Bishop Otter Academy Trust

Scheme of Delegation

Including Financial Scheme of Delegation

Approved by:	Trustees	Date: May 2023
Last reviewed on:	May 2023	
Next review:	Annually and immediately when there has been a change in trust management or organisational structure	
Based on	National Governance Association (NGA) guidance, November 2020	
Version	Version 2.2 Date 16th May 2023	
Further information / References	BOAT Scheme of Delegation – The latest version of this document Academy Trust Handbook National Governance Association – Log in details may be required	

Related Policies

As well as this Scheme of Delegation, trustees, governors and staff should refer to the following BOAT policies and documents for more information about delegation and decision making:

- Admissions Policy
- Appraisal and Performance Management policies
- Associate School Policy and Procedures
- Behaviour Policies (School) – This includes pupil exclusions
- Complaints Policy (Trust)
- Financial Management and Governance Self-assessment (FMGS) Checklist
- HR Handbook (underdevelopment)
- HR policies
- Internal Control Framework
- Safeguarding policies – This includes the role and responsibilities of the Designated Safeguarding Lead (DSL)
- Safeguarding Handbook (procedures and guidance)
- Tender Policy
- Whistleblowing Policy

Other policies and documents will be added to the above. Please contact the trust/school for the most up to date list. Policies published on our website can be found here: BOAT Policies

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1. Overview

1.1 Introduction to the Bishop Otter Academy Trust (BOAT)

"The wisdom that is from above is first pure, then peaceable, gentle and easy to be entreated;
full of mercy and good fruits, without partiality and without hypocrisy
and the fruit of righteousness is sown in peace of them that make peace." James 3:18

The Bishop Otter Academy Trust (BOAT) is a multi-academy trust in the Diocese of Chichester. The trust is aspirational for every child to achieve their potential and be equipped with *'wisdom for life'*.

Our vision is rooted in Christian values which inspire and underpin our community life together as the foundation of all of our educational and pastoral efforts. We seek to be a distinctive but inclusive trust, valuing and respecting each other. We extend the invitation to all those in our school communities to join our pursuit of wisdom for life. We aim to be a mutually supportive community where we strive for transformational educational excellence through effective partnerships within and beyond the trust.

As a trust we have three core aims:

- Wisdom for Life
- Educational Excellence
- Community and Partnerships

In addition, the Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

More information about our vision and values can be found here: BOAT vision and values

1.2 Collaborative autonomy

The trust believes in a concept of '**collaborative autonomy**'– schools working together with common aims under a common banner they all believe in, but retaining a sense of autonomy and uniqueness.

The trust seeks to enable, not micro-manage, local schools to provide 'educational excellence'. Local governors should know their school and local community the best. They are therefore well-placed to make informed decisions to serve the needs of their pupils, families, staff and local community. However, if a school requires rapid improvement, then the board of trustees has the power to withdraw delegated authorities in order to bring about required improvement.

This Scheme of Delegation documents seeks to outline how the trust will meet statutory requirements whilst promoting 'localism'.

1.3 Governance

A multi academy trust's board of trustees is accountable in law for all major decisions, as defined in DfE publications (e.g. Academy Trust Handbook), Company Law and Charity Commission guidance, about all the schools within the trust. However, this does not mean that the board is required to carry out all the trust's governance functions and many functions can and should be delegated elsewhere, including to the CEO, the board's committees, and to local governing bodies (LGBs).

The principle governing document in trusts is the articles of association: BOAT Articles of Association. The articles set out the charitable purpose of the trust, providing a framework for trusts to act within both company and charity law. However, the articles of association do not provide the specific detail of our governance structure and how governance functions have been delegated.

The Academy Trust Handbook states, 'The board cannot delegate overall responsibility for the academy trust's funds. However, it **must** approve a written scheme of delegation of financial powers that maintains robust internal controls. The scheme of delegation should be reviewed annually, and immediately when there has been a change in trust management or organisational structure.

The NGA's research paper, Moving MATs forward: the power of governance, urges trust boards to develop an accessible and usable scheme of delegation which carefully considers the role applied to the local tier with effective communication channels developed between each layer of governance. The NGA also encourage that there is a clear distinction between accountability through governance (i.e. by the trust board and its committees) and accountability through line management (i.e. by executive leaders).

This documents seeks to explicitly establish who carries out which governance function and can therefore make the decisions associated with that function to enable effective governance and clear decision making. The trust wants to make this document as simple and systematic as possible, so that the members, trustees, board committees, academy committees (LGBs), and executive leaders are all clear about their roles and responsibilities within the governance structure.

1.4 Information for schools joining the trust

It is important that governors of maintained school who are considering joining the trust take time to understand this scheme of delegation. Governors need to be clear about the legal status of members, trustees and governors and the trust's approach to local governance and which functions are delegated.

Governors should be aware that, with all committees, including Local Governing Bodies, the trust board has the power to change the constitution and powers of its committees at any time, and this includes the membership of those committees too. However, the board of trustees is committed to working in partnership and any withdraw of delegated functions would always be of last resort.

1.5 Format of Scheme of Delegation

This Scheme of Delegation uses a grid format, with columns for each layer of governance to indicate clearly who within the trust is responsible for each function and the associated decision making.

Key Governance Functions

This grid is based on four key areas (as set out by the NGA) to reflect both the governance framework, the three core functions of the governing board.

1. The governance framework:
   a. People
   b. Systems and structures
   c. Reporting
2. Being strategic
3. Holding to account
4. Ensuring financial probity

Financial Management and Governance Self-assessment (FMGS) Checklist

The trust is required to met the requirements of the [academy trust handbook](#) (ATH). The questions in the FMGS checklist enable trusts to ensure compliance. This grid indicates who is responsible to ensure that governance arrangements meet the mandatory requirements.

Christian Distinctiveness

This will be developed in partnership with church schools join the trust in line with the Church of England's Vision for Education, SIAMS, diocesan guidance and the vision and values of the trust.

Additional Governance Functions

In addition to the above, the delegation of additional functions are listed in a second grid to bring about additional clarity around delegated authority. This will be added to as the trust gets established and then grows.

1.6 Review

The board of trustees welcomes feedback so that this Scheme of Delegation can be regularly reviewed and updated in order to meet the needs of the trust and its schools.

The board of trustees will ensure that those involved in governance in the academy trust are consulted on and made aware of any changes and understand what these changes will mean in practice.

