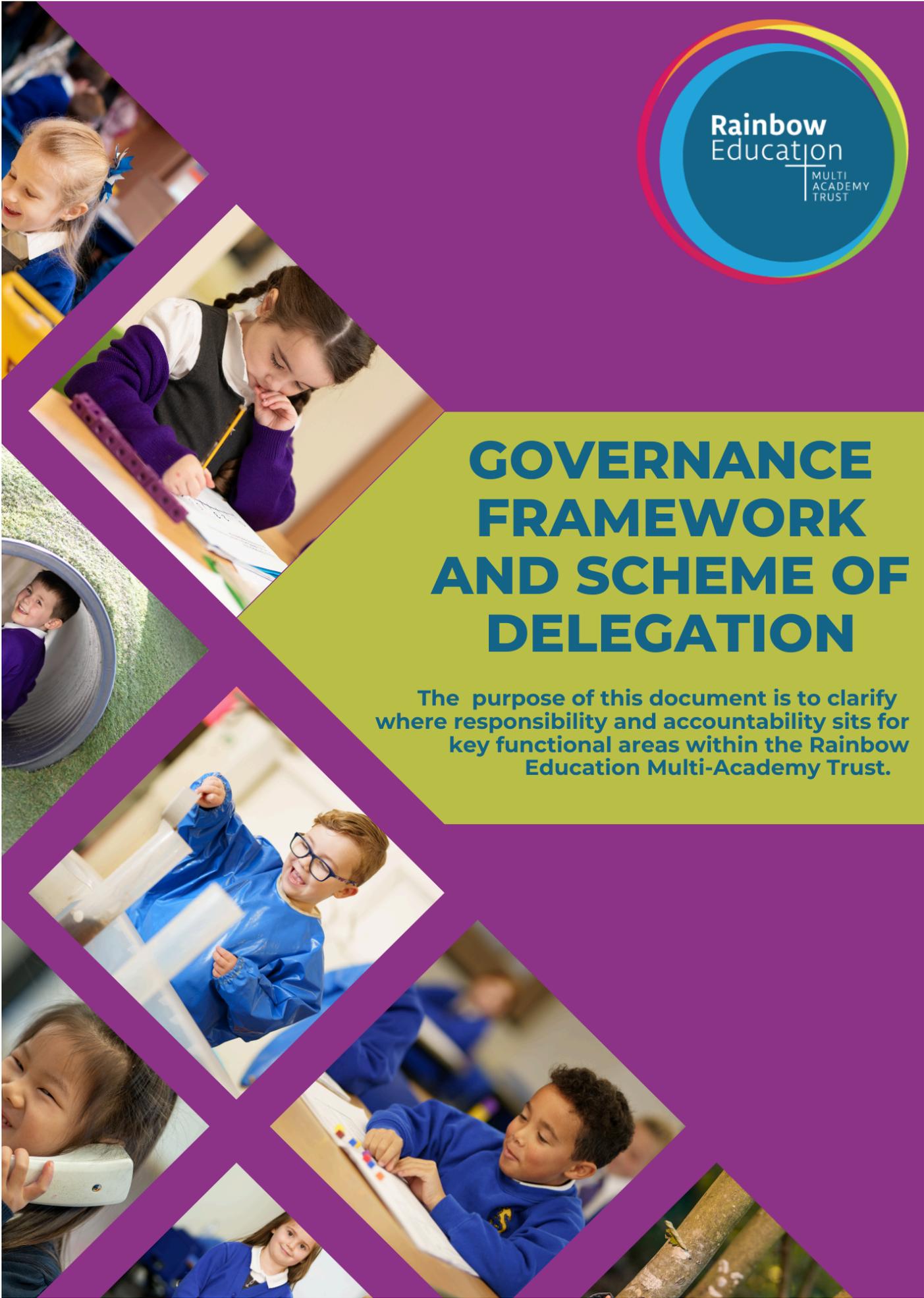# GOVERNANCE FRAMEWORK AND SCHEME OF DELEGATION

The purpose of this document is to clarify where responsibility and accountability sits for key functional areas within the Rainbow Education Multi-Academy Trust.

