



# Scheme of Delegation

Southend East Community Academy Trust

This document sets out the schemes of delegation for the academy trust

## Context

A multi academy trust's (MAT) board of trustees is accountable in law for all major decisions about their academies. However, this does not mean that the board is required to carry out all the trust's governance functions and many can and should be delegated, including to the CEO, the board's committees, and to academy committees. It is vital that the decision to delegate a function is made by the full board of trustees and is recorded. Without such delegation, the individual or committee has no power to act.

Which functions the board decides to delegate will vary depending upon the size of the MAT, both in terms of the number of schools and the number of pupils in the MAT, and the way in which its leadership is structured, as well as the geographical spread and the context of the schools. As a general rule, the larger the MAT, the more likely the need will be to delegate to regional or cluster committees as well as to academy committees. It is also possible for a MAT to mix models of delegation, for example delegating functions to academy committees in its secondary schools and to a cluster committee for its primary schools.

A scheme of delegation (SoD) is the key document defining the lines of responsibility and accountability in a MAT. It should be a simple yet systematic way of ensuring that the members, trustees, board committees, cluster and/or academy committees, executive leadership and academy principals are all clear about their roles and responsibilities. This overarching SoD for 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.

When considering the SoD, it is important to bear in mind that any one model will not necessarily be appropriate for the trust. Governance and management in groups of schools is complex and so the models are designed to show how a scheme of delegation need not detail every single function, but seeks to demonstrate the principles which determine the lines of accountability so it is clear where certain functions and key decision making should lie.

Deciding what to retain at trustee level and what to delegate will vary from trust to trust. The detail will not be set out in the articles of association, the MAT's governing document. This is why it is critical that MATs agree a SoD that explicitly establishes who makes which decisions and who carries out which functions, and ensures that this is clear to both all those within the MAT, as well as to the governing bodies of schools (now known as Academy Committees – ACs) who may be potentially looking to join.

Once determined the SoD must be published on the trust's and its schools' websites.

### [The status of a scheme of delegation](#)

Some governing bodies join MATs assuming that they will continue to function as they did when the governing body of a maintained school. However, even if on joining they are known as the local governing body (LGB), this body will in fact be a committee appointed

by the board, and the board has the power to appoint and remove committees at any time, be it a board committee, a cluster committee, or an academy committee.

Academy committee functions are likely to be different to those of the maintained school governing body, and in some cases may be much reduced. A detailed yet clear SoD will prevent confusion from arising before any misunderstanding develops and leads to a loss of trust and damaged working relationships.

A scheme of delegation must be fit for purpose which means it demonstrates clearly the lines of accountability. Where there is duplication or overlap, questions should be asked as workload issues may develop (e.g. the need to produce reports for and attending meetings of more than one layer of governance). Cracks can develop as assumptions are made about who is responsible for what with the result that decisions are either not made or different decisions are reached by different people or committees.

#### Format, structure and clarity

While scheme of delegation will vary from trust to trust depending on size, structure and geographical spread, there are basic principles to follow. It aims to clarify decision making and lines of accountability in a simple, succinct and clear format and as such each includes:

- A structure diagram which shows the layers of governance and lines of accountability
- A short paragraph of text which describes the structure
- Detailed narrative on roles and responsibilities
- A grid format, with columns for each layer of governance which enables stakeholders to quickly determine who is responsible for each strategic decision within the trust. The grid is in key areas to reflect both the governance framework and the core functions of the governing board:

1. The governance framework:
  - a. People
  - b. Systems and structures
  - c. Reporting
2. Being strategic
3. Holding to account
4. Ensuring financial probity

You will note that a Scheme of Delegation does not use overly complicated legal terminology. Instead it is intended to be a working document that the trust board and executive leaders should be able to revise and adapt in response to their context and circumstances.