The latest version of this Scheme of Delegation can be found on BOAT's [website](#).
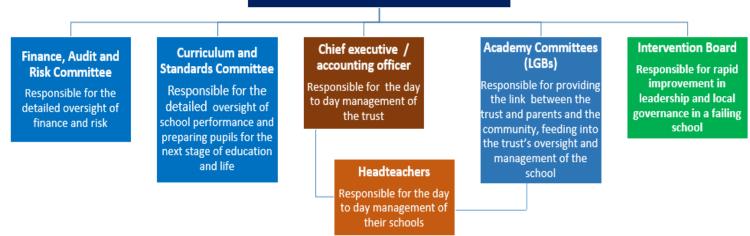
2. Model of delegation

Members
Ensure trust meets its charitable objective by appointing trustees, agreeing the articles of association, appointing the auditors

Board of trustees
The employer and accountable body, carries out the core governance functions , ensures compliance with statutory and regulatory functions, appoints chief executive

Finance, Audit and Risk Committee
Responsible for the detailed oversight of finance and risk

Curriculum and Standards Committee
Responsible for the detailed oversight of school performance and preparing pupils for the next stage of education and life

Chief executive / accounting officer
Responsible for the day to day management of the trust

Headteachers
Responsible for the day to day management of their schools

Academy Committees (LGBs)
Responsible for providing the link between the trust and parents and the community, feeding into the trust's oversight and management of the school

Intervention Board
Responsible for rapid improvement in leadership and local governance in a failing school

2.3   Model of delegation – features

The trust's model of delegation features three clear layers of governance:

1. Members (stakeholders)
2. Trustees (directors)
3. Committees and individuals

It makes clear that:

- The members have a limited yet distinct and vitally important role.
- The board of trustees is responsible for the core governance functions (as set out in the DfE's Governance Handbook https://www.gov.uk/government/publications/governance-handbook and Memorandum and Articles of Association)
- The board of trustees appoint the chief executive officer (CEO), to whom it delegates responsibility for the conduct and performance of the trust, including the performance of the schools within the trust, and for the trust's overall financial management.
- The board has a Finance, Audit and Risk Committee (FARC) which seeks assurance regarding resources and risk and may constitute a committee for curriculum and standards to look at progress and attainment across the trust.
- The board also constitutes Local Governing Bodies (LGBs) to provide links to parents and the community. The LGBs have formal delegated governance functions or decision-making powers.

Any 'Associate' school would sit outside of the above model. For more information, about associate schools, please see our policy.

Information about our Members, Trustees, Committees and staff can be found on the trust's website: www.boat.academy

Further information about these roles can be found in the following section and at https://www.gov.uk/guidance/academy-trust-handbook

2.2 Delegation to an intervention board

An Intervention Board will be set up to manage a school which requires rapid improvement across a range of operational areas as well as to the local governance function. An intervention board will generally consist of a small number of senior executives plus one or two non-executives (trustees or LGB members) who will meet very regularly (e.g. fortnightly or

every three weeks or so) to monitor and evaluate agreed actions and to take key decisions. The board should be chaired by the chief executive and its work should be reported directly to the board of trustees via the chief executive.

Appendix 1 outlines when the trust may withdraw some or all of delegated functions.

3. Detailed roles and responsibilities

3.1   The role of the members (stakeholders)

The members of the trust are guardians of the governance of the trust and must ensure it carries out its charitable objective.

There must be at least three members, although the DfE prefer at least five; members are not permitted to be employees of the academy trust.

The members agree the trust's articles of association, appoint trustees and appoint the trust's external auditors.

The members should receive information about the trust's business and receive the annual report and accounts. If they have concerns that the trust is not carrying out its charitable objective, members should remove trustees that are failing to fulfil this responsibility.

3.2 The role of the trustees (directors)

The trust is a charitable company and so trustees are both charity trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors (within the terms of the Companies Act 2006).

Trustees are bound by both charity and company law so the terms 'trustees' and 'directors' are often used interchangeably. The trust generally uses the term trustee to highlight the overarching charitable purpose of the organisation, distinguishing it from other directorships that may be held in the private sector.

Trustees are responsible for the general control and management of the trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement are legally accountable for all statutory functions and for the performance of all the schools within the trust; they do this by carrying out the core governance functions.

The board of trustees is required to approve a written scheme of financial delegation (see Appendix 6) and if they choose to delegate to board committees and Local Governing Body (LGBs), must approve a written scheme of delegation (see below) and committee terms of reference (See Appendix 2)

The trust creates information pathways between the trust board and LGBs so that all parties can contribute their part as set out in their Terms of Reference and this document to achieve the objectives of the trust. This could include via the CEO, CFO, headteacher and governance professionals.

3.3 The role of trust board committees

Trustees delegate some governance functions to board committees, one of which must include audit and risk, which advises on the adequacy of the trust's risks and controls.

The board committees are:
- Finance, Audit and Risk Committee (FARC) (For Terms of Reference, see Appendix 6)
- Curriculum and Standards Committee

The Terms of Reference give scope for non-trustees, including local governors, to be appointed to board committees. The terms of reference are available upon request.

Board committees (except Local Governing Bodies) must have at least three trustees in membership, and trustees must be in the majority for voting purposes; it is usual for the trust board to appoint board committee chairs and committee members according to their skills.

3.4 The role of Local Governing Bodies (LGBs)

Trustees delegate some governance functions to Local Governing Bodies (LGBs); the articles of association do not require trustee membership of LGBs and by committing to the separation of individuals on each tier in the governance structure, trusts are able to demonstrate transparent decision making and prevent bias and conflicts from emerging, thus strengthening the governance checks and balances within the trust. The trust's model Terms of Reference for LGBs can be found in Appendix 2.

The trust board has the authority to approve (or not) the appointment/election of the LGB chairs.

The trust recognises the importance of parent representation at school level. Parents are elected to sit on the LGB.

Being close to and representative of the community the school serves, the LGB should be:

- a valued point of consultation and representation in the development of trust policies
- the recipients of detailed information about how their schools are being managed
- tasked with scrutinising management information thus providing assurance to trustees that the school is:
  - operating within the ethos and values of the trust and creating a positive climate for all stakeholders
  - working within agreed policies
  - meeting the agreed targets
  - engaging with stakeholders
  - acting as an ambassador for the trust

If the trust has some very small schools (e.g. less than 1 Form of Entry), or schools in very close proximity, or a number of schools overseen by an executive headteacher, having one LGB overseeing that group of schools may be the most effective approach to local governance.

The trust board recognises the value of local governance and will prioritise effective channels of communication between trustees and local governors, as well as providing specific training and development programmes for all involved in the governance of the trust.

For schools joining the trust, governors and trustees should review, amend and agree the terms of reference for their LGB. The trust recognises that every school context is different and this should be reflected in the terms of reference. For example some schools may benefit from having a larger governing body or another school may need lower levels of delegated authority. Trustees and governors should also agree how and when any new arrangements come into effect. For example, it may be agreed that all existing governors are reappointed in order to ensure continuity during a time of change.

3.5 The role of the chief executive

The trustees delegate the day-to-day management of the trust to the chief executive, line managing them in line with the trust's appraisal and performance management policies.

The chief executive is also the accounting officer and so is not only responsible for the performance of the trust as a whole but has a personal responsibility to parliament for the regularity, propriety and value for money, and for assuring the board about compliance with the funding agreement and the Academy Trust Handbook.

The chief executive will be responsible for the leadership and management of the central executive team and the schools' headteachers and will report to the trust board and its committees.

3.6 The role of headteachers

The chief executive officer delegates the day-to-day leadership and management of the trust's schools to headteachers, line managing them in accordance with the trust's appraisal and performance management policies.

Headteachers share information about how they are leading and managing the school with the Local Governing Body (LGB) so that committee members build an understanding about how the school operates and are enabled to monitor and scrutinise how key policies and improvement plans are working in practice.

