



HEART
EDUCATION TRUST

Governance Scheme of Delegation

2023

Last Reviewed: 9 February 2023

Next Review Due: 9 February 2024

Adopted by: The Board of Trustees on 9 February 2023



Heartsease
Primary Academy



Lingwood
Primary Academy



Henderson Green
Primary Academy



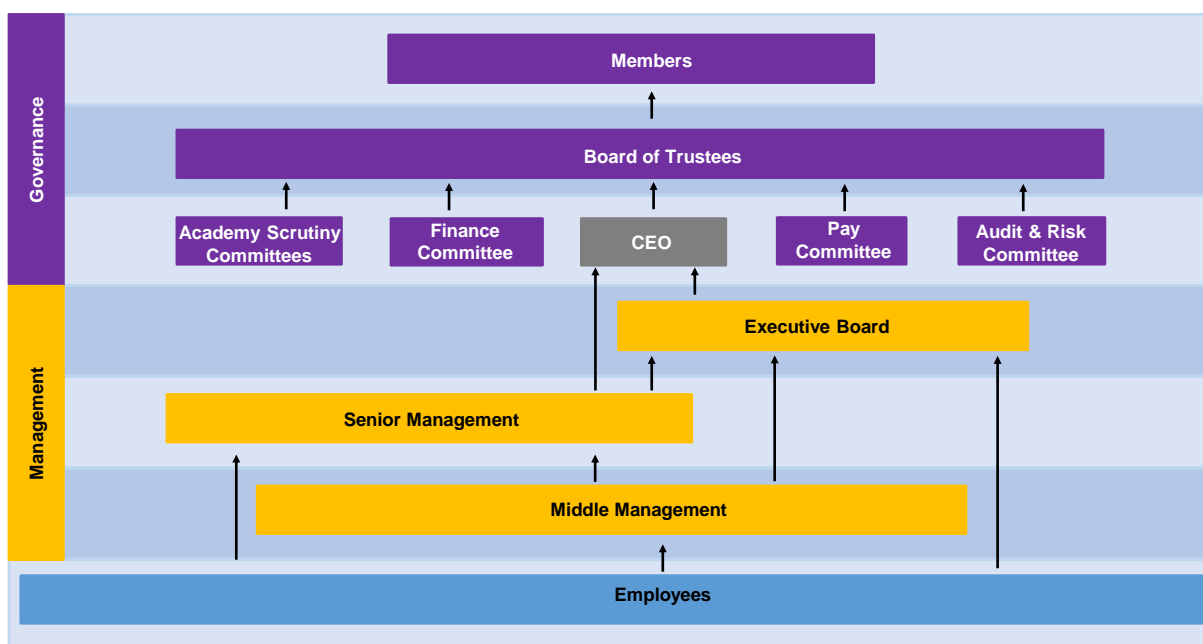
Valley
Primary Academy

The HEART Education Trust Documents Review Record:

Version:	Date Amended:	Amended By:
3	14 September 2022	H Cabbage
3.1	22 September 2022	H Cabbage
3.2	2 Feb 2023	H Cabbage

The HEART Education Trust, a charitable company limited by guarantee registered in England and Wales with company number 08286818. Registered office address: Heartsease Primary Academy, Rider Haggard Road, Norwich, Norfolk NR7 9UE.

1. Governance Structure Diagram



2. Detailed Roles and Responsibilities

2.1. 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(s).
- There must be at least three members, although the DfE prefer at least five; members are not permitted to be employees of the academy trust.
- The members agree the trust's articles of association and appoint the trust's external auditors.
- The members should receive information about the trust's business and receive the annual report and accounts.

3.2 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. The Trust prefers the use of 'trustee', which 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

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v 3.2

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, must approve a written scheme of delegation and committee terms of reference.
- The trust creates information pathways between the trust board, the board committees, the chief executive and the trust academies.
- The trust appoints elected parent trustees to the board in order to create further information pathways between the trust board and its academies.

3.3 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 and risks.
- The powers delegated to each committee are set out in that committee's terms of reference.

3.4 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 performance management policy.
- 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 executive board and the academy headteachers and will report to the trust board and its committees.

3.5 The Role of Academy Headteachers

- The chief executive delegates the day-to-day management of the trust's academies to headteachers, line managing them in accordance with the trust's appraisal and performance management policies.

