



SMITHILLS SCHOOL
SUCCESS FOR ALL

**BOLTON MULTI ACADEMY TRUST
SCHEME OF DELEGATION 24-25**

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A multi academy trust's (MAT) board of trustees is accountable in law for all decisions about its academies. However, this does not mean that the board is required to make all the decisions itself. Many decisions can and should be delegated. It is vital that the decision to delegate a function is made by the full board of Trustees and is recorded. Without such formal delegation, the individual or committee has no power to act.

1. Purpose

The Scheme of Delegation has been developed to clarify and define the responsibilities and powers of the board of trustees and members of staff employed at the Academy in respect of key aspects of the management of the Academy and to ensure compliance with legal requirements and, where appropriate, policy. This Scheme of Delegation will ensure:

- Clarity about the roles of Members, Trustees, the Headteacher and Committees
- The Academy's operations are fit for purpose
- Communication and trust are strong at all levels and with all stakeholders

2. Duties and Responsibilities

2.1 The role of Members

The Members of the Trust are guardians of the governance of the Trust and as such 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 (a document which outlines the governance structure and how the trust will operate) 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.

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.

2.2 The role of Trustees

The 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. Trustees are bound by both charity and company law. The terms 'Trustee' and 'Director' are often used interchangeably. Bolton Multi Academy Trust uses the term 'Trustee'

The Trustees must ensure regularity and propriety in use of the Trust’s funds, and achieve economy, efficiency and effectiveness – the three elements of value for money. The Trustees must also take ownership of the Trust’s financial sustainability and its ability to operate as a going concern. The Trustees are responsible for setting the overall strategy and the leadership and management of the Trust. And, in accordance with the provisions set out in the memorandum and articles of association and its funding agreement, the Trustees are legally responsible and accountable for all statutory functions and for the performance of the Academy and as such must:

- Ensure clarity of vision, ethos and strategic direction
- Hold the Headteacher to account for the educational performance of the school and its pupils, and the performance management of staff
- Oversee the financial performance of the Trust and make sure its money is well spent
- Comply with provisions set out in the Articles of Association of the Trust, the Master Funding Agreement
- Supplemental Funding Agreements and the Academy Trust Handbook
- Determine a Scheme of Delegation

The Board of Trustees is the employer of all staff and therefore is the final appeal Board in matters of pay and staff discipline. Trustees will agree the annual budget for each academy.

2.3 The role of Trust Board Committees

In line with the latest Academy Trust Handbook, the board of Trustees have a finance and resources committee to which the board delegates financial scrutiny and oversight and a separate audit and risk committee. BMAT also has a standards committee which monitors the school’s performance and identifies areas for improvement and strategies to address them.

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.

