



Willow Tree Academy Trust Board

SCHEME OF DELEGATION

Adopted by the Trust board September 2017 (Updated September 2021)

The status of our scheme of delegation

Our scheme of delegation is reviewed annually and, as the multi-academy trust grows, we know it must be fit for purpose which means it demonstrates clearly the lines of accountability. This is the second scheme of delegation for Willow Tree Academy (WTA).

Structure of this scheme

While schemes of delegation will vary from trust to trust depending on size, structure and geographical spread, we follow a set of basic principles. To clarify decision making and lines of accountability in a simple, succinct and clear format. This model includes:

- A structure diagram which shows the layers of governance and lines of accountability
- A short paragraph of text which describes the structure
- Detailed narrative on roles and responsibilities
- A grid format, with columns for each layer of governance which enables stakeholders to quickly determine 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

Arrangements for Review of this scheme

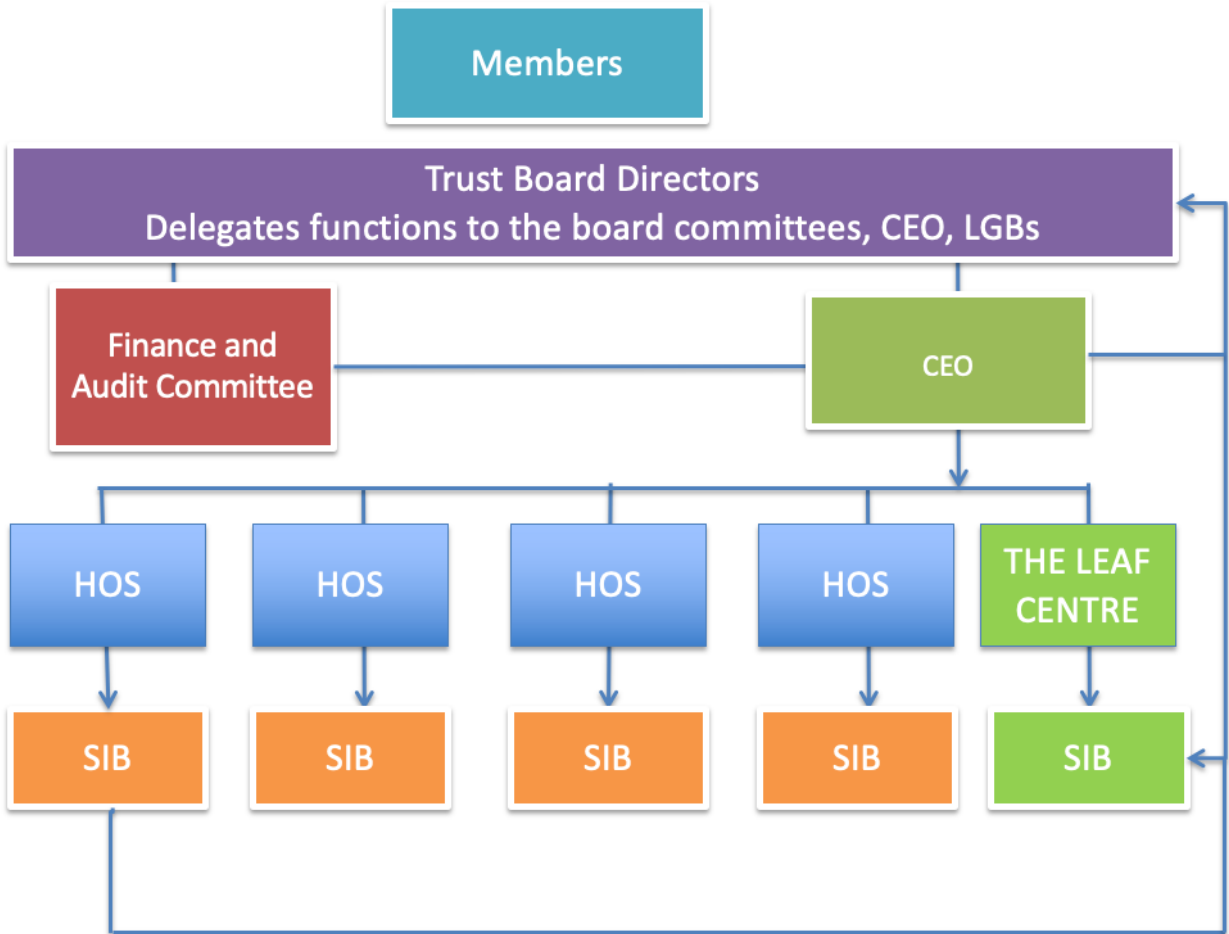
It is our intention that our Scheme of Delegation does not contain complicated legal terminology. It is intended to be a working document that the trust board and the CEO will revise and adapt in response to changing context and circumstances in our academy schools, particularly as new schools join the Trust.

