



## **Scheme of Delegation 2023/24**

Person responsible	CEO/Director of Governance
Approved by	Board of Trustees
Approval date	12 October 2023
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# Scheme of Delegation 2023/24

## 1 Overview

An 'academy trust' is a charitable company limited by guarantee, and an independent legal entity. Its governance requirements are set out in the Articles of Association. The Trust's model of governance is designed to support the object, purpose, ethos and mission of the Trust and the needs identified by its academies, i.e. colleges and schools within the Trust (please refer to section 3 providing a summary of the Trust's vision and values). Heart of Mercia Multi Academy Trust was established in April 2012 and the Trust Board is constituted under its Articles of Association.

## 2 Purpose of the Scheme of Delegation

This Scheme of Delegation identifies the key decision-making authorities for academies within the Trust. It determines the functions, roles and responsibility levels undertaken by the Members, the Trust Board and those which have been delegated to the Executive Group, Trust Board Committees, Local Governing Bodies and Principals/Headteachers. It further details different degrees of support for academies provided by the Trust that are performing well versus those that are underperforming. (please refer to the section regarding support levels for academies).

In determining this Scheme, the Trustees have been mindful that: -

- The Trust Board is able to delegate identified functions to a Committee. Where decisions have been delegated, they must be reported back to the Trust Board at the next meeting. Where there is a specific need for a decision to be taken, and a time imperative precludes awaiting the next Trust Board meeting, action may be agreed with the Board of Trustees' Chair. This must be reported to the Trust Board at the next meeting.
- The Trust Board delegates general responsibility to manage financial commitments and expenditure in accordance with the approved budget plan and financial regulations.
- The Trust Board is able to delegate identified functions to Local Governing Bodies. The Trust Board will often be reliant on information and advice from and be guided by Local Governing Bodies. The Trust Board considers that there is often a powerful case for local involvement in decision making.
- The Scheme of Delegation applies to all academies within the Trust. This delegation is based upon the quality of governance and management and an academy's performance being at an acceptable level. Where this performance is judged to be insufficient it will be necessary for the Trust will work more closely with the academy to provide additional support which will be directed by the CEO.
- Where there is a shared responsibility for decision-making between the Trust and its academies, the Trust has the ultimate responsibility.

### 3 Vision and Values

The Heart of Mercia Academy Trust will be a highly respected educational provider for all its students. Students will have the autonomy and responsibility to grow, acquire skills and make decisions within a supportive, caring environment and will have high expectations placed upon them. They will flourish not just academically but socially and in terms of their wider skills. This will enable them to be highly successful in their personal lives, in further study and in employment.

Member organisations will retain their unique identities and links with their immediate communities, but will share a commitment to Heart of Mercia Academy Trust’s Mission and Values.

The Heart of Mercia Academy Trust will operate efficiently to maximise the resources that are devoted to teaching and learning and to creating attractive and sustainable environments for people to work and learn. This will be achieved through collaborative purchasing and working across all member organisations wherever beneficial and through consistently applying best practice in financial control.


The Heart of Mercia Academy Trust will be a supportive employer with many opportunities for staff to share best practice through formal and informal staff development across all member organisations of the Trust.

## Vision and Values


**Our Vision:**  
The Heart of Mercia Academy Trust will enable autonomous institutions to provide a range of excellent learning opportunities in a positive, friendly, tolerant and collaborative culture allowing all to fulfil their potential and meet their individual goals.

**Our Values:**  
While the character and autonomy of each institution is celebrated within our Trust, we share collective values.


