

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Introduction

The Success Academy Trust Board of Trustees is accountable in law for all decisions about its Academies. However, this formal Scheme of Delegation (SoD) details which functions the Trust Board has delegated and to whom to ensure roles are clearly understood throughout the Trust.

Obligations

The Trustees 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 Memorandum and Articles of Association. The Board of Trustees is the accountable body for the performance of all Academies within the Trust and as such will:

1. Ensure clarity of vision, ethos and strategic direction;
2. Hold the Executive to account for the educational performance of the schools and their pupils, and the performance management of staff;
3. Oversee the financial performance of the Trust and make sure its money is well spent.

Definitions

Trustees are bound by both Charity and Company Law and the terms 'Trustees' and 'Directors' are often used interchangeably. We use the term "**Trustee**" as it avoids the possible confusion caused when Executive Leaders are called Directors but are not Company Directors and Trustees.

Delegation to Trust Principal

The Trust Board is permitted to exercise all the powers of the Academy Trust. The Trust Board will delegate to the Trust Principal responsibility for the day to day operations of the Trust. The Trustees can determine whether to delegate any governance functions.

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

The Trust Board will delegate the responsibility for delivery of the MAT Vision and Strategy to the Trust Principal who in turn will work with the Local Governing Bodies (LGBs) to ensure this is delivered. Further detail is available in the Trust Principal's Job Description.

Delegation to LGB

The Trust Board will determine on a case by case basis how to categorise its Academies as either 'Supporting' or 'Supported' and whether to delegate some responsibilities concerning the performance of each Academy to a LGB through its 'earned autonomy' model.

In this SoD, where delegated responsibility for the performance of the Academy and its financial probity has been given to the LGB, the Principal/ Head of that Academy reports directly to the Trust Board. Further detail is available in the LGB Terms of Reference document.

In this SoD, where the Academy is deemed to be supported (which includes, but is not limited to, formal sponsorship arrangements) the Trust Board delegates responsibility for the performance and financial probity for the Academy to the Trust Principal which includes line management of the Academy Principal/ Head.

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Delegation Factors

Factors which may influence the decision to delegate include:

- School performance/trends;
- Recent Ofsted or Peer report;
- Financial and administrative performance;
- Leadership and Governance capacity and capability;
- Request for support from the ESFA or LA;
- Outcome of Due Diligence prior to agreed transfer into the MAT.

Review

Once accepted into the multi-academy trust (MAT), the SoD for individual Academies will be reviewed annually (in line with the expectation within the Academy Trust Handbook 2021, section 2.4) or sooner if the Trustees determine that there has been a significant change in circumstances. For example, if the Trust Board as required to respond to changes in context as the MAT matures and grows. The agreed SoD must be published on the website of the Trust and each of its Academies.

Financial Scheme of Delegation

A separate written Financial Scheme of Delegation of financial powers referred to in the Academies Trust Handbook is an appendix to this overarching SoD.

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: Chief Executive Officer

Level 4: Local Governing Body (LGB)

Level 5: Academy Principal/Head Teacher

Grid 2 – No Local Delegation

Level 1: Members

Level 2: Board of Trustees

Level 3: Chief Executive Officer

Level 4: Academy Principal/Head Teacher

Level 5: Local Governing Body (LGB)

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Decision		Delegation				
		Members	Trust Board	Trust Principal	LGB	Academy Principal/HT
Governance Framework						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove per Article 58 of the Articles of Association	✓	✓ (for Trustees appointed by the Trustees only)			
	Role descriptions for Members	✓				
	Role descriptions/skills for Trustees/Chair/specific roles/Trust Board Committee members: agree		✓	<A		
	Trustee Board Committee Chairs: appoint and remove		✓	<A		
	Nominating safeguarding and SEND lead Trustee		✓			
	Clerk to Trust Board: appoint/set remuneration/ annual review and remove		✓	<A		
	Clerk to the LGBs appoint for minuting of Full LGB minutes only (LGB responsible for clerking any sub committees/panels)		✓			
	LGB chairs: appoint and remove		✓	<A>	✓	
	Ensure appropriate make up of LGB per Article 2.3 of Terms of Reference for LGBs		✓		✓	
	Sub committee Clerk to LGB: appoint/ remuneration and remove			A>	✓	
Articles of association: agree and review	✓		<A	<A		

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Decision		Delegation				
		Members	Trust Board	Trust Principal	LGB	Academy Principal/HT
Systems and structures	Governance structure for the Trust: establish and review at least every three years		✓	<A		
	Terms of reference for Trust Board committees (which includes LGBs Terms of Reference): review and agree at least every three years		✓	<A		
	Skills audit: complete and recruit to fill gaps – ensure financial skillset maintained		✓	<A>	✓	
	Self-review of Trust Board: complete annually		✓			
Systems and structures	Self-review of LGB performance: complete annually				✓	
	Trust Board Chair’s performance: carry out 360° review annually		✓			
	LGB Chair’s performance: carry out 360° review annually				✓	
	Trustee / LGB Governor contribution: review annually		✓		✓	
	Succession planning (ongoing but review and agree at least annually)		✓	<A>	✓	
	Annual schedule of business for Trust Board: agree		✓	<A		
	Annual schedule of business for LGB: agree			A>	✓	
	Annual schedule of business for LGB: agree			A>	✓	

