



Scheme of Delegation to Local Governing Bodies

EMMAUS
CATHOLIC MAC
Our journey with Christ

Multi Academy Company Board Scheme of Delegation

The MAC Board of Directors is accountable in law for all decisions about its schools. However, this does not mean that the board is required to make all the decisions itself.

Many decisions can and should be delegated including to the Catholic Senior Executive Leader (CSEL), board committees and local governing bodies (LGB's). It is vital that the decision to delegate a function is made by the full Board of Directors and is recorded. Without such formal delegation, the individual or committee has no power to act.

A scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. It should be a simple yet systematic way of ensuring Directors, committees (including local governing bodies), executive leadership and school principals are clear about who has responsibility for making which decisions in the trust. This overarching SoD covering all decision making in the MAC should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook. This will be available as a separate document.

Although delegation details are set out in the Scheme of Delegation created by the Archdiocese of Birmingham, this document is broad and could be open to interpretation. The diocesan document should, therefore, be read in conjunction with this Emmaus SoD and MAC Policies, which explicitly establish who makes which decisions, and ensure this is clear to all those within the MAC, as well as to the governing bodies of schools potentially looking to join us. If LGB members and Principals are ever in doubt about which party is eligible to make a decision, they must clarify this via the Catholic Senior Executive Leader (CSEL).

Governance Structure and Lines of Responsibility

The Board of Directors of Emmaus Catholic MAC delegate responsibility for delivery of the vision and strategy to the Catholic Senior Leader. Emmaus MAC Board holds the CSEL to account for the performance of the MAC, including the performance of the schools within the MAC. The CSEL, in turn, holds other senior executives to account by line managing them. It is important that any scheme showing what is delegated by the board includes delegation to CSEL as well as to the committees of the Board of Directors. While the Board cannot ever delegate its accountability, it can and must delegate some of the detailed scrutiny, oversight and decision making.

In this SoD the MAC Board delegates responsibility for the performance of the MAC, including the performance of the schools within the MAC, to the CSEL. However, some responsibilities concerning the performance of each academy are delegated to the Local Governing Body (LGB). These responsibilities may include monitoring whether the school is working within the agreed policies, whether standards are being met, and if the money is being well spent. The LGB will use its detailed knowledge and engagement with stakeholders to ensure that their school is being well served by the executive leadership, and, as a board committee, has direct access to the Board if there are concerns.

As the CSEL is accountable to the board for the performance of the MAC as a whole, the CSEL will report to the board on the performance of the MAC including on the performance of the MAC's schools, although this may be supplemented by monitoring reports from the LGBs.

The CSEL is performance managed by the MAC Board. The CSEL performance manages the school

Principals, on behalf of the Board, but will seek input from the LGB chair and will then make recommendations to the Board.

Roles and Responsibilities

The Directors are the charity trustees (within the terms of section 177(1) of the Charities Act 2011) and are responsible for the general control and management of the administration of the MAC in accordance with the provisions set out in the Articles of Association. The Board of Directors is the accountable body for the performance of all schools within the MAC and as such must:

- Ensure clarity of vision, ethos and strategic direction
- Hold the CSEL to account for the educational performance of the schools and their pupils and the performance management of staff
- Oversee the financial performance of the trust and make sure its money is well spent.

The Role of Committees

The Board of Directors may establish committees either with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of the MAC Board. However these committees are not legally responsible or accountable for statutory functions – the MAC Board retains overall accountability and responsibility. The responsibilities of board committees are set out in their terms of reference; the responsibilities for LGB's are set out in this Scheme of Delegation. The MAC Board may appoint committee members and committee chairs.

The Role of the Local Governing Body

The MAC Board will establish LGB's, and will determine what will be delegated.

Typically, LGB responsibilities may include:

- Building an understanding of how the school is led and managed
- Monitoring whether the school is:
 - Working within agreed policies
 - Meeting the agreed targets
 - Managing its finances effectively
- Engaging with stakeholders
- Reporting to the Board

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

The Role of the Catholic Senior Executive Leader (CSEL)

The Catholic Senior Executive Leader has the delegated responsibility for the operation of the MAC including the performance of the MAC's schools, and so the CSEL performance manages the Principals and then makes recommendations to the Board. As there is delegation to a local governing committee (LGB), the LGB Chair will be consulted during this process.

The CSEL is the Accounting Officer so has overall responsibility for the operation of the MAC's financial responsibilities and must ensure that the organisation is run with financial

effectiveness and stability; avoiding waste and securing value for money.

The CSEL leads the executive management team of the MAC and is accountable to the MAC board for the performance of this team. The CSEL will delegate executive management functions to the executive management team

The Role of the Principal

The Principal is responsible for the day to day management of a MAC school and is managed by the CSEL, but also reports to the LGB on matters which have been delegated to the LGB.

