



Abbey Academies Trust Scheme of Delegation

This scheme of delegation has been developed to clarify the responsibilities and powers of Members, 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 2019 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 Co-Chairs, or in the absence of the Co-Chairs, 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.

The Terms of Reference are drafted and maintained by the Trust. The Trustees may make amendments to these terms of reference from time to time, as set out in the Trust's Articles of Association. If amendments are made, the trust shall notify the Chair of each Local Governing Body, who shall be expected to make other governors aware of such changes.

The Company's Object as defined in the Articles is: "to advance for the public benefit education in the United Kingdom, ... by establishing, maintaining, carrying on, managing and developing Academies with a designated Church of England religious character...offering a broad and balanced curriculum conducted in accordance with the principles, practices and tenets of the Church of England and in particular in relation to arranging for religious education and daily acts of collective worship and in having due regard to the advice of Lincoln Diocesan Board of Education.

The primary purpose of Abbey Academies Trust (AAT), is to ensure that every pupil achieves the highest possible levels of attainment within an appropriate learning and built environment. AAT comprises a number of such environments - the component Academies. While each Academy will operate within this Scheme independently through its Local Governing Board, the ethos of AAT is that all the Academies will work collaboratively, to enable pupils and staff to flourish and grow through an educational model where each of the component parts works together, with the strong supporting the weak and the weak challenging the strong.

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 limited by guarantee 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 CEO/Executive Head Teacher 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 Executive Head Teacher/Head of School 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 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)/Executive Head Teacher (EHT)

The CEO/EHT has the delegated responsibility for the operation of the Trust including the performance of the Trust's academies and so the CEO/EHT performance manages the academy Heads of School.

The CEO/EHT 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/EHT leads the Senior Leadership Team of the academy Trust. The CEO/EHT will delegate executive management functions to the Senior Leadership Team and is accountable to the Trust Board for the performance of the Senior Leadership 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 total membership of the Local Governor Body shall not be less than seven. The Trustees have the right to appoint such persons to the Local Governing Body as they shall determine from time to time. The term of office of the Chair and Vice-Chair of a Local Governing Body shall be two years. Further, subject to remaining eligible to be Chair or Vice-Chair, any Governor may be re-appointed as Chair for consecutive periods not exceeding 6 years in total but thereafter a Governor shall not usually be eligible for re-appointment as Chair or Voce-chair (as the case may be) until one year after his or her retirement, unless agreed by resolution of the Trustees that he or she shall be eligible for a further consecutive term.

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.

In summary, the role of the Trustees mainly involves strategic oversight across the Trust, governance, contractual relationships with third parties and setting the Trust's vision and policies.

The role of Governors is to carry the Trust vision, policies and priorities forwards, based on the specific qualities and community characteristics of each academy. The Governors are expected to challenge academy leadership and hold them to account.

The role of the academy Head of School

The academy Head of School is responsible for the day to day management of the academy and is managed by the Chief Executive Officer /Executive Head Teacher 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

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 Local Governing Body

Level 1: Members

Level 2: Board of trustees

Level 3: Executive Headteacher

Level 4: Local governing body (LGB)

Level 5: Head of School

Delegated decision making – Local governance committee

Area	Decision	Delegation						
		Members	Trust Board	Finance, Pay, Audit	Perf Mgt	Exec Head/ CEO	LGB	H of S
Governance framework								
People	Members: Appoint/Remove	✓						
	Trustees: Appoint/Remove	✓						
	Role descriptions for members	✓						
	Role descriptions for trustees/chair/ specific roles/LGB members: agree		✓		<A	<A		
	Parent trustee/committee member: elected		✓				✓	
	Committee chairs: appoint and remove		✓	✓	✓	<A		
	LGB chairs: appoint and remove		✓			<A	✓	
	Clerk to board: appoint and remove		✓					
	Clerk to LGC: 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 for school committees): agree annually		✓			<A		
	Terms of reference for LGB: agree and review annually		✓			<A		

Area	Decision	Delegation						
		Members	Trust Board	Finance, Pay, Audit	Perf Mgt	Exec Head/ CEO	LGB	H of S
Systems and structures	Skills audit: complete and recruit to fill gaps		✓			<A>	✓	A
	Annual self-review of trust board and committee performance: complete annually		✓					
	Annual self-review of LGB performance: complete annually						✓	
	Trustee / committee member contribution: review annually		✓				✓	
	Succession: plan		✓			<A>	✓	A
	Annual schedule of business for trust board: agree		✓	✓	✓	<A		
	Annual schedule of business for LGB: 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 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 LGB: submit to trust and publish						✓	A

Area	Decision	Delegation						
		Members	Trust Board	Finance, Pay, Audit	Perf Mgt	Exec Head/ CEO	LGB	H of S
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
	Central spend / top slice: agree		✓			<A		
	Management of risk: establish 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 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		✓					
	Heads of School: Appoint and dismiss		✓			A		
	Budget plan to support delivery of trust key priorities: agree		✓	<A		<A		

Area	Decision	Members	Trust Board	Delegation				
				Finance, Pay, Audit	Perf Mgt	Exec Head/ CEO	LGB	H of S
	Budget plan to support delivery of school 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 (e.g. safeguarding, H&S, employment): agree		✓	✓	✓	<A>	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	<A	<A	<A>	✓	A
	Performance management of the Executive Headteacher: undertake				✓			
	Performance management of Head of school: undertake					A>	✓	
	Trustee monitoring: agree arrangements		✓			<A		
	LGB member monitoring: agree arrangements						✓	A
Ensuring financial probity								
	Chief financial officer for delivery of trust's detailed accounting processes: appoint		✓	<A		<A		
	Trust's scheme of financial delegation: establish and review		✓	<A		<A		

Area	Decision	Delegation						
		Members	Trust Board	Finance, Pay, Audit	Perf Mgt	Exec Head/ CEO	LGB	H of S
Ensuring financial probity	School's scheme of financial delegation: establish and review		✓	<A		<A		
	External auditors' report: receive and respond		✓	<A		<A		
	Head of School 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 academy value for money: ensure robustness						✓	A
	Develop trust wide procurement strategies and efficiency savings programme					✓		