



# Scheme of Delegation

## THE NEW GUILD TRUST

Est, 2018

## SCHEME OF DELEGATION

The New Guild Multi Academy Trust was created in 2018 by four schools in the Stoke-on-Trent Local Authority.

The Trust is committed to the provision of high quality education for all children.

The four founder schools are:

- Alexandra Infant School
- Alexandra Junior School
- Jackfield Infant School
- Moorpark Junior School

The New Guild Trust governance structure consists of 3 Members & 7 Trustees. The board is accountable to the Department for Education ('the DfE'). The members and Trustees are a wide range of people from a range of backgrounds, who both support and challenge the Trust effectively and who bring a diverse set of skills and experience that will help us to be successful as a MAT. They support and challenge our development well. The Accounting Officer who is the Chief Executive (CEO) of the Trust is also a Trustee and is accountable to the Trust Board.

There are currently two communities served by the Trust, each having its own Local Community Governing Body. The Governors who serve on the Local Community Governing Body are appointed by the Trust board. They include both parent and staff representatives.

### Scheme of Delegation

#### Why does it matter?

*There are three core functions of effective governance:*

1. Ensuring clarity of vision, ethos and strategic direction.
2. Holding the executive to account for the educational performance of the trust, its pupils and the performance management of staff.
3. Overseeing the financial performance of the trust and making sure its money is well spent.

*The eight elements that will enable delivery of effective governance are:*

1. The right people around the table
2. Understanding their role and responsibilities
3. Good chairing
4. Professional clerking
5. Good relationships based on trust
6. Knowing our academies
7. Commitment to asking challenging questions
8. Confidence to have courageous conversations in the interests of pupils

In line with our values, particularly that of transparency, it is vital that a clear scheme of delegation defines lines of responsibility and accountability within Trust.

The Trust Board has overall legal responsibility for the operation of the Trust and is accountable for all major decisions about their academies. This does not mean that the Trust Board will make every decision within the Trust, they will delegate some governance and decision-making responsibilities to the individual school academies within it. The Trust Board intends to work in partnership with its family of schools.

This Scheme of Delegation therefore provides for certain functions to be carried out by one or more of the following:

- Trust Board;
- Accounting Officer (CEO) & Chief Finance Officer (CFO)
- Local Community Governing Body
- Exec Board - this refers to the most senior head in post in the Individual School Academy local structure where it could be an Executive Headteacher/Headteacher or Head of School respectively.

The Trust Board may decide to form additional committees to carry out certain of its functions.

The purpose of our scheme of delegation aims to:

- Ensure clarity about the roles of members, trustees, CEO & CFO, Individual School Academy Headteachers and committees
- Ensures the New Guild Trust operates in a fashion that is fit for purpose for a multi academy trust
- Prevent confusion which may lead to a loss of trust with stakeholders
- The funding arrangements.

The scheme of delegation is intended to be a working document that will be revised (at least annually) and adapted in response to the context and circumstances of the Trust.

As the Trust matures, both in terms of governance and operational leadership, the scheme of delegation is likely to change. This recognises the need to be responsive to the changing circumstances and ensures that the Trust continues to best meet the needs of their academies. The Trust reserve the right to change the scheme of delegation at any point between annual reviews in light of funding or performance triggers to enable the Trust to perform its duties and responsibilities.

## Delegated functions

The Scheme of Delegation covers four main areas:

- Governance framework
- Being strategic
- Holding to account
- Ensuring financial probity

The Trust Board has direct legal responsibility to the DfE. The Trust Board is therefore expected to fulfil its responsibilities for the three core functions of school Governance for the individual school academies within the Trust, in order to secure the required school improvement, and this is thus reflected in this Scheme of Delegation.

## Reviewing the delegated duties

The delegated duties will be linked to the performance of the school through due diligence in relation to:

- the quality of teaching and learning;
- standards;
- governance;
- finance and premises.

The delegation will be reviewed at the first meeting of the academic year of the MAT Board. In line with the Articles of Association, the Trust Board reserves the right to change the delegated duties at any time if it believes this to be appropriate in the interests of both the School concerned and the wider Trust family of schools.

