



# **Scheme of Delegation of the Powers and Responsibilities of the Trust Board**

**2021**

## GOVERNANCE STRUCTURE AND LINES OF ACCOUNTABILITY

### The purpose of the scheme of delegation

Future Schools Trust (the Trust) is a multi-academy trust (MAT). The Board of Trustees (Board) of the Trust is accountable in law for all decisions about its academies. However, this does not mean that the Board is required to make all the decisions itself. Many decisions can and should be delegated to Board Committees including local governing bodies (LGBs). Decisions to delegate a function are made by the full Board of Trustees and are recorded. Without such formal delegation, the individual or committee has no power to act. The powers and decision-making functions delegated to committees can be amended or revoked at the discretion of the Trust Board.

This scheme of delegation defines which functions have been delegated and to whom. It ensures Members, Trustees, committees (including LGBs) and Headteachers are clear about who has responsibility for making which decisions in the Trust. This overarching scheme, covering all decision making in the Trust, should not be confused with the written scheme of financial powers referred to in the Academies Financial Handbook.

This Scheme of Delegation is in line with the following documents:

- The Trust's [Articles of Association](#) which set out the charitable objects of the Trust along with its governance composition and overarching procedures.
- The Trust's [Funding Agreement](#) which sets out the conditions upon which the Trust receives its funding.
- The [Academies Financial Handbook](#) which is issued by the Education and Skills Funding Agency and sets out the financial framework and governance requirements for academy trusts reflecting their status as companies, charities and public bodies.

Details of delegated decision making and delegated actions to meet the Trust's responsibilities are contained within the Trust's Delegation Matrix below.

## Scheme of Delegation of Powers and Responsibilities

### The role of the Members

Members of the Trust have a different status from Trustees. They are responsible for approving any amendments made to the Articles of Association and appoint a number of Trustees to ensure that the Trust’s charitable object is carried out.

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 Board of Trustees (Board) is the accountable body for general control and management of the administration of the Trust in accordance with the provision set out in the Articles of Association. The Board is the accountable body for the performance of all academies 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 Board is permitted to exercise all the powers of the academy trust. The Board will delegate to the Chief Executive responsibility for the day-to-day operations of the Trust. The Trust has the right to review and adapt its governance structure at any time, including the removal of delegated powers.

✓ **Decision Maker** *(with a star this means that the decision / action may be delegated to an agreed sub group including its chair)*

**C Consulted** *(provided with information and views are taken into account)*

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**RO Responsible officer** *(the member of Trust staff responsible for delivery of actions need to discharge the responsibility)*

### The role of committees

The Board 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 Board may appoint committee members and committee chairs.

#### The Pay Committee

The pay committee determines the changes to pay at both trust level and for individual members of staff.

#### The Resources Committee

The Finance and Audit Committee exists to ensure that the Board can guarantee sound management of the Academy's finances and resources, including proper planning, monitoring, compliance and probity. The Committee's delegated responsibilities are set out in the Trust's Scheme of Delegation and the Trust's Financial Handbook. The Board recognises the overriding principles of the Academies Financial Handbook (AFH). Major strategic issues will be referred to the Trust Board for their approval

#### The Performance and Standards Committee

The Performance and Standards Committee advises the Board on matters relating to the Trust's quality of education and standards. This Committee will also advise and aid the Board to ensure high standards of leadership and management.

#### The Local Governing Body (LGB)

The Board delegates some of its academy-level monitoring and scrutinising functions to Local Governance Committees (called Local Governing Bodies) and can change or remove this delegation at any time. Responsibilities and powers delegated to a Local Governance Committee may be further delegated to a committee of their own or to the Head teacher of the academy, although the LGB remains responsible for any decision made under delegation. This further delegation requires the approval of the Trust's CEO. Those appointed/elected to serve on LGBs are members of a Board committee and are known as 'Governors'. The role of the LGB is to provide focussed governance through its scrutiny of, and advice on issues affecting the Academy. It monitors the Academy's key performance indicators and acts as a critical friend to the Head teacher and the senior leadership team, providing support and challenge as appropriate. The Trust Board has ultimate responsibility and accountability and retains the right to overrule a decision of the LGB and/or to remove delegated powers should they consider it to be in the best interest of the academy or the wider Multi-Academy Trust.