**We are committed to:**




**Educational Excellence**



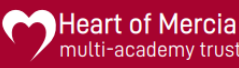
**Sustainability**



**Ensuring our students are ready for the real world**

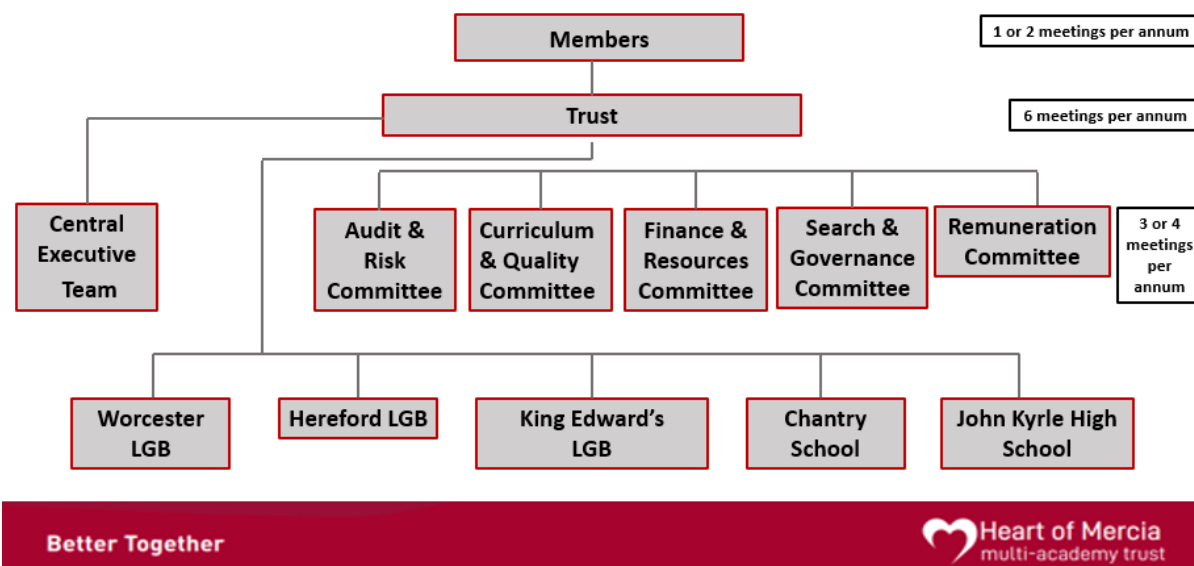


**Creating an Enjoyable Experience for all**

**Better Together** 

## 4 Governance Structure

### MAT Governance and Operating Structure



## 5 Summary of Roles within the Governance Structure

- **Members:** Do not have a legal responsibility for the Trust's operation but oversee its operation and monitor its performance.
- **The Trust Board:** Has overarching responsibility for the operation and management of the Trust; legally accountable for all statutory functions and performance of all schools/colleges within the Trust.
- **LGBs and Committees:** To assist the Trust's operation, the Trust Board delegates powers and functions to the LGBs and other committees. Such delegation is on a case by case basis, and powers and functions may be withdrawn or varied on notice by the Trust Board.

## 6 Lines of Accountability

The Trust Board is responsible for the three core governance functions: -

- Ensure clarity of vision, ethos and strategic direction of the Trust.
- Hold the CEO to account for the educational performance of the Trust's academies and their students, and the performance management of staff.
- Oversee the financial performance of the Trust and make sure its money is well spent.

The Trust Board will appoint the CEO to whom it delegates responsibility for delivery of its vision and strategy, and will hold the CEO to account for the conduct and performance of the Trust, including the performance of the academies within the Trust, and for its financial management.

To ensure the Trust operates effectively, the Trust Board have resolved to establish the following Committees: -

- Audit and Risk Committee
- Finance and Resources Committee
- Curriculum and Quality Committee
- Search and Governance Committee
- Remuneration Committee
- Local Governing Bodies for each Trust academy

Local Governing Bodies may also have their own Committee structure to manage their LGB's oversight and accountability of its governance arrangements.

## 7 Role of Members

The Members of the Trust are akin to the shareholders of a company (except that they do not receive dividends). They are guardians of the governance of the Trust ensuring that the charitable objective is fulfilled. They have ultimate control over the Trust.

Members will: -

- Approve amendments to the Articles of the Trust, subject to any restrictions created by the Funding Agreements or charity law, which define the Trust's charitable objectives and governance structure.
- Appoint Members and remove existing Members in accordance with the Articles.
- Appoint Trustees and remove existing Trustees in accordance with the Articles.
- Appoint the Trust's External Auditors and receive the Trust's annual report and audited accounts.
- Be kept informed about Trust business so they can be assured that the Board is exercising effective governance.
- Change the Trust's name and, ultimately, wind it up.

## 8 Role of Trustees

The Trust is a charitable company and therefore Trustees are both Charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and Company Directors (within the terms of the Companies Act 2006). The Trust Board is made up of Directors and is the accountable body for Heart of Mercia Trust.

