

# The Gateway Multi Academy Trust

## Scheme of delegation



# The Gateway Multi Academy Trust Scheme of Delegation

## Introduction

Whilst the Gateway Multi Academy Trust (GMAT) board of trustees is accountable in law for all decisions about its academies, this does not mean that the board is required to make all the decisions itself. Many decisions can and should be delegated including to the EL, board committees and local governing bodies. The decision to delegate a function is made by the full board of trustees and is recorded formally in their minutes. Without such formal delegation, the individual or committee has no power to act.

## The purpose of scheme of delegation

A scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. It should be a simple yet systematic way of ensuring members, trustees, committees (including local governing bodies), executive leadership and academy/school Headteachers are clear about who has responsibility for making which decisions in the trust. This overarching SoD covering all decision making in the trust should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook.

The aim of the SoD from GMAT is to prevent confusion and misunderstanding arising which could lead to a loss of trust and damaged working relationships. The scheme must be fit for purpose which means it will demonstrate clearly the lines of accountability. In addition we do not wish to overlap duties and tasks leading to confusion and duplication so this scheme is a way of everyone understanding their responsibilities and accountabilities.

## Review and adapt

As GMAT matures and grows the workings of the SoD will be reviewed, with revisions made as the context changes, if necessary each year. This is not a failure, but recognition of the need to be responsive to changing circumstances and to adapt accordingly. It is, however, important to ensure that all involved in governance are made aware of any changes and what these mean in practice.

## Our Scheme aims to be effective by undertaking the following:

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



# The Gateway Multi Academy Trust

Meet annually (July) to receive accounts and delegate authority to the trustees.

**5 Trust members:**

*Judith Houghton, Peter Hanlon, Mary Hoather, Wayne Palmer, David Crossley*

*In attendance: Executive Leader and Director of Finance*

## Board of Trustees

**Members:** Judith Houghton, Sarah Weare, Malcolm Kaill, Sheila Caine, Elizabeth Lee, Jason Anderson (Romsey Primary), Melanie Saunders  
**In attendance:**  
Executive Leader, Director of Finance

**2021/2022 – four meetings – Sept, Dec, Apr, Jul**

**Membership 9 (Standards and Finance)**

**Purpose:**

- i. Agree scheme of delegation
- ii. Hold Schools to account
- iii. Ultimately accountable
- iv. Improvement Plan

## Executive Committee

Executive Committee – day to day operational group for GMAT including policies. Six meetings a year – 1 per half term. **Membership:** Headteachers of all schools in trust and other trustee members as required. Annie Eagle, Haydn Mitton, Jason Anderson, Executive Leader, Director of Finance, 2 x Trustees

## Audit & Risk Committee

Three meetings a year – 1 a term. **Membership:** Sarah Weare, John Bennett, Peter Hanlon  
Headteachers, Executive Leader, Director of Finance

## The Romsey School

### Local Governing Body

Members: Elizabeth Lee (Chair), A Eagle (HT), J Houghton, N Adens, J Bennett, S Caine, I Clapton, G Hiscock, M Kaill, K Lugg, P O'Hara, S Pearson  
Trustees in attendance. **Meet 4 times per year depending on structure**



Quality of Education Committee

Behaviour, Attitude and Personal Development Committee

Meet 2xAutumn, 2xSpring, 1xSummer

## RCS Main

Meet 2 times a year

## RCS Ops

Meet 3 times a year



## Oakfield Primary School

### Local Governing Body

Members: H Mitton (HT), S Baldwin, M Loftus, I Collins, J Houghton (GMAT), N French (GMAT), Vacancy

As required: Exec Leader, Dir of Finance  
**Meet 6 times a year. Report to Trustees**



## Governance structure and lines of accountability

The board of trustees of GMAT delegate responsibility for delivery of the vision and strategy to the lead professional namely Executive Leader (EL). The GMAT board will hold the EL to account for the performance of the trust, including the performance of the academies within the trust. The EL in turn holds other senior executives to account by line managing them. While the GMAT board cannot ever delegate its accountability, it can and must delegate some of the detailed scrutiny, oversight and decision making.

In this scheme of delegation (SoD) the trust board delegates responsibility for the performance of the trust, including the performance of the academies within the trust, to the Executive Leader (EL). However, some responsibilities concerning the performance of each academy are delegated to a local governing body (LGB) as outlined below. 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 as a board committee has direct access to the board if there are concerns.

This means that as the EL is accountable to the board for the performance of the trust as a whole, the EL 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 EL is performance managed by the trust board. The EL performance manages the academy Headteachers but will seek input from the respective LGB chair.

## Roles and responsibilities (in line with DfE recommendations)

### The role of the members

The members of the GMAT trust 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 (a document which outlines the governance structure and how the trust will operate). The articles of association will 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 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.

