



LEVER ACADEMY TRUST

Scheme of Delegation (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 to the Principals and board committees. 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 set out in the articles of association, the MAT's governing document, which are fairly standardised DFE documents. It is critical that the MATs agree a 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 committee (LGC), often referred to as a 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 as a local authority maintained school governing body. 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

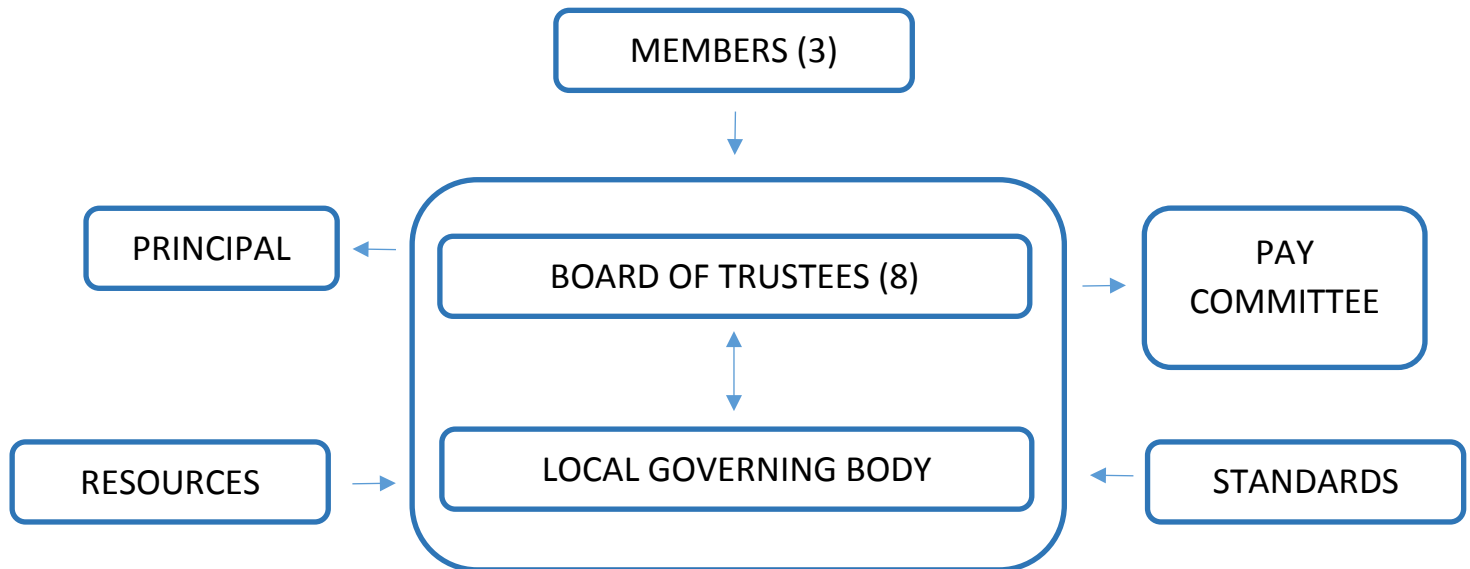
While schemes will vary from trust to trust depending on size, structure and geographical spread, there are basic principles to follow. Each SoD aims to clarify decision making and lines of accountability in a simple, succinct and clear format and as such each model includes:

- 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 documents that the trust board and leaders should be able to revise and adapt in response to changes in context and circumstances.

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 eight (8) persons, also holding the title of directors in respect to their Companies House responsibilities. The board currently includes the Little Lever School Principal, one staff governor, one parent governor and the school's Operations Director acting as CFO. 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 pressures.

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.

However, the committee is 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 at any time.

Due to the dual membership of the majority of LGB governors who also serve as trustees, the LGB meet alongside the Board of Trustees. The arrangement allows LGB to provide advice and expertise directly to the board. The trustees and clerk are conscious to ensure decisions are taken, voted and approved by the appropriate body. The LGB is purely an advisory body and does not oversee the school or the Principal.

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.

There is an inherent conflict of interest in carrying out the dual role of presenting plans, giving advice and providing information to the trust board while at the same time being a member of the board that will approve the plans and question the advice and information being presented. The trust will need to ensure it manages this conflict of interest effectively.

In addition to the responsibilities stemming from the trustee position, 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 Trust Members, Trustees, LGB and the Principal.

Key

- Members
- Board of Trustees / LGB
- Principal /Trustee

Greyed out boxes 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

Area	Decision	Delegation			
		Members	Trust Board	Committee / LGB	Academy Principal / Trustee
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		✓		<A
	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	Committee / LGB	Academy Principal / Trustee
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>
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 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	Delegation			
		Members	Trust Board	Committee / LGB	Academy Principal / Trustee
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	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>
	Academy principal : appoint and dismiss		✓	<A	

Area	Decision	Delegation			
		Members	Trust Board	Committee / LGB	Academy Principal / Trustee
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
	School staffing structure: agree		✓		<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 academy principal : undertake		✓	<A	
	Trustee monitoring: agree arrangements		✓		<A
	Academy committee member monitoring: agree arrangements			✓	<A

Area	Decision	Delegation			
		Members	Trust Board	Committee / LGB	Academy Principal / Trustee
	Academy committee overall performance monitoring: agree arrangements		✓		<A
Ensuring financial probity					
Ensuring financial probity	Appoint Chief financial officer for delivery of trusts detailed accounting processes		✓		<A
	Trust's scheme of financial delegation: establish and review		✓		<A
	School's scheme of financial delegation: establish and review		✓		<A
	External auditors' report: receive and respond		✓	<A	<A
	Academy principal pay award: agree		✓	<A	
	Staff appraisal procedure and pay progression: review and agree		✓		<A>
	Benchmarking and trust wide value for money: ensure robustness		✓		<A
	Benchmarking and academy value for money: ensure robustness		✓		<A>

Area	Decision	Delegation			
		Members	Trust Board	Committee / LGB	Academy Principal / Trustee
	Develop trust wide procurement strategies and efficiency savings programme				✓
	Review and approve trust wide procurement strategies and efficiency savings programme		✓		