



# **Plym Academy Trust Scheme of Delegation**

**September 2017**

## Our vision is that:

- Every school in the Trust is considered excellent by the children, the parents and carers and local communities.
- Every child is inspired to learn by an exciting, innovative and challenging curriculum that enables learners to achieve the highest standards
- Everyone works together to enable outstanding learning and teaching
- Every school engages fully with parents so that they can support and contribute to the education of their child.
- Every school develops the whole child; fostering the spiritual, moral, social and cultural growth of each individual
- Every school will develop a positive community spirit and seek to engage in wider local activities

Key shared values underpin this vision and can be summarised as follows:

- **TRUST**

Relationships are considered the life-blood of our schools and trust is a key value of our MAT. We will establish honest and transparent processes throughout the schools to support the development of trusting relationships.

- **COLLABORATION**

We value all individuals within our family of schools and seek to develop by harnessing as much collective knowledge, understanding and skills as we can by working together. All elements of our infrastructure facilitate this.

- **CONTINUAL LEARNING AND HIGH ASPIRATIONS**

Continuous reflection, improvement and learning will ensure we are dynamic and equipped to sustain excellent education and promote high aspirations amongst our learners.

- **SHARED RESPONSIBILITY**

Our collaborative infrastructure helps to ensure that responsibility for the vision of our group of schools is fully shared by everyone.

- **FAIRNESS AND INCLUSION**

It is essential that there is real equity and consistency across our education provision. We will promote fairness and opportunities for all children. We will also differentiate support where appropriate to ensure that inequalities are addressed and inclusion promoted.

## **Scheme of Delegation**

This Scheme of Delegation is between the Plym Academy Trust (PAT) and the Local Advisory Board (LAB) of each Academy within the Trust in accordance with the Constitution of the LAB (wherein this Scheme of Delegation is referred to as “the Scheme”). Subject to the requirements of the Trust set out in this Scheme, the Trust delegates to the LAB its responsibility and powers as the Governing Body of the Academy which shall be discharged by the LAB in accordance with its Constitution and Terms of Reference, the Policies of the Trust and advice published from time to time by the Department for Education and OFSTED.

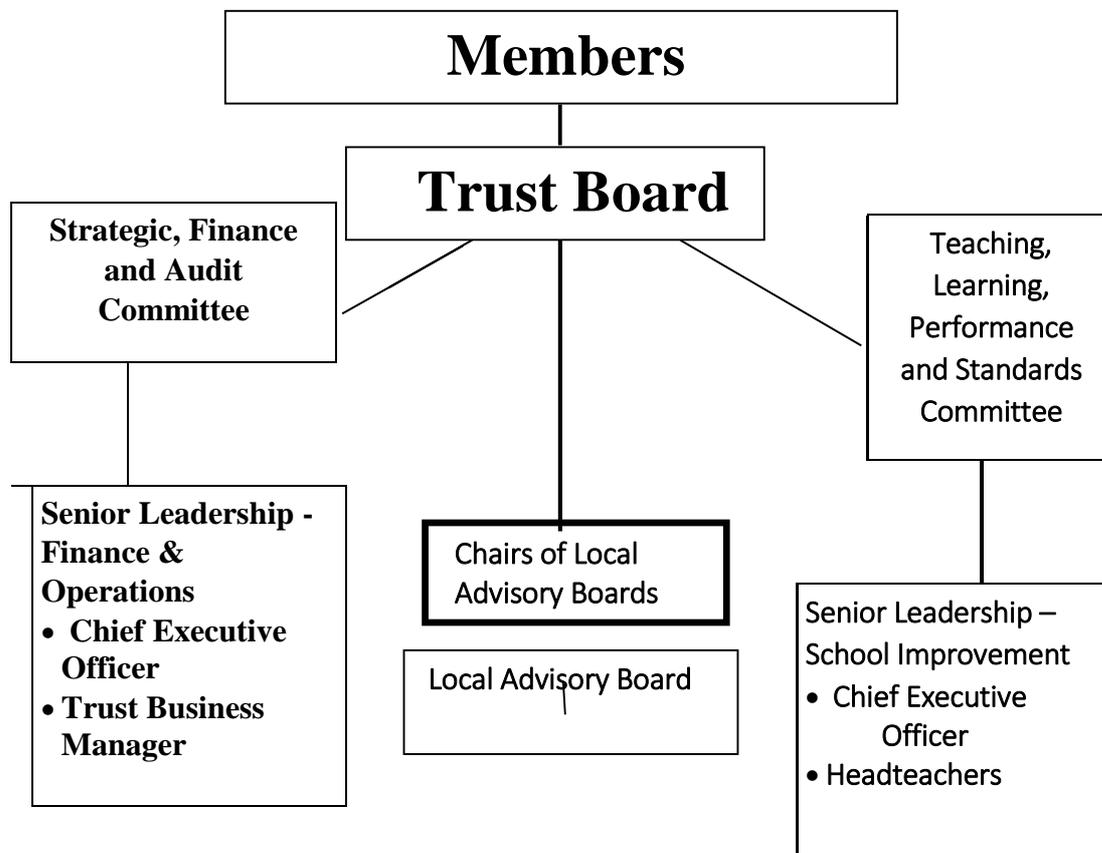
Responsibilities and powers delegated to the LAB may be further delegated to a Committee or to the Headteacher of the Academy. It should be remembered that although decisions may be delegated, the LAB together with the Trust as a whole remains responsible for any decision made under delegation. All policies referred to in this Scheme of Delegation means the current policy by that title as published at [www.plymacademytrust.co.uk](http://www.plymacademytrust.co.uk)

