

METHODIST INDEPENDENT SCHOOLS TRUST

Governance Delegation Summary – Version 5 (September 2020)

The table below sets out the major areas of responsibility within the MIST group of schools, where responsibility sits and how it can be delegated.

Level 1:	MIST Trustees (including sub-committees)
Level 2:	MIST Executive (* denotes that responsibility lies principally with General Secretary / Business Director)
Level 3:	School Governing Body
Level 4:	Head
✓	Function delegated to right-hand tick from left-hand tick (and reporting back up).
✗	Function/delegation not undertaken at this level

The Governing Body (acting under authority delegated from MIST and in accordance with the guidelines provided by MIST) is responsible for the strategic direction of the school:

- Committees can be given delegated authority to make decisions, monitor, evaluate and review particular plans, policies and targets. The Head and staff play the major role in formulating plans, policies and targets to bring to committees or to the Governing Body for discussion prior to adoption by the full Governing Body.
- Decisions must take into account MIST guidance, minimum standards and published best practice.
- The Head is responsible for internal organisation, management and control of the school and is accountable to the Governing Body.

Area	Function	Level				Notes	Report by Schools to MIST
		1	2	3	4		
Strategy	Prepare, approve, implement and review progress with group Strategy, including Vision, Values and Ethos.	✓	✗	✗	✗	Including educational philosophy for the MIST group, and Public Benefit guidance. MIST Executive responsibility to prepare and implement; MIST Trustees' responsibility to approve and review progress.	Business Plan and 5+5's
	Prepare, approve, implement and review progress with school strategy in support of overall group Strategy including approach to Public Benefit.	✗	✗	✓	✓	School Executive responsibility to prepare and implement; School Governors' responsibility to review and recommend to MIST.	
	Approve school strategy.	✓	✗	✗	✗		
	Determine group acquisition and disposal strategy including schools, and the establishment of new schools.	✓	✓	✓	✓	School Executive/Governors to initiate proposals relevant to their school, subject to discussion with and approval by MIST. Proposals not linked to existing schools will be initiated by MIST Executive /Trustees, subject to approval by MIST. Acquisitions of and establishment of new schools to be approved and executed by MIST.	
	International school projects	✓	✓	✓	✓	Initiated by School Executive; approval in principle by School Governors and MIST; negotiation by School Executive with support from MIST Executive; final terms approved by School Governors and MIST and executed by School Executive (Enterprise Company).	
	Property strategy [See Premises and Insurance section below.]						
	Review progress reports from schools regarding progress with Strategy implementation.	✓	✗	✗	✗		Annual School Report (ASR)

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Governance	To draw up an Instrument of Government and any amendments thereafter.	✓	x	x	x	Detail to be incorporated in the Governance Manual.	
	Define the minimum Governance standards for the MIST group.	✓	x	✓	x	In consultation with School Governing Bodies, but ultimate responsibility rests with MIST Trustees.	
	Define the Governance standards for the school and delegations.	x	x	✓	x	Taking into account MIST minimum standards.	
	Overall responsibility for group Risk Management and dissemination of best practice.	✓	✓	x	x	MIST Trustees to determine MIST risk strategy; MIST Executive to implement.	MIST Risk Register
	Determination and implementation of school risk management and sustainability policies taking into account MIST guidance.	x	x	✓	✓	School Governing Bodies to determine school risk management strategy in accordance with MIST guidance/policy. School Executive to implement.	School Risk Register (alongside ASR)
	Report to Conference, Charity Commission (including serious incidents) and other external bodies.	✓	✓	x	x	There may be some exceptions where schools will make external reports. Examples of Serious Incidents include data breaches, major safeguarding issues.	
	Report to MIST as necessary, including serious incidents as they arise and the Annual School Report (including Public Benefit reporting), to ensure that Trustees can exercise effective oversight to comply with their responsibilities.	x	x	✓	✓	Serious incidents to be managed by the School Governing Body with support from MIST and the Head. MIST to be notified of any serious incidents immediately upon the school becoming aware.	ASR (including Governor's Assurance Report). Serious incidents as they arise.
	Nominate Trustees to Conference for approval (and Council as necessary) and provide appropriate induction.	✓	x	x	x		
	To intervene in the running of a school where pre-determined performance levels have not been achieved and standards have not been met.	✓	✓	x	x	Intervention levels set out in Instrument of Government (Clause 3.6). Trustees' responsibility to determine whether and when to intervene in accordance with the provisions of the IoG. Executive to effect the intervention.	

