



**TRUST IN LEARNING (ACADEMIES)  
SCHEME OF DELEGATION (REVISED 2018)**

## TRUST IN LEARNING (ACADEMIES)

### Scheme of Delegation

#### Introduction

The Board of Directors/Trustees of Trust in Learning (Academies) (TiLA) is accountable in law for all major decisions about our schools. However, this does not mean that the Board is required to carry out all the Trust's governance functions and many can and should be delegated, including to the CEO, the Board's committees, and to school/academy Local Governing Bodies/Committees. Decisions to delegate a function is made by the full Board of Directors/Trustees and is recorded. Without such delegation, the individual or committee has no power to act.

This Scheme of Delegation (SoD) is the key document defining the lines of responsibility and accountability within TiLA and has been drawn up to ensure that the members, trustees, board committees, local governing bodies, executive leadership and headteachers are all clear about their roles and responsibilities. This overarching SoD for all decision making in the Trust should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook. This SoD explicitly establishes who makes which decisions and who carries out which functions, and is intended to ensure that this is clear to both all those within the Trust, as well as to the governing bodies of schools who may be potentially looking to join.

It should be remembered that any local governing body or school committee is a committee appointed by the Board of Directors/Trustees and the board has the power to appoint and remove committees at any time, be it a board committee or a LGB.

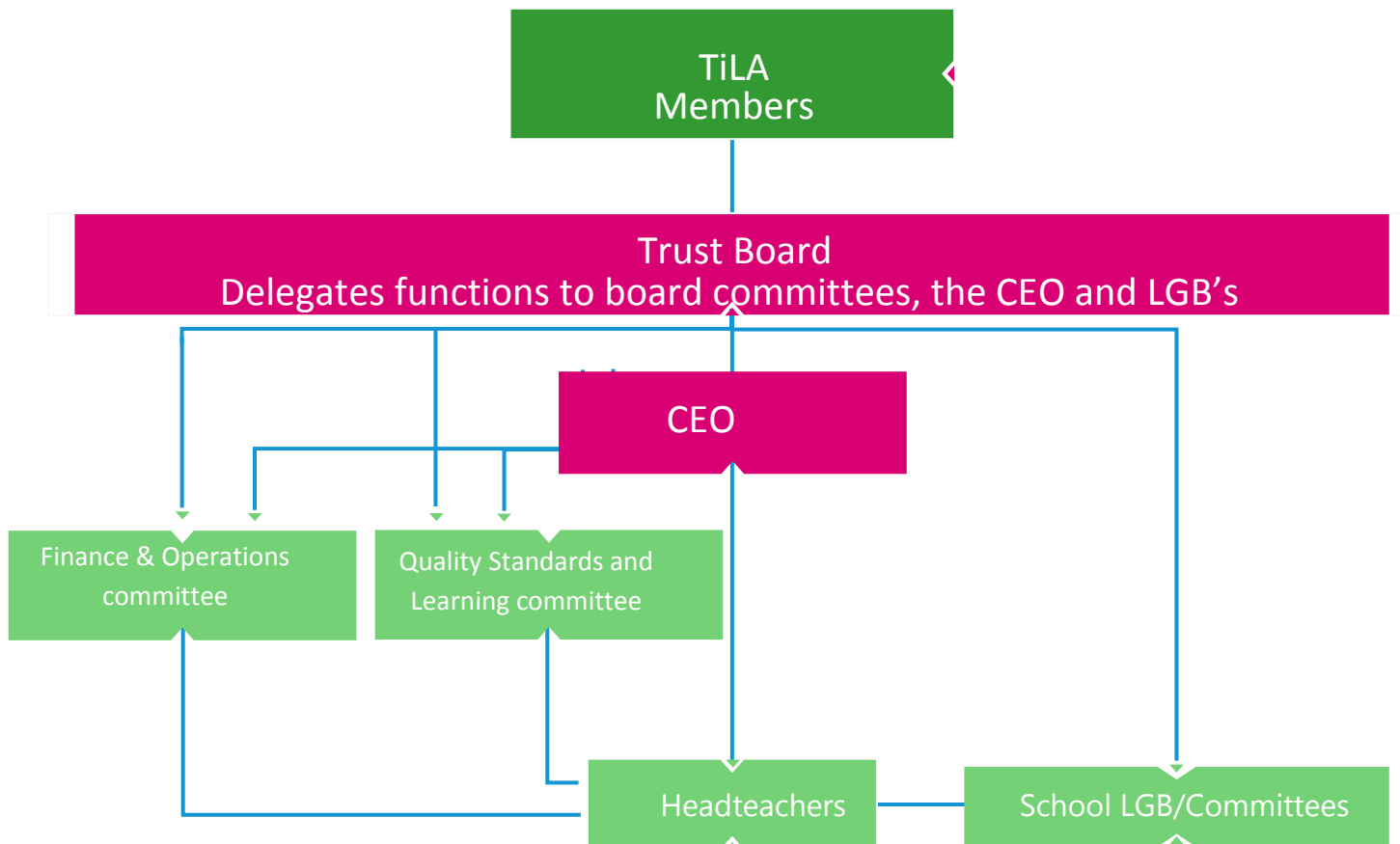
The SoD is published on the Trust and its schools' websites.

