

Aletheia Anglican Academies Trust



Scheme of Delegation

May 2018

Trust Principles

AAAT will deliver its vision by:

- Developing a Trust for all ages /phases of education, working in partnership with each other, learning from each other
- Promoting a Church of England ethos which values the potential of every student to achieve excellence academically; in religious education and their wider studies and become fully the person God intends.
- Pursuing educational excellence, so that outcomes for all learners are as good as they can be.
- Creating strong leadership at all levels that impacts effectively on academy performance.
- Ensuring excellence in Central Services to deliver support to academies across the Trust.

All schools joining the trust will have already established their support and belief in these core principles.

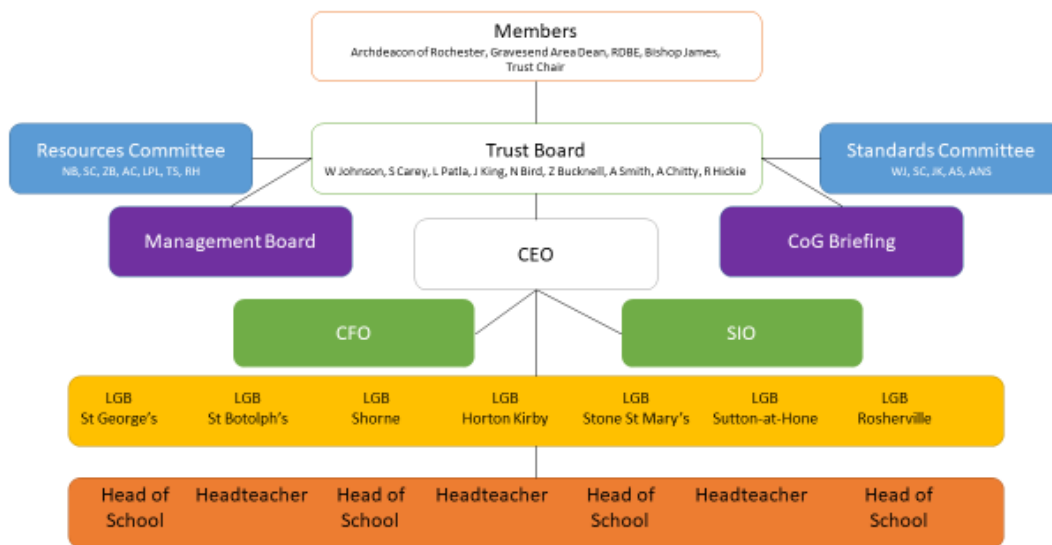
As schools join the Trust, existing Local Governing Boards (LGBs) and their governors will transition to the new structure as they are. However, where LGBs need to appoint new governors, the trustees, in consultation with LGBs (and in the case of Foundation Governors for Church schools, the Diocese) will ratify all new governor appointments. The trustees have the right to appoint additional governors where appropriate and to remove governors if needed.

AAAT begins with the principle that a wide range of responsibilities and decisions are delegated to Local Governing Boards (LGB). These responsibilities will include monitoring whether the school is working within its agreed policies, whether standards are being met, and if the funding is being appropriately spent. The LGB will use its detailed knowledge and engagement with stakeholders to ensure that their academy is being well served by the school leadership team. More specifically this will include: regular scrutiny and monitoring of the performance of the academy and, but not limited to, its Headteacher, pupil outcomes and the quality of teaching, learning and assessment; ensuring compliance with Trust policies and with agreed budget constraints and parameters and determining, sustaining and celebrating the ethos and character of their academy. As a committee of the Trust Board it has direct access to the board if there are concerns.

Where the trust determines not to delegate, academy councils may be established.

