



# **Scheme of Delegation**

## **Part 4**

# **Specific Scheme of Delegation: Embraced Academies**



## Embrace Multi Academy Trust

### Specific Scheme of Delegation: Embraced Academies

<b>Finance</b>				
<b>RESPONSIBILITY</b>	<b>Headteacher/Principal</b>	<b>Local Governing Body (LGB)</b>	<b>Embrace Finance Committee</b>	<b>Full Embrace Board</b>
<p><b><u>Budget forecast</u></b></p> <p>Submission of consolidated budget forecast by 31 July for the following financial year including capital projects.</p>	<p>The headteacher will have primary responsibility for preparing the draft budget in consultation with the LGB and with the support of the Embrace CFO, as necessary, during May and in accordance with a pre-arranged timetable.</p> <p>The headteacher will submit the draft budget to the Embrace finance committee for approval.</p> <p>The headteacher has no discretionary authority to incur additional revenue or capital expenditure outside the approved budget.</p>		<p>The Embrace finance committee will carry out a review of the draft budget forecast and make the recommendation (including any amendments) for approval to the full Embrace board.</p>	<p>The full Embrace board will approve the consolidated budget forecast for Embrace, including the individual academy budget, prior to submission to the ESFA by 31 July.</p>
<p><b><u>Budget revisions</u></b></p> <p>Revisions to budget during the year as appropriate.</p>	<p>The headteacher may draft revisions to the budget during the year, as appropriate, with involvement from members of the LGB keeping the Embrace CFO informed.</p>	<p>The LGB will be consulted by the headteacher prior to the submission of the revised budget to the Embrace finance committee.</p>	<p>Approval of in year revisions to budget.</p>	<p>The initial budget forecast for a newly joining academy will be based on the due diligence report and must be approved by the full Embrace board before the school joins the MAT.</p>



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<b><u>Purchase order and invoice approval</u></b>	Where the budget has been approved, up to £9,999 in value.		£10,000 up to £59,999.	£60,000 and over.
<b><u>Approval to accept a quotation</u></b> A minimum of three quotes or a formal tendering process.	Where the budget has been approved, up to a value of £9,999.	£10,000 up to a value of £24,999.	£25,000 up to OJEU limit.	Over OJEU limit.
<b><u>Authority to accept a quote/tender other than the lowest</u></b>	Where the budget has been approved up to a value of £9,999 and with the approval of the CFO.		£10,000 up to OJEU limit.	Over OJEU limit.
<b><u>Authority to write off bad debts</u></b>	Up to a value of £999.		£1,000 up to the limit required by secretary of state approval.	
<b><u>Approval for capital expenditure not included in the original budget</u></b>	The headteacher has no authority to incur additional capital expenditure without the approval of the Embrace finance committee.		Up to £50,000 in a financial year (either on one item or in aggregate).	Capital expenditure for projects exceeding £50,000 requires the express written consent of the Embrace board.
<b><u>Approval for virements between budget heads</u></b>	The headteacher may request approval from the CFO for virements between budget heads on the approved financial plan.	The LGB will monitor the on-going expenditure against budget heads.		
<b><u>Reporting and internal audit requirements</u></b>	The headteacher is responsible for providing such information and assistance in relation to reporting and internal auditing as the Embrace board may from time to time require. This will	The LGB will scrutinise and monitor capital and revenue expenditure to ensure it remains within the limits permitted by this Scheme of Delegation. It will provide a finance report to the	The finance committee will monitor the management accounts supplied by the LGB and its compliance with internal auditing requirements on an ongoing basis and report any	The Embrace board will review the performance of the academy against its budget, as part of the review of the level of autonomy it should be granted, at the first meeting in each financial year.



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	include reporting formally to the Embrace finance committee at regular intervals as specified	Embrace finance committee in such form and at such intervals as the Embrace board may from time to time require.	concerns to the Embrace board. The finance committee may appoint a responsible officer to conduct reviews of processes and procedures to provide assurance that these are efficient and effective.	
<b><u>Statutory audit procedures</u></b>	The headteacher is to provide such information and assistance in relation to statutory audit procedures as the Embrace board may from time to time require.	The LGB is to provide such information and assistance in relation to statutory audit procedures as the Embrace board may from time to time require.	The finance committee is responsible for recommending the statutory accounts for approval to the Embrace board.	The Embrace board will present the approved statutory accounts to the members at the AGM. The CFO in conjunction with external audit will submit statutory accounts to Companies House by 31 December and the Annual Accounts Return by 31 January.



