



# **Scheme of Delegation V3.9 – September 2023**

RESPONSIBILITY FOR REVIEW: TRUST BOARD

DATE OF APPROVAL: TBC

Review due: July 2024

## Version Control Table

Version	Date	Author	Rationale/Summary of changes	Ratified
V1.3	04/03/2018	Paul Barker-Mathews	Final version - after changes made following extraordinary full governing body meeting held on the 26 <sup>th</sup> February 2018.	26/02/2018
V1.5	09/04/2019	Paul Barker-Mathews	Changed wording from Executive Headteacher to Chief Executive Officer.	
V2.0	09/07/2019	Tina Smith	Annual review – no changes.	
V3.0	10/12/2019	Tina Smith	Full review of scheme of delegation.	
V3.1	13/01/2020	Tina Smith	Amendments made to the following: Page 2/contents page – correct error on page numbering. Page 6/The Trustees/bullet point 10 – change of wording. Page 6/The Headteacher/bullet point 1 – change of wording. Page 8/Delegations/No. 2 – Tick added to Trust Board. Page 10/Delegations/Area 4 – changed from 'Being Strategic'. Page 10/Delegations/No. 33 – Advisory role added to LGB. Page 11/Delegations/No.48 – Advisory role added to LGB.	
V3.2	04/03/2020	Tina Smith	Amendments made to the following: Page 7/Local governing body – amendments to wording of the appointment for chair and vice chair, bullets point 4, 5 and an additional bullet point added (point 7). Page 8/Delegations/No. 5 - Tick added to LGB and advisory role added to the Headteacher. Page 9/Delegations/No. 18 – amended wording. Page 10/Delegations/No.31 – Tick added to Trust Board and LGB. Page 11/Delegations/No.38, 39 and 40 – amendment to wording. Page 11/Delegations/No.47 – Tick added to LGB, Headteacher and central executive team to advise.	
V3.3	16/06/2020	Tina Smith & Liz Hardy	Amendments made to the following: Page 3/contents page – 2.5/add Executive Headteacher. Page 4/paragraph 4/change of wording. Page 4/Governance structure diagram/added remuneration committee. Page	

			6/2.3.3 Remuneration paragraph added. Page 6/2.5 and 2.6 changed wording to include Executive Headteacher. Page 7/added point 8 to delegated functions. Page 8-12/Delegations/No.10, 11, 16, 29, 33, 37, 38, 42, 45 & 46 – amended wording. Page 11/Delegations/No.37 & 45 – added advisory role to LGB. Page 11/Delegations/No.48 – added tick to Trust Board.	
V3.4	13/07/2020	Tina Smith	Amendments made to the following: Page 4/paragraph 4, bullet point 1, change the word responsibility to accountability. Page 8/delegation 7, advisory role to central executive team, action to LGB. Page 10/delegation 25, added the word 'agree'. Page 10/delegation 34, action at LGB, advisory role to Headteacher.	
V3.5	14/07/2020	Tina Smith	Amendments made to the following: Page 11/delegation 28, LGB recommend, executive team advise, trust to determine	14/07/2020
V3.6	05/07/2021	Tina Smith	Page 11/delegation 34, LGB advise, executive team to agree, trust to ratify Page 12/delegation 48, LGB to advise, executive team to agree, trust to ratify Annual Review, No Change	13/07/2021
V3.7	05/07/2022	Tina Smith	Annual Review, No Change	
V3.8	12/09/2022	Tina Smith	Page 6, 2.1, bullets point 7, changed number of Trustees from 5 to 10 Page 7, bullet point 1, changed number of Trustees from 5 to 10	27/09/2022
V3.9	27/06/2023	Tina Smith	Annual Review, No Change	

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# 1 Introduction

M20 Learning Trust’s vision is to deliver excellent education for all the children in the M20 Learning Trust within the framework of our core values.

M20 Learning trust believes in the transformational and life-enhancing power of education, in children’s rights and the values of respect, dignity and non-discrimination, respect for all faiths and non-faith, honesty and respect for the law and service to our communities and a commitment to sustainability.

Our aim is to:

- To promote a rich and exciting curriculum that enables our pupils to develop and thrive in a safe environment
- To achieve strong progress in educational and life outcomes regardless of background
- To encourage creativity, participation in the performing arts and other enrichment activities
- To have strong and strategic leadership at all levels
- To aim for and achieve excellence in professional learning and development
- To promote mental and physical health
- To grow the trust so that it becomes a thriving collaboration of schools which create opportunities for our students and staff, raise aspirations and inspire excellence

M20 Learning Trust’s model of governance is designed to:

