



## **SCHEME OF DELEGATION**

### **2019-2020**

<b>Date</b>	<b>December 2019</b>
<b>Prepared by</b>	<b>Trust Board</b>
<b>Review Date</b>	<b>December 2020</b>
<b>Version</b>	<b>V2</b>

## **The Rose Learning Trust Scheme of Delegation**

The Rose Learning Trust is a charitable voluntary organisation which relies on the valuable input of a considerable number of non-executive volunteers, supported by an experienced team of staff. The Rose Learning Trust is a medium sized Multi-Academy Trust that covers the South Yorkshire and North Lincolnshire area. In the Rose Learning Trust governance model, each academy is ultimately governed by the Board of Trustees.

A multi academy trust's (MAT) board of trustees is accountable in law for all major decisions about their academies. 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 academy committees. It is vital that the decision to delegate a function is made by the full board of trustees and is recorded. Without such delegation, the individual or committee has no power to act.

The Rose Learning Trust Scheme of Delegation is the key document defining the lines of responsibility and accountability as a MAT

Once determined the SoD must be published on the trust and its schools' websites.

The SoD reflects both the governance framework and 3 core functions of the governing board as follows: -

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

The SoD should be reviewed annually, with changes made as the context changes, if necessary, each year.

## Principles

- 1 The Rose Learning Trust, founded in 2016, is an incorporated company and charity that aims to establish and maintain a number of Academies in accordance with guidelines laid down in its funding agreement
- 2 Effective governance in our Academy Trust is supported by the following:
  - Trust Members – the guardians of the constitution
  - Trust Board – The Trustees
  - The Central Team – The Chief Executive Officer (CEO), Deputy Chief Executive Officer (DCEO), Chief Finance Officer (CFO) and Chief Projects Officer (CPO)
  - Local Governing Bodies – the local governors
- 3 The Trust Board has overall responsibility and ultimate decision-making authority for all the work of the Academy Trust, including the establishment and maintenance of Academies
- 4 The RLT Articles of Association sets out the fundamental principles of the organisation. The model consists of the principles set out here, the Academy Trust Articles of Association and the detail set out in the Scheme of Delegation Matrix
- 5 The governance principles of RLT recognises the importance of developing relationships with common purpose and they are about developing processes and structure in a changing educational landscape
- 6 We will continue to develop our governance arrangements to shape and take account of best practice in the sector
- 7 We are compliant with the principles and regulations set out in the Academies Financial Handbook and the Governors Handbook. RLT governance intends to continue to develop its governance in an effort to ensure outstanding practice in governance.
- 8 Governance is underpinned by a common understanding about who is responsible for providing valuable input to decision making and who has the decision-making responsibility

## Vision and Mission

**Vision:** Transforming futures collaboratively  
**Mission:** Expecting more than others think possible

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The Rose Learning Trust, a local solution where leaders hold each other to account for the collective performance of the Trust.

