



South Lincolnshire  

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Academies Trust

# Scheme of Delegation

## September 2020

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## The Purpose of the Scheme of Delegation

This scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. It ensures members, trustees (those on the Trust Board of Directors), committees (including Local Advisory Boards) and executive leadership are clear about who has responsibility for making which 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.

Deciding what to retain at trustee level and what to delegate is not set out in the Trust's articles of association, the Trust's governing document. This is therefore why it is critical that this SoD has explicitly established who makes which decisions, and ensures this is clear to both all those within South Lincolnshire Academies Trust, as well as to the governing bodies of schools potentially looking to join.

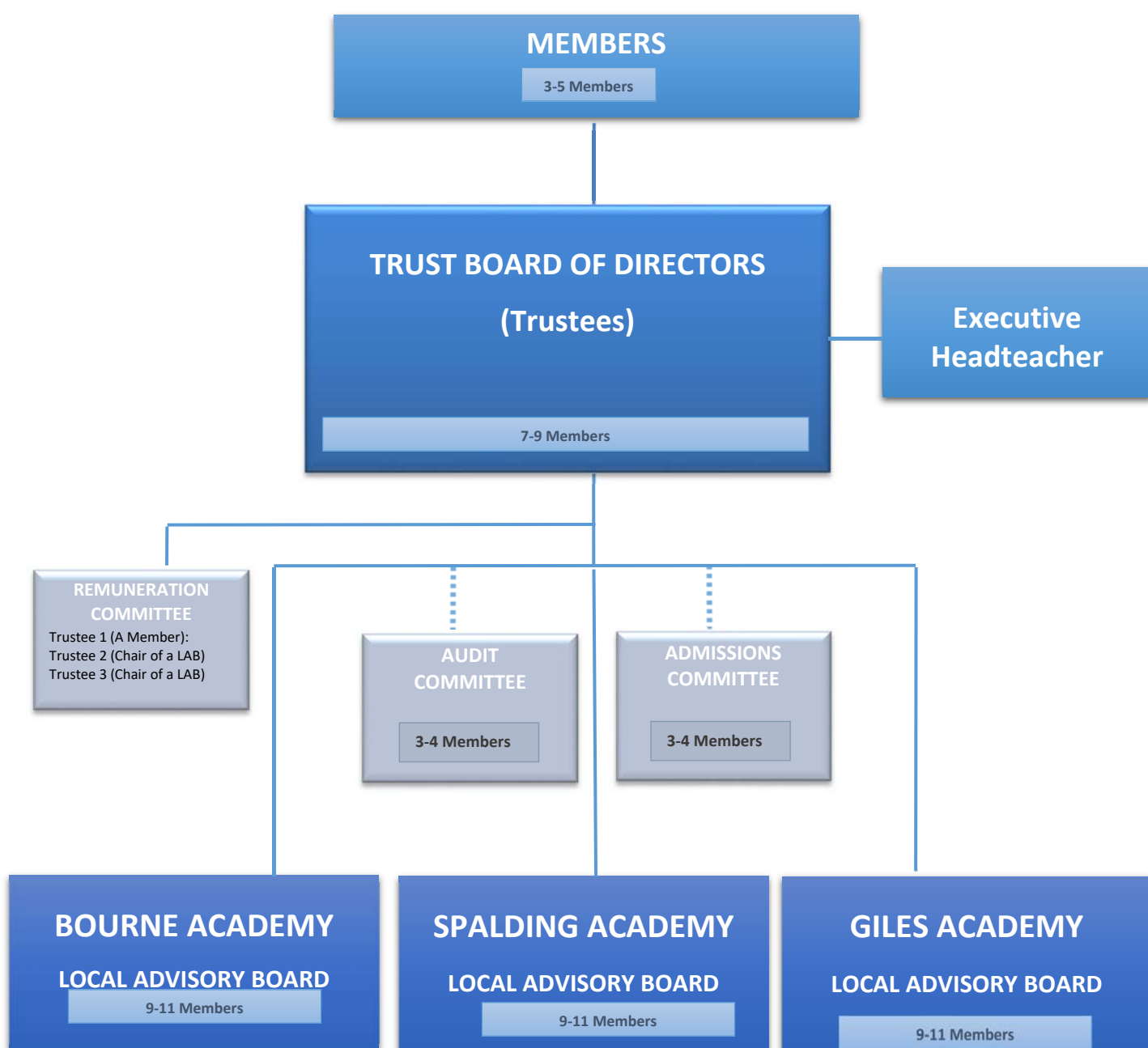
Please note that the Trust Board of Directors will always have the power to appoint and remove committees at any point, whether it be a committee of the Trust Board of Directors, or Local Advisory Board. The SoD will be reviewed annually recognising the need to be responsive to changing circumstances and to adapt accordingly. The SoD will be confirmed at the Trust Board of Directors' Administration meeting and all involved in Governance will be made aware of any changes.

