

Learn-AT

Learning ~ Fellowship

Scheme of Delegation



Learn-AT

one core purpose: **Learning**

one core value: **Fellowship**

Guiding Principles

Learn-AT:

- is committed to working collaboratively in the service of pupils in all of its academies;
- is unified by moral purpose – a belief in the power of education to transform children's life chances and choices;
- will celebrate and nurture the distinctive and unique identity, ethos and character of each of its academies;
- will develop outward-looking and constructive relationships with a range of strategic professional partnerships;
- will recognise, celebrate and draw on internal trust expertise in the development of policy and practice and in mutual support;
- is committed to the provision of the highest quality professional learning, support and development for all staff;
- is inspired and guided by shared values held in common by the communities it serves.

In deciding levels of delegation, the Learn-AT Board of Trustees will start from a presumption of success for each academy and will therefore delegate significant responsibility to the Local Governing Body.

Delegation of functions in accordance with those principles

A multi academy trust's (MAT) board of trustees is accountable in law for all decisions about its academies. However, this does not mean that the board is required to make all the decisions. While the board cannot ever delegate its accountability, it can delegate some of the detailed scrutiny, oversight and decision making. Many decisions will be delegated to local governing bodies, to the CEO and to board committees, where they exist.

Learn AT's guiding principles focus on collaboration and shared values, within which we celebrate the distinctiveness of each academy. Our starting point is therefore that there is full delegation to each local governing body. This scheme sets out how that delegation is put into place, so that within the legal structure within which we operate, it is clear that the local governing bodies and the CEO and other senior executive officers have the power that they need to act on the Trustees' behalf.

This document will be complemented by a written scheme of delegation of financial powers meeting the requirements of the Academies Financial Handbook.

There will also be a need to streamline procedures across each layer of governance so that there is no duplication of effort, for example by rewriting reports in different formats. This may result in some changes in practice, but not in the level at which decisions are taken.

This is the first version of the Learn-AT Scheme of Delegation (SoD); future versions will include details about delegation to other board committees (e.g. resources and finance).



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Governance

Members

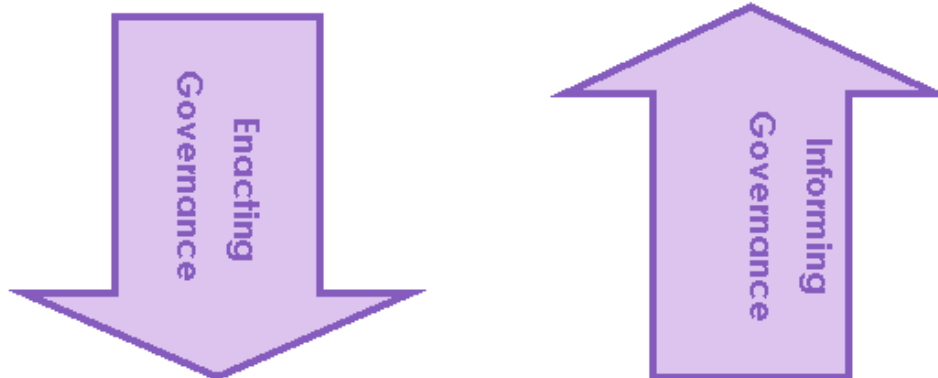
delegate responsibility for governance and the running of the MAT to the Board of Trustees.

Board of Trustees

*Legal **ACCOUNTABILITY** sits here*

Delegates **responsibility** for some aspects of governance to Local Governing Boards

Executive Officers (CEO/CFO etc) *enact governance* on behalf of the Trustees through implementing the Trust's strategic vision and systems of internal audit such as finance, HR, H&S, safeguarding, monitoring of achievement, standards and quality of teaching and learning