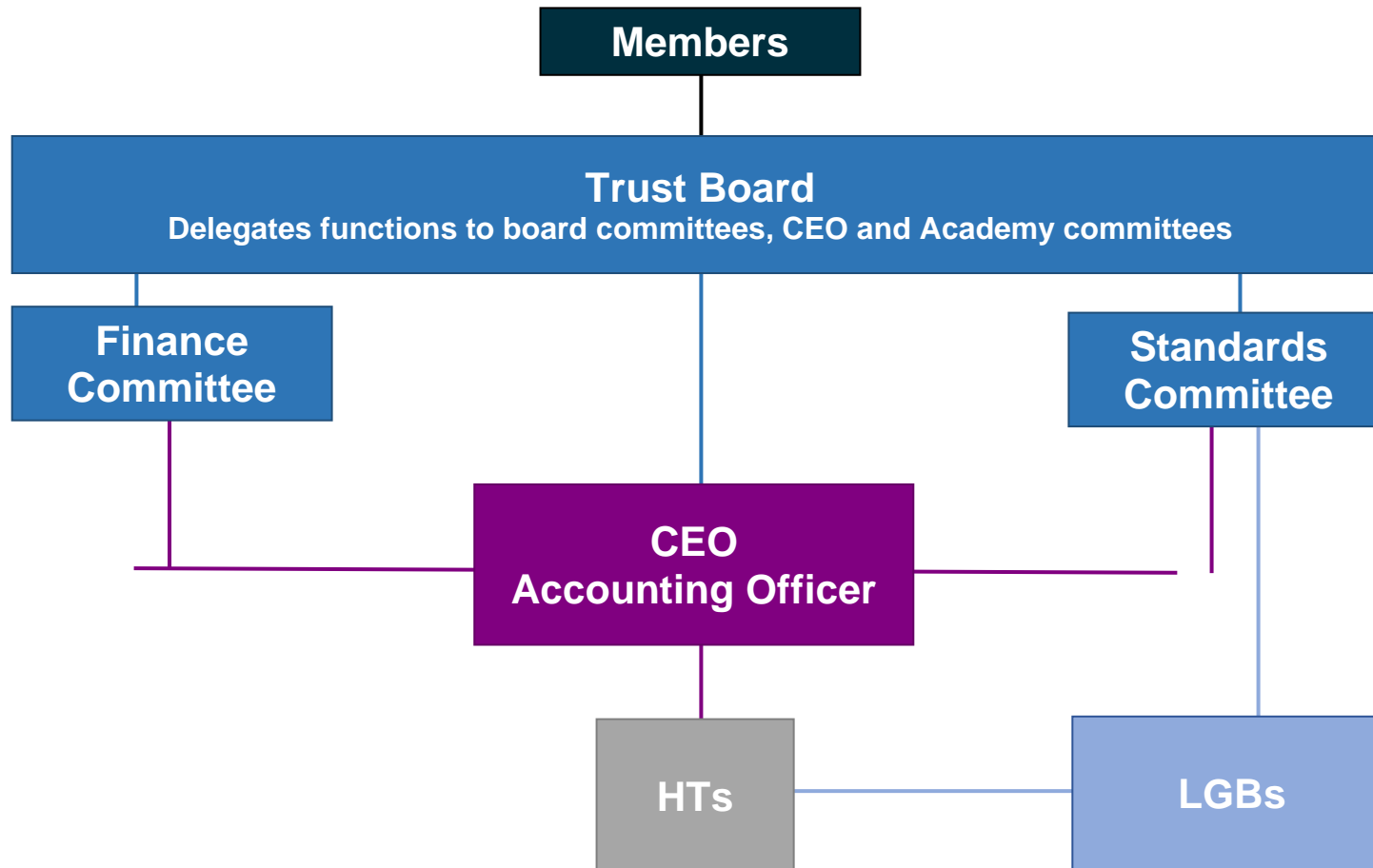
A Trust in which schools seek to support and productively challenge each other to improve outcomes and life chances for all of its children in all its communities

A Trust which shapes the educational future rather than being shaped by events

The work of the Rose Learning Trust has a moral purpose, displayed through our 'ROSE' values, which are applicable to the pupils, staff and work of the Trust itself

- **Resilience with integrity in a modern world.** A partnership of schools, which is values driven, self-critical, mutually accountable, that respects and has regard for the distinctiveness of each school
- **Opportunity – expecting more than others think possible.** Aspiring to improve on our previous best and always striving for excellence
- **Success for all through excellent teaching.** Improvement for all, socially and academically, and never accepting barriers as an excuse. Fostering a commitment to staff and student learning through authentic engagement and earned autonomy
- **Enjoyment and inclusion.** To champion learning orientated best practice in a collaborative school led system, through a culture of appreciative inquiry and intellectual curiosity

## Governance structure and lines of accountability



The board of trustees is responsible for the three core governance functions.

The board of 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 academies' principals, setting their targets and performance managing them.

The board constitutes committees for finance and standards; these look in detail at resources and progress and attainment across the trust. As board committees, at least three trustees must sit on each.

The board delegates some of its school level monitoring and scrutinising functions to LGBs and uses these committees to promote stakeholder engagement and as a point of consultation and representation. Trustees do not need to sit on LGBs, and so lines of communication to the board of trustees must be clearly established. It is usual for the CEO to seek input from the chair of the LGB when undertaking the headteacher's performance management.

