

# Emmaus Catholic Multi Academy Company Scheme of Delegation



**EMMAUS**  
CATHOLIC MAC  
Our journey with Christ



Date approved by the Board of Directors:  
22nd July 2024

## **Archdiocesan Ethos, Mission and Vision**

The Archdiocese of Birmingham is dedicated to providing an outstanding Catholic education for all children in our schools.

Our vision is to be a Catholic diocese which is faithful to the mission entrusted to us by Jesus Christ, full of missionary disciples who work together co-responsibly in vibrant communities of faith, joyful in their service of God and neighbour. The Archdiocesan vision is to reflect Evangelisation, Formation, Liturgy and Worship, Social Outreach, Care for Creation and Co-Responsibility in all that we do and there is an expectation by the Archdiocese that this will be reflected across all Multi Academy Companies.

It is our mission to announce the joy of the Gospel by making Christ known today through securing, protecting and improving the provision of Catholic education in the Archdiocese of Birmingham. Therefore, each of our schools will place Christ at the centre of all that it does and will integrate Gospel values and the teachings of the Catholic Church into every aspect of school life. Collectively the schools, as part of the MAC, must have a shared ethos based on their shared Catholic faith. Therefore, this Scheme of Delegation is grounded in the seven principles of Catholic Social Teaching and provides an opportunity for canon and civil law to come together.

Each MAC and individual school within it must have a separate mission statement which reflects the unique Catholic ethos of both the MAC and that school.

Every school must work in partnership with the other schools within the MAC with the common good of Catholic education as the basis of their collaborative work. This partnership working should be at both an operational level and a strategic level. It is expected that all schools continue to engage and work across the Archdiocese and in the wider community including non-Catholic schools where possible.

Schools in the Archdiocese of Birmingham will provide an inclusive Catholic education committed to enable each child to reach their full potential in their God given talents, founded on the belief that every child is unique and created in the image and likeness of God.

## Emmaus Catholic MAC Ethos, Mission and Vision

At Emmaus Catholic Multi Academy Company, just like the disciples on the road to Emmaus, we are all on a journey of accompaniment and encounter with our Lord. It is a journey of faith, learning, achievement, personal growth and service at the heart of our local communities. We are fully committed to supporting our young people and staff to achieve their personal best, enabling them to flourish and SHINE.

### **Motto**

Our journey with Christ.

### **Mission**

As a family of schools, united in Christ and working together as one, we exist to deliver excellent Catholic education and faith formation to every young person, in every classroom, every day.

### **Vision**

Transforming Lives: inspiring ambition and empowering young people to change the world.

## **ROLES AND RESPONSIBILITIES**

Canon Law gives the Archbishop the duty to watch over the Catholic schools in the Archdiocese and to issue directives concerning their general regulation. The DES, acting as agents for the Archbishop, carries out this duty through support and challenge to ensure all MACs are flourishing and operate according to Can. 806 §2 which states that *Directors of Catholic schools are to take care under the watchfulness of the local ordinary that the instruction which is given in them is at least as academically distinguished as that in the other schools of the area* .

Canon Law relating to education can be found at [https://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic\\_lib3-cann793-821\\_en.html](https://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic_lib3-cann793-821_en.html)

All tiers of leadership have a duty to act with integrity, objectivity and honesty in the best interests of the MAC and the school with reference to the Nolan Principles of Public Life, and shall be open about decisions (except where a matter is confidential) and be prepared to justify those decisions.

This scheme of delegation establishes how the DES, the MAC Directors, the Governors and the Principals work together to ensure that each school provides an excellent Catholic education to all its pupils ensuring effective operation and culture across the MAC in line with the "Strong Catholic MAC Framework".

The Members, who are signatories to the Articles of Association, are guardians of the governance of the Multi Academy Company and accountable to the Archbishop.

The MAC Directors are accountable to the Members for all of the schools in that MAC. That means that they are responsible to government agencies for the quality of the education provided by every school. They are also responsible to the Archbishop for every school being run as a flourishing Catholic school in line with Can. 806 §2 serving as a witness to the Catholic faith in Our Lord Jesus Christ. The Directors will follow all the guidance provided by the Catholic Education Service, relevant government agencies and the DES.

The CEO is responsible for the performance of ALL schools and staff within the MAC.

The role of the Local Governing Body (LGB), which is appointed for each school, is to provide assurance to the MAC Directors, through effective and proactive monitoring, that the school is delivering the strategy set by the Board to secure Catholic education, establishing and strengthening strong links with the parish and school communities. The LGB operates as the eyes and ears of the local parish and Deanery community so that it is best placed to inform the MAC of the needs of the area that the school serves. The people appointed to the LGB are known as Governors.

Executive Principals and Principals are responsible for the day to day running of a school and work with the LGB of that school to ensure that it is a flourishing organisation contributing to a flourishing MAC so that all constituent schools benefit from the sharing of best practice.

## **OVERALL ROLES AND RESPONSIBILITIES**

The DES provides support, training, guidance and challenge for the MAC Directors, for the Governors and for staff with regard to the Catholic ethos, mission and vision of the MAC and the schools. The DES is the first point of contact for advice, guidance and support in all matters that may impact on the quality and provision of Catholic education. This typically includes, but is not limited to, issues involving: RE, collective worship and Catholic life, admissions, governance, leadership, standards, staffing, buildings and premises, health and safety and finance.

The MAC Directors must manage and develop Catholic schools within the MAC in accordance with the principles, teachings and expectations of the Catholic Church. MAC Directors must follow and adhere to any advice, guidance or directives given by the Archbishop or by the DES on behalf of the Archbishop.

