

# GOVERNANCE STRUCTURE AND LINES OF ACCOUNTABILITY

## Scheme of Delegation

### The purpose of the scheme of delegation (scheme)

Future Schools Trust (the Trust) is a multi-academy trust (MAT). The Board of Trustees (Board) of the Trust is accountable in law for all decisions about its academies. However, this does not mean that the Board is required to make all the decisions itself. Many decisions can and should be delegated to Board Committees including local governing bodies (LGBs). It is vital that the decision to delegate a function is made by the full Board of Trustees and is recorded. Without such formal delegation, the individual or committee has no power to act. The powers and decision-making functions delegated to committees can be amended or revoked at the discretion of the Trust Board.

This scheme of delegation is the key document defining which functions have been delegated and to whom. It ensures Members, Trustees, committees (including LGBs) and Headteachers are clear about who has responsibility for making which decisions in the Trust. This overarching scheme, covering all decision making in the Trust, should not be confused with the written scheme of financial powers referred to in the Academies Financial Handbook.

This Scheme of Delegation is in line with the following documents:

- The Trust's Articles of Association which set out set out the charitable objects of the Trust along with its governance composition and overarching procedures.
  - The Trust's Funding Agreement which sets out the conditions upon which the Trust receives its funding.
  - The Academies Financial Handbook which is issued by the Education and Skills Funding Agency and sets out the financial framework and governance requirements for academy trusts reflecting their status as companies, charities and public bodies.
- Details of delegated functions are contained within the Trust's Delegation Matrix.

### The role of the Members

The members of the Trust have a different status from Trustees. They are responsible for approving any amendments made to the Articles of Association and appoint a number of Trustees to ensure that the Trust's charitable object is carried out.

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 Board of Trustees is the accountable body for general control and management of the administration of the Trust in accordance with the provision set out in the Articles of Association. The Board of Trustees is the accountable body for the performance of all academies within the Trust and as such must:

- Ensure clarity of vision, ethos and strategic direction
  - Hold the executive to account for the educational performance of the 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
- Because Trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably.

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, including the removal of delegated powers.

## 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 academy governing committees are set out in the Scheme and terms of reference. The Trust Board may appoint committee members and committee chairs. There are Board committees for Finance and Audit and for Remuneration which look in detail at these areas and report back to the Board.

## Chief Executive Officer <sup>1</sup>

The Board of Trustees appoints the Chief Executive Officer (CEO), to whom it delegates responsibility for delivery of its vision and strategy and holds the CEO to account for the conduct and performance of the Trust, including the performance of the Trust academies and for the Trust financial management.

In turn, the CEO line manages other senior executives and academy Head teachers, except where this has been delegated to the other senior members of staff.

The CEO is the Accounting Officer so has overall responsibility for the operation of Trust's financial responsibilities and must ensure that the operation is run with financial effectiveness and stability, avoiding waste and securing value for money.

## Headteacher

The Headteacher is responsible for the day to day management of the academy and is managed by the CEO but reports to the LGB on matters which have been delegated to the LGB.

Each Academy Headteacher is responsible for the operational management of their academy. The Headteacher will work with the CEO to determine the precise nature of their role and responsibilities, depending on the needs of that academy. This will be regularly reviewed and is expected to change over time as the academy develops.

The Academies' Headteachers meet regularly with the CEO.

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

The Board delegates some of its academy-level monitoring and scrutinising functions to Local Governance Committees (called Local Governing Bodies) and can change or remove this delegation at any time. Responsibilities and powers delegated to a Local Governance Committee may be further delegated to a committee of their own or to the Headteacher of the academy, although the LGB remains responsible for any decision made under delegation.

Those appointed/elected to serve on LGBs are members of a Board committee and are known as 'Governors'.

The role of the LGB is important in providing focussed governance for each individual academy at a local level. It monitors the Academy's key performance indicators and acts as a critical friend to the Headteacher and the senior leadership team, providing support and challenge as appropriate.

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<sup>1</sup> The Trust is currently recruiting for CEO. In the interim, some decisions reserved for CEO will be carried out by either Board or individual Trustee.

The Trust Board has ultimate responsibility and accountability and retains the right to overrule a decision of the LGB and/or to remove delegated powers should they consider it to be in the best interest of the academy or the wider Multi-Academy Trust.

The role of LGB is to provide scrutiny of academy performance linked to the Trust's key performance indicators (KPIs).

## Scheme of Delegation Matrix

The following table sets out the main MAT functions and identifies roles and responsibilities for each.

Note: Actions taken by a properly constituted committee or delegated to an individual governor or to the Headteacher, are taken on behalf of the Governing Body. The Governing Body will remain accountable.

