

SCHEME OF DELEGATION

Lead officer:	Governance Professional & Company Secretary	Approving body:	LCT Board of Trustees
Version:	2023-01	Date approved:	18/12/23
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1 INTRODUCTION

- 1.1** The purpose of the Scheme of Delegation is to define the lines of accountability and responsibility, and where the authority for making key decisions lies, across the Learning Community Trust (LCT). This helps to ensure everyone involved in the strategic management of the trust and its schools understands their roles and responsibilities. It does this by setting out the Trust's approach to delegations between the different layers of its governance structure and is a delegation by the Trustees under Article 105 of the LCT's Articles of Association of certain powers and/or functions.
- 1.2** This Scheme:
- Confirms the powers and functions reserved to the Trustees
 - Should be read in conjunction with the LCT's governing documents
 - May only be altered/revoked by the Trustees
- 1.3** The LCT's Financial Scheme of Delegation, which is a requirement within the Academy Trust Handbook, is a separate document and supplements this Scheme in respect of the financial powers and operation of robust internal controls.
- 1.4** This Scheme of Delegation document includes information about the LCT's governance and the roles/responsibilities within the governance structure. This is then followed by an introduction to how the Scheme of Delegation has been developed and how it will be used in practice across the Trust. The final section of the document (Section 5) comprises the Scheme of Delegation itself.

2 LCT GOVERNANCE

- 2.1** As set out in the Department for Education's Governance Handbook, the responsibilities of the LCT Board of Trustees is to:
- Ensure clarity of vision, ethos and strategic direction;
 - Hold executive leaders to account for the educational performance of the organisation and its pupils, and the effective and efficient performance management of staff; and
 - Overseeing the financial performance of the organisation and making sure its money is well spent
- 2.2** The LCT Board appoints a Chief Executive Officer (CEO), to whom it delegates responsibility for delivery of the vision and strategy of the LCT. The CEO is then held accountable for the performance of the Trust, including its academies and financial management. The CEO manages the Executive Leadership Team (ELT), comprising the Executive Director, the Directors of Education and the Chief Operations Officer, carrying out their performance management and setting their targets.
- 2.3** The LCT Board has established committees in place for Resources, Standards and Audit & Risk. Each committee has clear and specific terms of reference and has a membership consisting of three Trustees and the appropriate member(s) of the ELT.

- 2.4** Also considered a committee of the LCT Board are the local governing bodies (LGBs) in place at each of our schools/academies. The LGBs are have clear and specific terms of reference, including agreed membership, governor designations and defined terms of office.

3 ROLES AND RESPONSIBILITIES

3.1 Members

The Members of the Learning Community Trust are responsible for appointing Trustees to ensure the Trust's charitable objects are carried out. They also have the power to remove Trustees if they feel they are failing to fulfil this responsibility. Their other responsibility is the approval of any proposed changes to the Trust's Articles of Association.

In line with the DfE's preference the LCT has five Members who are kept regularly informed through a series of informal briefings and meetings and formal reports to Members through the Annual General Meeting.

3.2 The LCT Board

The Learning Community Trust, as a multi-academy trust, is a charitable company – this means our trustees are both charity trustees and company directors. The LCT is therefore accountable to both The Charity Commission and Companies House and bound by both charity and company law. Collectively, the trustees are known as the LCT Board.

The trustees are responsible for the strategic oversight of the administration and management of the Trust and are legally responsible and accountable for all statutory functions, the performance of the schools/academies within the Trust, and compliance with its governance and regulatory documents, including the LCT's Articles of Association, its funding agreements and the Academies Trust Handbook. The LCT Board is legally responsible and accountable to the Department for Education (DfE).

The Board is supported by the LCT's Governance Professional, who also acts as Company Secretary and provides advice and guidance to trustees on governance and matters of compliance with its legal responsibilities. The Governance Professional attends all meetings of the Board and ensures an accurate record of the business discussed is kept.

3.3 Trust Committees

As permitted in its Articles of Association, the LCT Board has established committees to perform specific functions, which may include making decisions on its behalf. These delegated responsibilities are included within this Scheme of Delegation and outlined in more detail within the terms of reference for each committee.

Each committee's membership comprises three trustees and appropriate member(s) of the Executive Leadership Team, and is chaired by one of the trustees who is appointed to that role by the LCT Board. The LCT's Governance Professional clerks the meetings of these committees. As appropriate, and as required, the Chair of each committee may act with delegated responsibility of that committee.

The committees of the LCT Board are:

- Audit & Risk
- Resources
- Standards

The local governing bodies (LGBs) at every school are also considered to be committees of the LCT Board. The role of the LGBs is to have an overview of individual school performance and provide both support and challenge to school leaders.

3.4 Executive Leadership Team (ELT)

As mentioned above, the CEO has delegated responsibility for the operation of the Trust.