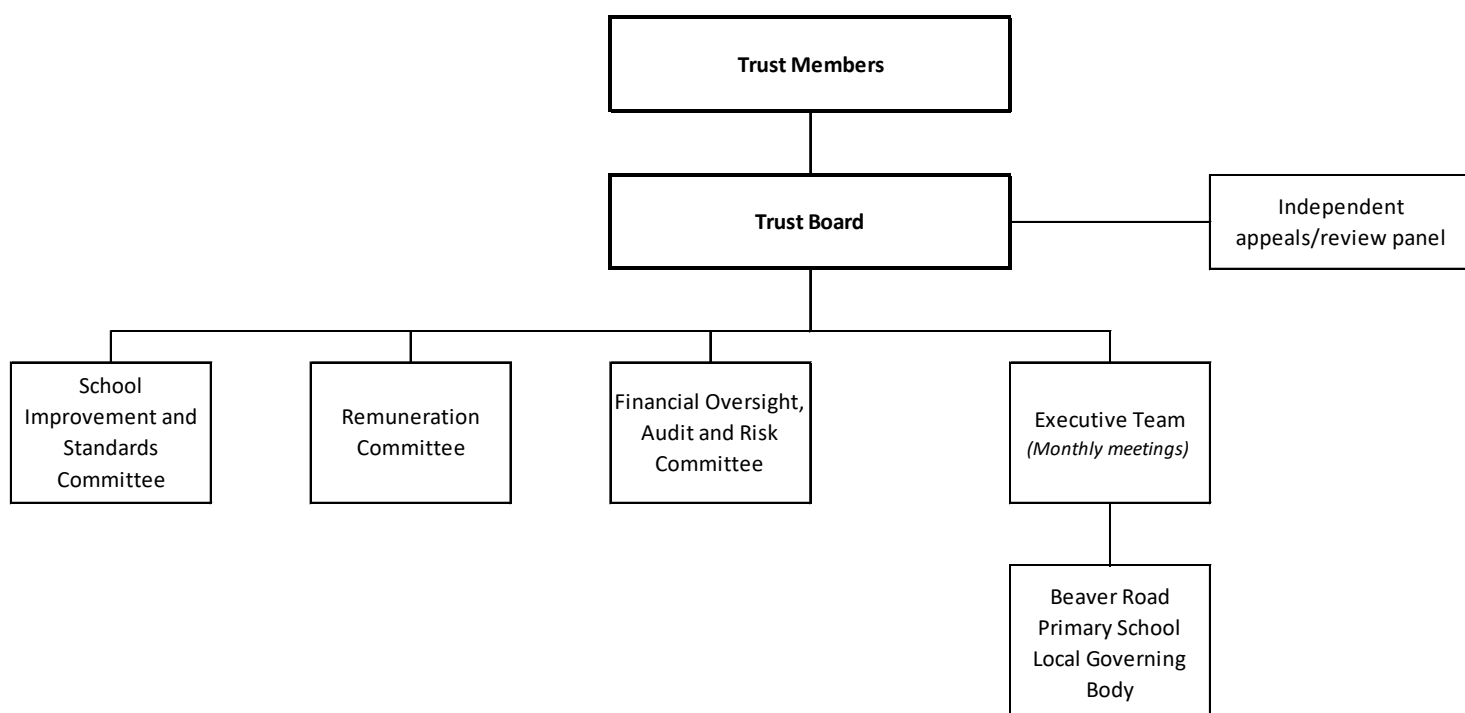
- recognise the overall accountability of the Trust Board;
- ensure Headteachers are held accountable by being line managed by the Executive Headteacher (who is the named CEO);
- support and challenge the Local Governing Bodies.

The law places accountability for the educational outcomes and financial diligence of the Trust firmly with the Trustees and the Executive Headteacher (CEO) as Accounting Officer. Much of this responsibility is located at Trust Board level.

However, effective governance is best delivered as close as possible to the point of impact of decisions. For this reason, we have developed a governance structure that works closely with the Local Governing Bodies (LGBs) and delegates some accountabilities to the Local Governing Bodies (LGBs).

The Governance Structure of the M20 Learning Trust is as below:

## Governance Structure



## 2 Roles and Responsibilities

### 2.1 The Members

- The Members of the Trust are guardians of the governance of the Trust.
- Members are not permitted to be employees of the Multi Academy Trust (MAT).
- There must be at least three Members.
- They will have been the signatories to the Memorandum of Association and will have agreed the Trust's first Articles of Association (the legal document which outlines the governance structure and how the Trust will operate).
- The Articles of Association will 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.
- Members may appoint by ordinary resolution up to 10 Trustees.
- Members are permitted to be appointed as Trustees but in order to retain a degree of separation of powers between the Members and the Trust Board, not all Members should be Trustees.
- Providing that the Chief Executive Officer agrees so to act, the Members may by ordinary resolution appoint the Chief Executive Officer as a Trustee.

