

## Scheme of Delegation

### *Introduction:*

A Multi Academy Trust's (MAT) Board of Trustees is accountable in law for all major decisions about their academies. However, this does not mean that the board is required to carry out all the Trust's governance functions and many can and should be delegated, including to the CEO, the board's committees, and to academy committees.

This Scheme of Delegation (SoD) is the key document defining the lines of responsibility and accountability within the Hamwic Education Trust (HET) and is designed to ensure that the Members, Trustees, and Local Governing Bodies (LGBs), Executive Leadership and School Leaders are all clear about their roles and responsibilities.

The SoD can be found at <https://www.hamwic.org/page/?title=Governance&pid=8>

The purpose of the SoD is to:

- Promote a culture of honesty and accountability
- Ensure the executive leadership is clear about which decisions the trust board remain in control of
- Identify responsibility for the appointment and performance management of the CEO and academy school leaders
- Ensure that the role of the executive leadership is fully understood throughout the MAT
- Identify responsibility for policy and practice in each academy
- Identify responsibility for oversight of educational performance in each academy
- Identify responsibility for oversight of each academy's budget
- Identify responsibility for assessment of risk in each academy

### *Review:*

As the Trust matures and grows the needs of the organisation, both in terms of governance and management are likely to change. The SoD will be reviewed annually, with changes made as the context changes. This recognises the need to be responsive to changing circumstances and to adapt accordingly.

All stakeholders involved in the governance of the Trust will be made aware of any changes and what these mean in practice.

## ***Vision***

Hamwic Education Trust is a Trust which celebrates the uniqueness of our pupils, our staff and our schools and where everyone achieves their full potential through the pathways of opportunities available.

## ***Strapline:***

- Harnessing potential, enabling opportunities, growing the future

## ***We will do this by:***

- Supporting and challenging our leaders, staff and pupils to achieve their best, ensuring the Trust has the skills and expertise to do this
- Providing a safe and enabling learning environment for all
- Ensuring that every pupil has the same opportunities to be successful
- Providing opportunities for the complete learning journey for our pupils and staff
- Ensuring schools have the resources they need for learning
- Recognising and respecting the individuality of each school and setting
- Facilitating communities of schools working together for the benefit of all, both in partnerships and across the wider Trust.