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	Prepare and update the Governance Manual	✓	✓	✓	✓	Prepared by MIST Executive Officers, with input (as appropriate) from schools; approved by MIST Trustees. To include group policies and guidance.	
Policies and Information	Define group policies and/or best practice guidance as appropriate in all areas and review at least annually.	✓	✓	✗	✗	To include best practice guidance for implementation at local level – may be based on ISBA policies. Examples may be HR policies, model staff contracts and data protection to ensure up to date with legislation and minimise risk. Involvement of schools required in the development process to ensure engagement with the group policies. MIST Executive will draft policies for Trustees to approve.	
	Define school policies taking into account MIST minimum standards.	✗	✗	✓	✓	As set out in the Governance Manual. Executive draft policies: School Governors approve.	Governors' Assurance Report (GAR)
	Define and implement quality assurance policies.	✗	✗	✗	✓	Executive draft policies and implement: School Governors approve.	GAR
	To establish a data protection policy and review it at least every two years or when necessary due to legislation updates.	✓	✓	✓	✗	MIST Executives for MIST HO; School Governors for school.	
	To implement the data protection policy, register with the Information Commissioner's Office and meet requirements under GDPR, Data Protection Act (2018) and other relevant legislation.	✗	✓	✗	✓	Trustees and Governing Bodies to ensure appropriate monitoring in place. MIST Executive implement for MIST HO; School Executive implement for school.	GAR
	To monitor Modern Slavery according to the UK Modern Slavery Act (2015) and other relevant legislation together with Home Office guidelines.	✓	✓	✓	✓	Governing Bodies to ensure appropriate monitoring in place throughout supply chains in schools. Trustees to provide guidance and make a yearly report in line with the annual financial report.	GAR
	Maintain a register of pupil attendance	✗	✗	✗	✓		
	Overall responsibility for ensuring that statutory requirements for information published on the school website, including details of governance arrangements, are met.	✓	✓	✓	✓	MIST to provide guidance where necessary to ensure requirements are identified. Schools to identify specific requirements and ensure followed. School Executive to implement.	GAR

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	Monitor trends in complaints.	✓	✗	✓	✗	By School Governors for their school; by MIST across the group	Termly Update
	Disseminate technical guidance e.g. legal, financial obligations, data protection and relevant best practice.	✗	✓	✗	✗		
Financial Management	To prepare annual school budget.	✗	✗	✓	✓	School Executive to prepare; School Governors to approve.	Budget
	To approve annual school budget.	✓	✓	✗	✗	MIST Executive will analyse budget information for MIST Trustees who will formally approve the Budgets.	
	To prepare group consolidated budget.	✗	✓	✗	✗		
	To approve group consolidated budget.	✓	✗	✗	✗		
	To monitor monthly expenditure.	✗	✓	✗	✓	The school will be responsible for preparing and reviewing school monthly expenditure. MIST Executive will be responsible for preparing and reviewing MIST HO monthly expenditure. Note: School Governors likely to be more involved where a school is financially challenged.	
	Review termly management accounts.	✓	✓	✓	✓	The school will be responsible for preparing school termly management accounts. The School Governing Body will review and challenge as necessary. MIST Executive and Trustees will consolidate and review and challenge schools as necessary.	Termly management accounts
	Compliance with statutory reporting and accounting obligations.	✓	✓	✗	✗	MIST have overall responsibility for ensuring that external financial reporting meets statutory reporting and accounting obligations and will determine formats for reporting.	
	Compliance with guidance determined by MIST to deliver school information to MIST in accordance with statutory reporting and accounting obligations.	✗	✗	✓	✓	Schools will manage the systems to comply with the reporting requirements for the schools and complete accounts for Enterprise Companies and any separate fundraising trusts.	Management accounts and information for statutory accounts

