



**Learn@**  
MULTI ACADEMY TRUST

# SCHEME OF DELEGATION

# Scheme of Delegation

## Why does it matter?

There are three core functions of effective governance:

1. Ensuring clarity of vision, ethos and strategic direction
2. Holding the executive to account for the educational performance of the Trust its pupils and the performance management of staff
3. Overseeing the financial performance of the Trust and making sure its money is well spent

The eight elements that will enable delivery of effective governance are:

1. The right people around the table
2. Understanding their role and responsibilities
3. Good chairing
4. Professional clerking
5. Good relationships based on trust
6. Knowing our academies
7. Commitment to asking challenging questions
8. Confidence to have courageous conversations in the interests of pupils

As a multi academy trust, the Board of Trustees are accountable for all major decisions about their academies. This does not mean the Board will make every decision within the Trust, they will delegate some governance and decision making responsibilities to:

- The Chief Executive Officer and the Executive Team
- Executive Principals and Headteachers
- Trust level sub-committees
- Academy Councils

In line with our values, particularly that of transparency, it is vital that a clear Scheme of Delegation defines lines of responsibility and accountability within Learn@ MAT.

## **The Purpose of our Scheme of Delegation**

- To ensure clarity about the roles of Members, Trustees, CEO, Executive Principals, Headteachers and committees
- That Learn@ MAT operates in a fashion that is fit for purpose for a multi academy trust
- To prevent confusion which may lead to a loss of trust with stakeholders

The Scheme of delegation is intended to be a working document that will be revised (at least annually) and adapted in response to the context and circumstances of Learn@ MAT

As the Trust matures, both in terms of governance and operational leadership, the Scheme of Delegation is likely to change. This recognises the need to be responsible to the changing circumstances and ensures that Learn@ MAT continues to best meet the needs of their Academies

## **Roles and Responsibilities**

### **The role of the members**

In simple terms the members “own” the Academy Trust. They have a number of statutory rights, including;

- the right to appoint the auditors
- the right to remove Trustees (provided that a specific procedure is followed which includes the right of the relevant Trustee to make representations)

- the right to amend the Articles of Association of the Academy trust
- the right to receive the annual accounts.

They also have the right to appoint up to 8 Trustees under the Articles. The Members are required to provide a guarantee that if the Academy Trust were to be wound up and the assets did not meet all of its liabilities, they would contribute £10.

### **The role of the Board of Trustees**

Each Trustee is a Director of the Academy Trust and a charity trustee. The Trustees are responsible for the governance and supervision of the Academy Trust, its committees, including the Academy Councils and the Central Executive Team. The Trustees have a number of duties and responsibilities relating to the management of the Academy Trust and its finances. In summary the Board of Trustees are responsible for:

- establishing the vision, mission and values for the Academy Trust
- carrying on the Academy Trust in accordance with the objectives of the Academy Trust as set out in the Articles for safeguarding the assets of the Academy Trust
- designing strategy and structure for the operation of the Academy Trust
- the delegation of running the Academies and directing the education, pastoral care, financial and other policies of the Academies to the CEO in accordance with the Articles and the Funding Agreements (including the Handbook)
- ensuring sound management and administration of the Academy Trust, and ensuring that managers are equipped with the relevant skills and guidance
- financial controls and the financial management of the Academy Trust in accordance with the provisions of the Handbook, which sets out in detail provisions for the financial management of each Academy including guidance on financial systems and controls and accounting and reporting requirements
- setting standards of conduct and values, monitoring performance and the achievement of objectives and ensuring that plans for improvement are acted upon
- risk managements, that is identifying, quantifying and devising systems to minimise the major risk affecting the Academy Trust
- ensuring the Academy Trust and the Academies are conducted in compliance with the general law

## **The role of the Quality & Standards Committee and the Audit, Finance and Resource Committee**

The committees will act in an advisory capacity to the Trustees, except their powers have been specifically delegated to them by the Trustees. The terms of reference of each committee of the Trustees may be approved by the full Board of Trustees and reviewed at least once in every twelve months.

The Trustees may appoint committees with functions related to the Academy Trust. The constitution, membership and proceedings of any committee shall be determined by the Trustees under terms of reference. Each committee shall be chaired by a Trustee (with the exception of an Academy Council which may or may not be chaired by a Trustee). Membership of the committee may include persons who are not Trustees provided that (with the exception of the Academy Councils) a majority of the members of the committee is a Trustee. Except in the case of an Academy Council, no vote on any matter shall be taken at a meeting of a committee of the Trustees unless the majority of members of the committee present are Trustees. The Trustees shall ensure that they receive adequate feedback on the work of any committees.

