I-Trust Education

MAT Scheme of Delegation

The document has been drafted with reference to the NGA guidelines.

Introduction

The Multi Academy Trust (MAT) Board of Trustees is accountable in law for all decisions about its academies. However, this does not mean that the Board is required to make all the decisions itself. Many decisions can and should be delegated. It is vital that the decision to delegate a function is made by the full Board of Trustees and is recorded. Without such formal delegation, the individual or committee has no power to act.

Purpose

A scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. It is a systematic way of ensuring members, Trustees, committees (including committees), executive leadership and academy principals are clear about who has responsibility for making decisions within the Trust. This overarching SoD covering all decision making in the Trust should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook.

The MAT has agreed the SoD that explicitly establishes who makes which decisions and ensures this is clear to all those within the MAT.

Format, Structure and Clarity

Our Scheme of Delegation does not use overly complicated legal terminology.   This is a working document that the Trust Board, should be able to revise and adapt in response to their context and circumstances.

Review and Adapt

The SoD will be reviewed annually, with revisions made as the context changes. We will ensure all involved in governance are made aware of any changes and what these mean in practice.

The scheme will:
• Promote a culture of honesty and accountability.
• Identify responsibility for the appointment and performance management
• Identify responsibility for policy and practice in each academy.
• Identify responsibility for oversight of each academy's budget.
• Identify responsibility for assessment of risk in each academy.
• Identify responsibility for oversight of educational performance in each academy.

Working in Collaboration

In addition to the school improvement programme, all Academies within the MAT will contribute to one or more of the following:

- development and maintenance of school policies.
- sharing of best practice.
- provision of emergency cover.
- mentoring and coaching of staff; and

- recruitment, training, and appraisal of Governors for the LGB.

The Trust Board is responsible for:

- Determining each individual academy's vision, ethos, and strategic direction.
- Determination of Human Resources Policy.
- Financial oversight and control.
- Assessment of the risks for each academy.

The Operational Management Board consists of the Accounting Officer, and Headteachers/Principals and is responsible for:

- The day-day management of each academy in line with the Trusts vision, ethos, and strategic direction
- Implementation of Policies as directed by the Trust Board

Delegation
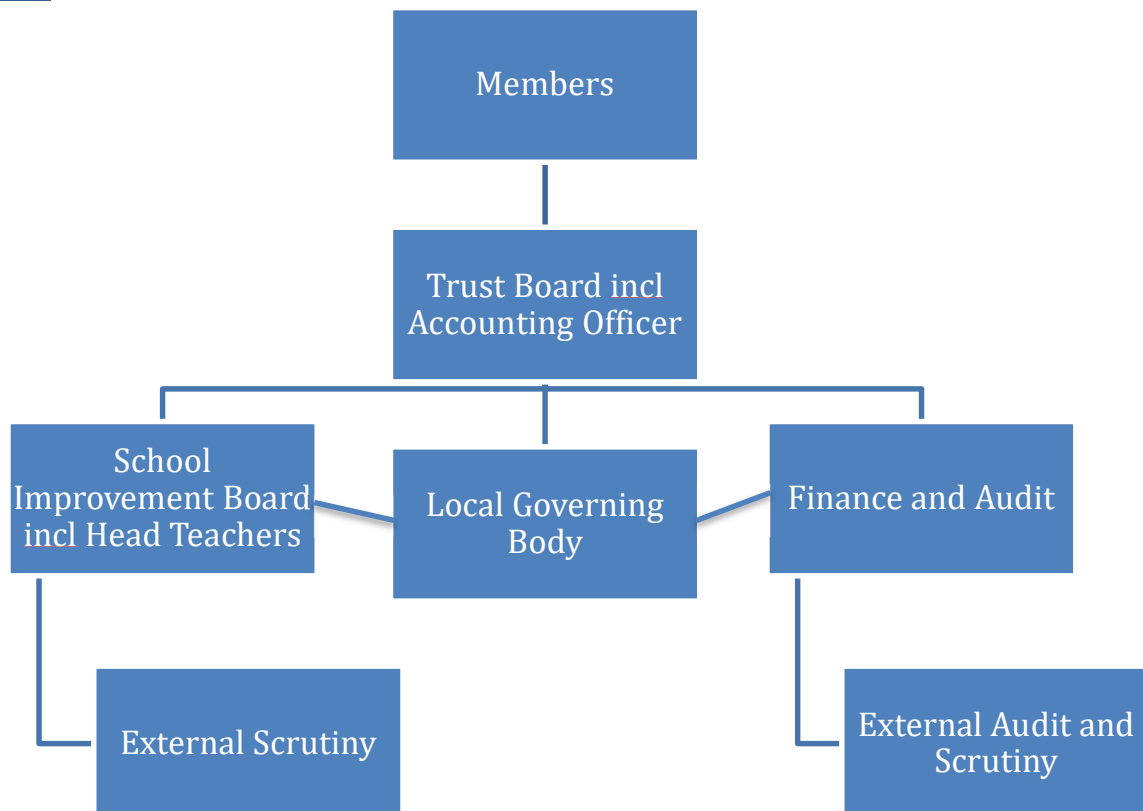
Governance structure and lines of accountability

