

# Scheme of Delegation

June 2024

# 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. Inicio Academies Trust was established in April 2024 and the Trust Board is constituted under its Articles of Association.

## 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 Trust Executive Team, 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.

## Vision and Values

During the Summer Term 2024, Inicio carried out a consultation exercise which was initiated with an event for Members, Directors, Governors and senior colleagues. This was followed by a broader consultation by academy leaders, which included staff and students. As a result of the opinions and ideas gathered in this process, the following vision and values were developed:

### Our Vision

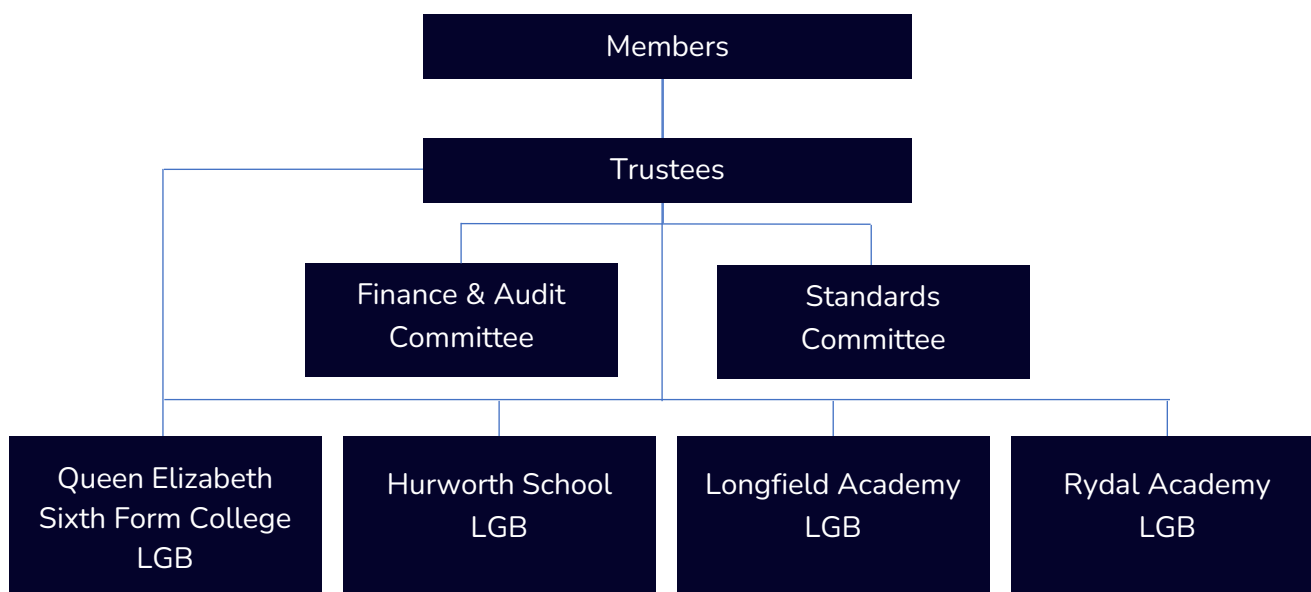
To build a learning community that shapes young people's development into happy, productive, independent adults.

### Our Shared Values

Whilst the character and individuality of each academy is celebrated within Inicio, we share collective values through our commitment to:

- Aspiration
- Inclusion
- Collaboration
- Empowerment

## Governance Structure & Accountability



### 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.

## Lines of Accountability

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

- strategic leadership
- accountability and assurance
- strategic engagement

The Trust Board has collective accountability and strategic responsibility for the Trust. It has a focus on ensuring the Trust delivers an excellent education to pupils while maintaining effective financial management and ensures compliance with:

- the trust's charitable objects
- regulatory, contractual and statutory requirements
- the funding agreement

The Trust Board also has:

- strategic and statutory responsibility for safeguarding and special educational needs and disabilities (SEND) arrangements within (and across) the Academy Trust ensuring the promotion of pupil welfare and for keeping their estates safe and well-maintained
- a role in making sure that it delivers its commitment to other schools and colleges in the Trust

Each College/School will be served by its own Local Governing Body. Established Local Governing Bodies will be used to nurture and develop the new Local Governing Bodies as the Trust grows. This strong focus on coaching and mentoring will support fidelity to the Trust's vision and values.

The membership of the Local Governing Bodies and delegated authority shall be for the Inicio Academies Trust to decide. When additional academies join the Trust, Inicio Academies Trust will consult with the Chair of the predecessor governing body about membership of Local Governing Bodies. Inicio Academies Trust will also take account of the performance of each of the colleges/schools.

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

- Finance and Audit Committee
- Standards Committee
- Local Governing Bodies for each Trust academy

## 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.

## 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 Inicio Academies 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.

## 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. The Board 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.

## 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:

- Finance and Audit Committee
- Standards Committee
- Local Governing Body for each academy within the trust

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:

**Finance and Audit 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 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.

The Committee also 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.

The Committee considers and makes recommendations to the Trust on all matters connected with staffing including current and projected staffing needs and the recruitment policy.

**Standards 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.

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

## Role of the Local Governing Body

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).

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 Trust Executive Team on issues relating to strategic development, education and business operation.

## 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 that will incur a significant cost to the

Trust, the CEO, Chair of Trust Board and academy (the Headteacher/Head of School/Principal and LGB representation) shall discuss, determine and agree a satisfactory contribution.

The Trust will liaise with the Headteacher/Head of School/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.

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)

## Role of 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.

## 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.

## Role of the Strategic Development Officer to Support the Trust Board

The Strategic Development Officer 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 processes 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 manages the Trust's Governance and Policy Officer.

## Role of Principal/Headteacher/Head of School



The Principal/Headteacher/Head of School 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.

## 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.

## 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.