## **The role of the Chief Executive Officer (CEO)**

The role of the CEO is to provide professional leadership, strategic management and direction for the Academy Trust and its Academies. The CEO may also be Head of one of the Academies. Subject to the approval of the Members, the CEO is an ex-officio Trustee. The CEO will report to the Trustees and shall comply with any reasonable direction by the Trustees when acting on the Academy Trusts behalf. The CEO is responsible for the internal organisation, management and control of each of the Academies; advising on and implementing the Academy Trusts strategic framework and the implementation of all policies approved by the Trustees.

The CEO shall have authority to direct the Heads in relation to operational and educational standards matters. The CEO will formulate aims, objectives, policies and targets for the Trustees to consider and will report to the Academy Trust on progress at each meeting. The CEO is responsible for preparing a policy for the curriculum and for reviewing the policy every school year with respective Heads.

## **The role of the Academy Council**

In summary the role of the Academy Council is:

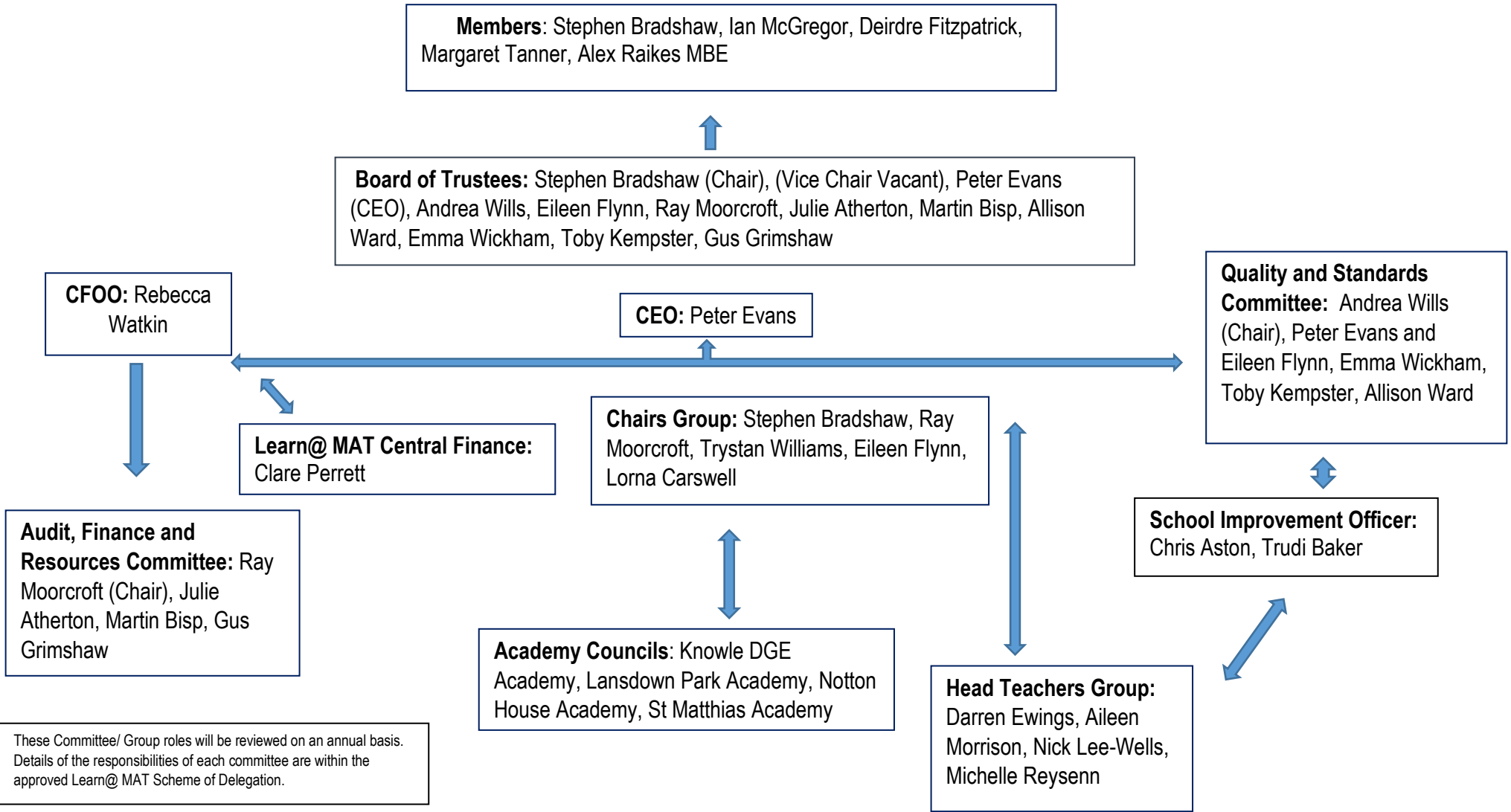
- to provide advice to the Trustees on the functioning of that Academy
- act as a link between the Academy Trust, parents and the Academy community
- act as a sounding board for the Head and SLT and offer challenging but positive support to the Head
- continually review the overall impact of the Academy
- assist with and review the implementation of certain Academy policies, such as student admissions and behaviour.