Trustees will: -

- Ensure clarity of the vision, ethos and strategic direction of the Trust, including reviewing overall progress against the
- Strategic Plan and its objectives, taking action where appropriate.
- Hold the Executive Group to account for the educational performance of the Trust and its students, and the performance management of staff.
- Oversee and ensure effective financial performance to ensure financial sustainability as a going concern.
- Apply the highest standards of conduct and ensure robust governance.
- Comply with the Trust's charitable objectives, with company and charity law, and with its Funding Agreements.
- Ensure regularity and propriety in the use of Trust funds, achieving value for money.

- Be responsible for the selection, appointment and performance review of the CEO (Accounting Officer).
- Approve a written Scheme of Delegation and Terms of Reference for Committees and Local Governing Bodies.

The Trust Board has the right to review and adapt its governance structure at any time which includes removing delegation.

Directors should also refer to the core duties and obligations set out in the Academy Trust's Handbook issued by the Department for Education.

## 9 Role of Trust Board Committees

The Trust Board has established 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 DfE's Academy Trust Handbook makes it clear that the Trust Board must appoint a Finance and Audit Committee to which the Board delegates financial scrutiny and oversight.

The membership and responsibilities of each Committee are set out in the Committee's Terms of Reference.

The Trust Board will ensure that Committee members have the necessary skills, background and experience to properly fulfil the relevant Committee functions. In accordance with best practice, the Search and Governance Committee shall undertake regular reviews of the skills and experience available on the Trust Board and, in turn to serve the Committees and, will seek to develop additional capability and skills where required.

## 10 Summary Role of the Trust Board's Committees

In accordance with the requirements of the Articles of Government and business requirements, the Trust has established the following Committee structure: -

- Audit and Risk Committee
- Finance and Resources Committee
- Curriculum and Quality Committee
- Search and Governance Committee
- Remuneration Committee
- Local Governing Body for each academy within the trust, who shall determine their own Committee structure to manage their LGB's oversight and accountability of its governance arrangements.

Specific roles are defined in the Committees' terms of reference (reference to the Governance Procedures) and detailed in the scheme of delegation matrix; a summary of roles is defined: -

**Audit and Risk Committee:** This is an independent advisory Committee reporting to the Board of Directors. It advises the Board and Accounting Officer (the CEO) regarding the adequacy and effectiveness of the Trust's internal controls, risk management, governance and value for money

systems and frameworks. The Committee also advises the Board regarding the appointment of auditors and the planned audit approach, as well as considering reports from the internal and external auditors and other bodies and ensuring that actions are taken where required.

**Finance and Resources Committee:** Ensures that the Board of Directors has adequate information to enable it to discharge its financial responsibilities. The Committee shall ensure sound management of the Trust's finances and resources, including planning, monitoring, probity and value for money. The Committee advises the Board regarding the year-end accounts, strategic matters with financial implications and other key matters. It also reports to the Board any decisions taken in accordance with the Schemes of Delegation and delegated powers, including in respect of the Academies' assets and depreciation.

Considers and makes recommendations to the Trust on all matters connected with staffing including current and projected staffing needs and the recruitment policy. This includes matters relating to remuneration, except in respect of senior postholders, whose pay and performance is overseen by the Remuneration Committee.

**Curriculum and Quality Committee:** Assists the Trust to discharge its responsibility for the educational standards and character of the Trust. It shall monitor and advise the Board regarding the performance and standards of the Trust's Academies including performance data, student achievement and monitor the implementation of improvements. It shall oversee safeguarding arrangements to ensure that these are robust and following Keeping Children Safe in Education.

**Search and Governance Committee:** The Committee shall secure a quality Board of Directors in consultation with the Members, and safeguard the governance health of the Trust.

**Remuneration Committee:** To review and recommend to the Board of Directors the remuneration package of the Senior Postholders.

**Local Governing Body:** To provide focused governance for an academy at a local level for a school or college within the Trust.

## 11 Role of the Local Governing Bodies

The LGBs are set up to govern each Academy on behalf of the Trust Board and provide information to the Trust Board on the Academy's performance. The Trust Board shall determine the allocated level of support and delegation to each LGB (refer to the following section). LGBs individually set their committee structure.