<b>Human Resources</b>				
<b>RESPONSIBILITY</b>	<b>Headteacher/Principal</b>	<b>Local Governing Body (LGB)</b>	<b>TL/CFO</b>	<b>Full Embrace Board</b>
<b><u>Headteacher recruitment</u></b>		The LGB will constitute an appointment panel as a task group which will be chaired by the TL. It will provide such support and assistance to the TL with the appointment process as may be required.	The TL will chair the appointment panel and notify the Embrace board of its recommendation for the appointment. External recruitment advisers may be engaged and other Embrace officers may be involved.	The Embrace board will make the final decision concerning the appointment of the headteacher.
<b><u>Senior Leadership Team recruitment</u></b>	The headteacher will notify the TL as soon as he/she becomes aware of a potential vacancy in the Senior Leadership Team. The headteacher will lead the recruitment and appointment process jointly with the TL following the Embrace approved procedures.		The TL and the headteacher will jointly lead the process for filling any vacancies in the Senior Leadership Team. If there is any dispute between the two views then the TL will prevail. Once a decision has been made, a recommendation will be made to the Embrace board.	The Embrace board will make the final decision concerning the appointment taking due account of the recommendation made by the TL.
<b><u>Teacher recruitment</u></b>	The headteacher will lead the process for filling teacher vacancies in conjunction with the SLT and a representative of the LGB following Embrace approved procedures. The TL should be informed of any teacher recruitment and will provide support through the trust.	The chair of the LGB will nominate a representative from amongst its ranks to participate in the teacher appointment process.	The TL will provide support for teacher recruitment.	



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<b><u>Support staff recruitment</u></b>	The headteacher will inform the TL and lead the process for filling any vacancy for a member of support staff in conjunction with the Senior Leadership Team and the representative of a LGB following Embrace approved procedures. The TL may use support from within the trust if deemed necessary.	The chair of the LGB will nominate a representative from amongst its ranks to participate in the recruitment process if appropriate.	The TL may use support from within the trust if deemed necessary.	
<b><u>Appointment of external consultants</u></b>	The headteacher is to notify the TL promptly of any need to consult an external consultant. Any such appointment will be made in the name of Embrace.	.	Decisions concerning the appointment of external consultants will lie with the TL. Any such appointment will be made in the name of Embrace.	
<b><u>Headteacher performance appraisal and salary review</u></b>		The LGB will be responsible for the arrangement of the headteacher's performance appraisal and salary review. The TL will advise the LGB through the headteacher's performance appraisal and salary review process. The chair of the LGB may be asked to participate in the process.	The TL will be responsible for the arrangement of the headteacher's performance appraisal and refer it to the Embrace board for note.	The Embrace board will receive the report.
<b><u>Teacher appraisal and salary review</u></b>	The headteacher is to ensure that the budget includes any proposed salary reviews in consultation with the Embrace CFO. The headteacher will		The TL may involve other Embrace board members as necessary.	The TL may involve other Embrace board members as necessary.



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	provide assistance to the TL to enable him/her to make informed decisions concerning salary review proposals.			
<b><u>Requests for employment changes</u></b>	<p>The headteacher, after consulting the TL, is responsible for approving or denying requests, eg flexible working request.</p> <p>The headteacher must keep the LGB and TL informed of requests for employment changes.</p>	The LGB will be kept fully informed in connection with any proposed change to terms and conditions of employment.	The TL is responsible for proposing and for changes to terms and conditions of employment.	The responsibility for the contractual terms and conditions for all Embrace employees lies with the Embrace board. Decisions concerning any change to the terms of employment of academy staff (both teaching and support) will lie with the Embrace board. The Embrace board will consider any representations made by the TL, the headteacher and/or the LGB.
<b><u>Reductions in staffing and revisions to staffing structures</u></b>	The headteacher will notify the TL as soon as possible after becoming aware that reductions in staffing may be necessary. The headteacher will be responsible for proposing a revised staffing structure for the academy, with the support of the CFO, for consulting with the LGB. The headteacher will be responsible for leading and managing the redundancy process with the support of the TL and CFO.	The LGB will be consulted regarding any proposals for reducing staffing or revising staffing structures.	The TL and CFO will support the Headteacher throughout the restructuring process and will attend consultation meetings. The TL will refer recommendations for revised staffing structures and possible redundancies to the Embrace board for approval.	Decisions concerning redundancies will lie with the Embrace board. The Embrace board will consider any representations made by the TL, the headteacher and/or the LGB.