### Review and adapt

As MATs mature and grow, the workings of the MAT, both in terms of governance and management are likely to change. The SoD should be reviewed annually, with changes made as the context changes, if necessary, each year. This is not a failure, but recognition of the need to be responsive to changing circumstances and to adapt accordingly. It is, however, important to ensure that all involved in governance are made aware of any changes and what these mean in practice.

### Introduction

This Scheme of Governance, Management and Delegation (the "Scheme") has been made by the Directors (the "Directors") of Southend East Community Academy Trust (the "Academy Trust") in exercise of the powers conferred on them by Articles 105 and 137 of the Academy Trust's articles of association (the "Articles").

The trust is governed by the Board of Directors / Trustees with day to day operational management delegated to the Chief Executive Officer (CEO) and their team. The scheme of delegation is reviewed at least annually and is publicly available from the trust website.

### Abbreviations

Within the academy sector there are a lot of abbreviations, those that may be used in this document are listed below in alphabetical order:

Academy Committee	AC
Academies Financial Handbook	AFH
Chief Executive Officer	CEO
Chief Financial Officer	CFO
Curriculum & Pupil Matters Committee	C&PM
Resources Committee	RC
Personnel & Pay Committee	P&PC
School Improvement Plan	SIP
Strategic Plan	SP

## The Academy Trust

The Academy Trust is responsible for Shoeburyness High School, Thorpedene Primary School, Hinguar Primary School & Nursery, Richmond Avenue Primary & Nursery School, Bournes Green Infant School, Bournes Green Junior School and any further academies that may join in the future (the 'academies').

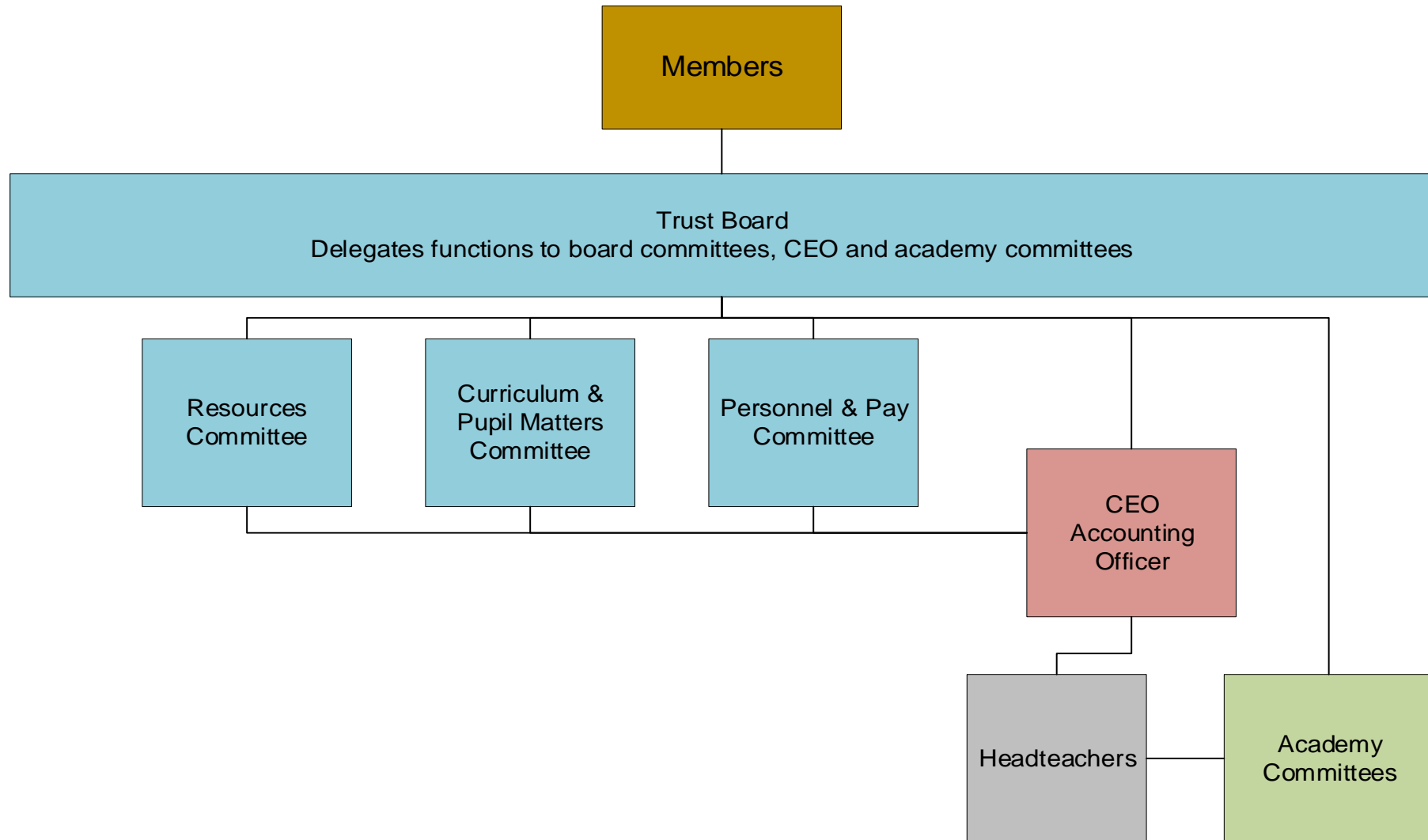
The Academy Trust has entered into a master funding agreement and separate supplemental funding agreements for each Academy under section 1 of the Academies Act 2010 with the Secretary of State for Education in relation to the funding of the Academies (together, the "Funding Agreement").