Rainbow Education
MULTI ACADEMY TRUST

Contents

1. Introduction

As a Multi-Academy Trust (MAT), the Trust Board of Rainbow Education MAT is accountable, in law, for all major decisions concerning the academies.

The Trust Board is not required to carry out all the Trust's governance functions and many can, and should, be delegated to the CEO & Executive Team and established sub-committees. The decision to delegate a function is made by the Trust Board. Without such delegation, the individual or Committee has no power to act.

The Scheme of Delegation (SoD) is the key document that defines lines of responsibility and accountability in a MAT to ensure the Members, Trustees, Trust Board Sub-Committees, Academy Committees (known locally as Local Academy Councils - LACs), Executive Leadership and Academy Headteachers understand their role and responsibilities.

The overarching SoD for decision making in the Trust should not be confused with the written Scheme of Delegation of financial powers referred to in the Education and Skills Funding Agency (ESFA) Academy Trust Handbook.

2. Vision, Mission and Values

This document is underpinned by our core educational vision, our clear mission statement and our unwavering commitment to our five core values:

MISSION

At the Rainbow, we flourish together as we listen, learn, lead, lift and love.

VISION

To ensure that each and every child, no matter what their background or their circumstance, reaches their potential and leaves us ready for the next stage of life.

VALUES

friendship - wisdom - trust
excellence - endurance

3. Governance Model

The Trust Board is responsible for the three core governance functions set out in the Department for Education's (DFE) Governance Handbook:

- Ensuring clarity of vision, ethos and strategic direction.
- Holding executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff.
- Overseeing the financial performance of the organisation and making sure its money is well spent.

The Trust Board appoints the Chief Executive Officer (CEO), to whom it delegates responsibility for delivery of the vision and strategy of the Trust. The CEO is held to account for the conduct and performance of the Trust, including the performance of the academies and any subsidiary company within the Trust, for financial management.

The CEO manages the Chief Operating Officer/Chief Financial Officer, carrying out their performance management and setting their targets.

The Trust Board has established Board Committees with delegated powers for Finance, Audit & Risk and Education Standards. At least three Trustees sit on each Board Committee, with each having clear, specific Terms of Reference.

Local Governance/Academy Committees are known as Local Academy Councils (LACs) within Rainbow Education MAT. The LACs also have clear Terms of Reference detailing the committees' composition, remit and meeting requirements.

LAC Chairs are invited to meet the CEO and Chair of Trustees following each round of LAC meetings.

MEMBERS
Supervisory role to hold the Board of Trustees to account
TRUSTEES
Overall strategic responsibility for the Trust
CHIEF EXECUTIVE OFFICER
Executive role to recommend strategic decisions to Trustees and oversee performance across the Trust

HEADTEACHER *Operational at local level, with strategic authority within the school context*	**LOCAL ACADEMY COUNCIL** *Focus on the school's ethos, standards, and relationships within the local community*

Members

Rainbow Education MAT Members appoint Trustees to ensure that the Trust's charitable objects are carried out. They are able to remove Trustees if they fail to fulfil this responsibility. Members are responsible for approving any amendments made to the Trust's Articles of Association. There must be at least three Members, although the DfE prefers at least five. There must be a separation of powers between the Members and the Trust Board. Members are not permitted to be employees of the Academy Trust. The DfE Governance Handbook states that each Trust determines how best to keep Members informed so they can be assured that the Board is exercising effective governance and leadership of their Trust. The Trust reports formally to Members through the Annual General Meeting (AGM).

Trustees

Rainbow Education MAT, as a Multi-Academy Trust (MAT) 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. Trustees are bound by both charity and company law. The terms 'Trustee' and 'Director' are often used interchangeably. Rainbow Education MAT uses the term 'Trustee' as it avoids the possible confusion caused when Executive Leaders are classified as Directors. The Trustees are responsible for the general control and management of the administration of the Trust and, in accordance with the provisions set out in the Memorandum and Articles of Association, its Funding Agreement and the Academies Trust Handbook, they are legally responsible and accountable for all statutory functions, for the performance of all schools within the Trust, and for the approval of a written Scheme of Delegation of financial powers that maintains robust internal control arrangements. The Trust Board is legally responsible and accountable to the Department for Education (DfE). The Board of Trustees has the right to review and adapt its governance structure at any time which includes removing any delegation.