## Summary of the scheme of delegation

- The board of trustees is responsible for the three core governance functions.
- The board of trustees appoint the chief executive (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.
  - In turn, the CEO line manages other senior executives and the academies' Headteachers, setting their targets and performance managing them.
- The board constitutes committees for standards, finance & resources and audit; these look in detail at staff and pupil performance, resources and financial performance across the Trust as well as reviewing organisational risk and resilience. As board committees, at least three trustees must sit on each.
- The board delegates some of its school level monitoring and scrutinising functions to academy school committees, and these committees will promote stakeholder engagement, as a point of consultation and representation. Trustees do not need to sit on academy committees, and so lines of communication to the board of trustees must be clearly established.
- As the Headteacher is being line managed by the CEO, the individual school academy no longer carries out the governance function of holding the Headteacher to account. However, the CEO will seek input from the LCGB chair (or nominated LCGB governor) of the Local Community Governing Board when undertaking the Headteacher's performance management. The individual school academy LCGB must be confident that the trust's performance management systems are working well, and if not, how they can make the trust aware of their concerns. Individual school academy LCGBs will be involved in Ofsted inspections.

## **Roles and Responsibilities**

### **The role of the members**

The members of the trust are guardians of the governance of the trust (their position is more of an 'eyes on – hands off' role) and as such they 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 and will also approve any amendments made to the articles of association. 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. Members appoint the Trust's auditors and receive the Trust's audited annual accounts. There must be at least three members.

### **The role of the Trustees**

The New Guild 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. It is the employer of every member of The New Guild Trust staff. 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**

In line with the current Academies Financial Handbook, the board of trustees have a finance committee to which the board delegates financial scrutiny and oversight and a separate audit committee. The Trust have also constituted a standards committee charged with reviewing and evaluating academy improvement across the Trust.

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. The Trust board will appoint board committee chairs and committee members according to their skills.

## 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 academies and so the CEO performance manages the individual school academy Headteachers and the Chief Finance Officer (CFO).

The CEO 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 role of the individual school Local Community Governing Body (LCGB)

The Trustees have established individual school academy committees as local community governing bodies to carry out some of its school level governance functions.

Delegated functions include:

- ✓ Building an understanding of how the school is led and managed
- ✓ Challenging and supporting the Headteacher in relation to pupil progress and attainment
- ✓ 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 Individual School Academy Headteacher

The individual school academy headteacher is responsible for the day to day management of the individual academy school and is line-managed by the chief executive, but reports to the LCGB on matters which have been delegated to it.

### Chairs powers to act

The Trust Members Board have resolved that by virtue of the Office of Chairperson of the Trust Board, that they delegate the 'Power to Act' on their behalf in circumstances where the Chairperson of the Trust is of the opinion that a delay in exercising the function would be likely to be seriously detrimental to the interests of;

- (a) the Academy Trust and any school within the Trust;
- (b) any pupil within the Trust, or their parent/carer
- (c) a person who works within the Academy Trust.

And also that, the Trust Board have resolved that by virtue of the Office of Chairperson of the LCGB, that they delegate the 'Power to Act' on their behalf in circumstances where the Chairperson of the LCGB is of the opinion that delay in exercising the function would be likely to be seriously detrimental to the interests of;

- (a) their individual school academy;
- (b) any pupil at their individual school academy, or their parents; or
- (c) a person who works at their academy

***See appendix for table of specific delegated duties.***

All schools within the Trust family will be expected to contribute to one or more of the following:

- development and maintenance of school policies;
- sharing of best practice;
- provision of emergency cover;
- mentoring and coaching of staff;
- Recruitment, training and appraisal of Governors for the Local Community Governing Bodies.

This re-enforces the principle of working together as a family of Individual School Academies to deliver first-class education.

#### Further Information

For further information about this Scheme of Delegation please contact the Accounting Officer/ CEO: Karen Peters moorpark@moorparkjunior.co.uk or telephone 01782 234440