

## Schemes of Delegation

### Key

- ✓ Action to be undertaken at this level
- A Provide advice and support to those accountable for decision making
- <> Direction of advice and support

### Powers Delegated to the local school – Schools graded good or outstanding

- Level 1: Members
- Level 2: Board of trustees
- Level 3: Chief executive officer
- Level 4: Academy Council
- Level 5: Academy principal

### No local delegation – Schools Requiring Improvement, in Special Measures or requiring governance support

- Level 1: Members
- Level 2: Board of trustees
- Level 3: Chief executive officer
- Level 4: Academy Council
- Level 5: Academy principal

**Approved:** February 2017

**To be reviewed:** by Sept 2018

## **Guidance notes:**

The Board of Trustees ultimately is accountable and responsible for the governance of each academy. However the Trust recognises the benefits of the local skills, knowledge, and commitment required to support and challenge those who work within each academy to ensure the best outcomes for its children and young people. DSAMAT will therefore establish an Academy Council made up of local stakeholders in a manner and at a time the Directors consider appropriate.

This scheme of delegation sets out the decision making levels and responsibilities for the Members, Directors, CEO, Academy Council Academy Principal. There are two levels of delegation, usually dependent upon the Ofsted category or the governance needs of the academy:

- 1. Schools graded good or outstanding – have a significant amount of delegated responsibility**
- 2. Schools Requiring Improvement, in Special Measures or requiring governance support – have very limited delegated responsibility and are largely of a consultative nature.**

This document should be read in conjunction with the Memorandum and Articles of Association, Master Funding Agreement, Supplemental Funding Agreement, the DfE Governance Handbook, the process for appointments to Academy Councils in DSAMAT, the Financial Procedures and Policy Manual, and other documents and guidance produced by DSAMAT from time to time.

**This scheme of delegation provides for certain functions to be carried out by one or more of the following:**

### **The Members**

The members are akin to shareholders in a commercial company and have ultimate control over the direction of the academy Trust through the appointment of Directors and control of the governance structure of the DSAMAT Board.

### **The Trust Board**

The Trust Board is a Board of Directors that has responsibility for the effective running of the Trust and the individual academies within it. The Board may decide to form committees to carry out certain of its functions. The term 'Trust Board' will therefore include any such committees/boards that may be formed from time to time.

## **The CEO**

A significant number of responsibilities under the Scheme of Delegation lie with the CEO. The term 'CEO' refers to the Chief Executive Officer but as the CEO may choose to delegate some of these functions to members of the central team, the reference to CEO may therefore include a Chief Operating Officer, Education Officer or other staff employed centrally.

## **Academy Council (AC)**

The Academy Council is essentially a committee of the Trust which has delegated powers in order to oversee the running of its individual academy. It is essential that the AC focuses attention on strategic activity and holding the school to account. The AC is expected to manage their workload to undertake all of the delegated responsibilities but may, if considered necessary, choose to delegate some of these powers to smaller committees or the Principal as it deems fit to fulfill its responsibilities but with the understanding that the ultimate responsibility lies with the AC.

Reference to the DfE *Governance Handbook* and training provided or suggested by DSAMAT is essential for all members of the AC.

## **Principal**

In this document the term 'Principal' is used whereas in some schools 'Headteacher' or 'Head of School' is used; where it says Principal this can be read to also mean Headteacher or Head of School. The Principal will be assigned delegated powers but may choose to delegate these further to another member of staff eg business manager or vice principal. Where the document refers to Principal this may include other staff members who have been delegated responsibilities with the understanding that the ultimate responsibility lies with the Principal.

**In all cases the DSAMAT Board is accountable directly to the Secretary of State for each academy and thus has overall responsibility in all areas regardless of delegated powers.**

DSAMAT reserves the right to overrule this scheme if at any point it judges the Academy Council is not providing good delegated governance and acting in the best interests of the academy. This may be triggered by poor assessment outcomes, a deterioration in the quality of teaching and learning, mismanagement of the budget or acting in a manner that does not reflect the vision and values of the Trust. It is expected that this would only occur in exceptional circumstances and the Academy Council will be given warning of any concerns.

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Governance framework - People	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Members: Appoint/Remove	✓				
Trustees: Appoint/Remove	✓				
Role descriptions for members	✓				
Role descriptions for trustees/chair/specific roles/ Committee/AC members: agree		✓	<A		
Parent trustee/committee member: elected		✓			
Parent/Staff/Foundation/Community AC members elected/appoint				✓	✓
Committee chairs: appoint and remove		✓	<A		
Academy Council chairs: appoint and remove		✓	<A		
Clerk to board: appoint and remove		✓			
Clerk to AC: appoint and remove				✓	

Governance framework - People	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Members: Appoint/Remove	✓				
Trustees: Appoint/Remove	✓				
Role descriptions for members	✓				
Role descriptions for trustees/chair/specific roles/ Committee/AC members: agree		✓	<A		
Parent trustee/academy council member: elected		✓			
Parent/Staff/Foundation/Community AC members elected/appoint			A>	✓	✓
Committee (including school committee) chairs: appoint and remove		✓			
Academy Council chairs: appoint and remove		✓	<A		
Clerk to board: appoint and remove		✓			
Clerk to the AC: appoint and remove				✓	