To deliver this, the CEO leads the LCT's Executive Leadership Team (ELT). In addition to the CEO, the ELT comprises:

- Chief Operations Officer (operational element of the management of the trust's schools and central services)
 - o Director of Finance (Chief Financial Officer)
- Executive Director (School Improvement)
 - o Director of Primary Education
 - o Director of Secondary Education
 - o Director of Specialist Education
 - o Assistant Director of Education

3.5 School leaders - Headteachers and Principals

The LCT's Headteachers (primary settings) and Principals (secondary and specialist settings) are responsible for the day-to-day management of their schools. They report to their respective ELT Director (see 3.4) and also their local governing body.

3.6 Chair's action – LCT Board

No individual trustee has the authority to make decisions on behalf of the LCT Board, unless specified within this Scheme of Delegation.

However, there are circumstances where the Chair of the LCT Board can make a decision as a single trustee. This is an exception and must only be done when:

- delaying the decision-making would be seriously detrimental to the interests of the LCT and any of its schools; and
- it would not be possible to postpone the decision to a meeting of the LCT Board, taking into consideration the time needed for appropriate notice to be given and paperwork to be prepared/circulated in sufficient time

The following decisions must not be taken by Chair's action:

- decisions regarding admissions
- approvals of financial spend above £10,000

- decisions on executive pay

The use of a Chair's action should be reported to trustees at the earliest opportunity and formally minuted at the next available meeting.

4 – USING THE SCHEME OF DELEGATION

- 4.1 The LCT Board is able to delegate certain roles and responsibilities to other layers (individuals and groups/committees) of governance and leadership across the LCT structure. The Scheme of Delegation in the next section of this document ensures these delegations are clear, transparent and easy to understand.
- 4.2 The Scheme of Delegation sets out:
- The LCT's key areas of delivery
 - The main roles and responsibilities within each of these delivery areas
 - The tiers of governance and leadership for each of these roles and responsibilities who are accountable, responsible, consulted and informed

The definitions of these terms are as follows:

Accountable (A) – this body/individual is accountable for that activity/decision

Responsible (R) – this body/individual has responsibility for delivering that activity/decision in line with agreed policy

Consulted (C) – this body/individual will be consulted about the activity/decision and entitled to provide/receive feedback

Informed (I) – this body/individual will be informed about the activity/decision via agreed communication channels

- 4.3 The Financial Scheme of Delegation, Policy Framework and School Leaders' Handbook are LCT documents that sit alongside and complement this Scheme of Delegation.
- 4.4 Questions or queries regarding the implementation of this Scheme of Delegation should be referred to the LCT's Governance Professional. In the case of disagreement, circumstances arising outside of this Scheme or other exceptional circumstances, accountability and responsibility shall rest with the LCT Board (or on their behalf the Chair of the LCT Board).



5 - LCT SCHEME OF DELEGATION

Key: R = Responsible A = Accountable C = Consulted I = Informed

		Members	Trustees	A&R	Resources	Standards	CEO	ELT	HT/Principal	LGB
1 - GOVERNANCE FRAMEWORK										
1.1	Approve this Scheme of Delegation		R	C	C	C	C	C	I	I
1.2	Approve any temporary delegated authority to individuals or committees		R							
1.3	Appoint/remove Members	R								
1.4	Appoint/remove the Chair and Vice Chair of Trustees		R							
1.5	Approve terms of reference for the committees of the Trust Board		R	C	C	C	C	C		I
1.6	Appoint the Chairs and approve membership of the committees of the Trust Board		R	C	C	C				
1.7	Appoint/remove co-opted governors at local/school level								I	R
1.8	Appoint external auditors	R	C	C				C		
1.9	Appoint internal auditors		A	R				C		
1.10	Approve the annual audit plan (internal and external)		A	R				C		
1.11	Approve the Code of Conduct for Members, Trustees and local governors		R				C	C		C
1.12	Set the Trust's strategic objectives and develop the character, mission and ethos of the Trust and its schools		A				R	C		
1.13	Provide independent challenge and support regarding delivery against strategic objectives		R							
1.14	Implement appropriate controls for the identification and management of conflicts of interest/loyalty		A	C			R	R		
2 – FINANCIAL MANAGEMENT AND TRUST GROWTH										
2.1	Set vision and targets for trust growth		A				R	C		
2.2	Undertake the due diligence review process on potential schools joining the trust		A				R	R		
2.3	Approve the transfer in of schools into the Trust		R				C	C		
2.4	Approve the annual accounts		R	C	C		C	C		
2.5	Agree the funding model for the Trust		R		C		C	C	I	I
2.6	Comply with funding agreements		A				R	C	R	I
2.7	Develop and approve the annual budget and 3-year outturn		R		C		C	C	C	I
2.8	Implement appropriate financial controls to ensure regularity, probity and VFM		A	C	C		R	R	R	
2.9	Produce monthly management accounts in accordance with the Academy Trust Handbook		A		C		C	R	C	I
2.10	Manage the cash position (including reporting on cashflow)		A		C		C	R		



