



# **CONISBROUGH IVANHOE PRIMARY ACADEMY**

## **SCHEME OF DELEGATION**

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## SCHEME OF DELEGATION

### 1. PRINCIPLES

- 1.1 Conisbrough Ivanhoe Primary Academy is a company limited by guarantee, an exempt charity and a public body.
- 1.2 The Ivanhoe Board of Trustees is mindful that it has an overriding responsibility to ensure that all statutory obligations to our pupils, students, parents, the Department for Education and the Education and Skills Funding Agency are met.
- 1.3 Ivanhoe Board's intention is to provide a framework via the Scheme of Delegation within which decisions can be made to meet the needs of pupils, students and where appropriate, the wider community.

### 2. MISSION STATEMENT

- 2.1 We will make our school a place where children are happy and where they have fun.

Ivanhoe will be a safe, secure school where great teaching inspires children to reach their potential and achieve their ambitions.

In this place, imagination will be as important as knowledge; children will enjoy a creative, enriching curriculum with school trips they will never forget.

No child can learn and attain academic excellence unless they love their school; we will do all that is possible to help each of our children to believe, to achieve and to succeed.

#### 2.2 What is our purpose?

- 2.2.1 To raise standards for all pupils and students by sustaining and enhancing performance and to develop the whole child.
- 2.2.2 To fulfil our moral purpose by engaging and collaborating with other schools to help improve the life-chances of all young people both locally, regionally and nationally.

#### 2.3 Core Values

We will:

- Place children and students at the heart of everything we do
- Place collaboration before competition, working with others for the betterment of all
- Develop and support professionals in our academy to establish practice that improves lives
- Ensure that all children make good progress irrespective of their starting point and those young people facing disadvantage are lifted from educational poverty
- Never do anything to the detriment of learners, staff, or other stakeholders, in a neighbouring community

- Adhere to the ‘Seven Principles of Public Life’
- Promote environmental awareness and protection locally, nationally and globally.

### 3. CONISBROUGH IVANHOE MEMBERS

3.1 The Trust, as a charitable company limited by guarantee, has Members, who have a similar role to the shareholders of a company limited by shares. They:

- are the subscribers to the Trust’s Memorandum of Association (where they are founding members)
- may amend the articles of association subject to any restrictions in the Articles, the Funding Agreement or charity law
- may, in certain circumstances, appoint new Members or remove existing Members
- have powers to appoint and remove Trustees in certain circumstances
- may, by special resolution, issue direction to the Trustees to take a specific action
- appoint the Trust’s auditors and receive the Trust’s audited annual accounts (subject to the Companies Act)
- have power to change the name of the company and, ultimately, wind up the Academy Trust

3.2 The Academy Trust Handbook recommends that a majority of Members should be independent of the Board of Trustees, to ensure a significant degree of separation between the individuals who are Members and those who are Trustees. Distinction between the two layers ensures that Members, independent of Trustees, provide oversight and challenge.

3.3 Conisbrough Ivanhoe has 3 members.

3.4 The Members **must** authorise:

- 3.4.1 amendments to Ivanhoe's Articles of Association;
- 3.4.2 documents containing any unusual or onerous provisions where it may be appropriate for the Board to discuss them first; and
- 3.4.3 any project or matter in which the Headteacher may reasonably be considered to have a conflict of interest.

### 4. BOARD OF TRUSTEES

4.1 The Ivanhoe Board of Trustees is the legal governing body of the MAT.

4.2 Those who sit on the Board of Trustees are both charity trustees and company directors.

4.3 The Board of Trustees (Board) sets out Ivanhoe’s strategy and operational policy in key areas, which are then applied through the organisational framework and schemes of delegation.