As Willow Tree Academy matures and grows the workings of the MAT, both in terms of governance and management are likely to change. The SoD will be reviewed annually, with changes made as the context changes. All involved in governance will be made aware of any changes and what these mean in practice as they arise, where appropriate, after consultation with School Improvement Boards.

At Willow Tree Academy our scheme of delegation will:

- Promote a culture of honesty and accountability
- Ensure the executive leadership is clear about which decisions the trust board remain in control of
- Identify responsibility for the appointment and performance management of the CEO, and other senior school leaders
- Ensure that the role of the executive leadership is fully understood throughout the MAT
- Identify responsibility for policy and practice in each academy school
- Identify responsibility for oversight of educational performance in each academy school
- Identify responsibility for oversight of each academy school’s budget
- Identify responsibility for assessment of risk in each academy school

Delegation to academy committees & School Improvement Boards



Governance structure and lines of accountability

- The board of trustees has overall responsibility for the three core governance functions.
- The board of trustees appoints 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 schools within the trust, and for its financial management.
- In turn, the CEO line manages other senior executives and the academy leaders i.e. Heads of School/Head Teachers, setting their targets and performance managing them.
- The board constitutes a committee for finance and audit purposes; these look in detail at the procurement of resources, financial management and scrutiny of the academy schools' finances, ensure an oversight of the trust financial responsibilities and that they are met.
- Whilst overall responsibility for standards and School Improvement rests with the Trust board, at present this is dealt with by the SIBs and the work of the CEO. As the MAT grows a Standards/School Improvement committee may be constituted.
- Responsibility for the Progress and Attainment across the trust is delegated via the CEO to the Heads of Schools/Head Teachers. However, the CEO retains ultimate responsibility and accountability.
- The board delegates most of its school level functions to the school Improvement Boards, and uses these SIBs to promote stakeholder engagement and as a point of consultation and representation. Trustees do not necessarily sit on SIBs and so lines of communication to the board of trustees are clearly established through the CEO and all minutes of SIB meetings being received and scrutinised by the Board.
- As the Head of School/Head Teacher are being line managed by the CEO, the SIB no longer carries out the governance function of holding the Head(s) of School/ Head Teacher(s) to account for their personal professional performance (*through formal Appraisal*). However, the SIBs 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 may also affect the SIB's role in Ofsted inspections.

Roles and responsibilities

The role of the 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 (the legal document which outlines the governance structure and how the trust will operate). The articles of association will also describe how members are recruited and replaced, and how many of the trustees /directors the members can appoint to the trust board. The members appoint trustees /directors to ensure that the trust's charitable object is carried out and so must be able to remove trustees/directors if they fail to fulfil this responsibility. Accordingly, the trust board submits an annual report on the performance of the trust to the members. Members are also responsible for approving any amendments made to the trust's articles of association.

At present, WTA has three members, which may be reviewed from time to time. 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, WTA has determined that only the Chair of the Board will also be a Member to ensure efficient two-way communication. Members are not permitted to be employees of the academy trust.

The role of the trustees/directors

The MAT 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. Because trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably.

The trustees/directors are responsible for the general control and management of the administration of the trust, and in accordance with the provisions set out in the memorandum and articles of association and its funding agreement. The Trust is legally responsible and accountable for all statutory functions, for the performance of all schools within the trust, and has approved this written scheme of delegation of financial powers that maintains robust internal control arrangements. In addition, the Trust must carry out the three 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/directors has the right to review and adapt its governance structure at any time which includes removing delegation or adopting a revised structure if a need arises.

The role of trust board committees

The trustees/directors may establish trust board committees (eg Finance/audit) 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 membership will be at least three trustees and responsibilities of trust board committees are set out in the committee's terms of reference. The trust board will appoint trust board committee chairs and committee members according to their skills.

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 HoS/HTs.

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 Willow Tree senior leadership team (WTSLT) of the academy trust. The CEO will delegate executive management functions to the SLT and is accountable to the trust board for the performance of the senior leadership team.

The role of the School Improvement Board

The trust board will establish School Improvement Boards to carry out some of its school level functions. Trustees are not required to sit on SIB but may do so if the Trust determines this would be helpful.