Key	
Level 1: Members	
Level 2: Board of Directors of the MAC	
Level 3: Catholic Senior Executive Leader (CSEL)	
Level 4: Local governing body (LGB)	
Level 5: School Principal	
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

NB: for those rare occasions where responsibilities are delegated to multiple groups, as identified in the tables below, advice should be sought from the Catholic Senior Leader if there is any uncertainty over the parameters of delegation.



Area	Decision	Delegation				
		Members	MAC Board	CSEL	LGB	School Principal
Governance framework						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓				
	Role descriptions for members	✓				
	Role descriptions for directors/chair/ specific roles/committee members: agree		✓	<A		
	Parent trustee/committee member: elected				✓	
	Committee chairs: appoint and remove		✓	<A		
	LGB chairs: (DES also have the power to appoint & remove in exceptional circumstances)	✓		<A	✓	
	Clerk to board: appoint and remove		✓			
	Clerk to LGB:				✓	
Systems and structures	Articles of association: agree and review	✓				
	Governance structure (committees) for the MAC: establish and review annually		✓	<A		
	Terms of reference for MAC committees (including audit if required, and scheme for school committees): agree annually		✓	<A		
	Terms of reference for LGB/local committees: agree and review annually		✓	<A		
	Skills audit: complete and recruit to fill gaps		✓	<A>	✓	A
	Annual self-review of MAC board and committee performance: complete annually		✓			

Area	Decision	Delegation				
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Systems and structures	Annual self-review of LGB performance: complete annually				✓	
	Chair's performance: carry out 360 review annually		✓		✓	
	Director / committee member contribution: review annually		✓		✓	
	Succession: plan		✓	<A>	✓	A
	Annual schedule of business for MAC Board: agree		✓	<A		
	Annual schedule of business for LGB: agree			A>	✓	A
Reporting						
Reporting	Director governance details on MAC and schools' websites: ensure		✓	<A		
	School governance details on MAC & school websites: ensure		✓	<A>	✓	A
	Register of all interests, business, pecuniary, loyalty, meeting attendance for Directors and LGB members: establish and publish		✓	<A>	✓	A
	Annual report on performance of the MAC: 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		
	Annual report work of LGB: submit to MAC and publish as requested				✓	A

Area	Decision	Delegation				
		Members	MAC Board	CSEL	LGB	School Principal
Being Strategic						
Being Strategic	Determine MAC wide policies which reflect the MAC's ethos and values (facilitating discussions with unions where appropriate) including: admissions; charging and remissions; complaints; health and safety, estates management; pay policy; GDPR; whistle blowing; staffing policies including capability, discipline, conduct and grievance, sickness absence; teacher and support staff appraisal: approve		✓	<A		
	Determine school level policies which reflect the school's ethos and values to include e.g. admissions (must follow DES Admissions policy and protocols); SEND; safeguarding and child protection; curriculum; behaviour: approve			A>	A	✓
	Central spend / top slice: agree		✓	<A		
	Management of risk: establish register, review and monitor		✓	<A>	✓	A
	Engagement with stakeholders	✓	✓	✓✓	✓	✓
	MAC'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	✓
	Catholic Senior Executive leader: Appoint and dismiss		✓			
	Principal : Appoint and dismiss		✓	<A	A	

Area	Decision	Delegation				
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Being Strategic	Budget plan to support delivery of MAC key priorities: agree		✓	<A		
	Budget plan to support delivery of school key priorities: agree			A>	✓	A
	MAC's staffing structure: agree		✓	<A		
	School staffing structure: agree			A>	✓	A
Holding to account						
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓	<A>	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	<A>	✓	A
	Performance management of CSEL: undertake		✓			
	Performance management of Principal : undertake			✓	A	
	Director monitoring: agree arrangements		✓	<A		
	LGB member monitoring: agree arrangements				✓	A

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Ensuring financial probity						
Ensuring financial probity	Chief Financial Officer for delivery of MACs detailed accounting processes: appoint		✓	<A		
	MAC scheme of financial delegation: establish and review		✓	<A		
	School's scheme of financial delegation: establish and review		✓	<A		
	External auditors' report: receive and respond		✓	<A	✓	A
	CSEL pay award: agree		✓			
	Principal pay award: agree		✓	<A>	A	
	Staff appraisal procedure and pay progression: monitor and agree		✓	A>	A	✓
	Benchmarking and MAC wide value for money: ensure robustness		✓	<A		
	Benchmarking and school value for money: ensure robustness				✓	A
	Develop MAC wide procurement strategies and efficiency savings programme			✓		