The Academy Council is made up of individuals who may or may not also be Trustees

## **The role of the Headteacher**

The Academy Headteacher is responsible for the day to day management of the Academy and is managed by the CEO. The Headteacher reports to the Academy Council on matters which have been delegated to it which may include an element of monitoring and scrutiny of the Academy's management processes.

## Delegation within Learn@ MAT



## Key to the Scheme of Delegation

Column 1	Members
Column 2	Trustees
Column 3	Quality and Standards Committee
Column 4	Audit, Finance and Resource Committee
Column 5	Chief Executive Officer
Column 6	Academy Councils
Column 7	Academy Headteachers

✓	Action to be undertaken at this level
A	Provide advice and support to those accountable for decision making
<>	Directionality of advice and support



## SCHEME OF DELEGATION

Decision	Members	Trust Board	Quality & Standards Committee	Audit, Finance & Resource Committee	CEO	Academy Council	Academy Head
<b>GOVERNANCE</b>							
To review and amend the Articles of Association (Review every three years)	✓						
To change the name of the Trust	✓						
To review, amend and approve the Scheme of Governance and the Governance Structure (review every two years)		✓			<A		
To determine role description for Trustees	✓	✓					
To complete an annual Skills Audit		✓				✓	
To monitor the effectiveness of the Chair of the Trust Board	✓				<A		
To monitor the effectiveness of the Trustees	✓						
Undertake performance management of Chief Executive Officer		✓					
To monitor the effectiveness of Academy Councils		✓					
To appoint and remove Members	✓	✓					

To appoint and remove the Chair of the Trust Board	✓				<A		
To appoint and remove Trustees	✓	✓					
To appoint and dismiss Chief Executive Officer		✓					
To appoint and remove Trust Board committee chairs		✓	✓	✓			
To appoint and remove Academy Council chairs		✓				<A	
To appoint and remove Company Secretary		✓			<A		
To appoint and remove Parent Trustee		✓					
To appoint and remove Parent Academy Council member					A>	✓	<A
<b>PROCESS</b>							
To review, amend and approve the Terms of Reference of Board of Trustees, Academy Councils, Quality and Standards Committee and Audit, Finance and Resource committees annually		✓			<A		
To provide and present and publish annual performance reports for Members		✓			<A		
To review, amend and approve the Constitution and Terms of Delegation of Academy Councils		✓			<A		
To review and submit Annual Report and accounts including accounting policies, signed statement on regularity propriety and compliance, incorporating governance statement demonstrating value for money		✓		<A	<A		
To submit annual report to the Trustees on work of the Academy Councils						✓	<A

To determine the Board's Reserved Matters		✓					
Trustees are obliged to inform the Members of any concerns between annual reports		✓			<A		
To change the Scheme of Delegation		✓			<A		
To determine the educational character, mission or those of a particular Academy in line with Trust			A>		✓	✓	✓
Ensure Trustees have access to all Minutes of meetings						✓	
Agree auditing and reporting arrangements for matters of compliance (Safeguarding, Health and Safety, Information security, employment)		✓	✓	✓			
To review the level of complaints across the Trust					✓		
To monitor that the young people have a strong voice within the plan-do-review cycle of the Trust		✓				✓	
To monitor the impact of the pupil premium across the Trust					✓	✓	✓
Develop strong parent partnership practices across the Academy to ensure the best educational health and care outcomes for their children							✓
Agree reporting arrangements for progress on key priorities		✓				✓	
<b>STRATEGY</b>							
Promote and develop the vision, values and strategic aims of the Trust		✓			✓	✓	✓
To ensure the Board of Trustees and Central Team are working towards the vision and ethos set out from its initiation	✓						