- 4.4 The Board must appoint, in writing, a senior executive leader who may be appointed as a trustee. The Headteacher of the Trust is Joe Brian and he has been appointed as a Trustee on the Board of Trustees.
- 4.5 The Board of Trustees acts collectively: with the exception of the Headteacher, they do not have individual executive authority and the academy is ultimately governed by the Trust.
- 4.6 The Chair is responsible for ensuring the effective functioning of the Board and setting professional standards of governance.
- 4.7 Trustees hold statutory duties as a company director to exercise care, skill and diligence and avoid conflicts of interest. They are also required to act within their powers, promote the success of the Trust, exercise independent judgement, not to accept benefits from third parties and to declare interests in proposed transactions or arrangements.
- 4.8 The Board of Ivanhoe is required to meet at least three times a year. The Ivanhoe Board of Trustees meet six times a year.
- 4.9 Under the Articles of Association (Articles 94-128), Directors (Trustees) have the following powers and responsibilities:
- 4.11.1 To manage the business of the Trust.
  - 4.11.2 To expend the funds of the Trust in such manner as they shall consider most beneficial for the achievement of the Objects.
  - 4.11.3 To invest in the name of the Trust such part of the funds as they may see fit.
  - 4.11.4 To enter into contracts on behalf of the Trust.
  - 4.11.5 In exercising these powers and functions, the Directors may consider any advice given by the Headteacher and any other Executive Officer
  - 4.11.6 Any bank account shall be operated by the Directors in the name of the company and cheques or equivalent electronic payments shall be signed by at least two signatories authorised by the Directors.
  - 4.11.7 The Directors may appoint separate committees and should determine constitution, membership, proceedings and Terms of Reference. Terms of Reference are to be reviewed annually.
  - 4.11.8 Directors may delegate to any Director, Committee, the Headteacher or any other Executive Officer, such of their powers or functions as they consider desirable. Delegation may be subject to conditions and may be revoked or altered. Any exercise of this power is to be reported to the next Directors' meeting.
  - 4.11.9 To appoint the Headteacher. Directors may delegate such powers and functions as required by the Headteacher for the internal organisation, management and control of the Academy (including the implementation of all policies approved by the Directors and for the direction of the teaching and curriculum at the Academy).

4.11.10 To comply with obligations under the Companies Act and Charities Act with regards to the preparation and filing of the annual report, accounts and confirmation statement/annual return.

#### 4.12 **Sub-committees of the Board**

4.12.1 The Trust must establish a committee, appointed by the Board of Trustees, to provide assurance to the Board over the suitability of, and compliance with, its financial systems and operational controls, and to ensure that risks are being adequately identified and managed.

4.12.2 The Board must ensure there is an appropriate, reasonable and timely response by the trust to any findings by auditors, taking opportunities to strengthen the trust's systems of financial management and control.

4.12.3 The Ivanhoe Board has the following scrutiny sub-committees, made up of Trustees. Each of these sub-committees meets at least termly and makes recommendations to the Board as it considers appropriate:

- **Finance, Audit and Risk Committee**

4.12.4 Terms of Reference for all Board Sub committees are reviewed on at least an annual basis and are published on the Academy website.

#### 4.13 **Internal Scrutiny**

4.13.1 The Board has appointed an external company to undertake internal scrutiny

4.13.2 The areas of scrutiny delegated by the Board are:

- Standards
- Safeguarding
- Special Education Needs and Disability (SEND) /Looked After Children (LAC) /Pupil Premium (PP)
- Health and safety, premises
- Finance, compliance and Value for Money (VfM)
- Community engagement.

### 5. **EDUCATIONAL SCRUTINY**

5.1 The Board of Trustees is ultimately responsible for educational outcomes in the academy. In order to discharge this responsibility effectively, the Board has made the following delegations:

- Scrutiny of the performance of groups of students, and the effectiveness of provision is undertaken by the Board of Trustees.
- Scrutiny of the performance of vulnerable groups of students or those that have additional challenges and needs is undertaken by the Board of Trustees.

- Scrutiny of predictions and outcomes for the Academy takes place by the Headteacher, Deputy Headteacher and the SLT.
- Day to day scrutiny of performance, including performance management reviews of teaching staff (except the Deputy Head) is delegated to the Headteacher.