Great Bowden
CE Academy



Husbands
Bosworth CE
Primary School



Ridgeway
Primary Acad-
emy



St. Andrew's CE
(Aided) Primary
School



Lubenham All
Saints CE Pri-
mary School



Market Har-
borough CE
Academy



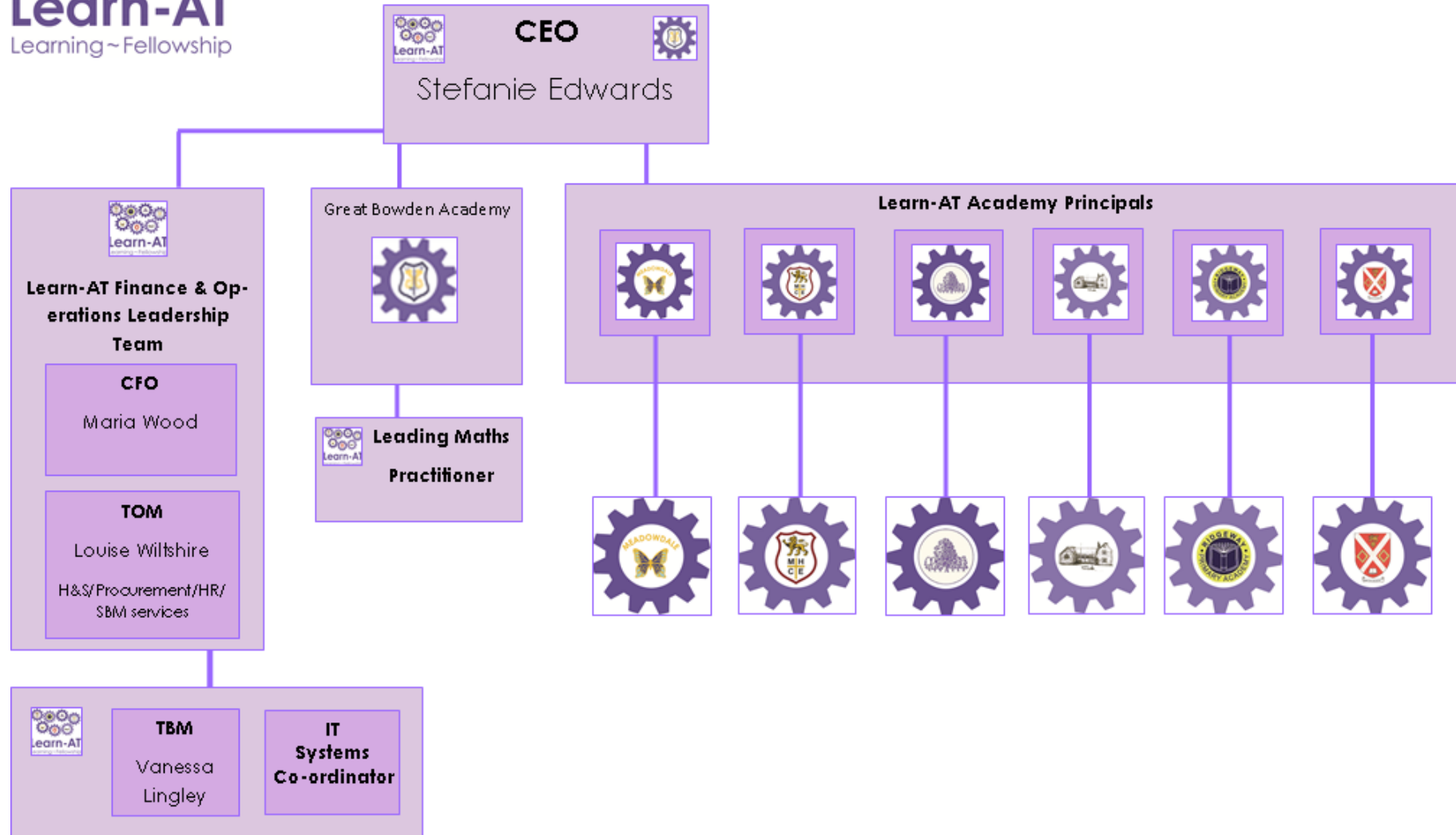
Meadowdale
Primary School

The Trust Board delegates responsibility for aspects of governance to Local Governing Bodies in each academy through the **Scheme of Delegation**. Local governors are **responsible** (not legally accountable) for ensuring that the academy achieves good outcomes for all of its pupils and is compliant with statutory and Trust policies and procedures.



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Executive Leadership Structure



At the outset Learn-AT pioneer schools' existing LGBs and their governors will transition to the new structure as they are. However, where LGBs need to appoint new governors, the trustees, in consultation with LGBs (and in the case of Foundation Governors for Church schools, the Diocese), will ratify all new governor appointments. The trustees have the right to appoint additional governors where appropriate and to remove governors.

Learn Academies Trust begins with the principle that all academies will have a local governing body to which a wide range of decisions is delegated. That will include scrutiny and monitoring of the performance of the academy and its principal, its pupils' outcomes and the quality of teaching and learning; ensuring compliance with trust policies; decisions about how the academy's budget is to be spent within any parameters set by the Trustees and determining, sustaining and celebrating the ethos and character of their academy.