**GENERAL** - MAC Directors MUST;

Through a MAC Development Plan, ensure strategic oversight and provision of excellent Catholic education within the MAC. This must always be undertaken fairly and equitably so as not to give unreasonable advantage or disadvantage to any one or more schools within the MAC. The MAC Directors must make sure that where there are problems in any of these areas, that such problems are successfully addressed.

Preserve and develop the religious and educational character, mission and ethos of the MAC, as determined by the Archbishop who may work through the DES in accordance with the Articles of Association, and ensure that it is embedded in each school.

Ensure that the MAC and all schools within it are fully compliant with the Bishop's Directives.

**CHAIR'S ACTION IN BETWEEN MEETINGS**

No individual Director is empowered to make decisions on behalf of the MAC outside any specific authority set out in this scheme of delegation.

However, as an exception, the Chair of the Board can decide as a single Director when a delay in doing so would be:

- Seriously detrimental to the interests of the MAC of any of its schools, and
- It would not be possible to postpone the decision to a meeting of the Board (which the Chair can convene with less than 7 days' notice if necessary, provided the Board will have sufficient time to receive and consider relevant documents relating to the decision).

The following types of decisions cannot be made by "Chair's Action":

- Decisions in relation to admissions.
- Decisions on executive pay.
- Decisions relating to finance.

**SOLIDARITY**

Those with responsibility for the MAC, and the schools within it, will think and act as a community. A flourishing community must commit to the mutual support of all schools for which the MAC is responsible, especially those identified as being in need or requiring specific support. There will be times when, in order to ensure the development and success of individual schools, some schools will be capacity givers and others will be capacity takers. MAC policies will prioritise funding support to schools in need of assistance and the Directors will ensure that common action and collaboration is conducted at the correct level and that the balance between subsidiarity and solidarity serves the common good in the most appropriate way.

**SUBSIDIARITY**

The collaborative nature of the MAC will be evident through its decision-making processes. Subsidiarity means that decision making will be delegated to the appropriate level identified under this scheme of delegation on the understanding that decisions taken at those levels are compatible with the principles of solidarity, collaboration and the common good, working to maximise the life chances of all young people, regardless of which school they attend. In doing so, the MAC will operate for the common good and, in particular, to care for its most vulnerable members.

# **GOVERNANCE STRUCTURES**

## **GENERAL PRINCIPLES FOR THE CONSTITUTION OF THE BOARD OF DIRECTORS**

There must be at least three MAC Directors in post at all times. The membership of the MAC Board of Directors must always comply with the requirements of the Articles of Association. No employee of the MAC is permitted to be appointed as a Director.

The Directors shall elect a chair and a vice-chair from among the Foundation Directors on an annual basis.

All MAC Directors must, before they commence any MAC Director duties, sign and return to the DES the Undertaking to the Archbishop which is available on the DES website.

A MAC Director can resign at any time so long as at least three MAC Directors remain after that resignation.

A MAC Director can be removed by the person or persons who appoint him or her or by the MAC Members.

Where academic standards or the Catholic life in a school are judged by the DES to have fallen unacceptably low, the Archbishop may stipulate that up to four additional Directors, who will all be either officers of the DES or DES Associates, will be appointed.

A MAC Director is disqualified automatically if he or she:

- Is not yet 16.
- Becomes incapable because of illness or injury of managing his or her own affairs.
- Has not given the necessary Undertaking to the Archbishop before they commence any MAC Director duties.
- Cannot provide a Disclosure and Barring Service certificate at an enhanced disclosure level which is clear or, in the opinion of the DES, Chair of the Board or CEO, contains no information which confirms the unsuitability of that person to be a MAC Director.
- Meets any of the circumstances for disqualification outlined in the Articles which should also be checked where one of the following comes to light in relation to a MAC Director who:
  - Has been convicted of any offence involving dishonesty or deception.
  - Has been convicted of another crime which is not a “spent” crime in accordance with the Rehabilitation of Offenders Act 1974 (as amended) or one for which the maximum sentence is a fine or a lesser sentence.
  - Has been made bankrupt.
  - Has made a composition or arrangement with, or granted a trust deed for, creditors and has not been discharged in respect of it.
  - Has been removed from the office of charity trustee or trustee for a charity by an order made on the ground of any misconduct or mismanagement in the administration of the charity.
  - Has been disqualified from acting as a company director.
  - Is absent without the permission of the Chair of the Board from all of its meetings for six months and the Board passes a resolution that the person should no longer be a Director.

## **GENERAL PRINCIPLES FOR THE CONSTITUTION OF LOCAL GOVERNING BODIES**

The LGB is a committee of the Board of Directors which is established with its own Terms of Reference. Those serving as Governors are accountable to the Directors and will be responsible for:

- Upholding the Catholic nature of the school.
- Ensuring clarity of vision and strategic direction of the school.
- Overseeing the financial and educational performance of the school and ensuring that money for which the LGB is responsible is well spent.
- Holding the school leadership to account for the educational performance of the school and its pupils, and for the performance management of staff.
- Ensuring that the school operates in accordance with the policies and procedures of the MAC.
- Engaging with pupils, staff, parents, local parishes and the school community to understand their views of the school. It is essential that links with the school's parish(es) are established, maintained and strengthened.