## 6. FINANCIAL SCRUTINY

### Accounting Officer

- 6.1 The Board must appoint, in writing, a named individual as its Accounting Officer. This should be the Headteacher
- 6.2 The role of Accounting Officer includes specific responsibilities for financial matters. It includes a personal responsibility to Parliament, and to the ESFA's Accounting Officer, for the financial resources under the Trust's control. Accounting Officers must be able to assure Parliament, and the public, of high standards of probity in the management of public funds, particularly regularity, propriety and value for money. Accounting Officers must also adhere to the 'seven principles of public life'.
- 6.3 The Accounting Officer must have appropriate oversight of financial transactions, by:
- ensuring that the Academy Trust's property and assets are under the control of the Trustees, and measures exist to prevent losses or misuse
  - ensuring that bank accounts, financial systems and financial records are operated by more than one person
  - keeping full and accurate accounting records to support their annual accounts
- 6.4 The Accounting Officer must take personal responsibility (which must not be delegated) for assuring the Board that there is compliance with the Funding Agreement and Handbook. The Accounting Officer must advise the Board in writing if any action it is considering is incompatible with the Articles, Funding Agreement or Handbook. Similarly, the Accounting Officer must advise the Board in writing if the Board fails to act where required by the funding agreement or handbook.
- 6.5 The trust **must** have a Chief Financial Officer (CFO), appointed by the Trust's Board to whom responsibility for the trust's detailed financial procedures is delegated.
- 6.6 The Chief Financial Officer must ensure appropriate financial arrangements operate day to day. This is the responsibility of the School Business Manager.

## 7. BUDGET SETTING

- 7.1 The Board must approve a balanced 3-year budget. The Board must minute its approval.
- 7.2 The Trust must submit to ESFA, in a form specified by ESFA a 3-year budget forecast return as per the ESFA deadline each year.
- 7.3 These must be approved by the Board before submission.

- 7.4 The Board must ensure that budget forecasts, for the current year and beyond, are compiled accurately, based on realistic assumptions including any provision being made to sustain capital assets, and are reflective of lessons learned from previous years.
- 7.5 The Trust must prepare management accounts every month setting out its financial performance and position, comprising income and expenditure, budget variance reports, balance sheet, forecast to the end of the year, a rolling 12-month cash flow forecasts with sufficient information to manage cash, debtors and creditors.
- 7.6 Management accounts must also be shared with the Chair of the Board of Trustees every month and with the other Trustees six times a year. The Board must consider these when it meets. The Board must ensure appropriate action is being taken to maintain financial viability including addressing variances between the budget and actual income and expenditure.
- 7.7 In order to meet these national requirements, Academy projected outturns must be in place by the end of May each year and all final budgets must be submitted to the Board for ratification by mid-July each year.
- 7.8 Budgets are set by the Headteacher and CFO. They are then presented to the Board of Trustees for ratification before submission to the ESFA.
- 7.9 The Headteacher will submit their Academy Improvement Plan, Summary SEF and Curriculum Led Financial Plan to the Trust Board by October half term each year. The monitoring of implementation will be reported to the Trust Board. Further information on the day-to-day operation of financial arrangements by the Trust and in academies is available in the Trust's Financial Regulations Handbook.



**8. DELEGATED AUTHORITIES**

Delegated Duty	Delegated Authority	Comment
Admissions	<p>Academy for annual review of policy and administration of admissions. Where no policy changes are proposed, consultation on the policy must take place at least once every seven years.</p> <p>Board of Trustees for any changes to an Academy admissions policy.</p>	<p>The Academy will participate where possible in the relevant Local Authority admission procedures</p> <p>Any proposals to change admissions arrangements agreed on conversion must be submitted to the Board of Trustees for approval and then must be submitted to the Local Authority for consultation. Consultations must be for 6 weeks between October and January 2022 for changes to be effective in September 2023.</p> <p>Academies must publish admissions information, including for in-year applications, on their website.</p> <p>Admissions Appeals are the responsibility of the Trust; we will use Local Authority arrangements, where possible.</p>
Appoint auditors	Members	<p>Academy Trusts must appoint an auditor to certify whether their annual accounts present a true and fair view of the trust's financial performance and position.</p> <p>The audit contract must be in writing.</p>
Capital Programme	Board of Trustees	<p>Strategic priorities at Trust level will form part of recommendations from the Headteacher to the Board of Trustees.</p> <p>The Finance Committee of the Board of Trustees will monitor delivery against these strategic priorities.</p> <p>Under exceptional circumstances, operational requirements may require executive action – all such action will be reported to the Board at the earliest opportunity</p>