The Board of Trustees of the MAT delegate responsibility for the delivery of the vision and strategy to the lead professionals of the MAT, the School Improvement Board (SIB) and the Local Governing Bodies (LGB). The MAT Board will hold the SIB and LGB to account for the performance of the Trust, including the performance of the academies within the Trust.

The governance structure and levels of accountability may vary but it is important that any scheme includes delegation. Whilst the Board cannot delegate its accountability, it can and must delegate some of the detailed scrutiny, oversight, and decision-making. The academy 'risk level' and all relevant documentation including Ofsted category will determine the decision-making functions, which are delegated to the LGB.

In this scheme of delegation (SoD), the Trust Board delegates responsibility for the performance of the Trust, including the performance of the academies within the Trust to the SIB and LGB.

This means that as the SIB and LGB is accountable to the Board for the performance of the Trust as a whole, the SIB and LGB will report to the Board on the performance of the Trust including the performance of the Trust's schools. The SIB and LGB is performance managed by the Trust Board.

Roles and Responsibilities

The role of the members

The members of the Trust have a different status to Trustees. The articles of association describe how members are recruited and replaced, and how many of the Trustees the members can appoint to the Trust Board. The members appoint Trustees to ensure that the Trust's charitable object is carried out and so must be able to remove Trustees if they fail to fulfil this responsibility. Accordingly, the Trust Board submits an annual report on the performance of the Trust to the members. Members are also responsible for approving any amendments made to the Trust's articles of association.

While members are permitted to be appointed as Trustees, to retain a degree of separation of powers between the members and the Trust Board, and in line with DfE expectations, not all members should be Trustees.

The role of the Trustees

The Trustees are the charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the memorandum and articles of association. The Board of Trustees is the accountable body for the performance of all schools within the Trust and as such must:

- Ensure clarity of vision, ethos, and strategic direction.
- Hold the OMB to account for the educational performance of the schools and their pupils, and the performance management of staff.
- Oversee the financial performance of the Trust and make sure its money is well spent.

The Trust Board is permitted to exercise all the powers of the academy Trust. The Trust Board will delegate to the OMB responsibility for the day-to-day operations of the Trust. The Trustees can determine whether to delegate any governance functions.

The Trust has the right to review and adapt its governance structure at any time, which includes removing delegation.

The role of committees

The Trustees may establish committees either with delegated authority to make decisions or for providing advice and support, informing the overall work of the Trust Board. However, these committees are not legally responsible or accountable for statutory functions – the Trust Board retains overall accountability and responsibility. The responsibilities of Board committees are set out in their terms of reference; the responsibilities for cluster or school governing committees are set out in the scheme of delegation. The Trust Board may appoint committee members and committee chairs.

The role of the School Improvement Board

Promote high standards of achievement and aims to ensure that pupils are attending a successful school which provides them with a good education and supports their well-being.
Be consulted and informed of the school vision, ethos, and strategic direction.
Hold heads to account for the educational performance and outcomes of the school and its pupils

Be consulted on the clear priorities and targets for the school.

Ensure that all children, including those with special educational needs, have access to a broad and balanced curriculum

Receive information on the school's budget, including the expenditure of the pupil premium allocation and sports grant fund.

The role of the Accounting Officer (AO)

The Accounting Officer has the delegated responsibility for the operation of the Trust.

The Business Director is the accounting officer so has overall responsibility for the operation of the academy Trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability, avoiding waste, and securing value for money.

The Trust Board will delegate management functions to the academy Principals, and they are accountable for the performance of the academy.

Where the Accounting Officer is a Trustee, the Trust will need to ensure it manages this potential conflict of interest effectively.

The role of the academy Principal

The academy Principal is responsible for the day-to-day management of the academy and is managed by the Trust Board but reports to the LGB on matters which have been delegated.