Foundation Governors, appointed by the Archbishop, in addition to the above general principles have additional responsibilities that they must undertake, namely:

- To be a practising Catholic in full communion with the See of Rome, and not the subject of any canonical censure or penalty.
- To understand that their appointment places a statutory duty upon them to ensure that the religious character of the school is preserved and developed and that the school is conducted in accordance with the provisions of the Archdiocesan Trust Deed.
- To understand that their appointment requires them to comply with the provisions of Canon Law, the teachings of the Catholic Church and such determinations made by the Archbishop and his Trustees and their agent, the Diocesan Education Service, in respect of the school or other schools situated in the Archdiocese.
- There must be at least three Governors in post at all times.
- The LGB will appoint a Chair and Vice Chair from amongst its Foundation Governors on an annual basis.

The LGB shall have the following Governors:

- At least six Foundation Governors. One of the Foundation Governor positions must be made available to a priest. Employees of the school are not eligible for appointment as Foundation Governors.
- One Staff Governor. Unless the MAC Directors agree otherwise, the LGB should invite nominations from all staff (teaching and non-teaching) employed under a contract of employment (except the Principal) or a contract for services. If more than one person is nominated the LGB should hold an election by secret ballot of all staff.
- Two Parent Governors. Unless the MAC Directors agree otherwise, the LGB should invite nominations from all parents of pupils registered at the school. However, any parent who is an elected member of the local authority or employed to work at the school for more than 500 hours in any twelve consecutive months is not eligible to be a Parent Governor. If more nominations are received than posts vacant the LGB should hold an election by secret ballot of all parents of pupils registered at the school.
- The Principal, who is always a Governor. This position should be held by the "first in charge" in the school. If the school has an executive leadership structure, then the Executive Principal would normally hold this position unless alternative formal arrangements have been made for the Head of School to hold the position instead.

So long as there is still a majority of two Foundation Governors in post, the LGB may co-opt up to two Governors. A Co-opted Governor is a person who is to serve as a Governor who has not been either elected or appointed. A member of staff may not be co-opted if that would make the number of Staff Governors exceed one third of the number of Governors.

All Governors who are not Foundation Governors must, before they commence any Governor duties, sign and return to the DES the Undertaking to the Archbishop which is available on the DES website.

A Governor may resign by written notice to the LGB but that notice of resignation will not be effective if it would leave less than three Governors on the LGB. On receipt of the notice of resignation, the LGB will inform the MAC Directors and the DES of the resignation.

A Governor can be suspended or removed by the person or person who appointed him or her. A person (except for a Foundation Governor) may also be suspended or removed by the MAC Directors but only after the MAC Directors have given due regard to any representations made by the LGB.

A Staff Governor shall cease to be a Governor when he or she leaves the school.

A Parent Governor shall cease to be a Governor at the end of the school term during which he or she ceases to be a parent of a registered pupil at the school.

A Governor is disqualified automatically if he or she:

- Is not yet 18.
- Becomes incapable of managing his or her own affairs.
- Has not provided to the Chair of the LGB an enhanced Disclosure and Barring Service check and/or such other check as may be required from Governors from time to time by the DES. If the result of that check discloses any information which would in the opinion of either the Chair of the LGB or the Principal confirm their unsuitability to work with children that person shall be disqualified. If a dispute arises as to whether a person shall be disqualified, a referral shall be made to the Secretary of State to determine the matter. The determination of the Secretary of State shall be final.
- Is absent without the permission of the Chair of the LGB from all of its meetings for six months and the LGB passes a resolution that the person should no longer be a Governor.
- If an application for a bankruptcy order or a petition for a bankruptcy order or a bankruptcy order is made against them.
- Would be disqualified from acting as a company director or as a charity trustee.
- Has been removed as a trustee for a charity by an order made by the Charity Commission or the High Court.
- Is included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999.
- Is disqualified from working with children in accordance with section 35 of the Criminal Justice and Court Services Act 2000.
- Is barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006).
- Has had a direction made against them under section 142 of the Education Act 2002 or are subject to any prohibition or restriction which takes effect as if contained in such a direction.
- Has at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where the offence would disqualify them from acting as a charity trustee.

Where a person becomes disqualified from being a Governor and he or she was serving or was proposed to serve, they shall immediately inform the LGB who shall inform the MAC Directors and the DES. This provision also applies to any member of any committee of the LGB who is not a Governor.

NB: The quorum for a meeting of the LGB, and any vote on any matter shall be three Governors, or, where greater, one third (rounded up to a whole number) of the total number of Governors holding office at the date of the meeting. In the event that, at a meeting of the LGB, Foundation governors are in the minority, no decisions may be taken at that meeting and the meeting adjourned, rearranged and held within 20 school days.



## How to use this model scheme of delegation

This model scheme of delegation has been drafted by a working party of 6 governance professionals, supported by the DES.

Each area of the scheme of delegation relates to statutory and best practice functions of governance in a MAC and where the delegated responsibility for each area lies as follows:

Accountable = accountable for the area/task/decision. This is usually the MAC Board of Directors as the legally accountable and liable body

Responsible = responsible for delivering the area/task/decision in line with agreed MAC policies

Consulted = consulted on the area/task/decision and entitled to give/receive feedback

Informed = informed of the area/task/decision through agreed communications channels. No feedback is required from this tier of governance

Provide assurance = monitor the delivery of the area/task/decision and provide assurance to the Board

Each area/task/decision must be undertaken in line with and following any explanatory notes for that task. A link for any notes is provided in the column headed "Annexe Note" of the Scheme of Delegation table.

The model scheme of delegation has been drafted to indicate suggested delegations based on nationally recognised best practice and direction from the DES.