More detail on the role and responsibilities of the various Trust committees can be found under the relevant Committee Terms of Reference.

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## Scheme of Delegation of Powers and Responsibilities

### Chief Executive Officer

The Chief Executive Officer (CEO) has responsibility for delivery of the board's vision and strategy and for the conduct and performance of the Trust, including the performance of the Trust academies and for the Trust's financial management. The CEO is responsible for ensuring delivery from those who are given specific responsibilities and tasks.

The CEO line manages senior executives and academy Heads, except where this has been delegated to the other senior members of staff.

The post holder is the Accounting Officer so has overall responsibility for the operation of Trust's financial responsibilities and must ensure that the operation is run with financial effectiveness and stability, avoiding waste and securing value for money.

Where consultation is needed the CEO will use the regular meetings with Heads and Chairs to do this so as to keep unnecessary bureaucracy to a minimum.

### Head teachers / Heads of School

The Head is responsible for the day to day management of the academy and is managed by the CEO but reports to the LGB on matters which have been delegated to the LGB. Each Academy Head teacher is responsible for the operational management of their academy. The Head will work with the CEO to determine the precise nature of their role and responsibilities, depending on the needs of that academy. This will be regularly reviewed and is expected to change over time as the academy develops.

The Academies' Head teachers meet regularly with the CEO. Performance management of the Head is done by the CEO with advice from the Chair of Governors.

### Scheme of Delegation Matrix

The following table sets out the main MAT functions and identifies where decision making and responsibility for actions lies.

Actions taken by a properly constituted committee or delegated to an individual member of staff, governor or to a Headteacher, are taken on behalf of the Trust. The Trust will remain accountable.

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# Scheme of Delegation of Powers and Responsibilities



		Members/Trustees/Governors					Trust Executive Board/Central Services					
Activity		Members	Board	Pay Committee	Resources Committee	Performance and Standards Committee	LGB	CEO	Finance Director	HR Manager	Premises & IT Manager	HTs
<b>1. GOVERNANCE</b>												
1	Members – appoint/remove	✓	C					C				
2	Appoint/Remove Directors/Trustees	✓	R					C				
3	Articles of Association agree/amend	✓	R					C				
4	Governance Structure, terms of reference for committees including LGBs and scheme of delegation		✓				C	R				C
5	Governors Appoint/Remove		✓*				C	R				C
6	LGB Chair/Vice Chair appoint		✓*				R					
7	Appoint Governors to roles on the GB as appropriate						✓	R				C

		Members/Non-Executive Directors/Governors					Trust Executive Board/Central Services					
Activity		Members	Board	Pay Committee	Resources Committee	Performance and Standards Committee	LGB	CEO	Finance Director	HR Manager	Premises & IT Manager	HTs
<b>2. STRATEGY</b>												
1	Approval of new schools/academies joining the Trust - Consult with DfE and their final approval required	C	✓				C	R				C
2	Agreeing the Trust’s ethos, vision and aims		✓				C	R				C
3	Setting Trust Strategic Plan		✓				C	R				C
4	Setting Trust-wide Policies (see policy schedule for authority levels)		✓*				C	R				C
5	Setting Trust Level KPIs		✓				C	R				C
6	Setting Academy-level policies & guidelines (cannot contradict Trust policies )						✓	C				R
7	Strategic implementation of Trust Vision and Ethos at academy level						✓	C				R
8	Maintain the Trust’s management of risk register		I		✓		C	R	RO	C	C	C