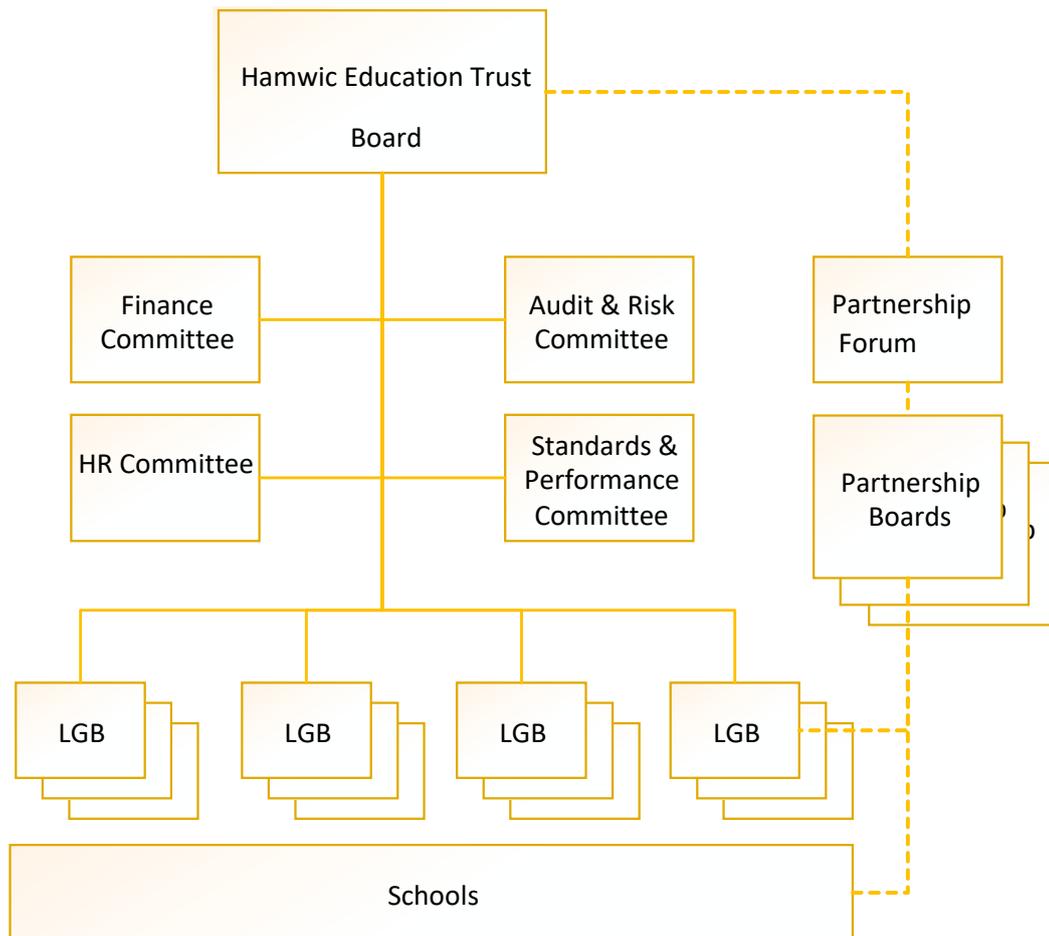
## ***Our ethos:***

- Inclusive – opportunities for all
- Supportive – health and well-being
- Collaborative – recognising that the sum is bigger than the individual parts
- Respectful – of each other, our people and pupils
- Outward-Facing – learning from each other and outside of the Trust
- Empowering – staff and pupils to take a collective responsibility for learning
- Open and honest – transparent in our decision making

## ***Aspirations:***

- All pupils to make expected progress or better
- All schools to be judged good or better by Ofsted
- To be an Employer of Choice – recruit, develop and retain the best
- All schools and Trust to be financially sustainable
- All schools to have a safe learning environment to support learning and development

### Trust Governance Structure:



### Lines of accountability:

The Board of Trustees is responsible for the three core governance functions:

- Being strategic
- Holding to account
- Ensuring financial probity

The Board of Trustees appoint the chief executive (CEO), to whom it delegates responsibility for delivery of its vision and strategy, and will hold the CEO to account for the conduct and performance of the Trust, including the performance of the schools within the Trust, and for its financial management.

In turn, the CEO is responsible for the line management of other senior executives and the School Leaders, the setting of their targets and performance managing them. The line management of the School Leaders is exercised through delegated responsibility by the DCEO for Education in conjunction with the LGB.

The Trust Board constitutes committees to look in detail at resources and progress and attainment across the Trust. As board committees, at least three Trustees must sit on each.

The Trust Board delegates some of its school level monitoring and scrutinising functions to LGBs, and uses these committees to promote stakeholder engagement and as a point of consultation and representation. Trustees do not need to sit on LGBs, and so lines of communication to the Board of Trustees must be clearly established.

The School Leader is line managed by the CEO via delegated authority to the DCEO for Education with input from the LGB. Whilst the LGB does not need to carry out the governance function of holding the School Leader to account it must still be confident that the Trust's performance management systems are working well, and if not, how they can make the Trust aware of their concerns.

## **Stakeholders, Roles and Responsibilities:**

### ***Salisbury Diocese Board of Education:***

HET works in partnership with the Salisbury Diocese Board of Education (SDBE) and, together, both organisations ensure that designated Church of England schools can act in accordance with the principles, practices and tenets of the Church of England. In particular, this relates to the arrangements for religious education and daily acts of worship.

### ***Members:***

The Members of the Trust are guardians of the governance of the Trust and as such have a different status to Trustees. Originally they will have been the signatories to the Memorandum of Association and will have agreed the Trust's first Articles of Association (the legal document which outlines the governance structure and how the Trust will operate). 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.

There must be at least three Members, and 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 Trust.

### ***Trustees (Directors):***

Hamwic Education Trust is a charitable company and so Trustees are both charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and company Directors. Because Trustees are bound by both charity and company law, the terms 'Trustees' and 'Directors' are often used interchangeably.

