



# Scheme of Delegation



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### Introduction

The Ad Meliora Academy Board of Directors is accountable in law for all major decisions about its academies. This does not mean that the Board is required to make all the decisions. Many decisions will be delegated to the Chief Executive Headteacher and Academy Leaders, Board Committees and Local Governing Boards.

The decision to delegate a function is made by the full Board of Directors and is recorded. This document sets out the limits and extent of each party's authority to act.

The Scheme of Delegation will be reviewed annually and will be responsive to the changing circumstances of the Trust. Directors reserve the right to review and alter this Scheme of Delegation at any time.

### The purpose of the Scheme of Delegation

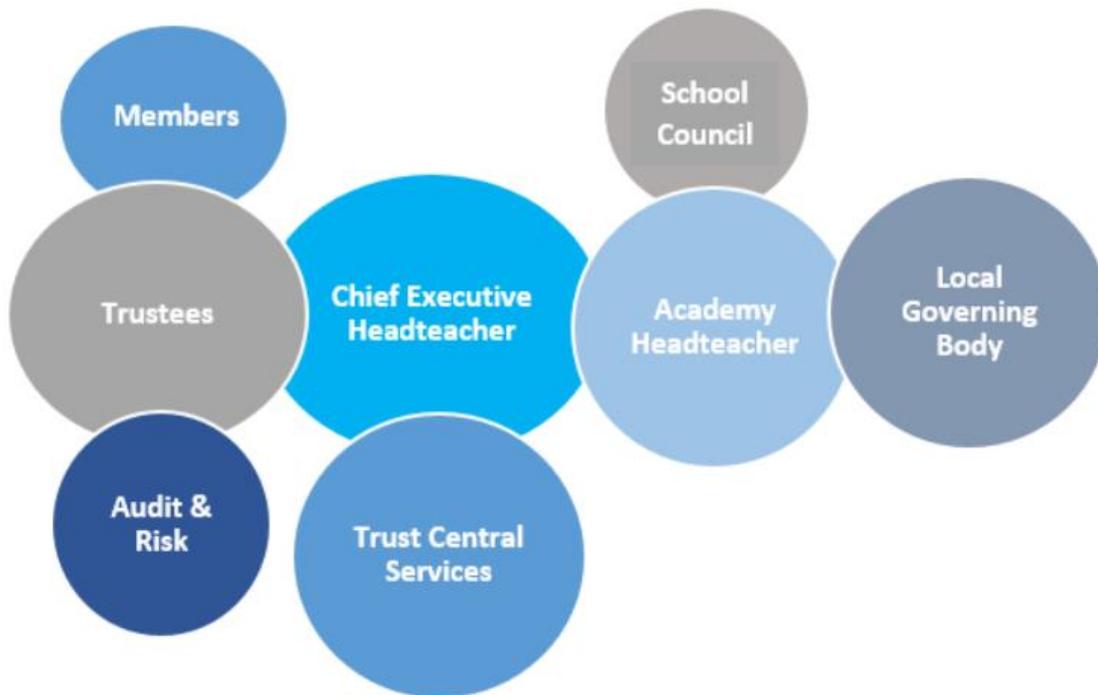
A Scheme of Delegation (SoD) is the key document defining which functions have been delegated and to whom. It is a simple yet systematic way of ensuring Members, Directors, Board Committees, Local Governing Boards, the Chief Executive Headteacher and Academy Headteachers are clear about who has responsibility for making which decisions in the Trust.

This overarching SoD covers all decision making in the Trust and it must not be confused with the written Scheme of Delegation of Financial Powers referred to in the Academy Trust Handbook (formerly known as the Academies Financial Handbook).

The Scheme of Delegation will:

1. Ensure the Chief Executive Headteacher and Chief Finance Officer (Executive Leaders) are clear about which decisions are the remit of the Trust Board.
2. Ensure that the role of Members, Directors, Board Committees, Local Governing Boards, Executive Leaders and Headteachers are fully understood throughout the MAT.

