



Nene Valley Partnership

Excellence in Education

NENE VALLEY PARTNERSHIP SCHEME OF DELEGATION

Roles and responsibilities

The role of the members

The members of the trust are guardians of the governance of the trust and as such have a different status to trustees. They are 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, although the DfE prefer at least five, 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 academy trust.

The role of the trustees

The Multi Academy 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 trustees are 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 board of trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

The role of trust board committees (TBCs)

The trustees 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 trustees) and responsibilities of board committees are set out in the committee's terms of reference. It is usual for the trust board to appoint board committee chairs and committee members according to their skills.

The Academies Financial Handbook 2018 makes it clear that the board of trustees 'should have a finance committee to which the board delegates financial scrutiny and oversight'. In trusts with income above a certain level, there must also be a separate audit committee.

The role of the 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 headteachers. As there is the delegation of some governance functions to Local Governing Bodies (LGBs), this is with the school's LGB chair alongside.

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.

The role of the Local Governing Bodies (LGBs)

The trustees may establish Local Governing Bodies to carry out some of its school level governance functions. Usually the trustees will appoint the chair, and ensure that two parents are elected to the LGB.

Delegated functions 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
- Being a point of consultation and representation
- Reporting to the board

The role of the Headteacher

The Headteacher 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.

Key

Column 1: Members

Column 2: Board of trustees of the multi academy trust

Column 3: Trust board finance committee

Column 4: Trust board standards committee

Column 5: Chief executive officer (CEO)

Column 6: Local Governing Body (LGB)

Column 7: Headteacher

Blue box Function **cannot** be legally carried out at this level.

✓ Action to be undertaken at this level

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A Provide advice and support to those accountable for decision making

<> Direction of advice and support



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Area	Decision	Delegation						
		Members	Trust Board	Finance Committee	Standards Committee	CEO	LGB	Head Teacher
Governance framework								
People	Members: Appoint/Remove	✓						
	Trustees: Appoint/Remove	✓	✓					
	Role descriptions for members	✓						
	Role descriptions for trustees/chair/specific roles/committee/council members: agree		✓			<A		
	Parent trustee/committee/LGB member: elected		✓				✓	
	Board committee chairs: appoint and remove		✓	✓	✓	<A		
	LGB chairs: appoint and remove		✓			<A	<A	
	Clerk to board: appoint and remove		✓					
	Clerk to Board committees/LGB: appoint and remove		✓				✓	
Systems and structures	Articles of association: review and agree	✓	<A			<A		
	Approve schools joining the trust.		✓			<A		
	Governance structure (committees) for the trust: establish and review annually		✓			<A		

Area	Decision	Delegation						
		Members	Trust Board	Finance Committee	Standards Committee	CEO	LGB	Head Teacher
Systems and structures	Terms of reference for board committees / LGBs and scheme of delegation for board committees / LGBs: agree annually		✓			<A	<A	
	Skills audit: complete and recruit to fill gaps		✓			<A>	✓	A
	Annual self review of trust board and committees:		✓					
	Annual self review of LGBs:						✓	
	Chair's performance: carry out 360 review periodically		✓				✓	
	Trustee / Board committee/LGB 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
Reporting								
Reporting	Publication on trust and schools' 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 on performance of the school: submit to LGB					A>	✓	✓
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	<A		✓		

Area	Decision	Delegation						
		Members	Trust Board	Finance Committee	Standards Committee	CEO	LGB	Head Teacher
	Annual report work of LGB: submit to trust and publish						✓	A
	To ensure trust website is up to date and compliant		✓			✓		
	To ensure school website is up to date and compliant						✓	✓
Strategic Leadership								
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		
	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 %, scope and provision		✓	<A		<A	<A	
	Management of risk (including levels of insurance): establish register, review and monitor		✓	<A	<A	<A>	✓	A
	Maintain an up to date asset register		✓				✓	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	

Area	Decision	Delegation						
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Being Strategic	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	✓
	Chief executive officer: appoint and dismiss		✓				A	
	Headteacher : appoint and dismiss					✓	✓	
	Budget plan to support delivery of trust key priorities: agree		✓	<A		<A		
	Local budget plan to support delivery of school key priorities: agree					✓	✓	A
	Trust's staffing structure: agree		✓	<A	<A	<A		
	School staffing structure: agree					✓	✓	A
Accountability								
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	✓	✓	<A>	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	<A	<A	<A>	✓	A
	Performance management of the Chief Executive Officer: undertake		✓					
	Performance management of Headteacher : undertake					✓	✓	
	Trustee monitoring: agree arrangements		✓			<A		

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	LGB member monitoring: agree arrangements						✓	A
	LGB overall performance monitoring: agree arrangements		✓			<A	<A	
Ensuring financial probity								
Ensuring financial probity	Appoint Chief financial officer for delivery of trusts detailed accounting processes		✓	<A		<A		
	Trust's scheme of financial delegation: establish and review		✓	✓		<A	<A	
	School's scheme of financial delegation: establish and review			✓		<A	<A	
	External auditors' report: receive and respond		✓	<A		<A	✓	A
	CEO pay award: agree		✓	<A				
	Headteacher pay award: agree					✓	✓	
	Staff appraisal procedure and pay progression: review and agree		✓			✓	✓	
	Benchmarking and trust wide value for money: ensure robustness			✓		<A		
	Benchmarking and school value for money: ensure robustness					A>	✓	A
	Develop trust wide procurement strategies and efficiency savings programme			✓		✓	<A	
Review and approve trust wide procurement strategies and efficiency savings programme			✓					

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Curriculum and Education								
	To develop a curriculum policy within the framework of the Trust's strategic aims.					A>	✓	✓
	To implement curriculum policy.						✓	✓
	Responsibility for the quality of teaching, learning and assessment.				✓		✓	✓
	Responsibility for the individual child's education.						✓	✓
	Responsibility for the provision of sex and relationship education and PSHE.						✓	✓
	To prohibit indoctrination and ensure the balanced treatment of controversial issues.						✓	✓