Governance structure and lines of accountability

The MAT Board will hold the CEO to account for the performance of the Trust, including the performance of the academies within the Trust. This means that as the CEO is accountable to the Board for the performance of the Trust as a whole, the CEO will report to the Board on the performance of the trust including on the performance of the Trust's academies, although this may be supplemented by monitoring reports from the LGBs. The CEO is performance managed by the Trust Board and performance manages the academy principals, and where there is a LGB, will seek input from the LGB Chair. The CEO also holds other senior executives to account by line managing them. While the Board cannot ever delegate its accountability, it can and must delegate some of the detailed scrutiny, oversight and decision making. Much of the local decision making will be delegated to Local Governing Boards (LGB), the CEO and some to the committees all with accountability to the MAT Board.



In this scheme of delegation (SoD) the Trust Board retains the power to determine on a case by case basis whether to delegate responsibilities concerning the performance of each academy to a Local Governing Board (LGB). It is the starting point of the Trust that there is full delegation to each Local Governing Board. This scheme sets out how that delegation is put into place, so that from the legal structure within which we operate, it is clear that the Local Governing Boards and the CEO have the power they need to act on the trustees' behalf.

Factors which may influence the decision to delegate include, but are not limited to:






- School performance
- A recent Ofsted report
- Financial and administrative performance
- Leadership and governance capacity and capability
- Safeguarding and wellbeing concerns

Specific matters arising and requiring immediate attention, and/or action which fall outside of the control of the LGB and or HT, are in the first instance automatically delegated to the CEO, who in conjunction with this SoD, will decide if an emergency panel from the Trust needs to be called upon to authorise the relevant and appropriate actions to be undertaken thereon.

Earned autonomy

This model is often referred to as ‘earned autonomy’ and requires more than one scheme of delegation. Within the context of this Scheme of Delegation, it should be noted that the phrase ‘earned autonomy’ is used to show that in the Trust some LGBs may have decision making powers and some may be simply academy councils (i.e. advisory). An LGB with decision making powers is still a committee of the Trust Board and its powers and decision making functions can be amended or revoked by the Trust Board. Where trustees have concerns about the performance of any of the academies within the Trust, their initial response would be to offer support from within the Trust - with an intention, where possible, to maintaining current levels of delegation.

Support process and reduced delegation

Initial Concerns 	<ul style="list-style-type: none"> Concerns shown from monitoring or support requested by the school.
Informal discussion 	<ul style="list-style-type: none"> CEO meets with any or all of HT/Senior Leaders/Governors to discuss informally. CEO procures support at an informal level and monitors progress. Where situation escalates or little improvement made CEO moves support to a task group action plan
Task Group action plan 	<ul style="list-style-type: none"> Task Group formed of elected Trustees and if appropriate HTs from the HT Committee or Governors from the Governance Committee. CEO co-ordinates response of more formal support with an action plan and clearly defined timeline. Task Group recommends reduced delegation.
Ongoing support 	<ul style="list-style-type: none"> Task Group reviews progress at key stages. CEO co-ordinates response of more formal support with an action plan and clearly defined timeline. With progress in key areas delegations moved to LGB.
Summary review 	<ul style="list-style-type: none"> Review with LGBs to approve full delegation. Action plan closes.

Any approach used would be bespoke to each situation and LGBs would be able to make their case known if any disagreement arose in a Trust’s decision to take this route. It may be that only some areas have reduced delegation and timeframes could be very different in different circumstances. However, the decisions made and ratified by the Trustees would be final.

Roles and responsibilities

The role of the members

The members of the Trust have a different status to trustees. The articles of association describes 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 will 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, in direct consultation with the Trust Board, made to the Trust's articles of association.

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, and in line with DfE expectations, not all members should be trustees. Members are not permitted to be employees of the academy trust.

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:

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

Trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. We use the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are not company directors and trustees.

The Trust Board is permitted to exercise all the powers of the Academy Trust. The Trust Board will delegate to the chief executive 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, without amendment of its' articles of association or reference to the members.

The role of committees

The trustees may establish committees either with delegated authority to make decisions or for the purpose of 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 chief executive officer (CEO)

The CEO has the delegated responsibility for the operation of the trust including the performance of the trust's academies. The CEO performance manages the academy Headteachers. Where there is full delegation to a local governing board (LGB) this will be in direct partnership with the chair of the LGB 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, securing value for money and economies of scale.

