



Community Inclusive Trust Scheme of delegation

This scheme of delegation has been developed to clarify the responsibilities and powers of Trustees, Local Governing Bodies and Head Teachers in respect of key aspects of the leadership and management of the Trust and Academies and to ensure compliance with legal requirements.

The scheme of delegation should be reviewed in conjunction with the Financial Management Policy 2018, the Financial Operating Procedures Handbook and the Academies Financial Handbook.

The delegations which are set out in this scheme of delegation are delegated to the specific committee and any individual unless otherwise directed or agreed by the Board of Trustees. The delegations cannot be exercised other than by the designated committee or individual unless otherwise directed or agreed by the Board of Trustees.

The Chair, or in the absence of the Chair, Vice Chair, has the power to carry out functions of the Trust Board or Local Governing Body in extreme circumstances where delay on exercising a function is likely to be seriously detrimental to the interests of the Trust or School, a pupil at the School or their parents, or a person who works at the School. However, this power does not include matters relating to the alteration and closure of the School, a change of school category, approval of budget, discipline policies and admissions.

Governance Framework

In a Multi Academy trust (MAT) there is only one legal entity accountable for all the academies (schools) within the Trust, i.e. the multi academy trust (MAT). The MAT has one set of Articles which govern all the academies in that trust. The MAT has a master funding agreement with the Secretary of State. Each academy also has a Supplemental Funding Agreement.

The academy trust is a charitable company and is responsible for the strategic direction of the academy and has 4 layers of governance: the members of the trust, the board of trustees, trustee scrutiny/advisory committees and local governing bodies.

Roles and Responsibilities

The role of the members

The members of the trust are guardians of the governance of the trust and as such have a different status to trustees. The members ensure the charitable company achieves its objectives, have the authority to amend the Articles of Association, sign off the financial accounts and annual report, and appoint some of the Trustees.

The role of the trustees

The trustees are responsible for the general control and management of the administration of the trust, and in accordance with the provisions set out in the memorandum and articles of



association and its funding agreement, it is legally responsible and accountable for all statutory functions, for the performance of all schools within the trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements. In addition, it must carry out the three core governance functions:

- Ensure clarity of vision, ethos and strategic direction
- Hold the executive to account for the educational performance of the trust's 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 board of trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

The MAT Board of Trustees can delegate to any committee, Local Governing Bodies, the Headteacher or any other holder of an executive office, any of its powers or functions, subject to any prescribed restrictions imposed by the MAT and management of conflicts of interest.

The MAT board will establish scrutiny committees who report to the Trustees and advise Local Governing Bodies. The constitution, membership and proceedings of the scrutiny committees are decided by the Trustees. MAT scrutiny committees may co-opt governors from local governing bodies who have specific skills related to the needs of the committee. The establishment, terms of reference, constitution and membership of any committee must be reviewed every 12 months.

The Academies Financial Handbook 2018 makes it clear that the board of trustees 'should have a finance committee to which the board delegates financial scrutiny and oversight'. In trusts with income above a certain level, there must also be a separate audit committee.

The MAT board is influenced through the Trust structure, the Senior Leadership Team and the Directors of Education.

The MAT is a charitable company and so trustees are both charity trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors. Because trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. The NGA uses the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are neither company directors nor trustees.

The role of the chief executive officer (CEO)

The CEO has the delegated responsibility for the operation of the trust including the performance of the trust's academies and so the CEO performance manages the academy principals. As there is the delegation of some governance functions to academy committees, this is usually with the academy committee chair alongside.

The CEO 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 CEO leads the executive management team of the academy trust. The CEO will delegate executive management functions to the executive management team and is accountable to the trust board for the performance of the executive management team.

The role of the academy committees

Local Governing Bodies

The trustees may establish academy committees to carry out some of its school level governance functions, although as trustees are not required to sit on academy committees, decision making is limited. Usually the trustees will appoint the chair, and ensure that two parents are elected to the academy committee.

