

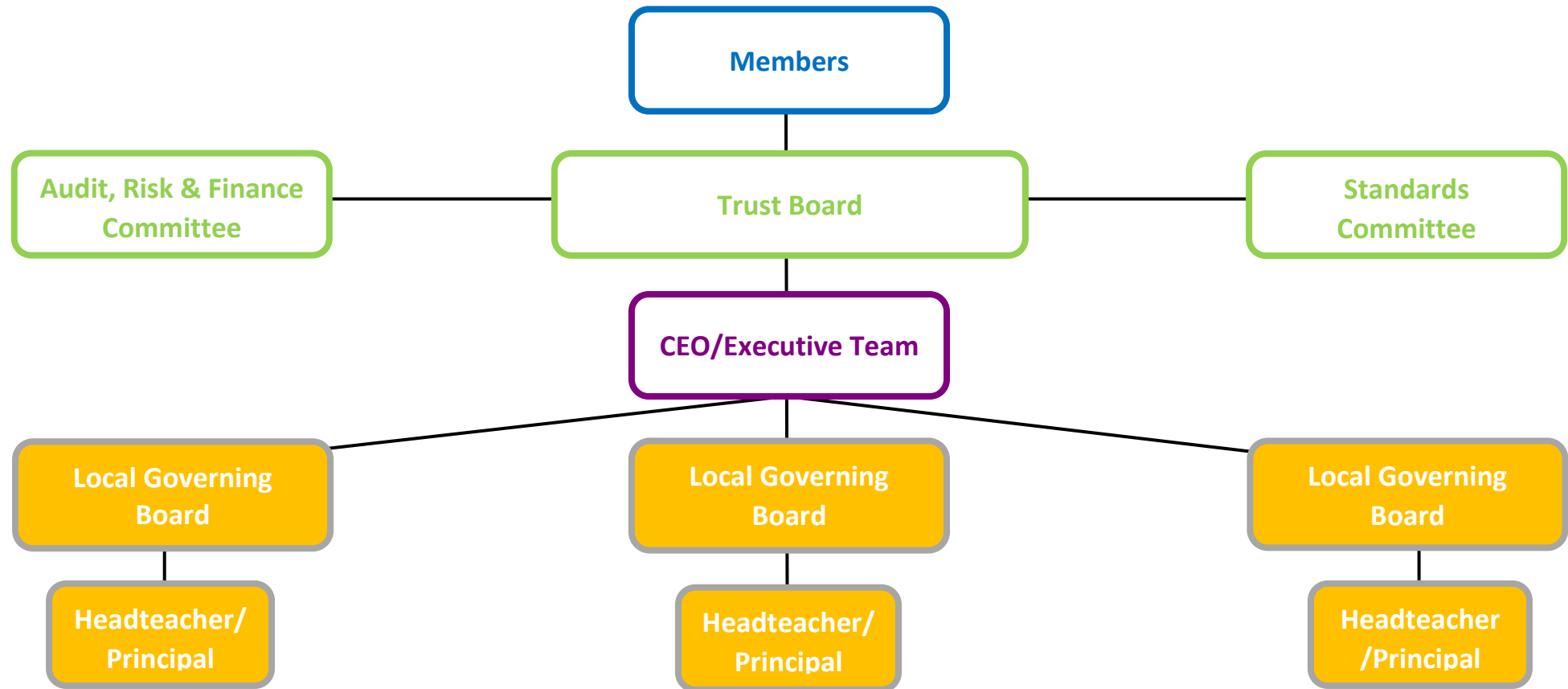


## Aspire Learning Partnership

### Scheme of Governance and Delegation

Date created	May 2019, reviewed and revised May 2022
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Date ratified	To be ratified by Trust Board
Review date	

## GOVERNANCE STRUCTURE AND LINES OF ACCOUNTABILITY



The board of trustees of the multi academy trust (MAT) delegate responsibility for delivery of the vision and strategy to the lead professional of the MAT, the chief executive officer (CEO). The MAT board delegates responsibility for the performance of the Trust, including the performance of academies within the Trust, to the CEO. However, some responsibilities concerning the performance of each academy are usually delegated to a local governing board (LGB). These responsibilities may include monitoring whether the school is working within the agreed policies, whether standards are being met, and if the money is being well spent. The LGB 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.