Areas that are greyed out are non-negotiable and delegated powers must remain as laid out in this model scheme of delegation. The areas that are not greyed out may be amended to reflect the practises within an individual MAC context.

Additional operational areas may be added if required to meet the needs of your MAC so long as they do not conflict with any non-negotiable area identified within this scheme.

It is the responsibility of the MAC Board of Directors to review the scheme of delegation annually and in particular, the areas where flexibility is permitted.

MAC Board Directors may add additional areas within this Scheme of Delegation in line with their MAC's operational requirements.

	Operational Task	Members	Diocesan Education Service	Board of Directors (inc sub-committees)	CEO (Delivered through Exec and central teams)	Local Governing Bodies	Executive Principals / Principals	Annexe Note	Review cycle eg annually, termly etc	<a href="#">Bishop's Directives Reference</a>	<a href="#">Trust Descriptors Reference</a>
<b>Section A: Vision, ethos, compliance and strategy</b>											
A1	Set MAC vision, values and strategy		Informed	Accountable	Responsible	Informed	Informed		Annually	1	Governance & Leadership
A2	Set individual school vision, values and strategy in line with the overall MAC vision			Accountable	Provide Assurance	Responsible	Responsible		Annually	1	Governance & Leadership
A3	Set individual school improvement plan in line with MAC priorities			Accountable	Provide Assurance	Responsible	Responsible		Termly		School Improvement
A4	Ensure compliance with equalities legislation			Accountable	Responsible	Responsible	Responsible		Ongoing		Governance & Leadership
A5	Establish and appoint board committees as required by the Academy Trust Handbook			Accountable					Annually		Governance & Leadership
A6	Appoint Lead Directors for Catholic Life, Safeguarding, Health and Safety and SEND			Accountable					Annually		Governance & Leadership
A7	Identify the skills and experience the Board needs to effectively discharge its responsibilities		Informed	Accountable					Annually		Governance & Leadership
A8	Establish structure of local governance layer		Consulted	Accountable				<a href="#">A8 Note</a>	As required	17 & 32	Governance & Leadership
A9	Appoint and remove foundation Directors		Responsible	Consulted				<a href="#">A9 Note</a>	As required		Governance & Leadership
A10	Appoint and remove foundation Governors		Responsible					<a href="#">A10 Note</a>	As required		Governance & Leadership
A11a	Appoint co-opted Directors		Consulted	Accountable				<a href="#">A11 Note</a>	As required		Governance & Leadership
A11b	Remove co-opted Directors	Responsible	Consulted	Accountable				<a href="#">A11 Note</a>	As required		
A12	Appoint and remove co-opted Governors		Consulted	Consulted	Consulted	Accountable		<a href="#">A12 Note</a>	As required		Governance & Leadership
A13	Remove staff or parent Governors		Consulted	Accountable		Consulted		<a href="#">A13 Note</a>	As required		Governance & Leadership
A14	Business Continuity Plan (MAC level)			Accountable	Responsible				Termly		Finance & Operations
A15	Business Continuity Plan (Individual school level)			Accountable	Provide Assurance				Termly		Finance & Operations
A16	MAC wide policies (statutory and non-statutory)			Accountable	Responsible			<a href="#">A16 Note</a>	As required		Governance & Leadership
A17	Individual school level policies (statutory and non-statutory)			Accountable	Responsible	Responsible	Responsible	<a href="#">A17 Note</a>	As required		Governance & Leadership
A18	MAC safeguarding practices, with regard to statutory guidance			Accountable	Responsible	Responsible	Responsible	<a href="#">A18 Note</a>	Annually		Governance & Leadership
A19	Compliance with regulatory requirements for looked after children			Accountable	Responsible	Responsible	Responsible	<a href="#">A19 Note</a>	Ongoing		Governance & Leadership
A20	SCR compliance			Accountable	Responsible	Responsible	Responsible	<a href="#">A20 Note</a>	Ongoing		Governance & Leadership
A21	Determine admissions policies		Consulted	Accountable	Responsible	Responsible	Responsible	<a href="#">A21 Note</a>	Annually	6, 7, 8, 9 & 10	Governance & Leadership
A22	Attend inspections (Ofsted, CSI)		Informed	Accountable	Responsible	Responsible	Responsible		As required		Governance & Leadership
A23	Ensure land and buildings are maintained and fit for purpose.		Consulted	Accountable				<a href="#">A23 Note</a>	Ongoing	22 & 29	Finance & Operations
A24	Develop and implement a MAC wide Estates strategy		Informed	Accountable	Responsible				Termly		Finance & Operations
A25	Establish and review asset management plan			Accountable	Responsible			<a href="#">A25 Note</a>	Termly		Finance & Operations
A26	Statutory compliance with regulations, guidance and policies relating to Health and Safety, premises and accommodation		Informed	Accountable	Responsible	Responsible	Responsible	<a href="#">A26 Note</a>	Ongoing	30	Finance & Operations
A27	Statutory compliance with regulations, guidance and policies relating to the running of a Charitable Company, eg information shared with Companies House, GIAS and MAC and school website		Informed	Accountable	Responsible				Ongoing		

