes for the management of sickness absence;
- monitor sickness absence and leave of absence, together with their impact on academies within the MAT.

## Panels

### The Committee will:

- oversee the policies and processes for disciplinary hearings, including capability, grievance, whistleblowing;

- delegate representatives from the HR and Pay Committee to participate in disciplinary hearings / appeals where the member of staff under procedure is senior (e.g. Principal);
- undertake the role of the dispute resolution panel to consider appeals against the Chief Executive Officer or Academy Trust decisions.

## 7 CEO and Executive Leadership Team

The CEO and Executive Leadership Team (ELT) are responsible for supporting the Trust Board in all aspects of the operation and development of the Multi-Academy Trust. They provide a link between the individual academies and the Trust.

The current post-holders are listed in Appendix 3.

### Strategy and Planning:

The CEO and ELT will support the Trust Board in developing/setting the Trust's overall strategy.

### Governance:

The CEO and ELT will contribute to the development of the Trust's governance arrangements.

### Financial Stewardship

The CEO and ELT will:

- provide management, oversight and reporting of day to day expenditure within academy budgets;
- contribute to the development of the Trust's Financial Regulations/Standing Orders for review/approval;
- manage the Trust's finances in accordance with Financial Regulations/Standing Orders.

### Performance

The CEO and ELT will be responsible for:

- ensuring that the education provision, in all of the academies in the Trust, is of a high standard and meets the needs of all of the pupils;
- the development and operation of the performance management and reporting frameworks, and the development of the Trust's Complaints Policy for approval.

### 7.1 Strategy and Planning:

The CEO and ELT will:

- support the Trust Board in developing/setting the Trust's overall strategy including:
  - early consultation with the Trust Board;

- drafting propositions for Committee/Trust Board review;
- development of strategic and operating plans and budgets for review by Committees/approval by the Trust Board;
- ensure the Academy Development Plans align with the Trust's strategy;
- support the Trust's growth strategy through presenting recommendations and competing, appropriate bid processes etc.;
- advise on and support the development and implementation of the Trust's:
  - Education policy;
  - communication processes, including systems for ensuring effective stakeholder engagement;
- ensure the effective management of the academies and other initiatives in line with policy/quality standards;
- advise on and ensure the implementation of the Trust's Admissions Policy.

## 7.2 Governance:

The CEO and ELT will:

- contribute to the development and review of the Trust's governance arrangements, including liaison with the Trust's legal advisers;
- plan/organise Trust Board meetings, preparation of agendas, papers and minutes in liaison with the Chair;
- ensure the effective servicing and support of Trust Board Committees;
- develop a management scheme of reservation and delegation and ensure its effective implementation;
- ensure that local governance forums are set up in each academy (unless other arrangements have been agreed by the Trust Board);
- advise on the Chair/Vice chair for each forum;
- support the provision of the necessary servicing for the forums;

## 7.3 Financial stewardship:

The CEO and ELT will:

- support the development of the Trust's Reserves Policy;
- make recommendations on selection of investment providers; monitor and report on performance;
- prepare management accounts and financial reports;
- develop the Trust's financial reporting framework for approval;

- develop systems of internal control and risk management, ensuring their effective operation; report to the Finance and Audit Committee (FAC) /the Trust Board, as appropriate;
- escalate to the Trust Board any issues or concerns which might reasonably be expected to expose the Trust to significant reputational, business, financial, legal or other risk;
- develop systems of internal control and risk management, relating to pupil provision, safeguarding, curriculum, teaching and learning and Health and Safety, ensuring their effective operation, and reporting to the Trust Board, as appropriate;
- select insurers/level of cover for FAC approval;
- liaise with the Trust's insurers and legal advisers on any relevant issues and report to the FAC/the Trust Board, as appropriate;
- support and cooperate with the work of external auditors as determined by the FAC/Trust Board;
- prepare Annual Report and Accounts.
- respond to and act on issues raised in the external auditor's management letter;
- manage the process for the appointment of external auditors;
- plan and liaise with external auditors;
- advise on and identify requirements for fundraising initiatives in line with strategy and policy;
- develop a Fundraising Strategy and Policy for approval and ensure its effective implementation;
- support the implementation and operation of the Academies' Information Systems;
- develop an Information Systems Strategy and Policy for approval, and ensure its effective implementation;
- arrange the sale, purchase or disposal of capital assets <£50K and make recommendations re purchase of land/property or sale of fixed assets >£50K, in line with the provisions of the Funding Agreement;
- develop a strategy for the management of fixed assets and its implementation;
- lead on the recruitment of the academy's SLT in consultation with nominated Trustees;
- lead on the recruitment of the Trust's Executive Team (beyond the academy) in consultation with nominated Trustees and make recommendations re appointments for Trust Board approval;
- develop the Executive Leadership Team structure;
- develop the HR Strategy and Policies for review and approval;
- appoint and manage all staff below SLT level in the academy in line with agreed HR policy;

- set the objectives of the academy's SLT and staff, manage their performance and make recommendations regarding their level of remuneration;
- set the objectives of the Executive Leadership Team (beyond the academy) manage their performance and make recommendations regarding their level of remuneration;
- manage all other staff in the Executive Leadership Team beyond the academy, in line with agreed HR policy;
- report on HR issues to a nominated Trustee on a regular basis;

## 7.4 Performance:

The CEO and ELT will:

- lead the development of a curriculum in all of the Trust academies which will meet the needs of all pupils;
- ensure consistency of expectations across the academies;
- ensure that the curriculum is delivered to the highest possible standard;
- deploy lead practitioners according to identified need and discussion with the academy Principals;
- scrutinise the Academy Development Plans, Post Inspection Action Plans and/or Academy Improvement Plans and report to the Education and Standards Committee.
- develop and operate the academies' performance management and reporting frameworks;
- develop the Trust's Complaints Policy for approval;
- implement the Trust's Complaints Policy at academy level;
- manage complaints in line with the policy;
- produce a report on complaints;
- support and facilitate the FAC's responsibilities for overseeing;
  - the performance management and reporting framework;
  - business performance against plans and budgets;
- deliver the strategy and operational management of the Trust; report on progress to the Trust Board;
- support the development of a Principals' Operational Group to facilitate the sharing of good practice and the resolution of problems;
- facilitate the development of stakeholder groups (forums) for parents, pupils and staff in each academy;
- ensure that academy Principals/Heads of School understand the structure and purpose of the forums in their academy;

- ensure that the forums are set up in each academy according to the agreed terms of reference;
- ensure that Trust business for the forums is communicated to the Principals/Heads of School in good time;
- ensure that the notes of the forum meetings are reported to the Education and Standards Committee

## 7.5 Academy Intervention Board

An Academy Intervention Board (AIB) will be established for a newly acquired academy if the Trust Board, on the advice of the CEO, are concerned that additional support and guidance is required for the Principal and the SLT and that the normal local governance arrangements of the MAT are not appropriate at the time of academisation;

The Chair and members of the AIB will be appointed by the Trust Board on the advice of the CEO.

