

# **The Sea View Trust**

## **Scheme of**

### **Delegation 2019**



# Scheme of Delegation

## Why does it matter?

There are three core functions of effective governance:

1. Ensuring clarity of vision, ethos and strategic direction.
2. Holding the Chief Executive Officer (CEO) to account for the educational performance of the Trust, its pupils and the performance management of staff.
3. Overseeing the financial performance of the Trust and making sure its money is well spent.

The eight elements that will enable delivery of effective governance are:

1. The right people around the table
2. Understanding their role and responsibilities
3. Good Chairing
4. Professional clerking
5. Good relationships based on trust
6. Knowing our Academies
7. Commitment to asking challenging questions
8. Confidence to have courageous conversations in the interests of pupils

As a Multi Academy Trust, the Trust Board is accountable for all major decisions about its Academies. This does not mean that the Board will make every decision within the Trust; it will delegate some governance and decision-making responsibilities to:

- The CEO
- Principals/ Headteachers
- Trust level sub-committees
- Local Governing Bodies

In line with our values, particularly that of transparency, it is vital that a clear scheme of delegation defines lines of responsibility and accountability within the Trust.

## The purpose of our scheme of delegation

- To ensure clarity about the roles of Members, Trustees, CEO, Principal/ Headteachers and Governing Bodies
- That the Trust operates in a way that is fit for purpose for a Multi Academy Trust
- To prevent confusion which may lead to a loss of trust with stakeholders

The scheme of delegation is intended to be a working document that will be revised (at least annually) and adapted in response to the context and circumstances of the Trust.

As the Trust matures, in terms of both governance and operational leadership, the scheme of delegation is likely to change. This recognises the need to be responsive to the changing circumstances and ensures that the Trust continues to best meet the needs of the Academies.

## **Scheme of delegation**

- The Board of Trustees is responsible for the three core governance functions
- The Board of Trustees appoints the CEO to whom it delegates the delivery of its visions and strategy and will hold the CEO to account for the conduct and performance of the Trust, including the performance of Academies within the Trust, and for its financial management.
- In turn, the CEO line manages the Academies' Principals/ Headteachers, setting their targets and performance managing them. The CEO also manages other senior staff within the central team (which will grow as the Trust develops), including the Trust Business Manager.
- The Board constitutes Committees for standards and for finance, resources and audit; these look in detail at staff and pupil performance, resources and financial performance across the Trust as well as reviewing organisational risk and resilience. As Board Committees, at least three Trustees must sit on each.
- The Board delegates some of its school level monitoring and scrutinising functions to Governing Bodies, and these will promote stakeholder engagement and as a point of consultation and representation. Trustees do not sit on Governing Bodies, and so lines of communication to the Board of Trustees must be clearly established.
- As the Principals/ Headteachers are being line managed by the CEO, the relevant Governing Body no longer carries out the governance function of holding the Principal/ Headteacher to account. However, the CEO will seek input from the Chair of the Governing Body when undertaking the Principal/ Headteacher's performance management. The Governing Body must be confident that the Trust's performance management systems are working well, and if not, how they can make the Trust aware of their concerns. This arrangement will also affect the Governing Body's role in Ofsted inspections.

# 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. Originally, they will have been the signatories to the memorandum of association; they will have agreed the Trust's first articles of association and will approve any amendments made to these articles of association. The Members appoint Trustees to ensure that the Trust's charitable object is carried out and so must be able to remove Trustees if they fail to fulfil this responsibility. Members appoint the Trust's auditors and receive the Trust's audited annual accounts. There must be at least three Members.

## The role of the Trustees

The Sea View Trust 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 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
- Must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements
- It is the employer of every member of The Sea View Trust staff.

The Board of Trustees has the right to review and adapt its governance structure at any time, which includes removing delegation.

## The role of Trust Board Committees

In line with The Academies Financial Handbook, the Board of Trustees have a finance committee to which the Board delegates financial scrutiny, oversight and audit. The Trust has also constituted a standards committee charged with reviewing and evaluating Academy improvement across the Trust.

Decisions made will be deemed decisions of the Trust Board. The Membership (there must be at least three Trustees) and responsibilities of Board Committees are set out in the terms of reference. The Trust Board will appoint committee Chairs and committee members according to their skills.

## **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 and so the CEO performance manages the Academy Principals/ Headteachers alongside the Governing Body Chairs.

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 and securing value for money.

The CEO leads the executive management team of the Academy Trust and is responsible to the Trust Board for the performance of the team. In the first instance, the executive management team will comprise of the Principals/ Headteachers of each Academy and the CEO will delegate management functions to them. As the Trust develops, the number of roles within this team, and their associated remits, will expand to reflect the needs of the Trust and Academies within.

## **The role of the Governing Bodies**

The Trustees have established Governing Bodies to carry out some of its school level governance functions.