### 2.2 The 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.
- The Trustees 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 and its funding agreement, the Trust Board is legally responsible and accountable for all statutory functions, for the performance of all schools within the Trust and for approving a written Scheme of Delegation of Financial Powers, that maintains robust internal control arrangements.
- In addition, the Trust Board is responsible for the three Core Governance Functions:
  - a. Ensuring clarity of vision, ethos and strategic direction
  - b. Holding the Central Executive Team to account for the educational performance of the Trust's schools and their pupils, and the performance management of staff
  - c. Overseeing the financial performance of the Trust and making sure its money is well spent
- The Trust Board has overall responsibility for progress and attainment, financial affairs and the use of resources efficiently to maximise outcomes for all pupils in the Trust's schools.
- The Trust Board appropriately delegates school level monitoring and scrutinising functions to the Local Governing Body (LGB) of each school, to promote stakeholder engagement, effective consultation and representation.
- Trustees do not need to sit on LGBs so lines of communication to the Trust Board have to be clearly established.
- The Trust Board establishes committees to carry out some of its governance functions which may include making decisions. Any decisions made will be deemed decisions of the Trust Board. The Trust Board appoints Trust Board Committee Chairs and Committee Members according to their skills and experience.
- The Academies Financial Handbook makes it clear that the Trust Board 'should have a finance committee to which the board delegates financial scrutiny and oversight'. This M20 Learning Trust committee incorporates audit, as our income does not exceed the threshold for a separate committee to be required.
- The Trust Board appoints the Chief Executive Officer (CEO) to whom it delegates responsibility for the delivery of its vision and strategy. The Trust Board 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 the Trust's financial management.
- The Trust Board has the right to review and adapt its governance structure at any time.
- The number of Trustees shall not be less than three.

- The Trust Board may have up to ten Trustees appointed by the Members and Trustees can co-opt new Trustees to the Trust Board.
- Employees of the Trust may not exceed 1/3 (one third) of the number of Trustees

## **2.3 Trust Board Sub-Committees**

### **2.3.1 Financial Oversight, Audit and Risk Committee**

The objective of the committee is to assist the board in meeting its responsibilities in:

- Monitoring financial performance and forecasts
- Ensuring the adequacy and effectiveness of the financial reporting
- The value for money of resources
- Capital projects
- Risk management
- Internal and external auditing

### **2.3.2 School Improvement and Standards Committee**

The objective of the committee is to support the strategic role of the board by scrutinising in-depth the standards achieved by each school and then to report its observations succinctly to the main board.

### **2.3.3 Remuneration Committee**

The objective of the committee is to assist the board in recruiting, appointing and setting the remuneration of the CEO and the Executive Team of the Trust. Hold oversight of the pay and terms and conditions of service of all employees in the Trust and review and recommend to the Board any significant changes to staffing structures within the Trust and its Academies.

## **2.4 The Central Executive Team**

The Central Executive Team is the executive arm of the Board made up of the Chief Financial and Operating Officer (CFO) and the Headteachers of each Academy under the direction of the Executive Headteacher (CEO). Its functions are:

- To direct and support the operation of each Academy, developing strategic plans and policies in core areas of the operation in accordance with the direction of the Trust Board. These include risk, teaching and learning, leadership development, training, finance, HR and ICT.
- To manage the conversion of schools to Academies. The Central Executive Team carries out Due Diligence across the school to establish its position and identify any action required, and, with the DfE, LA and solicitors, manages the associated legal processes.

## **2.5 Executive Headteacher (EHT)/Chief Executive Officer (CEO)**

- The EHT/CEO has the delegated responsibility for the operation of the Trust including the performance of the Trust's Academies.
- The EHT/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 EHT/CEO leads the Central Executive Team of the Trust. The EHT/CEO will delegate executive management functions to the Central Executive Team and is accountable to the Trust Board for the performance of the Central Executive Team.
- The EHT/CEO is involved in undertaking the performance management of each Headteacher of Schools in the Trust.

## **2.6 The Headteacher**

- The Headteacher of each School is responsible for the leadership and management of the School, in compliance with the Headteachers' Standards 2015 published by the Department for education (DfE).
- The Headteacher is a member of the Central Executive Team of the Trust.
- The Headteacher is accountable in the first instance to their Local Governing Body and ultimately to the Executive Headteacher (CEO) and the Trust Board.

## **2.7 Local Governing Body**

- The Trust Board establishes Local Governing Bodies (LGBs) to carry out School level governance functions.
- The Headteacher of each School will sit on their School's LGB.
- At least 2 parents and 2 staff members will be directly elected to each LGB.
- The appointment of Chair and Vice Chair of each LGB will be elected at LGB level but confirmed by the Trust Board.
- Delegated functions of an LGB include:
  1. Approval school policies
  2. Monitoring school value for money
  3. Agreeing school improvement priorities
  4. Approve school staffing structure
  5. Approve budget plan to support delivery of their school key priorities
  6. Determine school vision & strategy and agree key performance indicators in line with the trust vision
  7. Participate in the appointment of the Headteacher for their School.
  8. Chair or Vice Chair of Governors invited to attend Full Trust Board meetings. This may be delegated to another Governor where appropriate.