The delegated functions of the AIB will be limited to those which are critical to the progress of the academy to Good.

These critical functions will be determined by the AIB and the CEO.

## 7.6 Stakeholder Forums

Three stakeholder forums will be established in each academy of the MAT, once the academy is deemed to be stable and progressing. The forums will be:

- Children's Forum
- Staff Forum
- Parents and Community Forum

In each case the objective is to:

- create a communication channel between the constituency of the forum and the Trust Board;
- enable each constituency to raise issues of interest/concern with respect to an individual academy or the MAT as a whole;
- provide the Trust Board with the means of informing/consulting with all stakeholders about MAT-wide activities and future plans.

### 7.6.1 Children's Forum

The Executive Leadership Team (ELT) and Trust Board of the Multi-Academy Trust (MAT) recognise the importance of a dialogue between children and their academy in order to establish the vital partnership necessary to support the children's learning and the development of the MAT.

They will ensure that the views of children are sought and taken into account in the strategic decision making process as well as the day to day operation of the school.

The Children's Forum will be a key part of this process.

The Chair/Vice Chair will be named members of SLT within the academy.

The Children's Forum will be an integral part of the School Council.

Membership will be the School Council membership.

The Children's Forum will:

- become a place for children to express their views about their academy and the MAT;
- act as a sounding board for the SLT, ELT and Trust Board around future developments for the academy and the MAT.
- actively encourage and support all children to participate in the process of academy improvement;
- act as a listening post for other children and feed their views and comments into discussions of the Forum;
- review, develop and monitor the school's contribution to children's well-being, including the extent to which children feel safe, adopt healthy lifestyles and contribute to the school and wider community
- assist in finding solutions to issues raised and discussed at the meetings of the Children's Forum;
- meet at least 3 times a year (once every term);
- business will be part of a School Council meeting once per term;
- disseminate its outcomes with the School Council minutes which are posted on the academy website and also circulated to the ELT;
- report on the work of the Children's Forum to other children;
- agenda planning will be standing item at each Children's Forum meeting.

Review of the Children's Forum business will be a standing agenda item for the Trust Board Education & Standards Committee.

### **7.6.2 Staff Forum**

Five Rivers Multi-Academy Trust (FRMAT) is committed to supporting and developing a Staff Forum in each of its academies.

The Executive Leadership Team (ELT) and Trust Board of the Multi-Academy Trust (MAT) recognise the importance of a dialogue between staff members and their academy and the MAT, in order to establish the vital partnership necessary to support the children's learning.

The Chair and Vice Chair will be independent of the staff and ELT.

Membership is all staff.

Agenda items will be suggested by staff using communication mechanisms within the school, or will come from the Trust Board.

The Staff Forum will:

- become a place for staff to express their views about their academy and the MAT;
- actively encourage and support all staff members to participate in the process of academy and MAT improvement;
- support the academy and the MAT in communicating effectively with staff;
- act as a sounding board for the ELT and Trust Board around future developments for the academy and the MAT.
- be involved in commenting on specific Trust/academy policies and practice and provide feedback to the academy, ELT and the Trust Board;
- help to develop systems to enable Five Rivers Multi-Academy Trust to communicate more effectively with staff;
- assist in finding solutions to issues raised and discussed at the meetings of the Staff Forum;
- recognise that the Staff Forum is an advisory and consultative body;
- meet for up to an hour, on INSET days once per term and will form the first item of the programme for each INSET day;
- set the agenda at least two weeks ahead of the INSET day
- ensure that the Staff Forum notes are available for all staff by email, or by hard copy to those members of staff who do not have email. Copies of notes will also be circulated to the ELT.

The Staff Forum will **not**:

- become involved in staffing, personnel or financial/contractual issues;
- get involved in discussions surrounding individual children, staff or parents;
- become a forum for individual staff issues. These must follow the normal FRMAT procedures.

Review of Forum business will be a standing agenda item for the Trust Board HR Committee

### 7.6.3 Parent and Community Forum

Five Rivers Multi-Academy Trust (FRMAT) is committed to supporting and developing a Parent & Community Forum in each of its academies.

The Executive Leadership Team (ELT) and Trust Board of the Multi-Academy Trust (MAT) recognise the importance of a dialogue between parents and their academy in order to establish the vital partnership necessary to support the children's learning.

The academy and the MAT are enthusiastic about engaging with the wider community, not only to enrich the educational provision but also to foster understanding and tolerance.

In order to facilitate the meetings of this forum, the following structure will be used:

- the Chair and Vice Chair will be independent of the school community and the Trust Board;
- initially the roles will be taken by designated staff members from another school within the MAT;
- two parent representatives from each year group (constituency) will be elected annually by secret ballot and will form a steering group together with the Chair/Vice Chair;
- the steering group will consult with parents and the academy SLT to identify future agenda items;
- the steering group will decide on the programme of meetings for all parents;
- the Principal will ensure that a clerk is provided, who will act as secretary for the meetings;
- the clerk will arrange to send out the notes of the meetings, any other relevant paperwork and invitations prior to the meetings;
- where specific groups of the academy community are under-represented, the academy and the Parent & Community Forum will seek to recruit or facilitate the engagement of parents to ensure that the Forum represents all groups in the academy;
- each meeting will be 'open' and advertised widely;
- all parents with children at the school, and representatives of the related local community may attend. A member of the SLT will also attend.