#### Format, Structure and Clarity

The following structure aims to clarify decision making and lines of accountability in a simple, succinct and clear format and as such the 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 board of directors/trustees:
1. The governance framework:
    - a. People
    - b. Systems and structures
    - c. Reporting
  2. Being strategic
  3. Holding to account
  4. Ensuring financial probity

## Governance Structure and Lines of Accountability



- The board of trustees is responsible for the three core governance functions
- The board of trustees appoint 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 academies within the trust, and for its financial management
- In turn, the CEO line manages other senior executives and the schools/academies' headteachers, setting their targets and performance managing them
- The board constitutes committees for finance/operations and quality standards and teaching; these look in detail at resources and progress and attainment across the trust
- The board will delegate some of its school level monitoring and scrutinising functions to each school LGB, and uses these forums to promote stakeholder engagement and as a point of consultation and representation
- The CEO will seek input from the chair (plus others if appropriate) of the school LGB/committee when undertaking the headteacher's performance management
- As the headteacher is being line managed by the CEO, the school LGB does not have the direct function of holding the headteacher to account. However they 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.

## Roles and Responsibilities

### Members:

The members of Trust in Learning (Academies) are guardians of the governance of the Trust and as such have a different status to trustees. The members appoint directors/trustees to ensure that the Trust's charitable object is carried out, as outlined in the Articles of Association. The Members hold the Board of Directors to account and are able to remove Directors/Trustees if they fail to fulfil their 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.

We have five members and in order to retain a degree of separation of powers between the Members and the Trust Board only two of our members also sit as directors/trustees on the Board.

### Board of Directors/Trustees:

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. In Trust in Learning we refer to directors more often than trustees.

The 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, it is legally responsible and accountable for all statutory functions, for the performance of all schools within the trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements. In addition it 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 directors/trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

### The role of Trust Board committees:

The board has decided to operate a number of committees:

- Quality Standards and Teaching Committee
- Finance and Operations Committee, and;
- An Audit Committee

These committees carry out some of the Board's governance functions which will include making decisions, although any decisions made will be deemed decisions of the Trust Board. The membership (there must be at least three trustees) and responsibilities of Board Committees are set out in the committee's terms of reference. It is usual for the Trust Board to appoint Board committee chairs and committee members according to their skills.

The Academies Financial Handbook 2017 makes it clear that the board of directors/trustees 'should have a finance committee to which the board delegates financial scrutiny and oversight'. Given the size of our Trust we are also required to have a separate audit committee.

### **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 schools/academies and so the CEO performance manages the headteachers. However, the CEO will seek input from the chair of the local governing body, and others if necessary, when undertaking the performance management review of the headteacher.

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 team of the academy trust. The CEO will delegate executive functions to the executive team and is accountable to the Trust board for the performance of the executive/central team.

### **The Role of the School LGB/Committee:**

Given the guiding principles of Trust in Learning, school LGB's/committees are part of our governance structure and are required to carry out some of the board's school level governance functions. Prospective chairs of each school committee are proposed to the board by the LGB and then ratified by the board. Each school LGB needs to be fit for purpose and have the necessary skills required to fulfil its delegated functions, but it should also fully understand the extent of its delegated powers and responsibilities. In particular it should not seek to over-govern or repeat actions and responsibilities of the board and/or persons with specific responsibilities as outlined in this SoD. This is explained in more detail in the [LGB Remit, Composition and Operational Parameters](#) paper.