Headteachers are expected to:

- Demonstrate consistently high standards of principled and professional conduct in line with the Nolan Principles, Section 1 (Ethics and professional conduct) of the Headteachers' Standards 2020, trust policies and values of the Church of England.
- Act in line with the Headteachers' Standards, Section 2, which includes School Culture, Teaching, Curriculum & Assessment, Behaviour, Additional and SEND, Professional development, Organisational management, School improvement, Working in partnership and governance & accountability
- Work in line with their Job Descriptions – which should be regularly reviewed and updated as required.
- Fulfil core statutory functions such as suspending staff, excluding pupils, performance management of teachers, advising on pay progression, internal organisation and management, educational performance and named person for Ofsted and SIAMs.
- Meet the requirements of the latest version of the School Teachers' Pay and Conditions Document.
- Meet any other requirement or policy set by the trust and/or LGB.

There are many different leadership structures in schools and there is a lack of national guidance on the role of Executive Headteacher, Associate Headteacher and Head of School. It is therefore important that trustees and governors work together to ensure there is clarity between different senior leadership roles, including for safeguarding.

- Some schools may have an Executive Headteacher which includes the roles and responsibilities of a Headteacher as above.
- In the absence of a 'Headteacher', there may be an Acting Headteacher, Head of School, or Deputy Headteacher who acts or deputises in their absence or on their behalf.
- Where there is Head of School, there must be clear documentation to show where responsibilities and delegated authorities lie (e.g. as set out in this Scheme of Delegation)

3.7 Nolan Principles of Public Life

Non-executive directors and trustees in the public sector need to have an understanding and acceptance of the legal duties, responsibilities and liabilities of trusteeship and adhere to Nolan's seven principles of public life. Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

The Governance Handbook states that: 'everyone in governance should be aware of and accept the seven principles of public life, as set out by Lord Nolan and applying to anyone, locally and nationally, who is elected or appointed as a public office-holder.'

The Nolan principles are:

1. **Selflessness**: Holders of public office should act solely in the public interest

2. **Integrity**: Holders of public office should not place themselves under external obligations that could influence their public duties

3. **Objectivity**: Holders of public office should make public appointments based on merit

4. **Accountability**: Holders of public office are accountable to the public for their actions

5. **Openness**: Holders of public office should be open in their decision making

6. **Honesty**: Holders of public office must declare any private interest that could impact on their public work

7. **Leadership**: Holders of public office should promote these principles through leading by example

4. Delegation and decision making in an academy trust

Reading the grid
✓ - governance function and decision making is at this level
C - to be consulted prior to decision being made
Notes: - Decisions delegated to the trust board may be delegated to a board committee but not the CEO, Local Governing Body (LGB) or Headteacher - The Headteacher is expected to attend LGB meetings and therefore advise the LGB on functions delegated to them. - Where there is a leadership structure without a 'headteacher' (e.g. Executive Headteacher and Head of School), trustees and governors should ensure that there are clear job descriptions / roles and responsibilities in place for each area. - The CEO and Headteachers have additional responsibilities as outlined in Section 3 above.

4.1 Delegation of key governance functions (Based on National Governance Association Model)

Governance function	Members	Trust board / board committees	CEO / accounting officer	Local Governing Body (LGBs)	Head Teacher
Governance framework: people					
Members: appoint/remove	✓				
Trustees: appoint/remove	✓	✓			
Parent Local Governing Body (LGB) members: appoint when elected		✓		✓	
Board committee chairs: appoint and remove		✓			
Named safeguarding trustee: appoint and remove		✓			
Named safeguarding governor: appoint and remove				✓	
Local Governing Body (LGB) chairs: appoint and remove		✓			
Local Governing Body (LGB) members: appoint and remove		✓		✓	
Clerk to board: appoint and remove		✓			
Clerk to Local Governing Body (LGBs): appoint and remove		✓		✓	
Governance framework: systems and structures					
Articles of association: review and agree	✓				
Governance structure for the trust: establish and review annually		✓		C	
Committee terms of reference and scheme of delegation: agree annually		✓		C	
Annual schedule of governance business: agree		✓		✓	
Self-review of trust board and committees: complete annually		✓			
Self-review of Local Governing Body (LGBs): complete annually				✓	
Chair's performance: carry out 360° review periodically		✓			
Trustee/ Local Governing Body (LGB) member contribution: review annually		✓		✓	

Governance function		Members	Trust board / board committees	CEO / accounting officer	Local Governing Body (LGBs)	Head Teacher
Governance framework: reporting	Publish governance arrangements on trust and schools' websites: ensure			✓		✓
	Annual report on the performance of the trust: submit to members and publish		✓		C	
	Annual self-review/triannual external review of board effectiveness: submit to members		✓		C	
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit to members and Companies House		✓			
	ESFA required reports and returns submit		✓			
	Annual report work of Local Governing Body (LGB): submit to trust and publish				✓	
Being strategic	Determine trust wide policies which reflect the trust's ethos and values: approve		✓	C	C	C
	Determine school level policies: approve				✓	C
	Management of risk: establish register, review and monitor		✓	C	C	C
	Engagement with stakeholders: ensure		✓	✓	✓	✓
	Determine trust's vision, strategy and key priorities: approve		✓	C	C	
	Determine schools' vision, strategy and key priorities: approve			✓	C	C
	Chief executive officer: appoint and dismiss		✓			
	Accounting officer: appoint and dismiss		✓			
	HTs: appoint and dismiss			✓	C	
	Budget plan to support delivery of trust key priorities: agree		✓	C		
	Budget plan to support delivery of schools' key priorities: agree			✓	C	C
	Trust's staffing structure: agree		✓	C		
	Schools' staffing structure: agree			✓	C	C
Holding to account	Ensuring compliance (e.g. safeguarding, H&S, employment): agree auditing and reporting arrangements		✓	C	C	C
	Monitoring progress on key priorities: agree reporting arrangements		✓	C	C	C
	Performance management of the chief executive: undertake		✓			
	Performance management of HTs: undertake			✓	C	
Financial oversight (See 'Delegation of additional	External auditors: appoint	✓				
	Chief financial officer: appoint		✓	C		
	Trust's scheme of financial delegation: establish, monitor and review		✓	C	C	C
	External auditors' report: receive and respond		✓			
	CEO pay award: agree		✓			

Governance function		Members	Trust board / board committees	CEO / accounting officer	Local Governing Body (LGBs)	Head Teacher
functions below' and Appendix of 'Scheme of Financial Delegation'	Headteachers' pay award: agree			✓	C	
	Staff appraisal procedure and pay progression: review and agree		✓	C	C	C
	Benchmarking and trust wide value for money: ensure robustness			✓		C
	Monitoring budget: agree reporting		✓	C	C	C

4.2 Financial Management and Governance Self-assessment (FMGS) Checklist (See: Click here)

The trust is required to meet the requirements of the academy trust handbook (ATH). The questions in the FMGS checklist enable trusts to ensure compliance. This grid indicates who is responsible to ensure that governance arrangements meet the mandatory requirements.