Chief Executive Officer (CEO) and Trustees

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's academies. The CEO leads the Trust's Executive Leadership Team and is accountable for its performance. The CEO is the Accounting Officer with overall responsibility for the operation of the Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability. The Chief Financial Officer reports to the CEO. Chief Financial Officer (CFO) The CFO is the Trust's

Finance Director with delegated responsibility for the Trust's detailed financial procedures.

Headteacher
The headteacher is responsible for the day-to-day management of their school, reporting to their Executive Director. They report to the SPRB, as applicable, on matters that have been delegated by the Trust Board.

Local Academy Council
In the context of a MAT, the performance of every individual school is ultimately the responsibility of the Board of Trustees. The Board discharges this responsibility, primarily, through the function of the Executive Leadership Team of the Trust, who themselves are responsible (to the Board) for the performance of school leadership.

This is reinforced by the work of the Local Academy Councils (LACs), which are formal sub-committees of the Board, and have a brief to review and challenge performance at the working level in each school, independently of Trust management.

4. Governance plan

The plan is intended to show the <u>outline</u> structure for the governance (LAC) of Rainbow to provide for the discharge of statutory responsibilities and maintain the main focus on strategy, teaching and learning and finance as highlighted in the DfE Governance Handbook, October 2020 edition.

Other work can be accommodated as needed around the work included here and may be driven by the needs and priorities of individual schools. Local Academy Councils (LACs)will have discretion within the limits of their schemes of delegation to decide on the most appropriate local governance structure to discharge their work programme, e.g. whether and how many sub committees to have.

DATE/ DEADLINE	LOCAL ACADEMY COUNCIL (LAC): Chairs /clerks should ensure meetings are planned with timed agendas. The priority of meetings needs to be strategic, with a focus on the expected impact (and subsequent review) of decisions made	TRUSTEES Standing items for all meetings: • Strategic Matters/MAT Development • Significant matters from committees /forums and visits, with focus (a) on pupil progress and achievement by groups of pupils and schools, and (b) appropriate use of resources to drive up standards	MEMBERS	Monitoring LAC Clerks & Chairs; Clerk to Trustees
By end of September each year	Headteacher & Chair have annual review meeting to discuss annual performance to include: • Educational Performance • School Improvement • Governance Leading to revision of School Improvement Plans, Schemes of Delegation & Performance Management procedures	Rainbow Trustees Meeting to include: • Appoint Chair & Vice Chair of Trustees • Approve governance work plan for year ahead & individual policies • Appoint subcommittee chairs and members if required • (from Sept 2018) Finance Report – preliminary year end position & variations to new year budget • Review updated Risk Register • Strategic Matters/MAT Development • Significant matters from committees and Rainbow officers (and, from 2018, from forums)		Trustees

Autumn Term 1: After Sept annual review meeting and by October Half Term	**LAC meeting to include** ● **Ofsted Focus: Quality of Education & Early Years** ● Receive term report, incl. safeguarding review & analysis of summer results ● Approve SEF and SDP priorities ● Confirm acceptance of Rainbow governance Code of Conduct ● Declaration / annual register of business and pecuniary interests (standing item) ● Nominate LAC Chair & Vice Chair ● Appoint Governors with specific responsibilities including safeguarding, SEN / Pupil Premium, standards/T & L, curriculum areas or year groups, governor training, buildings/H&S LAC Roles and Responsibilities 2023-24 ● Progress Review on LAC Training plan Governor Development Plan and Training 23-24 Local Academy Council Briefings ● All LAC members to have current DBS certificate & to register with (free) DBS update service ● Confirm dates of meetings for year (agree pay panel date) ● Governor terms of office & any specific training needs to be identified ● Receive/approve policies in line with Rainbow Policy List including admissions policyPolicies to be approved by LAC 23-24 ● Agree compliance update of website ● Following meeting update LAC records & return to Rainbow central office			Trustees / and Rainbow Officers
By the end of October		Rainbow Trustees Meeting to include: ● Receive Annual Report and School Improvement Plan from each School		Trustees and