3. Delegation and Decision Making

Reading the grid
A – Accountable for ensuring governance function and decision making occurs
R – Responsible for governance function and decision
C – to be consulted prior to decision being made
Note: Decisions delegated to the trust board may be delegated to a board committee but not usually to the CEO, CFO or Academy Headteacher (in order to ensure that workload and wellbeing is being appropriately managed by the employer)

Governance Function		Members	Trust Board & Central Committees	Academy Scrutiny Committees	CEO	CFO	Academy Headteachers
Governance Framework: People	Appointment and removal of Company Members	As set out in the Articles of Association					
	Appointment and removal of Trustees	As set out in the Articles of Association					
	Appointment and removal of Board committee members		A/R		C		
	Appointment and removal of Board committee Chairs		A/R	C	C		
	Appointment and removal of named responsible trustees		A/R		C		
	Appointment and removal of named responsible committee members		A/R	C			
	Appointment and removal of Clerk to board and its committees		A/R		C		
	Appointment and removal of Company Secretary		A/R		C		
	Recruitment and induction of new trustees and committee members		A/R				

Governance Function		Members	Trust Board & Central Committees	Academy Scrutiny Committees	CEO	CFO	Academy Headteachers
	Training and CPD for trustees		A/R				
	Training and CPD for committee members		A/R	A/R			
Governance Framework: Systems and Structures	Review and Agree Articles of Association	A/R	C		C		
	Establish and annually review governance structure for the trust		A/R		C		
	Annually agree governance scheme of delegation	As set out in the Policy Tracker					
	Annually agree committee terms of reference (incorporating committee schemes of delegation)	As set out in the Policy Tracker					
	Agree annual schedule of governance business		A/R		C		
	Setting the agenda for Board meetings		A/C		R		
	Setting the agenda for committee meetings		A/R	A/R	C		
	Complete annual self-review of trust board and committees		A/R	A/R			
	Carry out termly 360° review of Chair's performance:		A/R				
	Carry out annual appraisal of individual trustees		A/R				
	Carry out annual appraisal of individual committee members		A/R	R			
	Governance Framework: Reporting	Ensure publication of governance arrangements on trust and academy websites				A	R
Submit to members and publish an annual report on the performance of the trust			A/R		C		
Submit annual self-review of board effectiveness to members			A/R		C		
Submit to members and Companies House the annual report and accounts including			A		C	R	

Governance Function		Members	Trust Board & Central Committees	Academy Scrutiny Committees	CEO	CFO	Academy Headteachers	
	accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money							
	ESFA required reports and returns submit		A		C	R		
Being Strategic	Agree the delegation for policy authorisations across the trust (Policy Tracker)		A/R		C			
	Approve trust policies (which reflect the trust's ethos and values)		As set out in the Policy Tracker					
	Establish risk register and review and monitor management of risk		A/R		C			
	Ensure engagement with stakeholders		A/R	R	R	R	R	
	Determine trust's vision, strategy, strategic objectives, values, behaviours and KPIs		A		R			
	Set department / academy strategic objectives and KPIs				A/R			
	Complete SEF and determine school improvement priorities and prepare SIDP				A/C		R	
	Appoint and dismiss Chief Executive Officer		A/R					
	Appoint and dismiss Accounting officer		A/R					
	Appoint and dismiss Academy Headteachers				A/R			
	Agree budget plan to support delivery of trust strategy		As set out in Financial Scheme of Delegation					
	Determine Trust's staffing structure				A/R		C	
	Ensuring compliance (e.g. safeguarding, H&S, employment)		A		R		R	

Governance Function		Members	Trust Board & Central Committees	Academy Scrutiny Committees	CEO	CFO	Academy Headteachers
Holding to Account	Agree internal auditing and reporting arrangements		A		R		
	Monitoring progress against strategic objectives and KPIs		A		R		
	Undertake performance management of the chief executive officer	As set out in the Trust's Performance Management Policy					
	Undertake performance management of all other employees	As set out in the Trust's Performance Management Policy					
Financial Oversight	Appoint external auditors	A/R			C		
	Appoint and dismiss Chief Financial Officer		C		A/R		
	Establish, monitor and review Trust's scheme of financial delegation	As set out in the Policy Tracker					
	Receive and respond to external auditors' report		A/R		C		
	Agree CEO pay award	As set out in the Pay Policy					
	Agree pay of all other employees	As set out in the Pay Policy					
	Review and agree staff performance management and pay policies	As set out in the Policy Tracker					
	Ensuring robustness by benchmarking and reviewing trust wide value for money				A	R	
	Monitoring budget: agree reporting		A/R		C		
Management Decisions	All management decisions are delegated to the CEO, who may in turn delegate to other employees within the trust (including delegations set out in Trust policies)						
Financial Decisions	All financial decisions are delegated in accordance with the Financial Scheme of Delegation in force from time to time						

