



# **Durrington Multi Academy Trust Scheme of Delegation (SoD)**

**October 2021**

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## Introduction

Durrington Multi Academy Trust's (DMAT) board of trustees is accountable in law for all major decisions about their academies. However, this does not mean that the board is required to carry out all the trust's governance functions and many can and should be delegated, including to the CEO, the board's committees, and to academy committees.

This scheme of delegation (SoD) is the key document defining the lines of responsibility and accountability in DMAT. It is a systematic way of ensuring that the members, trustees, board committees, academy committees, executive leadership and academy headteachers are all clear about their roles and responsibilities. This overarching SoD for all decision making in the trust should not be confused with the written scheme of delegation of financial powers referred to in the Academies Handbook.

The DMAT SoD is reviewed and updated annually by the board of trustees and published on the trust and its schools' websites.

Durrington Multi Academy Trust is a company limited by guarantee and a charity regulated by the department for education.

Children have one chance at education and it is the core purpose of the Durrington Multi Academy Trust (DMAT) team to ensure they will achieve and succeed, whatever their starting point. Our schools retain autonomy and their identity but commit to be an active partner in team DMAT. We all work together to:

- Ensure **excellence** from all, for all
- **Transform** the life chances of young people and their community
- Raise **aspirations** by believing that, together, we can all achieve beyond our expectations.

## 1.0 Trust governance structure and lines of accountability

- DMAT structure has three layers of governance:
  1. Members
  2. Trustees
  3. Committees and individuals
- The board of trustees is responsible for the three core governance functions as detailed in point 3 – the role of trustees.
- 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 a committee for audit and risk; it looks in detail at resources across the trust and carries out detailed scrutiny of financial management and school performance. At least three trustees are members of the A&R committee and trustees must be in the majority for voting purposes. .
- The board delegates some of its school level monitoring and scrutinising functions to academy committees, and uses these committees to promote stakeholder engagement and as a point of consultation and representation. Trustees do not need to sit on academy committees. To maintain clear lines of communication between the academy committees and the board headteachers and chairs meet termly with the CEO and Chair of the Trust.
- As the headteachers are being line managed by the CEO, the academy committees no longer carry out the governance function of holding the headteachers to account. However, they 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. This arrangement will also affect the academy committee's role in Ofsted inspections.

DMAT governance structure diagram is attached in Appendix 1

## 2.0 The role of the members

- The members of the trust are guardians of the governance of the trust and ensure it carries out its charitable objective. DMAT has a minimum of three members.
- The members agree the trust's articles of association, can appoint and remove trustees and appoint the trust's external auditors.
- The members receive information about the trust's business and receive the annual report and accounts.

## 3.0 The role of the trustees

- The Durrington Multi Academy Trust is a charitable company and so its 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. 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:
  1. Ensure clarity of vision, ethos and strategic direction.
  2. Hold the executive to account for the educational performance of the trust’s schools and their pupils, and the performance management of staff.
  3. Oversee the financial performance of the trust and make sure its money is well spent.
- The board of trustees approve a written scheme of financial delegation (Financial Handbook for each school) and if they choose to delegate to board committees and academy committees (LGBs), they approve a written scheme of delegation and committee terms of reference.
- The board of trustees has the right to review and adapt its governance structure at any time which includes removing delegation.
- The trust creates information pathways between the trust board, the academy committees (LGBs) and the chief executive so that academy committees (LGBs) can share with them any celebrations or concerns they may have.

#### 4.0 The role of the audit and risk committee

- The purpose of the Audit and Risk committee is to monitor the integrity of the financial statements; to review the governance, internal control and risk management systems; and to review the internal and external audit services. It gives recommendations to the trust board where it considers that action and improvement is required.
- The Audit and Risk committee is authorised by the DMAT trust board to investigate any activity within its terms of reference, and to seek any information it requires from staff, who are requested to co-operate with the committee in the conduct of its enquiries. The Audit and Risk committee is authorised to obtain independent professional advice if it considers this necessary.
- The Audit and Risk committee is an advisory body and has no executive powers. Details of its functions and duties are outlined in A&R committee terms of reference.
- 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 Chair of the committee cannot be the Chair of the Trust.

#### 5.0 The role of the academy committees

- Trustees delegate some governance functions to academy committees (LGBs); the articles of association do not require trustee membership of academy committees (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.

- The trust board approves the appointment of the academy committee (LGB) chairs
- Parent representation is at school level with parents elected to sit on the academy committees (LGBs) as opposed to trust wide elections for parent trustees.