		• Agree any required revisions to schemes of delegation and school governance arrangements • Agree Central Rainbow Improvement Plan • Finance Report • Strategic Matters/MAT Development • Significant matters from committees /Rainbow officers /forums		Rainbow Officers
December		Rainbow Trustees Meeting to include: • Report from auditors • Annual accounts from 2022/23 • Annual report from 2022/23 • Interim report on schools – standards, governance, business management/ finance Finance Report Annual General Meeting for Members		Rainbow audit committee
January	**LAC meeting to include:** **OFSTED FOCUS: Personal Development** **Subject Focus:** *Head's Report including: • **Pupil Progress • Safeguarding report and SCR check and review 175 Audit • Attendance target and termly attendance report Any LAC questions Chair of LAC to have received school score card and provide an update **Progress review on School & Governor Development Plans *Pupil Premium Strategy *Sports Premium Strategy *SEND report – funding/impact Feedback on any LAC visits Feedback on any trust reviews Report from Head of Estates (PFI - provide PFI report)	Rainbow Trustees Meeting to include: • Strategic Matters/MAT Development • Significant matters from committees /Rainbow officers /forums	**Members meeting** Context data Any major management issues Progress on strategic priorities/KPIs Any possible risks	Trustees and Rainbow Officers

	- Develop and approve a school buildings strategy - Approves plan and monitors the implementation of the Premises Maintenance Programme - To ensure that Health & Safety regulations are followed and appropriately prioritised. - Approves site specific procedures. - Seeks assurance for compliance with H&S requirements. - Undertakes annual site inspections with a senior member of staff.			
March		Rainbow Trustees Meeting to include: - Preliminary planning for 2024/25 - Preliminary budgets for 2024/25 - Central Development Plan update - Finance Report - Strategic Matters/MAT Development - Significant matters from committees /Rainbow Officers and (from Spring 2018) forums		Trustees and Senior Officers
Summer Term 1: Before May half term	**LAC meeting to include:** **OFSTED FOCUS: Leadership & Management** **Subject Focus:** *Head's Report including: **Pupil Progress - Safeguarding report and SCR check and review 175 Audit - Attendance target and termly attendance report Any LAC questions Feedback from any Trust Reviews Chair of LAC to have received school score card and provide an update Progress review on LAC Development Plans 23-24 Local Academy Council Briefings			Rainbow Officers

	Planning regarding any governor vacancies as terms of office end Feedback from any LAC member visits **Review 175 Audit Review Equality info & objectives SIAMS review (if applicable)			
May	LAC to meet if required. Self-review of governance.	Rainbow Trustees Meeting to include: ● Interim report on schools ● Update on planning for 2024/25 ● Update on budgets for 2024/25 ● Central Development Plan update ● Finance Report ● Strategic Matters/MAT Development ● Significant matters from committees /Rainbow Officers (and from Summer 2019) forums		Trustees and Rainbow Officers
Summer Term 2: by the end of July	LAC meeting to include: **OFSTED FOCUS: Behaviour and Attitudes** Subject Focus *Head's Report to include: **Pupil progress in Summer term End of year review of School Development Plan Review 175 Audit & governors' questions Chair of LAC to have received school score card and provide an update End of year review of Governor Training Plan23-24 Local Academy Council Briefings Consider governor training needs **End of year review of pupil, staff & governor attendance Review of Pupil Premium spending (to be placed on website) **Revised SEF leading to draft School Development Plan. Agree meeting dates for next year Succession planning – chair, vice etc		**Members meeting** Context data Any major management issues Progress on strategic priorities/KPIs Any possible risks	Rainbow Officers

