

# SCHEME OF DELEGATION

<b>Author</b>	<b>UWMAT SLT</b>
<b>Date Approved</b>	<b>28th September 2016</b>
<b>Date rebranded</b>	<b>1<sup>st</sup> September 2019</b>
<b>Version</b>	<b>2</b>
<b>Date to be Reviewed</b>	<b>Currently under review</b>

## **University of Wolverhampton Multi Academy Trust Arrangements for Delegated Authority**

The arrangements for delegated authority within University of Wolverhampton Multi Academy Trust are set out in this scheme of delegation. The functions of the trust are discharged by its various boards, committees and key posts. The significant **roles and responsibilities** within the organisation are as follows;

### **1. Members**

The members of UWMAT are signatories to the trust's memorandum and articles of association (a document which outlines the governance structure and how the trust will operate). The members appoint trustees to ensure that the trust's charitable object is carried out. They are able to remove trustees if they fail to fulfil this responsibility. Members are also responsible for approving any amendments to the trust's articles of association.

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 are trustees. Members are not permitted to be employees of the trust.

### **2. Trustees**

The trustees of UWMAT are the charity trustees and are responsible for the general control and management of the administration of the trust in accordance with the provisions set out in the memorandum and articles of association. The board of trustees is accountable for the performance of all academies within the trust and as such must;

- 1) Ensure clarity of vision, ethos and strategic direction
- 2) Hold the executive officers and headteachers to account for the educational performance of the academies 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.

Because trustees are bound by both charity and company law, the terms "trustees" and "directors" are used interchangeably.

### **3. The Board of Trustees**

The UWMAT board is permitted to exercise all the powers of the academy trust. The trustees delegate certain governance functions and these are set out in this scheme of delegation.

The trust has the right to review and adapt its governance structure at any time which includes removing delegated authority in certain circumstances which are set out in section 5 below.

The board of trustees of University of Wolverhampton Multi Academy Trust delegate responsibility for delivery of its objectives and strategy to the lead professional of the MAT i.e. the Chief Executive Officer who is also designated as the Accounting Officer. The MAT board holds the CEO to account for the performance of the trust, including the performance of the academies within the trust.

Some responsibilities concerning the performance of each academy are delegated to local governing boards. Each local governing board will use its detailed knowledge and engagement with stakeholders to ensure that their academy is performing to the highest possible standards, and that it is being well served by the executive leadership of the trust.

The performance management of the Chief Executive Officer (Accounting Officer) is the responsibility of the trust board. The CEO is responsible for the performance management of the academy headteachers but will seek contributions from representatives of the local governing boards to this process.

#### **4. Board Sub Committees**

The trustees have established three sub committees with the purpose of providing advice and support and informing the overall work of the trust board. However these sub committees are not legally responsible or accountable for statutory functions –the trust board retains overall accountability and responsibility. The responsibilities of the board sub committees are set out in their terms of reference; the responsibilities of school governing boards are set out in this scheme of delegation. The trust board appoints subcommittee members and chairs.

#### **5. Local Governing Boards (Academy Governing Bodies)**

The responsibilities of local governing boards are set out in detail in this scheme of delegation but they include; building an understanding of how the academy is led and managed, monitoring whether the academy is working within agreed policies, meeting agreed targets, managing its finances well, engaging with stakeholders.

As a committee of the trust board, delegation to a local governing board can be removed if there is evidence of

- Weak performance in response to a review of governance or Ofsted inspection.
- An Ofsted inspection where there is a rating decline or an academy moves into a category of serious weakness or requiring improvement.
- A sudden or unexpected significant dip in the performance of an academy
- A significant safeguarding concern within an academy.

#### **Chief Executive Officer (The Accounting Officer)**

The CEO has the delegated responsibility for the operation of UWMAT including the performance of the trust's academies.

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 CEO leads the executive management team of UWMAT. 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.

#### **Academy Headteacher**

The academy headteacher is responsible for the day to day management of the academy and is managed by the chief executive officer. She / he reports to the local governing board on the overall performance of the school, the progress of pupils and any other matters which have been delegated to it.