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	To establish a fee charging and remissions policy (including scholarships, bursaries and staff remission).	x	x	✓	✓	With reference to approved budgets and guidance on public benefit.	
	Fee collection and agreement of composite fees.	x	x	x	✓		
	To enter into school specific contracts on behalf of MIST.	✓	✓	✓	✓	Subject to approval levels separately defined in the Governance Manual	
	Generate non-primary purpose trading income e.g. lettings, including development of external partnerships.	x	x	✓	✓	Subject to MIST guidelines.	
	Appoint bankers to the group.	✓	✓	x	x	MIST Executive will analyse requirements and provide options for MIST Trustees to decide from.	
	Manage group cash flows and bank mandates.	✓	✓	x	x	MIST Executive will implement in accordance with policies established by MIST Trustees.	
	Appoint Auditors and other professional advisers to the group and manage the ongoing relationships.	✓	✓	x	x	Responsibility rests with the MIST Trustees as the Members of MIST but will require support from the schools. MIST Executive will manage the ongoing relationships.	
	Appoint advisers to schools as necessary e.g. local solicitors, architects.	x	x	✓	✓	Schools will need to ensure that locally appointed advisors understand the constitutional structure, who their legal client is and the basis upon which they can deal with the school. MIST will prepare one-page guidance sheet to help clarify these matters.	
	Appoint group-wide relationships e.g. insurers and any other agreed group purchasing arrangements.	✓	✓	✓	✓	Group-wide relationships to be set up by group where the schools agree there to be a benefit in doing so. Where that is the case, schools will provide any necessary information and provide support on tender process and proposals received. MIST Executive to manage the process and provide analysis to MIST Trustees regarding analysis and recommendations. MIST Trustees to make final decision.	

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	Determine financial policies for MIST and review application.	✓	✓	✗	✗	Financial policies determined by MIST Trustees. MIST Executive implement and oversee their application providing appropriate information to Trustees.	
	Implement MIST's financial policies.	✗	✗	✓	✓	School Governing Bodies to oversee. School Executive to implement.	GAR
	Manage school cash flow and bank accounts in accordance with MIST policy.	✗	✗	✓	✓	Subject to approval levels separately defined in the Governance Manual. Schools Executive to manage with oversight from School Governors.	GAR
	Agree tax and VAT arrangements for the group.	✓	✓	✗	✗	MIST Executive to propose the appropriate arrangements for the group. MIST Trustees to approve.	
	Make capital expenditure proposals.	✗	✗	✓	✓	School Executive to propose capital expenditure plans. School Governing Bodies to approve and submit to MIST any plans > £1m for approval.	Ad-hoc business cases and loan proposals
	Approve capital expenditure proposals for individual capital projects > £1m.	✓	✗	✗	✗		
	Request loan applications.	✗	✗	✓	✓	School Executive to propose loan applications. School Governing Bodies to approve prior to submission to MIST for approval.	
	Approve loans to schools.	✓	✗	✗	✗		
	Investments/management of endowments – schools.	✓	✗	✓	✓	Schools will manage their own investments (on behalf of MIST in whose name investments will be vested).	GAR
	Investments/management of endowments – MIST.	✓	✓	✗	✗	MIST Trustees to establish policy. MIST executive to implement.	
	Fundraising.	✗	✗	✓	✓	School Executive to propose and implement fundraising plans. School Governing Bodies to approve.	
	Prepare and update the Financial Procedures Manual	✓	✓	✗	✗	With input (as appropriate) from schools.	

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Educational & Pastoral Ethos	Determine educational philosophy for the overall MIST group in the context of established Vision, Values and Ethos for the group.	✓	✓	✗	✗	MIST Trustees advised by MIST Executive Officers and in consultation with the schools.	
	Determine educational strategy for the school within the parameters of the overall group educational philosophy.	✗	✗	✓	✓	School Governors advised by School Executive.	ASR
	To decide which subject options should be taught having regard to resources and implement provision for flexibility in the curriculum (including activities outside school day), including assessment of implementation.	✗	✗	✓	✓	Head prepares curriculum plan for approval by School Governors.	
	Provide careers education for pupils as appropriate.	✗	✗	✗	✓		
	To ensure that all pupils take part in collective worship in line with statutory requirements.	✗	✗	✓	✓	Policy decision by MIST as part of Ethos. Governors to have oversight that this is taking place.	GAR
	Develop and implement reporting mechanisms for pastoral care, including behaviour and sanctions records.	✗	✗	✓	✓	School Executive to develop and implement using guidance provided by MIST; School Governors to approve.	GAR
Staff Development/ Performance management	Identify school staff development and CPD needs and implement as appropriate.	✗	✗	✓	✓	School Governing Bodies to ensure appropriate processes are in place for school staff. School Executive to prepare and implement.	
	Identify MIST HO staff development and CPD needs and implement as appropriate.	✓	✓	✗	✗	MIST Trustees to ensure appropriate processes are in place for MIST staff. MIST Executive to prepare and implement.	
	To adopt and review teacher appraisal policy.	✗	✗	✓	✗		