Being close to and representative of the community the school serves, the academy committees (LGBs) are:

- 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 demonstrates the value they put on local governance by ensuring effective channels of communication between trustees and academy committees (LGBs), as well as providing specific training and development programmes for all involved in the governance of the trust.

As a committee of the board, delegation can be removed at any time.

## 6.0 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 academy headteachers. As there is the delegation of some governance functions to academy committees, this is with the academy committee chair alongside.

The CEO is the accounting officer so has overall responsibility for the operation of the academy trust's financial responsibilities and ensures that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The CEO leads the executive management team of the Durrington Multi Academy trust. The CEO will delegate executive management functions to the executive management team and is accountable to the trust board for the performance of the executive management team.

- 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 is responsible for the leadership and management of the central executive team and the schools' headteachers and reports to the trust board and its committees.

## 7.0 The role of the academy headteacher

- The chief executive delegates the day to day management of the trust's schools to headteachers, line managing them in accordance with the trust's appraisal and performance management policies.
- Headteachers share information about how the trust is managing the school with the academy committee (LGB) 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.

## 8.0 Appendix 1 - DMAT Governance framework

This section outlines in a quick reference grid format who is responsible for each strategic decision within the trust. The grid is in four key areas to reflect both the governance framework and the three core functions of the governing board:

1. The governance framework:
  - a. People
  - b. Systems and structures
  - c. Reporting
2. Being strategic
3. Holding to account
4. Ensuring financial probity

### Key

Column 1: Members

Column 2: Board of trustees of the multi academy trust

Column 3: Trust board audit and risk committee

Column 4: Chief executive officer

Column 5: Academy committee

Column 6: Academy headteacher

Blue box      Function **cannot** be legally carried out at this level.