The CEO leads the Headteacher management committee 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 Headteacher

The academy Headteacher is responsible for the day to day leadership of the academy. The academy Headteacher is managed by the CEO but if there is delegation, reports to the LGB on matters which have been delegated to the LGB. This remains the case other than in exceptional circumstances whereby should the CEO deem the matters arising to be of such significant importance that they exercise their authority to overrule decisions and actions made or implied by either the LGB and/or the Headteacher in accordance with the delegated charts of decision making as set out below.

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 school committee

Level 1: Members

Level 2: Board of trustees

Level 3: Chief executive officer

Level 4: Local governance Board (LGB)

Level 5: Academy Headteacher

Grid 2 – no local delegation

Level 1: Members

Level 2: Board of trustees

Level 3: Chief executive officer

Level 4: Academy Headteacher

Level 5: Governance Academy council

Delegated decision making – Local Governing Board

Area	Function	Delegation				
		Members	Trust Board	CEO	LGB	Academy Headteacher
The governance framework						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓	<A	<A		
	Role descriptions for members	✓				
	Role descriptions for trustees/chair/specific role/committee members: agree		✓	<A		
	Committee chairs: appoint and remove		✓	<A		
	LGB chairs & members: appoint and remove		✓	<A	<✓	
	Clerk to trust 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 References for Trust Committees (including Audit if required, and scheme for Academy Committees): Agree annually		✓	<A		
	Terms of Reference for LGB/Local Committee: Agree annually		✓	<A	✓	
	Skills audit: Complete and recruit to fill gaps accordingly		✓	<A>	✓	A
	Annual Self-Review of Trust Board and Committee performance: complete annually		✓			
	Annual Self-Review of LGB performance: complete annually				✓	
	Chairs' performance: undertake an annual 360 Review		✓		✓	

Area	Function	Delegation				
		Members	Trust Board	CEO	LGB	Academy Headteacher
	Trustee and Committee Member Contribution: Review annually		✓		✓	
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 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		✓	<A		
	Annual report work of LGB: compile and produce for Trust Review					✓
Being Strategic						
Being Strategic	Succession: Plan, design, review and implement		✓	<A>	✓	A
	Annual Schedule of Business (Business Plan) for Trust Board: Plan, design, review and implement		✓	<A		
	Annual Schedule of Business (Business Plan) for LGB: Plan, design, review and implement			A>	✓	A
	Policies: Determine and approve 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; data protection and FOI; staffing policies including capability, discipline, conduct and grievance		✓	<A		

Area	Function	Delegation				
		Members	Trust Board	CEO	LGB	Academy Headteacher
	Determine Academy level policies which reflect the Academy's ethos and value 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
	Engagement with stake holders	✓	✓	✓✓	✓	✓
	Key Performance Indicators: Determine, define and agree key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured in line with the Trust's Vision and Strategy		✓	<A		
	Academies vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine			A>	✓	A
	Chief Executive Officer: Appoint and dismiss		✓			
	Academy Headteacher: Appoint and dismiss		A>	<A>	✓	
	Budget plan to support delivery of trust's key priorities: agree		✓	<A		
	Budget plan to support delivery of Academy key priorities: agree				✓	A
	Trust's staffing structure: agree		✓	<A		
	Academy staffing structure: agree			A>	✓	A
Holding to Account						
	Auditing and reporting arrangement for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	<A>	✓	A