Where the trustees have any concerns about the performance of any of the academies within the trust, their initial response would be to offer support from within the trust – with a view to maintaining current levels of delegation.

In some circumstances the trustees may appoint additional governors as a means of supporting decision making within schools. However, the trustees will have the right to determine in certain circumstances that a Local Governing Body should have reduced decision-making powers. This will be unusual; a decision to remove delegated authority from a local governing body will be exceptional.

Factors which may influence the Trustees decision about the level of delegation to each local governing body include:

- School performance
- A recent Ofsted report
- Financial and administrative performance
- Leadership and governance capacity and capability
- Safeguarding and wellbeing concerns
- Health and safety issues

Learn-AT is committed to transparency in reporting. This means that reports about academies are shared with its LGB. Likewise, LGB minutes are reported to the Board of Trustees.

The assumption of success for Learn-AT pioneer academies means that in this scheme, the trustees delegate responsibility for scrutiny and monitoring of each academy to the LGB. The LGB will therefore take a lead, on the Trustees' behalf and with the support of the Trust's executive officers, in identifying areas of concern. If trustees are concerned about an academy, at least one trustee and the CEO would meet with representatives of the LGB to discuss the issue. The LGB would have an opportunity to consider and respond to any formal proposals for change to the scheme of delegation made by the Trustees, which would then be considered in an open meeting of the Trustees and LGB.

Proposals for change might include additional support, additional governors, replacement governors, partial or full withdrawal of delegation.

The two schedules attached to this scheme demonstrate alternative approaches to delegation – with the first being the expected arrangement for all Learn-AT academies and certainly for the pioneer schools in the first instance. The second schedule demonstrates the extreme position where delegation to the local governing body is significantly reduced. In any individual situation where – following an initial period of support - the trustees determined to vary delegation, a specific schedule would be set for the circumstances of the school concerned.

A decision to deviate from this Scheme of Delegation would be made by the Board of Trustees following the procedure outlined in Appendix 1 of this document.

In situations where serious situations arise suddenly, such as gross financial mismanagement, a serious breach of safeguarding obligations or failure of an Ofsted inspection, trustees will act more quickly to review delegated powers than the process set out in Appendix 1.

For those academies with local level delegation of decision-making powers:

Local governing board (LGB) responsibilities may include deciding certain policies, monitoring whether the school is working within the agreed trust and statutory 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 its school is being well served by the executive leadership and, as a board committee, has direct access to the board if there are concerns.

The CEO and academy principals

In this scheme of delegation (SoD) the trustees delegate responsibility for the performance of the trust, including the performance of the academies within the Trust, to the chief executive officer (CEO). This means that as the CEO is accountable to the board for the performance of the trust as a whole, the CEO will report to the board on the performance of the trust including on the performance of the trust's schools, although this may be supplemented by monitoring reports from the LGBs.

The CEO is performance-managed by the trust board with support from an independent external adviser, appointed by the board. In this scheme of delegation, the trust board delegates responsibility for the performance management of academy principals to the LGB, in accordance with trust policy and with the full involvement of the CEO and/or an independent external adviser, appointed by the trust board.

The role of the members

The members of the trust have a different status to trustees. Originally they will have been the signatories to the memorandum of association and will have agreed the trust's first articles of association (a document which outlines the governance structure and how the trust will operate). The articles of association will also describe how members are recruited and replaced, and how many of the trustees the members can appoint to the trust board. The members appoint trustees to ensure that the trust's charitable object is carried out and so must be able to remove trustees if they fail to fulfil this 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.

While members are permitted to be appointed as trustees, in order to retain a degree of separation of powers between the members and the trust board, and in line with DfE current expectations, no members should be trustees. Employees of the academy trust are not permitted to be members.

The role of the trustees

The trustees 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 trust in accordance with the provisions set out in the memorandum and articles of association. The board of trustees is the accountable body for the performance of all schools within the trust and as such must:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of the 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

Because trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. We use the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are not company directors and trustees.

The trust board is permitted to exercise all the powers of the academy trust. The trust board will delegate to the chief executive responsibility for the day to day operations of the trust. The trustees can determine whether to delegate any governance functions.

The trust has the right to review and adapt its governance structure at any time which includes removing delegation.