TiLA has delegated the following functions:

- Building an understanding of how the school is led and managed
- Challenging and supporting the headteacher in relation to pupil progress and attainment
- Monitoring whether the school is:
  - Working within agreed policies
  - Is meeting the agreed targets
  - Managing its finances well
- Engaging with stakeholders
- Being a point of consultation and representation
- Reporting to the board

### **The Role of the School Headteacher:**

The school headteacher is responsible for the day to day management of the school and is line managed by the CEO, but reports to the school LGB on matters which have been delegated to it which may include an element of monitoring and scrutiny of the school's management processes.

## Trust in Learning Scheme of Delegation

### Key

Column 1: Members

Column 2: Board of trustees of the multi academy trust

Column 3: Trust board finance committee

Column 4: Trust board standards committee

Column 5: Chief executive officer

Column 6: School LGB/Committee

Column 7: School Headteacher

Blue box      Function **cannot** be legally carried out 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 & Ops Com	TB QS & T Com.	CEO	School LGB	School HT
Governance framework								
People	Members: Appoint/Remove	✓						
	Trustees: Appoint/Remove	✓	✓					
	Role descriptions for members	✓						
	Role descriptions for trustees/chair/specific roles/committees/LGB's: agree		✓			<A		
	School LGB representatives: elected		✓				✓	
	Board committee chairs: appoint and remove		✓	✓	✓	<A		
	School LGB chairs: appoint and remove		✓			<A	<A	
	Clerk to board: appoint and remove		✓					
	Clerk to school LGB: appoint and remove						✓	
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 board committees and scheme of delegation for school LGB: agree annually		✓			<A		
	Skills audit: complete and recruit to fill gaps		✓			<A>	✓	A

Area	Decision	Delegation						
		Members	Trust Board	TB Finance & Ops Com	TB QS & T Com.	CEO	School LGB	School HT
Systems and structures	Annual self-review of trust board and committees: complete annually		✓					
	Annual self-review of school LGB: complete annually						✓	
	Chair's performance: carry out 360 review periodically		✓			A>	✓	
	Trustee / school LGB member contribution: review annually		✓				✓	
	Succession: plan		✓			<A>	✓	A
<b>Reporting</b>								
Reporting	Publication on trust and schools' websites of all required details on governance arrangements: ensure		✓			<A	✓	A
	Annual report on performance of the trust: 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		<A		
	Annual report work of school LGB: submit to trust and publish						✓	A
<b>Being Strategic</b>								



Area	Decision	Delegation						
		Members	Trust Board	TB Finance & Ops Com	TB QS & T Com.	CEO	School LGB	School HT
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 policies including capability, discipline, safeguarding/CP, conduct and grievance: approve		✓	✓	✓	<A		
	Determine school level procedures in line with TiLA policies & which reflect the school's ethos and values and context to include e.g SEND; curriculum; behaviour: approve					A>	✓	A
	Central spend / top slice: agree		✓	<A		<A		
	Management of risk: establish register, review and monitor		✓	<A	<A	<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		
	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	✓

Area	Decision	Delegation						
		Members	Trust Board	TB Finance & Ops Com	TB QS & T Com.	CEO	School LGB	School HT
<b>Being Strategic</b>	Chief Executive Officer: appoint and dismiss		✓					
	School Headteacher : appoint and dismiss		✓			<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	<A		
	School staffing structure & appointment of staff: agree						✓	A
<b>Holding to account</b>								
<b>Holding to account</b>	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	✓	✓	<A>	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	<A	<A	<A>	✓	A
	Performance management of the Chief Executive Officer: undertake		✓					

Area	Decision	Delegation						
		Members	Trust Board	TB Finance & Ops Com	TB QS & T Com.	CEO	School LGB	School HT
	Performance management of school/academy Headteacher : undertake					✓	A	
	Trustee monitoring: agree arrangements		✓			<A		
	School LGB monitoring/review: agree arrangements					A>	✓	A
	School LGB overall performance monitoring: agree arrangements		✓			<A		
<b>Ensuring financial probity</b>								
<b>Ensuring financial probity</b>	Appoint Director of Finance (& Ops.) for delivery of trusts detailed accounting processes		✓	<A		<A		
	Trust's scheme of financial delegation: establish and review		✓	✓		<A		
	School's Internal financial model: establish, review and implement			✓		<A	✓	<A
	External auditors' report: receive and respond		✓	<A		<A	✓	A
	CEO pay award: agree		✓					