Financial Management and Governance Self-assessment (FMGS) Checklist		Members	Trust board / board committees	CEO / accounting officer	Local Governing Body (LGBs)	Head Teacher
Financial oversight	**1.** Has the board appointed, in writing, a senior executive leader? **[Academies Trust Handbook – ATH 2021: 1.33]**		✓			
	2. Has the trust permanently designated the senior executive leader as the accounting officer, who is employed by the trust, who is a fit and suitable person and who fully understands their role and responsibilities? **[ATH 2021: 1.34]**		✓			
	3. Does the accounting officer ensure appropriate oversight of financial transactions by: - ensuring the academy trust's property and assets are under trustees' control, with measures existing to prevent losses or misuse? - ensuring bank accounts, financial systems and financial records are operated by more than one person? - keeping full and accurate accounting records to support the production of annual accounts? **[ATH 2021: 1.40]**			✓		
	4. Does the trust have an individual in place discharging the role of chief financial officer (CFO), who is employed by the trust with appropriate qualifications and/or experience? **[ATH 2021: 1.45 and 1.46]**		✓	C		
	5. Are the trustees aware of the need to apply the highest standards of conduct, and ensure robust governance and effective financial management to comply with the trust's charitable objectives, company and charity law and their funding agreement? **[ATH 2021: 1.13 and 1.14]**		✓			

Financial Management and Governance Self-assessment (FMGS) Checklist	Members	Trust board / board committees	CEO / accounting officer	Local Governing Body (LGBs)	Head Teacher
6. Has the trust appointed a governance professional (clerk to the board) to support the board of trustees, who is someone other than a trustee, principal or chief executive of the trust? **[ATH 2021: 1.49]**		✓			
7. Does the board meet regularly enough (at least 3 times a year) to discharge their responsibilities and ensure robust governance and effective financial management? **[ATH 2021: 2.3]**		✓			
8. Is the trust aware that the trust's funds must not be used to purchase alcohol for consumption, except where it is to be used in religious services? **[ATH 2021: 2.35]**		✓	✓	✓	✓
Financial planning and reporting — **9.** Does the trust prepare management accounts every month setting out its financial position, including an income and expenditure account, variation to budget report, cash flows and balance sheet? **[ATH 2021: 2.18 and 2.21]**		✓	✓		
10. Are management accounts shared with the chair of trustees every month, other trustees six times a year and considered at every board meeting? **[ATH 2021: 2.19]**		✓	✓		
11. Is the trust aware of, and have processes in place, to meet relevant deadlines for submitting financial and budgetary returns to ESFA? **[ATH 2021 2.15, 2.50, 3.23, 4.1, 4.4 and 6.9]**		✓	C		
12. Has the board approved a balanced budget and minuted its approval? **[ATH 2021: 2.10]**		✓	C	C	C
Risk management and internal control — **13.** Does the trust have a process in place to manage risks, including investment risks, underpinned by a risk register, to ensure its effective operation? **[ATH 2021: 2.25 and 2.38]**		✓			
14. Has the trust prepared a single trust level contingency and business continuity plan? **[ATH 2021: 2.39]**		✓	C		
15. Is the trust a member of DfE's risk protection arrangement (RPA) or does it have alternative, adequate insurance cover? **[ATH 2021: 2.40]**			✓		
16. Has the board approved a written scheme of delegation of financial powers that maintains robust internal control arrangements, is reviewed annually and has been clearly communicated to all academies where necessary? **[ATH 2021: 2.4]**		✓	C	C	C
17. Has the trust established a sound internal control framework that: - maintains segregation of duties - plans and oversees capital projects - manages assets - ensures regularity, propriety and value for money in the organisation's activities? **[ATH 2021: 2.7]**		✓	C	C	C

Financial Management and Governance Self-assessment (FMGS) Checklist	Members	Trust board / board committees	CEO / accounting officer	Local Governing Body (LGBs)	Head Teacher
18. Does the trust have procedures in place for whistleblowing, agreed by trustees and published on their website? **[ATH 2021: 2.43 to 2.48]**		✓			
19. Is the trust aware of the risk of cybercrime, the need to put in place proportionate controls and the requirement to obtain permission from ESFA to pay any cyber ransom demands. **[ATH 2021: 6.16 and 6.17]**		✓	✓	✓	✓
Internal and external assurance — **20.** Has the trust established an audit and risk committee (either dedicated or combined with another committee) which meets at least 3 times a year to provide assurance to the board about the suitability of, and compliance with, financial systems and operational controls, and to ensure that risks are being adequately identified and managed? **[ATH 2021: 3.6 to 3.14]**		✓			
21. Does the trust have a programme of internal scrutiny, overseen and approved by the audit and risk committee, that is independent and objective, conducted by someone suitably qualified and experienced, to deliver independent assurance to the board that its financial and other controls, and risk management procedures, are operating effectively? **[ATH 2021: 3.1, 3.2, 3.3, 3.4, 3.5, 3.8, 3.15 and 3.17]**		✓			
22. Is the trust aware of the requirement to submit an annual summary report of the internal scrutiny work carried out throughout the year, including areas reviewed, key findings, recommendations and conclusions? **[ATH 2021: 3.23]**		✓			
23. Has the board agreed the appointment of an external auditor for the trust? **[ATH 2021: 4.5]**	✓	✓			
24. Does the trust have plans in place, overseen by the audit committee, to implement findings, recommendations, and/or actions from external audit findings report, internal scrutiny reports and this FMGS return? **[ATH 2021: 3.8, 3.23 and 4.16]**		✓	C		
Delegated authorities — **25.** Does the trust have a mechanism to inform the board of trustees where ESFA requires prior approval (beyond the delegated limits, as per the Academy Trust Handbook) for: - severance, compensation and ex-gratia payments? **[ATH 2021: 5.6 to 5.18]** - write-offs, guarantees, letters of comfort, and indemnities? **[ATH 2021: 5.19 to 5.22]** - acquisition and disposal of fixed assets? **[ATH 2021: 5.23 and 5.24]** - finance leases or leaseholds/tenancy agreements on land or buildings? **[ATH 2021: 5.26 and 5.28]**		✓			
26. Does the trust have a mechanism to inform the board of trustees where ESFA requires prior approval for: - novel, contentious and repercussive transactions? **[ATH 2021: 5.4]**			✓		

Financial Management and Governance Self-assessment (FMGS) Checklist	Members	Trust board / board committees	CEO / accounting officer	Local Governing Body (LGBs)	Head Teacher
- borrowing? **[ATH 2021: 5.33]**					
27. If applicable, where the trust pools GAG funding, does it have an appeals mechanism in place? **[ATH 2021: 5.31]**		n/a			
28. Does the trust have procurement controls to ensure that: - spending has been for the purpose intended and there is probity in the use of public funds? - spending decisions represent value for money? - internal delegation levels exist and are applied within the trust? - a competitive tendering policy is in place and applied, and the procurement rules and thresholds in the Public Contracts Regulations 2015 are observed? - relevant professional advice is obtained where appropriate? **[ATH 2021: 2.28]**		✓			
29. Does the trust have in place measures to manage any conflicts of interest, including being even handed with related parties? **[ATH 2021: 5.36 to 5.40]**		✓		✓	
30. Have all decision makers, including the members, trustees, senior employees and local governors of academies in a multi-academy trust completed the trust's register of business and pecuniary interests? **[ATH 2021: 5.45 to 5.48]**	✓	✓	✓	✓	✓
31. Is the trust aware that they must declare all contracts and other agreements with related parties to ESFA in advance of the transaction taking place, using ESFA's related party transactions on-line form? **[ATH 2021: 5.41]**		✓	✓	✓	✓
32. Is the trust aware that they must seek approval for contracts and other agreements with related parties in line with the Academy Trust Handbook limits? **[ATH 2021: 5.42]**		✓	✓	✓	✓
33. Is the trust aware that they must pay no more than 'cost' for goods or services provided by persons noted in 5.49 of the ATH 2021? These services must be on the basis of an open book agreement and supported by statements of assurance, in accordance with the conditions set out in the Academy Trust Handbook? **[ATH 2021: 5.49 to 5.59]**		✓	✓	✓	✓
34. Do decisions about executive pay (including salary and any other benefits) follow a robust evidence-based process and are a reasonable and defensible reflection of the individual's role and responsibilities? **[ATH 2021: 2.30]**		✓			
35. Do senior officers' payroll arrangements meet tax obligations fully and comply with HM Treasury's guidance about the employment and contract arrangements of individuals on the avoidance of tax? **[ATH 2021: 2.34]**		✓			
36. Has the trust published, or plan to publish, on its website: - the trust's governance arrangements? **[ATH 2021: 2.50]**		✓			