This scheme is designed to be effective by:

- Ensuring the executive leadership is clear about which decisions the trust board remain in control of
- Ensuring that the role of the executive leadership is fully understood throughout South Lincolnshire Academies Trust
- To continue to promote a culture of honesty and accountability
- Identify responsibility for the appointment and performance management of the Executive Headteacher
- Identifying responsibility for policy and practice in each academy
- Identifying responsibility for oversight of each academy's budget
- Identifying responsibility for assessment of risk in each academy
- Identifying responsibility for oversight of educational performance in each academy

## Governance Structure and Lines of Accountability

The board of trustees of the multi academy trust delegate responsibility for delivery of the vision and strategy to the lead professional of the MAT, the Executive Headteacher (EHT). The MAT board will hold the EHT to account for the performance of the trust, including the performance of the academies within the trust. The EHT in turn holds other senior executives to account by line managing them. The EHT is accountable to the board for the performance of the trust as a whole, the EHT will report to the board on the performance of the trust including on the performance of the trust's schools, although this may be supplemented by monitoring reports from the LABs. The EHT is performance managed by the trust board. The EHT performance manages the deputy EHT and the academy principals but will seek input from the Trust Board and LAB chair.



## Roles and Responsibilities

### *Members*

The Members of the Trust have a different status to Trustees (those that sit on the Trust Board of Directors). Originally they were the signatories to the memorandum of association and will have agreed the trust's first articles of association. They are also responsible for approving any amendments made to the Trust's articles of association. 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 of Directors.

It is noted that while members are permitted to be appointed as Trustees, in order to retain a degree of separation of powers between the Members and the Trust Board of Directors, and in line with DfE expectations, not all Members are Trustees and are not permitted to be employees of the academy trust.

### *Trust Board of Directors (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 articles of association. The Trust Board of Directors are the accountable body for the performance of all schools within the trust and as such must:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of the schools and their pupils, and the performance management of staff
3. Oversee the financial performance of the trust and make sure its money is well spent

The Trust Board of Directors is permitted to exercise all the powers of the academy trust and will delegate to the Executive Headteacher 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 and if changes are made all involved in Governance will be notified.

### *Committees*

The Trust Board of Directors will establish committees either with delegated authority to make decisions or for the purpose of providing advice and support. These committees are not legally responsible or accountable for statutory functions – the Trust Board of Directors retains overall accountability and responsibility. The responsibilities of board committees are set out in their terms of reference. The Trust Board of Directors will appoint committee members and committee chairs.

### *Local Advisory Boards (LABs)*

The Trust Board of Directors will establish a LAB for each Academy within the Trust. The chair and vice chair will be appointed by the Trust Board of Directors will determine what will be delegated. Responsibilities include:

- Building an understanding of how the academy is led and managed
- Monitoring whether the school is:
  - Working within agreed policies
  - Is meeting the agreed targets
  - Managing its finances well in accordance with the whole school finance plan of the Trustees and within allocated schools budget
- Engaging with members
- Reporting to the Trust Board of Directors

### *The Executive Headteacher*

The Executive Headteacher has the delegated responsibility for the operation of the Trust including the performance of the Trust's academies.

The Executive Headteacher is the accounting officer so has overall responsibility for the operation of the academy trust's financial responsibilities and ensures that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The Executive Headteacher leads the executive management team of the academy trust. The Executive Headteacher 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.