	Business Manager report - Budget update –variations to current year budget			
July		Rainbow Trustees Meeting to include: ● Update on planning for next academic year ● Approve budgets ● Central Development Plan update ● Agree Pay and Performance Management Policy ● Finance Report ● Significant matters from Audit Committee ● Annual review checklist for Rainbow policies to ensure compliance ● To agree how to conduct the self-review of the effectiveness of governance arrangements ● Strategic Matters/MAT Development ● Significant matters from committees /forums and individual director visits		

5. Areas of Delegation

This scheme of delegation is structured in accordance with the following areas:

- Strategy and Leadership
- Education and Curriculum
- Financial Management
- Human Resources
- Operations

6. Delegated Authority

The key responsibilities and decision making authority referred to in the scheme of delegation table are:

KEY (based on the RACI framework)				
R = RESPONSIBLE means **Responsible**. The individual/group that has responsibility for undertaking or completing the task delegated to them and reporting on its delivery at suitable intervals. In the case of the CEO, this reporting will be at Board level. In the case of the Principal/Head, this will be at Academy LAC level.	**A = ACCOUNTABLE** means **Accountable**. The individual/group that has the ultimate or final responsibility for ensuring completion of the task. This will include determining how the Trust and/or Academies (as appropriate) should undertake the task including determining appropriate milestones and targets to be reported against.	**C = CONSULT** means **Consult**. The individual/group that should be consulted as part of the process of completing the task because they can provide valuable advice and/or input.	**I = INFORMED** means **Inform.** The individual/group that should be kept up-to-date about the progress of the task and/or the decisions in the task.	**S = SUPPORT** means **Support**. The individual/group who should provide support during the implementation of the task.

7. Audience

This document is designed for use by key governance stakeholders within the Trust as well as externally. It will be made available on the Trust website.

8. Approval and Renewal

The Rainbow Education Multi-Academy Trust scheme of delegation will be reviewed at least annually and approved by the Trust Board, so that the roles and responsibilities

can be updated to reflect organisational priorities, good practice and updates to requirements or legislation.

9. Acronyms

The following acronyms are used in this document:

ATH - Academy Trust Handbook
Articles - The Church of England Articles of Association
CEO - Chief Executive Officer
DfE - Department for Education
DSL - Designated Safeguarding Lead
DBS - Disclosure and Barring Service Checks
ESFA - Education and Skills Funding Agency
EYFS - Early Years Foundation Stage
KPIs - Key Performance Indicators
LAC - Local Academy Council
SEF - Self Evaluation Form
SEND - Special Educational Needs and Disability
SDP - School Development Plan

10. Scheme Of Delegation Table

Governance Framework - Strategy and Leadership	Trustees	CEO	LAC	Headteachers
STRATEGY				
Set strategic priorities/KPIs of the Trust	A	R	I	I
*Set strategic objectives of the schools	I	S	A	R
Set the vision, values, mission and ethos of the Trust	A	R	I	I
Set the vision, values, mission and ethos of the schools	I	S	A	R
SCRUTINY				
Scrutiny: Performance – review & challenge progress of the Trust against its strategic objectives and KPIs	A	R	I	I
*Scrutiny: Performance – review & challenge progress of the school against its strategic objectives and KPIs	I	S	A	R
Scrutiny: Ethos – operation of the Trust against the agreed character, mission & ethos	A	R	S	S
*Scrutiny: Ethos – operation of the school against the agreed character, mission & ethos	I	S	A	R
Scrutiny: to raise concerns regarding Trust issues	A	R	S	I
*Scrutiny: to raise concerns regarding local issues	I	S	A	R
COMPLIANCE				
Compliance: Funding Agreement – comply with all obligations including the Academies Trust Handbook	A	R	I	S