Row labels (left column):
- **Procurement, tendering and related party transactions** (rows 28–33)
- **Executive pay and transparency** (rows 34–36)

Financial Management and Governance Self-assessment (FMGS) Checklist	Members	Trust board / board committees	CEO / accounting officer	Local Governing Body (LGBs)	Head Teacher
the relevant business and pecuniary interests of members, trustees, local governors and accounting officers? **[ATH 2021: 5.48]** - audited annual accounts by 31 January? **[ATH 2021: 4.4]** - whistleblowing procedures? **[ATH 2021: 2.44]** - the number of employees whose benefits exceeded £100k, in £10k bandings, as an extract from the disclosure in its financial statements for the previous year ended 31 August? **[ATH 2021: 2.32]**					
37. Has the board been informed of the requirement to report to ESFA any instances of fraud or theft above £5,000 against the trust, whether by employees, trustees or third parties, or where fraud is unusual or systematic in nature? **[ATH 2021: 6.12]**		✓			
38. Have any changes in governance been notified to ESFA via Get information about schools (GIAS) register? **[ATH 2021: 2.54 and 2.55]**			✓		✓

4.3 Delegation of additional governance functions

This section details who is responsible for what in the day to day management of the trust and its schools. Further detail will be added on an on-going basis.

Governance function		Members	Trust board / board committees	CEO / accounting officer	Local Governing Body (LGBs)	Head Teacher
Admissions	Provide model admissions policy in line with DfE and diocesan requirements			✓		
	Manage admission arrangement - processes and appeals				✓	
	Manage admission waiting lists					✓
	Monitor and report on pupil numbers (including predictions) to LGB and CEO					✓
Attendance	Provide model attendance policy in line with DfE requirements			✓		
	Set school level attendance policy				✓	
	Implement exclusion policy					✓
	Monitor impact of attendance policies, including persistent absence		✓		✓	
Behaviour and Exclusions	Set exclusion policy in line with DfE requirements		✓			
	Set school level behaviour policy				✓	C
	Implement exclusion policy			C		✓
	Monitor impact of behaviour policies, including exclusions		✓		✓	
Finance – Budget setting	Identify trust level development priorities and resource requirements		✓	C	C	C
	Identify school level development priorities and resources requirements			C	✓	C
	Agree percentage of retained income		✓	C		
	Confirm 'GAG' income and other ESFA funding for schools			✓		
	Estimate school generated income					✓
	Draft /~~agree~~ school level budget (spending plan)				✓	C
	Approve (school level and) consolidated budget forecast		✓	C		
School closure	Make the decision whether to close the school for health and safety reasons e.g. adverse weather, industrial action				C	✓

Appendix 1 – Withdrawal of delegated functions

Area of concern	Possible Action	Likely Review / Re-delegation of functions
The school is judged RI or inadequate by OFSTED/HMI or SIAMS inspectors	Trust may withdraw all or some delegated functions	Reviewed following re-inspection or Ofsted/HMI, SIAMS visit or other external review as agreed by trustees
The school is deemed to be at risk of being judged RI or inadequate by Ofsted/HMI or SIAMS inspectors	Trust may withdraw relevant functions unless there is confidence in a remedial plan of action	Half termly review of action plan
The school fails to safeguard children or is a risk of doing so or loses the confidence of the local community	Trust may partially withdraw relevant delegated powers	When Trustees have confidence that the school can meet all safeguarding requirements

In certain circumstances (see below) the Trust may withdraw some or all delegated functions from Local Governing Boards.

Area of concern	Possible Action	Likely Review / Re-delegation of functions
Serious misconduct by the headteacher	All or some delegated functions could be withdrawn	When issues relating to misconduct are resolved
Loss of key senior staff	Some delegated powers could be withdrawn in order to support the school to move forward.	When staffing plan or temporary/permanent arrangements are in place
Loss of LGB members or ineffective working	Trust could withdraw all delegated powers	Trust could reinstate powers when LGB is re-established
Actual or likely reputational damage to the school or trust	Trust could withdraw some delegated powers as necessary	Powers restored when appropriate plan is in place or reputation re-gained.

Section 2.3 provides information about setting up an Intervention Board. This may happen when the board of trustees withdraws some or all of delegated functions as above.

Appendix 2 - Model terms of reference for Local Governing Body (LGB)
Based on National Governance Association (NGA) model

Terms of Reference

The trust will consult with governors of each school regarding the Terms of Reference to ensure that they are appropriate for the local context.

Membership

A minimum of seven and a maximum of nine committee members to include:

- Two elected parents
- One elected member of staff
- One committee members appointed by the trust
- Four foundation governors
  - The holder of the following office shall be a foundation governor ex-officio: The incumbent or priest-in-charge of the parish of_____. [1]
  - The Parochial Church Council of _____ shall nominate three foundation governors for the board of trustees to approve.

The headteacher [2] will be in attendance; the clerk will convene and minute meetings [3]

The Local Governing Body can invite other members of staff or the local community to attend meetings.

Quorum

A minimum of three committee members, two of which shall be foundation governors and/or appointed by the trust.

Meetings

There shall be a minimum of six meetings a year, two in the autumn term, two in the spring term and two in the summer term.

The Local Governing Body can organise additional working parties which should report back to the LGB.

Reporting

Minutes to be submitted to the trust within three weeks of the meeting

Functions

The LGB is responsible for the day-to-day management and governance of the schools under their jurisdiction.

LGBs are responsible for the link between the trust and the parents and the community, feeding into the trust's oversight and management of the school. The board delegates to them the following functions:

1. Ensuring that the school functions effectively in accordance with the BOAT vision, mission and ethos as well as that of the school.