Function		Decision Reserved to Trustees	Decision Delegated to	Delivery	Consulted	Agenda Item (meeting)	Notes
<b>A. Strategic</b>							
1.	Ethos, Vision and purpose (Trust)	Yes		CEO		Sept Strategy	
2.	Vision (Academies) (must align with the overall vision for the Trust)	No	LGBs	HT	CEO	LGB 1	
3.	Setting Trust Strategic / Improvement Plan	Yes		CEO	LGBs	Sept Strategy	
4.	Trust-wide Policies for adoption by individual academies (See Policy Schedule)	Yes	Trust Committees	CEO	Head Teacher		See Policy Review Schedule for Approval Level
5.	Academy-level policies & guidelines (cannot contradict Trust policies)	No	LGBs/CEO	HT			See Policy Review Schedule for Approval Level
7.	Setting Trust KPIs and reviewing of performance of the Trust and the Academies	Yes			LGBs/HTs	Trust 1	See Trust Data Report
<b>B. Governance</b>							
1.	Articles of association: agree/review	Yes (Members)	-		Trustees/CEO		
2.	Members: Appoint/Remove	Yes (Members)	-				In accordance with Governance documents
3.	Directors: Appoint / Remove	Yes (Members)	-				In accordance with Governance documents
4.	Local Governing Body Members: Appoint/Remove	Yes	LGB may reappoint/elect chair/vice			LGB 1 vote Chair/Vice	LGBs may reappoint Governors. LGB1 vote Chair/Vice
5.	Governance structure, terms of reference for committees inc. LGB and schemes of delegation:	Yes			CEO/Committee Chairs	Trust 1/ LGB 2	Agree annually
6.	Board/LGB: Skills audit/requirement; recruitment to fill gaps; training; capacity; governance succession plan	Yes	LGBs	LGBs in terms of Academy requirements		Trust 1/LGB 1	Final decision to appoint Local Governor remains with Board other than reappointment. Trustees to be informed.
7.	Appoint Safeguarding linked Governor, link governor or committee with oversight of SEN and member of LGB with strategic interest in CEIAG	No	LGB	LGB	CEO/HT		
8.	Establish & maintain register of all interests for Members/Trustees/Governors	No	Trust (Chair) Academy (Chair LGB)	Clerks		Trust 1 LGB 1	Assistance and support from Director of Finance

**Delivery:** accountability for the correct delivery and thorough completion of the task

**Consulted:** The people who are provided with information for the project and with whom there is a two way communication

	Function	Decision Reserved to Trustees	Decision Delegated to	Delivery	Consulted	Agenda Item (meeting)	Notes
<b>C1</b>	<b>PERFORMANCE AND CURRICULUM</b>						
	Academy KPIs	No	LGB	HT		LGB 2	Must take account of Trust KPIs
	Setting School Improvement Plan (SIP)	No	LGB/HT	HT		LGB 1	Must take account of Trust Improvement Plan.
	Review progress against SIP	No	LGB	HT		LGB 3 and 5	
	Setting curriculum policy and provision - Trust Curriculum Statement and Overview - Academy Curriculum Plan	No	Trustees (Trust wide) LGB/HT (Academy Level)			LGB 1 Trust 1 And exception report for rest of year  P&S 1	<ul style="list-style-type: none"> <li>Curriculum must be balanced and broadly based and comply with the terms of any curriculum policy/requirements determined by the board</li> <li>Curriculum planning to be coordinated as a joint exercise with budget planning to produce a curriculum that meets pupils' needs and is affordable.</li> </ul>
	Academy Target setting (Academy specific)	No	LGB	HT		Results review LGB1 Targets agreed LGB 2	Must take account of Trust Improvement Plan
	Quality of teaching to ensure appropriate level of support, challenge and intervention to support delivery of education outcomes	No	LGB	HT	Trustees		Trustees to monitor overall effectiveness
	Pupil Premium Strategy (website) – reviewing and challenging the value for money / ROI of the Pupil Premium in terms of educational outcomes and narrowing the achievement gap	No	LGB	HT	Trustees	LGB 2	Trustees to monitor overall effectiveness
	SEND Policy and Report (website)	Yes	CEO		LGBs	Trust 1	
<b>C2</b>	<b>PUPIL PROGRESS AND ATTAINMENT</b>						
	Pupil progress and attainment (Set and monitor Academy targets)	No	CEO/Trustees (Trust wide) HT (Academy Level)	CEO/Trustees (Trust wide) LGB/HT (Academy Level)		LGB/Trust 1 Exam Report and set target  Monitoring progress and attainment standing agenda item at LGB	<ul style="list-style-type: none"> <li>Headteacher responsible for progress and attainment and securing improving at Academy level under oversight of CEO</li> <li>Key role for Trust committee</li> <li>analysis of progress and attainment to be provided by Headteacher to LGB and CEO to enable appropriate scrutiny</li> </ul>
	Careers advice provision	No	LGB	HT			Linked CEIAG Governor in place
<b>C3</b>	<b>BEHAVIOUR, ATTENDANCE AND WELFARE</b>						
	Academy Behaviour Management Policy	No	LGBs	HT		LGB 3	
	Exclusions Policy	No	LGBs	HT		LGB 3	
	Anti-bullying Policy	No	LGBs	HT		LGB 3	
<b>C4</b>	<b>SAFEGUARDING</b>						
	Trust Safeguarding Policy	Yes		CEO/HTs		Trust 1	
	Undertake Safeguarding Audits	No				LGB 4	Safeguarding Linked Governor
<b>C5</b>	<b>SCHOOL ORGANISATION</b>						
	School times of day and term dates	No	LGBs	HT	LGBs	LGB 4	
	Inset Days, Shared Inset Days	No	LGBs	HT			