Delegated functions include:

- Building an understanding of how the school is led and managed
- Challenging and supporting the Principal/ Headteacher in relation to pupil progress and attainment
- Monitoring whether the school is:
  - Working within agreed policies
  - Is meeting the agreed targets
  - Managing its finances well
- Engaging with stakeholders
- Being a point of consultation and representation
- Reporting to the Board

## **The role of the Academy Principal/ Headteacher**

The Academy Principal/ Headteacher is responsible for the day to day management of the Academy and is managed by the CEO but reports to the Governing Body on matters which have been delegated to it; this may include an element of monitoring and scrutiny of the school's management processes

## Key

Column 1: Members

Column 2: Board of trustees of the multi academy trust

Column 3: Trust board finance committee

Column 4: Trust board standards committee

Column 5: Chief Executive Officer

Column 6: Local Governing Body

Column 7: Academy Head

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

GOVERNANCE FRAMEWORK								
Area	Decision	Delegation						
		Members	Trustees	TB Finance Committee	TB Standards Committee	CEO	LGB	Head
PEOPLE	Members: Appoint/Remove	✓						
	Trustees: Appoint/Remove	✓	✓					
	Role descriptions for members	✓						
	Role descriptions for trustees/ chair/ specific roles/ committee/ council members: agree		✓			<A		
	Parent trustee/committee/council member: elected		✓				✓	
	Board committee chairs: appoint and remove		✓	✓	✓	<A		
	Local governing body chairs: appoint and remove		✓			<A	✓	
	Clerk to board: appoint and remove		✓					
	Clerk to local governing body: appoint and remove		✓				✓	
SYSTEMS AND STRUCTURES	Articles of association: review and agree annually	✓	<A			<A		
	Governance structure (committees) for the trust: establish and review annually		✓			<A		
	Terms of reference for board committees and scheme of delegation for local governing bodies: agree annually		✓			<A		
	Skills audit: complete and recruit to fill gaps		✓			<A>	✓	A
	Self-review of trust board and committees: complete annually		✓					
	Self-review of local governing bodies: complete annually						✓	
	Chair's performance: carry out 360 review periodically		✓				✓	
	Trustee/ LGB member contribution: review annually		✓				✓	
	Succession: plan		✓			<A>	✓	A
	Annual schedule of business for trust board: agree		✓	✓	✓	<A		
Annual schedule of business for local governing body: agree					A>	✓	A	

REPORTING								
Area	Decision	Delegation						
		Members	Trustees	TB Finance Committee	TB Standards Committee	CEO	LGB	Head
<b>REPORTING</b>	Publication on trust and schools' websites of all required details on governance arrangements: ensure		✓			<A	✓	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 local governing body: submit to trust and publish						✓	A



BEING STRATEGIC								
Area	Decision	Delegation						
		Members	Trustees	TB Finance Committee	TB Standards Committee	CEO	LGB	Head
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; safeguarding; 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; and child protection; curriculum; behaviour: approve		✓			A>	✓	A
	Central spend / top slice: agree		✓	<A		<A		
	Management of risk: establish register, review and monitor		✓	<A	<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>	A	✓
	Chief executive officer: appoint and dismiss		✓					
	Academy head : appoint and dismiss		✓			<A	<A	
	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	<A	<A		
	School staffing structure: agree					A>	✓	✓

HOLDING TO ACCOUNT									
Area	Decision	Delegation							
		Members	Trustees	TB Finance Committee	TB Standards Committee	CEO	LGB	Head	
HOLDING TO ACCOUNT	Auditing and reporting matters of compliance (e.g. Safeguarding, H&, employment): agree		✓	✓	✓	<A>	✓	A	
	Reporting arrangements for progress on key priorities: agree		✓	<A	<A	<A>	✓	A	
	Performance management of the Chief Executive Officer: undertake		✓						
	Performance management of academy head: undertake					✓	✓		
	Trustee monitoring: agree arrangements		✓			<A			
	Local governing body member monitoring: agree arrangements						✓	A	
	Local governing body overall performance monitoring: agree arrangements		✓			<A	✓	A	
	Key Performance Indicators – setting and reviewing performance of the Trust (in relation to academic standards)		✓			✓			
	Key Performance Indicators – setting and reviewing performance of the Academy (in relation to academic standards)		✓				✓	✓	
	Quality of Teaching - ensuring appropriate levels of support, challenge and intervention to support delivery of improved education outcomes					<A>	<A>	✓	✓
	Curriculum – setting the curriculum for the Academies and reviewing its effectiveness						A>	A>	✓
	Reviewing and challenging the value for money in terms of educational outcomes and narrowing the achievement gap			A>		✓	<A>	✓	✓
	Student concerns (including attendance, exclusions, punctuality and disciplinary matters for each Academy)			A>		✓	<A>	✓	✓

ENSURING FINANCIAL PROBITY									
Area	Decision	Delegation							
		Members	Trustees	TB Finance Committee	TB Standards Committee	CEO	LGB	Head	
ENSURING FINANCIAL PROBITY	Appoint Chief Financial Officer for delivery of trusts detailed accounting processes		✓	<A		<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	<A	
	CEO pay award: agree		✓						
	Academy head pay award: agree		✓	<A		<A	<A		
	Staff appraisal procedure and pay progression: review and agree		✓			✓		<A	
	Benchmarking and trust wide value for money: ensure robustness				✓		<A	<A	
	Benchmarking and academy value for money: ensure robustness						A>	✓	<A
	Develop trust wide procurement strategies and efficiency savings programme			A>	✓		✓		
Review and approve trust wide procurement strategies and efficiency savings programme			A>	✓		✓			