Make-up and operation of the SIB:

- The trustees will formally appoint the chair of the SIB, following a recommendation from the SIB, taking into account the knowledge, skills and experience of the SIB nomination.
- Each SIB shall have at least 9 members made up of a minimum of 2 parent/carer governors elected by the parent/carers of pupils attending the school, and 1 staff governor elected by staff employed at the school. Other additional governors will be co-opted by the SIB or appointed by the Directors, including at the request of the Secretary of State. The Head of School/Headteacher will always be co-opted to the LGB and the Executive Headteacher (CEO) will act as an ex-officio member of the SIB. Including the EHT/CEO, the total number of persons employed by the WTA on the SIB will not exceed *one third* of the total number of persons on the SIB.
- The quorum for meetings of the SIB will be one third of the current members providing this includes at least 1 non-employed member.
- WTA Directors shall also be entitled to serve on the SIB and will be counted in the quorum and would have voting rights
- All members of the SIB shall give a written declaration of eligibility and good conduct using the format included in the WTA Governor Induction Policy. Those making appointments to the SIB will take all necessary steps to ensure that the SIB has an appropriate balance of knowledge, skills and experience and is representative of the community the school serves.
- The SIB shall make arrangements for the election of parent/carer or staff governors. Any contested elections shall be held by secret ballot. Where no nominations are received the SIB will invite a parent/carer of a school-aged pupil to be a member of the SIB.
- With the exception of CEO and Head of School/Headteacher, who will remain members of the SIB unless ceasing to be employed by WTA, the term of office for any member of the SIB shall be four years, subject to remaining eligible to be a particular type of member. Any person may be re-appointed or re-elected to the SIB.
- A person serving on the SIB shall cease to hold office if he/she resigns by notice to the SIB; the Directors remove him/her at any time; or, he/she is removed by a two thirds majority of the members of the SIB present and voting at a meeting. (*The grounds for removal may include but not be limited to non-attendance, incompetence, misconduct or bringing the WTA into disrepute.*) Any member of the SIB suspended from duty will also be suspended from the SIB.
- The same eligibility requirements as apply to Directors shall apply to members of the SIB. (*See WTA Induction Policy*) Any member of the SIB who shall cease to be eligible shall be deemed to have resigned with immediate effect.

Delegated functions will include:

- Building an understanding of how the school is led and managed
- Monitoring whether the school is:
 - Working within agreed policies
 - Is meeting the agreed targets
 - Managing its finances well to meet individual school needs, unless the trust board has removed this responsibility from the SIB
- Engaging with stakeholders
- Being a point of consultation and representation on all school matters
- Receive reports, ask challenging questions and alert the Trust Board of any concerns

As with trust board committees, SIBs are a committee appointed by the board, and so delegation can be removed at any time. Where 'good and outstanding' schools are fully functioning and successful there will be a 'light touch' approach to the school's autonomy. If a school, at any level, becomes a 'school of concern' the trust will intervene to ensure appropriate support is in place and reserve the right to remove the SIB and/ or functions delegated to it.

The role of the Head of School /Head Teacher

The Head of School/Headteacher is responsible for the day to day management of the school and is line managed by the CEO but reports to the LGB on matters which have been delegated to it.

The LEAF Centre Leading Endeavours for Aspirational Futures

In 2022 Willow Tree Academy will open its own bespoke provision for children with Social and Emotional Mental Health difficulties.

VISION To create an outstanding provision that improves the emotional well-being, learning opportunities and social development of children most vulnerable to social and educational exclusion. Thus, improving their life chances.



Seven Guiding Principles

1. A locally based provision dedicated to creating appropriate and empowering learning experiences with a commitment to enable positive contribution to childhood, community and society.
2. An alternative and individualised entitlement curriculum is at the heart of learning, providing the best possible education for the children to transform lives. The expert teaching will establish the importance of Literacy and Numeracy, and lay foundations in science, the Arts, and all subjects in the National Curriculum
3. This will be underpinned by the Physical, Spiritual, Moral, Social and Emotional education and development.
4. All children, parents, carers and staff will feel valued and encouraged to believe that they can succeed. They will be challenged to use education to reach for the stars, securing a pathway to a brighter future. All will catch and celebrate children enjoying success.
5. The holistic environment will be supportive, nurturing, safe and stimulating and develop an authentic sense of belonging through outstanding and inspiring role models.
6. The LEAF Centre provision will improve Willow Tree schools and inspire integration and acceptance. Our schools also support other schools with the understanding of behaviour as a form of communication and enable all to responsibly and respectfully manage moods.

7. Opportunities will be provided for families to develop the capability to provide for the needs of their children, manage their own needs effectively, and create the boundaries for each child to make the transition from dependence to autonomy.