Area	Decision	Delegation						
		Members	Trust Board	TB Finance & Ops Com	TB QS & T Com.	CEO	School LGB	School HT
	School/Academy Headteacher pay award: agree					✓	A	
	Staff appraisal procedure and pay progression: review and agree		✓			✓	✓	A
	Benchmarking and trust wide value for money: ensure robustness			✓		<A		
	Benchmarking and school value for money: ensure robustness						✓	A
	Develop trust wide procurement strategies and efficiency savings programme			A>		✓		
	Review and approve trust wide procurement strategies and efficiency savings programme			✓				

## Local Governing Bodies – how they will work

### The remit:

As indicated above the LGB has the following delegated functions:

- Building an understanding of how the school is led and managed
- Challenging and supporting the Headteacher in relation to pupil progress and attainment
- Monitoring whether the school is:
  - Working within agreed policies
  - Is meeting the agreed targets
  - Managing its finances well
- Engaging with stakeholders
- Being a point of consultation and representation
- Reporting to the board

The key function and expectation of each LGB is to focus its work primarily upon school improvement. It is not the expectation, nor the delegated function of the LGB, to be involved in the operational running of the school apart from those areas directly linked to financial scrutiny and oversight as well as any mandatory responsibilities delegated down from the Board.

### Size and Composition of each LGB:

- This will be decided upon at the local level, but the recommended optimum size is 10 to 12 in number
- Each LGB will propose a Chair to the Board of Directors for ratification
- The Chair can serve three terms of two years
- The LGB working with the CEO/HR will organise an annual skills audit of their committee
- Each member of an LGB will be made aware of, and work within, the Nolan Principles of Governance

### Time:

- There will be a maximum of 20 meeting time hours per year for a LGB to carry out its role and remit
- It will be for each LGB to decide how to organise this amount of time
- This does not include any in-school link work by the LGB specialists who will work alongside key operational (and trust) staff where necessary

### Specialist Governor (Link Governor) Working:

The intention is to empower local governors to acquire and develop a good level of knowledge for certain specific areas. This may well build upon their existing or past professional experience or interest, and it is aimed at providing local governance with a deeper insight into the operational and the strategic leadership of the following:

- Finance
- Health & Safety (operations)
- Safeguarding/SEND/Child Protection
- These three specialist governors will work within a model provided by the Director of Finance and Operations so that there is high level of consistency and equality of support for each institution



- These people will play an important part in becoming the conduit between the operational leadership of the school and the LGB
- Of course each LGB will have other link governors (pupil premium etc.) but these should primarily be linked to outcomes and school improvement. There are good examples of LGB link governors, either individually or as part of a group, working on school improvement activities right across our schools and this should continue

**Activity Programme:**

- The programme below provides a calendared framework for each LGB to follow
- It is not meant to be a tablet of stone, but rather an indication of the activity that needs to be covered during the year. It is not meant to be a template, but to offer guidance

