



TRUST IN LEARNING (ACADEMIES) SCHEME OF DELEGATION (REVISED 2023)

TRUST IN LEARNING (ACADEMIES)

Scheme of Delegation - to be adopted when a Local Governing Body is in operation

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 any local governance activity taking place at the individual school level. 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.

In 2020 the Board decided to trial the introduction of a School Improvement Board (SIB) to replace the conventional Local Governing Body. The Trust is seeking a flexible and locally workable solution to ensuring that one of the guiding principles of TiLA to have local engagement is maintained. With this in mind, the Trust operates both LGBs and SIBs. The key point being that their work is the same in terms of the responsibilities delegated to them by the Board in our Scheme of Delegation.

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, Directors/Trustees, Board Committees, Local Governing Bodies/School Improvement Boards, 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 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 all those within the Trust, as well as to School Governing Bodies who may be potentially looking to join.

It should be remembered that any Local Governing Body or School Improvement Board 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/SIB.

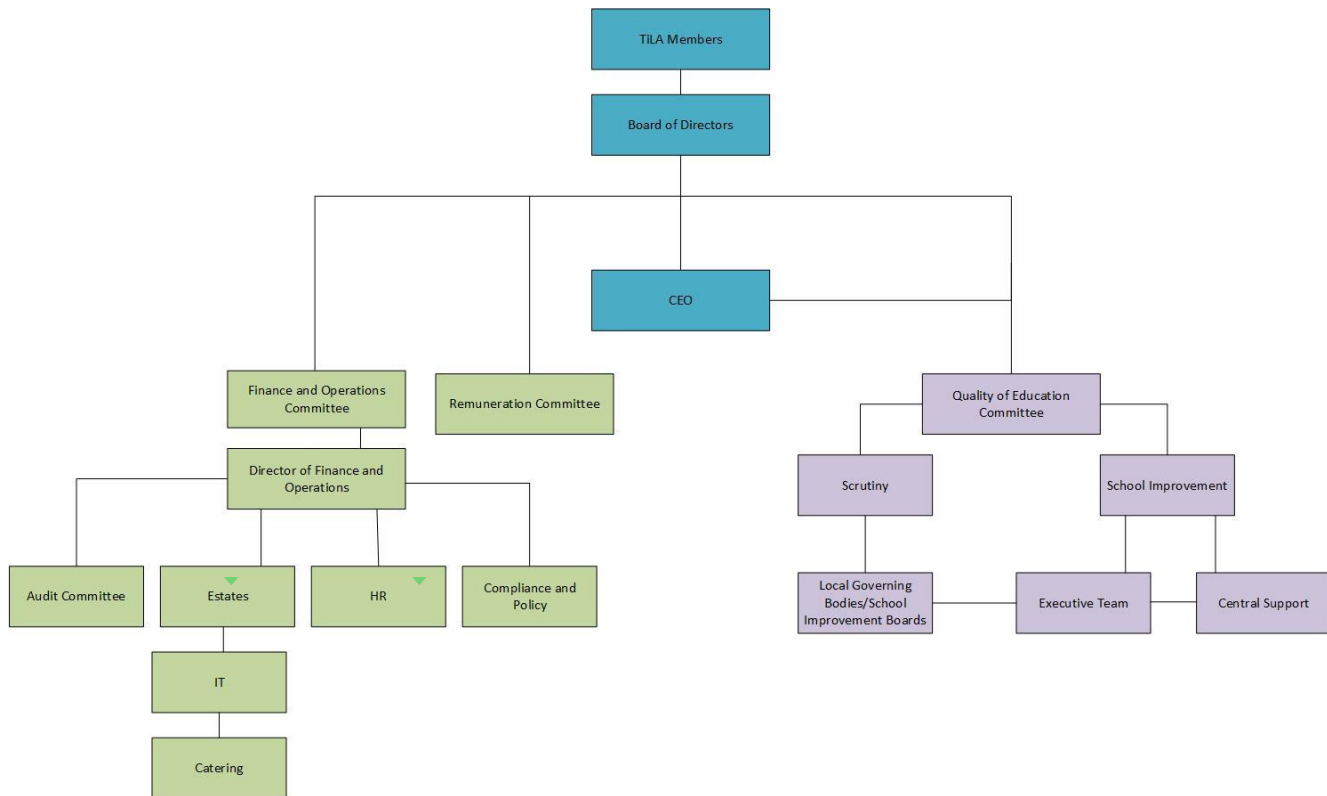
The SoD is published on the Trust and its schools' websites.

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 Directors/Trustees is responsible for the three core governance functions
- The Board of Directors/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 of education; 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 or SIB, 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/SIB when undertaking the headteacher's performance management
- As the headteacher is being line managed by the CEO, the school LGB or SIB 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 directors/trustees. The Members appoint directors/trustees to ensure that the Trust's charitable objective 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 six Members and in order to retain a degree of separation of powers between the Members and the Trust Board only one of our Members also sits as directors/trustees on the Board.