Governors serving on an LGB will: -

- Contribute to the strategic development of the Trust.
- Serve as the key link between the academy, parents/carers and the local community.
- Advise the Principal/Headteacher and academy senior leadership team as they plan the development of the academy and represent the views of the academy and local community within decision making.
- Formulate, approve and monitor policy and strategy for curriculum, learning, teaching, assessment and student welfare.
- Assist in the delivery of Trust policies and procedures.
- Work in collaboration with (and take direction from as necessary) the Executive Group on issues relating to strategic development, education and business operation.



## 12 Support for Local Governing Bodies

The Trust will support each of its academies with the necessary help or guidance required tailored to its needs. If substantial or long-term assistance is required which will incur a significant cost to the Trust, the CEO, Chair of Trust Board and academy (the Headteacher/Principal and LGB representation) shall discuss, determine and agree a satisfactory contribution.

The Trust will liaise with the Headteacher/Principal of each academy to establish that core quality assurance processes are in place, with the option to increase support if this is considered necessary. For example, an academy will be allocated additional and specific support if an Ofsted inspection gives an overall judgment on the quality and standards of the academy as requires improvement or inadequate.

Core QA	Targeted Intervention	Formal Intervention
<ul style="list-style-type: none"> <li>• Quality Review Visit (3 year)</li> <li>• 'Keeping in Touch' visits (<i>one each term</i>)</li> <li>• Quality team to review KPIs and relevant development/self-assessment documents with Head/Principal</li> </ul>	<ul style="list-style-type: none"> <li>• Commissioning of an improvement activity e.g. Quality Visit area/whole academy (determined by Head/Principal) for Quality Team to provide bespoke support</li> <li>• additional 'keeping in touch' visits</li> </ul>	<ul style="list-style-type: none"> <li>• Quality visit at earliest opportunity</li> <li>• Quality team develops and monitors academy support plan agreed with Head/Principal</li> </ul>

In the event that concerns are identified in an academy by the LGB, Principal/Headteacher or CEO it may be necessary for the Trust to work more closely with the academy to provide additional support. Examples of areas which may trigger additional support, but not exclusively, could include the following categories, either a combination of these or an individual area: -

- Quality of teaching and learning
- Leadership and Management
- Outcomes
- Safeguarding
- Finance
- Estates
- People Management (HR)

Any support implemented will be reviewed at least annually by a support group comprising a minimum of the CEO, Chair of the Trust Board, Director of Improvement and Chair and Principal/Headteacher of the Local Governing Board supported by the Director of Governance. Additional officers may be requested to attend the support group. Depending on the outcome of this review, and/or any other exceptional circumstances, an academy may either stay in its allotted category or be moved to another. The CEO reserves the right to change the support group at any time if they believe that this is in the interests of both the academy concerned and the wider Trust group.

## 13 Role of the CEO

The Chief Executive is an ex-officio Trustee and accounting officer (responsibilities as outlined in the DfE Academy Trust Handbook). The CEO is accountable to the Board of Trustees for the standards of education and quality of education provided. In summary: -

- Day-to-day management of the Trust (Budget, policies required by law, and compliance e.g. safeguarding, health and safety and employment)
- Leadership and management of the executive group and the schools/colleges' headteachers/Principals.
- Reports to the Trust Board and its committees.

## 14 Role of the Chair of the Trust Board

The Chair leads the Trust Board, with the support from the Vice Chair, to ensure it fulfils its functions. The culture of the Board is largely determined by the Chair. The Chair will ensure the Board focuses on strategy, while not overlooking compliance functions nor duties to staff.

The Chair is first among equals but has no defined individual power. The Trust Board is a corporate entity; the power and authority rests with the Board as a whole; however, the Chair may need to take Chair's action in an emergency reporting such action to the Trust Board as soon as possible.

## 15 Role of the Director of Governance to Support the Trust Board

The Director of Governance ensures governance effectiveness and compliance within the Trust, appropriate tiers of governance, and that it is transparent, honest and accountable. In summary: -

- Supports the efficient and effective operation of the Trust Board and its committees.
- Ensures governance at all levels is carrying out its functions.
- Leads on delivery of the Trust's Governance Framework and driving improvements to its systems, processes and structures.
- Manages and coordinates the delivery and ongoing improvement of governance support across the Trust.
- Liaises with and line managing the Local Governing Body clerks to ensure effective communication across the Trust.