Delegated Duty	Delegated Authority	Comment
Capital works	Academy	<p>Any capital or capitalised revenue projects will be approved in accordance with the Finance and Assets scheme of delegation:</p> <ul style="list-style-type: none"> <li>• Up to £1,000 – Headteacher, Deputy Headteacher, Assistant Head. Selection from current supplier list unless agreed otherwise by School Business Manager</li> <li>• £1,001 to £5,000 – Headteacher. Minimum of three quotes</li> <li>• £5,001 to £30,000 – Finance Committee. Minimum of three quotes</li> <li>• Over £30,000 – Trust Board. Formal tendering process, including advertising in Public Sector Procurement online service, ‘Find a Tender Service’ (FTS) (if over the FTS threshold)</li> </ul>
Capital Programme Contract Variations	If within agreed programme budget/contingency – Academy	It is suggested that a 15% contingency is built into all programmes to allow for some local contract variation during the programme
Changes to activities (year groups, trading activities)	Headteacher, Board for final approval of change	Board retains ultimate sign-off to ensure that any proposals are within the objects, powers and terms of funding provided to the Academy.
Complaints	Headteacher	Trust policy to be followed. If required, formal hearing by panel of Trust Board members, not previously involved in the review of the complaint.
Direct pupils off-site to help improve their behaviour	Headteacher	

Delegated Duty	Delegated Authority	Comment
Educational scrutiny	Board of Trustees Headteacher Deputy Headteacher Assistant Headteacher SLT	See section 5 above
Health and Safety	Headteacher SBM	<p>It is the responsibility of the Academy to ensure that a general policy on the management of health and safety is in place, that this policy is communicated to all employees and that appropriate systems and procedures are in place to secure effective implementation of that policy.</p> <p>The operational compliance of this function is delegated on a day to-day basis to the SBM. Overall compliance with this requirement is monitored by the Audit and Risk Committee on behalf of the Board of Trustees</p>
Get information about schools system (DfE)	SBM for Board-related information	<p>The DfE must be notified of the appointment or vacating of the positions of:</p> <ul style="list-style-type: none"> <li>• Accounting Officer and Chief Financial Officer</li> <li>• Chair of Trustees</li> <li>• Member, Trustee within <b>14 days</b> of that change.</li> </ul> <p>Notification must be through the governance section of DfE's Get Information About Schools (GIAS) register, accessed via Secure Access. All fields specified in GIAS for the individuals must be completed. The Trust must confirm on the GIAS portal that all</p>

Delegated Duty	Delegated Authority	Comment
		information is accurate. This must be done quarterly even if there are no changes.
Income Generation	Headteacher SBM	<p>Any income generated belongs to the Academy for investment in the future learning of the pupils/students.</p> <p>Raising invoices to collect income will be approved in accordance with the Finance and Assets scheme of delegation</p> <ul style="list-style-type: none"> <li>• Up to £5,000 – School Business Manager</li> <li>• £5,001 to £10,000 – As above plus Headteacher</li> <li>• Over £10,001 – As above plus Trust Board</li> </ul>
Insurance/Risk Protection Arrangements	SBM	To ensure that the Academy receives value for money for their insurance.
Investments	Board of Trustees	
Permanent Exclusions	<p>Headteacher</p> <p>Independent Review Panels are the responsibility of the Trust; the Local Authority arrangements are used, where possible.</p> <p>The Board of Trustees must be informed of all requests for an Independent Review Panel.</p>	<p>The Academy must follow the DFE statutory guidance <a href="#">School suspensions and permanent exclusions</a></p> <p>Formal hearing by panel of Trustee Board members, not previously involved in the matter must consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if:</p> <ul style="list-style-type: none"> <li>• the exclusion is permanent;</li> <li>• it is a fixed-period exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or</li> </ul>

