

RMET

Scheme of Delegation

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Document Change History

Date:	Version:	Description of Changes:
1 st September 2023	0.1	New Policy
18 th September 2023	1.0	First Approval

1. Introduction

- 1.1. The Scheme of Delegation provides the Trust with a written framework of structure for governance and provides operational clarity around the delegated powers, those that the Trustees retain and those that have been formally delegated, including their roles and responsibilities. The Scheme of Delegation applies to all Members, Trustees, Academy Committee Members and Staff.
- 1.2. Effective governance is based on six key features: Strategic Leadership, Accountability, People, Structures, Compliance and Evaluation.
- 1.3. Assessing the quality of the Trust is based on five key pillars: High-Quality and Inclusive Education, School Improvement, Workforce, Finance and Operations, Governance and Leadership.

2. Statement of Equality

- 2.1. We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitments to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

3. RMET (Rainham Mark Education Trust)

- 3.1. RMET (“The Trust”) is a company limited by guarantee and an exempt charity.
- 3.2. The charitable company’s Memorandum and Articles of Association are the primary governing documents of the Trust.
- 3.3. The Secretary of State for Education is the principal regulator.
- 3.4. The Trustees of RMET are also the Directors of the charitable company for the purposes of company law.
- 3.5. RMET (Company Number 07654628) was incorporated on 1st June 2011.

4. Governance Structure

- 4.1. Overall Structure
 - 4.1.1. Members
 - 4.1.2. Trustees
 - 4.1.3. Committees, including Academy Committees
 - 4.1.4. Chief Executive Officer and the Executive Team

4.2. The Role of the Members

- 4.2.1. Members of RMET are the guardians of the governance of the Trust.
- 4.2.2. Members play a limited but crucial role in safeguarding trust governance.
- 4.2.3. They assure themselves that the governance is effective and that Trustees are acting in accordance with the Trust's charitable objects, but they are not involved in the day-to-day running of the Trust.
- 4.2.4. Members may step in if the governance is failing and use their powers as set out in the Trust's Articles of Association.
- 4.2.5. Members powers include:
 - 4.2.5.1. Sign the Memorandum and Articles of Association;
 - 4.2.5.2. Appoint and remove Members (there must always be a minimum of three Members);
 - 4.2.5.3. Appoint and remove Trustees (under the Articles of Association, the Members may appoint up to 7 Trustees);
 - 4.2.5.4. Direct Trustees to take specific action (by special resolution) when in the best interest of the Academy Trust (Article 93);
 - 4.2.5.5. Amending the Trust's Articles of Association;
 - 4.2.5.6. Amend or change the name of the Trust or wind it up;
 - 4.2.5.7. Appoint and remove auditors (but do not sign end of year statements);
 - 4.2.5.8. Attend the Annual General Meeting and General Meetings (with the ability to appoint a proxy where required);
 - 4.2.5.9. Members must not be employees of RMET.

4.3. The role of the Trustees and the Trust Board

- 4.3.1. The Board of Trustees ("Trust Board") is the decision-making body of the Trust and is accountable and responsible for the Trust and all the Schools within it. The Trust is the employer of any central staff and those with the Schools. Trustees are those who make up the Trust Board, they are not only charity Trustees but also company directors.
- 4.3.2. The Trust Board must operate and make decisions to further the Trust's charitable objects.
- 4.3.3. The Trust Board are responsible for the general control and management of the administration of the Trust.

- 4.3.4. Subject to the provisions of the Companies Act, the Trust's Articles of Association and the Members' ability to direct the Trust Board by special resolution, the Trust may exercise all the powers of the Trust.
- 4.3.5. The Trust Board have statutory duties to exercise care, skill and diligence and avoid conflicts of interest.
- 4.3.6. The Trust Board and all those within the governance structure of RMET should be aware and accept the "7 principles of public life" known as the Nolan Principles.
- 4.3.7. The Trust Board provides:
 - 4.3.7.1. Strategic leadership of the Academy Trust: The Board defines the Trust vision for high quality and inclusive education in line with its charitable objects. It establishes and fosters the Trust's culture and sets and champions the Trust strategy including determining what, if any, governance functions are delegated to the local tier;
 - 4.3.7.2. Accountability and assurance: The Board has robust effective oversight of the operations and performance of the Academy Trust, including the provision of education, pupil welfare, overseeing and ensuring appropriate use of funding and effective financial performance and keeping their estate safe and well-maintained;
 - 4.3.7.3. Engagement: The Board has strategic oversight of relationships with stakeholders. The Board involves parents, schools and communities so that decision-making is supported by meaningful engagement.
- 4.3.8. The Trust Board will set the strategic direction of the Trust, maintain legal oversight, monitor all activities and assess the performance of all the Schools within the Trust.
- 4.3.9. The Trust Board's additional responsibilities include:
 - 4.3.9.1. Establishing and maintaining the Schools within the Trust and the consideration of additional Schools to the Trust;
 - 4.3.9.2. Ensuring that policies and procedures are agreed and implemented across the Trust;
 - 4.3.9.3. Where required, appoint any members to the Academy Committees;
 - 4.3.9.4. Where required, the removal of members of the Academy Committees;
 - 4.3.9.5. Formally appoint the Chief Executive Officer;
 - 4.3.9.6. To performance manage the Chief Executive Officer;
 - 4.3.9.7. To support and challenge the CEO and (through the CEO) the Executive Team;