## 16 Role of Headteacher/Principal

The Headteacher/Principal is responsible for the day to day leadership and management of their school or college. In summary: -

- Day-to-day management of the Trust's schools/colleges.
- Shares information with the LGB about how the school/college operates to enable monitoring and scrutiny of key policies and improvement plans.

## 17 Termination and Amendment of the Scheme of Delegation

- The Scheme will be subject to formal review annually. However, if the Trust Board deems it appropriate, changes will be made in year.
- The Trust Board has the absolute discretion to review, amend and/or terminate the Scheme at any time and as it sees fit (subject to complying with the legal requirements upon it). This may be triggered by growth within the Trust to ensure that governance arrangements and the delegations are appropriate or actions to address any strengths or weaknesses that develop in an academy's leadership and governance; these may intervene to implement or remove delegations.
- The Trust Board would welcome comments on the operation of the Scheme where it is felt that revisions should be made. Where practicable, the Trust Board will give the Local Governing Bodies (including the Headteacher/Principal) and/or Committees an opportunity to comment before determining the Scheme of Delegation.

## 18 Scheme of Delegation Matrix Summary

The Scheme of Delegation matrix will be complemented by the DfE's Academy Trust Handbook. The delegation matrix that applies in respect of the Trust and its academies is set out below. It is structured in accordance with the following index: -

- **Accountable (and approver):** Ultimately answerable for the task being delivered. Delegates the task to those responsible. There should be only one group/person accountable for each task/decision.
- **Responsible:** Responsible for the delivery. Does the work to achieve the task. Can be shared between groups/individuals.
- **Consulted:** Needs to be involved before the decision is made. Communication is two-way – these are important stakeholders or have relevant specialist knowledge in the subject.
- **\*Highlighted:** statutory expectation or necessary to comply with Articles of Association, funding agreement or DfE.

## Scheme of Delegation Matrix

This is based on [NGA guide to developing a scheme of delegation](#) for multi academy trusts issued July 2023 but also includes additional responsibilities)

### Key

<b>A</b> Accountable (and approver)	Answerable for the task being delivered. Delegates the task to those responsible. There should be only one group/person accountable for each task/decision.
<b>R</b> Responsible	Responsible for the delivery. Does the work to achieve the task. Can be shared between groups/individuals.
<b>C</b> Consulted	Needs to be involved before the decision is made. Communication is two-way – these are important stakeholders or have relevant specialist knowledge.
<b>*Highlighted</b>	Statutory expectation or necessary to comply with articles of association or funding agreement.

	Members	Trust Board	CEO	Committees/LGB	Principal/ Headteacher
<b>1. Board business</b>					
a.	Appoint/remove members	*A/R			
b.	Appoint/remove trustees	*A/R	*A/R		
c.	Elect chair of trustees		*A/R		
d.	Appoint and remove board committee chairs		*A/R		
e.	Establish and review trust governance structure		*A/R	C	
f.	Agree named safeguarding trustee		*A/R		
g.	Agree named SEND trustee lead		*A/R		
h.	Agree named careers trustee lead		*A/R		

		Members	Trust Board	CEO	Committees/LGB	Principal/ Headteacher
i.	Appoint/remove academy committee chairs		*A	R	C	C
j.	Appoint/remove academy committee members		*A	R	C	C
k.	Appoint trust governance professional		*A	R		
l.	Agree academy committee clerking arrangements		*A/R		C	
m.	New Academies joining the Trust		A	C	A/C	
n.	Articles of association: review		*A/R			
o.	Articles of association: ratify	*A/R				
p.	Agree committee terms of reference		*A/R	C	C	C
q.	Agree committee structure in the LGB				R	C
r.	Complete annual review of scheme of delegation		*A	R		
s.	Complete annual trust board self-review		A/R			
t.	Complete review of local governance	C	A	R	C	C
u.	Publish governance arrangements on trust and schools/colleges' websites		*A	R		
v.	Ensure trust website is compliant and effective		*A	R		
w.	Ensure school/college websites are compliant and effective		*A	A		R
x.	Submit annual report on the performance of the trust to members and publish		A	R		
y.	Commission external review of board effectiveness every three years	C	A/R	C		
z.	Annually report work of academy committee: submit to trust and publish		A	C	R	C
aa.	Risk register		R	R		
<b>2. Vision and Strategy</b>						
a.	Determine trust's vision, strategy and key priorities		A/R	R	C	C
b.	Apply trust vision and strategy to individual schools/colleges		A	R	C	R