The role of committees

The trustees 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 trust board. However these committees are not legally accountable for statutory functions – the trust board retains overall accountability. The responsibilities of board committees are set out in their terms of reference; the responsibilities of local governing bodies are set out in the scheme of delegation.

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 academies and so the CEO holds academy principals to account and can performance manage the executive principals and academy principals. Where the performance management of the academy principal is delegated to a local governing committee (LGB) this will be with the full involvement of the CEO and /or an external adviser appointed by the trust board and in accordance with trust policy.

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. In this role the CEO will have the power to challenge decisions made by local governing bodies and may seek reconsideration of those decisions.

The CEO leads the executive management team of the academy trust. The CEO will delegate executive management functions to the executive management team and is accountable to the trust board for the performance of the executive management team.

The role of the academy principal

The academy principal is responsible for the day to day management of the academy. The academy principal remains the lead professional in the academy and reports to the LGB on matters which have been delegated– and may have responsibilities delegated to them by the LGB. This scheme delegates responsibility for the annual performance management of the academy principal to the LGB, to be undertaken in accordance with trust policy and with the full involvement of the CEO and/or an external adviser appointed by the trust board.

Key	
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
Grid 1 – delegation to LGB	
Level 1:	Members
Level 2:	Board of Trustees
Level 3:	Chief executive officer
Level 4:	Local governance committee (LGB)
Level 5:	Academy principal
Grid 2 – no local delegation – shown here as an exemplar and not expected to be used	
Level 1:	Members
Level 2:	Board of Trustees
Level 3:	Chief executive officer
Level 4:	Academy Principal
Level 5:	Academy council

These grids illustrate the range of delegation between full delegation to the LGB – in grid 1 – which is the default assumption in Learn Academies Trust, and no delegation – in grid 2. In practice, if there were to be concerns sufficient for the Trustees to consider changing the level of delegation, they may propose a more targeted and variation of Grid 1.

Delegated decision making – Local Governing Board

Area	Decision	Delegation				
		Members	Trust Board	CEO	LGB	Academy Principal
Governance framework						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓				
	Role descriptions for members	✓				
	Role descriptions for Trustees/chair/ specific roles/committee members: agree		✓	<A		
	Parent governor/committee member: elected				✓	
	Committee chairs: appoint and remove		✓	<A		
	LGB chairs: appoint and remove			<A	✓	
	Clerk to board: appoint and remove		✓			
	Clerk to LGB: appoint and remove				✓	
Systems and structures	Articles of association: agree and review	✓	<A	<A		
	Governance structure (committees) for the Trust: establish and review annually		✓	<A		
	Terms of reference for Trust 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 Trust board and		✓			

Area	Decision	Delegation				
		Members	Trust Board	CEO	LGB	Academy Principal
	committee performance: complete annually					
	Annual self-review of LGB performance: complete annually				✓	
	Chair's performance: carry out 360 review periodically		✓		✓	
	Trustee / committee member contribution: review annually		✓		✓	
	Succession: plan		✓	<A>	✓	A
	Annual schedule of business for Trust board: agree		✓	<A		
	Annual schedule of business for LGB: agree			A>	✓	A
Reporting						
Reporting	Trust governance details on Trust and academies' websites: ensure		✓	<A		
	Academy governance details on academy website: ensure		✓	<A		
	Register of all interests, business, pecuniary, loyalty for members/Trustees/committee members: establish and publish		✓	<A		
	Annual report on performance of the Trust: submit to members and publish		✓	<A		

Area	Decision	Delegation				
		Members	Trust Board	CEO	LGB	Academy Principal
	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 Trust and publish				✓	A
Being Strategic						
Being Strategic	Determine Trust wide policies which reflect the Trust's ethos and values (facilitating discussions with unions where appropriate) including: charging and remissions; complaints; expenses; health and safety, pay and performance management; premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve		✓	<A		
	Determine school level policies which reflect the school's ethos and values to include e.g. admissions; SEND; safeguarding and child protection; curriculum; behaviour: approve				✓	A

Area	Decision	Delegation				
		Members	Trust Board	CEO	LGB	Academy Principal
Being Strategic	Central spend / top slice: agree		✓	<A		
	Management of risk: establish register, review and monitor		✓	<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
	Chief executive officer: Appoint and dismiss		✓			
	Academy principal : appoint		✓	<A	<A	
	Academy principal : dismiss		✓	<A		
	Budget plan to support delivery of Trust key priorities: agree		✓	<A		