It is important to remember, however, that even where responsibility is delegated to a local level, it is the academy trust as the legal entity (not the local governing body) that is ultimately accountable, for example in terms of finance and performance, and as the employer of staff.

The Board emphasises its commitment (wherever possible and appropriate) to individual academies sustaining their distinctive ethos and character, with strong and effective governing bodies working to support their head teachers.

Typically, delegated functions may include:

- Building an understanding of how the school is led and managed
- Monitoring whether the school is:
 - Working within agreed policies
 - Is meeting the agreed targets
 - Engaging with stakeholders
 - Being a point of consultation and representation
 - Reporting to the board

As a committee of the board, delegation can be removed at any time.

The role of the academy Head Teacher

The academy principal is responsible for the day to day management of the academy and is managed by the chief executive or executive principal but reports to the academy committee on matters which have been delegated to it which may include an element of monitoring and scrutiny of the school's management processes.

Key

Column 1: Members

Column 2: Board of trustees of the multi academy trust

Column 3: Trust board finance & financial audit committee

Column 4: Trust board remuneration, performance management and nominations committee

Column 5: Chief executive officer

Column 6: Academy committee

Column 7: Academy principal

Blue box Function **cannot** be legally carried out at this level.

✓ Action to be undertaken at this level

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A Provide advice and support to those accountable for decision making

M Monitor activity

C Consultation

↔ Direction of advice and support

Area	Decision	Delegation						
		Members	Trust Board	Finance & Financial Audit Committee	Remuneration, Performance Management & Nominations Committee	CEO	Local Governing Body	Head Teacher
Governance framework								
People	Members: Appoint/Remove	✓						
	Trustees: Appoint/Remove	✓	✓					
	Role descriptions for members	✓						
	Role descriptions for trustees/chair/specific roles/committee/council members: agree		A →		✓	← A		
	Parent trustee/committee/council member: elected		✓				✓	
	Board committee chairs: appoint and remove		✓	✓	✓	← A		
	Academy committee/council chairs: appoint and removal		✓			← A	← A	
	Chief executive officer and senior leadership: appoint and dismiss		✓			← A		
	Company Secretary: appoint and remove		✓					
	Clerk to trust and clerk to academy committee/council: appoint and remove		✓					
	Appoint/ suspend and dismiss Headteacher (on recommendation of LGB)		✓					
	To appoint / remove and suspend teachers to the leadership group and non-teaching staff outside the leadership group (recruitment must be agreed with School Business manager)						M →	✓
	To review and implement staff redeployment		✓			← C		← C
To develop and implement absence management policy		✓			← ✓			

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		Members	Trust Board	Finance & Financial Audit Committee	Remuneration, Performance Management & Nominations Committee	CEO	Local Governing Body	Head Teacher
	To develop, review and oversee implementation of the governing body's personnel policies. As well as oversee all other staff recruitment (LGB to consult with School business manager)						✓	
Systems and structures	Articles of association: review and agree	✓	← A			← A		
	Governance structure (committees) for the trust: establish and review annually		✓			← A		
	Terms of reference for board committees and scheme of delegation for academy committees: agree annually		✓			← A		
	Skills audit: complete and recruit to fill gaps		✓			← →	✓	← A
	Annual self review of trust board and committees: complete annually		✓					
	Annual self review of academy committees/councils: complete annually						✓	
	Chair's performance: carry out 360 review periodically		✓				✓	
	Trustee / academy committee/council member contribution: review annually		✓				✓	
	Succession: plan		✓			← A	✓	← A
	Annual schedule of business for trust board: agree		✓	✓	✓	← →		
	Annual schedule of business for academy committee/council: agree					→	✓	← A
Reporting								
	Publication on trust and schools' websites of all required details on governance arrangements: ensure		✓			← A	M	✓