Determine the Trust-wide vision and strategy, agreeing key priorities and key performance indicators (KPI's) against which progress towards achieving the vision can be measured		✓			<A		
Determine the Academy vision and strategy, in line with the Trust-wide vision, agreeing key priorities and key performance indicators (KPI's) against which progress towards achieving the vision can be measured					A>	✓	<A
<b>FINANCE</b>							
To appoint external auditors	✓				<A		
To appoint an independent person to deliver assurance on internal financial controls (Academies Financial Handbook 2.9.6)		✓			<A		
To sign off the Trust's Statutory Financial Statements		✓					
To approve the annual budget for the Trust (end of June)		✓			<A		
To approve any significant changes to the approved budget		✓			<A		
To monitor income, expenditure, cash flow and balance sheet of the Trust					✓	<A	
To ensure proper financial controls are in place across the Trust		✓			<A	<A	
To establish, publish and maintain a register of business and pecuniary interests					✓	<A	
To act as the Accounting Officer					A>	✓	
To prepare the annual budget for the Trust					✓	<A	

To implement and monitor proper financial IT systems, procedures and protocols across the Trust				✓	<A		
To prepare and review the annual budget for the Academy before final consideration by the Trust Board		✓		✓	<A	<A	
To monitor income and expenditure of the Academy				✓		✓	✓
To maintain a register of business interests of the Academy Council				✓		✓	
To prepare monitoring reports termly for the Academy Council				✓			✓
To ensure robust benchmarking and Trust-wide value for money				✓	<A		
To ensure robust Academy benchmarking and value for money						✓	<A
To develop, review and approve Trust-wide procurement strategies and efficiency savings programme					✓		
To secure and monitor Pupil Premium and High Needs Top Up funds to ensure they are appropriately spent to meet the SEND of the young people		✓		✓		✓	
To ensure proper financial controls are followed at the Academy in line with the Trust's Finance Policy set by the Trustees				✓		✓	<A
<b>CONTRACTS</b>							
To approve any service contracts for Trustees	✓						
To approve any changes to commissioned numbers from the Local Authority		✓					

To secure minimum commissioned places with Local Authorities and appropriate high needs top up allocations meet the SEN each Academy specialises in					✓		<A
To appoint and review cross wide Trust specialist staff with approval from Trustees and to provide feedback from Headteachers to Trustees					✓		<A
To ensure all pupil places are filled in line with planned numbers agreed with the Commissioning Officers of Bristol Local Authority and other key Partner Authorities							✓
<b>CURRIULUM AND STANDARDS</b>							
Set number of sessions each Academy is expected to operate year on year		✓	✓		<A		
To receive, monitor and review Academy Development Plans (which incorporate identified areas for development)			✓		<A>	✓	✓
Ensure comprehensive target setting for pupil achievement and progress with regular monitoring and reporting systems are in place			✓			✓	✓
To ensure all staff have access to and complete all relevant and expected training			✓		A>		✓
To monitor use and impact of Trust wide specialist staff			✓		✓		
Responsible for the curriculum delivered at the Academy including compliance with any funding agreement requirements			✓			✓	✓
Report monthly on all performance data to the CEO and the Academy Council relating to standards							✓

To ensure each individual young person has their needs met in line with the Provision Map resourcing agreed on admission and in line with their EHCP			✓		<A>		✓
<b>SAFEGUARDING</b>							
To ensure that there is an appropriate independent person in place in line with Care Regulation Requirement (NMS20) within a residential setting, and that all young people are aware of who and how to contact them							✓
To ensure all of our Academies are fulfilling statutory expectations in regard to KCSIE		✓			<A>	✓	
To appoint a designated Councillor for safeguarding and looked after children		✓				✓	
To ensure the completion of the Single Central Record in line with Ofsted criteria						✓	✓
Where there is residential provision, to ensure unannounced visits take place and are recorded at least termly						✓	
To maintain the overall Designated Safeguarding Lead role within their Academy and appoint appropriate senior staff as cover in their absence			✓			✓	
To appoint a designated Academy Councillor to monitor CiC in line with statutory guidance						✓	
To approve off-site visits for pupils of more than 24 hours						✓	<A
To ensure CEO and Chair of Academy Council are aware and kept up to date of any safeguarding issues involving allegations and LADO							✓
To ensure the Local Authority Safeguarding Audit is completed annually and areas for development are incorporated into the Academy Development Plan			✓			✓	