	Operational Task	Members	Diocesan Education Service	Board of Directors (inc sub-committees)	CEO (Delivered through Exec and central teams)	Local Governing Bodies	Executive Principals / Principals	Annexe Note	Review cycle eg annually, termly etc	<a href="#">Bishop's Directives Reference</a>	<a href="#">Trust Descriptors Reference</a>
	Terms of Reference for MAC committees (including LGBs)			Accountable	Provide Assurance				Annually		
	Appoint and remove the Clerk to the Board			Accountable	Provide Assurance				Annually		
	Appoint and remove the Clerk to the LGB					Accountable	Provide Assurance		Annually		
<b>Section B: Educational performance and staff performance management</b>											
B1	Set MAC approach to curriculum and assessment, with regard to Religious Education, Catholic Life, Collective Worship, Relationships and Sex Education		Informed	Accountable	Responsible			<a href="#">B1 Note</a>	Annually	21, 23, 24, 26, 27 & 28	High-quality and inclusive education
B2	Set MAC approach to all other areas of curriculum and assessment, with regard to statutory requirements, not mentioned above			Accountable	Responsible			<a href="#">B2 Note</a>	Annually		High-quality and inclusive education
B3	Deliver Early Years Foundation Stage (EYFS), in line with statutory requirements			Accountable	Responsible	Provide Assurance	Responsible		Ongoing/Termly		High-quality and inclusive education
B4	Production, analysis and review of data at MAC level			Accountable	Responsible			<a href="#">B4 Note</a>	Termly		School Improvement
B5	Production, analysis and review of data at individual school level			Accountable	Responsible	Provide Assurance	Responsible		Ongoing		School Improvement
B6	Deliver careers guidance, with regards to statutory requirements			Accountable	Provide Assurance	Provide Assurance	Responsible		Termly		High-quality and inclusive education
B7	Ensure compliance with SEND Code of Practice			Accountable	Responsible	Provide Assurance	Responsible	<a href="#">B7 Note</a>	Termly		High-quality and inclusive education
B8	Suspensions and exclusions and compliance with statutory guidance			Informed	Provide Assurance	Accountable	Responsible	<a href="#">B8 Note</a>	Half-termly via Principal's report		High-quality and inclusive education
B9	Appointment to reserved posts (CEO, First in charge of school, Second in charge of school, PICCLs - Person in Charge of Catholic Life, Head of RE, Lay Chaplain and any other role within the MAC that leads on the provision of Catholic Life and Mission)		Consulted	Accountable	Responsible			<a href="#">B9 Note</a>	As required	11, 12, 13, 14 & 32	Workforce
B10	Individual school staff appointment (other than for reserved posts) with regard to statutory requirements			Accountable	Consulted				As required		Workforce
B11	Central and Exec team staff appointments with regard to statutory requirements		Consulted	Accountable	Responsible			<a href="#">B11 Note</a>	As required		Workforce
B12	Staff dismissal (for reserved posts) with regard to statutory requirements		Consulted	Accountable	Responsible	Consulted		<a href="#">B12 Note</a>	As required		Workforce
B13	Staff dismissal (other than for reserved posts) with regard to statutory requirements			Accountable				<a href="#">B13 Note</a>	As required		Workforce
B14	Staff dismissal (central and exec team) with regard to statutory requirements		Informed	Accountable	Responsible			<a href="#">B14 Note</a>	As required		Workforce
B15	HR policies (appraisal, pay, disciplinary, grievance, capability, safer recruitment, Staff CPDF, Staff Wellbeing)			Accountable	Responsible	Provide Assurance	Responsible		As required		Workforce
B16	Performance Management of the CEO			Accountable					Annually (with mid-term		Workforce
B17	Performance Management of the Executive Leadership Team			Accountable	Responsible				Annually (with mid-term review)		Workforce

	Operational Task	Members	Diocesan Education Service	Board of Directors (inc sub-committees)	CEO (Delivered through Exec and central teams)	Local Governing Bodies	Executive Principals / Principals	Annexe Note	Review cycle eg annually, termly etc	<a href="#">Bishop's Directives Reference</a>	<a href="#">Trust Descriptors Reference</a>
B18	Performance Management of first in charge within a school setting			Accountable				<a href="#">B18 Note</a>	Annually (with mid-term review)		Workforce
B19	Performance Management of other school staff			Accountable	Provide Assurance	Provide Assurance	Responsible		Annually (with mid-term review)		Workforce
<b>Section C: Financial performance</b>											
C1	Ensure CEO is MAC accounting officer			Accountable					On appointment		Governance & Leadership
C2	Set delegated authority limits for financial transactions			Accountable				<a href="#">C2 Note</a>	Annually		Finance & Operations
C3	Establish controls framework including internal audit			Accountable				<a href="#">C3 Note</a>	Annually		Finance & Operations
C4	Annual Budget and 3 year forecast			Accountable	Responsible			<a href="#">C4 Note</a>	Annually	18, 19 & 21	Finance & Operations
C5	Monthly management accounts and forecasts			Accountable	Responsible		Responsible	<a href="#">C5 Note</a>	Monthly		Finance & Operations
C6	Manage cash position			Accountable	Responsible			<a href="#">C6 Note</a>	Monthly/ongoing		Finance & Operations
C7	Monitor pupil premium spend inc. NTP and PE and sport premium			Accountable	Responsible		Responsible	<a href="#">C7 Note</a>	Monthly		High-quality and inclusive education
C8	Appoint external auditor	Accountable	Consulted	Responsible				<a href="#">C8 Note</a>	Annually		Governance & Leadership
C9	Annual report and accounts, with regard to accounts consolidation exercises required by DfE	Informed	Informed	Accountable	Responsible			<a href="#">C9 Note</a>	Annually		Finance & Operations
C10	Manage conflicts of interest and related party transactions			Accountable	Responsible	Responsible		<a href="#">C10 Note</a>	Ongoing		Governance & Leadership
C11	Ensure compliance with ESFA requirements			Accountable	Responsible				Ongoing		Governance & Leadership
C12	Ensure adequate insurance cover is in place inc. relevant approvals on indemnities			Accountable	Responsible			<a href="#">C12 Note</a>	Annually		Finance & Operations
C13	MAC Risk register			Accountable	Responsible			<a href="#">C13 Note</a>	Ongoing	21	Finance & Operations
C14	Individual school risk register			Accountable	Provide Assurance	Provide Assurance	Responsible	<a href="#">C14 Note</a>	Ongoing		Finance & Operations