2. Developing an understanding of how the trust and the school are led and managed by:
   - Building an understanding of the trust's ambitions for the school and its pupils – its vision and strategy and how this is realised at school level
   - Knowing the trust's values and becoming familiar with key policies, understanding how these work in practice so that they are creating a healthy culture for all

3. Being the link with parents and the community by:
   - Building a knowledge of parents' views and the community context
   - Ensuring that trustees and the CEO are aware of parents' and community views

4. Monitoring the work of the school, escalating any concerns to the CEO and / or trustees by:

- Scrutinising reports on the school's progress with achieving its ambitions
- Scrutinising reports on how the school complies with key policies
- Monitoring the safeguarding of pupils and staff, including risk management
- Developing and monitoring plans and budgets e.g. finance, staffing, premises, IT.
- Visiting the school during the school day and attending events

5. Reviewing key decisions made by the headteacher e.g. pupil exclusions and responses to complaints

Notes

1] The Archdeacon of the Archdeaconry in which the school is situation shall appoint a foundation governor to act in the place of the ex-officio foundation governor, whose governorship derives from being the incumbent or priest-in-charge of the parish named above, is unable or unwilling to act as a foundation governor, or has been removed under regulation 21 of the Regulations

[2] Where a school's leadership structure does not include a 'headteacher', the trust and local governing body shall agree which senior leaders should be in attendance, for example, the Executive Headteacher and/or the Head of School

[3] The Clerk shall use the trust's model agenda and minute templates to ensure consistency across the trust. This also means that it is easier for staff from across the trust (including other schools) to cover the clerk in case of absence.

Appendix 3 – Draft meeting schedule for Local Governing Bodies (LGBs)

Based on National Governance Association (NGA) model. The trust is proposing 6 meetings per year so this will need to be adapted.

Example meeting schedule for an academy committee (LGB)			
Autumn 1 **(early Sept)**	**Autumn 2** **(late in term)**	**Spring** **(mid term)**	**Summer** **(late in term)**
Business: Confirm membership, chair, safeguarding lead Sign code of conduct Declare conflicts Confirm minutes	**Business:** Declare conflicts Confirm minutes	**Business:** Declare conflicts Confirm minutes	**Business:** Declare conflicts Confirm minutes
Reporting: HT report on: Initial analysis of public examination results against targets Update on operational matters (staffing, premises etc.) Confirm strategy for achieving the vision	**Reporting:** HT report on: Benchmarked validated performance data against national and local figures Progress towards meeting targets/KPIs, budget and staffing	**Reporting:** HT report on: Mid year progress towards meeting targets/KPIs, budget and staffing Stakeholder survey results	**Reporting:** HT report on: End year progress Review of strategy and if it supports the achievement of the vision Propose targets/KPIs for following year(s) How budget and staffing will support strategy
Monitoring: Determine which aspects of improvement strategy and which key policies will be monitored and how	**Monitoring:** Committee members to report on monitoring visits	**Monitoring:** Committee members to report on monitoring visits	**Monitoring:** Review monitoring arrangements and their effectiveness and to begin thinking about strategy for the following year
Community: Determine interface with the school and agree plan for the year	**Community:** Report on community engagement	**Community:** Report on community engagement	**Community:** Review community engagement and effectiveness, plan strategy for following year
Building knowledge: Gain an understanding of pupil attainment and progress and performance targets for the year, and how these will be measured	**Building knowledge:** SLT to present on a curriculum area	**Building knowledge:** HT to lead on: Review of the school's SWOT, its vison and ethos, key priorities for achieving the vision, areas of risk	**Building knowledge:** SLT to present on how following year's curriculum will be broad and balanced and prepare students for the next stage of their education or adult life
Training and CPD: Identify training needs and plan delivery	Training and CPD ongoing Plan annual conference with trust board for thanks and acknowledgements, information sharing and training		

Appendix 4 – Example agenda for Local Governing Body (LGB) meetings

Based on National Governance Association (NGA) model

Example of an agenda for Local Governing Body (LGB) meetings				
	Item	**Lead**	**Papers**	**Time**
1. Business	1. Welcome and introductions 2. Attendance - to note apologies 3. Declarations of Interest - to note 4. Appointments and elections - to note 5. Urgent items - urgent items must be agreed with the chair in advance of the meeting 6. Other business - to agree and sign code of conduct and to discuss the training plan 7. Minutes of the last meeting – to agree	Clerk	Code of conduct Training plan Minutes	15 mins
2. Reporting	**Headteacher's report** To include: 1. Contextual details 2. Summary of exam results 3. Targets for coming year 4. Briefing on the improvement cycle, and the role of the SEF and the SDP 5. Policy changes	HT	HT report SDP Policy schedule	30 mins
3. Monitoring	1. To approve visits' policy and protocols 2. To agree focus for spring term visits	Chair	Policy	10 mins
4. Community	To propose setting up a task and finish group to develop ideas for engaging with parents and the community	Chair		5 mins
5. Information	1. **Meeting dates -** to note meeting schedule 2. **School events -** list of events committee members may want to attend	Clerk	Calendar	5 mins

Appendix 5 – HR Levels of Authority

RECRUITMENT	
All appointment panels must contain at least one member who has undertaken Safer Recruitment Training. The Chief Executive Officer may nominate an alternative representative if they are unavailable to make up a panel. See also BOAT HR policies including safer recruitment	
Posts	**Appointees** (the CEO, CFO can attend any appointment where required)
CENTAL STAFF	
Chief Executive Officer	Trustees
Chief Finance Officer	Trustee, Chief Executive Officer
Other central staff	Chief Executive Officer, Chief Finance Officer, and 1 other as determined by the CEO and if required
SCHOOL STAFF	
Headteacher	Trustee, Chief Executive Officer, Member(s) of LGB Diocese representative to be invited.
Heads of School	Chief Executive Officer, Member(s) of LGB, Executive Headteacher
Deputy and Assistant Headteachers	Chief Executive Officer, Headteacher, LGB member
TLR Posts	Head, Deputy/Assistant Headteacher, LGB member if possible
All other teaching posts	Head and/or Deputy/Assistant Headteacher(s), LGB member if possible
All school based support staff posts	Head and/or other members of the school's Senior Leadership Team

DISCIPLINARY CASES AND DISMISSALS		
For all disciplinary cases and dismissals the following delegation model shall apply for the following: Disciplinary, Capability (professional competence), Ill Health Capability, Redundancy (The Board will have determined that there is a Redundancy situation), any other substantial situation		
Posts	**Delegated Authority**	**Appeal**
Chief Executive Officer	Chair of Board	3 Trust Board members
Headteacher, Chief Finance Officer	Chief Executive Officer	Chair of Trust Board
Heads of School	Chief Executive Officer / Executive Headteacher	Trustees
Deputy and Assistant Headteachers	Headteacher	Chief Executive Officer (Chief Finance Officer in CEO absence)
All other teaching posts and support staff in school	Headteacher	Chief Executive Officer (Chief Finance Officer in CEO absence)
All other teaching posts and support staff in the central trust team	Chief Executive Officer (Chief Finance Officer in CEO absence)	Trustees
All other teaching posts and support staff in school or the central trust team	Chief Finance Officer	Chief Executive Officer (Chief Finance Officer in CEO absence)