Area	Decision	Delegation				
		Members	Trust Board	CEO	LGB	Academy Principal
	Budget plan to support delivery of school key priorities: agree		✓		✓	A
	Trust'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 the Chief Executive Officer: undertake		✓			
	Performance management of academy principal : undertake			A>	✓	
	Trustee monitoring: agree arrangements		✓	<A		

Area	Decision	Delegation				
		Members	Trust Board	CEO	LGB	Academy Principal
	LGB member monitoring: agree arrangements				✓	A
Ensuring financial probity						
Ensuring financial probity	Chief financial officer for delivery of Trusts detailed accounting processes: appoint		✓	<A		
	Trust's 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
	CEO pay award: agree		✓			
	Academy principal pay award: agree			A>	✓	
	Staff appraisal procedure and pay progression: monitor and agree		✓	A>	✓	A
	Benchmarking and Trust wide value for money: ensure robustness		✓	<A		

Area	Decision	Delegation				
		Members	Trust Board	CEO	LGB	Academy Principal
	Benchmarking and academy value for money: ensure robustness				✓	A
	Develop Trust wide procurement strategies and efficiency savings programme			✓		

Grid 2: No local delegation – Local Governing Board is replaced by Academy Council

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Principal	Academy Council
The governance framework						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓				
	Role descriptions for members	✓				
	Role descriptions for Trustees/chair/ specific roles/committee members: agree		✓			
	Parent Trustee/ academy council member: elected					✓
	Committee (including school committee) chairs: appoint and remove		✓			
	Academy council chairs: appoint and remove		✓	A		
	Clerk to board: appoint and remove		✓			
	Clerk to school committees: appoint and remove		✓			✓
Systems and	Articles of association: agree and review	✓	A	A		

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Principal	Academy Council
structures	Governance structure (committees) for the Trust: establish and review annually		✓	A		
	Terms of reference for Trust committees (including audit if required, and scheme of delegation for school committees): agree and review annually		✓			
	Terms of reference for academy council: agree and review annually		✓			
	Skills audit: complete and recruit to fill gaps		✓	<A>		✓
	Annual self review of Trust board performance: complete annually		✓			
	Chair's performance: carry out 360 review periodically		✓			✓
	Trustee contribution: review annually		✓			
	Academy Council members' contribution: review annually			A>		✓
	Succession: plan		✓	A		
	Annual schedule of business for Trust board: agree		✓	A		
	Annual schedule of business for committees: agree		✓	A		

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Principal	Academy Council
	Annual schedule of business for academy council: agree		✓	A		
Reporting	Trust governance details on Trust and academies' websites: ensure		✓	A		
	Academy governance details on academy website: ensure			✓	A	
	Register of all interests, business, pecuniary, loyalty for members/Trustees/committee members: establish and publish		✓	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		✓			
	Annual report on work of academy council: submit to Trust and publish				A	✓
Being strategic						
Being strategic	Determine Trust wide policies which reflect the Trust's ethos and values (facilitating		✓	A		