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D. HR / Staffing							
Function	Decision Reserved to Trustees	Authority for Decision Delegated to	Delivery	Consulted	Agenda Item (meeting)	Comments	
1.	Approval of Staffing Structure	No	RES (Trust) LGB (Academy) See notes	CEO (Trust) HT (Academy)		Annual staff costs KPI report to RES 2	<ul style="list-style-type: none"> <li>CEO approval if includes Leadership/TLR posts.</li> <li>LGB if include other redundancies;</li> <li>CEO or HT if no redundancies (CEO if it includes Leadership/TLR)</li> <li>Trustees (RES) to challenge on effective organisation of the curriculum and deployment of staff (refer to DfE <a href="#">School resource management: top 10 planning checks for governors</a>)</li> </ul> RES to check against staffing KPI's (benchmarking)
2.	Chief Executive: appoint and dismiss/hold to account / PM and agree pay award (annual)	Yes	Trust Committee		LGB		
3.	Head teachers: appoint and dismiss/ hold to account/	Yes	Trust Committee	CEO to hold to account	LGB Chairs involved in process		Board approval required for salary.
4.	PM and agree pay award (annual)	Yes	Pay Committee	CEO (Trust) HT (School)	LGB Chairs involved in process		
5.	Chief Operating Officer: appoint and dismiss / hold to account/ PM and agree pay award (annual)	Yes	Resources	CEO			CEO responsible for COO Performance management and holding to account.
6.	Appoint staff directly reporting to CEO or Head teacher	No	CEO (Trust) HT (School)	CEO (Trust) HT (School)	LGB (Chairs sit on selection panel for AHT.	RES/LGB	CEO or HT to initiate as appropriate. CEO approval if includes Leadership/TLR posts. Chair LGB to sit on AHT & DJT selection panel
7.	Appoint other teaching staff (including NQT's)	No		HT	CEO		Subject to Budget/Authorised Recruitment procedures
8.	Appoint senior support staff	No	CEO (Trust) HT (School)		RES	RES	Subject to Budget/Authorised Recruitment procedures
9.	Suspending/dismissing staff besides the CEO, DoF or a Head teacher	No	CEO (Trust) HT (School)	HT	LGB Chair		Must be reported to Trustees
10.	Review of Trust Pay policy: agree annually	Yes	Resources	CEO	HT/RES	RES 3 Trust 3	See policy review cycle
11.	Authorising appointment of new payroll provision / supplier	Yes	Resources	CEO			With support from DOF
12.	Approving leaving payments (redundancy, dismissal, early retirement) in accordance with trust policy	Yes, if redundancy within leadership	CEO. See comments	CEO	HT	LGB	Report to LGB/Trustees as appropriate Board approval if it includes redundancies within Leadership / TLR; LGB if include other redundancies; CEO or HT if no redundancies. See also limits within Trust Financial Scheme of Delegation.
13.	TLRs	No	Pay Committee with annual review	CEO/HT			<u>Any TLRs or Honorariums to be authorised by Pay Committee (by email if necessary)</u>
14.	Undertake HT performance review process			Chair LGB	Trustees/RES		
15.	Undertake school leadership performance review			HT	Chair LGB		
16.	Undertake UPS teacher's performance review and pay	Yes	Pay Committee	HT			
17.	Determining and allocating central services provided to the Academies by the Trust	Yes	Resources	CEO	LGBs/HTs		
18.	Overseeing the effectiveness of services provided centrally by the Trust			CEO	LGBs/HTs		In absence of CEO, external advice will be obtained.