3. Promote a culture of honesty and accountability.
4. Identify responsibility for the appointment and performance management of the CEH and Academy Headteachers.
5. Identify responsibility for policy and practice in each Academy.
6. Identify responsibility for overseeing each Academy's budget.
7. Identify responsibility for assessment of risk in each Academy.
8. Identify responsibility for overseeing educational performance in each Academy.



## **Roles and responsibilities**

### The role of the Members

The Members of the Trust are guardians of the governance of the Trust and have a different status to Directors. The original members were the signatories to the Memorandum of Association and agreed the Trust's first Articles of Association (the legal document which outlines the governance structure and how the Trust will operate). The Articles of Association will describe how Members are recruited and replaced, and how many Directors the Members can appoint to the Trust Board.

The Members appoint Directors to ensure that the Trust's charitable objective is carried out and can remove Directors 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 made to the Trust's Articles of Association.

There must be at least three Members (although the DfE prefer at least five), and while Members are permitted to be appointed as Directors, to retain a degree of separation of accountability between the Members and the Trust Board, and in line with DfE recommendations, Members of our Trust do not sit on the Board of Directors. Members are not permitted to be employees of the Trust.

### The role of the Directors

The Directors 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 Trust's Memorandum and Articles of Association.

The Board of Directors is the accountable body for the performance of all academies within the Trust and as such:

1. Set and ensure clarity of vision, ethos and strategic direction.
2. Hold the CEH to account for the educational performance of the academies and their pupils and ensuring performance management of staff.
3. Oversee the financial performance of the Trust and make sure its money is well spent.
4. Approve the governance structure for the Trust, the Scheme of Delegation and the Risk Register.
5. Approve key statutory policies.

Because Directors are bound by both charity and company law, the terms 'Trustees' and 'Directors' are often used interchangeably.

### The role of the Trust Board Committees

The Directors have established committees to carry out some of its governance functions, which include making decisions, although any decisions made will be deemed decisions of the Trust Board. There are certain decisions that the Trust Board is not permitted to delegate.

The membership must consist of at least three Directors and responsibilities of Board Committees are set out in the committees' Terms of Reference. It is usual for the Trust Board to appoint Board Committee Chairs and committee members according to their skills.

### Resources and Audit Committee

Responsible for the following: the appointment of auditors, internal audit, controls and assurance checks, statutory accounts, Trust level risk register, GDPR policy and practice, whistleblowing, anti-fraud policies and processes, reviewing budgets, monitoring Trust financial performance, estates management, capital expenditure and monitoring performance against attainment.

The committee Chair must be a Director who is not the Chair of Directors. Other committee members may be non-Directors that are co-opted onto the committee with the approval of the Trust Board.

Employees of the Trust must not be Audit and Risk committee members, but the Accounting Officer (CEH) and the Chief Financial Officer (CFO) will attend meetings to provide information and take part in discussions.

#### The role of the Chief Executive Headteacher (CEH)

The CEH has the delegated responsibility for the operation of the Trust including the performance of the Trust's academies and performance management of the academy Headteachers.

The CEH leads the Central Team (which includes the Chief Finance Officer). The CEH will delegate functions to the Central Team and is accountable to the Trust Board for the Trust's overall performance.

The CEH is the Accounting Officer and must have appropriate oversight of financial transactions to enable them to provide assurance to the Trust Board that the Trust complies with both its Funding Agreement and the Academy Trust Handbook. This does not absolve the Trust Board from their responsibility but is to ensure proper conduct and financial operation of the Trust.

#### The role of the Chief Financial Officer (CFO)

The Trust must have a Chief Financial Officer (CFO), appointed by the Trust's Board, who is the Trust's Business Manager or equivalent, and to whom responsibility for the Trust's detailed financial procedures is delegated.

The CFO should play both a technical and leadership role.

#### The role of the Local Governing Boards (LGB)

As identified within this Scheme of Delegation, the Directors will delegate to Local Governing Boards, academy level governance functions. Directors are not required to sit on the Local Governing Body; decision-making is limited to the functions delegated in this document.