As the headteacher is being line managed by the CEO, the LGB no longer carries out the governance 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. This arrangement will also affect the LGBs role in Ofsted inspections.

## Roles and Responsibilities

### The role of the members

The members of the trust are guardians of the governance of the trust and as such 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 (the legal 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.

There must be at least three members, although the DfE prefer at least five, and 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 expectations, not all members should be trustees. Members are not permitted to be employees of the academy trust.

### The role of 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. Because trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. NGA uses the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are neither company directors nor trustees.

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

### **The role of trust board committees**

The trustees may establish committees to carry out some of its governance functions which may include making decisions, although any decisions made will be deemed decisions of the trust board. The membership (there must be at least three trustees) 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 Academies Financial Handbook 2016 makes it clear that the board of trustees 'should have a finance committee to which the board delegates financial scrutiny and oversight'. In trusts with income above a certain level, there must also be 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 academies and so the CEO performance manages the academy principals. As there is the delegation of some governance functions to academy committees, this is usually with the academy committee chair alongside.

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.

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 LGB**

The trustees may establish LGBs to carry out some of its school level governance functions, although as trustees are not required to sit on LGBs, decision making is limited. Usually the LGB will appoint the chair and ensure that two parents are elected to the LGB.

Delegated function includes:

- Building an understanding of how the school is led and managed
- 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

As the LGB is a committee of the board, delegation can be removed at any time.

## **The role of the academy principal**

The academy principal is responsible for the day to day management of the academy and is managed by the chief executive or executive principal but reports to the LGB on matters which have been delegated to it which may include an element of monitoring and scrutiny of the school's management processes.

## Overview 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: LGB

Column 7: Academy principal

Blue box    Function **cannot** be legally carried out at this level.

✓    Action to be undertaken 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/ Audit Committee	TB Standards Committee	CEO	LGB	Academy Principal
Governance framework								
People	Members: Appoint/Remove	✓						
	Trustees: Appoint/Remove	✓	✓					
	Role descriptions for members	✓						
	Role descriptions for trustees/chair/ specific roles/LGB: agree		✓			<A		
	LGB members: elected					A>	✓	
	Trust Board committee chairs: appoint and remove		✓	✓	✓	<A		
	Academy LGB members: remove		✓			<A	<A	A
	Clerk to board: appoint and remove		✓					
	Clerk to LGB: appoint and remove		✓				✓	
	Disband an ineffective LGB and appoint IAB		✓			<A		
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 LGBs: agree annually		✓			<A		
	Skills audit: complete and recruit to fill gaps		✓			<A>	✓	A
	Annual self-review of trust board and trust committees: complete annually		✓					
	Annual self-review of LGBs: complete annually						✓	
	Chair’s performance: carry out 360 review periodically		✓				✓	
	LGBs development of strategic plan: review annually					A>	✓	A
	Succession: plan		✓			<A>	✓	A
	Annual schedule of business for trust board: agree		✓	✓	✓	<A		
Reporting								
	Annual schedule of business for LGBs: agree					✓	A	A

Area	Decision	Delegation						
		Members	Trust Board	TB Finance/ Audit Committee	TB Standards Committee	CEO	LGB	Academy Principal
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 academy LGBs: 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 admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies including capability, discipline, conduct and grievance: approve See statutory policy checklist		✓	✓	✓	<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 See statutory policy checklist					A>	✓	A
	Responsibility for actioning all statutory policies							✓
	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		✓			<A		

Area	Decision	Delegation						
		Members	Trust Board	TB Finance/ Audit Committee	TB Standards Committee	CEO	LGB	Academy Principal
Being Strategic	towards achieving the vision can be measured: determine							
	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 and dismiss					✓	<A	
	Deputy Headteacher/assistant 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
	Trust's staffing structure: agree		✓	<A	<A	<A		
	School staffing structure: agree					✓	A>	A
	Responsibility for actioning the agreed budget plan							✓
	Responsibility for actioning the agreed staffing structure							✓
	Holding to account							
Holding to account	Auditing and reporting arrangements for matters of compliance (e.g. safeguarding, H&S, employment): agree		✓	✓	✓	<A>	✓	A