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<b><u>Allegations of gross misconduct</u></b>	The headteacher is to notify the TL as soon as possible after becoming aware of any circumstances that may need to be dealt with under the disciplinary procedure which may be deemed to be gross misconduct. The headteacher will ensure that an investigation is conducted into any allegations of gross misconduct in accordance with the Disciplinary Policy. If the outcome of the investigation is that there is sufficient evidence to substantiate the allegation, the headteacher will refer the matter to a disciplinary hearing in accordance with the policy.	In cases of gross misconduct where dismissal may be a possible sanction, members of the LGB may be asked to sit on the panels for the disciplinary or appeal hearings which will be conducted in accordance with the disciplinary procedure, should this be considered to be appropriate. If an allegation of gross misconduct has been made against the Headteacher, then the LGB will be responsible for informing the TL.	The TL/CFO will be responsible for organising an investigation into the allegation under the disciplinary procedure and arranging the constitution of panels consisting of members of the Embrace board and/or members of the LGB, if this is deemed appropriate for the disciplinary and appeal Hearings.	Decisions concerning the dismissal of any employees lie with the Embrace board. Directors will be asked to sit on panels for disciplinary and appeal hearings.
<b><u>Disciplinary allegations that fall short of gross misconduct</u></b>	The headteacher is to notify the TL as soon as possible after becoming aware of an allegation. The headteacher will ensure that an investigation is conducted into any disciplinary allegations in accordance with the Disciplinary Policy. If the outcome of the investigation is that there is sufficient evidence to substantiate the allegation, the headteacher will refer the matter to a disciplinary hearing	Members of the LGB will form panels for disciplinary and appeal hearings as may be required and will have the authority to impose sanctions up to, but not including, dismissal. Where an allegation of a less serious nature has been made against the headteacher, then the LGB will be responsible for informing the TL.	Where an allegation of a less serious nature has been made against the headteacher, the TL will be responsible for conducting the investigation into the allegation under the Disciplinary Policy.	Decisions concerning the imposition of a disciplinary sanction in respect of the headteacher will lie with the Embrace board. Directors will form the panels of disciplinary and appeal hearings in the case of allegations against headteachers.



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	in accordance with the policy. The headteacher is responsible for keeping the TL informed at all stages of the procedure.			
<b><u>Capability proceedings</u></b>	Where a capability issue is identified, the headteacher is responsible for leading and managing the process set out in the appraisal and capability procedures. The headteacher is responsible for keeping the TL and LGB informed regarding the progress of the proceedings for any member of teaching or support staff. If there has been insufficient improvement in performance after having followed the capability procedures, the final hearing will be referred to a panel of the Embrace board.	The LGB will be kept fully informed by the headteacher.	Where the headteacher is subject to a capability procedure, the TL is responsible for leading and managing the process set out in the appraisal and capability procedures. The TL is responsible for keeping the Embrace board informed regarding proceedings.	Decisions concerning the dismissal of any employees lie with the Embrace board. Directors will be asked to sit on panels for final stage capability and appeal hearings.
<b><u>Probationary period procedure</u></b>	The headteacher is responsible for following the probationary period procedure with eligible members of staff and confirming them in post. If an employee does not satisfactorily complete their probationary period, the headteacher will be responsible for informing the TL. If an employee does not satisfactorily complete their	The headteacher will keep the chair of the LGB informed regarding members of staff that are unlikely to satisfactorily complete their probationary period. Appeals against termination will be heard by a panel of the LGB.		Unless the Embrace board, acting in good faith, has any legitimate reason to do otherwise, it will delegate the responsibility for the dismissal of a member of staff who has failed to satisfactorily complete their probationary period to the headteacher. Appeals against termination will be heard by a panel of the Embrace board.



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	probationary period and their appeal is not upheld the headteacher will write to the employee on behalf of the MAT terminating their employment.			
<b><u>Safeguarding</u></b>	<p>The headteacher is to ensure that:</p> <ul style="list-style-type: none"> <li>• a suitable number of designated safeguarding leaders have been appointed</li> <li>• they have sufficient resources to enable them to undertake the role</li> <li>• all staff have access to full statutory safeguarding training and have read the Safeguarding Policy and Keeping Children Safe in Education guidance as a minimum</li> <li>• the LGB and TL are notified immediately of any allegation made against a member of staff.</li> </ul>	<p>The LGB is responsible for:</p> <ul style="list-style-type: none"> <li>• appointing one of its members as the named governor to liaise with the headteacher regarding safeguarding matters</li> <li>• ensuring its members are safeguarding trained</li> <li>• taking collective responsibility for safeguarding in the academy and monitoring safeguarding procedures within the academy</li> <li>• exercising their disciplinary functions in respect of allegations against a member of staff or as a consequence of dealing with a complaint, except where the allegation is against the headteacher.</li> </ul>	<p>The TL is to inform the Embrace board of any safeguarding allegation raised in respect of the headteacher, any member of the Senior Leadership Team or any other key employee of the academy.</p>	<p>The Embrace board carries overall responsibility for ensuring that safeguarding policies are implemented and is collectively responsible with the LGB for ensuring that safeguarding arrangements are fully embedded within the academy's ethos and reflected in the academy's day to day safeguarding practices. An Embrace trustee will address any allegations made against a headteacher in conjunction with the chair of governors or, in the absence of a chair, the vice chair.</p>