GRIEVANCE		
Posts	**Delegated Authority**	**Appeal**
Chief Executive Officer	Trustee	Chair of Board
Headteacher, Chief Finance Officer	Chief Executive Officer	Trustee
Heads of School	Chief Executive Officer, Headteacher	Trustee
Deputy and Assistant Headteachers	Headteacher	Chief Executive Officer (Chief Finance Officer in CEO absence)
All other Teaching posts	Headteacher, Heads of School, Chief Finance Officer	Chief Executive Officer (Chief Finance Officer in CEO absence)
All other Support posts	Headteacher, Heads of School Chief Finance Officer	Chief Executive Officer (Chief Finance Officer in CEO absence)

OTHER HR FUNCTIONS	
Function	**Delegated Authority**
Settlements/Compromise agreements up to and including £10,000	Chief Executive Officer to sign
Settlements/Compromise agreements in excess of £10,000	Chief Executive Officer and Chair of Trust. Chair of Trust Board to sign
Settlements/Compromise agreements in excess of £50,000	Approval to be sought from the ESFA/HM Treasury
Signature of Letter of Appointments	**Delegated Authority**
Chief Executive Officer	Chair of Trust
All other posts	Chief Executive Officer (Chief Finance Officer in CEO absence)
Teachers Pay – Threshold/UPS	Chief Executive Officer (Chief Finance Officer in CEO absence)

The trust's 'BOAT HR Handbook' provides a growing collection of expectations, advice and policy. All staff should refer, and contribute, to this 'working' document as well as other trust policies.

Appendix 6 – Financial Scheme of Delegation

Introduction

The Academy Trust Handbook (ATH section 2) states that 'Trustees and management **must** maintain robust oversight of the academy trust' and 'take full responsibility for its financial affairs and stewardship of assets, and use resources efficiently to maximise outcomes for pupils.'

It goes on to state that, 'The board cannot delegate overall responsibility for the academy trust's funds. However, it **must** approve a written scheme of delegation of financial powers that maintains robust internal controls. The scheme of delegation should be reviewed annually, and immediately when there has been a change in trust management or organisational structure.'

The following is based on the DfE/Catholic model.

Finance

In acknowledgement of the receipt by the trustees of funds in relation to the school; provided by the Secretary of State, donated to the trust and generated from the activities of the trust (or 'company'), the trustees delegate to the Local Governing Body the responsibility to manage and expend all monies received on account of the school for the purposes of the school less 5% (or other amount to be determined each year by the trustees acting reasonably] of the funds received from the Secretary of State, excluding ring fenced funding (e.g. Pupil Premium, Sports Premium and SEND funding.)

Whilst the Local Governing Body shall have the power to enter into contracts on behalf of the trust in so far as they relate to the school the Local Governing Body/Head shall first obtain the written consent of the CEO/Trustees to any contracts or expenditure for any single matter above £5,000, for a contract that exceeds 12 months or exceeds that already budgeted for.

The accounts of the trust shall be the responsibility of the trustees and the Local Governing Body shall provide such information about the finances of the school as often and in such format as the CEO/trustees shall reasonably require.

The Local Governing Body shall ensure that proper procedures are put in place for the safeguarding of funds and that the requirements of the Academies Trust Handbook (also known as the Academies Finance Handbook) are observed at all times as well as any requirements and recommendations of the trustees and the Secretary of State.

The Local Governing Body shall inform the CEO/trustees of any need for significant unplanned expenditure and will discuss with the trustees options for identifying available funding.

The Local Governing Body shall develop appropriate risk management strategies and shall at all times adopt financial prudence in managing the financial affairs of the trust in so far as these relate to the school.

Delegated Authorities

Delegated Authorities

Role	Authority to commit	Authority to Pay				
		By cheque		By Bacs		Bank Card*
	E.g. Purchase Order – if within budget	Single signature	Double Signature	Single Item	Batch level	*Payments*
FARC	Unlimited	n/a	n/a	n/a	n/a	n/a
CEO	£75,000	£10,000	£75,000 *above if FARC approved*	£10,000	£50,000	£2,000
CFO	£75,000	£10,000	£75,000 *above if FARC approved*	£10,000	£50,000	£2,000
Head	£25,000	£2,000	£10,000	£10,000	£50,000	£2,000
SBM/Bursar	£10,000					£2,000
Middle Leader	£1,000					Nil
Premises Officer	£1,000					£500

Notes
- The above delegated authorities limits are authorised as long as they are inside the budget.
- Authority to commit: This is the authority to place an order with an outside company.
- Authority to pay: This is the level of payment that an individual can make.
- A middle leader could be a key stage, phase or subject leader as agreed by the headteacher.
- Bacs should normally be run on a weekly basis during term time.
- *This could be lower if the limit of the bank/procurement card has a lower limit.

Routine Purchasing

Budget holders will be informed of the budget available to them as soon as the budget is formally ratified and approved by their Governing Body / Board of Trustees. It is the responsibility of the budget holder to manage their element of the budget and to ensure that the funds available are not overspent.

It is essential that all the following controls are adhered to:

- orders should not be entered into verbally
- the use of 'Official Order Forms' through the local system automatically updates the financial records and enables committed expenditure to be included in management information for governors
- in exceptional circumstances (e.g., emergency repairs) orders may be placed by telephone. In such circumstances a confirmation order should be generated. Orders may be emailed to suppliers, in order to reduce timelines.
- orders should only be approved in accordance with the authorised limits within the scheme of delegation
- orders may only be used for goods and services provided to the trust. Private individuals and other organisations may not use 'Official Order Forms' to obtain work, goods, materials and services net of VAT

Orders under £10,000
- Can be ordered by Business Managers / Bursars, who will be responsible for ensuring that reasonable steps have been taken to achieve Value for Money. Value for Money could be achieved by:
  - supplier chosen from the list of approved suppliers maintained by the CFO
  - bulk purchasing of common consumables
  - negotiating discounts
  - taking advantage of sale seasons
  - obtaining alternative quotations wherever possible.
    - For purchases £2,000-£5,000   Two quotes
    - For purchases £5,000 and over   Three written quotes

Orders over £10,000 ex-vat but less than £25,000 ex-vat

- At least three written quotations are required to identify the best source of the goods/services. Written details of quotations obtained should be prepared and retained by Bursar/Business Manager for audit purposes and approved by the Headteacher

Orders over £25,000 ex-vat but less than £75,000 ex-vat

- All goods/services ordered with a value over £25,000, or for a series of contracts which in total exceed £25,000, must be subject to three written quotations and must be referred to the CFO/CEO for formal approval

Orders over £75,000 ex vat– £175,000 ex vat

- All goods/services ordered with a value over £75,000 but less than £175,000, or for a multi-year contract which in total exceed £75,000, must be subject to three written quotations. These contracts will be approved by trustees in the Finance, Audit and Risk Committee.

Orders over £175,000 ex vat or £213,477 inc. vat (Public Procurement Threshold 2022/23)

- Will be subject to a tendering policy and must be published on the e-tendering portal Find a Tender Service (FTS) These contracts will be approved by trustees in the Finance, Audit and Risk Committee – See Tender Policy

The school budget holder or the School Business Manager / Bursar must make appropriate arrangements for the delivery of goods and services to the academy. On receipt of goods and services there must be a detailed check of the goods and services received against the purchase order (or equivalent in exceptional circumstances). All discrepancies should be discussed with the supplier of the goods and services without delay.