## Notes and Explanations

**In order for the links from the Scheme of Delegation page to operate, this page is unprotected, but no changes to the content of the notes may be made.**

### Reference

#### **A8: Establishing structure of Local Governance Layer**

### Notes

- The MAC Directors are accountable for establishing governance layers across the MAC in any way they choose in order to ensure that the MAC operates in a way that meets its object.
- No MAC Director should also serve on any LGB within the MAC.
- The MAC Directors may appoint an LGB for each school. If the MAC Directors wish to appoint a single LGB for a number of schools, they must first consult with the DES.
- Any MAC Director shall be entitled to attend any meeting of the LGB and its committees.
- The MAC Directors delegate powers to a LGB by their adoption of this scheme of delegation.
- The MAC Directors cannot delegate to a committee or any other body:
  - o The preservation and development of the educational character and mission of the MAC and its schools.
  - o Approval of the MAC budget.
  - o Responsibility for ensuring the solvency of the MAC and its schools.
  - o Appointment of the Clerk.
- The MAC Directors should review the terms of reference and membership of any committee at least once every academic year.

#### **A9: Appointing and Removing Foundation Directors**

- Each Board of MAC Directors will contain a minimum of three Foundation Directors who are appointed by the Archbishop. The number of Foundation Directors in post on the Board must always be greater than the number of all other Directors in post, by at least two.
- Foundation Directors are appointed through an application process overseen by the DES. Application forms must be completed by anyone who wishes to be considered for appointment and a person cannot be deemed to be a Foundation Director until formal confirmation by the DES has been received confirming that the applicant has been appointed and is able to take up the role of Foundation Director. Application forms are available from the DES website.
- Foundation Directors are appointed and removed by the Archbishop. The Archbishop may remove or suspend a Director without a reason being given.
- The term of office for Foundation Directors is four years unless otherwise specified on appointment.

#### **A10: Appointing and Removing Foundation Governors**

- Each LGB will contain a minimum of six Foundation Governors who are appointed by the Archbishop. The number of Foundation Governors in post on the Board must always be greater than the number of all other Governors in post, by at least two.
- One of the Foundation Governor positions must be made available to a Priest. In a Primary School this would normally be the priest of the parish that the school serves. In a Secondary School this will normally be the priest of one of the parishes of the feeder schools.
- Foundation Governors are appointed through an application process overseen by the DES. Application forms must be completed by anyone who wishes to be considered for appointment and a person cannot be deemed to be a Foundation Governor until formal confirmation by the DES has been received confirming that the applicant has been appointed and is able to take up the role of Foundation Governor. Application forms are available from the DES website.
- Foundation Governors can be removed or suspended at any time by the Archbishop without reason being given, through a process overseen by the DES. Where a removal is proposed, the MAC Directors will be invited to comment before such a removal and the MAC Directors may make a recommendation to the DES for the removal of a Foundation Governor if they feel there is evidence to support this.
- The term of office for Foundation Governors is four years unless otherwise specified on appointment.

**A11: Appointing and Removing Co-Opted Directors**

- Co-Opted Directors may be appointed by the existing MAC Directors who have not themselves been co-opted. Before co-opting a Director, the existing MAC Directors must ensure that after such co-option there will still be a majority of at least two Foundation Directors in post.
- The Board are to consult with the DES on the appointment of Co-Opted Directors. Before the MAC Board co-opts a Director, the proposed Co-opted Director must complete and submit a Co-Opted Director application form which is available from the DES website.
- The term of office for Co-Opted Directors is one year but they can be re-appointed subject to approval of the MAC Directors and ensuring that there will still be a majority of at least two Foundation Directors in post.
- Co-opted Directors may be removed at any time by the MAC Directors or the Members.

**A12: Appointing and Removing Co-Opted Governors**

- Co-Opted Governors may be appointed by the existing Governors who have not themselves been co-opted. Before co-opting a Governor, the existing Governors must ensure that after such co-option there will still be a majority of at least two Foundation Governors in post.
- The term of office for Co-Opted Governors is one year but they can be re-appointed subject to LGB approval and ensuring that there will still be a majority of at least two Foundation Governors in post.
- Co-opted Governors may be removed at any time by the LGB or the Board of Directors, having first given due regard to any representations made by the LGB.
- Any Co-opted Governor whose removal is proposed should be provided with written details of the case against them, including details of how their case will be handled and the timeframes involved.

**A13: Removing Staff or Parent Governors**

- A Staff or Parent Governor may be suspended or removed by the MAC Directors. The governors may make a recommendation to the MAC Directors for the removal of a parent or staff governor where that governor has acted contrary to the Code of Conduct in place.
- Any Staff or Parent Governor whose removal is proposed should be provided with written details of the case against them, including details of how their case will be handled and the timeframes involved.
- The MAC Directors will give due regard to any representations made by the LGB and the Governor concerned.