Delegated Duty	Delegated Authority	Comment
		<ul style="list-style-type: none"> <li>it would result in a pupil missing a public examination or national curriculum test.</li> </ul> <p>If applied for by parents within the legal time frame, the Academy Trust must, arrange for an Independent Review Panel hearing to review the decision not to reinstate a permanently excluded pupil.</p>
Register of interests	Headteacher	<p>The register of interests must capture relevant business and pecuniary interests, including:</p> <ul style="list-style-type: none"> <li>directorships, partnerships and employments with businesses</li> <li>trusteeships and governorships at other educational institutions and charities</li> <li>for each interest: the name of the business; the nature of the business; the nature of the interest; and the date the interest began</li> </ul> <p>This information must be published on the Academy website following the first Board meeting of the academic year.</p>
Related party transactions	Headteacher	<p>Trusts must report all transactions with related parties to ESFA in advance of the transaction taking place and must seek ESFA approval for contracts or agreements for amounts exceeding £20,000, whether individually or cumulatively. This requirement applies to transactions made on or after 1 April 2019. (Refer to the Trust policy on 'Goods or Services provided by a Connected Party'). Trusts must obtain ESFA's approval for transactions with related parties that are novel, contentious and/or repercussive.</p>

Delegated Duty	Delegated Authority	Comment
Reporting of Fraud/suspected frauds to ESFA	Headteacher	Headteacher must report all frauds or suspected frauds to the Chair of Trustees and the Finance Committee, in line with the Trust Anti-Fraud Policy. Individual or cumulative amounts over £5,000 must be reported <b>to the ESFA</b> .
School census submission	Headteacher	Headteacher must submit signed returns to Collect. The Finance Committee review overall pupil number estimates termly.
School closure	Headteacher	Headteacher should notify the Chair of Trustees regarding a school closure.
Service Level Agreements/Contracts	Board of Trustees Framework contracts	<p>Academies should use ESFA Frameworks where these are in place, unless better value can be demonstrated, <b>in advance</b> of any procurement activity.</p> <p>Procurement for all contracts must follow the Academy procurement requirements and the approval levels laid down in the Financial scheme of delegation:</p> <ul style="list-style-type: none"> <li>• Up to £1,000 – Headteacher, Deputy Headteacher, Assistant Head. Selection from current supplier list unless agreed otherwise with SBM.</li> <li>• £1,001 to £5,000 – Headteacher. Minimum of three quotes</li> <li>• £5,001 to £30,000 – Finance Committee. Minimum of three quotes.</li> <li>• Over £30,000 – Trust Board. Formal tendering process, including advertising in the Public Sector Procurement online service, “Find a Tender Service” (FTS) if over the FTS threshold.</li> </ul>

Delegated Duty	Delegated Authority	Comment
		<p>Note: if a contract is for a number of years the full cost of the contract over its full period must be considered to determine the contract value for approval.</p>
Safeguarding	Headteacher Designated Safeguarding Lead (DSL) Designated Safeguarding Trustee	<p>It is the responsibility of the Academy to ensure that policies on the safer recruitment of staff, on dealing with allegations against staff, supporting pupils with medical conditions and a staff code of conduct for working with children are in place, that these policies are communicated to all employees and that appropriate systems and procedures are in place to secure effective implementation of these policies.</p> <p>In the event of safeguarding or child protection concerns relating to the conduct of the Academy employees, the Headteacher must be informed and is empowered to take immediate action. All action taken under this power shall be reported immediately to the Nominated Safeguarding Board members and is subject to review by the next meeting of the Board of Trustees.</p> <p>All Academies <b>must</b> ensure that their safeguarding and child protection policies comply with the relevant local requirements and review these policies on at least an <b>annual basis</b> or when relevant statutory guidance is updated.</p>
School security/Site exclusion	Headteacher	<p>Headteacher can issue ban from site. Decision subject to review after maximum of 13 weeks by independent panel made up of Trustees.</p>