The Funding Agreement places a number of requirements on the Academy Trust including the requirement to comply with the Department for Education's (the "DfE") Academies Financial Handbook (the "Handbook").

### The scheme of delegation will:

- Promote a culture of honesty and accountability
- Ensure the executive leadership is clear about which decisions the Trust Board remain in control of
- Identify responsibility for the appointment and performance management of the CEO and Academy Headteachers
- Ensure that the role of the Executive leadership is fully understood throughout the MAT
- Identify responsibility for policy and practice in each Academy
- Identify responsibility for oversight of educational performance in each Academy
- Identify responsibility for oversight of each Academy's budget
- Identify responsibility for assessment of risk in each Academy

## Governance Structure

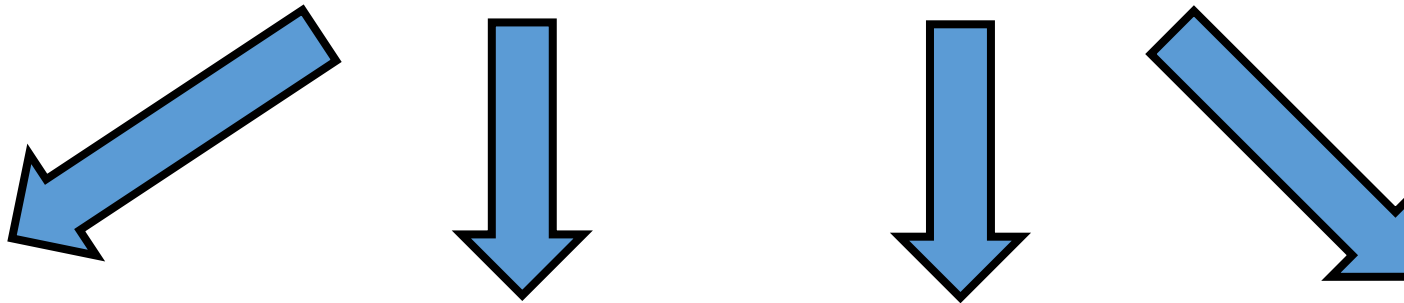


## Roles and responsibilities

The Academy Trust has defined the roles and responsibilities of each person involved in the administration of Academy finances, including staffing, to avoid the duplication or omission of functions and to provide a framework of accountability for Trustees, Academy Committees and staff. Without such delegation, the individual or Committee has no power to act.

