

The Bay Learning Trust Scheme of Delegation: Autonomous School

Scheme of Delegation

This Scheme of Delegation outlines the delegated responsibilities between the key governance tiers within **The Bay Learning Trust** (“the Trust”) – the Members of the Trust, MAT Board, Chief Executive Officer, Local Governing Committees and Headteachers.

This summary is designed for use by governance stakeholders within the Trust and external regulators, including Ofsted and the Education & Skills Funding Agency (“EFSA”).

Summary of governance structure

Within the Trust, the overarching approach to delegations for each governance tier is as follows:

- **Members** – Members have responsibility for ensuring that the charitable purpose of the Trust is pursued. They have a limited and distinct role as set out in the scheme of delegation below.
- **MAT Board** – The MAT Board holds the ultimate legal accountability for all aspects of operation delivery, policy and decision making. They oversee the management and administration of the Trust and the academies within it. The MAT Board will deal with non- delegated key matters such as strategic direction, vision and values and educational targets.
- **CEO** – Holds delegated responsibility from the MAT Board to manage the day to day activities of the Trust.
- **Local Governing [Bodies/Committees]** – LGCs hold delegated power from the MAT Board at school level to make decisions and scrutinise at a local level.
- **Headteachers** – The Headteachers within the Trust are responsible for all aspects of the day to day running of their setting and operational delivery of school improvement plans.

A multi academy trust’s board of trustees is accountable in law for all major decisions about all the schools within the Trust. However, this does not mean that the board is required to carry out all the Trust’s governance functions and many functions can and should be delegated elsewhere, including to the CEO, the board’s committees, and to LGCs.

At all levels of delegation, the MAT Board retains the right to withdraw delegation of certain responsibilities or functions if performance in the delegated area is a cause for concern or there is a need to refocus the delegated powers to secure rapid improvements. For example, if a school’s leadership and management is judged to be inadequate, the Trustees may wish to take responsibility for governance at a local level to ensure the correct support and scrutiny is in place.

The decisions as to which powers the board has delegated are recorded in the table below. This allows individuals and groups to act promptly when such power is within their remit.

Reading the grid
X - action to be undertaken at this level
A - provide advice and support to those with decision making power
< / > - Demonstrates which way up/down the decision chain the advice must be provided
Note: Decisions retained by the MAT Board may be delegated to the Risk and Audit Committee but not to the CEO, LGC or Headteacher

* Please note the LGB committee structure provides an example and can be adapted

Decision	Delegation					Academy Executive Headteacher/ Headteacher
	Members	Trust Board	Trust Board Committee * (S, R & A)	CEO/Executive	Local Gov. Body	
PEOPLE						
Members: Appoint/Remove	X					
Directors: Appoint/Remove	X					
CEO: Appoint/suspend/approve		X				
Executive: Appoint /approve		X				
Executive: Suspend		X				
Role descriptions for Directors/chair/specific roles/committee members: Agree		X				
Trust Committee Chairs: Appoint/remove		X				
LGB Chairs: Appoint/remove		X				
LGB Members: Appoint/remove		X			<A	
LGB Parents: Appoint when elected/suspend					X	
Clerk to the Board: Appoint/remove		X				
Company Secretary to Board: Appoint/remove		X				
Headteacher: Appoint/suspend/remove		X		<A	<A	

Decision	Delegation					Academy Executive Headteacher/ Headteacher
	Members	Trust Board	Trust Board Committee (S, R & A)	CEO/Executive	Local Gov. Body	
Deputy Headteacher: Appoint/suspend/remove					X	<A
Teaching Staff: Appoint/suspend/remove					X	<A
Non-teaching staff: Appoint/suspend/remove						X
Clerk to LGB: Appoint/suspend/remove				X		
Variations to agreed academy staffing structure/establishment: Approve/reject		X	Resources		<A	<A
Schools wishing to join the Trust: Approve/reject		X		<A		
SYSTEMS AND STRUCTURE						
Articles of Association: Agree and review	X	<X				
Governance structure (Committees) for the Trust: Establish and review annually		X				
Terms of reference for Trust Committees (including audit, if required, and scheme for school Committees): Agree annually		X				
Structure of Local Governing Body Committees: Agree and review					X	
Skills audit for Trust Board and LGB members: Complete and recruit to fill gaps		X				
Annual Trust assessment of the Trust Board and Committees: Complete annually		X				

Decision	Delegation					Academy Executive Headteacher/ Headteacher
	Members	Trust Board	Trust Board Committee (S, R & A)	CEO/Executive	Local Gov. Body	
Annual self-review of LGB performance: Complete annually					X	
Trust Chair's performance: Carry out 360 review periodically		X				
Trustee/Committee member contribution: Review annually		X				
Succession Planning and Leadership Development		X		<A	<A	<A
Trustee support and CPD programme: Agree and implement		X				
Governor support and CPD programme: Agree and implement					X	
Annual calendar of Trust meetings: Agree		X		<A		
Annual calendar of meetings for LGB: Agree		X		<A>	<A	<A
LGB procedures and practice: Review and agree		X		<A		
REPORTING						
Ensure required reports are available for all Board and committee meetings				X	<A	
Trust governance details on Trust and academies' websites: Ensure		X		<A		
Academy governance details on academy website: Ensure		X		<A		<A
Register of all interests, business, pecuniary, loyalty for		X		<A		