Area	Decision	Delegation						
		Members	Trust Board	TB Finance/ Audit Committee	TB Standards Committee	CEO	LGB	Academy Principal
	Reporting arrangements for progress on key priorities: agree		✓	<A	<A	<A>	✓	A
	Performance management of the Chief Executive Officer: undertake		✓					
	Performance management of academy principal:					✓	A	
	Trustee monitoring: agree arrangements		✓			<A		
	Academy LGB monitoring: agree arrangements						✓	A
	Determine internal categorisation of individual academy					✓		
	Academy LGB overall performance monitoring: agree arrangements		✓			<A		
Ensuring financial probity (read alongside finance Scheme of Delegation document)								
Ensuring financial probity	Appoint Chief financial officer for delivery of trusts detailed accounting processes		✓	<A		<A		
	Trust's scheme of financial delegation: establish and review. See financial scheme of delegation document		✓	✓		<A		
	External auditors' report: receive and respond		✓	<A		<A	✓	A
	CEO pay award: agree		✓					
	Academy principal pay award: agree					✓	A	
	Central staff appraisal procedure and pay progression: review and agree		✓			✓		

Area	Decision	Delegation						
		Members	Trust Board	TB Finance/ Audit Committee	TB Standards Committee	CEO	LGB	Academy Principal
Ensuring financial probity	Academy appraisal procedure and pay progression: review and agree (with the exception of the Principal)		✓			<A	✓	<A
	Benchmarking and trust wide value for money: ensure robustness			✓		<A>		✓
	Benchmarking and academy value for money: ensure robustness					A>	✓	A
	Develop trust wide procurement strategies and efficiency savings programme					✓		
	Review and approve trust wide procurement strategies and efficiency savings programme			✓				

### RASCI Key:

<b>R</b>	<b>Responsible</b>	Those responsible for the task and decision making, who ensure that it is done
<b>A</b>	<b>Accountable</b>	Those ultimately answerable for the correct and thorough completion of the deliverable or task, and the one who delegates the work to those responsible
<b>S</b>	<b>Support</b>	Resources allocated to responsible. Unlike consulted, who may provide input to the task, support help complete the task
<b>C</b>	<b>Consulted</b>	Those whose opinions are sought, and with whom there is two-way communication
<b>I</b>	<b>Informed</b>	Those who are kept up to date on progress



	Finance	Trustees	CEO/CFO		LGB/IAB
1	Compliance with TRLT Financial Regulations and Academy Financial Handbook	A	R		R
2	To establish financial decision levels and limits	A	R		I
3	To establish a charges and remissions policy for the academy	A	R		I
4	To develop and propose the individual academy budgets	A	A	C	R
5	To recommend the first formal consolidated budget plan each financial year	A	A	R	I
6	To plan, manage and monitor monthly expenditure and financial reports, and identify actual or potential items of budget overspend/underspend	A	A	C	I
7	To approve any amount to be transferred between budget headings and/or likely budget overspends within the RLT Financial Regulations	A	A	C	R
8	Agreeing miscellaneous financial expenditure outside the agreed budget	A	A	C	R
9	To enter into additional contracts which exceed the agreed annual budget allocation within limits specified in the Financial Regulations Handbook	A	A	C	R
10	To authorise acquisition of assets within limits specified in the Financial Regulations Handbook	A	A	C	R
11	To authorise disposal of assets within limits specified in the Financial Regulations Handbook	A	I		R
12	To make payments within agreed financial limits	A	I		I
13	To collect income due to the academy	A	I		I
14	To maintain proper financial records for the academy	A	R		I
15	To prepare monthly accounts for the Trust	A	R		I
16	To monitor compliance with approved financial procedures	A	R		R
17	To appoint internal and external auditors	A	R		I
18	To develop risk management strategies	A	R		R
19	To decide how to apply Pupil Premium	A	C		R