The Trust Board is responsible for the general control and management of the administration of the Trust, and in accordance with the provisions set out in the Memorandum and Articles of Association and its funding agreement, it is legally responsible and accountable for all statutory functions, for the performance of all schools within the Trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements. In addition, it must carry out the three core governance functions:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of the Trust's 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

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

The Directors recognise that HET's ethos is built upon the creation of local communities of schools working together through the establishment of local partnerships.

The directors undertake to work with the Salisbury Diocese, partnerships and local governing bodies to protect, as far they are able and is within their control, this aspect of HET's ethos.

#### ***Trust board committees:***

The Directors may establish committees to carry out some of its governance functions which may include making decisions, although any decisions made will be deemed decisions of the Trust Board. The membership (there must be at least three directors) and responsibilities of board committees are set out in the committee's terms of reference.

LGBs are sub-committees of the Trust Board.

The Trust committees are:

- Standards
- Finance
- Audit
- Human Resources

#### ***Local Governing Body (LGB):***

The Trust Board has established Local Governing Bodies (LGBs) within the Trust which have specific delegated governance functions as outlined in this document. The type of delegated functions includes building an understanding of how the school is led and managed, monitoring whether the school is working within agreed policies, is meeting the agreed targets and managing its finances well. The LGB also plays a pivotal role in supporting the Trust to engage with stakeholders and is a point of consultation and representation.

As a sub-committee of the board, delegation can be removed at any time.

Where a school does not have an LGB the governance of the school is co-ordinated centrally by the Trust in conjunction with the School Leader (See appendix 1).

#### ***Partnership Forum:***

The Forum is formed of representatives from each Partnership and is chaired by the Chair of the Trust Board. This is not part of the formal governance structure in terms of accountability, however it plays a key part in ensuring that there is good communication between the Trust Board and the

LGBs/Partnerships. The Forum provides an opportunity for Partnership Boards to share their work and priorities and to engage with the Trust Board in relation to the workings of the Trust.

***Partnership Boards:***

Each Partnership Board is comprised of a community of schools based in a specific geographical area. The schools work together within each Partnership to drive school improvement and collaborate on community initiatives. The Partnership Boards are not part of the formal governance structure in terms of accountability but help to ensure that the LGBs remain connected to the Trust Board through their activities and that of the Partnership Forum.

***Chief executive officer (CEO):***

The CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's schools and so the CEO performance manages the School Leaders via the DCEO Education with input from the LGB.

The CEO is the accounting officer so has overall responsibility for the operation of the 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 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.

***School Leader:***

The School Leader is responsible for the day to day management of the school and is managed by the CEO but reports to the LGB on matters which have been delegated to it which may include an element of monitoring and scrutiny of the school's management processes.

### ***Scheme of Delegation Format:***

The following grid outlines each layer of governance which enables stakeholders to quickly determine who is responsible for each strategic decision within the Trust. The grid is in four key areas to reflect both the governance framework and the three core functions of the governing board:

- The governance framework:
  - People
  - Systems and structures
  - Reporting
- Being strategic
- Holding to account
- Ensuring financial probity

Key	
Column 1:	Members
Column 2:	Board of Trustees of the Multi Academy Trust
Column 3:	Chief Executive Officer/Executive Team
Column 4:	Local Governing Body (LGB)
Column 5:	School Leader
✓	Action to be undertaken 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

Area	Decision	Delegation				
		Members	Trust Board	CEO/Exec Team	Local Governing Body	School Leader
Governance framework						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓	✓			
	Role descriptions for members	✓				
	Role descriptions for Directors/Chair/ specific roles/local governors: agree		✓	<A		
	Parent LGB member: elected				✓	
	Board committee chairs: appoint and remove		✓	<A		
	LGB chairs: appoint and remove		✓	<A	✓	
	Clerk to Board: appoint and remove		✓			
	Clerk to LGB: appoint and remove		✓		✓	
Systems and structures	Articles of association: review and agree	✓	<A	<A		
	Governance structure (committees) for the Trust: establish and review annually		✓	<A	<A	
	Terms of reference for Board committees and Scheme of Delegation: agree annually		✓	<A	<A	
	Skills audit: complete, develop and recruit to fill gaps		✓	<A>	✓	A
	Annual self-review of Trust board and committees: complete annually		✓			
	Annual self-review of LGBs: complete annually				✓	
	Chair's performance		✓		✓	