Compliance: Regulatory – with all regulations affecting the Trust (including all charity law, company law, GDPR, employment law and health and safety)	A	R	I	S
Compliance: Financial Oversight - ensuring that there are appropriate financial controls so that there is regularity, probity and value for money in relation to the management of public funds	A	R	I	S
Compliance – completing the register of business interests and put in place a procedure to deal with any conflicts of interest and connected party transactions	A	R	R	S
REGISTERS				
Register of Interests- keep a published and accurate register	A	R	S	S
Trust Risk Register - keep a published and accurate register	A	R	I	I
DIRECTOR/LOCAL ACADEMY COUNCIL APPOINTMENTS				
*Appointments of Local Academy Councils – ensuring processes in place for appointment of LACs (including ensuring that the LACs have the skills to run the schools)	A	I	R	S
Appointment of Clerk – Board	A/R	C		
Appointment of Clerk – Local Academy Council	I	A/R	S	S
POLICIES				
Review and approval of Trust Wide Policies (including admissions, DBS, charging and remissions policies, health & safety and safeguarding)	A	R	C	I
*Review and approval of School Policies (including admissions, behaviour, health & safety and safeguarding)	I	C	A	R
COMMITTEE DELEGATIONS				
Prepare terms of reference for Committees	A	R		

	Trustees	CEO	LAC	Headteachers
Prepare terms of reference for LAC Committees eg pay and admissions	A	C	R	S
TRAINING				
Training programme for trustees	A	R		
Training programme for LACs	C	A	R	S
TRUST GROWTH				
Trust growth	A	R	I	I

Governance Framework - Education and Curriculum	Trustees	CEO	LAC	Headteachers
COMPLIANCE				
*School Development Plan - for each school in line with strategic priorities/KPIs of the Trust	I	S	A	R
Key Performance Indicators – setting and reviewing performance of the Trust & the schools	A	R	I	S
Quality of Teaching - ensuring appropriate levels of support, challenge and intervention to support delivery of education outcomes	I	S	A	R
*Curriculum – setting the curriculum for the schools including curriculum policy	I	C	A	R
*Curriculum – reviewing effectiveness of curriculum	I	R	A	R
Setting and approval of Trust wide policies (including Whistle Blowing Policy and Equality Objectives)	A	R	I	I
Setting and approval of school wide policies (including Whistle Blowing Policy and Equality Objectives)		I	A	R
STUDENT ISSUES				
*Student/pupil issues (including attendance, SEND, exclusions, punctuality and disciplinary	I	S	A	R

matters for each school)				
*Ensure school lunch provided to appropriate nutritional standards	I	C	A	R

SAFEGUARDING				
*Ensuring each school has appointed a designated safeguarding lead, ensuring compliance with statutory guidance and maintenance of single central record	S	S	A	R

STAKEHOLDER ENGAGEMENT				
*Promoting partnership working between parents/carers and the schools (including undertaking consultation with students, parents/carers and other stakeholders and ensuring that such feedback is used to support the development of best practice and to promote the quality of the overall student/pupil experience)	A	C	S	R

ACADEMY CALENDAR AND OPENING HOURS				
Setting term dates	C	A	I	R
School Hours -setting the opening and closing times for the Schools	C	A	I	R

ADMISSIONS				
Admissions Decisions	A	C	S	R

OFSTED				
Ofsted Inspections Trust Support: (1) Trustees will liaise with Ofsted where the MAT is inspected (2) The CEO will ensure Trust is prepared for inspection and manage the process from a Trust perspective where the impact of the Trust is under review	A	R	I	S
Ofsted Inspections: school level The CEO will support Local Academy Councils and Headteachers for individual school inspections	S	S	A	R

SIAMS Inspections	S	S	A	R

Governance Framework - Financial Management	Trustees	CEO	LAC	Headteachers
Appointment of Audit & Risk Committee	A/R	S	I	I
Appointment of Accounting Officer	A/R	I	I	I
Appointment of Chief Operating Officer and Chief Financial Officer	A	R	I	I
Recommend appointment of External Auditors to Members	A/R	S	I	I
Appointment of Internal Auditors	A/R	S	I	I
Ensure completion of internal audit	A	R	I	S
Agreeing a funding model across the Trust and develop an individual funding model for the schools, so as to secure the Trust's financial health in the short-term and the long-term	A	R	I	I
Formulating and setting the Trust wide budget	A	R	I	S
*Setting of expenditure within agreed budget (Secondary only)	I	C	A	R
Formulating and determining the proportion of the overall budget to be delegated to each Academy (including the use of contingency funds/balances)(Primary Only)	A	R	I	I
Submission of Annual Budgets to DfE	A	R		
Establishing policies and procedures to ensure compliance with the Trust's financial and reporting requirements	A	R		
Agreeing the investment policy in line with the Academies Financial Handbook and the Scheme of Financial Delegation	A	R		