<b>Education</b>				
<b>RESPONSIBILITY</b>	<b>Headteacher/Principal</b>	<b>Local Governing Body (LGB)</b>	<b>TL/CFO</b>	<b>Full Embrace Board</b>
<b><u>Academy Improvement Plan (including curriculum and standards)</u></b>	The headteacher is to draw up a draft Academy Improvement Plan, in conjunction with the TL or MAT appointed school improvement advisor and LGB, prior to submitting it to the Embrace board. The draft Academy Improvement Plan should be costed with the support of the Embrace CFO and the expenditure built into the budget forecast. The headteacher is to co-operate with the TL in the ongoing monitoring of the Academy Improvement Plan.	The LGB will be kept informed regarding the implementation of the approved Academy Improvement Plan and will be required to act on any recommendations for action.	The TL will present the draft Academy Improvement Plan to the Embrace board for approval and will monitor the delivery of the plan on a termly basis, or at such other intervals as the Embrace board may determine, with resultant intervention if necessary.	The Embrace board will approve the draft Academy Improvement Plan, subject to any modifications it wishes to make.
<b><u>Academy hours</u></b>				The Embrace board is responsible for setting the opening and closing times for academies, taking into consideration the views of the headteachers and LGBs.
<b><u>Term times</u></b>				The Embrace board is responsible for setting the term times for academies taking into consideration the views of the headteachers and LGBs.
<b><u>Policies requiring consistency across Embrace eg safeguarding, HR and finance</u></b>	The headteacher will be responsible for ensuring that Embrace policies and procedures are applied across the academy.	The LGB will note the policies requiring consistency across all the academies as approved by the Embrace board and will monitor their implementation.	Policies requiring consistency across all the academies in Embrace will be drafted by the TL, other Embrace Officers or the CFO.	The Embrace board will approve all such policies and any amendments to them.



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<b><u>Other academy policies</u></b>	The headteacher will have responsibility, in consultation with the TL, for developing academy specific policies, as statutorily required.	The LGB will note academy specific policies and monitor their implementation.	The TL will support the headteacher in the development of other academy policies.	The Embrace board will approve all such policies and any amendments to them.

<b>Asset Management/Procurement</b>				
<b>RESPONSIBILITY</b>	<b>Headteacher/Principal</b>	<b>Local Governing Body (LGB)</b>	<b>TL/CFO</b>	<b>Full Embrace Board</b>
<p><b><u>Negotiation and renegotiation of contracts, HP, leasing, services and other agreements</u></b></p> <p>Processes and procedures must be in accordance with the Financial Regulations Manual</p>	<p>The headteacher will inform the CFO and TL of any need to negotiate or renegotiate any external contracts, leases or other service agreements. The TL and CFO will negotiate on behalf of the academy.</p>	<p>The LGB will be kept informed.</p>	<p>The TL and CFO will work with the headteacher to finalise the terms of any contract up to £59,999</p>	<p>Orders for contracts over £60,000 must be authorised by the Embrace board.</p>
<p><b><u>Disposal of assets</u></b></p> <p>Processes and procedures must be in accordance with the Financial Regulations Manual</p>	<p>The headteacher may authorise the disposal of assets up to and including a market value of £5,000 (either as one item or in total) having first consulted the Embrace CFO for recording advice. Records must be kept of all disposals.</p>	<p>The LGB is to be informed of any asset disposals and will monitor these to ensure procedures are being followed.</p>	<p>The Embrace CFO will advise the headteacher regarding disposals, ensure these are accounted for correctly and keep the Embrace board informed as appropriate. The finance committee must authorise the disposal of any items over a market value of £5,000 (either as one item or in total).</p>	<p>The Embrace board must obtain approval from the DfE in writing if it proposes to dispose of an asset for which a capital grant in excess of £20,000 was paid.</p>
<p><b><u>Premises Improvement Programme</u></b></p>	<p>Each year the headteacher will ensure that a Premises Improvement Programme has been drawn up, taking into consideration the most recent Condition Survey. This will be added to the Academy Improvement Plan. The TL/CFO will work with the headteacher on this. The Premises Improvement Programme must be costed</p>	<p>The LGB is responsible for monitoring the implementation of the Premises Improvement Programme.</p>	<p>The TL/CFO will work with the headteacher on the Premises Improvement Plan. The TL will supply a copy of the programme to the Embrace board as part of the Academy Improvement Plan</p>	<p>The Embrace board is required to approve the Premises Improvement Programme making any amendments it sees fit.</p>