- 4.3.9.8. To approve the overall Trust Budget and the budgets for each School within the Trust, through the formal recommendations of the Finance, Audit and Risk Committee;
 - 4.3.9.9. Ensuring that the Chief Executive Officer is effectively overseeing the objectives and outcomes for each School within the Trust;
 - 4.3.9.10. To ensure that effective performance management systems are in place across the Trust, including CPD;
 - 4.3.9.11. To regularly receive and review information from the Academy Committee for each School within the Trust;
 - 4.3.9.12. Ensuring that there are robust systems in place and effectively operate across the Trust for Health & Safety and that of Safeguarding;
 - 4.3.9.13. Ensuring robust financial systems are in place across the Trust;
 - 4.3.9.14. Ensuring a comprehensive risk management framework is in place and maintained by the Trust.
- 4.3.10. The Terms of Reference for the Trust Board are set out in the Scheme of Delegation – Appendix 1 Decision-Making Matrix and the Articles of Association, which determines the appointment of Trustees and the constitution of the Trust Board.
- 4.4. The role of the Chair of the Trust Board (Chair of Trustees)
- 4.4.1. The Chair of Trustees has an additional leadership role that provides clear direction to the Trust Board, who challenge, support and contribute to the strategic leadership of the Trust.
 - 4.4.2. The Chair of the Trustees responsibilities include:
 - 4.4.2.1. Ensuring transparent and effective processes for recruiting senior leaders;
 - 4.4.2.2. Ensuring the Governance Structure has effective mechanisms in place to obtain and listen to the views of all stakeholders, including parents, pupils and staff;
 - 4.4.2.3. Leading the Trust Board in monitoring the Chief Executive Officer's implementation of the Trust Board's strategy;
 - 4.4.2.4. Setting the culture of the Trust Board and its committees;
 - 4.4.2.5. Ensuring that there is succession planning in place for the Chair, Vice-Chair, Committee Chairs and the Chief Executive Officer;
 - 4.4.2.6. Where required, acting as the first point of contact and respondent in matters raised with the Trust by external bodies, such as the DfE and ESFA;

- 4.4.2.7. Where required, representing the Trust Board in its dealings with external partners and be an advocate for RMET;
 - 4.4.2.8. Ensuring the Trust Board understands their roles and responsibilities, and that appointments made fill any identified skills gaps and ensure a diverse Trust Board;
 - 4.4.2.9. Developing a professional relationship with the Vice-Chair and Chief Executive Officer, and ensure regular updates with both parties.
- 4.5. The Role of the Committees
- 4.5.1. The Trust Board has determined to establish committees of the Trust Board to maintain oversight for specific delegated responsibilities, they are:
 - 4.5.1.1. Finance, Audit and Risk Committee;
 - 4.5.1.2. Performance Management & Remuneration Committee (of the CEO);
 - 4.5.1.3. Quality of Education Committee;
 - 4.5.1.4. Academy Committee for each School within the Trust.
 - 4.5.2. The roles and responsibilities set by the Trust Board are specified in:
 - 4.5.2.1. Appendix 2 – Terms of Reference for the Finance, Audit and Risk Committee;
 - 4.5.2.2. Appendix 3 – Terms of Reference for the Performance Management and Remuneration Committee;
 - 4.5.2.3. Appendix 4 – Terms of Reference for the Quality of Education Committee;
 - 4.5.2.4. Appendix 5 – Terms of Reference for the Academy Committee, within this Scheme of Delegation document.
- 4.6. The Role of the Academy Committee
- 4.6.1. The Trust Board has determined to establish an Academy Committee for each School within the Trust. The overarching purpose of the Academy Committee is to provide the Trust Board with support for strategic direction and local accountability for the performance of each School within the Trust.
 - 4.6.2. The roles and responsibilities set by the Trust Board are specified in:
 - 4.6.2.1. Appendix 5 – Terms of Reference of the Academy Committee
- 4.7. The role of the Chief Executive Officer (CEO)
- 4.7.1. The Chief Executive Officer will be responsible for managing the Trust and all its Schools on a day-to-day basis. The role, functions, responsibility and authority of the Chief Executive Officer are delegated by the Trust Board and may be varied at its sole discretion.
 - 4.7.2. The specific tasks and responsibilities of the Chief Executive Officer are as follows:
 - 4.7.2.1. To support the Trust Board with determining the Trust Strategic Plan;