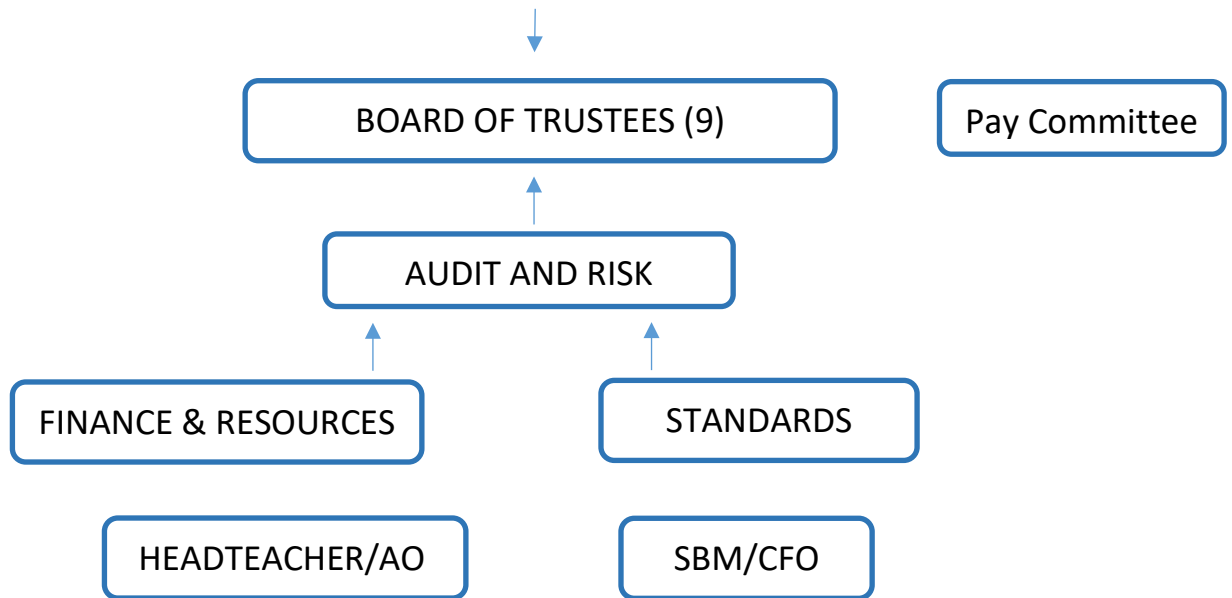
2.4 The role of the Headteacher

The Headteacher has the delegated responsibility for the operational leadership and management of the Trust. The Headteacher 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.

3. Current Delegation Diagram

The following diagram depicts the current Scheme of Delegation:





4. Delegated Responsibilities

The following is an overall list of the accountability between Members, Trustees, Trust Committees and the Headteacher.

Key

- Greyed out boxes Function cannot be carried out at this level.
- ✓ Action to be undertaken at this level
- A** Provide advice and support to those accountable for decision making
- <> Direction of advice and support

Area	Decision	Delegation					
		Members	Trust Board	Risk and Audit	Resources	Standards	Headteacher
Governance Framework							
People	Members: Appoint/Remove	✓					
	Trustees: Appoint/Remove	✓	✓				
	Role descriptions for members	✓					
	Role descriptions for trustees/chair/specific roles/committee: agree		✓				<A
	Parent trustee/committee/: elected		✓				
	Board committee chairs: appoint and remove		✓				<A
	Academy committee chairs: appoint and remove		✓				<A
	Clerk to board: appoint and remove		✓				
	Clerk to academy committee: appoint and remove		✓				
Systems and structures	Articles of association: review and agree	✓	<A				<A
	Governance structure (committees) for the Trust: establish and review annually		✓				<A
	Terms of reference for board committees and scheme of delegation for academy committees: agree annually		✓				<A
	Skills audit: complete and recruit to fill gaps		✓				<A

Area	Decision	Delegation					
		Members	Trust Board	Risk and Audit	Resources	Standards	Headteacher
Systems and structures	Annual self-review of trust board and committees: complete annually		✓				
	Annual self-review of academy committees: complete annually		✓				
	Chair's performance: carry out 360 reviews periodically		✓				
	Trustee/academy committee member contribution: review annually		✓				
	Succession plan		✓				<A
	Annual schedule of business for trust board: agree		✓				<A
	Annual schedule of business for academy committee: agree		A>				<A
Reporting							
Reporting	Publication on trust and schools' websites of all required details on governance arrangements: ensure		✓	✓		✓	<A
	Annual report on performance of the trust: submit to Trust and publish		✓	<A	<A	<A	<A
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	<A			<A

Area	Decision	Delegation					
		Members	Trust Board	Risk and Audit	Resources	Standards	Headteacher
Being Strategic							
Being Strategic	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
	Management of risk: establish register, review and monitor		✓	<A			<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
	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>	<A>	✓
	Academy Headteacher: appoint and dismiss		✓				
	Budget plan to support delivery of Trust key priorities: agree		✓	<A			<A

Area	Decision	Delegation					
		Members	Trust Board	Risk and Audit	Resources	Standards	Headteacher
	Budget plan to support delivery of school key priorities: agree		✓		<A		<A
	Trust's staffing structure: agree		✓	<A			<A
	School staffing structure: agree		✓		<A		<A
Holding to account							
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g., safeguarding, H&S, employment): agree		✓	<A	<A	<A	<A
	Reporting arrangements for progress on key priorities: agree		✓	<A	<A	<A	<A
	Performance management of academy Headteacher: undertake		✓				
	Trustee monitoring: agree arrangements		✓				<A
	Academy committee member monitoring: agree arrangements						<A
	Academy committee overall performance monitoring: agree arrangements		✓				<A
Ensuring financial probity							

Area	Decision	Delegation					
		Members	Trust Board	Risk and Audit	Resources	Standards	Headteacher
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			✓
	Academy Headteacher pay award: agree		✓				<A
	Staff appraisal procedure and pay progression: review and agree		✓				<A
	Benchmarking and trust wide value for money: ensure robustness			✓	<A		<A
Ensuring financial probity	Benchmarking and academy value for money: ensure robustness				✓		<A
	Develop trust wide procurement strategies and efficiency savings programme			✓	<A		<A
	Review and approve trust wide procurement strategies and efficiency savings programme		✓	<A			<A