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	and the expenditure built in to the budget forecast			
<b><u>Health and safety</u></b>	<p>The headteacher is responsible for:</p> <ul style="list-style-type: none"> <li>• developing a health and safety culture throughout the academy</li> <li>• ensuring that staff are aware of their responsibilities</li> <li>• drawing up site specific health and safety procedures (with the support of the Embrace CFO as appropriate)</li> <li>• updating the LGB</li> <li>• Ensures that all statutory training is up to date</li> <li>• ensuring adequate resources are available for health and safety.</li> </ul>	<p>The LGB shares with Embrace the overall responsibility for health and safety. It is responsible for:</p> <ul style="list-style-type: none"> <li>• appointing a governor with responsibility for health and safety</li> <li>• monitoring and reviewing the effectiveness of health and safety procedures.</li> </ul>	<p>The Embrace CFO will provide model procedures to assist the headteacher with putting academy specific health and safety procedures in place.</p>	<p>The Embrace board carries overall responsibility for ensuring that health and safety policies are implemented and is collectively responsible with the LGB for ensuring that health and safety arrangements are fully embedded within the academy's ethos and reflected in the academy's day to day practices.</p>
<b><u>Legal claims</u></b> Legal advice is available as part of the central services arranged through the MAT.	<p>The headteacher is to notify the TL and chair of governors of any actual or potential claims or proceedings affecting the academy as soon as becoming aware of them. The headteacher will act on any instructions received from the TL and/or the Embrace board.</p>	<p>The LGB will act on any instructions received from the TL and/or the Embrace board.</p>	<p>The TL will take appropriate advice (legal/insurance etc) and direct the LGB and/or headteacher as appropriate in line with this guidance, keeping the Embrace board informed.</p>	<p>The Embrace board may instruct the TL and/or the headteacher and/or the LGB to take such action as it may reasonably require in relation to the defence or prosecution of any claim or proceedings.</p>

<b>Strategy</b>				
<b>RESPONSIBILITY</b>	<b>Headteacher/Principal</b>	<b>Local Governing Body (LGB)</b>	<b>TL/CFO</b>	<b>Full Embrace Board</b>
<b><u>Partnering arrangements (eg membership of TSAs)</u></b>	The headteacher is to notify the TL of any proposals to enter into, renew, amend or terminate any partnering arrangement. The headteacher will provide such further information and assistance as the TL may need in order to make a decision concerning the arrangement.	The LGB will be kept informed.	The TL will take the lead on developing partnering arrangements and will be responsible for approving any new partnering arrangements.	The Embrace board is required to approve any proposals for partnering arrangements.
<b><u>Expansion of existing facilities/ taking on new premises</u></b>  Processes and procedures must be in accordance with the Financial Regulations Manual, the DfE Academies Financial Handbook and all statutory requirements	The headteacher is to notify the TL of any proposal to expand any existing facilities at the academy. The headteacher is responsible for drawing up a business case for the expansion proposal in consultation with the LGB and CFO, prior to submission to the Embrace finance committee/Embrace board.	The LGB will be kept informed.	The TL will assess the viability of any proposal put forward by the headteacher prior to the development of the business case.	The Embrace board will review any business case and decide whether to approve it or not.
<b><u>Other major strategic decisions</u></b>	The headteacher is to notify the TL of any proposal of a major strategic nature. The headteacher will provide such further information and assistance as the TL may need in order to make a	The LGB will be kept informed.	The TL will assess the viability of any proposal put forward by the headteacher and make recommendations to the Embrace board. The TL is to take the lead generally in	The Embrace board will be responsible for approving any major strategic proposal.



<b>Strategy</b>				
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	recommendation concerning the proposal.		developing the academy's strategy so it: <ul style="list-style-type: none"><li>• becomes and remains a sustainable, vibrant and high-quality provider of education;</li><li>• plays an effective part in the wider Embrace family;</li><li>• contributes to the renewal and sustainability of the community it serves.</li></ul>	