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		Members	Trust Board	Finance & Financial Audit Committee	Remuneration, Performance Management & Nominations Committee	CEO	Local Governing Body	Head Teacher
Reporting	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		← A		
	Annual report work of academy committee/council: 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		
	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
	Management of risk: establish a 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		✓				← A	

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		Members	Trust Board	Finance & Financial Audit Committee	Remuneration, Performance Management & Nominations Committee	CEO	Local Governing Body	Head Teacher	
Being Strategic	towards achieving the vision can be measured: determine								
	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 →	✓	
	Budget plan to support delivery of trust key priorities: agree		✓	← A		← A			
	Budget plan to support delivery of school key priorities: agree			✓		← A		← A	
	Trust's staffing structure: agree		✓	← A	← A	← A			
	School staffing structure: agree					✓		← A	
	Prepare school budget and monitor monthly accounts with Business manager. Formal budget to be approved and adopted by Trust				M →				✓
	To consider whether to delegate functions to LGB		✓						
	To comply with finance policy		✓	M ✓					✓
To agree and monitor a training strategy for teachers, support staff and governors.							✓	← A	
Holding to account									
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment)		✓	✓	✓	← A →	✓	← A	
	Reporting arrangements for progress on key priorities: agree		✓	← A	← A	← A →	✓	← A	

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		Members	Trust Board	Finance & Financial Audit Committee	Remuneration, Performance Management & Nominations Committee	CEO	Local Governing Body	Head Teacher
	Develop trust wide procurement strategies and efficiency savings programme monitoring the budget			M → M A →		✓		
	Review and approve trust wide procurement strategies and efficiency savings programme			✓				
Finance	Role specific and individual limits detailed within the financial policy in line with academies financial handbook.		✓	✓				
	Writing off of irrecoverable debts and disposal of surplus and damaged equipment within individual limits as detailed within the summary schedule within the finance policy (in consultation with School Business Manager if at School level)			✓ M →				
	Monthly management reports and establish charging and remissions policy ensuring that Trust meet EFA criteria in addition ensuring a full audit is carries out		✓	✓				
	To develop depreciation, budget forecasting and repairs-Asset planning processes with SBM		✓	✓				✓
	Appointment and removal of Auditors			✓				
Curriculum	Setting Curriculum within required standard with due regard to resources						AM →	✓

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		Members	Trust Board	Finance & Financial Audit Committee	Remuneration, Performance Management & Nominations Committee	CEO	Local Governing Body	Head Teacher
	Appropriate curriculum policies to be developed and implemented including SEND, inclusion, equality and diversity and home school						M →	✓
	Monitor standards of teaching reporting to LGB with set target for pupil achievement appointment suitably qualified SEN Coordinator.						M →	✓
	To set and publish pupil targets for pupil achievement						M →	✓
	To prohibit political indoctrination and ensure balanced treatment of political issues/British values		M →				M →	✓
	Respond to DfE and LA data requests, pupil premium and Sports spend						M →	✓
	To set term dates and holidays		✓				← C	
Welfare and behaviour	To decide, monitor and implement discipline policy. Exclude a pupil for one or more fixed days or permanently and monitor exclusions. Responsible for reinstating excluded pupil						✓	✓
	To manage school meals						✓	
	To monitor and review attendance against LGB set targets						M →	✓
	To ensure that a school policy for looked after children are in line with guidance						M →	✓
	To carry out annual review of safeguarding and if a safeguarding officer should be appointed To participate in regular prevent training y						✓	

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		Members	Trust Board	Finance & Financial Audit Committee	Remuneration, Performance Management & Nominations Committee	CEO	Local Governing Body	Head Teacher
	Awareness of matters relating to the local community and the role of the school, including public relations						M →	✓
	Participate in Prevent training						✓	
	To agree and develop a school plan ensuring it is within OFSTED inspection recommendations		M →				✓	
	To implement H&S arrangements and monitoring ensuring that suitable risk assessments are prepared and acted upon as well as fully documented in the accident book						M →	✓
	To consider proposals for changing the category of a school, joining or leaving an academy		✓					