The LGB Chair should be appointed by the Chief Executive Headteacher under delegated authority from the Trust Board; the Local Governing Board will ensure at least two parents are appointed to their number; the appointment process will be agreed by the Trust.

Each LGB has a number of governors determined by the Trust which can appoint between three to nine governors. Directors and the CEH may attend the LGBs. They make recommendations and appoint link governors. As an advisory group of the Board, any delegation to the LGB can be amended at any time.

#### The role of the Academy Headteacher

The Headteacher is responsible for the day-to-day management of their academy and is line managed by the CEH. In addition, the Academy Headteacher reports to the LGB on matters for which the Academy Committee has oversight as outlined in this document.

The Academy Headteacher has specific responsibility for ensuring that the academy:

1. Complies with the Trust's Scheme of Governance and Scheme of Delegations.

2. Operates within the policies and procedures set out by the Directors.
3. Proactively ensures that the LGB has access to all necessary data and information, as and when they require it in order to discharge their duties as governors in providing overview and scrutiny of the academy's activities and in holding the academy leadership team to account.
4. Contributes to and ensures actions are completed for the risk register for their academy.

This document is intended to be read alongside the following documents that will give a more thorough picture of the delegation of responsibilities:

- The Trust's Articles of Association
- The Trust's Master Funding and Supplemental Funding Agreements
- The Trust Policy List
- The Governance Handbook (Academy Trusts and Maintained Schools October 2020)
- The Academy Trust Handbook 2021.

### Delegated responsibilities

<b>Governance</b>	
Members	<ol style="list-style-type: none"> <li>1. Appoint and remove Members</li> <li>2. Appoint and remove member Appointed Directors</li> <li>3. Define role description for Members</li> <li>4. Review and agree Articles of Association including any amendments</li> <li>5. Hold an Annual General Meeting and receive annual audited accounts</li> </ol>
Directors	<ol style="list-style-type: none"> <li>1. Recommend the appointment and removal of Directors</li> <li>2. Approve the role description for Directors and Chairs of the LGBs</li> <li>3. Convene &amp; set Terms of Reference for Trust Committees and LGBs</li> <li>4. Appoint a Director to an Academy Committee on a temporary basis if required</li> <li>5. Ensure compliance with the Articles of Association, Academy Trust Handbook and the Master Funding Agreement</li> <li>6. Approve and review annually the Trust Governance Structure</li> <li>7. Complete an annual skills audit and recruit to fill gaps.</li> <li>8. Undertake an annual self-evaluation</li> <li>9. Approve the annual Schedule of Business for Trust Board</li> <li>10. Implement audit &amp; reporting arrangements for matters of compliance</li> <li>11. Carry out a 360 Chairs performance review</li> <li>12. Ensure publication of required details on Trust's governance arrangements are on the Trust website, Get Information About Schools and Companies House</li> </ol>

<b>Governance continued</b>	
CEH	<ol style="list-style-type: none"> <li>1. Provide support to Directors &amp; LGBs with governance advice &amp; training</li> <li>2. Appoint and remove clerks to the Board and any Board committees.</li> <li>3. Appoint and remove Chairs of Academy Committees</li> <li>4. Approve standard termly agenda items for LGBs</li> <li>5. Implement audit and reporting arrangements for all matters of compliance (safeguarding, health and safety and employment)</li> <li>6. Ensure compliance with admission policies</li> <li>7. Complete annual skills audit and recruit to fill gaps</li> <li>8. Publish required details on academy governance arrangements on the Trust website and Get Information About Schools</li> <li>9. Recruit, appoint, train and remove academy committee governors</li> <li>10. Set an annual Schedule of Business for the LGBs</li> </ol>
LGB	<ol style="list-style-type: none"> <li>1. Offer comments on Terms of Reference for LGBs set by Directors</li> <li>2. Offer comments regarding the appointment and removal of governors</li> <li>3. Implement the Trust schedule of termly agenda items</li> <li>4. Monitor and report on matters of compliance (safeguarding, statutory assessment and well-being)</li> <li>5. Undertake an annual Self Evaluation and review of training needs.</li> </ol>
Academy Headteacher	<ol style="list-style-type: none"> <li>1. Ensure compliance with Trust policies</li> <li>2. Report on matters of compliance (safeguarding, academy standards and well-being)</li> <li>3. Proactively engage with the LGB</li> </ol>

