

Special Partnership Trust (the Trust)

Scheme of Delegation



Approved By: Trustees September 2021

Review Date: September 2022

SPECIAL PARTNERSHIP TRUST (the Trust)

SCHEME OF DELEGATION

Introduction

As a multi academy trust, the Trust Board is accountable for all major decisions about their academies. This does not mean that the Board will make every decision within the Trust, they will delegate some governance and decision-making responsibilities to:

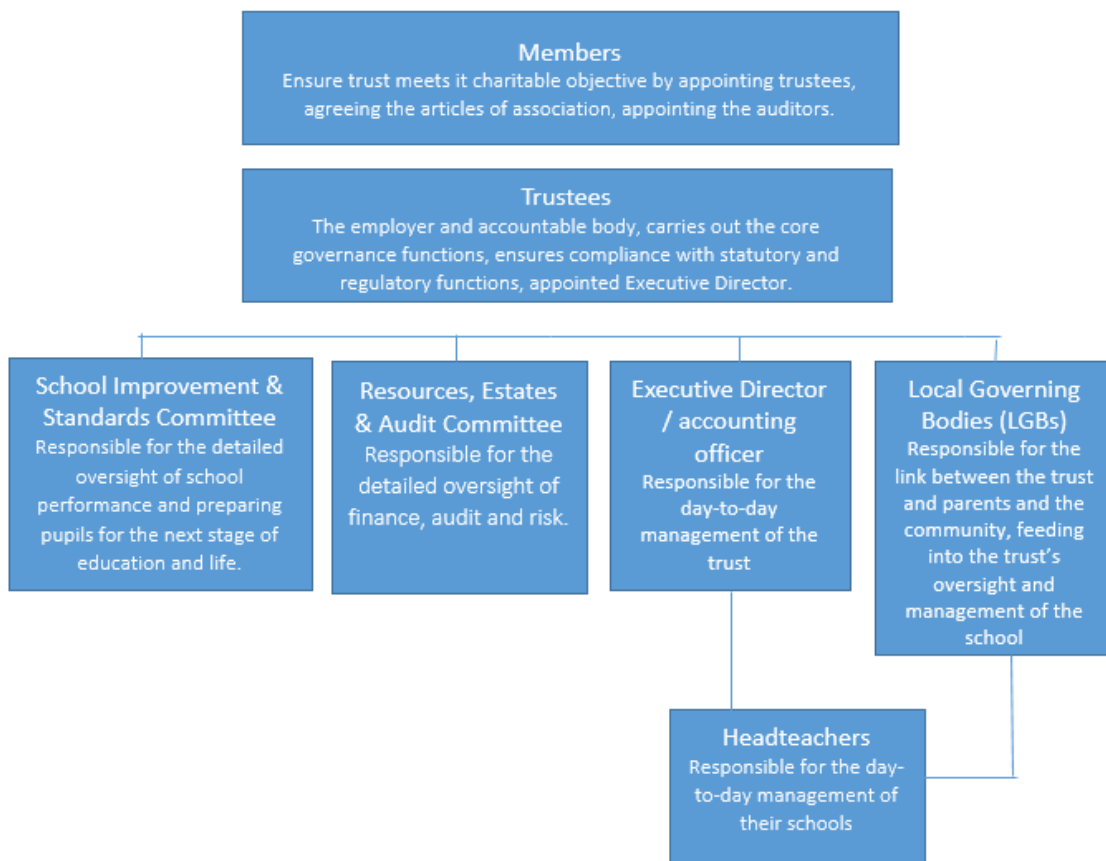
- The Director
- Head teachers
- Trust level sub-committees
- Local Governing Bodies

The Purpose of our Scheme of Delegation

- To ensure clarity around the roles of Members, Trustees, Director, Headteachers, committees and local governing bodies
- That Special Partnership Trust operations in a fashion that is fit for purpose for a multi academy trust
- To prevent confusion which may lead to a loss of Trust with stakeholders

The Scheme of delegation is intended to be a working document that will be reviewed annually and adapted in response to the context and circumstances of the Special Partnership Trust.