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	To ensure appropriate succession planning in place for schools.	x	x	✓	✓	School Executive to put succession plans in place. School Governing Bodies to ensure plans are made.	GAR
	To ensure appropriate succession planning in place for MIST HO.	✓	✓	x	x	MIST Executive to put succession plans in place. MIST Trustees to ensure plans are made.	
	To appoint the panel to carry out the appraisal of the Head.	x	x	✓	x	With reference to MIST	
	To ensure appropriate appraisal and development of the Head.	✓	✓	✓	x	Primary responsibility rests with the School Governing Body, with support from MIST Trustees and General Secretary (including appropriate external appraisals at suitable intervals).	In accordance with the Heads appraisal policy
	To carry out appraisal of other teachers (or delegate to line managers in the school).	x	x	x	✓		
Discipline/ exclusions	To determine all permanent and temporary exclusions.	x	x	✓	✓	Following MIST guidelines, to be consistent with ISI requirements; with advice/support from School Governors as required.	
	Define and conduct Appeals process for Discipline / Exclusions as needed.	x	x	✓	x	Following MIST guidelines and to be consistent with ISI requirements.	GAR
	To produce a school behaviour policy in line with Governance Manual and publicise it to staff, students and parents.	x	x	✓	✓	Schools Executive to develop and implement in line with MIST guidelines; School Governors to approve.	GAR
Admissions	To develop an admissions policy in line with the overall Vision, Values and Ethos of the group.	x	x	✓	✓	School Executive prepare. School Governing Bodies approve.	
	Implement the agreed school's admission policy.	x	x	x	✓		GAR

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Marketing/ PR	Develop a marketing strategy in support of the overall Admissions Policy and pupil targets and fundraising/alumni relations.	x	x	✓	✓	School Executive to develop and implement; School Governors to approve.	
Premises & insurance	Act as Managing Trustee for the school properties.	✓	x	x	x	Via subsidiary property company	
	Buildings insurance and personal liability.	✓	✓	✓	✓	Schools identify insurance requirements for their respective school; MIST identify appropriate insurer and ensure cover in place in line with School requirements.	GAR
	Condition survey of all schools.	✓	✓	x		Rolling programme of condition surveys to be established.	
	Agree and implement maintenance actions arising from quinquennial survey and report to MIST on progress.	x	x	✓	✓	School Executive review output from condition surveys and prepare a plan for School Governing Bodies to review and approve.	
	Buildings maintenance and repair.	x	x	✓	✓	School Executive propose implement programme; School Governors approve.	GAR
	Develop a strategy for development of the school estate.	x	x	✓	✓	School Executive to prepare a strategy for the School Estate for review and approval by School Governing Bodies prior to submission to MIST for ultimate approval.	Business/ Development Plan
	Approve the school's strategy for development of the school estate (ultimately responsible for development, sale and change of use of school). premises).	✓	x	x	x		
IT	Identify school infrastructure requirements and implement as necessary.	x	x	✓	✓	Schools Executive to develop and implement; School Governors to approve.	GAR
	Assess cyber security risks and develop and implement risk mitigation policies with due regard to evolving risks, legislation and technologies.	✓	✓	✓	✓	MIST to provide appropriate guidance for and ensure awareness at schools. Schools to be responsible for school policies and implementation at schools. MIST to be responsible for policies and implementation for MIST HO systems.	GAR