Decision	Delegation					Academy Executive Headteacher/ Headteacher
	Members	Trust Board	Trust Board Committee (S, R & A)	CEO/Executive	Local Gov. Body	
members/trustees/committee members: Establish and publish						
Annual report on performance of the Trust: Submit to members and publish		X			<A	
Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: Submit		X	<A	<A		
ESFA required reports and returns - submit		X		<A		
Annual report on work of LGB: Submit to Trust and publish					X	<A
BEING STRATEGIC						
Trust's vision and strategy: Agree key priorities and key performance indicators (KPIs): Determine: Agree		X		<A		
Academy's mission and strategy within the ethos and mission of the Trust: key priorities and key performance indicators (KPIs): Determine: Agree				<A>	X	<A
The vision, aims and values of the Trust: Review and monitor		X				
The mission, vision and aims of individual academies: Review and monitor					X	<A

Company and Charity Law: Ensure compliance		X	Resources	<A		
Services to be procured on behalf of individual academies: Identify		X	Resources	<A		

Decision	Delegation					Academy Executive Headteacher/ Headteacher
	Members	Trust Board	Trust Board Committee (S, R & A)	CEO/Executive	Local Gov. Body	
Centrally procured services procured to secure best value: Identify and agree				X		
Management of risk: Establish register, review and monitor		X		<A	X	<A
Engagement with stakeholders	X	X		X	X	X
Academy Improvement Strategy Plans: Approve		X		<A	X	<A
Academy Curriculum: Delivery					X	<A
Academy Prospectus: Approve					X	
Budget plan to support delivery of Trust key priorities: Agree		X		<A		
Budget plan to support delivery of Academy key priorities: Agree					X	<A
Standards of teaching: Monitor and improve						X
'Prevent Policy' and 'British Values': Agree and monitor					X	
'Prevent Policy' and 'British Values': Implement and monitor						X
'Sex Education and Relationships Policy': Agree and monitor					X	
'Sex Education and Relationships Policy': Implement						X
Trust's staffing structure within agreed budget: Agree		X	Resources	<A		

Decision	Delegation					Academy Executive Headteacher/ Headteacher
	Members	Trust Board	Trust Board Committee (S, R & A)	CEO/Executive	Local Gov. Body	
Academy staffing structure within agreed budget: Agree					X	<A
Trust business continuity/disaster recovery: Approve, planning and oversight		X		<A		
Academy business continuity/disaster recovery: Planning and oversight					X	<A
Changes in government and other national policies: Plan and implement response		X		<A		
Buildings Development (Maintenance) Plan: Develop and implement		X		<A	X	
Estates/Property Management Plan: Develop and oversee		X		<A	X	
Change the academy category: Publish proposals		X				
School term dates, holidays and sessions times: Agree and approve		X			<A	<A
HOLDING TO ACCOUNT						
Ensure the Christian distinction of faith schools is developed, enhanced and promoted.		X		<A		
Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment whistleblowing): Agree		X		<A	X	<A

Reporting arrangements for progress on key priorities: Agree (cross references with KPIs)		X		<A	X	<A
Performance management of the Chief Executive Office:		X				
Decision	Delegation					Academy Executive Headteacher/ Headteacher
	Members	Trust Board	Trust Board Committee (S, R & A)	CEO/Executive	Local Gov. Body	
Performance management of academy Headteacher				X	<A	
Targets for pupil achievement: Agree		X	Standards	<A>	<A	<A
ENSURING FINANCIAL PROBITY						
Chief financial officer for delivery of the Trust's detailed accounting process: Appoint		X				
Trust's scheme of financial delegation: Establish and review			Resources			
Academy's scheme of financial delegation: Establish and review			Resources			
Funding Agreements: Ensure compliance		X		<A		
Ensure probity in Trust financial procedures and execution		X	<Audit			
External auditors' report: Receive and respond		X	<Audit	<A	<A	<A
Appointment of External auditors	X	<A	<A	<A		
CEO pay award: Agree		X				

Academy Headteacher pay award: Agree		X			<A	
Staff appraisal procedure and pay progression: Monitor and agree					X	<A
Proposed individual academy budget: Develop						X
Individual academy budget: Approve		X			<A	

Decision	Delegation					Academy Executive Headteacher/ Headteacher
	Members	Trust Board	Trust Board Committee (S, R & A)	CEO/Executive	Local Gov. Body	
Monthly academy expenditure: Monitor						X
Variation to the budget without the overall academy budget going into deficit: Approve					X	
Expenditure outside the agree budget: Approve		X	<Resources			
Monitoring Budget		X		<A		<A
Local Governing Body expenses scheme: Approve			Resources			
Benchmarking and Trust value for money: Ensure robustness		X	<Resources			
Benchmarking and academy value for money: Ensure robustness			Resources>		X	
Develop Trust wide procurement strategies and efficiency savings programme: Develop		X		<A		