<b>Strategy and standards</b>	
Members	<ol style="list-style-type: none"> <li>1. Hold the Trust Board to account for delivering on the vision and values for the Trust</li> </ol>
Directors	<ol style="list-style-type: none"> <li>1. Approve the vision and values for the Trust</li> <li>2. Approve specific Trust-wide policies and review as appropriate</li> <li>3. Approve, review and monitor the risk register for the whole Trust</li> <li>4. Approve and monitor the annual Trust Improvement Plan including KPIs</li> <li>5. Hold the CEH to account for the delivery of the annual Trust Improvement Plan</li> <li>6. Hold to account and support LGBs in meeting the objectives of their academy development plan.</li> <li>7. Appoint and dismiss the CEH</li> <li>8. Performance management of the CEH</li> <li>9. Approve the Trust Central Team structure</li> <li>10. Approve admission policies</li> <li>11. Determine published admission numbers</li> </ol>

<b>Strategy and standards continued</b>	
CEH	<ol style="list-style-type: none"> <li>1. To develop and deliver the Trust Improvement Plan with Directors, LGBs and Academy Headteachers</li> <li>2. To monitor and report on performance against KPIs and targets and to act as necessary to meet targets</li> <li>3. Ensure that the Academy Improvement Plans are in line with the Trust strategy and vision, including targets for progress, attainment and curriculum development</li> <li>4. Hold to account and support Headteachers in meeting the objectives of Academy Improvement Plans, progress and attainment targets and KPIs</li> <li>5. Design and implement effective interventions to address areas of weakness within individual academies</li> <li>6. Determine academy staffing structure in line with Trust KPIs</li> <li>7. Appoint, suspend and dismiss the Central Team in consultation with Directors</li> <li>8. Appoint the Academy Headteacher with a selection panel</li> <li>9. Suspend and dismiss Academy Headteachers in consultation with Directors and LGBs</li> <li>10. Appraise and manage performance of Headteachers in consultation with LGBs</li> <li>11. Appraise and manage performance of the Trust Central Team and make recommendations to Directors</li> </ol>
LGB	<ol style="list-style-type: none"> <li>1. Review academy level procedures for safeguarding, academy performance, well-being and community engagement</li> <li>2. Ensure compliance with Trust policies and academy level procedures</li> <li>3. Challenge the Headteacher on progress and attainment of pupils against targets, including relative performance of vulnerable groups and those eligible for Pupil Premium</li> <li>4. Support the Academy Headteacher in addressing weaknesses and in responding to recommendations following an inspection</li> <li>5. Recommend changes to admissions policies to the Trust Board</li> </ol>
Academy Headteacher	<ol style="list-style-type: none"> <li>1. Establish an annual Academy Improvement Plan including targets for progress, attainment and curriculum development</li> <li>2. Deliver on the Academy Improvement Plan and implement strategies for meeting targets</li> <li>3. Establish a board and balanced curriculum</li> <li>4. Oversee all staff appointments in consultation with CEH &amp; Central Team</li> <li>5. Ensure an accurate Annual Self Evaluation to identify strengths and next steps</li> <li>6. Design and implement action plans to respond to Self-Evaluation and external inspection</li> </ol>