**GOVERNANCE STRUCTURE; UNIVERSITY OF WOLVERHAMPTON MULTI ACADEMY TRUST**

**Members**

**Board of Trustees**

**Board Sub Committees**

<b>Academic</b>	<b>Finance</b>	<b>Risk, Audit, Compliance</b>
-----------------	----------------	--------------------------------

<b>Local Governing Board</b>	<b>Local Governing Board</b>	<b>Local Governing Board</b>	<b>Local Governing Board</b>	<b>Local Governing Board</b>
------------------------------	------------------------------	------------------------------	------------------------------	------------------------------

## SCHEME OF DELEGATION

### Key

Level	Responsible Individual or Group
1	Member Level
2	University of Wolverhampton Multi Academy Trust Board Level
3	CEO/Accounting Officer Level
4	Academy Local Governing Body Level
5	Committee of the Academy's Local Governing Body Level
6	Headteacher Level

√	Action to be undertaken at this level
A	Provide advice and support to those accountable for decision making

COLUMN TICKED: Action to be undertaken at this level

<b>KEY FUNCTION; GOVERNANCE</b>							
No.	Task	1	2	3	4	5	6
1	Appoint and remove members	√					
2	Appoint and remove trustees	√		A			
3	Agree role descriptions for members	√		A			
4	Agree role descriptions for trustees/board chair/committee members		√	A			
5	Appoint parent trustees/board/board subcommittee members		√	A			
6	Appoint and remove chair and vice chair of the board		√				
7	Appoint and remove board subcommittee chairs		√	A			
8	Appoint and remove clerk to the board		√	A			
9	Appoint and remove clerk to academy governing body				√		A
10	Approve the UWMAT governance structure, terms of reference, articles/funding agreement		√	A			
11	Approve terms of reference for trust subcommittees		√	A			
12	Approve changes to the scheme of delegated authority		√	A			
13	Complete skills audit and recruit to fill gaps		√	A	√		A
14	Appoint the chair of academy local governing body			A	√		A

15	Appoint the chairs of academy local governing body sub-committees				√		A
16	Appoint UWMAT representative for local governing body			√			
17	Appoint staff and parent governors				√		A
18	Agree annual schedule of business for trust board		√	A			
19	Agree annual schedule of business for academy governing body				√		A
20	Review and revise trust governance details on trust and academy websites		√	A			
21	Review and revise academy governance details on academy website				√		A
22	Suspend and/or dismiss academy governing body members			A	√		A
23	Set up and publish register of members', trustees' and governors' business and pecuniary interests		√	A	√		A
24	Set up and approve trustees' and governors' expenses scheme		√	A			
25	Appointment and dismissal of chief executive officer	A	√				
26	Appointment and dismissal of company secretary & clerk		√	A			
27	Appointment of external auditors		√	A			
28	Determine trust wide policies which reflect the trust's ethos and values (drawing upon discussions with unions where appropriate) including admissions, charging and remissions, complaints, expenses, health and safety, premises management, data protection and freedom of information, staffing policies including capability, discipline, conduct and grievance		√	A			
29	Determine academy level policies which reflect the academy's ethos and values to include e.g. admissions, special educational needs and disability, safeguarding and child protection, curriculum and behaviour				√		A
30	Replace a Local Governing Board with an Interim Advisory Board as a temporary measure (see footnote re IABs)		√	A			
31	Remove and replace the chair of a local governing board (see footnote re removal and replacement of chairs)		√	A			

<b>KEY FUNCTION; FINANCE</b>							
No.	Task	1	2	3	4	5	6
30	Appoint chief financial officer		√	A			
31	Review and revise trust's scheme of financial delegation		√	A			
32	Agree CEO remuneration	A	√				
33	Agree academy principal remuneration		√	A			
34	Approve UWMAT and academy budget plans for financial year		√	A			
35	Draft the academy budget plan for financial Year						√
36	Monitor UWMAT budget monthly			√			