Delegated Duty	Delegated Authority	Comment
Whistleblowing	Headteacher	<p>It is the responsibility of the Trust to have appropriate procedures in place for whistleblowing, making sure all staff are aware of the process and how concerns will be managed.</p> <p>The Trust must ensure that all concerns raised with them by whistleblowers are responded to properly and fairly.</p>



## 9. FINANCIAL LEVELS OF AUTHORITY

Delegated Duty	Value	Delegated Authority	Method
Ordering goods from Amazon	Up to £100	Office Manager	Selection from approved supplier
	£101 to £1,000	SBM	Selection from approved supplier
Ordering goods and services (raising requisitions)	Up to £1,000	Headteacher/Deputy Headteacher/Assistant Head/SBM	Selection from current supplier list unless agreed otherwise with SBM
	£1,001 to £5,000	Headteacher	Minimum of three quotes
	£5,001 to £30,000	Finance Committee	Minimum of three quotes
	Over £30,000	Trust Board	Minimum of three quotes
	Formal tendering process, including advertising in the Public Sector Procurement online service, 'Find a Tender Service' (FTS) (if over the FTS thresholds).		
Note: if a contract is for a number of years the full cost of the contract over its full period must be considered.			
Operating leases or contracts	Any	All contracts and leases must be approved in line with the above and signed by the Headteacher	If any element of the agreement/contract includes data processing or sharing, documentation of Data Protection checks must be completed in advance of a contract /agreement signature.
Operating Leases on Land and Buildings (Taking up a lease or granting a sub-lease)	Any	All contracts and leases must be approved in line with the above and signed by the Headteacher.  ESFA approval will be needed if entering a lease for more than 7 years.  All sub leases will need approval by the board together with ESFA approval	
Finance leases	Any	ESFA approval is required.	Approval required in advance

Authorisation of BACS payments and other bank transfers	Any	Must be authorised by two signatories  Approved for payment by Headteacher	
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Delegated Duty	Value	Delegated Authority	Method
		<b>Individual Payments Over £50,000</b> by the Chair of Trustees prior to BACs payments being authorised	
Signatories for cheques	Any	Two signatories from authorised list	Cheques should only be used if payments cannot be made by BACs
Signatories for ESFA grant claims and ESFA returns	Any	Two signatories (or as required by ESFA)	
Virement of budget provision between budget headings	Up to £10,000	School Business Manager in conjunction with Headteacher with reporting to the Finance Committee	An updated forecast and analysis of changes should be included in each set of management accounts
	Over £10,000	Headteacher plus Trust Board	
Changes to Budget from previous year carry forward/in year surplus	Any	School Business Manager in conjunction with Headteacher	
Purchase or sale of any freehold property	Any	ESFA approval required	Approval required in advance
Disposal of other assets – Fixtures and Fittings/Computers etc	Any	ESFA approval required	Approval required in advance
Write off of bad debts	Any	ESFA approval required	Approval required in advance

Granting or take- up of any leasehold or tenancy agreement exceeding three years (Refer above for operating leases over 1 year)	Any	ESFA approval required	Approval required in advance
Raising invoices to collect income	Up to £5000	School Business Manager	
	£5,001 to £10,000	As above plus Headteacher	
	Over £10,000	As above plus Trustee Board	

### Reporting of Fraud

Please ensure any suspected Frauds are notified to the Headteacher in line with the Trust Anti-Fraud Policy. Amounts over £5,000 must be reported to the ESFA. Any reporting will be completed by the Headteacher.

### Novel, Contentious or Repercussive transactions

Novel payments or other transactions are those of which the Academy Trust has no experience or are outside the range of normal business activity of the trust.

Contentious transactions are those which might give rise to criticism of the Trust by Parliament, and/or the public, and/or the media.

Repercussive transactions are those which are likely to cause pressure on other trusts to take a similar approach and hence have wider financial implications.

**Conisbrough Ivanhoe does not authorise any activity that would fall into this category of transaction.**

### 10. HR LEVELS OF AUTHORITY

HR levels of authority are contained within a suite of policies. Please contact [admin@ivanhoeprimary.co.uk](mailto:admin@ivanhoeprimary.co.uk) if you require further details.