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<b>3. CURRICULUM, ACADEMIC PERFORMANCE AND PUPIL WELLBEING</b>												
1	Set Academy KPIs in line with Trust KPIs		✓			C	C	R				C
2	Approve School Improvement Plan (SIP) in line with Trust Plan						✓	R				RO
3	Review progress against KPIs and SIP					I	✓	C				RO
4	Curriculum policy and provision											
	1. Trust Curriculum Statement and Overview		I			✓	C	R				C
	2. Academy Curriculum Plan					I	✓	C				RO
	3. Significant Academy curriculum variations		I			✓	C	R				C
5	Ensuring the National Curriculum is followed and that all pupils including those with SEND can access the curriculum					I	✓	R				RO
6	Monitoring teaching to ensure high quality delivery appropriate support, challenge and intervention					I	✓	R				RO
7	Ensuring that the Pupil Premium Strategy is effective					I	✓	R				RO
8	Monitoring pupil progress and attainment to ensure that targets are met and pupils achieve desired outcomes					I	✓	R				RO
9	Monitoring progress and standards for those pupils with SEND, EAL, PPG and other vulnerable groups to ensure effective delivery					I	✓	R				RO
10	Monitoring provision of Careers advice provision						✓	R				RO
11	Ensure effective support for pupil attendance						✓	R				RO
12	Responsibility for removal of students						I	✓	C			RO
13	Pupil Disciplinary Hearings to review Permanent Exclusion						✓	I				RO
14	Ensure the sharing of good practice across the Trust		I			✓	C	RO				C
15	Ensure that the voices of pupils and families are heard in decision making		I			✓	C	R				C

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<b>4. SAFEGUARDING</b>												
1	Approve Trust Safeguarding Policy		✓				C	R				C
2	With support from linked Governor/trustee undertake annual Safeguarding Audits and monitor application of safeguarding policy within schools						✓					RO
3	Ensure updating of Safeguarding section of the management risk register		✓				C	RO				C
<b>5. SCHOOL ORGANISATION</b>												
1	School times of the day and term dates, INSET days, shared INSET days		I				C	✓				RO
2	Making variations to the length and/or structure of the academy day		C				C	✓				RO
3	Make changes to the academy uniform for students						C	C				✓
4	Make changes to Admissions Arrangements incl PAN changes		✓				C	R				RO
<b>6. PR &amp; MARKETING</b>												
1	Academy based PR and activity to promote the school.		I				C	✓				RO
2	DfE, national agencies, RSC and LA		✓*					RO				
3	Press		I					✓				RO
4	Academy prospectus		I				I	✓				RO
5	Trust website Compliance and overall content framework		I				C	RO				C
6	Academy website Compliance						I	C				RO
7	Academy website overall content framework							✓				RO
8	Approving press statements		I					✓				RO

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Activity		Members	Board	Pay Committee	Resources Committee	Performance and Standards Committee	LGB	CEO	Finance Director	HR Manager	Premises & IT Manager	HTs
<b>7. ACCOUNTS AND AUDIT</b>												
1	Prepare and approve annual audited financial statements and report to Companies House and DfE and uploaded to Trust website (members receive at AGM)		✓		C			R	RO			
2	Appoint/remove Internal and External Auditors	✓			R			C	RO			
3	External auditors report – receive and respond				✓			R	RO			
4	Trust’s scheme of financial delegation		✓		R			C	RO			
5	Trust’s Financial KPIs		I		✓			R	RO			
6	Set Academy Financial KPIs (in line with Trust KPIs)						✓	R	C			RO
7	Set reserves policy in line with the AFH and any internal policies and controls		I		✓			R	RO			C
<b>8. BUDGETS AND BUDGETARY CONTROL</b>												
1.	Approve and monitor performance of consolidated Trust budget		I		✓			R	RO			C
2	Approve and monitor performance of Academy budget (must be in line with Trust budget)						✓	C	C			RO
3	Approve and monitor Central Services Trust budget				✓			RO	C			
4	Financial regulations, control procedures and associated policies		I		✓			R	RO			
5	Financial risk - review and monitor the financial section of management risk register				I		✓	C	RO			C
<b>9. PROCUREMENT AND FINANCIAL CONTROLS</b>												
<b>See Appendix to Trust Financial Handbook</b>												

