



Education Impact Academy Trust Scheme of Delegation (September 2023)

Introduction

This Scheme of Delegation has been developed to clarify the responsibilities and powers of the Trustees and Local Governing Boards at EIAT in respect of key aspects of the leadership and management of EIAT and its establishments to ensure compliance with legal requirements. It draws directly from the DfE Governance Handbook, Academy Trust Handbook 2023 and advice from the National Governance Association (NGA).

It sits alongside the EIAT Financial Regulations Manual which covers all financial delegations and the suite of policies through which EIAT operates that further define individual and collective roles and responsibilities.

Vision and Values

This document is underpinned by EIAT's mission to ensure our students and young people are provided with a great education which prepares them for success in their future lives. EIAT is proud to be open and inclusive.

There is an expectation that all involved with governance of EIAT are committed to undertake their roles in line with the Nolan principles of public life: *selflessness, integrity, objectivity, accountability, openness, honesty and leadership.*

Governance Model

EIAT is a charitable company and is responsible for the strategic direction of the different establishments and has 4 layers of governance: the members of the trust, the board of trustees, trustee scrutiny committees (Finance, Audit and Risk -FAR) and Local Governing Bodies.

Delegation and Decision Making at EIAT

In a Multi-Academy Trust (MAT) there is only one legal entity accountable for all the schools within the Trust. EIAT has one set of Articles which govern all the academies in the Trust.

The table below indicates how we delegate certain functions in 4 key general areas. The Scheme of Delegation gives a detailed breakdown as to how we govern in more specific areas.

Key areas	Trust Board	Local Governing Bodies
Vision, Values and Motto	Ensure that all establishments are operating in a manner consistent with the key EIAT values, the motto and the vision.	Ensure that all establishments are operating in a manner consistent with the key EIAT values, the motto and the vision. Develop and enhance local approaches that run alongside, and are consistent with, the EIAT approach.
Safeguarding	Have oversight of the policies, procedures and key issues in each establishment. EIAT Safeguarding Trustee to work with EIAT Designated Safeguarding Lead to manage risks.	Have responsibility for ensuring that safeguarding procedures are effective in their establishment. Governor Safeguarding link to work with lead Designated Safeguarding Leads.
Quality of Education	Oversee through Executive Headteacher reports and look at trends, key highlights and the main highlights and challenges. The CEO/CFOO report brings common themes together and addresses specific concerns.	Analyse the provision through the Executive Headteacher reports and other relevant and specific information. Engage with key areas of provision and work alongside the SLT to support and challenge.
Finance	Budgets are approved by the Trust Board, however the funding is not GAG pooled. Finance is monitored through regular review of Management Accounts and meetings. The Executive team will be actively involved in the construction of budgets and any assumptions that underpin them.	All establishments set their spending priorities and LGB's are actively involved in the construction, and review, of the budgets. They can influence any assumptions prior to them being agreed at Trust Board level. This gives the chance for the LGB to influence and make recommendations around budget setting.

Reading the grid
✓ - governance function and decision-making are at this level
C - to be part of the decision making process and given opportunities to make recommendations that may influence the outcome
Note: Decisions delegated to the trust board may be delegated to a board committee but not the CEO, LGBs or EHTs

Governance function		Members	Trust board and FAR Committee	CEO and Executive Team	Local Governing Body	EHT
Governance framework: people	Members: appoint/remove	✓				
	Trustees: appoint/remove	✓	C			
	Parent Governors (LGB): appoint when elected				✓	
	Board committee chairs: appoint and remove		✓			
	Named safeguarding trustee: appoint and remove		✓			
	Local Governing Body chairs: appoint				✓	
	Local Governing Body chairs: remove		✓		C	
	Local Governing Body members: appoint				✓	
	Local Governing Body members: remove		✓		C	
	Clerk to Trust board: appoint and remove		✓		C	C
Clerk to LGBs: appoint and remove		✓		C	C	
Governance framework: systems and structures	Articles of association: review and agree	✓	C			
	Governance structure for the trust: establish and review annually		✓	C	C	
	EIAT scheme of delegation: agree annually		✓	C	C	
	Trust Board and FAR Committee terms of reference		✓	C		
	Local Governing Body terms of reference: agree annually		✓	C	C	C
	EIAT Annual Agenda Planner (overview): agree		✓	C	C	
	Self-review of trust board and FAR committees:		✓	C		
Self-review (Skills Audit) of LGBs:		C	C	✓		
	Publish governance arrangements on trust website: ensure Trust website is maintained and compliant with statutory requirements		C	✓		

Governance function		Members	Trust board and FAR Committee	CEO and Executive Team	Local Governing Body	EHT
Governance framework: reporting	Publish governance arrangements on schools' websites: ensure school website is maintained and compliant with statutory requirements				C	✓
	Triannual external review of board effectiveness: submit to members		✓	C	C	
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit to members and Companies House		✓	C		
Being strategic	Determine trust wide policies which reflect the trust's ethos and values: approve		✓	C	C	C
	Establishment level policies: approve			C	✓	✓
	Management of risk: establish register, review and monitor		✓	C		
	Management of risk: to be aware of the school's approach and report concerns to the Board				✓	C
	Determine EIAT's vision, strategy and key priorities: approve		✓	C	C	C
	Determine establishment key priorities and strategy: approve		C	C	C	✓
	Chief executive officer: appoint and dismiss	C	✓			
	Accounting officer: appoint and dismiss	C	✓			
	HTs: appoint and dismiss		C	✓	C	
	Budget plan to support delivery of trust key priorities: agree		✓	C	C	C
	Budget plan to support delivery of establishment key priorities: agree		C	C	C	✓
	Central Team staffing structure: agree		C	✓		C
	Establishment staffing structure: appointments to the Leadership Group			✓	C	C
Schools' staffing structure: agree			C	C	✓	
	Establishment appointments: Decision to recruit and or replace a vacancy or not			✓		C
	Establishment appointments: Decisions on who to appoint					✓