Special Partnership Trust model of delegation



Detailed roles and responsibilities

The role of the members

- The members of the trust are guardians of the governance of the trust and must ensure it carries out its charitable objective.
- There must be at least three members, although the DfE prefer at least five; members are not permitted to be employees of the academy trust.
- The members agree the trust's articles of association, appoint trustees and appoint the trust's external auditors.
- The members should receive information about the trust's business and receive the annual report and accounts. If they have concerns that the trust is not carrying out its charitable objective, members should remove trustees that are failing to fulfil this responsibility.

The role of the trustees

- The trust is a charitable company limited by guarantee.
- Trustees are responsible for the general control and management of the trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement are legally accountable for all statutory

functions and for the performance of all the schools within the trust; they do this by carrying out the core governance functions.

- The board of trustees must approve a written scheme of financial delegation and if they choose to delegate to board committees and LGBs, must approve a written scheme of delegation and committee terms of reference.
- The trust creates information pathways between the trust board, the LGBs and the Executive Director so that LGBs can share with them any concerns (or celebrations) they may have.

The role of trust board committees

The Special Partnership Trust has two committees which are School Improvement & Standards and Resources, Estates and Audit.

- Trustees delegate some governance functions to board committees, one of which includes audit and risk which advises on the adequacy of the trust's controls and risks.
- Board committees must have at least three trustees in membership, and trustees must be in the majority for voting purposes. Trustees appoint committee chairs and committee members according to their skills.
- Trustees delegated detailed scrutiny of financial management and school performance to board committees.

The role of the LGB

- Trustees delegate some governance functions to LGBs; the articles of association do not require trustee membership on LGBs and by committing to the separation of individuals on each tier in the governance structure, the Special Partnership Trust are able to demonstrate transparent decision making and prevent bias and conflicts from emerging, thus strengthening the governance checks and balances within the trust.
- The trust board approves the appointment of the LGB chairs and also approves the appointment of all co-opted governor appointments.
- Parent representation sits at LGB level as opposed to trust wide elections for parent trustees.

Being close to and representative of the community the school serves, the LGBs should be:

- a valued point of consultation and representation in the development of trust policies
- the recipients of detailed information about how their schools are being managed
- tasked with scrutinising management information thus providing assurance to trustees that the school is:
 - operating within the ethos and values of the trust and creating a positive climate for all stakeholders
 - working within agreed policies
 - meeting the agreed targets
 - engaging with stakeholders
 - acting as an ambassador for the trust

The Trust has delegated functions to the Local Governing Body including:

- Pupil Welfare
- Safeguarding
- Pupil Progress

The role of the Director

- The trustees delegate the day to day management of the trust to the director, line managing them in line with the trust's appraisal and performance management policies.
- The director is also the accounting officer and so is not only responsible for the performance of the trust as a whole, but has a personal responsibility to parliament for the regularity, propriety and value for money, and for assuring the board about compliance with the funding agreement and the Academies Financial Handbook.
- The director will be responsible for the leadership and management of the central team and the schools' headteachers and will report to the trust board and its committees.

The role of headteachers

- The director delegates the day to day management of the trust's schools to headteachers, line managing them in accordance with the trust's appraisal and performance management policies.
- Headteachers share information about how the trust is managing the school with the LGB so that governors build an understanding about how the school operates and are enabled to monitor and scrutinise how key policies and improvement plans are working in practice.
- In line with DfE recommendations, and to avoid a conflict of interests, the director will not be a Trustee. As one of the board's core functions is to hold the director to account, by being a trustee, the director is in effect holding themselves to account.