**A16: MAC wide policies (statutory and non-statutory)**

- MAC policies must be put into practice in all individual schools.

**A17: Individual School level policies (statutory and non-statutory)**

- Reviewing and amending any individual school policies taking into account adopted MAC policies.
- School policies can be changed by the MAC Directors where they do not meet the requirements of the Bishop's Directives or overall MAC policies.

**A18: MAC safeguarding practices, with regard to statutory guidance**

**A19: Compliance with regulatory requirements for looked after children**

**A20: SCR compliance**

- On behalf of the MAC Directors, the CEO is responsible for ensuring compliance with all safeguarding requirements across the MAC. This includes compliance with all MAC policies as well as with other external imposed legislative/statutory and regulatory requirements, ensuring the single central record is maintained for all MAC based and cross school appointments, and developing and maintaining quality assurance systems to monitor and evaluate the effectiveness of Safeguarding within the MAC and its schools.
- The MAC Directors have a duty to:
  - o safeguard and promote the welfare of children
  - o have regard to any statutory guidance on safeguarding, issued by the Secretary of State
  - o ensure the suitability of staff, supply staff, volunteers, contractors and proprietors
  - o appoint a lead Director for Safeguarding
- The Principal will:
  - o appoint a designated teacher to support looked after children and to ensure the role is compliant with statutory guidance
  - o appoint a designated safeguarding lead and clearly identify them and all other qualified safeguarding staff

**A21: Setting admissions policies**

- The DES will issue instructions and guidance about admissions and admission policies to schools in the Archdiocese of Birmingham.
- In accordance with The School Admissions Code the MAC Directors are the admission authority for each school within the MAC
- The MAC Directors will:
  - o Delegate the day to day responsibility for admissions within each school to the LGB for that school.
- The LGB:
  - o will undertake consultation, publish and determine admission arrangements as required in accordance with the School Admissions Code and must follow the protocols and guidance provided by the DES.
  - o will consider all applications for admission to the school and decide whether or not a place can be offered.
  - o ensure that parents are notified of the outcome of that application in line with the School Admissions Code including advising parents of the right to appeal should their application be unsuccessful.
  - o organise any appeal hearings as required in accordance with the School Admission Appeals Code and following the protocols and guidance provided by the DES.

**A23: Ensure land and buildings are maintained and fit for purpose.**

- Professional advice must be sought as required. Any necessary application for consent or authority should be made to the Diocesan Trustees in accordance with any Diocesan requirements. The Governing Body shall not, without obtaining the prior approval, in writing, of the Trustees make any major structural changes or additions or alterations to any buildings which form part of the School Premises or let or give up or transfer possession or control of the School Premises or any part of the School Premises. Refer to the Occupation of School Premises:  
[https://www.bdes.org.uk/uploads/7/2/8/5/72851667/occupation\\_of\\_premises\\_document.pdf](https://www.bdes.org.uk/uploads/7/2/8/5/72851667/occupation_of_premises_document.pdf)

**A25: Establish and review asset management plan**

- This is to include all assets which can be capitalised.

**A26: Statutory compliance with regulations, guidance and policies relating to Health and Safety, premises and accommodation**

- All appropriate risk management and H & S training and guidance is provided to undertake this.
- Ensure the statutory Diocesan annual return is submitted each year.

**B1: Setting MAC approach to curriculum and assessment, with regard to Religious Education, Catholic Life, Collective Worship, Relationships and Sex Education**

- Ensure that the Curriculum of the schools, including all the subjects of the National Curriculum, is taught in the light of the Gospel values and actively promotes the spiritual and moral development of its pupils.
- Ensure that RE is in accordance with the teachings, doctrine, discipline and norms of the Catholic church both as a core subject and integrated into other subject areas.
- Ensure that RE is in accordance with the Bishops' Conference Curriculum Directory and the Archbishop's Policy and that it constitutes 10% of the curriculum time in the school (5% in sixth form).
- Ensure that the Principal is complying with the requirement to provide a daily collective act of worship in accordance with the rites, practices, disciplines, and liturgical norms of the Catholic church and take action to address any issues as appropriate.

**B2: Setting MAC approach to all other areas of curriculum and assessment, with regard to statutory requirements, not mentioned above**

- Monitor and oversee the quality of teaching and implement any necessary strategies to support the delivery of educational outcomes. This may be through the appointment of an education standards committee which can be set up by the MAC Directors.
- Determine a curriculum policy for the MAC to ensure the provision of a balanced and broadly based curriculum.

**B4: Production and analysis of educational data at MAC level**

- Review data provided by all schools relating to pupil premium and sports premium and take action to address any issues as appropriate.