<b>Financial</b>	
Members	<ol style="list-style-type: none"> <li>1. Receive the audited Annual Report, Financial Statements, Audit Management letter</li> <li>2. Confirm the appointment or removal of the External Auditors</li> </ol>
Directors	<ol style="list-style-type: none"> <li>1. Approve the overall finance and budgeting strategy for the Trust</li> <li>2. Approve and review the Trust Finance Policy</li> <li>3. Approve annual budgets and three year plans</li> <li>4. Set the Pay Policy for the Trust</li> <li>5. Review and set salary levels for the CEH</li> <li>6. Appoint Internal Auditors through the Resources and Audit Committee, determine schedule of work, and recommendations are implemented</li> <li>7. Receive and respond to External Auditor's report</li> <li>8. Review and approve pay recommendations for the CEH, CFO/Trust Business Manager and Academy Headteachers.</li> <li>9. Receive and review the monthly financial accounts and monitor progress monthly.</li> <li>10. Approve maximum level of spending as recommended by CEH/CFO</li> <li>11. Ensure that all statutory and regulatory financial are approved on time</li> </ol>
CEH	<ol style="list-style-type: none"> <li>1. Make pay recommendations for the CFO/Business Manager and Academy Headteachers to the Trust Board.</li> <li>2. Ensure the provision of monthly management accounts for the Trust Board with commentary</li> <li>3. Create annual central service budget, and propose costs to the Trust Board</li> <li>4. Set annual budgets and three year plans in line with the Trust Financial Handbook</li> <li>5. Set delegated budgets and limits to be given to Academy Headteachers</li> <li>6. Approve Academy Headteachers' recommendations for staff pay progression following Trust guidelines and policies.</li> </ol>
LGB	N/A
Academy Headteacher	<ol style="list-style-type: none"> <li>1. Organising procurement so that spending is in line with delegated budgets allocations.</li> <li>2. Make recommendations for staff pay progression to the CEH based on the Pay Policy set by the Trust</li> </ol>

<b>People, Community &amp; Communications</b>	
Members	N/A
Directors	<ol style="list-style-type: none"> <li>1. Approve the policy for appraisal and performance management for all staff in the Trust</li> <li>2. Engage with stakeholders</li> <li>3. Review outcomes and ensure effective response to any surveys of staff, parents/carers</li> <li>4. Approve policies for recruitment and receive reports on workforce diversity including ethnicity, gender pay gap and disability</li> <li>5. Approve redundancies and any reorganisation plans</li> </ol>

<b>People, Community &amp; Communications continued</b>	
CEH	<ol style="list-style-type: none"> <li>1. Support Academy Headteachers with implementation of the Appraisal Policy, other staff related policies (stress at work etc) and staff development plans (training, qualification)</li> <li>2. Ensure effective communication between all individual academies (including LGBs and Headteachers)</li> <li>3. Promote the Trust and engage with stakeholders and the wider community</li> <li>4. Ensure that any statutory diversity information is published</li> <li>5. Determine, plan and consult on reorganisation plans</li> <li>6. Determine core staff numbers and liaise with Headteachers on staff numbers and future recruitment/redundancies.</li> <li>7. Spot talent in the organisation in consultation with the Academy Headteachers and plan for succession</li> <li>8. Oversee the maintenance of the Single Central Record for the Trust</li> <li>9. Develop and maintain effective relationships with the Department for Education (DFE), National and Regional Schools Commissioners (RSCs), Academy Headteachers, Trust Central Team and LGBs</li> <li>10. Ensure effective two-way communication between LGBs, Academy Headteachers, Trust Central Team and Directors at all times</li> <li>11. Review surveys of staff, parents/carers and identify and respond to common matters arising</li> </ol>
LGB	<ol style="list-style-type: none"> <li>1. Commission appropriate surveys of staff, pupils and parents/carers Review outcomes of staff surveys, parents and carers surveys and ensure effective response</li> <li>2. Always ensure effective communication between the LGB, Academy Headteachers, CEH and Directors.</li> <li>3. Ensure the individual character and ethos of the academy is upheld and communicated to all stakeholders</li> <li>4. Respond to consultation on reorganisation</li> <li>5. Recommend and appoint link governors</li> </ol>
Academy Headteacher	<ol style="list-style-type: none"> <li>1. Implement staff development, appraisal and recruitment policies</li> <li>2. Implement annual staff surveys, parents and carers surveys and ensure effective response to outcomes</li> <li>3. Maintain the individual character and ethos of the academy and ensure this is always conveyed internally and externally</li> <li>4. Recommend and work with CEH on staffing plans</li> </ol>