Area	Decision	Delegation				
		Members	Trust Board	CEO/Exec Team	Local Governing Body	School Leader
Systems and structures	Director/LGB contribution: review annually		✓		✓	
	Succession: plan		✓	<A>	✓	A
	Annual schedule of business for Trust board: agree		✓	<A		
	Annual schedule of business for LGB: agree			A>	✓	A
Reporting						
Reporting	Publication on Trust and school websites of all required details on governance arrangements: ensure		✓	<A	✓	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		
	Register of all interests, business, pecuniary, loyalty for Members/Directors/committee members: establish and publish		✓	<A		
Being Strategic						
Being Strategic	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		

Area	Decision	Delegation				
		Members	Trust Board	CEO/Exec Team	Local Governing Body	School Leader
Being Strategic	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>	✓	A
	Central spend / Managed Service charge: 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		
	School 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		✓			
	School leader : 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>	A	✓
	Trust's staffing structure: agree		✓	<A		
	School staffing structure: agree			A>	A	✓

Area	Decision	Delegation				
		Members	Trust Board	CEO/Exec Team	Local Governing Body	School Leader
	Reserved Matters (see Appendix 2)		✓	<A		
Holding to account						
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment law, compliance with Academies Financial Handbook): agree		✓	<A>	✓	A
	Reporting arrangements for performance and progress on key priorities: agree and monitor		✓	<A>	✓	A
	Performance management of the Chief Executive Officer: undertake		✓			
	Performance management of school leader : undertake			✓	<A	
	Trustee monitoring: agree arrangements – curriculum, student issues, Pupil Premium, quality of teaching, attendance, exclusions, budgets, complaints		✓	<A		
	LGB monitoring: agree arrangements – curriculum, student issues, Pupil Premium, quality of teaching, attendance, exclusions, budgets, complaints				✓	A
	Quality of teaching: ensuring appropriate levels of support, challenge and intervention to support delivery of education outcomes		✓	<A	✓	A
	Pupil Premium – reviewing and challenging the impact of the PP in terms of educational outcomes		✓	<A	✓	A
	Collective worship arrangements and Religious Education provision: ensure in place				✓	<A

Area	Decision	Delegation				
		Members	Trust Board	CEO/Exec Team	Local Governing Body	School Leader
	Admissions appeals and processes: undertake				✓	A
	LGB overall performance monitoring: agree arrangements i.e. statutory duties, Ofsted/SIAMS		✓	<A		
Ensuring financial probity						
Ensuring financial probity	Appoint Chief financial officer for delivery of Trust's detailed accounting processes		✓	<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	✓	A
	CEO pay award: agree		✓			
	School Leader pay award if outside of agreed range as outlined in HET Pay policy: agree			✓	A	
	Staff appraisal procedure and pay progression: review and agree		✓	<A>	A	✓
	Setting terms and conditions of employment and staff handbook		✓	<A		
	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 programme			✓			

Area	Decision	Delegation				
		Members	Trust Board	CEO/Exec Team	Local Governing Body	School Leader
	Review and approve trust wide procurement strategies and efficiency savings programme		✓	<A		
	Asset and premises maintenance strategy: determining use of school premises and ensuring premises are adequately maintained		✓	<A	✓	A

## Appendix 1: Reserved Matters

The Reserved Matters are:

### Members

(subject to such other consents/ requirements as might be required by law or the Funding Agreement)

- 1 to change the name of the Academy Trust
- 2 to change the Objects (which would require Charity Commission and Secretary of State consent in any event)
- 3 to change the structure of the Board of Directors
- 4 to amend the Articles of Association
- 5 to amend this Scheme
- 6 to pass a resolution to wind up the Academy Trust
- 7 to appoint the auditors (save to the extent that the Directors may make a casual appointment)

### Directors

(subject to such other consents/ requirements as might be required by law or the Funding Agreement)