Governance function		Members	Trust board and FAR Committee	CEO and Executive Team	Local Governing Body	EHT
Holding to account	Ensuring compliance (e.g. safeguarding, H&S, employment): agree auditing and reporting arrangements at Trust level		✓	C		
	Ensuring safeguarding compliance at School level			C	✓	C
	Monitoring progress on Trust key priorities: agree reporting arrangements		✓	C		
	Monitoring progress on school key priorities: agree reporting arrangements		C	C	✓	C
	Performance management of the chief executive: undertake		✓			
	Performance management of EHTs: undertake			✓	C	
	Decision to embark on formal staff disciplinary proceedings			✓		C
	Monitor number of exclusions and suspensions in establishments			C	✓	C
	Decision to make emergency closures of establishments		C	✓	C	C
Financial oversight	External auditors: appoint	✓				
	Chief financial and operations officer: appoint		✓	C		
	Trust's Financial Regulations Manual which includes the scheme of financial delegation: establish, monitor and review		✓	C		
	External auditors' report: receive and respond		✓	C		
	CEO pay award: agree		✓			
	Executive Headteachers' pay award within structure: agree		C	✓	C	
	Staff appraisal procedure and pay progression: review and agree		✓	C	C	C
	Benchmarking and trust wide value for money: ensure robustness		C	✓		C
	Approve school budget		✓	C	C	C
	Monitoring Trust budget: agree reporting and assumptions		✓	C	C	C
Monitoring school budget		✓	C	C	C	

Appendices

Appendix 1

Governance Model

The role of the members

- The members of the trust are guardians of the governance of the trust and must ensure it carries out its charitable objective.
- There must be at least three members; members are not permitted to be employees of the academy trust.
- The members agree the trust's articles of association, appoint trustees and appoint the trust's external auditors.
- The members should receive information about the trust's business and receive the annual report and accounts. If they have concerns that the trust is not carrying out its charitable objective (to advance education for public benefit), members should remove trustees that are failing to fulfil this responsibility.

The role of the 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 (within the terms of the Companies Act 2006).
- Trustees are bound by both charity and company law so the terms 'trustees' and 'directors' are often used interchangeably. NGA uses the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are neither company directors nor trustees. The use of trustee also serves to highlight the overarching charitable purpose of the organisation, distinguishing it from other directorships that may be held in the private sector.
- Trustees are responsible for the general control and management of the trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement are legally accountable for all statutory functions and for the performance of all the schools within the trust; they do this by carrying out the core governance functions.

- The board of trustees must approve a written scheme of financial delegation and if they choose to delegate to board committees and academy committees (LGBs), must approve a written scheme of delegation and committee terms of reference. At EAIT the scheme of financial delegation is called the Financial Regulations Manual.
- The trust creates information pathways between the trust board, the local governing bodies and the chief executive so that open discussions about key issues can take place.

The role of trust board committees

- Trustees delegate some governance functions to board committees, one of which must include audit and risk which advises on the adequacy of the trust's controls in relation to the risks. At EAIT this committee is known as the Finance, Audit and Risk Committee. At Education Impact Academy Trust we delegate detailed scrutiny of financial management to the Finance Audit and Risk Committee.
- Board committees must have at least three trustees in membership, and trustees must be in the majority for voting purposes; it is usual for the trust board to appoint board committee chairs and committee members according to their skills.

The role of the chief executive

- The trustees delegate the day-to-day management of the trust to the chief executive, line managing them in line with the trust's appraisal and performance management policies.
- The chief executive is also the accounting officer and so is not only responsible for the performance of the trust as a whole but has a personal responsibility to parliament for the regularity, propriety and value for money, and for assuring the board about compliance with the funding agreement and the Academy Trust Handbook.
- The chief executive will be responsible for the leadership and management of the central executive team and the schools' executive headteachers and will report to the trust board and its committees.

The role of Local Governing Bodies

- Trustees delegate some governance functions to Local Governing Bodies(LGBs); the articles of association do not require trustee membership of the LGBs and by committing to the separation of individuals on each tier in the governance structure, trusts are able to

demonstrate transparent decision making and prevent bias and conflicts from emerging, thus strengthening the governance checks and balances within the trust.

- Being close to and representative of the community the school serves, the LGBs should be:
 - a valued point of consultation and representation in the development of trust policies
 - the recipients of detailed information about how their schools are being managed
 - tasked with scrutinising management information thus providing assurance to trustees that the school is:
 - operating within the ethos and values of the trust and creating a positive climate for all stakeholders
 - working within agreed policies
 - meeting the agreed targets
 - engaging with stakeholders
 - acting as an ambassador for the trust

The trust board value local governing bodies by ensuring effective channels of communication between trustees and LGBs, as well as providing specific training and development programmes for all involved in the governance of the trust.

The Role of Executive Headteacher

- The chief executive delegates the day-to-day management of the trust's schools to executive headteachers, line managing them in accordance with the trust's appraisal and performance management policies.
- Executive Headteachers share information about how they are managing the school with LGBs so that committee members build an understanding about how the school operates and are enabled to monitor and scrutinise how key policies and improvement plans are working in practice.