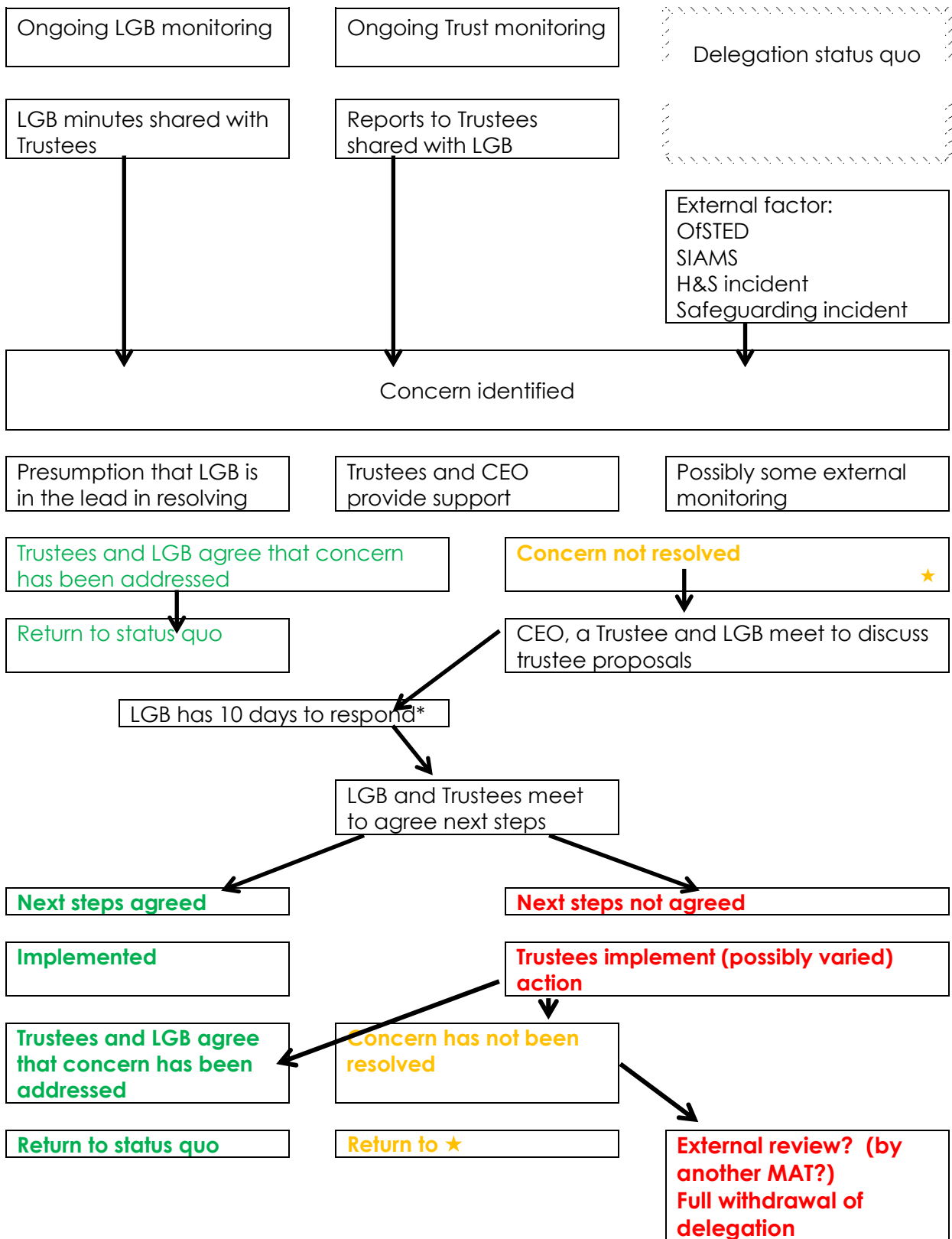
Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Principal	Academy Council
	discussions with unions where appropriate) including: admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve					
	Determine school level policies which reflect the school's ethos and values to include e.g. admissions; 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		
	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			A>	✓	A

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Principal	Academy Council
	achieving the vision can be measured: determine					
	Chief Executive Officer: Appoint and dismiss		✓			
	Academy principals: Appoint and dismiss		✓	<A		
	Budget plan to support delivery of Trust key priorities: agree		✓	A		
	Budget plan to support delivery of school key priorities: agree			A>	✓	A
	Trust's staffing structure: agree		✓	A		
	Academies' staffing structure: agree			A>	✓	A
Holding to account						
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	A		
	Reporting arrangements for progress on key priorities: agree		✓	A		
	Performance management of the Chief		✓			

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Principal	Academy Council
	Executive Officer: undertake					
	Performance management of academy principals: undertake			✓		
	Trustee monitoring: agree arrangements		✓	A		
	Academy council member monitoring: agree arrangements				A	✓
Ensuring financial probity						
Ensuring financial probity	Chief financial officer for delivery of Trusts detailed accounting processes: appoint		✓	A		
	Trust's 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		
	CEO pay award: agree		✓			

Area	Function	Delegation				
		Members	Trust Board	CEO	Academy Principal	Academy Council
	Academy principal pay award: agree		✓	<A		
	Staff appraisal procedure and pay progression: monitor and agree			✓		
	Benchmarking and Trust wide value for money: ensure robustness		✓	A		
	Benchmarking and academy value for money: ensure robustness		✓	<A		
	Develop Trust wide procurement strategies and efficiency savings programme			✓		

Possible procedure for working with LGB and reviewing delegation



*N.B. This flow diagram illustrates potential decision-making sequences that could be followed should the trustees need to consider a variation in the scheme of delegation. Because of the wide range of possible scenarios and school contexts it is not possible to predict how long each situation may take to resolve.