- 4.7.2.2. To implement the Trust Strategic Plan;
 - 4.7.2.3. Ensure that all decisions made by the Trust Board are implemented in a timely and effective manner;
 - 4.7.2.4. Actively promote the RMET Vision and Values across the Trust;
 - 4.7.2.5. Provide direction and oversight to all of the Trust's operations;
 - 4.7.2.6. Line manage various staff members including those in leadership roles and the Executive Team;
 - 4.7.2.7. Ensure that the central services manage and deliver the key objectives of the Trust;
 - 4.7.2.8. Provide strong and effective leadership to ensure the Trust staff achieve the highest levels of educational and financial provision across all aspects of the Trust;
 - 4.7.2.9. Ensure a culture of continuous improvement;
 - 4.7.2.10. Work effectively with all stakeholders including parents, pupils, staff, the community and those within our governance structure;
 - 4.7.2.11. Ensure the highest standards of safeguarding and child protection are maintained across the Trust and all its Schools;
 - 4.7.2.12. Oversee the risk management system;
 - 4.7.2.13. To ensure, as the Accounting Officer, robust financial systems are in place so that the Trust's funds are used correctly, efficiently and effectively;
 - 4.7.2.14. Develop existing relationships the Trust has with the Department of Education, ESFA, Regional Directors Office and Ofsted;
 - 4.7.2.15. Represent the Trust to key external partners, the media and the public on all external national platforms.
- 4.8. The role of the Executive Team
- 4.8.1. The Chief Executive Officer has established a team of senior leaders within the Trust to ensure the roles, responsibilities, performance and outcomes delegated to the CEO by the Trust Board are deployed across the Trust and all its Schools.
 - 4.8.2. The Executive Team consists of the CEO, CFO, Director of Education and Director of People Services.

5. Conflicts of Interest

- 5.1. Any Trustee or Academy Committee member who has or can have any direct or indirect duty or personal interest (including but not limited to any personal financial interest) which conflicts or may conflict with their duties as a Trustee or Academy Committee Member shall disclose that fact to the Trust Board or Academy Committee as soon as they become aware of it. A Trustee or Academy Committee Member must absent themselves from any discussions of the Trustees or Academy Committee Members in which it is possible that a conflict will arise between their duty to act solely in the interests of RMET.

6. Indemnity

- 6.1. Subject to the provisions of the Companies Act 2006 and Article 6.3 (of the Trust's Articles of Association), every Trustee or other officer, or auditor of the Academy Trust shall be indemnified out of the assets of the Academy Trust against any liability incurred by him in that capacity in defending any proceedings, whether civil or criminal, in which judgement is given in favour or in which they are acquitted or in connection with any application in which relief is granted to him by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Academy Trust.

7. Appendices

- 7.1. The Scheme of Delegation has the following appendices:
 - 7.1.1. Appendix 1 – Decision-Making Matrix;
 - 7.1.2. Appendix 2 – Terms of Reference for the Finance, Audit & Risk Committee;
 - 7.1.3. Appendix 3 – Terms of Reference for the Performance Management and Remuneration (of the CEO) Committee;
 - 7.1.4. Appendix 4 – Terms of Reference for the Quality of Education Committee;
 - 7.1.5. Appendix 5 – Terms of Reference for the Academy Committee;
 - 7.1.6. Appendix 6 – Governance Code of Conduct.

8. Monitoring Arrangements

- 8.1. This policy and all its appendices will be reviewed annually.
- 8.2. At every review, the policy will be approved by the Trust Board.