The Parent & Community Forum will:

- encourage parents to participate in the life and work of their academy;
- become a place for parents to express their views about their academy and the MAT;
- engage with community representatives so that concerns of the wider community are also given a voice;
- actively encourage and support all parents to participate in the process of academy improvement;
- support the academy in communicating effectively with parents;
- act as a sounding board for the SLT, ELT and Trust Board around future developments for the academy and the MAT.
- provide comment on specific academy policies and practice and provide feedback to the academy SLT and ELT;
- enable Five Rivers Multi-Academy Trust to communicate more effectively with parents;
- assist in finding solutions to issues raised and discussed at their meetings;
- recognise that the Parent & Community Forum is an advisory and consultative body;

- uphold the FRMAT's Code of Conduct<sup>4</sup> (website);
- the Parent & Community Forum will meet at least 6 times a year (once every half term) for no longer than an hour each time;
- make the notes of the meetings available to all parents via notice boards in the academy and the academy website. Copies of notes will also be circulated to the ELT.

The Parent & Community Forum will **not**:

- become involved in staffing, personnel or financial/contractual issues;
- get involved in discussions surrounding individual children, staff or parents;
- become a forum for individual parents' complaints. These have to follow the normal FRMAT procedures. This does not prevent parents giving their views on topics being discussed.

Review of Forum business will be a standing agenda item for the Trust Board Education & Standards Committee.

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<sup>4</sup> The MAT reserves the right to withdraw membership from anyone who is in breach of the Code of Conduct

## 8 Financial delegation

### 8.1 Introduction

FRMAT aims to be a cost-effective academy trust. A contribution will be levied from each academy's GAG / Early Years income, which gives them access to a range of functions and services as and when required. This excludes any surplus carried forward or income generated by the academy. Enhanced services will be available to each academy on the basis of an individual service level agreement. In addition, when necessary, specific charges are made for bespoke intervention when curriculum and performance require e.g. long term or significant deployment of lead practitioners. In accordance with the Academies Financial Handbook there is a right of appeal for each academy to challenge the level of contribution to the central functions.

### 8.2 Budgeting

Delegated Duty	Value	Delegated Authority	Method
Setting the budget for the Trust (consolidated budget for the MAT including all income, staffing budgets and non staffing expenditure)	N/A	<p><b>Draft:</b> CEO, Director of Business Strategy and Trust Finance Manager</p> <p><b>Agree:</b> Finance and Audit Committee</p> <p><b>Final Approval:</b> Trust Board</p>	Budget set in line with agreed trust priorities
Setting the academy level budget (the academy level budget is concerned with operational budget headings within which the academy has general oversight)	N/A	<p><b>Draft:</b> Principal and academy Finance Manager / Business Manager or equivalent</p> <p><b>Agree:</b> Principal, CEO, Director of Business Strategy and Trust Finance Manager</p> <p><b>Approval of budget for submission to MAT:</b> Local Governing Body if applicable, or Trust Board</p> <p><b>Final approval of academy budget:</b> Trust Finance and Audit Committee and Trust Board</p>	Budget set in line with agreed trust and academy priorities

### 8.3 Purchases, Payments and Expenditure

Delegated Duty	Value	Delegated Authority	Method
Ordering goods and services <b>within the approved budget</b> and ensuring that sufficient cash resources are available for the purchase	Single order up to the value of £10,000	Principal	Budget heading to be checked to ensure affordability. Order processed on PS Financials and dual authorised by Principal. The order is placed securing value for money and using a preferred supplier wherever possible
	Single order between the value of £10,001 and £30,000	Principal and Chief Financial Officer	As above plus minimum of three quotes sought before order is made and preferred supplier agreed by Principal
	Single order between the value of £30,001- £50,000	As above plus CEO	Competitive tendering process is carried out as per the Competitive Tendering Policy
	Single order between the value of £50,001- £100,000	As above plus Trust Finance and Audit Committee approval of purchase which is minuted in a relevant meeting or approval confirmed via email.	Competitive tendering process is carried out as per the Competitive Tendering Policy
	Single order over the value of £100,000	As above plus Trust Board of Directors to approve the order before processing. Confirmation of approval to be minuted in a relevant meeting or via email.	Competitive tendering process is carried out as per the Competitive Tendering Policy. This also may include inviting tenders on OJEU depending on the value
Goods received	N/A	Academy Receptionist / Administrative Assistant to receive goods	All goods are checked upon delivery and goods received note is ticked and signed to confirm receipt. This is then passed to the Academy Finance Manager / Business Manager (or

Delegated Duty	Value	Delegated Authority	Method
			equivalent) within the academy.  Any damaged or non-required goods are returned by the Academy Finance Manager / Business Manager (or equivalent) once notified by the goods receiver.
Payments by BACS, Cheque or Bank Transfer  (Only to be processed where an authorised order / invoice exists)	Single transaction of up to £5,000	Two authorised signatories on BACS report (Bank account transactions are subject to dual authorisation)	Processed Academy Finance Manager / Business Manager (or equivalent) after checking there are sufficient funds in the bank
	Single transaction of up £5,001- £20,000	Three authorised signatories on BACS report (Bank account transactions are subject to dual authorisation)	Processed by Academy Finance Manager / Business Manager (or equivalent) after checking there are sufficient funds in the bank
	Single transaction of up £20,001- £100,000	Two authorised signatories plus the Director of Business Strategy or CEO on BACS report (Bank account transactions are subject to dual authorisation)	Processed by Academy Finance Manager / Business Manager (or equivalent) after checking there are sufficient funds in the bank
	Single transaction of up £100,001 and over	Director of Business Strategy and CEO signatures on BACS report (Bank account transactions are subject to dual authorisation)	Processed by Academy Finance Manager / Business Manager (or equivalent) after checking there are sufficient funds in the bank
Standing orders and direct debits	As per limits for cheque and BACs payments (authorisation sought at the time of setting up the standing order / direct debit and signature obtained)		