The provision will be run in conjunction initially with the LA, with an intention to move towards the setting as a stand-alone free school provision in 2024. Governance will be through a designated SIB headed by the CEO, who will have delegated responsibilities via the Trust Board. Key decisions regarding the financial probity of the LEAF Centre will lie with the Trust Board and delegated to the CEO, CFO and Trust Finance Officer.

How key decision making is delegated in Willow Tree Academy and its schools

Key to the table on the following pages:

Column 1: Members

Column 2: Board of trustees of the multi academy trust

Column 3: Trust board finance/audit committee

Column 4: Trust board standards committee (*not constituted*)

Column 5: Executive headteacher (CEO)

Column 6: School Improvement Board

Column 7: Heads of School/Headteachers

NB: Functions within the dark blue box 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

Area	Decision	Delegation						
		Members	Trust Board	TB Finance Committee	TB Standards Committee	CEO	SIB	HoS/HT
Governance framework								
People	Members: Appoint/Remove	✓						
	Trustees: Appoint/Remove	✓	✓					
	Role descriptions for members	✓						
	Role descriptions for trustees/chair/ specific roles/committee/SIB members: agree		✓			<A	<A	
	- Trust Board Committee members: appoint and remove - SIB members: elected/appointed		✓ ✓				✓	
	Trust board committee chairs: appoint and remove		✓			<A		
	SIB chairs: appoint and remove		✓			<A	<A	
	Clerk to board: appoint and remove		✓			<A	<A	
	Clerk to trust board committee/SIB: appoint and remove		✓			✓	<A	
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 trust board committees and scheme of delegation for SIBs: agree annually		✓			<A	<A	
	Skills audit: complete and recruit to fill gaps		✓			<A>	✓	
	Self-review of WTA board & trust board committees: complete annually (see Trustees EFA report)		✓					
	Self-review of SIBs: complete annually						✓	
	Chair's performance: carry out 360 review periodically		✓				✓	
	Trustee /SIB member contribution: review annually		✓				✓	

Area	Decision	Delegation						
		Members	Trust Board	TB Finance Committee	TB Standards Committee	CEO	SIB	HoS/HT
Systems and structures	Succession: plan		✓			<A>	✓	<A>
	Annual schedule of business for Trust Board and Trust board committee(s): agree		✓	<A>		<A>		
	Annual schedule of business for SIB: agree		✓			<A>	✓	<A>
Reporting								
Reporting	- Publication on trust websites of all required details on governance arrangements: ensure - Publication on school websites of all required details on governance and other arrangements		✓	✓ <A>		<A>	✓	
	Annual report on performance of the trust: submit to members and publish. Members receive	✓	✓			<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>		
	Annual report on work of SIB: submit to trust and publish			✓			✓	<A>
Being Strategic								
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		✓	✓		<A>		

Area	Decision	Delegation						
		Members	Trust Board	TB Finance Committee	TB Standards Committee	CEO	SIB	HoS/HT
Being Strategic	policies including capability, discipline, conduct and grievance: approve							
	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>	✓	✓
	Central spend / top slice: agree		✓	<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		
	School's 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 HoS/HT : appoint and dismiss (<i>always involving other directors in a selection process</i>)		✓			<A	<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		

Area	Decision	Delegation						
		Members	Trust Board	TB Finance Committee	TB Standards Committee	CEO	SIB	HoS/HT
	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		
	Reporting arrangements for progress on key priorities: agree		✓	<A		✓		
	Performance management of the Chief Executive Officer: undertake		✓					
	Performance management of academy HoS and HT: undertake					✓		
	Trustee monitoring: agree arrangements		✓			<A		
	SIB member monitoring: agree arrangements						✓	
	SIB overall performance monitoring: agree arrangements		✓			<A	<A	
Ensuring financial probity								
Ensuring financial probity	Chief financial officer for delivery of trusts detailed accounting processes: appoint		✓	<A		<A		
	Trust's scheme of financial delegation: establish and review		✓	✓		<A		
	School's scheme of financial delegation: establish and review			✓		<A>	<A>	✓
	External auditors' report: receive and respond		✓	<A		<A>	<A>	✓

Area	Decision	Delegation						
		Members	Trust Board	TB Finance Committee	TB Standards Committee	CEO	SIB	HoS/HT
	CEO pay award: agree		✓					
	HoS/Headteacher's pay award: agree					✓		
	- Staff appraisal procedure: review - Staff pay progression: agree		✓			<A A>	✓	<A
	Benchmarking and trust wide value for money: ensure robustness			✓				
	Benchmarking school's value for money: ensure robustness			A>		✓	A>	✓
	Develop trust wide procurement strategies and efficiency savings programme			✓		✓		
	Review and approve trust wide procurement strategies and efficiency savings programme			✓				