- The Board of Trustees is responsible for the five core governance functions.
- The Board of Trustees appoint the Chief Executive Officer (CEO), to whom it delegates responsibility for delivery of its vision and strategy, and will hold the CEO to account for the conduct and performance of the trust, including the performance of the Academies within the trust, and for its financial management.
- In turn, the CEO line manages other senior executives and the Academies' Headteachers, setting their targets and performance managing them.
- The Trust Board constitutes committees for Finance & Audit, Curriculum & Pupil Matters, Facilities and Personnel; these look in detail at resources and progress and attainment across the trust. As Board Committees, at least three Trustees must sit on each.
- The Board delegates some of its Academy level monitoring, compliance, reporting and scrutinising functions to Academy Committees. It uses these Committees to promote stakeholder engagement, as a point of consultation and representation. Trustees do not need to sit on Academy Committees, and so lines of communication to the Board of Trustees must be clearly established. It is usual for the CEO to seek input from the Chair of the Academy Committee when undertaking the Headteacher's performance management.
- As the Headteacher is being line managed by the CEO, the Academy Committee no longer carries out the governance function of holding the Headteacher to account. However, they 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 Academy Committee's role in Ofsted inspections.

## Who's responsible and how are decisions made?



### Members

The Members are like the shareholders of a company. They have ultimate control of the Trust, with the ability to appoint some of the Trustees and amend the Trust's Articles of Association. They ensure that they are kept informed about how the Trust Board is performing, usually through the CEO.

### Trust Board

The Trustees are the Trust's Directors and are ultimately accountable, with the CEO, to external government agencies, (including the Charity Commission and the Department for Education), for the quality of education that the Academies in the Trust provide. They are required to have systems in place through which they can assure themselves of the quality, safety and financial probity of the Trust.

### Executive Team

The Headteachers of each Academy in the Trust sit on the Executive Team. They work with the CEO to lead the day to day work of the Trust, as well as advise and make recommendations to the Trust Board via the CEO.

### Academy Committees

Each Academy in the Trust has its own Academy Committee (formerly known as Local Governing Body), which has functions delegated to it by the Trust Board, for local governance in many areas such as: monitoring the Academy budget, staffing and the curriculum. However, the Trust Board still retains overall accountability for these functions.



The scheme is as follows:

Key	
Column 1: Members	
Column 2: Board of Trustees of the Multi Academy Trust	
Column 3: Trust Board Resources Committee	
Column 4: Trust Board Curriculum & Pupil Matters Committee	
Column 5: Chief Executive Officer	
Column 6: Academy Committee	
Column 7: Academy Headteacher	
Dark Blue box - Function <b>cannot</b> be legally carried out at this level.	
Light Blue box with tick - Function at trust level	
Yellow box with tick - Function at individual academy.	
Light Grey box with tick - Function for members	
✓ Action to be undertaken 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	

Area	Decision	Delegation								
		Members	Trust Board	TB Resources Committee	TB C&PM Committee	TB P&P Committee	CEO	Academy Committee	Academy Head	
Governance framework										
People	1.1	Members: Appoint/Remove	✓							
	1.2	Trustees: Appoint/Remove	✓	✓						
	1.3	Role descriptions for Members	✓							
	1.4	Role descriptions for Trustees/Chair/ specific roles/Committee/Members: agree		✓				<A		
	1.5	Parent Trustee/Committee/Member: elected		✓					✓	
	1.6	Board Committee Chairs: appoint and remove		✓	<A	<A		<A		
	1.7	Academy Committee Chairs: appoint and remove		✓				<A	<A	
	1.8	Appoint/remove Academy Committee members		✓				<A	✓	
	1.9	Clerk to Board: appoint and remove		✓						
	1.10	Clerk to academy committee: appoint and remove		✓					✓	