Delegated Duty	Value	Delegated Authority	Method
Academy Procurement Cards	Monthly limit £1,000	Authorised cardholders within academies	All transactions must be supported by a receipt and given to the Academy Finance Manager / Business Manager (or equivalent) for reconciliation in line with procedure for use of academy procurement cards.
Petty cash	Any amount (usual limit is £50)	Academy Finance Manager / Business Manager (or equivalent)	Pre-approval from the Principal is needed before any purchases take place. All transactions must be supported by a VAT receipt and given to the Academy Finance Manager / Business Manager (or equivalent) with a petty cash form which has also been authorised by the Principal – this is in line with the Petty Cash Procedure.
Virements (Requests for spend in excess of approved budget heading but within overall approved budget for the Academy)	Up to £10k	Principal (signature to be obtained for audit purposes)	Signature to indicate approval on month end budget reports
	£10,001-£50,000	As above, plus CEO and Director of Business Strategy (signature to be obtained for audit purposes)	
	Over £50k	Finance and Audit Committee and Board of Directors (decision minuted for audit purposes)	
Requests for spend in excess of approved budget heading AND outside the overall approved	Any	CEO and Director of Business Strategy take request to Finance and Audit Committee. Decision minuted for audit purposes.	Refer to Reserves Policy

Delegated Duty	Value	Delegated Authority	Method
budget for the academy			

## 8.4 Income

Delegated Duty	Value	Delegated Authority	Method
Collection and receipt of cash and cheques	Any	Receiver to pass immediately to Academy Finance Manager / Business Manager (or equivalent)	All cash collected is stored in the academy safe until banking. Receipts are given for all cash and cheques received and a copy kept for academy filing.
Banking of cash and cheques	Any	Academy Finance Manager / Business Manager (or equivalent) or other delegated Administration Assistant	Cash and cheques should be banked regularly and should not be allowed to accumulate over £3,000. Banking should be checked and agreed by another member of staff before being banked and should relate back to receipts issued. All cash and cheques, once bagged appropriately, should be transported to the bank by the academy's security contractor. In the event of the need to bank monies outside of this arrangement, two members of staff should travel to the bank together as per the Trust finance policy.
Sales Invoices	Any	Academy Finance Manager / Business Manager (or equivalent) to raise invoice on PSF.	All sales invoices must be processed through the financial management system and issued in a timely manner.
Income by bank transfer: GAG	Any	Academy Finance Manager / Business	All income (except core GAG funding) received

Delegated Duty	Value	Delegated Authority	Method
funding, LA funding, etc		Manager (or equivalent) to process on PSF as part of monthly bank reconciliation process.	directly to the academy's bank account should be supported by a remittance advice. Where a remittance is missing, the Academy Finance Manager / Business Manager (or equivalent) should contact the sender and request an email detailing the nature of the income.

## 8.5 PSF User Maintenance and Financial Accounting

Delegated Duty	Value	Delegated Authority	Method
Setting up new users of PSF	N/A	Director of Business Strategy and Trust Finance Manager	All new users to be given appropriate access levels
Setting up new suppliers on to PSF	N/A	Trust Finance Manager	Trust Finance Manager will verify the supplier and bank account details are genuine. Where a request comes in by the Trust Finance Manager the DBS will verify the supplier and bank account. A log will be kept to show the checks that have been carried out in both scenarios.
Month end procedures / monthly management accounts: <ul style="list-style-type: none"> <li>Salaries and NI / Pensions inputting</li> <li>VAT returns</li> </ul>	N/A	Trust Finance Manager	Academy Finance Manager / Business Manager (or equivalent) to provide monthly staffing changes information to inform month end procedures.

<ul style="list-style-type: none"> <li>Bank reconciliation</li> <li>Opening / closing VAT periods</li> </ul>			Monthly budget variation reports to be shared with Principal.
Producing monthly MAT budget variance reports for Trustees	N/A	Trust Finance Manager / Director of Business Strategy – or delegated consultant	
Preparation and filing of annual reports and accounts with Companies House	N/A	The Trust's contracted external auditor / Director of Business Strategy and Trust Finance Manager	
Annual auditing of accounts and audit report	N/A	The Trust's independent external auditor.	
Maintenance of the Fixed Asset Register	All	Trust Finance Manager in liaison with Facilities Manager	All assets to the value of £2,000 either individually or as a group will need to be recorded in the asset register

## 8.6 Non Routine Transactions

Delegated Duty	Value	Delegated Authority	Method
Liabilities and Write-Offs	<p>1% of total annual income of £45k (whichever is smaller) per single transaction</p> <p>Cumulatively, 2.5% of total annual income in any one financial year per category of transaction for any ATs that have not submitted timely, unqualified financial returns for the previous two years.</p>	Principal, CEO and Director of Business Strategy	Anything above these limits must be approved by the Secretary of State through the ESFA

Delegated Duty	Value	Delegated Authority	Method
	<p>This includes new academies that have not had the opportunity to produce two years of financial statements.</p> <p>Cumulatively, 5% of total annual income in any one financial year per category of transaction for any ATs that have submitted timely, unqualified financial returns for the previous two financial years.</p>		
The purchase or sale of any freehold property	Any	ESFA approval only	Must be approved by the ESFA
The purchase of fixed assets	£2000 and above	Director of Business Strategy	Add to the Fixed Asset Register and Inventory
Granting any leasehold or tenancy agreement	Any	ESFA approval only	Must be approved by the ESFA
Taking up any leasehold or tenancy agreement for more than three years	Any	ESFA approval only	Must be approved by the ESFA
Writing off bad debts	Up to £2,000	CEO	Report to Finance and Audit Committee
	Over £2,000	As above plus ESFA approval if it breaches delegated limits in AFH	

Delegated Duty	Value	Delegated Authority	Method
Disposal of moveable assets (e.g. items on inventory)	Up to £2,000	Principal	Amendments made to academy inventory.
	£2,000 - £9,999	Principal and CEO or Director of Business Strategy	As above
	£10,001-£19,999	As above plus Finance and Audit Committee	As above
	£20,000 and above	As above plus approval for assets funded with more than £20k of ESFA / DfE grant	As above
Guarantees, Indemnities and letters of comfort	Any	Board of Trustees plus ESFA	
	Over £50k	Board of Trustees plus ESFA	
Responding to incidents of (or suspected) fraud, theft and / or irregularity	Any unusual or systematic fraud, regardless of value	CEO / Director of Business Strategy / Auditors to notify ESFA	Report to ESFA: <ul style="list-style-type: none"> <li>- Full details of the event with dates</li> <li>- Financial value of loss</li> <li>- Measures taken by the trust to prevent recurrence</li> <li>- Whether the matter was referred to the police (and why if not)</li> <li>- Whether insurance cover or the RPA have offset any loss</li> </ul>
	Under £5,000 (either individually or cumulatively in any financial year)	CEO / Director of Business Strategy / Auditors to notify Finance and Audit Committee	
Investments	Any amount	CEO/Director of Business Strategy /The Trust Board	The Trust Board will invest any surplus monies in high interest

Delegated Duty	Value	Delegated Authority	Method
			accounts, in line with the Investment Policy.