## **General Principles**

The Board and Local Advisory Boards will work collaboratively and in partnership at all times.

- The Board will make decisions, following consultation with Local Advisory Boards, on matters which affect all academies in the trust: Local Advisory Boards will make decisions on matters which affect individual academies.
- Local Advisory Boards and Headteachers of academies in the trust should be as autonomous as possible and have as much freedom as possible.
- Local Advisory Boards and Headteachers will have maximum delegation of responsibility and decision making for the strategic direction and day-to-day operation of their academies unless there is a cause for concern. (See Governance Structure and Lines of Accountability paragraph)
- The Board will support each academy to run efficiently and effectively. Effective arrangements will be maintained for monitoring and evaluating the performance of Local Advisory Boards and academies.
- The Board will take action, including the full or partial withdrawal of delegated authorities to individuals, groups and Local Advisory Boards should the individual, group, or Local Governing Body, fail to carry out their duties and responsibilities effectively.
- The governance arrangements of good schools/academies joining the trust will remain in the main unchanged except where changes are required in order to comply with legal or statutory requirements, or to ensure operational effectiveness.
- The Board will fully consult Local Advisory Boards on proposals for the composition, membership, structure, and terms of reference for Local Advisory Boards and sub-committees, on arrangements for the recruitment and appointment of governors, and on arrangements for the introduction of the trust’s multi-academy governance arrangements before any decisions are made.
- The Board will fully consult Local Advisory Boards before putting in place any arrangements which directly affect Local Advisory Boards and individual academies and before taking any decisions on policy or procedural matters.
- Local Advisory Boards will report at least termly to the Board and will make available all relevant data and information on performance

# Trust Board Structure



## Governance Structure and Lines of Accountability

The trustees of the Plym Academy Trust delegate responsibility for delivery of the vision and strategy to the CEO. The MAT board holds the CEO to account for the performance of the trust, including the performance of the academies within the trust. The CEO in turn holds other senior executives to account by line managing them. While the board cannot ever delegate its accountability, it does delegate some of the detailed scrutiny, oversight and decision making (see Appendix I).

The Trust Board determines on a case by case basis whether to delegate some responsibilities concerning the performance of each academy to a local advisory board (LAB).

Factors which may influence the decision to delegate include:

- School performance
- A recent Ofsted report
- Financial and administrative performance
- Leadership and governance capacity and capability

At present the Plym Academy Trust board believes that all of our schools have earned autonomy and the scheme of delegation is constructed on this basis. Should performance for any of the schools become a concern or a new academy join the trust the board will review the scheme of delegation at that time.

This means that as the CEO is accountable to the board for the performance of the trust as a whole, the CEO will report to the board on the performance of the trust including on the performance of the trust's schools, supplemented by monitoring reports from the LABs.

The CEO is performance managed by the trust board and is responsible for performance managing the headteachers in partnership with the LAB.

### **Local Advisory Boards:**

The Local Advisory Board's role is to understand how the school is led and managed, acting as the eyes and ears of the school and its community and have a role in influencing decision making. They have a direct link to the trust board, through their representative on the board.

The Local Advisory Board (LAB) responsibilities include monitoring:

- whether the school is working within the agreed policies,
- whether standards are being met,
- if the money is being well spent.

The LAB will use its detailed knowledge and engagement with stakeholders to ensure that their school is being well served by the executive leadership, and has direct access to the board if there are concerns.

### **Roles and responsibilities**

#### **The role of the members**

The members of the trust have a different status to trustees. They are the signatories to the memorandum of association and have agreed the trust's articles of association (a document which outlines the governance structure and how the trust will operate). The articles of association also describe how members are recruited and replaced, and how many of the trustees the members can appoint to the trust board. 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. 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.

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 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 schools 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 which includes removing delegation.

### **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 of Local Advisory Boards are set out in the scheme of delegation. The trust board may appoint committee members and committee chairs.

### **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 the performance management of the headteachers in partnership with the LAB.

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. The CEO will delegate executive management functions to the executive management team and is accountable to the trust board for the performance of the executive management team.