- 8 to change the name of the Schools
- 9 to determine the educational character, mission or ethos of the Schools
- 10 to adopt or alter the constitution and terms of reference of any committee of the Board of Directors
- 11 to terminate a supplemental funding agreement for a School
- 12 to establish a trading company
- 13 to sell, purchase, mortgage or charge any land in which the Trust has an interest
- 14 change use of capital assets i.e. assets from which the Trust derives benefit from more than one year e.g. land, buildings, IT in line with the Funding Agreement, Academies Financial Handbook and legislation
- 15 to approve the annual estimates of income and expenditure (budgets) and major projects
- 16 to appoint investment advisors

17	to sign off the annual accounts;
18	to appoint or dismiss, the Chief Executive Officer, the Deputy Chief Executive Officer, the Company Secretary or the Clerk to the Directors;
19	to settle the division of executive responsibilities between the Directors on the one hand and Chief Executive Officer, the Deputy Chief Executive Officer and the School Leaders on the other hand, and to settle the division of executive responsibilities between those individuals
20	to do any other act which the Funding Agreement expressly reserves to the Board of Directors or to another body (including for the avoidance of doubt, terminating the Funding Agreement or any part of it)
21	to do any other act which the Articles expressly reserve to the Board of Directors or to another body
22	to do any other act which the Board of Directors determine to be a Reserved Matter from time to time

## Appendix 2: Protocol Where a School Does Not Have an LGB:

### The purpose of governance:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff;
- Overseeing the financial performance of the organisation and making sure its money is well spent

*(Governance Handbook, DfE, March 2019)*

### Expectations of Trustees and Leaders of the MAT:

In a MAT, the trustees are responsible for governance. Inspectors will ask to speak to one or more of the trustees. It may be that, on occasion, the trustees have chosen to delegate some of their powers to the members of the 'academy committee' or 'local governing board' at school level. If inspectors are informed that a local governing body has delegated responsibilities, they should establish clearly which powers are with the trustees, which are with the leaders of the MAT and which are with the local governing board. They should then ensure that both their inspection activities and the inspection report reflect this.

*(School Inspection Handbook November 2019)*

### Scheme of Delegation:

In line with the HET Scheme of Delegation, the Trust Board delegate functions including building an understanding of how the school is led and managed, monitoring whether the school is working within agreed polices, is meeting agreed targets and managing its finances well.

### **Trust Oversight Mechanisms:**

- Initial school audits including areas to focus on
- Reports from linked Standards Officers regarding visits
- Records of visits from wider Education team
- Budget monitored by Finance Manager, CFO, DCEO, Business, Finance & Audit Committee
- HT performance management carried out by Standards Officer and Deputy CEO, Education
- Safeguarding audits (bi-annual)
- Pupil Premium audits
- Website audits
- Attendance audits
- IT & HR internal audits on a bi-annual schedule
- H&S Workplace inspections carried out annually
- Finance Internal audit carried out on an annual basis
- Financial external audit carried out on an annual basis in line with ESFA requirements and reporting
- Training for School Leaders – termly Leadership conferences
- Trust wide complaints procedure and policy, that makes provision for schools without an LGB.

### **Meetings:**

- The school will be put on each agenda for the fortnightly combined team meeting, where updates will be provided from the Education, HR, IT, Estates and Finance teams. Any policies will also be considered at this meeting.
- The Executive Team will meet with the School Leader on a termly basis. This will be the Trust Committee. The School Leader will provide a termly school report using the Trust template.
- The meetings will be minuted.

### **Ofsted:**

If a school without an LGB, receive the Ofsted call, the Trust representative will be a member of the Executive Team and the school's Standards Officer.

### **Complaints:**

For complaints, please refer to the HET Complaints Policy and Procedure, which explains the process for those schools without an LGB.

### **Exclusions:**

For any hearing panel that would be formed from the LGB, the Trust will ask for representatives from across the relevant Partnership.

### **Grievance:**

For any hearing panel that would be formed from the LGB, the Trust will ask for representatives from across the relevant Partnership.