## Gifts and Hospitality

All Academies under The Five Rivers Multi Academy Trust must deal with offers of gifts and hospitality with integrity, impartiality and honesty. The Five Rivers MAT Gifts and Hospitality Policy (January 2017) gives give clear guidance for all staff, trustees, temporary staff, volunteers and consultants on the appropriate action to take when offered a gift, hospitality, prize or reward from a client or when offering a gift, hospitality, prize or reward to a client.

### 8.7 Authorised Signatories:

Two or three from the following (according to authority levels outlined above)

Five Rivers Multi Academy Trust	Rebecca Webb Emma Farmer Sheila Sutherland <del>Di Chilvers</del>
Tinsley Meadows Primary Academy	Rebecca Webb Emma Farmer Deborah Sanderson Claire Peats Laura Chambers Esther Bloomer
Abbeyfield Primary Academy	Helen Best Kate Abel Emma Farmer Rebecca Webb

## 9 HR delegation

### 9.1 Introduction

At the present time, FRMAT purchases HR services from an external provider. In all situations requiring a panel/appeal panel, advice will be sort from the provider and an HR specialist will be available to advise the panel.

The FRMAT and all of its constituent academies will comply with HR regulations for schools and all other legal requirements in this area.

Employees will at all times be advised to consult their union or professional association.

This scheme of delegation is aligned with the FRMAT suite of HR policies and procedures, however where 'governor' is stated in the policy, this will be replaced by Trustees or AIB members to reflect the changes to the governance structure across the MAT.

## 9.2 Appointments

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

If the CEO is unavailable to make up a panel, a representative may be nominated.

For specific appointments additional panel members may be selected.

<b>For the appointment of:</b>	<b>Mandatory Panel members</b>
Chief Executive Officer	Minimum of 3 Trustees
Executive Directors	A Trustee and CEO (or nominated representative)
Other FRMAT posts	CEO and Director of Business Strategy, depending on the nature of the post
Executive Principals	Trustee and CEO
Principal	Trustee and CEO or nominated representative
Deputy Principal	Principal and CEO or nominated representative
Any other academy post (teaching and learning, e.g. HLTA, TA, Learning Support)	Principal (or delegate) and another appropriate senior or middle leader
Any other academy post (non-teaching, e.g. admin, reception, premises, business)	Principal (or delegate) and Business Manager or equivalent

### 9.2.1 In Year Staffing Changes

Once the staffing budget has been approved by the Trust Board, in year changes may occur to enable Principals and the CEO to meet the operational demands and appropriate cover arrangements. In year changes will be approved as follows:

Type of Request	Method of request	Delegated Authority
Temporary staffing changes to respond to shortfall in cover or special requirements needed for a fixed period	Staffing Variation Request Form	Director of Business Strategy / CEO

Permanent changes to the staffing structure which involves a restructure that would put roles at risk	Initial discussion with CEO / Director of Business Strategy	Business case to HR & Pay Committee (and also Finance & Audit Committee if the restructure will increase costs)
Contract Variations (whether temporary or permanent) that do not significantly impact on the overall budget	Staffing Variation Request Form	Director of Business Strategy / CEO
Redundancies	Proposal to CEO	Board of Trustees

## 9.2.2 Signatories

Letter of Appointment for:	Delegated Authority for Signature
CEO	Chair of the Trust Board
Executive Directors	CEO
Principal	CEO
All other posts	CEO counter signed by Principal

### 9.3 Disciplinary cases and dismissals

For any disciplinary investigation, action and dismissal:

- The investigating officer will be at a more senior level of management than the person subject to disciplinary investigation.
- The person(s) presenting the case will normally not have been involved in the investigation and will *usually* be at a more senior level of management than the investigating officer.
- The person(s) hearing the disciplinary case and responsible for issuing warnings will *usually* be at a more senior level of management than the investigating officer.
- Person(s) involved in various stages of the process should not have had direct prior involvement.
- If the members listed are unable to make up a panel, a suitable representative, of appropriate seniority may be nominated.
- For specific hearings, additional panel members may be selected.
- In all cases, an HR adviser from the bought-in HR Service, will attend to advise the Panel and the Appeal Panel.
- In all cases, the hearings will be conducted according to the relevant FRMAT policy.

Disciplinary cases Levels 1,2 and 3

Post subject to disciplinary action:	Investigating Officer	Case presented by	Mandatory Panel Members	Mandatory Appeal Panel Members
Chief Executive Officer	A trustee	Chair of Trust Board	A minimum of two Trustees	A minimum of two Trustees
Executive Director	CEO	A Trustee	A minimum of two Trustees	A minimum of two Trustees
Other FRMAT posts	Director of Business Strategy	CEO	A Trustee	A Trustee
Principal	CEO	A Trustee (or a governor if AIB or LGB exists)	A minimum of two Trustees (or Chair of LGB or AIB if one exists plus one Trustee)	A minimum of two Trustees
All other academy posts	Deputy Head or Senior Leader	Principal	An Executive Director and a Trustee or	CEO or Trustee (or governor if an AIB or LGB exists)

			governor if an AIB or LGB exists	
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#### Disciplinary cases, Level 4

<b>Post subject to disciplinary action:</b>	<b>Investigating Officer</b>	<b>Case presented by</b>	<b>Mandatory Panel Members</b>	<b>Mandatory Appeal Panel Members</b>
Chief Executive Officer	A trustee	Chair of Trust Board	A minimum of three Trustees	A minimum of three Trustees
Executive Director	CEO	A Trustee	Chair of Trust Board and another Trustee	A minimum of two Trustees
Other FRMAT posts	Director of Business Strategy	CEO	A minimum of two Trustees	A minimum of two Trustees
Principal	CEO	A Trustee (or a governor if AIB or LGB exists)	A minimum of two Trustees (or Chair of LGB or AIB if one exists plus one Trustee)	A minimum of two Trustees
All other academy posts	Deputy Head or Senior Leader	Principal	An Executive Director and two Trustees or governors if an AIB or LGB exists	CEO or Trustee (or governor if an AIB or LGB exists)

Where anyone listed above has been involved in the case an alternative representative of appropriate seniority can be nominated to perform the role outlined in the disciplinary process.