### **The role of the Headteacher / Head of School**

The Headteacher is responsible for the day to day leadership and management of the academy. The Headteacher is accountable to the CEO but if there is delegation, reports to the LAB on matters which have been delegated to the LAB.

### **The role of the Local Advisory Board**

The trust board will establish LAB’s, approve appointment of their chairs, ensure that parents are elected to each LAB, and will determine what will be delegated. Responsibilities will include: monitoring whether the schools are:

- Building an understanding of how the trust’s schools are led and managed
- Working within agreed policies
- Meeting the agreed targets
- Managing their finances well
- Engaging with stakeholders
- Reporting to the board

The level of delegation to the Local Advisory Board remains at the discretion of the trust board.



## Appendix I - Delegated decision making

- A= Advise > Direction

Area	Decision	Delegation				
		Members	Trust Board	CEO	LAB	HEAD
Governance framework						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove (Number defined in articles)	✓	✓			
	Role descriptions for members	✓				
	Role descriptions for trustees/chair/ specific roles/committee members: agree		✓	<A		
	Parent LAB/committee member: elected				✓	
	Trust committee chairs: appoint and remove		✓	<A		
	LAB chairs: appoint and remove			A>	✓	
	Clerk to board: appoint and remove		✓			
	Clerk to LAB: appoint and remove				✓	
Systems and structures	Articles of association: agree and review	✓	<A	<A		
	Governance structure (committees) for the trust: establish and review annually		✓	<A		
	Scheme of delegation agree and review annually.		✓	<A		
	Terms of reference for trust committees (including audit if required, and schemes for LAB): agree annually		✓	<A		
	Terms of reference for LAB/local committees: agree and review annually		✓	<A		
	Support and training programme for Trustees and LAB members		✓	<A		
	Skills audit: complete and recruit to fill gaps		✓	<A>	✓	A
	Annual self-review of trust board and committee performance: complete annually		✓			

Area	Decision	Delegation				
		Members	Trust Board	CEO	LAB	HEAD
	Annual self-review of LAB performance: complete annually				✓	
	Succession: plan		✓	<A>	✓	A
	Annual governance plan for trust board: agree		✓	<A		
	Annual governance plan for LAB: agree			A>	✓	A
Reporting						
Reporting	Ensure Trust governance details on trust and academies' websites		✓	<A		
	Academy governance details on academy website: ensure				✓	<A
	Register of all interests, business, pecuniary, loyalty for members/trustees/committee members: 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, incorporating governance statement demonstrating value for money: submit		✓	<A		
Being Strategic						
Being Strategic	Determine trust wide policies which reflect the trust's ethos and values (facilitating discussions with unions where appropriate) including statutory, staffing, financial, H+S, Safeguarding, complaints, admissions policies.		✓	<A		
	Approve and determine school level policies which reflect the school's ethos and values.				✓	A
	School organization including: term dates and length of school day.		✓	<A>	<A	A
	Central spend recharge: agree		✓	<A		
	Management of risk: establish register, review and monitor		✓	<A>	✓	A
	Engagement with stakeholders	✓	✓	✓	✓	✓

Area	Decision	Delegation				
		Members	Trust Board	CEO	LAB	HEAD
Being Strategic	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
	Chief executive officer: Appoint and dismiss		✓			
	Headteacher : Appoint and dismiss		✓	<A		
	Budget plan to support delivery of key priorities: agree		✓	<A		
	Monitoring of budget plan to support delivery of school key priorities.				✓	A
	Trust's staffing structure: agree		✓	<A		
	School staffing structure: agree		✓	<A>		A
Holding to account						
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g. financial, safeguarding, H&S, employment): agree		✓	<A>	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	<A>	✓	A
	Performance management of the Chief Executive Officer: undertake		✓			
	Performance management of academy Headteacher : agree		✓	<A		
	Performance management of academy Headteacher : oversee			A>	✓	
	Trustee self-assessment: agree arrangements		✓	<A		

Area	Decision	Delegation				
		Members	Trust Board	CEO	LAB	HEAD
	LAB self-assessment: agree arrangements				✓	A
Ensuring financial probity						
Ensuring financial probity	Approve the Financial Procedures manual. Including the appoint of the internal auditor. Ensure compliance.		✓	<A		
	Trust Business Manager for delivery of trusts detailed accounting processes: appoint		✓	<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		
	Internal auditors' report: receive and respond		✓	<A		
	Budget monitoring		✓	<A		
	CEO pay award: agree		✓			
	Academy Headteacher pay award: agree		✓	<A		
	Academy Headteacher pay award: recommend			A>	✓	
	Staff appraisal procedure and pay progression agree		✓	<A		
	Staff appraisal delivery and pay progression within agreed budget: monitor and agree				✓	A
	Benchmarking and trust wide value for money: ensure robustness		✓	<A		
	Benchmarking and academy value for money: ensure robustness				✓	A
Develop trust wide procurement and efficiency savings programme			✓			