Key
Blue box   Function cannot be legally carried out at this level.
✔   Action to be undertaken at this level
A   Provide advice and support to those accountable for decision making
<>   Direction of advice and support
Grid 1 – delegation to local school
Level 1: Members
Level 2: Board of Trustees
Level 3: Accounting Officer
Level 4: Local Governing Body
Level 5: Principal/Head Teacher

Delegated decision making

Area	Decision	Delegation				
		Members	Trust Board	Accounting Officer	Local Governing Body	Principal/ Head Teacher
Governance Framework						
People	Members: Appoint/Remove	✔				
	Trustees: Appoint/Remove	✔				
	Role descriptions for members	✔				
	Role descriptions for Trustees/chair/ specific roles/committee members: agree		✔	<A		
	Parent Trustee/committee member: elected		✔		✔	
	Committee chairs: appoint and remove		✔	<A	✔	
	LGB chairs: appoint and remove		✔	<A	✔	
	Clerk to Board: appoint and remove		✔			
	Clerk to LGB: appoint and remove				✔	
Systems and structures	Articles of association: agree and review	✔	<A	<A		
	Governance structure (committees) for the Trust: establish and review annually		✔	<A		
	Terms of reference for Trust committees (including audit if required, and scheme for school committees): agree annually		✔	<A		

Area	Decision	Members	Trust Board	Accounting Officer	Local Governing Body	Principal/ Head Teacher
				Delegation		
	Terms of reference for LGB/local committees: agree and review annually		✓	<A		
	Skills audit: complete and recruit to fill gaps		✓	<A>	✓	A
	Annual self-review of Trust Board and committee performance: complete annually		✓		✓	
	Annual self-review of LGB performance: complete annually				✓	
	Chair's performance: conduct 360 reviews periodically		✓		✓	
	Trustee / committee member contribution: review annually		✓		✓	
	Succession: plan		✓	<A>	✓	A
	Annual schedule of business for Trust Board: agree		✓	<A		
	Annual schedule of business for LGB: agree		A>	A>	✓	A
Reporting						
Reporting	Trust governance details on Trust and academies' websites: ensure		✓	<A		
	Academy governance details on academy website: ensure		✓	<A	✓	A
	Register of all interests, business, pecuniary, loyalty for members/Trustees/committee members: establish and publish		✓	<A	✓	A
	Annual report on performance of the Trust: submit to members and publish		✓	<A		
	Annual report and accounts including accounting policies, signed statement on regularity, propriety, and compliance, incorporating governance statement demonstrating value for money: submit		✓	<A		

Area	Decision	Members	Trust Board	Accounting Officer	Local Governing Body	Principal/ Head Teacher
				Delegation		
	Annual report of work of the LGB: submit to Trust and publish				✔	A
Being Strategic						
Being Strategic	Determine Trust wide policies which reflect the Trust's ethos and values (facilitating discussions with unions where appropriate) including admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✔	<A		<A
	Determine school level policies which reflect the school's ethos and values to include e.g., admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve				✔	A
	Central spend / top slice: agree		✔	<A		
	Management of risk: establish register, review, and monitor		✔	<A>	A	A
	Engagement with stakeholders	✔	✔	✔✔	✔	✔
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✔	<A		
	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		A>	A>	✔	A
	Principal: Appoint and dismiss		✔		<A	
	Budget plan to support delivery of Trust key priorities: agree		✔	<A		

Area	Decision	Delegation				
		Members	Trust Board	Accounting Officer	Local Governing Body	Principal/ Head Teacher
	Budget plan to support delivery of school key priorities: agree			A>	✔	A
	Trust's staffing structure: agree		✔	<A		
	School staffing structure: agree			A>	✔	A
Holding to Account						
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g., safeguarding, H&S, employment): agree		✔	<A>	✔	A
	Reporting arrangements for progress on key priorities: agree		✔	<A>	✔	A
	Performance management of the Accounting Officer: undertake		✔			
	Performance management of Principal: undertake		✔		<A	
	Trustee monitoring: agree arrangements		✔	<A		
	LGB member monitoring: agree arrangements				✔	A
Ensuring Financial Probity						
Ensuring financial probity	Chief financial officer for delivery of Trusts detailed accounting processes: appoint		✔	<A		
	Trust's scheme of financial delegation: establish and review		✔	<A		

Area	Decision	Delegation				
		Members	Trust Board	Accounting Officer	Local Governing Body	Principal/ Head Teacher
	School's scheme of financial delegation: establish and review		✔	<A	✔	A
	External auditors' report: receive and respond		✔	<A	✔	A
	Head of School pay award: agree		✔	<A>	<A	
	Staff appraisal procedure and pay progression: monitor and agree		✔	A>	✔	A
	Benchmarking and Trust wide value for money: ensure robustness		✔	<A		
	Benchmarking and academy value for money: ensure robustness				✔	A
	Develop Trust wide procurement strategies and efficiency savings programme			✔		A