## 9.4 Grievance

If the CEO is unavailable to make up a panel, a representative may be nominated.

For specific hearings, additional panel members may be selected.

In all cases, an HR adviser from the bought-in HR Service, will attend to advise the Panel and the Appeal Panel.

In all cases, the hearings will be conducted according to the FRMAT Grievance policy.

<b>Posts</b>	<b>Case presented by</b>	<b>Mandatory Panel Members</b>	<b>Mandatory Appeal Panel Members</b>
Chief Executive Officer	Chair of Trust Board	A minimum of two Trustees	A minimum of two Trustees
Executive Director	Chair of Trust Board or nominee	A Trustee and the CEO	A minimum of two Trustees
Other FRMAT posts		Director of Business Strategy/CEO, depending on the nature of the post	A Trustee
Principal	CEO	A Trustee	A Trustee
All other academy posts	Principal	A member of the ELT. If an AIB exists, then a member of the AIB	A member of the ELT. If an AIB exists, then a member of the AIB

## 9.5 Performance Management

<b>Personnel</b>	<b>Delegated Authority</b>
CEO	Chair of Trust Board and Chair from each sub-committee
Executive Director	CEO and Chair of the Finance and Audit Committee
All other FRMAT posts	Director of Business Strategy/CEO
Principal	CEO and Trustee from the HR Committee
Deputy and assistant heads	Principal
All other academy posts	Reviewers agreed by Principal

## 9.6 Other Staffing Issues

### 9.6.1 'Acting up' roles and associated payment

If a role-holder is absent from work for a significant period, another employee of FRMAT may be offered the opportunity to take the role on a temporary basis with possible additional payment. The delegated authority for making decisions in these cases is shown below.

<b>Role</b>	<b>Delegated Authority</b>
CEO	The Trust Board on the recommendation of the Finance and Audit Committee
Director of Business Strategy	The Trust Board on the recommendation of the Finance and Audit Committee

MAT Team	The Trust Board on the recommendation of the CEO
Principal	The Trust Board on the recommendation of the CEO
Deputy Head	The Trust Board on the recommendation of the CEO
All other Academy staff (SLT, teachers, business teams)	Principal on the advice of the CEO

### 9.6.2 New posts and restructuring of posts

Decision	Delegated authority
Staffing restructures	CEO and Director Business Strategy and Finance and Audit Committee
Re-grading/Re-designation/increase in hours	CEO and Director Business Strategy and Finance and Audit Committee
Creation of permanent new posts with salary above £50,000	The Trust Board with salary recommendation from Finance and Audit Committee
Creation of permanent new posts with salary below £50000	CEO and Director Business Strategy
Creation of temporary new posts of up to 1 year	CEO and Director Business Strategy
Decision to make Redundancies	The Trust Board on the recommendation of the CEO and the Director of Business Strategy

### 9.6.3 Pay Issues

Issue	Delegated Authority
Revisions to Pay and Conditions	The Trust Board on the recommendation of the HR and Pay Committee
Authorisation of redundancy/early retirement payments	CEO and Director Business Strategy as long as redundancies were approved by Trust Board
Determination of CEO's pay range	The Trust Board on the recommendation of the HR and Pay Committee
Determination of pay range for an individual with a salary in excess of £50,000	The Trust Board on the recommendation of the HR and Pay Committee

<b>Issue</b>	<b>Delegated Authority</b>
Determination of pay range for an individual with a salary less than £50,000	CEO
Determination of pay progression of the CEO	The Trust Board on recommendation of the CEO's Performance Management Committee
Determination of pay progression of Deputy Head, Assistant Head and Senior Learning Mentor (others in the core SLT) within their pay grade	CEO recommendation to the HR and Pay Committee and the Trust Board on the basis of Performance Management
Determination of pay progression of the Trust central team and Principals within their pay grade	CEO recommendation to the HR and Pay Committee to be agreed by the Board on the basis of Performance Management
Determination of pay progression of teaching posts below Deputy Head within their pay grade (including Threshold)	Principal on agreement with CEO, reported to the HR and Pay Committee on the basis of Performance Management
Administration of employment contracts, pay and conditions of services (with the exception of previous delegated authorities)	Director of Business Strategy (with reference to the CEO, and Principal as appropriate)

<b>Delegated Duty</b>	<b>Value</b>	<b>Delegated Authority</b>	<b>Method</b>
Ex Gratia payments (good will payments)	Any	Board of Trustees plus ESFA	
Severance payments / settlement agreements / compensation	Up to £50k	CEO / Board of Trustees	Trustees should reasonably consider the proposed payment to be in the interests of the trust.  Trustees should consider whether such a payment is justified, based on a legal assessment of the trust's chances of successfully defending the case at tribunal. If there is a significant prospect of losing the

			<p>case, then a settlement may be justified</p> <p>Any settlement fee must be less than the legal assessment of what the relevant body is likely to award in the circumstances.</p> <p>Staff severance payments must not be made where they could be seen as a reward for failure, such as gross misconduct or poor performance. The only acceptable rationale in the case of gross misconduct would be where legal advice indicates that the claimant is likely to be successful in an employment tribunal claim because of employment law procedural errors. In the case of poor performance, an acceptable comparison would be the time and cost of taking someone through performance management and capability procedures.</p> <p>ESFA approval is required for proposed severance payments of £50k or more and this must be obtained BEFORE the trust makes any binding settlement offer to staff.</p>
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			Trusts should demonstrate value for money by applying the same level of scrutiny to a payment under £50k as if it were over £50k
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Note: Any other delegated authority, not described above, should be referred to the Trust Board for a decision

The term 'Principal' will include Acting Principal

## 10 Other areas of delegation

Responsibilities are delegated to specific post holders. Where the delegated post holder is the CEO or the Director of Business Strategy, they may, at their discretion, further delegate a responsibility to an appropriate member of the Trust team. However, in all cases, the CEO or the Director of Business Strategy, retains overall accountability for decisions and actions undertaken by Trust employees.