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E. Finance						
Function	Decision Reserved to Trustees	Authority for Decision Delegated to:	Delivery	Consulted	Agenda Item (meeting)	Comments
<b>Systems of Internal Financial Control</b>						
1.	Internal financial control procedures	Yes	RES	DoF		RES 1
2.	Financial regulations and associated policies	Yes	RES	DoF		RES 2
3.	Appoint/remove Internal auditors	Yes	RES	DoF		RES 3 Key role for RES Committee Director of Finance to advise and manage process
4.	Corporate Risk Register		RES	DoF/HTs	Trustees	
<b>Budget and Management Reporting</b>						
5.	Set and monitor performance of Trust budget (subject to internal financial regulations) <i>(Budget Trust outturn EFA deadline 21/05/19)</i>	Yes		CEO/DoF	LGB/HT	Review (RES 3) Approve (Trust 3) Key role for RES to recommend to Trustees Auditors to review and agree before submission to EFA
6.	Set and monitor performance of Academy budgets (must be in line with overall Trust budget)		LGB	HT/DoF		Key role for RES's
7.	Prepare and approve annual report and accounts to Companies House and DfE and uploaded to Trust website etc. (deadline 31/12)	Yes Members Receive, scrutinise at AGM	RES	CEO/DOF	LGB/HT	Trust 1 RES 1 Key role for TRES Finance Director to coordinate with input from CEO and Governance Officer Auditors to review and sign off Directors and AO must approve relevant sections
8.	External auditors' report: receive and respond	No	RES			RES 1 LGB 2 Key role for RES Committee Finance Director to advise and manage process
9.	Establish, review and monitor risk register	No	RES (Trust Level) LGB (School)			Standing RES/LGB Finance Director to include as standing RES item
10.	Trust's scheme of financial delegation: establish and review	Yes	RES	CEO/DOF	LGB/HT	RES 1 Key role for RES, CEO, DOF Head teacher and Finance Manager responsible for disseminating and upholding policy within their school
11.	Trust Financial KPIs	Yes		DoF/CEO		RES 1 Trust 1 Key role for RES to recommend to Trustees
12.	Academy Financial KPI's		LGB	DoF/HT		LGB 2 ` Must take into consideration Trust KPI's
13.	Set Investment Policy in line with the Academies Financial Handbook and any internal policies and controls	Yes	RES	DoF		
<b>Purchasing and Procurement: Budgetary Authority</b>						
14.	Please refer to Trust Finance Policy and Procedures. Section 7.2 and Annex 2					

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F. HEALTH AND SAFETY /RESOURCES		Decision Reserved to Trustees	Authority for Decision Delegated to:	Delivery	Consulted	Agenda Item (meeting)	Comments
<b>F1</b>	<b>HEALTH AND SAFETY</b>						
	H&S Policy and arrangements	Yes	RES (Trust) LGB (Academy)	Facilities (Trust) HT(Academy )		LGB 5 Trust 3 Annual H&S report to Trustees (RES) and approval of policy	<ul style="list-style-type: none"> <li>• CEO to present draft policy for consideration</li> <li>• CEO responsible for ensuring appropriate health and safety procedures are in place in line with approved policy and are operating effectively</li> <li>• Headteachers to implement policy at Academy level and oversee operation of procedures (overseen by CEO and advising CEO in relation to significant issues)</li> <li>• Policy to include appropriate reporting mechanisms at Trustee and LGB level</li> </ul>
	Risk Management Plan						
	Report on risks to board						
	School Critical Incident Plan						
	Trust Critical Incident Plan						
<b>F2</b>	<b>ICT &amp; DATA PROTECTIONS</b>						TRES to establish and monitor implementation
	ICT Strategy	No	CEO	Facilities Manager/HT		Biennial RES 3	
	GDPR Compliance	No	CEO	Facilities Manager/HT			
<b>F3</b>	<b>PREMISES AND INSURANCES</b>						
	Asset and Premises Maintenance Strategy determining use of Academies' premises and ensuring premises are adequately maintained	Yes	CEO	Facilities Manager	LGB/HT		RES to establish and monitor implementation
	Statutory compliance testing		Facilities Manager				Report compliance and any issues H&S linked Trustee
	Fire risk assessment		Facilities Manager				Report compliance and any issues H&S linked Trustee
	Arranging insurances	Yes	Resources	DoF			
<b>F4</b>	<b>PR / MARKETING</b>						
	Strategy (incl. Branding, logos etc.) – overseeing public relations activities to project the activities of the Trust and the Academies to the wider community	No	CEO	CEO/HT			CEO to consult as appropriate
	DfE, national agencies etc.	No	CEO/Chair	CEO/HT			CEO to consult as appropriate
	Press, LA and other forums	No	CEO/Chair	CEO/HT			
	Trust prospectus	No	CEO/Chair		HT		
	Academy prospectus	No	HT	HT	CEO		
	Trust website	No	CEO	CEO			
	Academy website	No	CEO/HT	CEO/HT	CEO		
	Approving press statements	<b>No</b>	CEO/Chair	CEO/HT			

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