### 3 Delegations

#### Key

Column 1: Members

Column 2: Trust Board of the Multi Academy Trust (TB)

Column 3: Executive Headteacher (CEO) and Central Executive Team

Column 4: Local Governing Body (LGB)

Column 5: Headteacher of School

Green 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	No.	Decision	Members	Trust Board	Central Executive Team	Local Governing Body	Headteacher of School
<b>1. People</b>	1	Members: Appoint/Remove	✓				
	2	Trustees: Appoint/Remove	✓	✓			
	3	Role descriptions for Members	✓				
	4	Board Committee Chairs: appoint and remove		✓	<A>		
	5	LGB Chair and LGB Committee Chairs appointment and removal		✓	<A>	✓	<A>
	6	Clerk to Board: appoint and remove		✓			
	7	Clerk to LGB Committees: appoint and remove		✓	<A>	✓	

<b>2. Systems and Structures</b>	8	Articles of Association: review and agree	✓	<A	<A		
	9	Governance structure (committees) for the Trust: establish and review annually		✓	<A		
	10	Terms of reference for Trust Board Committees and LGB Committee: agree annually		✓	<A		
	11	Scheme of Delegation for the Trust Board and LGB: agree annually		✓	<A		
	12	Skills audit: complete and recruit to fill gaps		✓	<A>	✓	< A
	13	Self-review of Trust Board and Committees: complete		✓			
	14	Self-review of LGB and LGB Committees: complete				✓	< A
	15	Trustee / LGB contribution: review annually		✓		✓	
	16	Trust Board & LGB Committee member succession planning		✓	<A>	✓	< A
	17	Annual Schedule of Business for Trust Board: agree		✓	<A		
	18	Annual Schedule of Business for LGB agree			A >	✓	<A
<b>3. Reporting</b>	19	Publication on website of all required details on governance arrangements: ensure		✓	<A	✓	<A
	20	Annual report on performance of the Trust: submit to Members and publish		✓	<A		
	21	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	<A		

<b>4. Strategy and Key Appointments</b>	22	Determine Trust wide policies which reflect the Trust's ethos and values (facilitating discussions with unions where appropriate): approve		✓	<A		
	23	Determine school level policies which reflect the school's ethos and values: approve			A >	✓	< A
	24	Central spend / recharge: agree		✓	< A		
	25	Management of risk: establish register, review and monitor: agree		✓	<A>	✓	< A
	26	Engagement with stakeholders	✓	✓	✓	✓	✓
	27	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		
	28	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓	<A>	✓	
	29	Executive Headteacher/Chief Executive Officer: appoint and dismiss		✓			
	30	Headteacher of School : appoint and dismiss		✓	<A>	< A	
	31	Budget plan to support delivery of Trust key priorities: agree		✓	<A		
	32	Budget plan to support delivery of school key priorities: agree		✓	<A>	✓	✓
	33	Trust central team staffing structure: agree		✓	<A		
	34	School staffing structure: agree		✓	✓	<A>	✓

<b>5. Holding to Account</b>	35	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	< A >	✓	< A
	36	Reporting arrangements for progress on key priorities: agree		✓	< A >	✓	< A
	37	Performance management of the Executive Headteacher/Chief Executive Officer: undertake		✓		< A	
	38	Performance management of Executive Team by CEO, undertake			✓	< A	
	39	Trust Board performance monitoring: agree arrangements		✓	< A		
	40	LGB members performance: review				✓	< A
	41	LGB overall performance monitoring		✓	< A		
<b>6. Ensuring Financial Probity</b>	42	Appoint Chief Financial & Operating Officer (CFO) for delivery of Trust's detailed accounting processes		✓	< A		
	43	Trust's Scheme of Financial Delegation: establish and review		✓	< A		
	44	External auditors' report: receive and respond		✓	< A		
	45	EHT/CEO pay award: agree		✓		< A	
	46	DFR/CFO pay award: agree		✓	< A		
	47	Headteacher pay award: agree		✓	< A >	< A	
	48	Staff appraisal procedure and pay progression: review and agree		✓	✓	< A >	✓
	49	Benchmarking and Trust wide value for money: ensure robustness		✓	< A		
	50	Benchmarking and school value for money: ensure robustness				A>	✓

	51	Develop Trust wide procurement strategies and efficiency savings programme			✓		
	52	Review and approve Trust wide procurement strategies and efficiency savings programme		✓	< A		