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. The DfE has amended the model articles to state that members are not permitted to be employees of the academy trust. Members will include:

- Chair of Board of Trustees
- Chair of Trustees finance and audit committee
- External professional with financial experience
- External appointment with educational experience, possibly Ofsted trained
- External Business partner

## 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 body 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 the 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

Because trustees are bound by both charity and company law, the terms ‘trustees’ and ‘directors’ are often used interchangeably. We use the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are not company directors and trustees.

Members will include:

- Chair
- EL In attendance
- 4 members from LGB’s in the trust
- Leading external Educational professional/consultant
- Local Headteacher not part of the trust

The trust board is permitted to exercise all the powers of the academy trust. The trust board will delegate to the Executive Leader responsibility for the day to day operations of the trust. The trustees can determine whether to delegate any governance functions. The GMAT trust has the right to review and adapt its governance structure at any time which includes removing delegation.

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. However these committees are not legally responsible or accountable for statutory functions – the trust board retains overall accountability and responsibility. The responsibilities of local governing bodies (LGB) are set out in their terms of reference; the responsibilities for school governing bodies are set out in the scheme of delegation. The trust board may appoint LGB members and LGB chairs.

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

The trust board will establish LGB’s, appoint the chair, ensure 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
  - Is meeting the agreed targets
  - Managing its finances well
- Engaging with stakeholders,
- Reporting to the board in all matters including community provision if applicable

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

## The role of the Executive Leader (EL)

The EL has the delegated responsibility for the operation of the GMAT including the performance of the trust's academies and so the EL performance manages the Academy Headteachers. As there is delegation to a local governing body (LGB) this is usually with the LGB chair alongside.

The EL 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 EL leads the executive management team of the academy trust. The EL 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 role of the Academy Headteacher

The Academy Headteacher is responsible for the day to day management of the academy and is managed by the Executive Leader or Executive Headteacher but reports to the LGB on matters which have been delegated to the LGB.

Key	
Level 1: Members	
Level 2: Board of trustees of the multi academy trust	
Level 3: Executive Leader	
Level 4: Local governing body (LGB)	
Level 5: Academy Headteacher	
Blue box	Function cannot be legally carried out at this level
✓	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	EL	LGB	Academy HT
<b>Governance framework</b>						
<b>People</b>	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓				
	Role descriptions for members	✓				
	Role descriptions for trustees/chair/specific roles/committee members: agree		✓	<A		
	Parent trustee/committee member: elected		✓		✓	
	Trust Committee chairs: appoint and remove		✓	<A	<A	
	LGB Committee chairs: appoint and remove		✓	<A	✓	
	LGB chairs: appoint and remove		✓	<A	✓	
	Executive Leader: Appoint and dismiss		✓			
	Academy Headteacher : Appoint and dismiss		✓	<A		
	Trust Finance Director and RCS Director		✓			
	Clerk to board: appoint and remove		✓			
Clerk to LGB: appoint and remove		✓		✓		
<b>Systems and Structures</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 LGB/local committees: agree and review annually		✓	<A	<A	
	Skills audit: complete and recruit to fill gaps		✓	<A>	✓	A
	Annual self review of trust board and committee performance		✓	<A		

Area	Decision	Delegation				
		Members	Trust Board	EL	LGB	Academy HT
Systems and Structures	Annual self review of LGB performance.				✓	
	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 LGB: agree			A>	✓	A
<b>Reporting</b>						
Reporting	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 work of LGB: submit to trust and publish				✓	A

Area	Decision	Delegation				
		Members	Trust Board	EL	LGB	Academy HT
<b>Being Strategic</b>						
<b>Being Strategic</b>	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>	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	✓

Area	Decision	Delegation				
		Members	Trust Board	EL	LGB	Academy HT
Being Strategic	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	✓
<b>Holding to account</b>						
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓	<A>	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	<A>	✓	A
	Performance management of the Executive Leader: undertake		✓			
	Performance management of academy Headteacher : undertake			✓	A	
	Trustee monitoring: agree arrangements		✓	<A		
	LGB member monitoring: agree arrangements		✓		✓	A

Area	Decision	Delegation				
		Members	Trust Board	EL	LGB	Academy HT
<b>Ensuring financial probity</b>						
<b>Ensuring financial probity</b>	Chief financial officer for delivery of trusts 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		
	Appointment of Auditors	✓	<A	<A		
	External auditors' report: receive and respond		✓	<A	✓	A
	EL pay award: agree		✓			
	Academy Headteacher pay award: agree			✓	A	
	Staff appraisal procedure and pay progression: monitor and agree		✓	A>	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			✓			