Area of delegation	Delegated Authority	Notes
Changes to the Admissions policy	CEO	All academies will follow the Trust's admissions policy
Capital Programme	The Trust Board	Proposed capital programmes must be submitted by June each year with the approval of the CEO and the Director of Business Strategy.
Capital Programme Contract Variations	CEO – if within agreed programme budget/contingency The Trust Board – if exceeding agreed programme budget/contingency	It is suggested that a 15% contingency is built into all programmes to allow for some local contract variation during the programme.
Health and Safety	The relevant Committee of the Trust Board (see Section 6) and the nominated Trustee for Health and Safety.	It is the responsibility of the Trust Board to ensure that health and safety laws are adhered to and the appropriate health and safety certificates are in place. Duty Holders are appointed who will oversee adherence

<b>Area of delegation</b>	<b>Delegated Authority</b>	<b>Notes</b>
		to all aspects of H&S in the academies.  The operational compliance of this function will be delegated on a day to day basis to the Director of Business Strategy's team.
Fund raising for the MAT	Director of Business Strategy	Any funds generated belong to the MAT to be invested with the agreement of the Finance and Audit Committee.
Fund raising for individual academies	Principal	Any funds generated belong to each individual academy to be invested in the future learning of the children.
Insurance	Director of Business Strategy	The Director of Business Strategy's team will use the Trust's purchasing power to ensure that all academies receive best value and value for money with their insurance.
Permanent Exclusions	Principal and The Trust Board	All academies will follow the Trust's Behaviour Policy for permanent exclusions. The CEO will work with the Local Authority to ensure independent permanent exclusion appeals.
External Service Level Agreements / Contracts	Academy – Business Manager  The Trust Board – Director of Business Strategy, CEO	All contracts and SLAs must be signed off by the DBS.  From time to time the Trust Board may procure SLAs on behalf of all academies as part of a best value review.
Safeguarding	The Education and Standards Committee of the Trust Board and the Safeguarding & LAC Trustee.	The Trust Board will, in respect of each academy, act in accordance with, and be bound by, all relevant statutory and regulatory provisions for safeguarding. All academies will follow The Trust Board's policy on

Area of delegation	Delegated Authority	Notes
		safeguarding (the same staff identification scheme will operate in all academies).

## Appendix 1 - Vision and Values

Our core vision and values are simple and are embedded within our motto:

**Endeavour – Empower – Excel**

**Our vision for Five Rivers Multi Academy Trust is:**

A life-affirming and life-changing education in a close-knit community of schools centred around people, where good relations are based on mutual respect, a sense of community and a recognition that the rights and needs of everyone matter.

### ***ENDEAVOUR - A Centre of Distinction in Teaching and Leadership***

In which

- we value and believe in our staff. With a Teaching School as part of the Trust, we are able to offer multiple strands of personal development and career progression
- we are committed to lifelong learning and continual professional development, to succession and sustainability, and the development of leaders of the future
- we recognise, nurture and encourage talent to evolve through bespoke support for new and experienced teachers, thus ensuring good and outstanding practice in all our teaching teams
- evidence-based research, collaborative learning, system leadership and intelligent use of data underpin our strategies for success
- our informed strategies for teaching and learning will be shared widely through research, training, publications, and professional conferences
- our trustees are involved in school life and provide challenge and support across the trust, ensuring our schools are run effectively to secure continued improvement for our children and the very best outcomes

### ***EMPOWER - A Focus on the Whole Child'***

Where

- every child's emotional well-being is central to their educational experiences; they feel safe and secure, able to overcome emotional barriers, express their worries and concerns and be listened to
- children have an awareness and understanding of their culture, community, and, respect and tolerance of others
- close partnerships with parents, families and carers are vital for children's development, learning and achievement

Through

- our commitment to equality, dignity, and respect, as Rights Respecting Schools adhering to the United Nations Convention on the Rights of the Child, and to British values, to develop confident, positive, young citizens of the wider world

- pride in our local communities and celebration of our differences in faith, culture, religion and identity
- involvement and partnerships with businesses, universities, public services and the local and wider communities to allow us to raise our children's aspirations and encourage them to be life-long, independent thinkers and learners

### ***EXCEL - Success for All***

Where

- every child receives individual, personalised support to become an autonomous, enthusiastic learner ready to achieve our high aspirations in relation to attitudes to learning, behaviour and attendance
- our pedagogical approach to learning and teaching enables our children to grow in confidence and independence
- all our children are challenged and supported to reach their full potential regardless of their background, culture and life experiences
- we have high aspirations for ourselves and others in order to ensure high aspirations for our children and families

## Appendix 2 - Safeguarding

### Safeguarding

Safeguarding is an umbrella term that covers child protection and many more issues relating to the wellbeing of children.

On 3 April 2014, new statutory guidance – “Keeping Children Safe in Education (KCSIE)” came into effect. This guidance was updated on 19 September 2018, **1 October 2019 and again on 18 January 2021.**

Academies must comply with specific statutory requirements for safeguarding. These include:

- having clear policies, strategies and procedures to ensure the safeguarding and welfare of pupils, including those relating to behaviour, bullying, health and safety, harassment and discrimination;
- having a named Designated Safeguarding Lead (DSL) who is a member of the SLT in each academy;
- having a named governor for safeguarding **(or a named trustee where governing bodies do not exist);**
- ensuring the recruitment of staff and volunteers in line with safer recruitment guidance and legislation;
- having procedures in place for dealing with allegations of abuse against members of staff or volunteers.

### The Trust Board

The statutory requirements for safeguarding with which Trustees must comply, include:

- having an agreed, written child protection policy that is reviewed annually and shared with parents;
- having a named designated safeguarding lead who is a member of the SLT;
- having a named Trustee for Safeguarding (Appendix 3);
- having child protection procedures in place;
- ensuring that, in line with safer recruitment guidance and legislation, there is training at an appropriate level for Appointments Panel members who recruit staff and volunteers;
- having procedures in place for dealing with allegations of abuse against members of staff or volunteers;
- ensuring that a Single Central Record (a legal requirement in the recruitment and vetting process for all schools) is fully up to date;

Neither the Trust Board nor the Safeguarding Trustee has a role in dealing with individual cases or a right to know case details.