Area	Function	Delegation				
		Members	Trust Board	CEO	LGB	Academy Headteacher
Holding to account	Reporting arrangements for progress on key priorities: agree		✓	<A>	✓	A
	Performance management of the Chief Executive Officer: undertake		✓			
	Performance management of the Headteacher: undertake			✓✓	✓	
	Trustee monitoring: agree arrangements		✓	<A		
	LGB member monitoring: agree arrangements		A>		✓	A
Ensuring financial probity						
Ensuring financial probity	Chief financial officer for delivery of trusts detailed accounting process: appoint		✓	<A		
	Trust's scheme of financial delegation: establish and review		✓	<A		
	Academies' scheme of financial delegation: establish and review		✓	<A		
	External auditors' report: receive and respond		✓	<A	✓	A
	CEO pay award: agree		✓			
	Academy Headteacher pay award: agree			A>	✓	
	Staff appraisal procedure and pay progression: monitor and agree		✓	A>	✓	A
	Benchmarking and trust wide value for money: ensure robustness		✓	<A		
	Benchmarking and individual academy value for money: ensure robustness				✓	A

Area	Function	Delegation				
		Members	Trust Board	CEO	LGB	Academy Headteacher
	Develop trust wide procurement strategies and efficiency savings programme			✓		

Without local delegation – Academy Council

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Council	Academy Headteacher
The governance framework						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓	<A	<A		
	Role descriptions for members	✓				
	Role descriptions for trustees/chair/ specific roles/committee members: agree		✓			
	Committee (including Academy committees) chairs and members: appoint and remove		✓			
	Academy council chairs and members: appoint and remove		✓	A		
	Clerk to Trust board: appoint and remove		✓			
	Clerk to Academy committees: 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 of delegation for school committees): agree and review annually		✓	<A		
	Terms of reference for academy council: agree and review annually		✓	<A		
	Skills audit: complete and recruit to fill gaps		✓	<A>	✓	
	Annual self-review of trust board performance: complete annually		✓			

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Council	Academy Headteacher
	Chairs' (both Trust and Council) performance: carry out 360 review periodically		✓		✓	
	Trustee contribution: review annually		✓			
	Academy Council members' contribution: review annually		✓	<A		
Reporting	Trust governance details on trust and academies' websites		✓	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 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		
	Annual report on work of academy council: compile and produce for Trust review					<A
Being strategic						
Being Strategic	Succession: Plan, design, review and implement.		✓	<A>	✓	A
	Annual schedule of Business (Business Plan) for Trust Board and Committees: Plan, design, review and implement.		✓	<A		
	Annual schedule of Business (Business Plan) for Committees: Plan, design, review and implement.		✓	A>	✓	A
	Annual schedule of Business (Business Plan) for Academy Council: Plan, design, review and implement		✓	<A		

Area	Function	Delegation				
			Members Board	Trust CEO	Academy Council	Academy Headteacher
	Policies: Determine and approve 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:		✓	<A		
	Determine Academy level policies which reflect the Academy'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
	Engagement with stake holders	✓	✓	✓✓	✓	✓
	Key Performance Indicators: Determine, define and approve key priorities and key performance indicators (HPI's) against which progress towards achieving the vision can be measured in line with the Trust's Vision and Strategy		✓	<A		
	Academies' vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine			A>	✓	A
	Chief Executive Officer: Appoint and dismiss		✓			
	Academy Headteachers: Appoint and dismiss		A>	<A>	✓	A
	Budget plan to support delivery of trust key priorities: agree		✓	<A		
	Budget plan to support delivery of Academy's key priorities: agree		✓	A	✓	A
	Trust's staffing structure: agree		✓	<A		

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Council	Academy Headteacher
	Academies' staffing structure: agree			A>	✓	A
	Academies' 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>		
	Reporting arrangements for progress on key priorities: agree		✓	<A>		
	Performance management of the Chief Executive Officer: undertake		✓			
	Performance management of academy Headteacher: undertake			✓✓	✓	
	Trustee monitoring: agree arrangements		✓	<A		
	Academy council 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		
	Academies' scheme of financial delegation: establish and review		✓	<A		
	External auditors' report: receive and respond		✓	<A		
	CEO pay award: agree		✓			

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Council	Academy Headteacher
	Academy Headteacher pay award: agree		✓	✓		
	Staff appraisal procedure and pay progression: monitor and agree			✓		
	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			✓		