It is noted that the Executive Headteacher is also appointed on the Trust Board of Directors as a member. One of the board's core functions is to hold the Executive Headteacher to account. Therefore, as they are a member of the Trust Board of Directors they are in effect holding themselves to account. There is an inherent conflict of interest in carrying out this dual role of presenting plans, giving advice and providing information to the Trust Board of Directors while at the same time being a member of Trust Board of Directors that will approve the plans and question the advice and information being presented. As the Executive Headteacher is a Trustee, the Trust will ensure it manages this conflict of interest effectively.

## Scheme of Delegation Table

Key	
Level 1: Members	
Level 2: Trust Board of Directors (Trustees)	
Level 3: Executive Headteacher	
Level 4: Local Advisory Boards	
Blue box	Function <b>cannot</b> be legally carried out at this level.
✓	Action to be undertaken at this level
<b>A</b>	Provide advice and support to those accountable for decision making
<>	<b>Direction</b> of advice and support

Area	Decision	Delegation			
		Members	Trust Board of Directors (Trustees)	Executive Headteacher	LAB
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	
	LAB chairs: appoint and remove		✓	<A	<A
	Clerk to Members & Trust Board of Directors: appoint and remove		✓	<A	
	Clerk to Committees & LABs: appoint and remove		✓	<A	<A
Systems and structures	Articles of association: agree and review	✓	<A	<A	
	Governance structure (committees and LABs) 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	
	Terms of reference for LABs: 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		✓		



Area	Decision	Delegation			
		Members	Trust Board of Directors (Trustees)	Executive Headteacher	LAB
Systems and structures	Annual self review of LAB performance: complete annually				✓
	Chair's performance: carry out 360 review periodically		✓		✓
	Trustee / committee member contribution: review annually		✓		✓
	Succession: plan	<A>	✓	<A>	<A>
	Annual schedule of business for Trust Board of Directors: agree		✓	<A>	
	Annual schedule of business for LAB: agree		✓	<A>	<A>
Reporting					
Reporting	Trust governance details on trust and academies' websites: ensure		✓	<A>	
	Academy governance details on academy website: ensure		✓	<A>	
	Register of all interests, business, pecuniary, loyalty for members/trustees/committee members: establish and publish		✓	<A>	
	Annual members report on performance of the trust	✓	<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>	
	Annual report work of LAB: submit to Trust Board of Directors at end of year			A>	✓

Area	Decision	Delegation			
		Members	Trust Board of Directors (Trustees)	Executive Headteacher	LAB
Being Strategic					
Being Strategic	Determine trust wide policies which reflect the trust's ethos and values 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
	Executive Headteacher: Appoint and dismiss	A>	✓		
	Academy Head Teacher : Appoint and dismiss	A>	A>	✓	<A
	Budget plan to support delivery of trust key priorities: agree	A>	✓	<A	

Area	Decision	Delegation			
		Members	Trust Board of Directors (Trustees)	Executive Headteacher	LAB
Being Strategic	Budget plan to support delivery of academy key priorities: agree			✓	<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 (eg safeguarding, H&S, employment): agree		✓	<A>	<A>
	Reporting arrangements for progress on key priorities: agree		✓	<A>	<A>
	Performance management of the Executive Headteacher: undertake		✓		
	Performance management of academy Headteacher: undertake			✓	
	Trustee monitoring: agree arrangements		✓	<A	
	LAB member monitoring: agree arrangements		✓	<A	

Area	Decision	Delegation			
		Members	Trust Board of Directors (Trustees)	Executive Headteacher	LAB
Ensuring financial probity					
Ensuring financial probity	Chief financial officer (Executive Headteacher) for delivery of trusts detailed accounting processes: appoint		✓	<A	
	Trust's scheme of financial delegation: establish and review		✓	<A	
	Academy's scheme of financial delegation: establish and review		✓	<A	
	External auditors' report: receive and respond		✓		
	Executive Headteacher pay award: agree		✓		
	Academy Headteacher pay award (if applicable): 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	<A
	Develop trust wide procurement strategies and efficiency savings programme		A>	✓	