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		Members	Trustees	A&R	Resources	Standards	CEO	ELT	HT/Principal	LGB
2.11	Authorise the establishment of bank accounts and approve bank mandates in the name of the Trust		R	I	I		C	C		
2.12	Manage procurement exercises in line with compliance requirements		A	C	C		C	R	R	
2.13	Approve the Trust's Reserves Policy and Investment Strategy		A		C		C	R	I	I
2.14	Provide independent challenge and support regarding financial management and compliance		R	R	R					
3 – PREMISES/ESTATES										
3.1	Develop the Trust's Estates Strategy		A		C		C	R	C	I
3.2	Acquiring and disposing of buildings/land in line with procedures and regulations		A		C		C	R	C	I
3.3	Maintain buildings (including having a properly funded maintenance programme)		A		I		C	R	R	I
3.4	Set the Health & Safety Policy		A		R			C	C	I
3.5	Respond to Health & Safety incidents in schools		A		I			C	R	I
3.6	Appoint a person in charge of first aid in schools		A					C	R	I
3.7	Review risk assessments		A					R	R	
4 – RISK MANAGEMENT										
4.1	Approve the Trust's Risk Management Policy and framework		A	R				C	I	
4.2	Approve the strategic risk appetite level		A	R			C	C		
4.3	Monitor and review the management of strategic risk		A	R			R	R		
4.4	Monitor and review the management of operational risk in academies							C	R	
4.5	Provide independent challenge and support regarding the management of strategic risk		R	R				C		
4.6	Provide independent challenge and support regarding the management of local (school) risk							A		R
5 – EDUCATION FRAMEWORK										
5.1	Approve the School Improvement Strategy and Classification Model		A			C	C	R	I	I
5.2	Provide independent challenge and support regarding the execution of the School Improvement Strategy		R			R				R
5.3	Develop the academy development plans (ADP)						A	C	R	I
5.4	Approve school targets and sign-off the academy development plans						A	R	C	I

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		Members	Trustees	A&R	Resources	Standards	CEO	ELT	HT/Principal	LGB
5.5	Monitor performance against school targets and ADP objectives						C	R		
5.6	Provide independent challenge and support regarding the implementation of the ADPs							R		R
5.7	Approve Curriculum Policy and plans at school level							A	R	C
5.8	Appoint a DSL for the academy/school							C	R	I
5.9	Comply with statutory safeguarding guidance, including maintenance of the SCR		A				R	R	R	C
5.10	Suspend a pupil for more than 15 days or permanently exclude							C	R	I
5.11	Review a Headteacher/Principal's decision to suspend							I	I	R
5.12	Set Admissions Policy		A				C	R	C	I
5.13	Deliver admissions decisions						A	C	R	C

6 – APPOINTMENTS/DISMISSALS AND DESIGNATIONS

6.1	Appoint/dismiss/suspend the Chief Executive Officer (also Accounting Officer)	C	R							
6.2	Appoint/dismiss/suspend the Chief Financial Officer		C				R	C		
6.3	Appoint/dismiss the Clerk to the LCT Board/Company Secretary		R				C			
6.4	Appoint via a panel/dismiss/suspend a member of the Executive Leadership Team		C				R			
6.5	Appoint via a panel/dismiss/suspend a Headteacher (HT)/Principal		C			I	R	C		C
6.6	Appoint via a panel/dismiss/suspend a Deputy HT/Principal or Asst HT/Principal							R	C	C
6.7	Appoint via a panel/dismiss/suspend trust staff below ELT						C	R		
6.8	Appoint via a panel/dismiss/suspend trust staff below Asst HT/Principal level								R	I
6.9	Appoint/dismiss the Clerk to the LGBs		A					R	C	C
6.10	Hold the casting vote for the appointment of an ELT member						R			
6.11	Hold the casting vote for the appointment of a HT/Principal						R			
6.12	Hold the casting vote for the appointment of a school SLT member							R		
6.13	Hold the casting vote for the appointment of trust central staff appointment (below ELT)							R		
6.14	Appoint to an interim leadership position within a school						R	C		



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7 – PERFORMANCE MONITORING AND HOLDING TO ACCOUNT										
7.1	Undertake performance management of the CEO		R							
7.2	Undertake performance management of the ELT		C				R	R		
7.3	Undertake performance management of trust central staff (below ELT)						C	R	C	
7.4	Undertake performance management of the HTs/Principals						C	R		C
7.5	Determine the pay progression/award for the CEO		R							
7.6	Determine the pay progression/award for the ELT						R			
7.7	Determine the pay progression for the Trust central team						C	R		
7.8	Determine the pay progression for HTs/Principals							R		C
7.9	Determine the pay progression for school-based staff								R	C
7.10	Provide independent challenge and support regarding school leadership		A			C		C		R
8 – POLICY MANAGEMENT (FOR POLICY DOCUMENTS NOT SPECIFIED ELSEWHERE)										
8.1	Approve any changes to the Articles of Association	R	C				C	C		
8.2	Approve this Scheme of Delegation		R	C	C	C	C	C	I	I
8.3	Approve the Financial Regulations and Financial Scheme of Delegation		A		R		C	C	I	I
8.4	Develop the policy framework for the trust (including review frequency and approval responsibilities)		A		C		C	R	I	I