The Trust will determine on a case by case basis whether to delegate some/all of these responsibilities concerning the performance of each academy to the local governing board (LGB).

Factors which may influence the decision to delegate, include significant changes and/or declining trends, as evidenced by:

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

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, although this may be supplemented by monitoring reports from the LGBs.

The CEO is performance managed by the Trust Board. The CEO performance manages the academy headteachers/principals but will seek input from the LGB chair.

## **ROLES AND RESPONSIBILITIES**

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

The members of the Trust have a different status to trustees. Originally, they are the signatories to the Memorandum of Association and have agreed the trust's first Articles of Association (the 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 are 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.

## 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 board for the performance of all schools within the Trust and as such must:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of schools and their students/pupils, and performance management of staff
3. 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. We will use the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are not company directors and trustees.

The Trust Board is permitted to exercise all the powers of the academy trust. The Trust Board will delegate to the CEO responsibility for the day to day operations of the Trust. The trustees determine whether to delegate any governance functions.

The Trust has the right to review and adapt its governance structure at any time.

## The role of committees

As the Trust develops and grows, 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. A possible future structure is included in the diagram above. However, these committees will not be legally responsible or accountable for statutory functions – the Trust Board retains overall accountability and responsibility. The responsibilities of board committees will be set out in their terms of reference; the responsibilities for school governing bodies are set out in the scheme of delegation below. The Trust Board may appoint LGB members and chairs.

## The role of the local governing board (LGB)

The Trust Board will establish LGBs, appoint the chair, ensure at least two parents are elected and will determine what will be delegated. Typically, responsibilities may include:

- Building an understanding of how the school is led and managed
- Monitoring whether the school is:
  - Working within agreed policies
  - Meeting the agreed targets
  - Managing its finances well
- Engaging with stakeholders
- Reporting to the board

## 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 headteachers/principals. As there is delegation to a local governing board (LGB) this is usually with the LGB chair alongside.

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 CEO will be an ex-officio member of the trust board.

## The role of the academy headteacher/principal

The academy headteacher/principal is responsible for the day to day management of the academy and is managed by the chief executive but reports to the LGB on matters which have been delegated to the LGB.

## INTRODUCTION TO THE SCHEME OF DELEGATION MATRIX

The matrix will be reviewed annually. The academy and the local governing board shall also be kept continually under review by the Trustees. The Trustees shall therefore be entitled to adjust the matrix as appropriate between each annual review where such continual review reveals matters which merit adjustment to achieve the effective operation of the academy. The Chief Executive Officer and the Trustees will use their shared knowledge of the academies operated by the Trust to work proactively to ensure that the Scheme of Governance and Delegation is reactive to the needs of the academy at any given stage. Schools will normally operate within the SoD shown within the columns on the left, 'Strong Academy Decision Level', and will only be moved to the right if there are serious concerns or where, 'Academy Requires Support'.

Where the academy is assessed as being 'at risk' by the Standards Committee of the Trust or directly by the CEO the matrix will be adjusted by the Trustees to the circumstances of the academies. This could, in a situation where the education and welfare of young people is seriously jeopardised and/or weak leadership is identified as a barrier to the academy's improvement, involve the Scheme of Governance and Delegation and LGB being removed on a temporary basis. In these circumstances, an interim executive board (IEB), will be formed by the Trustees to support the academy. The IEB will be constituted by the Trustees from key personnel drawn from the Trustees, the Executive and the local governing bodies of other academies operated by the Trust.