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Decision		Delegation				
		Members	Trust Board	Trust Principal	LGB	Academy Principal/HT
Reporting						
Reporting	Trust governance details on Trust and Academies' websites: ensure		✓	<A	✓	
	Academy governance details on Academy website: ensure		✓	<A	✓	
	Register of all interests of Members/Trustees/LGB Governors, as specified in Conflicts of Interest Policy: 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, and governance statement demonstrating value for money): submit		✓	<A		
	Annual report on work of LGB: submit to Trust and publish				✓	
	Annual report on work of LGB: submit to Trust and publish				✓	
Being Strategic						
	Determine Trust-wide policies which reflect the Trust's ethos and values (facilitating discussions with unions where appropriate) including: admissions arrangements; charging and remissions; complaints; Finance; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✓	<A	✓	

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Decision		Delegation				
		Members	Trust Board	Trust Principal	LGB	Academy Principal/HT
Being Strategic	Determine school level policies which reflect the Academy's ethos and values to include e.g. admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve				✓	
	Central spend / top slice: agree		✓	<A		
	Management of risk: establish register, review and monitor		✓	<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		<A
	Academy's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine			A>	✓	<A
	Trust Principal: Appoint and dismiss		✓			
	Academy Head Teacher/Principal: Appoint and dismiss		✓	<A>	✓	
	Budget plan to support delivery of Trust's key priorities: agree		✓	<A		
	Budget plan to support delivery of Academy's key priorities: agree				✓	<A
	Trust's staffing structure: agree		✓	<A		
	Academy's staffing structure: agree				✓	<A

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Decision		Delegation				
		Members	Trust Board	Trust Principal	LGB	Academy Principal/HT
Being Strategic	Setting Trusts approach to curriculum and assessment, with regard to statutory requirements		✓	<A	<A	<A
	Setting and delivering school curriculum and assessment in line with Trusts approach					✓
	Delivering Early Years Foundation Stage (EYFS) in line with statutory requirements					✓
	Production and analysis of educational data					✓
	Delivering careers guidance, with regards to statutory requirements					✓
	Ensuring compliance with SEND Code of Practice					✓
	Setting approach to directing pupils offsite, exclusions					✓
	Keeping admissions and attendance records					✓
	Keeping admissions and attendance records					✓

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Decision		Delegation				
		Members	Trust Board	Trust Principal	LGB	Academy Principal/HT
Holding to account						
	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	<A>	✓	<A
Holding to account	Reporting arrangements for progress on key priorities: agree		✓	<A>	✓	<A
	Performance management of the Trust Principal: undertake		✓			
	Performance management of Academy Head Teacher/Principal: undertake			A>	✓	
	Trustee monitoring: agree arrangements		✓	<A		
	LGB Governor monitoring: agree arrangements				✓	<A
	Attend Trust/ Academy inspections		✓	✓	✓	✓
	Attend Trust/ Academy inspections		✓	✓	✓	✓
Ensuring Financial Probity						
	Chief Financial Officer (for delivery of Trust’s detailed accounting processes): appoint		✓	<A		
	Trust’s process for independent checking of financial controls, systems, transactions and risks		✓	<A		

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Decision		Delegation				
		Members	Trust Board	Trust Principal	LGB	Academy Principal/HT
Ensuring financial probity	Trust's Scheme of Financial Delegation: establish and review		✓	<A		
	Academy's Scheme of Financial Delegation: establish and review		✓	<A		
	Managing conflict of interest and related party transactions		✓	<A		
	External auditors' - appoint	✓				
	External auditors' report: receive and respond		✓	<A	✓	
	Delivering annual report and accounts with regard to accounts consolidation exercises required by DfE		✓	<A		
	Trust Principal/CEO pay award: agree		✓			
	Academy Head Teacher/Principal 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>	✓	<A
Develop Trust-wide procurement strategies and efficiency savings programme			✓			

SUCCESS ACADEMY TRUST - SCHEME OF DELEGATION

Decision		Delegation				
		Members	Trust Board	Trust Principal	LGB	Academy Principal/HT
	Managing cash position/ investment			✓		
	Delivering monthly management accounts and forecasts			✓		✓
	Monitoring pupil premium spend including Catch up and PE and sports premium			✓		✓
	Ensure adequate insurance cover is in place			✓		✓

END

SCHEME OF DELEGATION WITHOUT LOCAL DELEGATION see separate document