Delegation and decision making in the Special Partnership Trust

Reading the grid
✓ - governance function and decision making is at this level
C - to be consulted prior to decision being made
Note: Decisions delegated to the trust board may be delegated to a board committee but not the ED, LGB or HT

Governance function		Members	Trust Board	Trust Committees	ED / accounting officer	LGBs	HT
Governance framework: people	Members: appoint/remove	✓					
	Trustees: appoint/remove	✓	✓				
	Parent and Staff LGB members (governors): appoint when elected					✓	
	Board and committee chairs and vice chairs: appoint and remove		✓	✓			
	Named safeguarding trustee: appoint and remove		✓	✓			
	LGB chairs and vice chairs: appoint and remove		✓	✓			
	LGB co-opted members: appoint and remove		✓	✓		C	
	Clerk to board: appoint and remove		✓				
	Clerk to LGBs: appoint and remove		✓				
Governance framework:	Articles of association: review and agree	✓					
	Governance structure for the trust: establish and review annually		✓				

Governance function		Members	Trust Board	Trust Committees	ED / accounting officer	LGBs	HT
systems and structures	Committee and LGB terms of reference and scheme of delegation: agree annually		✓				
	Annual schedule of governance business and cycle of meetings: agree		✓			✓	
	Approval of minutes		✓	✓		✓	
	Maintenance of Register of Interests		✓				
	Self-review of trust board and committees: complete annually		✓				
	Self-review of LGBs: complete annually						✓
	Trustee/LGB member contribution: review annually			✓			✓
Governance framework: reporting	Publish governance arrangements on trust and schools' websites: ensure				✓		
	Annual report on the performance of the trust: submit to members and publish		✓			C	
	Annual self-review/triannual external review of board effectiveness: submit to members		✓			C	
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit to members and Companies House			✓			

Governance function		Members	Trust Board	Trust Committees	ED / accounting officer	LGBs	HT
	ESFA required reports and returns submit		✓				
	Termly work of LGBs shared with Trustees					✓	
Being strategic	Determine trust wide policies which reflect the trust's ethos and values as detailed in the policy tracker: approve		✓	✓	✓		
	Determine school level policies: approve					✓	C
	Management of risk: establish register, review and monitor		✓	C	C		
	Engagement with stakeholders: ensure		✓		✓	✓	✓
	Determine trust's vision, strategy and key priorities: approve		✓	C	C		
	Determine schools' vision, strategy and key priorities: approve				✓		
	Approval of Trust Development Plan, Post Inspection Action Plans &/ or School Improvement Plans		✓	C			
	Admission of new Schools to Trust: approve		✓				
	Director: appoint and dismiss		✓				
	Accounting officer: appoint and dismiss		✓				
	HTs: appoint and dismiss					✓	
Budget plan to support delivery of trust key priorities: agree		✓			C		

Governance function		Members	Trust Board	Trust Committees	ED / accounting officer	LGBs	HT
	Budget plan to support delivery of schools' key priorities: agree				✓		C
	Trust's staffing structure: agree		✓		C		
	Schools' staffing structure: agree				✓		C
	Monitor boarding provision		✓				
Holding to account	Ensuring compliance (e.g. safeguarding, H&S, employment): agree auditing and reporting arrangements		✓		C		
	Monitoring progress on key priorities: agree reporting arrangements		✓		C		
	Performance management of the director: undertake		✓				
	Performance management of HTs: undertake				✓	C	
Financial oversight	External auditors: appoint	✓	C				
	Chief operating officer: appoint		✓		C		
	Trust's scheme of financial delegation: establish, monitor and review		✓		C		
	External auditors' report: receive and respond		✓	C			
	ED pay award: agree		✓				
	Headteachers' pay award: agree				✓		
	Staff appraisal procedure and pay progression: review and agree		✓		C		
	Benchmarking and trust wide value for money: ensure robustness				✓		

Governance function		Members	Trust Board	Trust Committees	ED / accounting officer	LGBs	HT
	Monitoring budget: agree reporting		✓		C		
	Approval of Financial Regulations/Standing Orders <ul style="list-style-type: none"> - Opening / closing of bank accounts & cheque signatories - All loan agreements (including overdraft facilities, mortgages or other collateral or security) - Within budget revenue expenditures >£50k - All unbudgeted revenue expenditures >£25k 		✓	C			
	Monitoring and review of financial performance of the Trust and decision making on action required		✓	C			
	Approval of Reserves Strategy		✓		C		
	Approval of Investment Strategy		✓		C		
	Development of Trusts Financial Reporting Framework				✓		
	Preparation of Management Accounts and Reports				✓		
	Appointment of Trusts Responsible Officer				✓		