### KEY

Decision Level 1 - **Trust**: Aspire Learning Partnership

Decision Level 2 - **FGB**: Local Governing Board

Decision Level 3 - **HT**: Headteacher/Principal/SLT

The table included below more particularly describes the delegation of powers and responsibilities by the Trustees to the Local Governing Board referred to elsewhere in this Scheme of Governance and Delegation.

The ultimate responsibility for each power/responsibility is indicated with an 'X' in the appropriate cell. An '\*' requires that the person responsible shall consult with the corresponding Decision Level.

Where a cell is shaded out, the function cannot be sensibly be carried out at this level.

Although a power and/or responsibility may be delegated, it is the Trust that remains responsible for the exercise of that power and/or responsibility.

			Strong Academy Decision Level			Academy Requires Support Decision Level		
Key Function	Task No.	Tasks	1 Trust	2 LGB	3 HT	1 Trust	2 LGB	3 HT
<b>Budgets</b>	1	Establish a central budget for corporate services	X	*		X	*	
	2	Approve the consolidated Trust budget plan for the financial year	X			X		
	3	Approve the formal academy budget plan for the financial year	*	X		X	*	
	4	Monitor Trust expenditure	X			X		
	5	Monitor academy expenditure	*	X		X		
	6	Approve the financial policies & procedures	X	*		X		
	7	Carry out financial processes in line with the finance policies			X			X
	8	Appoint an audit committee	X			X		
<b>Staffing</b>	9	Headteacher appointments (selection panel)	X	*		X	*	
	10	Senior leader appointments (selection panel)	*	X	*	X	*	
	11	Appoint other teachers		*	X	*	*	X
	12	Appoint non-teaching staff		*	X	*	*	X
	13	Agree HR policies including pay policy	X	*		X		
	14	Establish disciplinary/capability procedures	X	*		X		
	15	Dismissal of headteacher	X	*		X		

Key Function	Task No.	Tasks	1 Trust	2 LGB	3 HT	1 Trust	2 LGB	3 HT
Staffing	16	Dismissal of other staff	*	X		X		
	17	Suspension of head	X	*		X	*	
	18	Suspension of other staff		*	X	X		*
	19	Ending suspension (head)	X	*		X	*	
	20	Ending suspension (except head)		*	X		X	
	21	Determine staff complement	*	X	*	X		
	22	Determine severance/compensation payments (excluding Headteacher) **	X	*	*	X		
Curriculum	23	Ensure National Curriculum (NC) taught to all students/pupils and to consider any disapplication for student(s)/pupil(s)			X			X
	24	Establish and implement a curriculum policy	*	*	X	X	*	*
	25	Agree or reject and monitor curriculum policy	*	X		*	X	
	26	Responsibility for standards of education at MAT level	X			X		
	27	Responsibility for standards of teaching at individual academy level		X	X	X		X
	28	Responsibility for individual child's education			X		X	X
	29	Provision of sex education – to establish and keep up to date a written policy	*	X	*	*	X	*
	30	Prohibit political indoctrination and ensuring the balanced treatment of political issues, including support for 'British Values'	X	*	*	X	*	*
Appraisal and Performance Management	31	Formulate an appraisal policy	X	*	*	X	*	*
	32	Implement the appraisal policy	*	X	*	X	*	*



	Task No.	Tasks	1 Trust	2 LGB	3 HT	1 Trust	2 LGB	3 HT
<b>Appraisal and Performance Management</b>	33	Review annually the appraisal policy	X	*		X		
	34	Headteacher performance management	X	*		X	*	
<b>Target Setting</b>	35	Agree targets for pupil achievement	*	X	*	X	*	*
	36	Approve targets for student/pupil achievement	X	X	*	X	*	
<b>Complaints</b>	37	Establish a complaints policy	X	*	*	X	*	
<b>Discipline/ Exclusions</b>	38	Establish a student/pupil behaviour policy	*	*	X	X	*	
	39	Review the use of exclusion and to decide whether or not to confirm all permanent exclusions and suspensions where the pupil is either suspended for more than 15 days in total in a term or would lose the opportunity to sit a public examination. (Can be delegated to chair/vice-chair of the LGB in cases of urgency).		X		*	X	
	40	Independent Review and Appeals Trust for behaviour and discipline	X			X		
	41	Direct reinstatement of excluded students/pupils (Can be delegated to chair/vice-chair of the LGB in cases of urgency)		X		*	X	
<b>Admissions</b>	42	To review at least annually the admissions policy	X	*	*	X	*	
	43	Establish an admissions policy	X	*	*	X	*	
	44	Admissions application decisions	X	X	*	X	X	
	45	Appeal against LA directions to admit students/pupil(s)	X	X	*	X	X	
<b>Religious Education</b>	46	Responsibility for ensuring provision of Religious Education		X	*	X	*	