BEHAVIOUR							
To monitor and review the attendance is in line with annual targets. Specific/individual plans are in place where this is not the case		✓	✓		<A>	✓	
To monitor all forms of bullying and challenge the Headteacher response where appropriate					✓		
To convene an appeal committee to review a decision of the Headteacher to exclude a pupil for a fixed term (noting that such a committee could also include Academy Council members from other Academies within the Trust and Trustees if desired)		✓			<A	<A	
To ensure the Academy follows the approved policy of the Trust in regard to the procedures and practice of physical intervention and monitor and challenge the appropriate use of this strategy within the provision			✓			✓	
ADMISSIONS							
To set and agree a Trust wide contract with Local Authority commissioning officers on an annual basis		✓			<A		
To accurately present the Provision Map as offered across the Trust for the different SEND that the Trust caters for		✓			<A		
To monitor and evaluate with Headteachers that the young people receive the support identified in their provision plan						✓	
To monitor all consultations for admission for pupils with Education, Health and Care Plans within their planned (commissioned) place numbers						✓	



To reply to consultations within fifteen days in respect of admissions for pupils with Education, Health and Care Plans							✓
DATA COMPLIANCE							
To set up and maintain a Learn@ MAT website informing of central common policies, complaints policy, names and contact details of Members, Trustees and the Central Team, link to Company House, last report and each individual Academy website					✓		
Each Academy has an up to date website which is compliant with all statutory and Ofsted expectations							✓
To maintain accurate and secure pupil records					A>		✓
To maintain accurate and secure staff records for the Academy					✓		✓
Headteacher to provide training for all staff in relevant areas of GDPR (General Data Protection Regulation)					✓		✓
STAFFING							
To ensure staff know and operate to the vision and ethos of Learn@ MAT		A>			✓		✓
To approve any potential changes to staff member's terms and conditions in respect to equality and fairness across the Trust and before any related Management of Change process is instigated by an Academy Council		✓			<A		
To determine the staffing structure in conjunction with the Academy Council and Headteacher						✓	<A

To review and agree staff appraisal procedure and pay progression					A>	✓	
To appoint and performance manage members of the Central Team (save as reserved to the Trustees)					✓		
To approve applications for secondment within the Trust					✓		
To approve any early retirements from the Academy		✓		<A	<A		
To appoint and performance manage Headteachers and agree any appropriate Headteachers pay awards in conjunction with their Academy Council					✓	✓	
To ensure a Management of Change is firstly approved by Board of Trustees where there may be significant financial implications						✓	
To determine teaching staffing requirements within each Academy and budget						✓	<A
To appoint and dismiss Academy Headteacher		A>			✓	✓	
To appoint and dismiss Chief Finance and Operations Officer		✓			✓		
To appoint and remove Clerk to the Trust Board and Academy Councils		✓			<A	<A	
To appoint, suspend or dismiss teaching and non-teaching staff					A>	✓	<A
<b>HEALTH, SAFETY AND RISK</b>							
To ensure the Trust operates within all relevant up to date Health and Safety legislation and that children are kept safe at all times within the procedures and practices of the Trust		✓					
To monitor independent Health and Safety Audit and report on an annual basis				✓	<A		
To review the Risk Management and a Risk Register		✓			<A		

To approve insurance agents				✓	<A		
To review and maintain a buildings strategy and asset management planning arrangements		✓					
Prepare the Risk Register for the Trust					✓		
To procure buildings and related insurance and make proposals to the Trustees					✓		
To prepare a buildings strategy and asset management planning arrangements					✓		
To monitor and review accident/near misses in Academies				✓	<A	✓	
To prepare a Health and Safety policy for the Academy (in line with Trust-wide policy) for adoption by the Academy Council					✓		✓
To monitor the first aid book and agree appropriate actions							✓
To ensure staff are trained in appropriate number and to an appropriate level in First Aid (as specified in the Academies Policies and Procedures Manual)							✓
To ensure the safety of staff and pupils and appropriate risk assessments are carried and actions taken to minimise any identified risk							✓
To review security of the premises and equipment							✓
To liaise with the Central Team in relation to the accessibility plan for the Academy							✓
Responsibility for putting a qualified extended trips coordinator in place and submitting the appropriate request forms four weeks before intended activities to the CEO							✓

POLICIES							
Determine, approve, review and amend Trust-wide policies which reflect the Trust's ethos and values (facilitating discussions with unions where appropriate) including: admissions; charging and remissions; complaints; reserves; expenses; health and safety; premises management; data protection, pupil choices, including attendance and exclusions; staffing policies, including pay, capability, conduct and grievance		✓	✓	✓	<A>	✓	✓
Determine, approve, review and amend Academy level policies which reflect the ethos and values to include: Safeguarding/Child Protection curriculum and behaviour		✓			<A>	✓	<A>
To ensure compliance with the policies approved by the Trustees					✓		
To advise the Trustees on suitable Trust-wide policies and procedures and to ensure their effective implementation					✓		
To implement the Trust-wide lettings policy							✓