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<b>Governance framework - Systems and structures</b>	<b>Delegation</b>				
<b>Decision</b>	<b>Members</b>	<b>Trust Board</b>	<b>CEO</b>	<b>Academy Council</b>	<b>Academy Principal</b>
Articles of association: agree and review	✓	<A	<A		
Governance structure (committees) for the trust: establish and review annually		✓	<A		
Terms of reference for trust committees (including audit if required, and scheme for school committees): agree annually		✓	<A		
Terms of reference for AC: agree and review annually		✓	<A		
Skills audit: complete and recruit to fill gaps		✓	<A>	✓	A
Annual self-review of trust board and committee performance: complete annually		✓			
Annual self-review of AC performance: complete annually				✓	
Chair's performance: carry out 360 review periodically		✓		✓	
Trustee/committee member contribution: review annually		✓		✓	
Succession: plan		✓	<A>	✓	A
Annual schedule of business for trust board: agree		✓	<A		
Annual schedule of business for AC: agree			A>	✓	A

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Governance framework - Systems and structures	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Articles of association: agree and review	✓	A	A		
Governance structure (committees) for the trust: establish and review annually		✓	A		
Terms of reference for trust committees (including audit if required, and scheme of delegation for school committees): agree and review annually		✓			
Terms of reference for academy council: agree and review annually		✓			
Skills audit: complete and recruit to fill gaps		✓	<A>	✓	
Annual self-review of trust board performance: complete annually		✓			
Chair's performance: carry out 360 review periodically		✓		✓	
Trustee contribution: review annually		✓			
Academy Council members' contribution: review annually			A>	✓	
Succession: plan		✓	A		
Annual schedule of business for trust board: agree		✓	A		
Annual schedule of business for committees: agree		✓	A		
Annual schedule of business for academy council: agree		✓	<A>		✓

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Reporting	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Trust governance details on trust and academies' websites: ensure		✓	<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		
Annual report on work of AC: submit to trust and publish				✓	A

Reporting	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Trust governance details on trust and academies' websites: ensure		✓	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		✓			
Annual report on work of academy council: submit to trust and publish				A	✓

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Being strategic	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Determine trust wide policies which reflect the trust's ethos and values (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		✓	<A		
Determine school level policies which reflect the school's ethos and values to include e.g. admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve				✓	A
Central spend/top slice: agree		✓	<A		
Management of risk: establish register, review and monitor		✓	<A>	✓	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		
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		✓			
Academy principal: appoint and dismiss		✓	A	✓	
Budget plan to support delivery of trust key priorities: agree		✓	<A		
Budget plan to support delivery of school key priorities: agree				✓	A
Trust's staffing structure: agree		✓	<A		
School staffing structure: agree				✓	A



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Being strategic	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Determine trust wide policies which reflect the trust's ethos and values (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		✓	A		
Determine school level policies which reflect the school's ethos and values to include e.g. admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve				✓	A
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		
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		✓			
Academy principals: appoint and dismiss			✓		
Budget plan to support delivery of trust key priorities: agree		✓	A		
Budget plan to support delivery of school key priorities: agree		✓	A	✓	A
Trust's staffing structure: agree		✓	A		
Academies' staffing structure: agree			A>	✓A	A✓

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Holding to account	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Auditing and reporting arrangements for matters of compliance (e.g. 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 principal: undertake			A>	✓	
Trustee monitoring: agree arrangements		✓	<A		
Academy Council member monitoring: agree arrangements				✓	A

Holding to account	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	A		
Reporting arrangements for progress on key priorities: agree		✓	A		
Performance management of the Chief Executive Officer: undertake		✓			
Performance management of academy principals: undertake			✓		
Trustee monitoring: agree arrangements		✓	A		
Academy Council member monitoring: agree arrangements				✓	A

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Staffing delegation	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Appointment of Senior Leaders other than the Academy Principal			A>*	<A>	✓
Appointment of other school staff				A>	✓
Dismissal of Senior Leaders other than the Academy Principal		A>	✓*		<A
Dismissal of other school staff			A*>		✓
Pay on appointment and progression for the Academy Principal		✓*	<A	<A	
Pay on appointment and progression for Senior Leaders		A>*		<A>	✓
Pay on appointment and progression for all other teaching staff			A>	<A>	✓
Pay on appointment for all other support staff				<A>	✓
Role Descriptions for Senior Leaders			A>*	<A>	✓
Role Descriptions for other school staff			A>*	<A>	✓

\* Or a nominated representative or representatives

Staffing delegation	Delegation				
Decision	Members	Trust Board	CEO	Academy Council	Academy Principal
Appointment of Senior Leaders other than the Academy Principal			A>*	<A	✓
Appointment of other school staff				<A	✓
Dismissal of Senior Leaders other than the Academy Principal		A>	✓*		<A
Dismissal of other school staff			A*>		✓
Pay on appointment and progression for the Academy Principal		✓*	<A	<A	
Pay on appointment and progression for Senior Leaders		A>*			✓
Pay on appointment and progression for all other teaching staff			A>	<A	✓
Pay on appointment for all other support staff				<A	✓
Role Descriptions for Senior Leaders			A>*	<A	✓
Role Descriptions for other school staff			A>*	<A	✓

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Ensuring financial probity	Delegation				
Decision	Members	Trust Board	CEO	Academy Principal	Academy Council
Chief financial officer for delivery of trust's 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		
CEO pay award: agree		✓			
Academy principal pay award: agree			✓		
Staff appraisal procedure and pay progression: monitor and agree			✓		
Benchmarking and trust wide value for money: ensure robustness		✓	A		
Benchmarking and academy value for money: ensure robustness			A		
Develop trust wide procurement strategies and efficiency savings			✓		