Key Function	Task No.	Tasks	1 Trust	2 LGB	3 HT	1 Trust	2 LGB	3 HT
Premises and Insurance	47	Ensure buildings and liability insurances and/or the Department for Education's Risk Protection Arrangement is in place	X			X		
	48	Develop a school buildings strategy or master plan	X	*		X	*	
Premises and Insurance	49	Refurbish and maintain buildings, including developing properly funded maintenance plan	X	*		X	*	
	50	Responsibility of overall management and value for money of all PFI contracts	X	*	*	X		
Health and Safety	51	Institute a Health and Safety Policy	X	*		X	*	
	52	Ensure that health and safety regulations are followed.		X	X	X	X	*
	53	Ensure that school lunch nutritional standards are met where provided by the LGB	X	*		X	*	
Safeguarding Policy	54	Institute a Safeguarding Policy	X	*	*	X	*	
	55	Monitor and ensure the application of the Safeguarding Policy		X	*	X	*	
	56	Ensure that safeguarding regulations are followed		X	X	X	X	*
School Organisation	57	Proposal to alter the structure of the Academy day	X	X		X	*	
	58	Set the times of school sessions and the dates of school terms and holidays	X	X		X	*	
	59	Ensure that the school meets for 380 sessions in a school year	X	X	*	X	*	*
Attendance and Absence	60	Establish a Policy for Attendance and Leave of Absence including standardised procedures, letters and protocols	X	*	*	X	*	*
Information for Parents	61	Prepare and publish information for parents including school prospectus if applicable. Compliant website provision	X	*	*	X	*	
	62	Ensure provision of free school meals to those students/pupils meeting the criteria		X	*		X	*
	63	Adopt and review home-school agreements		X	*	X	*	

	Task No.	Tasks	1 Trust	2 LGB	3 HT	1 Trust	2 LGB	3 HT
<b>Governing Board Procedures</b>	64	Prepare instrument of government and any amendments thereafter	X			X		
	65	Appoint (and remove) the governors/clerk of the LGB	X	X		X	*	
	66	Ensure LGB meeting format and procedures meet requirements and allow for wider Trust reporting	X	*		X	*	
	67	Ensure LGB meets and complies with guidance prepared by DfE/Trust		X			X	
	68	Set up a Register of Directors' Business Interests, Gifts & Hospitality	X	*		X	*	
<b>Governing Board Procedures</b>	69	Set up a Register of Governors' Business Interests, Gifts & Hospitality	X	*		X	*	
	70	Approve and set up a Governors Expenses Scheme	X			X		
	71	Discharge duties in respect of students/pupils with special needs by appointing a "responsible person"		X			X	
	72	Consider whether or not to exercise delegation of local functions from the LGB to individuals or committees (subject to this Scheme of Delegation)		X		X		
<b>Trust</b>	73	Consider an application for a school or academy to join the Trust	X			X		
	74	Agree the due diligence requirements regarding whether a school or academy should join the Trust	X			X		
	75	Review the Trust's key performance indicators	X			X		
	76	Appoint/ remove members	X			X		
	77	Appoint/remove trustees	X			X		
	78	Role descriptions for members, trustees, chair, specific roles, committees	X			X		
	79	Appoint/remove clerk to the board	X			X		

\*\* Within the budget allocated to the School.