		Members	Trust Board	CEO	Committees/LGB	Principal/ Headteacher
c.	Determine trust-wide policies which reflect the trust's ethos and values		*A	R		C as applicable
d.	Determine school/college level policies		*A	R	C	R
e.	Establish risk register and conduct regular review		*A	R		
f.	Ensure engagement with stakeholders		A	R	R	R
<b>3. Finance</b>						
a.	Appoint and remove external auditors	*A/R				
b.	Appoint and remove internal auditors		A/R			
c.	Appoint and performance manage chief financial officer		*A	R		
d.	Produce trust's scheme of financial delegation		*A	R		
e.	Receive external auditors report	*A/R	R	R		
f.	Action recommendations made by external auditors		*A	R		R
g.	Produce annual report and accounts in line with the Charity Commission's Statement of Recommended Practice		*A	R		
h.	Submit ESFA required reports and returns		*A	R		
i.	Agree budget plan to support delivery of trust strategic priorities		A	R		
j.	Agree budget plan to support delivery of school strategic priorities		*A	A	R	R
k.	Monitor trust budget		*A	R		
l.	Carry out benchmarking and trust-wide value for money evaluation		C	A/R		
m.	Agree reporting and monitoring arrangements for trust and school/college budgets		*A	R	C	C

## 4. Human Resources

a.	Appoint and dismiss CEO/accounting Officer		*A	R		
b.	Performance manage CEO		*A/R			
c.	Agree CEO pay and reward		*A/R			
d.	Conduct executive team performance management		C	A/R		
e.	Conduct headteacher performance management			A/R	C	
f.	Agree headteacher pay and reward			A/R	C	
g.	Review and agree staff appraisal procedure and pay progression		A	R		C
h.	Determine executive team staffing structure		*A	R		
i.	Determine school staffing structure			A	C	R
j.	Headteacher appointments and dismissal			A/R	C	
k.	Trust wide pay policy, terms and conditions of employment		*A	R		C
l.	Determine disciplinary and capability policies		*A	R		
m.	Implement disciplinary and capability procedures – CEO		A/R			
n.	Implement disciplinary and capability – central team		A	R		
o.	Implement disciplinary and capability procedures – schools		A	C	C	R
p.	Approval of exit payments/early retirement/pension discretion (above a certain threshold)		*A	C		

## 5. Education

a.	Approve overarching principles for the curriculum within the Trust		A	R	C	C
b.	Approve the college/school's curriculum				A	R
c.	Ensure high standards of teaching and learning		A	R	C	R
d.	Delivery of curriculum			A		R
e.	Set targets for trust outcomes		A	R		
f.	Plan and deliver individual school improvement interventions and strategies			A	C	R
<b>6. Compliance</b>						
Ensure compliance with statutory obligations and mandatory Trust policies, including: -						
a.	Safeguarding and Prevent		*A/R	R	R	R
b.	Promote wellbeing of students, including mental health and emotional wellbeing		*A	R	R	R
c.	Approve overarching principles for behaviour within the Trust		A	A/R	C	C
d.	Agree colleges/school's behaviour policy			C	A	R
e.	Implement behaviour policy				A	R
f.	Approve exclusions policy				A	R
g.	Review permanent and fixed term exclusions				*A/R	R
h.	Agree admissions policy			R	*A	C
i.	Admissions appeal process			R	*A	C
j.	Determine complaints policy		*A/R	R	C	C
k.	Implement complaints procedures		*A/R	R	R	R
l.	Determine health and safety procedures		*A	R	R	R
m.	GDPR data protection, cyber security		*A	R	R	R
n.	Establish risk management processes		A/R	R	R	R



o.	Approve whistleblowing Procedure		A	R	R	C
	<b>7. Director of Governance</b>	Director of Governance				
a.	Register of Interests for Directors	A/R				
b.	Filings with Companies House	A/R				
c.	Website compliance	C		A/R		
d.	Statutory policies (a schedule of Trust policies is maintained)		*A	A/R	C	R