**B7: Ensuring compliance with SEND Code of Practice**

- Ensure training of appropriate staff takes place and legal compliance is met



- B8: Suspensions and exclusions and compliance with statutory guidance**
- Adopt the MAC-wide behaviour policy that incorporates an exclusions policy.
  - Review the use of exclusions across the MAC and investigate inconsistencies
  - Convene a committee to review any exclusion of a pupil.
  - Review the overall pattern of exclusions at the schools and report this to the MAC Directors.
  - Exclude a pupil for a fixed term or permanently as appropriate.
- B9: Appointment to reserved posts (CEO, First in charge of school, Second in charge of school, PICCLs - Person in Charge of Catholic Life, Head of RE, Lay Chaplain and any other role within the MAC that leads on the provision of Catholic Life and Mission)**
- The MAC Directors will have responsibility when considering the appointment of reserved posts, whether permanent or temporary, the MAC Directors must comply with the "Appointing Leaders Handbook" and involve the DES at all stages. The Appointing Leaders Handbook is available on the DES website.
  - LGBs and Principals are not normally involved in the appointment of the MAC's central team including the CEO
  - At the invitation of the MAC Directors, LGBs and Principals can be involved in the appointment of school level posts as listed.
- B11: Central and Exec team staff appointments with regard to statutory requirements**
- CFO must be qualified in line with the requirements of the Academy Trust Handbook.
  - Company Secretary and Clerk to the Board of MAC Directors must be appointed who are both accountable to the Chair of the Board.
  - The Board of Directors is responsible for setting the staffing structure of the central team. Their involvement in the recruitment process will be dependant upon the seniority of the post concerned.
- B12: Staff dismissal for reserved posts (CEO, First in charge of school, Second in charge of school, PICCLs - Person in Charge of Catholic Life, Head of RE, Lay Chaplain)with regard to statutory requirements**
- The MAC Directors will appoint a committee of 3 to consider any case to dismiss holders of reserved posts, whether permanent or temporary. The Principal may be involved in relation to any reserved post other than their own position.
- B13: Staff dismissal (other than for reserved posts) with regard to statutory requirements**
- The MAC Directors may delegate the dismissal of staff to the CEO/Principal as appropriate.
- B14: Staff dismissal (central and exec team) with regard to statutory requirements**
- The MAC Directors may delegate the dismissal of executive leaders or members of the central team to the CEO. Where delegation is not granted, a committee of 3 directors shall be appointed.
  - The MAC Directors will appoint a committee of 3 to consider any case to dismiss a CEO.
- B18: Performance Management of first in charge within a school setting**
- As part of their performance management review all reserved post holders must have a target that focusses on RE and Catholic Life.
- C2: Setting delegated authority limits for Financial transactions**
- It is the responsibility of the MAC Directors to approve a MAC wide financial scheme of delegation which ensures that the MAC can operate efficiently and effectively.
  - This delegation should be reviewed on an annual basis lead by the CEO and the central team.
- C3: Establishing controls framework including internal audit**
- The MAC Directors are accountable for establishing a framework for internal audit across the MAC. This will be completed on advice from the CEO and the central team. Internal audit programme should be guided by the Risk Register, Financial External Audit and other process audits. The Risk committee of the MAC Directors would lead this process.
  - The appointment of internal auditors is the responsibility of the MAC Directors, on advice and guidance from the central team.
- C4: Annual Budget and 3 year forecast**
- The MAC Directors will approve the balanced financial budget for the MAC prior to submission to the EFSA. Reference should also be made to the Academies Trusts Handbook regarding setting deficit budgets.
  - The Central Finance Team will be responsible for compiling the budget with the leadership of the individual schools.
  - As a minimum the MAC must prepare a current year plus 2 forecast for submission to the EFSA.

**C5: Monthly management accounts and forecasts**

- The central team are responsible for compiling management accounts on a monthly basis. These must present a true and fair reflection of the current financial position and, based on current assumptions, the outturn performance for the MAC at the end of the financial year.
- The central team MUST publish accounts which are made available to the Chair for review every month. The MAC Directors MUST consider these when they meet and be assured of the that it has appropriate oversight of the financial position of the MAC.
- The LGB will be provided with regular reports on the school's financial status via the Principal's Report at each LGB meeting.

**C6: Managing cash position**

- The central team is responsible for the day to day management of the cash position. The MAC must manage its cash position robustly, must avoid becoming overdrawn, and must not breach restrictions on borrowing.
- The MAC Directors MUST approve any investment policy, ensuring that the risks are appropriately managed.

**C7: Monitoring pupil premium spend inc. NTP and PE and sport premium**

- Principals are responsible for reporting as required and publishing on individual school websites, their expenditure relating to National Tutoring Programmes, Pupil Premium, PE and Sports Premium and any other nationally allocated grants in line with published timetables.
- The spend against these funding sources is to be monitored by the LGB.

**C8: Appointing external auditor**

- Auditors are to be appointed by the MAC Members. The MAC Directors will ensure (re-) appointment is recommended to the Members on an annual basis.
- MACs should retender their external audit contract at least every 5 years.

**C9: Annual report and accounts, with regard to accounts consolidation exercises required by DfE**

- The central team are responsible for compiling the annual report with support from the Directors and the external auditors.
- The MAC Directors approve the accounts before submission to the EFSA and the annual accounts are received by the Members via the DES.

**C10: Managing conflicts of interest and related party transactions**

- Conflicts of interest are to be declared by the MAC Directors and any declarations and/or related party transactions will be managed in line with the Academy Trust Handbook.

**C12: Ensuring adequate insurance cover is in place inc. relevant approvals on indemnities**

- The MAC Directors are responsible for ensuring that all insurance requirements are covered. This will also need to comply with the requirements explicit in the use of assets agreement with the Diocese.
- The MAC central team will advise on the most appropriate route for the insurance provision across the MAC. Insurance cover will include (but not limited to): Public Liability, Employers Liability, Motor Vehicles and Cybersecurity (where cover can be arranged)

**C13: MAC Risk register**

- A central MAC register must be compiled in line with the requirements of the Academy Trust Handbook. It is the responsibility of the full board to review the risk register regularly, this must be done at least annually.

**C14: Individual Academy Risk register**

- Each school must manage a local risk register which is relevant to the school. This local risk register should also be used to inform the MAC risk register.
- It the responsibility of the Principal, with advice from the central team to create a risk register for the school which the LGB will monitor on a regular basis.