## TRUST IN LEARNING (ACADEMIES) LGB'S YEAR PLANNER

School Term	Core Function 1: In line with TiLA's vision and touchstones ensuring clarity of vision, ethos and strategic direction for the school/academy	Core Function 2: Challenging and supporting the headteacher (HT) in relation to pupil/student progress and attainment	Core Function 3: Carrying out delegated internal oversight of the financial performance of the school and making sure its money is well spent	Core Function 4: Operational Efficiency and Effectiveness
Autumn	<ul style="list-style-type: none"> <li>Evaluate what we achieved last year</li> <li>Review the schools aims/vision: are these being achieved and is the school contributing positively towards TiLA commitments?</li> <li>Reconsider and agree the focus and priorities for the year in consultation with the HT following analysis of previous year's outcomes</li> <li>Adjust/review of the School Development or Improvement Plan as necessary</li> <li>Where applicable review post Ofsted action plans and the impact of these</li> </ul>	<ul style="list-style-type: none"> <li>Work with the HT to review the performance and pay of senior staff</li> <li>Ensure every teacher has an appraisal and salary review and that this is fully in line with the TiLA policy</li> <li>Support CEO in respect of his PMR of HT</li> <li>Review performance data, including SATs/GCSE results and Ofsted and FFT dashboards</li> <li>Consider this year's KPIs for outcomes and other strategic improvements alongside the HT</li> <li>Take into account the projected outcomes from the centre (TiLA) whilst outlining major targets for the year</li> <li>Ensure ring fenced monies are targeted appropriately (PPR; Sport; catch up)</li> <li>Review Core Visit 1 report from CEO with HT</li> </ul>	<ul style="list-style-type: none"> <li>Publish details of use of pupil premium and its impact</li> <li>arrangements for autumn of the next year (schools which are admission authorities)</li> <li>Monitor monthly management reports and discuss with SBM and HT</li> <li>Review charging and letting policy/procedures with SBM</li> <li>Review internal audit reports as necessary – ensuring the school implements any recommendations</li> </ul>	<ul style="list-style-type: none"> <li>Elect chair and vice chair</li> <li>Review the working structures of LGB (working within TiLA's time limits)</li> <li>Liaise with the Company Secretary to update register of pecuniary interests</li> <li>Ensure school website includes all information required by DfE</li> <li>Plan the induction of new governors</li> <li>Review the school's application of the TiLA Admissions policy</li> <li>Review roles and responsibilities of individual governors in line with TiLA SoD</li> <li>Review and plan to meet governors' training needs and liaise with the centre regarding these</li> <li>Ensure mandatory CP and safeguarding procedures are followed</li> </ul>



School Term	<b>Core Function 1:</b> In line with TiLA's vision and touchstones ensuring clarity of vision, ethos and strategic direction for the school/academy	<b>Core Function 2:</b> Challenging and supporting the headteacher (HT) in relation to pupil/student progress and attainment	<b>Core Function 3:</b> Carrying out delegated internal oversight of the financial performance of the school and making sure its money is well spent	<b>Core Function 4:</b> Operational Efficiency and Effectiveness
		<ul style="list-style-type: none"> <li>Review progress of key groups</li> </ul>		<ul style="list-style-type: none"> <li>Review of H &amp; S action plan for the year</li> </ul>
Spring	<ul style="list-style-type: none"> <li>Review progress of School Development Plan or Improvement plan</li> <li>Where applicable review post Ofsted action plans and the impact of these</li> <li>Consider work/plans the school is implementing with regard to parental engagement</li> </ul>	<ul style="list-style-type: none"> <li>Review progress for groups (PPr; SEND; ability groups) and consider impact of planned actions</li> <li>Ask for and consider report on interim staff appraisal reviews from HT</li> <li>Review Core Visit 2 report from CEO with HT</li> <li>Question HT re student voice in the school (impact and how)</li> </ul>	<ul style="list-style-type: none"> <li>Review staff structure with HT</li> <li>Start drafting budget for the coming year and projected three year</li> <li>Monitor monthly management reports and discuss with SBM and HT</li> <li>Liaise with Finance Director and TiLA internal auditor support re any concerns</li> </ul>	<ul style="list-style-type: none"> <li>Ensure mandatory CP and safeguarding procedures are followed</li> <li>Meet with SBM with reference to PFI contractor-school relationship and working (if applicable)</li> <li>H &amp; S site inspections with SBM</li> </ul>
Summer	<ul style="list-style-type: none"> <li>Review progress with the School Development or Improvement Plan</li> <li>Ensure any planning is in line and supports TiLA vision and touchstones</li> </ul>	<ul style="list-style-type: none"> <li>Report to parents on the policy for children with SEN (not special schools) via web site +</li> <li>Consider PPr impact prior to PPr statement review</li> <li>Review:               <ul style="list-style-type: none"> <li>destinations of leavers</li> <li>attendance of pupils/staff</li> <li>exclusions for the year</li> <li>child protection policy and procedures</li> </ul> </li> <li>Review Core Visit 3 report from CEO with HT</li> </ul>	<ul style="list-style-type: none"> <li>Propose budget for the following year to TiLA Finance and Board</li> <li>Monitor monthly management reports &amp; discuss with SBM and HT</li> </ul>	<ul style="list-style-type: none"> <li>Conduct self-review of governing body effectiveness</li> <li>Review composition of LGB for coming academic year</li> <li>Liaise with TiLA re local governor training needs for forthcoming year</li> <li>Review targeted school procedures in line with TiLA policies</li> </ul>