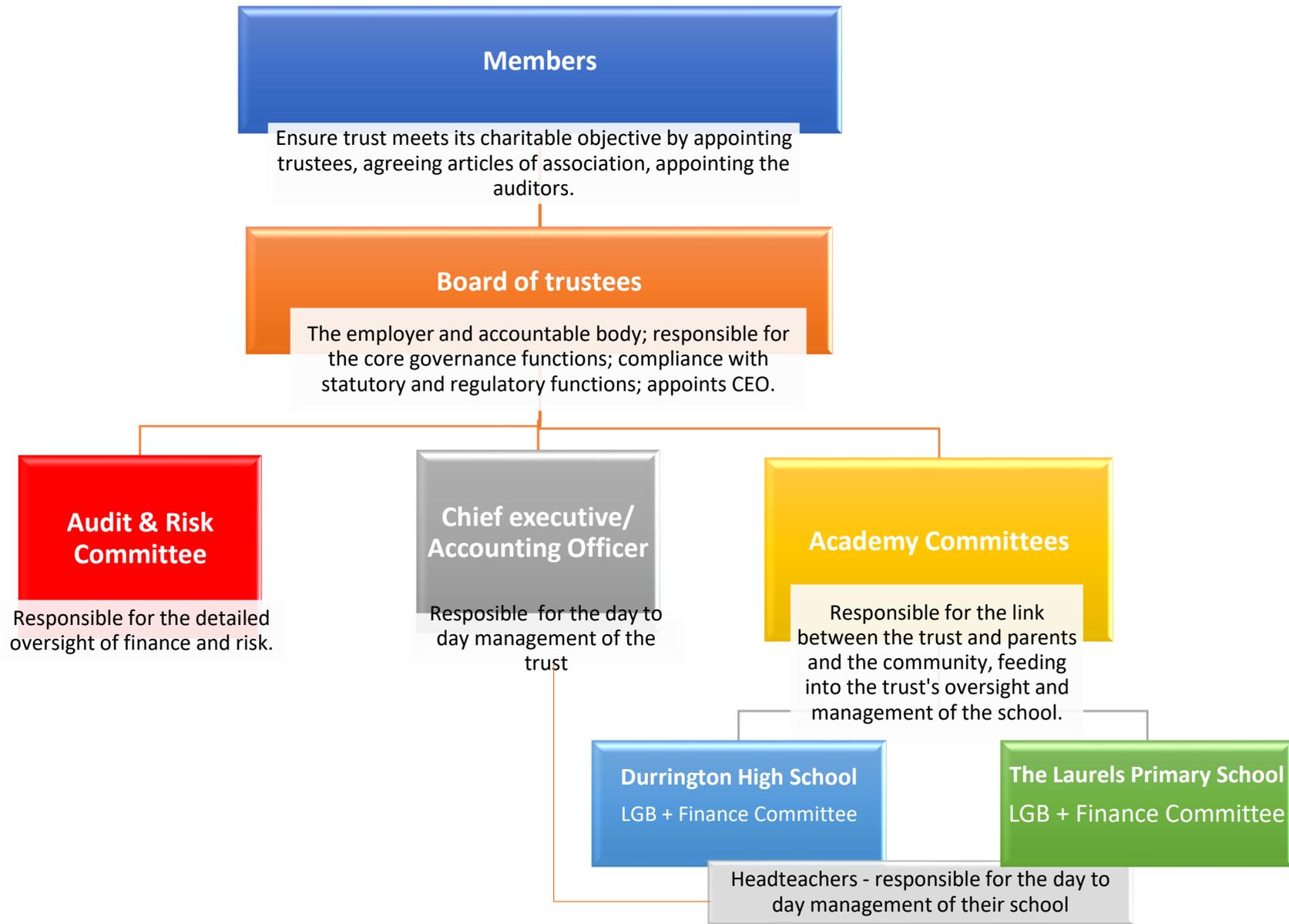
✓ Action to be undertaken at this level

✓ Action to be undertaken at this level

A Provide advice and support to those accountable for decision making

<> Direction of advice and support

## DMAT governance structure and lines of accountability



Area	Decision	Delegation					
		Members	Trust Board	Audit & Risk Committee	CEO	Academy Committee	Academy Headteacher
Governance framework							
People	Members: Appoint/Remove	✓					
	Trustees: Appoint/Remove	✓	✓				
	Role descriptions for members	✓					
	Role descriptions for trustees/chair/ specific roles/committee members: agree		✓		<A		
	Parent committee member: elected					✓	
	Board committee chairs: appoint and remove		✓		<A		
	Academy committee chairs: appoint and remove		✓		<A>	<A	
	Governance professional: appoint and remove		✓		<A		
	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
	Annual self-review of trust board and committees: complete annually		✓				

Systems and structures	Annual self-review of academy committees: complete annually					✓	
	Chair's performance: carry out 360 review periodically		✓			✓	
	Trustee / academy committee member contribution: review annually		✓			✓	
	Succession: plan		✓		<A>	✓	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	✓	A
	Annual report on performance of the trust: submit to members and publish		✓		<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		
	Annual report work of academy committee: submit to trust and publish					✓	A
Being strategic							
	Determine trust wide policies which reflect the trust's ethos and values (facilitating discussions with unions where appropriate) including: admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✓	✓	<A		

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
	Central spend / top slice: agree		✓	<A	<A		
	Management of risk: establish register, review and monitor		✓	<A	<A>	✓	A
	Engagement with stakeholders	✓	✓	✓	✓	✓	✓
Being Strategic	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	✓
	Chief executive officer: appoint and dismiss		✓				
	Academy headteacher: appoint and dismiss				✓	<A	
	Budget plan to support delivery of trust key priorities: agree		✓	<A	<A		
	Budget plan to support delivery of school key priorities: agree		✓		✓	A	A
	Trust's staffing structure: agree		✓	<A	<A		
	School staffing structure: agree				✓	A	✓

Holding to account							
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	✓	<A>	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	<A>	<A>	✓	A
	Performance management of the Chief Executive Officer: undertake		✓				
	Performance management of academy headteacher: undertake				✓	A	
	Trustee monitoring: agree arrangements		✓		<A>		
	Academy committee member monitoring: agree arrangements					✓	A
	Academy committee overall performance monitoring: agree arrangements		✓		<A>		
Ensuring financial probity							
	Appoint Director of Finance for delivery of trusts detailed accounting processes		✓	<A>	<A>		
	Trust's scheme of financial delegation: establish and review		✓	✓	<A>		

Ensuring financial probity	School's scheme of financial delegation: establish and review			✓	<A	A	A
	External auditors' report: receive and respond		✓	<A	<A	✓	A
	CEO pay award: agree		✓				
	Academy headteacher teacher pay award: agree		✓		✓	A	
	Staff appraisal procedure and pay progression: review and agree		✓		✓		✓
Ensuring financial probity	Benchmarking and trust wide value for money: ensure robustness			✓	<A		
	Benchmarking and academy value for money: ensure robustness					✓	A
	Develop trust wide procurement strategies and efficiency savings programme				✓		A
	Review and approve trust wide procurement strategies and efficiency savings programme			✓			