Area	Decision		Delegation							Academy Committee	Academy Head
			Members	Trust Board	TB Resources Committee	TB C&PM Committee	TB P&P Committee	CEO			
Systems and structures	2.1	Articles of Association: review and agree	✓	<A					<A		
	2.2	Governance structure (Committees) for the Trust: establish and review annually		✓					<A		
	2.3	Terms of reference for Board Committees and Scheme of Delegation for Academy Committees: agree annually		✓					<A		
	2.4	Skills audit: complete and recruit to fill gaps		✓					<A>	✓	<A
	2.5	Annual self-review of Trust Board and Committees: complete annually		✓							
Systems and structures	2.6	Annual self-review of Academy Committees: complete annually								✓	
	2.7	Chair's performance: carry out 360 review periodically		✓						✓	
	2.8	Trustee / Academy Committee Member contribution: review annually		✓						✓	
	2.9	Succession: plan		✓					<A>	✓	<A
	2.10	Annual schedule of business for Trust Board: agree		✓	✓	✓	✓	✓	<A		

Area	Decision		Delegation							Academy Committee	Academy Head
			Members	Trust Board	TB Resources Committee	TB C&PM Committee	TB P&P Committee	CEO			
	2.11	Annual schedule of business for Academy Committee: agree							A>	✓	<A
Reporting											
Reporting	3.1	Publication on Trust and Academies websites of all required details on governance arrangements: ensure		✓					<A	✓	<A
	3.2	Annual report on performance of the Trust: submit to Members and publish		✓					<A		
	3.3	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	<A				<A		
	3.4	Annual report on the work of Academy Committee: submit to trust and publish								✓	<A
Being Strategic											
	4.1	Determine trust wide policies which reflect the Trust's ethos and values		✓	✓	✓	✓		<A		

Area	Decision		Delegation								
			Members	Trust Board	TB Resources Committee	TB C&PM Committee	TB P&P Committee	CEO	Academy Committee	Academy Head	
Being Strategic		(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									
	4.2	Determine Academy level policies which reflect the Academies ethos and values to include e.g. admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve		✓		✓			<A>	✓	<A
	4.3	Central spend / top slice: agree		✓	<A				<A		
	4.4	Management of risk: establish register, review and monitor		✓	<A	<A	<A		<A>	✓	<A
	4.5	Engagement with stakeholders	✓	✓	✓	✓	✓	✓		✓	✓
	4.6	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		

Area	Decision		Delegation							Academy Committee	Academy Head
			Members	Trust Board	TB Resources Committee	TB C&PM Committee	TB P&P Committee	CEO			
Being Strategic	4.7	Academy vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓				A>	A>	✓	
	4.8	Chief Executive Officer: appoint and dismiss		✓							
	4.9	Academy Headteacher : appoint and dismiss						✓	<A		
	4.10	Academy Deputy Headteacher : appoint and dismiss						A>	A>	✓	
	4.11	Budget plan to support delivery of Trust's key priorities: agree		✓	<A			<A	<A		
	4.12	Budget plan to support delivery of Academics' key priorities: agree						✓		<A	
	4.13	Trust's staffing structure: agree		✓	<A	<A	<A	<A			

Area	Decision		Delegation							Academy Committee	Academy Head
			Members	Trust Board	TB Resources Committee	TB C&PM Committee	TB P&P Committee	CEO			
	4.14	Each Academy staffing structure: agree with Head to recruit staff					<A	✓		<A	
Holding to account											
Holding to account	5.1	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	✓	✓	✓	<A>	✓	<A	
	5.2	Reporting arrangements for progress on key priorities: agree		✓	<A	<A	<A	<A>	✓	<A	
	5.3	Performance management of the Chief Executive Officer: undertake		✓							
	5.4	Performance management of Academy Headteachers: undertake						✓	<A		
	5.5	Trustee monitoring: agree arrangements		✓				<A			