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	Members	Board	Pay Committee	Resources Committee	Performance and Standards Committee	LGB	CEO	Finance Director	HR Manager	Premises & IT Manager		
<b>10. HUMAN RESOURCES AND PERSONNEL</b>												
<b>Personnel Structure, amending contracts of employment</b>												
1	Approval of overall shadow senior staffing structure		✓				C	R	C	C		C
2	Approval of all permanent changes to structures at Tier 1 (Leadership Scale)		✓				C	R	C	C		C
3	Approval of all changes to structures at Tier (TLR)		I					✓	C			RO
4	Approval of changes to Trust structure of Central Services		✓					R	C	C		C
5	Approval of changes to main scale posts and support staff structures in academies						✓	C	C	C		RO
<b>Making appointments</b>												
1	CEO		✓				C	C	C	C		C
2	Headteachers		✓				R	RO	C	C		
3	Tier 1 Leadership (Leadership Scale)		C				✓	C	C	C		RO
4	Tier 2 Leadership roles (TLR)						✓	C				RO
5	Central Services Managers				C			✓	C	C		C
6	Central Trust Staff				C			✓	C	C		C
7	Academy teaching and other support staff						✓	C	C	C		RO
<b>Annual salary review</b>												
1	CEO		✓									
2	Tier 1 Leadership (Leadership Scale)			✓				R				C
3	Progression through upper pay spine			✓				R				RO
4	Tier 2 Leadership (TLR)							R				RO
5	Central Services Managers			✓				RO				
6	Central Trust Staff							✓	RO	RO	RO	
7	Academy teaching and other support staff						✓	C	C	C		RO

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## Scheme of Delegation of Powers and Responsibilities



8	Review of Trust Pay Policy – agree annually		I	✓						RO		
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<b>Activity</b>		<b>Members</b>	<b>Board</b>	<b>Pay Committee</b>	<b>Resources Committee</b>	<b>Performance and Standards Committee</b>	<b>LGB</b>	<b>CEO</b>	<b>Finance Director</b>	<b>HR Manager</b>	<b>Premises &amp; IT Manager</b>	<b>HTs</b>
<b>10. HUMAN RESOURCES AND PERSONNEL (continued)</b>												
<b>Accountability and Disciplinary</b>												
1	CEO		✓									
2	Heads		✓				C	R		C		
3	Other Academy Staff		I				R	✓				RO
4	Central Services Staff		I					✓	RO	RO	RO	

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<b>Activity</b>		<b>Members</b>	<b>Board</b>	<b>Pay Committee</b>	<b>Resources Committee</b>	<b>Performance and Standards Committee</b>	<b>LGB</b>	<b>CEO</b>	<b>Finance Director</b>	<b>HR Manager</b>	<b>Premises &amp; IT Manager</b>	<b>HTs</b>
<b>11. PROPERTY AND ASSETS</b>												
1	Asset & Premises Management – strategy determining use of Academies’ premises and ensuring premises are adequately maintained		I					✓			RO	C
2	Statutory compliance testing		I					✓			RO	
3	Fire Risk Assessment		I					✓			RO	
4	Arranging insurances		I					✓	C		RO	
5	Assets Register		I					✓			RO	

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<b>12. SITE AND HEALTH AND SAFETY</b>												
1	H&s Policy and arrangements				✓			R			RO	
2	Monitor Health and Safety in the school						✓	C			RO	C
3	Ensure updating of Health and Safety section of the management risk register				✓		C	R			RO	C
<b>Use of buildings/structural alterations to buildings</b>												
1	Approving structural alterations within the existing framework of buildings				✓	C	C	R	C		RO	C
2	Approving the use of buildings for hire or reward							✓	C		RO	C
3	Approving the siting of external temporary buildings/containers or outbuildings							✓	C		RO	C
4	Approving alterations or amendments to any perimeter fencing and/or external signage							✓	C		RO	
5	Approving alterations, or amendments to, fire and/or security protection services				I			✓	C		RO	
<b>13. INFORMATION TECHNOLOGY &amp; DATA PROTECTION</b>												
1	Approval of ICT Strategy				I			✓	C		RO	C
2	GDPR Compliance				I			✓			RO	
3	Make changes to IT Service Level Agreement				I		I	✓	C		RO	C
4	Approve new Trust software or hardware				I			✓	C		RO	C
5	Approve changes to IT infrastructure, system and/or security				I			✓	C		RO	C

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