Governance Framework - Human Resources	Trustees	CEO	LAC	Headteachers

Staff Development and Well Being	C	A	S	R
Appoint/dismiss/suspend CEO	A/R			
*Appoint/dismiss/suspend Headteachers at each school	C	A/R	R	I
Appoint/dismiss/suspend cross-Trust and central staff (in line with recruitment policy)	C	A/R	I	I
*Appoint/dismiss/suspend School SLT (excluding Headteacher)	I	S	A	R
*Appoint/dismiss/suspend Data Protection Officer	A	R	I	I
*Appoint/dismiss/suspend all existing school staff (internal recruitment)	I	C	A	R
*Appoint of external school staff	I	C	A	R
To determine pay progression/scale for CEO	A/R	I		
To determine pay progression/scale for Central Leadership Team (including Headteachers)	A	R	I	I
To determine pay progression/scale for Central Team	A	R		
*To determine pay progression/scale for school based staff	I	C	A	R
*Restructuring of school staff	I	C	A	R
Restructuring of cross-Trust and central staff	I	A/R		I
Performance management of CEO	A/R			
*Performance management of Headteachers		A/R	I	
*Performance management of Central Team		A/R		
*Performance management of school based staff		I	I	A/R
Establishing Trust wide HR Policies (including recruitment, discipline, capability, grievance and absence policies) in accordance with all appropriate regulations	A	R	I	I

Setting Terms and Conditions of Employment and Staff Handbook	A	R	I	I
Setting Appraisal Performance Management Policy together with pay reviews (in line with the Trust's pay policy and all statutory regulations)	A	R	C	I
Reviewing discipline and grievance policy	C	A/R	I	I

Governance Framework - Operations	Trustees	CEO	LAC	Headteachers
PROCUREMENT				
Setting trust wide procurement policies (for suppliers including auditors, HR and payroll providers and solicitors) in accordance with the Funding Agreement, Academies Financial Handbook and the Trust's procurement policy	A	R	I	I
Setting school specific procurement policies - in accordance with the Funding Agreement, Academies Financial Handbook and the Trust's procurement policy	A	R	I	I
Enter into contracts – up to limit of delegation set out in Scheme of Financial Delegation	A	R	I	S
Determining and allocating central services provided to the schools by the Trust	A	R	I	C
CENTRAL SERVICES, PREMISES AND ASSETS				
Overseeing the effectiveness of services provided centrally by the Trust	A	R	S/I	S/I
Arranging insurance for the Trust	A	R		
*Changing use of Assets	A	R	C	C
Develop the Trust estates strategy	A	R		
Procuring/disposing of new buildings/land in line with procedures and regulations	A	R		
Maintain buildings, inc. properly funded maintenance programme	A	R	I	S

Appoint Designated Safeguarding Lead who ensures compliance of statutory safeguarding	I	I	A	R
Appoint person in charge of first aid in schools	I	I	A	R
Set Health and Safety Policy	A	R	I	S
Respond to Health and Safety incidents in schools	I	C/S	A	R
Review risk assessments	I	R	A	R
*Asset and Premises Maintenance Strategy – determining use of Academies' premises and ensuring premises are adequately maintained	A	R	C	S
MEDIA AND PR				
Media and PR - overseeing public relations activities to project the activities of the Trust to the wider community	I	A/R	I	S
Media and PR - overseeing public relations activities to project the activities of the school to the wider community	I	S	C	A/R
Information management – including adopting and following policies for information security and compliance with FoI and DPA legislation and maintaining accurate records (staff, student)	A	R	S	R

Where any actions specifically link to the Chair of LAC/Trustees, in their absence the Vice Chair can make the decision.

*In sponsored academies or schools causing concern the Trust may override some of the LAC or Headteacher responsibilities.