

LEVER ACADEMY TRUST

Scheme of Delegation (Updated October 2021 DRAFT)

Lever Academy Trust - Multi Academy Trust - Scheme of Delegation

Introduction

A multi academy trust's (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.

What functions the board decides to delegate varies depending upon the size of the MAT as it grows and the way in which its leadership is structured, taking into account shared ethos, geographical spread and the number of pupils in the MAT's schools. As a general rule, the larger the MAT, the more likely the need will be to delegate to governance committees.

Once determined the Scheme of Delegation must be published on the trust and the schools' websites.

It is important to bear in mind that Governance and management in groups of schools is complex and so a scheme of delegation need not detail every single decision that will need to be made, but seeks to demonstrate the principals which determine the lines of accountability so it is clear where certain decision making should lie.

The Purpose of the Scheme of Delegation

A scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. It is a simple yet systematic way of ensuring members, trustees, committees and academy Principals are clear about who has responsibility for making which decisions in 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.

Deciding what to retain at trustee level and what to delegate will vary from trust to trust. The detail is not be set out in the articles of association, the MAT's governing document, which are fairly standardised DFE documents. It is critical that the MAT agrees a Scheme of Delegation (SoD) that explicitly establishes who makes which decisions and ensures this is clear to all those within the MAT, as well as to the governing bodies of schools potentially looking to join.

Often Governing bodies from schools that may opt to join the MAT come with the agreement they will be retained as a local governing committee by the trust. It needs to be clearly understood by all parties that this is subject to future change. The trust board will always have the power to appoint and remove committees at any point, whether it be a committee of the trust board, or local governing body (LGB). Although the LGB may be retained as a committee of the trust board, its decision making powers may well be very different to those it had previously as a local authority maintained governing board. A detailed yet clear SoD can help prevent confusion from arising

before any misunderstanding arises which has the propensity to lead to a loss of trust and damaged working relationships.

The scheme must be fit for purpose which means it will demonstrate clearly the lines of accountability.

Format, Structure and Clarity

While schemes will vary from trust to trust depending on size, structure and geographical spread, there are basic principles to follow. Each SoD aims to clarify decision making and lines of accountability in a simple, succinct and clear format and as such each model includes:

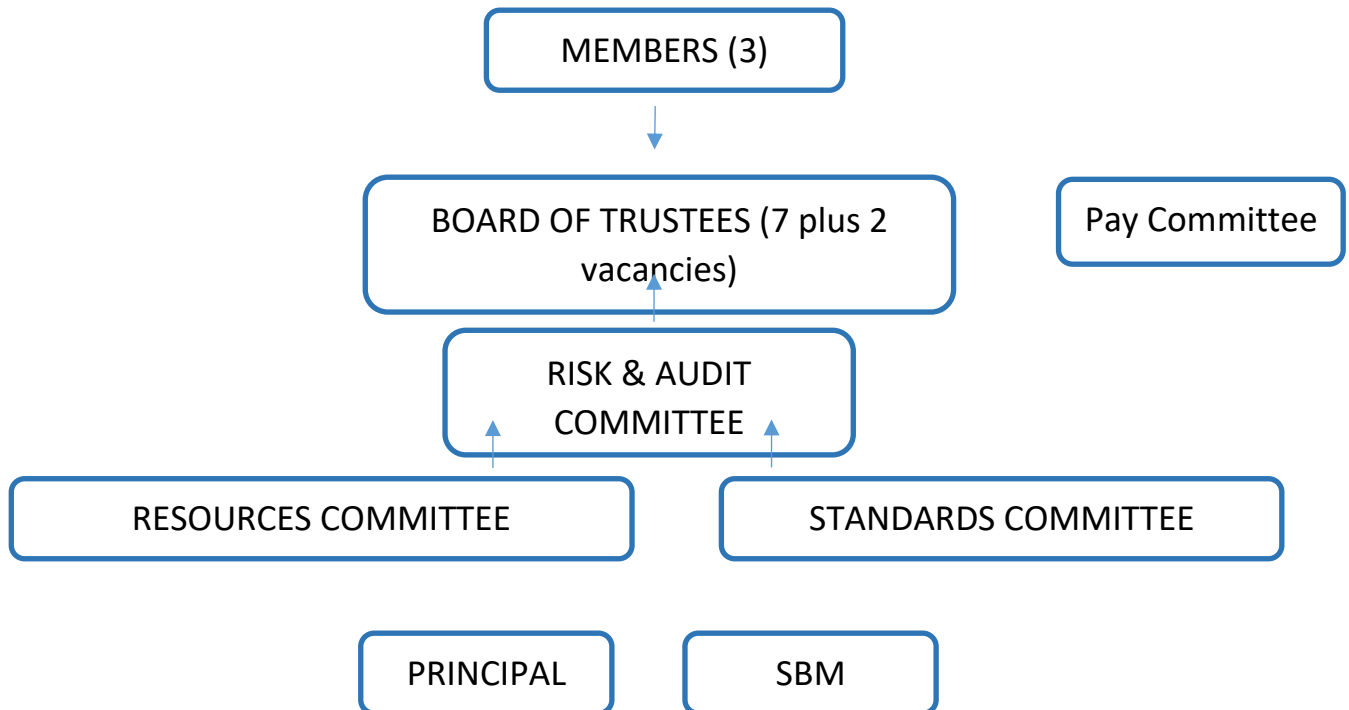
- A short paragraph of text which outlines the structure
- A structure diagram which shows the layers of governance and reporting structures
- A short paragraph of text which outlines the structure
- Details on roles and responsibilities
- A grid format, with columns for each layer of governance which enables stakeholders to quickly determine who has the power to take which decisions within the trust. The grid is in four key areas to reflect both the governance framework and the three core functions of the governing board:
- The governance framework:
 - People
 - Systems and structures
 - Reporting
- Being strategic
- Holding to account
- Ensuring financial probity

The SoD is intended to be a working document that the trust board and leaders should be able to revise and adapt in response to changes in context and circumstances.