37	Monitor UWMAT budget termly		√	A			
38	Monitor academy budget at least termly				√		A
39	Monitor academy budget at least monthly						√
40	Propose and agree UWMAT virements and budget adjustments to £50,000			√			
41	Propose and agree UWMAT virements and budget adjustments over £50,000		√				
42	Propose and agree academy virements and budget adjustments to £10,000				√		
43	Propose and agree academy virements and budget adjustments from £10,000 to £50,000			√			
44	Propose academy virements and budget adjustments over £50,000			√			
46	Agree academy virements and budget adjustments over £50,000		√				
47	Propose financial and procurement policies			√			
48	Approve financial and procurement policies		√	A			
49	Adopt financial and procurement policies		√	A	√		A
50	Enter into contracts (up to £10,000)						√
51	Enter into contracts (between £10,001 and £25,000)				√		
52	Enter into contracts (between £25,001 and £50,000)		√				
53	Enter into contracts (above £50,000)		√				
54	Propose the appointment of auditors			√			
55	Approve the appointment of external auditors; Receive and respond to their annual report		√	A			

<b>KEY FUNCTION; STAFFING including PERFORMANCE MANAGEMENT and QUALITY of PROVISION</b>							
<b>No.</b>	<b>Task</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
56	Appointment and dismissal of headteachers		√	A			
57	Participate in appointment of headteachers		√	√	√		
58	Appointment and dismissal of deputy headteachers & other senior academy staff			A	√		A
59	Participate in the selection processes for deputy headteacher & other senior staff			√	√		√
60	Agree UWMAT staffing structure		√	A			
61	Agree academy staffing structure				√		A
62	Appointment and dismissal of UWMAT 'core team' staff			√			
63	Appointment and dismissal of all academy staff except headteacher				√		A
64	Propose staff, HR, pay, performance and disciplinary policies			√			
65	Approve staff, HR, pay, performance and disciplinary policies		√	A			
66	Adopt staff, HR, pay, performance and disciplinary procedures				√		A

67	Approve changes to academy staffing structure (within agreed budget)			A	√		A
68	Approve changes to academy staffing structure (outside agreed budget)			√			

<b>KEY FUNCTION; PERFORMANCE MANAGEMENT and QUALITY of PROVISION</b>							
No.	Task	1	2	3	4	5	6
69	Performance management of chief executive officer		√				
70	Performance management of headteachers			√			
71	Participate in performance management of headteachers			√	√		
72	Suspension of a headteacher			√			
73	Suspension UWMAT 'core team' staff			√			
74	Suspension all academy staff except headteacher			A	√		A
75	Approval of dismissal payments / early retirement			√			
76	Agree and monitor academy performance management and pay progression procedures		√	A			
77	Determine performance management arrangements of all academy staff except headteacher						√
78	Approve UWMAT strategic plan(s)		√	A			
79	Review performance of trust board and board subcommittees against UWMAT strategic plan(s)		√	A			
80	Approve academy development plan				√		A
81	Review performance of academy governing body against academy development plan			A	√		A
82	Responsibility for standards of teaching						√
83	Responsibility for provision of sex education				√		A
84	Responsibility for arrangements for collective worship				√		A
85	Propose targets for pupil achievement						√
86	Approve targets for pupil achievement at trust and individual academy level		√	A	√		A
87	Monitor targets for pupil achievement			√	√		√

<b>KEY FUNCTION; DISCIPLINE/EXCLUSIONS</b>							
No.	Task	1	2	3	4	5	6
88	Approve pupil behaviour policies				√		A
89	Monitor implementation of pupil behaviour policies				√		A
90	Monitor issues associated with each academy's implementation of pupil behaviour policies			√			
91	Exclude a pupil more than 15 days or permanently					√	A



92	Review exclusion on appeal			A	√		
93	Direct reinstatement of excluded pupils			A	√		

<b>KEY FUNCTION; ADMISSIONS</b>							
No.	Task	1	2	3	4	5	6
94	Agree trust wide and academy admissions policy		√	A	√		A
95	Consult on admissions policy			A	√		A
96	Agree PAN annually			A	√		A
97	Approve admission application decisions					√	A
98	Approve admissions prospectus				√		A