Board of Directors (interchangeable with Trustees):

The MAT is a charitable company and so directors are both charity trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors. Because directors 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 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 of Education 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 directors) 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 Academy Trust Handbook 2023 makes it clear that the Board of Directors 'should have a Finance Committee to which the Board delegates financial scrutiny and oversight'. Given the size of our Trust we are not 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 or School Improvement Board, 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 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 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/SIB Committee:

Given the guiding principles of Trust in Learning, school LGBs/SIBs 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 or SIB and then ratified by the Board. Each school LGB/SIB 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.

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/SIB 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/SIB

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 Q of Ed. Com.	CEO	LGB/SIB	School HT
Governance framework								
People	Members: Appoint/Remove	✓						
	Trustees: Appoint/Remove	✓	✓					
	Role descriptions for members	✓						
	Role descriptions for trustees/chair/specific roles/committees/LGBs/SIBs: agree		✓			<A		
	School LGB/SIB representatives: elected		✓				✓	
	Board committee chairs: appoint and remove		✓	✓	✓	<A		
	School LGB/SIB chairs: appoint and remove		✓			<A	<A	
	Clerk to board: appoint and remove		✓					
	Clerk to school LGB/SIB: 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/SIB: agree annually		✓			<A		
	Skills audit: complete and recruit to fill gaps		✓			<A>	✓	A

Area	Decision	Delegation						
		Members	Trust Board	TB Finance & Ops Com	TB Q of Ed. Com.	CEO	LGB/SIB	School HT
Systems and structures	Annual self-review of trust board and committees: complete annually		✓					
	Annual self-review of school LGB/SIB: complete annually						✓	
	Chair's performance: carry out 360° review periodically		✓			A>	✓	
	Trustee / school LGB/SIB member contribution: review annually		✓				✓	
	Succession: plan		✓			<A>	✓	A
Reporting								
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/SIB: submit to trust and publish						✓	A

Area	Decision	Delegation						
		Members	Trust Board	TB Finance & Ops Com	TB Q of Ed. Com.	CEO	LGB/SIB	School HT
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 policies including capability, discipline, safeguarding/CP, conduct and grievance: approve		✓	✓	✓	<A		
	Determine school level procedures in line with TiLA policies and 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 Q of Ed. Com.	CEO	LGB/SIB	School HT
Being Strategic	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>		<A
	Trust's staffing structure: agree		✓	<A	<A	<A		
	School staffing structure and appointment of staff: agree						✓	A
Holding to account								
Holding to account	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 Q of Ed. Com.	CEO	LGB/SIB	School HT
	Performance management of school/academy Headteacher: undertake					✓	A	
	Trustee monitoring: agree arrangements		✓			<A		
	School LGB/SIB monitoring/review: agree arrangements					A>	✓	A
	School LGB/SIB overall performance monitoring: agree arrangements		✓			<A		
Ensuring financial probity								
Ensuring financial probity	Appoint Director of Finance (and Operations) for delivery of Trust's 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 Q of Ed. Com.	CEO	LGB/SIB	School HT
	School/Academy Headteacher pay award: agree					✓		
	Staff Performance Development Review 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	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 and School Improvement Boards – how they will work

The remit:

As indicated above the LGB or SIB have 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/SIB is to focus its work primarily upon school improvement. It is not the expectation, nor the delegated function of the LGB or SIB, to be involved in the operational running of the school apart from those areas directly linked to performance/provision oversight as well as any mandatory responsibilities delegated down from the Board.

LGB ONLY: There will be six meetings per year three of which will focus primarily on progress, attainment and the quality of education at the school. These three meetings will follow a Core Visit to the school by the CEO and the Director of Education and will look to follow up on lines of enquiry identified at the Core Visits.

A further three meetings will focus upon the engagement and community related responsibilities of the LGB. These will also focus upon pupil development and their experience.

SIB ONLY: For a school with a SIB there will also be a separate Community Parental Advisory Group or CPAG. The CPAG focuses upon the pupil experience in the school and community partnership working. The SIB will meet three times a year following a Core Visit.

Size and Composition:

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

Time:

- For schools with an LGB there will be six meetings and a maximum of 18 - 20 meeting time hours per year for a LGB to carry out its role and remit



- This does not include any in-school link work by the LGB specialists who will work alongside key operational (and Trust) staff where necessary
- The same time/duration will be used for the SIB/CPAG configuration.

Specialist Governor (Link Governor) Working:

The Board is responsible for ensuring that each school fulfils its statutory obligations as an school/academy for the following:-

- SEND/Looked After Children
- Careers
- Relationships and Sex Education
- Safeguarding
- Additional pupil grants eg Pupil Premium
- Health and Safety
- Admissions

For each of the above the Board will fulfil these responsibilities either by a sub-committee eg Admissions or via individual members of the Board who will receive reports and discharge their monitoring responsibilities.