All invoices should be sent to the School Business Manager / Bursar to be checked against the IRIS numbered order (or equivalent in exceptional circumstances) and the delivery note to evidence the following:

- invoice arithmetically correct
- goods/services received
- goods/services as ordered
- prices correct.

Invoices will be authorised for payment by the relevant budget-holder and then passed to the School Business Manager / Bursar for recording and payment through IRIS Financials.

Trust Only Purchasing

The threshold for MAT purchasing for Trust contracts is £20,000.

- **orders over £20,000 ex-vat but less than £75,000 ex-vat (MAT)** - all goods/services ordered with a value over £20,000, or for a series of contracts which in total exceed £20,000, must be subject to three written quotations and must be referred to the CFO/CEO for formal approval.
- **orders over £75,000 ex-vat – £175,000 ex-vat** - all goods/services ordered with a value over 75,000 but less than £175,000, or for a series of contracts which in total exceed £75,000, must be subject to three written quotations. These contracts will be approved by Trustees in the Finance, Audit and Risk Committee.
- **orders over £175,000 ex vat or £213,477 inc. vat (Public Procurement Threshold Jan 2022)**– will be subject to a tendering policy and must be published on the e-tendering portal Find a Tender Service (FTS) These contracts will be approved by Trustees in the Finance, Audit and Risk Committee. See Tender Policy

Dispensations (based on Bradford Dioceses Academies Trust)

Dispensations is to be used in exceptional circumstances for professional services when a unique or bespoke service is required. The dispensation will compare similar professional rates to ensure value for money is maintained and will continue to be subject to trustee approval over £75,000.

Multiple Year Contracts

Procurement must ensure that value for money is achieved and multiple year contracts is one way that this can be achieved through additional discounts. The Headteacher/Business Manager can approve up to 3-year contracts and anything more than that requires the approval of the CFO or CEO.

Procurement Cards

Procurement cards are held by named cardholders in each school and the central trust team. Each cardholder is personally responsible for the safe custody of their card. The card should be always held securely, and any loss of cards should be reported immediately. The cardholder, Business Manager / Bursar and Headteacher are jointly liable for the integrity of all transactions and proper and controlled use of the procurement card. All receipts must be produced and reconciled to the monthly statement by the Business manager and reviewed and signed off by the headteacher. All card transactions exceeding £50 must be accompanied by an appropriate authorised requisition and receipt, retained for accounting purposes, and must be used solely for trust (company) purchases.

Purchases made at the trust central team are made only on the authorisation of a member of the executive team.

Credit limits must be agreed with the CFO.

BOAT company credit cards are NOT used to draw cash. Debit cards can be used to draw cash.

Cards must be kept secure at all times and card numbers and PIN numbers are NOT to be divulged. All debit/credit/procurement card transactions must be reconciled monthly and authorised in line with the bank mandate.

Supplier Maintenance

The CFO is responsible for the maintenance of the Purchase Ledger on IRIS. All new suppliers must be approved by CFO before orders are raised. If any supplier changes bank details the academy must also do standard fraud checks and complete a new supplier form "Bank Details Update section" This is verified by the business manager/bursar and CFO.

Self-employed Contractors

When engaging a contractor, particularly from a small or a one-person business, the employment status should first be established. If the individual is offered terms, e.g., an hourly rate of pay and/or equipment and materials are provided by BOAT, this can be regarded as an 'employment' and payment should be made via the payroll, with the appropriate payroll deductions being made.

To find out if someone is employed or self-employed, look at the HMRC website: www.hrmc.gov.uk/employment-status If in doubt, academies should seek advice from the Inland Revenue.

If the contract is for self-employment, schools should consider whether the work falls within the construction Industry Scheme (CIS). Further information on this scheme is available if required from the trust.

Appendix 7 – Extract from Finance, Audit and Risk Committee Terms of Reference (April 2022)

The committee has responsibility delegated by the trust board to:

Finance

1. review an annual budget, ensuring resources are allocated in line with the trust's strategic priorities and curriculum plans
2. present the annual balanced budget to the trust board for approval
3. review and approve a realistic three-year financial plan, taking into account the trust's vision, known risks and opportunities
4. receive the trust's management accounts in order to monitor the trust's cash position and income and expenditure against the approved budget
5. review pupil number estimates (that underpin revenue projections) termly
6. report back to each meeting of the trust board, alerting them to potential problems and significant variations to the approved budget at the earliest opportunity
7. ensure that the trust board's approach to pay and benefits is transparent, proportionate and justifiable
8. develop a framework for the pay of the senior executive leader and the leadership team
9. comply with statutory requirements to publish trust staff rates of pay and benefits.
10. ensure that sufficient funds are allocated for staff pay increments
11. monitor spending of pupil premium, PE and sport premium (and other relevant premiums); ensure that funding is spent effectively and is having the intended impact on pupil outcomes
12. review and approve any adjustments to the trust's approved budget (subject to the scheme of delegation)
13. approve expenditure and virements of sums over [see Finance Scheme of delegation] – sums below this amount are delegated to the trust's senior executive leader
14. undertake detailed scrutiny and recommend approval of the school resource management self-assessment checklist annually
15. ensure that the trust's financial procedures are complied with
16. review and act upon any issues identified by benchmarking against similar trusts, internal or external scrutiny
17. ensure that the trust follows basic procurement rules and achieves best value for money when acquiring goods and services
18. review, adopt and monitor all policies delegated by the board, including:
    o Reserves
    o Charing and remissions
    o Trustee and Governor allowances and expenses

Audit and risk

19. oversee and approve the trust's programme of internal scrutiny
20. support development and review of the trust's risk management policy, setting out the framework the trust has adopted for risk management.
21. ensure that risks are being addressed appropriately through internal scrutiny
22. evaluate the adequacy of the trust's internal control framework, including financial and non-financial controls and management of risks and report this to the trust board
23. assess whether procedures are designed effectively and efficiently, and check whether agreed procedures have been followed
24. review the external auditor's plan each year

25. review the annual report and accounts

26. review the auditor's findings and actions taken by the trust's managers in response to those findings

27. review findings from other assurance activities by third parties including ESFA financial management and governance reviews, funding audits and investigations

28. assess the effectiveness and resources of the external auditor – refer to section 4.17 of ATH

29. produce an annual report of the committee's conclusions on the above assessment to advise the board of trustees and members, including recommendations on the reappointment or dismissal or retendering of the external auditor, and their remuneration

30. to seek assurance that the risks identified are those which may occur, for example, operational risk, financial risk, compliance risk, regulatory and legal risk, major accident, fraud, bribery and corruption

31. review the ratings and responses on the risk register to inform contingency and business continuity planning and the programme of work, ensuring risks and control measures are adequately identified and modified as appropriate

32. provide reports for each full trust board meeting, highlighting emerging risks or significant anomalies at the earliest opportunity

33. agree a programme of work annually to deliver internal scrutiny that provides coverage across the year

34. agree who will perform the work

35. consider reports at each meeting from those carrying out the programme of internal scrutiny

36. consider progress in addressing recommendations

37. recommend to members the appointment of an external auditor (in accordance with the trust's articles of association)

38. receive the external auditors' annual plan, annual report, and accounts and recommend appropriate actions to the trust board in response to the findings

39. to review the trust's insurance cover in compliance with its legal obligations