## **The Safeguarding Trustee**

The Safeguarding Trustee has a key role in keeping a focus on safeguarding. S/he is responsible for ensuring that safeguarding matters are kept on the agenda at Trust Board meetings and that trustees are kept informed about new legislation and the effectiveness of academy practice.

The role is strategic and should focus on:

- being aware of how much child protection work arises in each academy;
- ensuring that the Designated Safeguarding Lead (DSL) in each academy is properly supported and adequately resourced;
- ensuring that the Trust's statutory responsibilities are adequately resourced.

The Safeguarding Trustee should meet with DSLs on a regular basis to look at their workload and to discuss any emerging themes that might require resource.

There is a focus on local procedures and, therefore, all safeguarding procedures must now take into account the Local Safeguarding Children Board (LSCB) procedures. The DSLs and responsible Trustee must ensure that they are familiar with the local procedures which will differ depending on the locality of each academy.

Finally, the designated Trustee should check that staff and trustees are appropriately trained to keep their child protection knowledge up to date.

## Appendix 3 – Role Holders

### Non-Executive Directors

Sheila Sutherland

### Members

Stephen Betts

~~Tony Bowkett~~

Sue Hunter

Darren Pearce

Marc Rowland

### Board of Trustees

~~Christopher Bradbury (Non-Executive Director)~~

Emma Farmer (Director of Business Strategy) – non-voting

Peter Harris (Non-Executive Director)

~~Raj Joshi (Non-Executive Director)~~

Nathan Ray (Non-Executive Director)

David Sandilands (Non-Executive Director)

Kay Simpson (Non-Executive Director)

Sheila Sutherland (Non-Executive Director) (Vice Chair)

Rebecca Webb (CEO) – non-voting

**Andy Wynne (Chair)**

**Finance Trustee:** Kay Simpson

**Information Governance Trustee:** **Sue Hunter**

**Health & Safety Trustee:** ~~Raj Joshi~~

**Safeguarding & LAC Trustee:** David Sandilands

### Education and Standards Committee

**Peter Harris (Trustee)**

~~Raj Joshi (Trustee)~~– Chair

David Sandilands (Trustee)

Sheila Sutherland (Trustee) – Vice Chair

Emma Farmer (Director of Business Strategy)

Becky Webb (CEO)

## Finance and Audit Committee

Vacancy - Chair

Emma Farmer (Director of Business Strategy)

Kay Simpson (Trustee)

Rebecca Webb (CEO)

Andy Wynne (Trustee)

Vacancy (Trustee)

## HR and Pay Committee

~~Christopher Bradbury~~ – Chair

Chair of the Finance and Audit Committee (TBC)

Chair of the Education and Standards Committee (~~Raj Joshi~~) (TBC)

Emma Farmer (Director of Business Strategy)

Nathan Ray (Trustee)

Rebecca Webb (CEO)

## Executive Leadership Team

Rebecca Webb (CEO, Accounting Officer)

Emma Farmer (Director of Business Strategy)

Helen Best (Principal of Abbeyfield Primary Academy)

Jamie Clarke (Head of Estates and Facilities)

Deborah Sanderson (Principal of Tinsley Meadows Primary Academy)

Maxine Binge (Executive Finance Manager)

Allison Brunt (Executive Business Manager)

Alison Brigden (PA to Executive Team)

## Appendix 4 - Covid-19: changes to meeting structure and frequency

A **FRMAT Special Committee** was constituted in April 2020 as a response to the Covid-19 pandemic, in order to streamline the business of the Trust Board and its constituent sub-committees and to facilitate decision making.

See the full **Special Committee Terms of Reference** [here](#).

### Membership and Meetings

The Committee is made up of three Trustees (the Chair of Trustees plus the Chairs of the Finance & Audit Committee and the Education & Standards Committee [the Chair of Trustees represents the HR & Pay Committee] working closely with the FRMAT Executive Leadership Team. The Chair of Trustees is the Chair of the Special Committee. All Trustees may attend its meetings.

The Special Committee meets once every half term during the ordinary academic year, with the option for the Chair to call extraordinary meetings should they be required. For decisions which need to be made quickly when a meeting is not imminent, virtual consent of the Special Committee may be sought.

Quorum is three trustees. Other trustees may expect to be asked to attend if this is necessary to meet quoracy requirements.

### Responsibilities

The Special Committee is convened to provide oversight, support and challenge to the Executive Leadership Team's ongoing response to the novel coronavirus ("Covid-19") pandemic.

The Committee is authorised by the Board to:

*i. carry on any activity authorised by the Terms of Reference, this Scheme of Delegation and the Policy Framework;*

*ii. act in place of the Board – i.e. with full delegated authority – insofar as doing so is a necessary and limited response to the exigencies of the novel coronavirus outbreak;*

*iii. act in place of sub-committees on regulatory matters\*;* and

*iv. seek any appropriate information that it properly requires to carry out its role from any senior employee of the Trust and all senior employees shall be directed to co-operate with any request made.*

\*Finance & Audit Committee to be reinstated on a needs basis from February 2021 to allow more time to spend on monitoring these issues and separate detailed scrutiny on finance.

The Special Committee will function as a higher authority forum where the Executive Leadership Team may refer matters beyond its remit for consideration and which, subject to the Committee's evaluation, may be rejected, amended or approved as final.

## **Oversight**

At each meeting, the Special Committee will consider an update on the Trust's risk register, safeguarding, the quality and coverage of ongoing educational provision, staffing levels and employee wellbeing, operational implications, financial implications (except where a separate FAC is being convened).

## **Functioning of the Board and Committees**

The schedules of all sub-committees (except for the FAC as above) are superseded by that of the Special Committee during the pandemic as of April 2020.

## **Review and Dissolution**

The Special Committee shall assess the need for its work to continue at each meeting. Within three months of the resumption of ordinary school opening, the Committee will be dissolved unless the Board of Trustees positively determines to renew the Terms of Reference.

May 2021