It is recommended that the Terms of Reference for the Trust and committees are read in conjunction with the Scheme of Delegation and are reviewed at least annually by the Trust.

Current Delegation Diagram

The following diagram depicts the current SoD where Little Lever School is the only school in the MAT. The trust will publish the proposed future SoD which will take in to account additional schools opting to join the MAT.



Roles and Responsibilities

Lever Academy Trust comprises of three (3) Members, where at least one must not be a trustee or local governor. Members can, by special resolution, appoint and remove additional Members. Members oversee the achievement of the objectives of the trust, take part in annual and extraordinary general meetings, receive accounts, appoint some of the trustees and have the right to amend the articles of association, remove trustees and approve fundamental changes to the trust such as adding schools, change of structure, change of scheme of delegation and closing the trust.

The Board of Trustees comprises of nine (9) persons, also holding the title of directors in respect to their Companies House responsibilities. The Chair of the Trust is elected annually from the board of trustees.

The membership of the Members and Board of Trustees is subject to strict rules, stemming from the articles of association, to ensure the trust's independence from Local Authority.

The Board of Trustees delegate responsibility for delivery of the vision and strategy to the Principal. The board will hold the Principal to account for the performance of the trust, including the performance of the academy.

In this SoD the trust board retains responsibility for the performance of the trust. These responsibilities include monitoring whether the school is working within the agreed policies, whether standards are being met, and if the money is being well spent. The trust board delegates the pay decisions to the Pay Committee and the Risk and Audit Committee is an advisory committee to the Trust Board. The Standards, and Resources and Finance committees are also advisory committees to the Trust Board.

However, the committees are not legally responsible or accountable for statutory functions – the trust board retains overall accountability and responsibility. As a committee of the board, delegation can be removed or given at any time.

The Principal has the delegated responsibility for the operation of the trust including the performance of the academy. The Principal 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 Principal is responsible for the day to day management of the academy.

Scheme of Delegation List

The following is an overall list of the accountability between Members, Trustees, Trust Committees and the Principal.

Key

- Members
- Board of Trustees
- Principal /Trustee

Greyed out boxes	Function cannot be 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

Area	Decision			Delegation					
				Members	Trust Board	Risk & Audit	Resources & Finance	Standards	Academy Principal
				Governance Framework					
People	Members: Appoint/Remove			✓					
	Trustees: Appoint/Remove			✓	✓				
	Role descriptions for members			✓					
	Role descriptions for trustees/chair/ specific roles/committee: agree				✓				<A
	Parent trustee/committee/: elected				✓				
	Board committee chairs: appoint and remove				✓				<A
	Academy committee chairs: appoint and remove				✓				<A
	Clerk to board: appoint and remove				✓				
	Clerk to academy committee: appoint and remove				✓				
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

Area	Decision	Delegation						
		Members	Trust Board	Risk & Audit	Resources & Finance	Standards		Academy Principal
Systems and structures	Annual self review of trust board and committees: complete annually		✓					
	Annual self review of academy committees: complete annually		✓					
	Chair's performance: carry out 360 review periodically		✓					
	Trustee / academy committee member contribution: review annually		✓					
	Succession: plan		✓					<A
	Annual schedule of business for trust board: agree		✓					<A
	Annual schedule of business for academy committee: agree		A>					<A
			Reporting					
Reporting	Publication on trust and schools' websites of all required details on governance arrangements: ensure		✓	✓		✓		<A
	Annual report on performance of the trust: submit to Trust and publish		✓	<A	<A	<A		<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

Area	Decision			Delegation						
				Members	Trust Board	Risk & Audit	Resources & Finance	Standards		Academy Principal
				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	<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>		<A
	Management of risk: establish register, review and monitor				✓	<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>		✓
	Academy principal : appoint and dismiss				✓					

Area	Decision		Delegation					
			Members	Trust Board	Risk & Audit	Resources & Finance	Standards	Academy Principal
Being Strategic	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
	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	<A	<A
	Reporting arrangements for progress on key priorities: agree			✓	<A	<A	<A	<A
	Performance management of academy principal : undertake			✓				
	Trustee monitoring: agree arrangements			✓				<A
	Academy committee member monitoring: agree arrangements							<A
	Academy committee overall performance monitoring: agree arrangements			✓				<A

Area	Decision		Delegation					
			Members	Trust Board	Risk & Audit	Resources & Finance	Standards	Academy Principal
			Ensuring financial probity					
Ensuring financial probity	Appoint Chief financial officer for delivery of trusts detailed accounting processes			✓	<A			<A
	Trust's scheme of financial delegation: establish and review			✓	<A			<A
	School's scheme of financial delegation: establish and review			✓	<A	<A		✓
	External auditors' report: receive and respond			✓	<A			✓
	Academy principal pay award: agree			✓				
	Staff appraisal procedure and pay progression: review and agree			✓				<A
	Benchmarking and trust wide value for money: ensure robustness				✓	<A		<A
	Benchmarking and academy value for money: ensure robustness					✓		<A
	Develop trust wide procurement strategies and efficiency savings programme				✓	<A		<A

Area	Decision	Delegation						
		Members	Trust Board	Risk & Audit	Resources & Finance	Standards		Academy Principal
	Review and approve trust wide procurement strategies and efficiency savings programme		✓	<A				<A