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Health & Safety	To establish high level guidance for Health & Safety policies and procedures to ensure compliance across the group	✓	✓	✗	✗	MIST Executive to propose. MIST Trustees to approve.	
	To ensure a Health & Safety policy and procedures are in place for MIST HO.	✓	✓	✗	✗	MIST Executive to prepare. MIST Trustees to approve.	
	To ensure a Health & Safety policy and procedures are in place for schools.	✗	✗	✓	✓	School Executive to prepare. School Governing Bodies to approve.	GAR
	To ensure that Health & Safety regulations are followed at MIST HO.	✓	✓	✗	✗	MIST Executive to implement. MIST Trustees to oversee.	
	To ensure that Health & Safety regulations are followed at schools.	✗	✗	✓	✓	Including reporting to MIST via Governors Assurance Report included within the Annual School Report.	GAR
Governing Bodies	To appoint (and remove) school governors (including the chair and deputy chair) of School Governing Bodies.	✓	✗	✗	✗	School Governing Bodies will make nominations to MIST.	
	To set up and publish a register of governors' business and pecuniary interests.	✗	✗	✓	✓	School Executive to maintain. School Governing Bodies to oversee.	GAR
	To set and publish the structure and remit of the Governing Body and any committees including governor appointment details, term of office and attendance record.	✓	✗	✓	✗	MIST Trustees for MIST. School Governing Body for schools under guidance from MIST.	
	To approve and set up a Trustees expenses scheme.	✓	✓	✗	✗	MIST Trustees to approve. MIST Executive to set up and implement.	
	To approve and set up a Governors expenses scheme.	✗	✗	✓	✓	School Governors to approve. School Executive to set up and implement.	

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	To establish the Terms of Reference for School Governing Bodies.	✓	x	x	x	To include outline guidance on establishment and use of school sub-committees.	
	To establish school sub-committees.	x	x	✓	x		GAR
	To agree and implement governor induction and training programme.	x	✓	✓	✓	MIST Executive and School Executive to work together to develop an induction programme. School Governing Bodies to provide the induction.	
	To agree and implement MIST Trustee induction and training programme.	✓	✓	x	x	MIST Trustees to agree; MIST Executive to implement.	
	To review progress against MIST strategic plan and evaluate progress by Schools against their strategic plans.	✓	✓	x	x	Trustee responsibility based on analysis by MIST Executive.	ASR
	Review performance against school strategic plans.	x	x	✓	x		ASR
Inspection	Manage overall group relationship with ISI and disseminate guidance to schools.	✓	✓	x	x	MIST Executive to manage relationships, prepare and disseminate guidance. MIST Trustees to oversee.	
	Prepare for and manage ISI Inspections.	x	x	✓	✓	School Executive to prepare for and manage ISI inspections. School Governing Bodies to ensure School Executive are prepared.	Ad-hoc (send Inspection reports to MIST)
	Act as Registered Proprietor/liaise with DfE as required.	✓	✓	x	x	MIST has responsibility as Registered Proprietor. MIST Trustees supported by MIST Executive in that responsibility.	
	Deal with post-inspection issues.	x	x	✓	✓	School Executive monitored by School Governing Bodies.	ASR
	Monitor trends in inspections and assess need for any follow up actions.	✓	x	✓	x	By School Governors for their school; by MIST across the group.	ASR

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Safeguarding	To have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the <i>Prevent</i> duty into safeguarding and child protection policies.	✓	✓	✓	✓	MIST to provide guidance, signpost training (including external professional support) to School Governing Bodies to enable them to meet requirements for the Prevent Duty in conjunction with requirements under KCSiE and ISI Inspection framework.	Ad-hoc – report to MIST as they arise
	To adopt and review annually a school safeguarding and child protection policy and relevant procedures.	✓	x	✓	x	MIST Trustees to establish and review MIST policy. School Governing Bodies to establish school policy in support of MIST's.	GAR
	To adopt and review annually a MIST safeguarding and child protection policy and relevant procedures.	✓	x	x	x		
	To adopt and understand the latest KCSiE guidelines and ensure that sections relevant to the Governing Body and teaching staff are adhered to.	✓	✓	✓	✓	MIST to understand the implications of the KCSiE guidelines; MIST Executive to provide guidance to schools; school Governors and Executive to implement in the schools. This will need to be undertaken in conjunction with ISI and inspection procedures for MIST schools.	GAR
	To have due regard that safeguarding is the responsibility of all Governors, with reference to the role of the Chairs of Governors and nominated Governors for safeguarding.	x	x	✓	✓	School Governors responsible, supported by School Executive.	GAR