<b>KEY FUNCTION; PREMISES &amp; INSURANCE</b>							
No.	Task	1	2	3	4	5	6
99	Provision of appropriate buildings' and other relevant insurance (including governors)			√			
100	Approve premises related policies			A	√		A
101	Develop and approve academy maintenance strategy				√		A
102	Develop and approve UWMAT capital strategy		√	A			
103	Approve school allocation funding		√	A			

<b>KEY FUNCTION; HEALTH &amp; SAFETY</b>							
No.	Task	1	2	3	4	5	6
104	Propose and approve a trust health & safety policy		√	A			
105	Monitor implementation of health & safety policy			√	√		√
106	Approve an academy risk management plan			A	√		A
107	Monitor academy risk management plan			√	√		√
108	Monitor implementation of risk management plans in academies			√			
109	Approve UWMAT risk management plan		√	A			
110	Monitor UWMAT risk management plan		√	√			

<b>KEY FUNCTION; ACADEMY ORGANISATION</b>							
No.	Task	1	2	3	4	5	6

111	Develop academy business continuity plan				√		A
112	Approve academy business continuity plans			√			
113	Monitor implementation of academy business continuity plans			√	√		√
114	Review UWMAT wide implementation of academy continuity plans			√			
115	Approve times of academy day and dates of academy terms and holidays			A	√		A
116	Ensure that academies meet a minimum number of sessions in a <i>school</i> year			√			

<b>KEY FUNCTION; ACADEMY MEALS</b>							
No.	Task	1	2	3	4	5	6
117	Ensure <i>school lunch nutritional standards</i> are met				√		A
118	Ensure provision of free meals to those pupils meeting the criteria						√

<b>KEY FUNCTION; EXTENDED PROVISION</b>							
No.	Task	1	2	3	4	5	6
119	Decide to offer additional activities and what form these should take				√		A
120	Put in place and ensure delivery of services to be provided						√
121	Monitoring of extended provision			√	√		√
122	Cease any aspect of extended provision		√	A	A		A

<b>KEY FUNCTION; SAFEGUARDING</b>							
No.	Task	1	2	3	4	5	6
123	Complete and maintain single central record						√
124	Appoint safeguarding governor				√		A
125	Annual approval of academy safeguarding review			√			
126	Undertake annual review of safeguarding across academies		√	A			

### Interim Advisory Boards

University of Wolverhampton Multi Academy Trust may *stand down* a Local Governing Board and appoint an Interim Advisory Board in one or more of the following circumstances:

- Identification of weak performance in response to a review of governance or Ofsted inspection.

- An Ofsted inspection where there is a rating decline or an academy moves into a category of serious weakness or requiring improvement.
- A sudden or unexpected significant dip in the performance of an academy
- A significant safeguarding concern within an academy.

The UWMAT central team will manage the process of standing down a LGB.

The main function of the IAB will be to secure the governance of the academy and develop a sound basis for improvement. The IAB will be in place until the UWMAT Board is satisfied that the relevant performance problems have been rectified, and that the revised membership of the LGB is sufficiently competent to resume responsibility for the academy.

UWMAT does not adopt a one size fits all approach and is committed to appointing IAB's which are small, focused groups. Members will be chosen on a case by case basis in accordance with the needs of individual academies.

#### **Removal and Replacement of Chairs of Local Governing Boards**

University of Wolverhampton Multi Academy Trust may remove and replace the chair a local governing board in one or more of the following circumstances:

- Identification of weak performance by a chair in response to a review of governance or Ofsted inspection.
- An Ofsted inspection where there is a rating decline or an academy moves into a category of serious weakness or requiring improvement.
- A sudden or unexpected significant dip in the performance of an academy
- A significant safeguarding concern within an academy relating to the performance or behaviour of the chair.

The UWMAT central team will manage the process of removing and replacing the chair. The team will work with the remaining members of the governing body in order to identify an effective replacement.

The main function of removing and replacing a chair will be to secure the governance of the academy and develop a sound basis for improvement. The newly appointed chair will remain in place until the UWMAT Board is satisfied that the relevant performance problems have been rectified, and that the LGB is sufficiently competent to resume responsibility for appointing its own chair.