Area	Decision		Delegation							Academy Committee	Academy Head
			Members	Trust Board	TB Resources Committee	TB C&PM Committee	TB P&P Committee	CEO			
	5.6	Academy Committee Member monitoring: agree arrangements							✓	<A	
	5.7	Academy Committee overall performance monitoring: agree arrangements		✓				<A			
Ensuring financial probity											
Ensuring financial probity	6.1	Appoint Chief Financial Officer for delivery of Trust's detailed accounting processes		✓	<A			✓			
	6.2	Trust's Scheme of Financial Delegation: establish and review		✓	✓			<A			
	6.3	Academies Scheme of Financial Delegation: establish and review			✓			<A			
	6.4	External auditors' report: receive and respond		✓	<A			<A	✓	<A	
	6.5	CEO pay award: agree		✓			✓				



Area	Decision		Delegation							
			Members	Trust Board	TB Resources Committee	TB C&PM Committee	TB P&P Committee	CEO	Academy Committee	Academy Head
	6.6	Academy Headteacher pay award: agree					✓	✓	<A	
	6.7	Policy for staff appraisal procedure and pay progression: review and agree		✓			✓	✓		
	6.8	Benchmarking and Trust wide value for money: ensure robustness			✓			<A		
	6.9	Benchmarking and Academy value for money: ensure robustness							✓	<A
	6.10	Develop Trust wide procurement strategies and efficiency savings programme						✓		
	6.11	Review and approve Trust wide procurement strategies and efficiency savings programme			✓					

## Segregation of Duties

The segregation of duties in relation to financial matters are detailed in the Financial Regulations.

## Terms of Reference

Each of the academy sub-committees have a Terms of Reference approved by the Trust Board, that are aligned to the Scheme of Delegation and provide greater detail about the constitution of each committee and their remit.

## Register of Interests

It is important for anyone involved in spending public money to demonstrate that they do not benefit personally from the decisions they make. To avoid any misunderstanding that might arise, all Academy Committee Members and staff with significant financial or spending powers, are required to declare any financial interests they have in companies or individuals from which the Academy may purchase goods or services. The register is open to public inspection.

The register should include all business interests such as directorships, share-holdings or other appointments of influence within a business or organisation which may have dealings with the Academy. The disclosures should also include business interests of relatives such as a parent or spouse or business partner where influence could be exerted over a Trustee, Academy Committee Member or a member of staff by that person.

The existence of a register of business interests does not, of course, detract from the duties of Trustees, Academy Committee Members and staff to declare interests whenever they are relevant to matters being discussed by the Trust Board or a Committee. Where an interest has been declared, Trustees, Academy Committee Members and staff should not attend that part of any Committee or other meeting.

## Financial Regulations manual

The Financial Regulations manual is prepared by the CFO, and adopted by the Trustees following approval by the Finance & Audit Committee.

The purpose of the Finance Regulations manual is to ensure that the Academy Trust maintains and develops systems of financial

control, which comply with the requirements both of propriety and of good financial management.

### Budget approval

The Trust Board need to approve the budget. For other information on budget approval, see the Financial Regulations manual.

### Secure Access Manager

The role of secure access manager is held by the Administration Assistant to CEO.

### Interpretation

Words and expressions defined in Article 1 of the Articles shall have the same meaning in this Scheme unless the context requires otherwise.

No provision of this Scheme may be inconsistent with or shall repeal anything contained in the Articles of the Academy Trust.

The Articles of the Academy Trust and any lawful amendment of them shall take precedence in the event of an inconsistency with this Scheme.

Any reference to a statute includes an amendment or re-enactment of that statute or regulations made under it.

Any item not explicitly delegated by the trust board in the Scheme of Delegation is retained by the trust board.

### Approved version

This Scheme of delegation was approved and adopted by a resolution of the Trustees passed at a meeting held on 27 March 2019 and takes effect from the same date.

### Date of next review

March 2020