**School Website:**

Under the Governance Section of the school website, the following information will be published:

*XX School's governance is undertaken by Hamwic Education Trust (HET). The School Leader and Trust Executive Team meet once a term.*

*Please click on the link to the procedure for HET schools without a Local Governing Body. The governance arrangements for HET can also be found by clicking here*

<https://www.hamwic.org/page/?title=Governance&pid=8>

*Please contact the School Leader or Trust Governance & Compliance Officer ([sam.mawby@hamwic.org](mailto:sam.mawby@hamwic.org)) for further information.*

Scheme of Delegation Responsibilities of LGB		Trust Mechanism	Who
<b>Governance Framework</b>			
People	Parent LGB member: elected	Not applicable if no LGB	n/a
	LGB Chairs: appoint and remove	Not applicable if no LGB	n/a
	Clerk to LGB: appoint and remove	Not applicable if no LGB	n/a
Systems and Structure	Skills audit	Not applicable if no LGB	n/a
	Annual self-review of LGBs	Not applicable if no LGB	n/a
	Chairs performance	Not applicable if no LGB	n/a
	Director/LGB contribution	Not applicable if no LGB	n/a
	Succession planning	Not applicable if no LGB	n/a
<b>Reporting</b>			
Reporting	Publication on Trust and school's website of all required details on governance arrangements	Website Audits	Governance and Compliance Officer
Being strategic	Determine and approve school policies which reflect the school's ethos and values to include admissions, SEND, safeguarding and child protection, curriculum, behaviour	Through Combined Team Meetings and Trust Exec Committee	Combined Team
	Management of risk: establish risk register, review and monitor	Central risk register maintained for the Trust and school specific and monitored through Risk Committee	Deputy CEO; Business, CFO Risk Committee
	Engage with stakeholders	Through Trust Committee	Exec Team and School Leader
	Support School Leaders to develop the school vision, inclusive ethos and school strategic plan	Through initial audits and reviews and Standards Officer Visits	Standards Officer Executive Team
<b>Holding to Account</b>			
Holding to account	Agree auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment law, compliance with Academies Financial Handbook)	Internal audits, safeguarding reviews, budget monitoring	Deputy CEO, Business, CFO and Business Team
	Agree and monitor arrangements for performance and progress on key priorities and pay related decisions	School Leader performance management Initial school audits	Deputy CEO, Education Standards Officer

	Agree arrangements for statutory duties for monitoring of curriculum, pupil premium, sports premium, attendance (including pupil movement), exclusions, budgets, complaints, SEN and alternative provision and safeguarding (including PREVENT)	Each school linked with a Standards Officer to focus on curriculum, student issues, Pupil Premium, Quality of teaching Pupil Inclusion Team monitors attendance, exclusions and behaviour Finance Team monitor budgets Deputy CEO, Business monitors complaints and centralised policy	Combined Team Meetings
	Agree arrangements for monitoring of student issues and challenging behaviours, quality of teaching, staff development (including the impact of external support) and workforce reforms and school strategic plan	Standards Officer Visits Inclusion Team Visits People Plan Meetings	Standards Officer / Inclusion Team / HR linked Officer
	Quality of teaching: ensuring appropriate levels of support, challenge and intervention to support delivery of education outcomes	Initial School Audit and monitoring visits	Deputy CEO, Education Standards Officer
	Review and challenge the impact of Pupil Premium in terms of educational outcomes	Trust pupil premium reviews	Standards Officer
	Ensure collective worship arrangements are in place	Internal audit Curriculum Review	Standards Officer
	Undertake Admissions appeals and processes	Reviewed through Trust committee and approved at Trust Board	Trust committee and Trust Board
<b>Ensuring financial probity</b>			
Ensuring financial probity	Receive and respond to the external auditor's report	External Audit Report received centrally and comments are made centrally	Finance Team Audit Committee
	Ensure robustness in benchmarking and academy value for money	The Trust provide benchmarking information that is reviewed by School Leader, Audit Committee and Trust Board	Finance Team Finance & Audit Committee Trust Board
	Determining the use of academies premises and ensuring premises are adequately maintained	Finance/Audit/Risk Committee Health & Safety Inspections	Estates Team
	Ensure SEN, Pupil Premium and Sports Funding impact positively on pupil outcomes	Standards Officer Visits Pupil Premium reviews	Standards Officer

