

Introduction to the scheme

A Multi Academy Trust's Board of Trustees is accountable in law for all major decisions about all the schools within The Trust. However, this does not mean that the board is required to carry out all the trust's governance functions and many functions can and should be delegated, including to the CEO, the board's committees, the newly formed Strategic Recommendation Groups (SRGs), and the local governing boards (LGBs). 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 principle governing document in the trust is the articles of association. The articles set out the charitable purpose of the trust, providing a framework for us to act within both company and charity law. It does not however include the specific detail of the trust's chosen governance structure and how governance functions have been delegated. This is why the trust has agreed a scheme of delegation that explicitly establishes who carries out which governance function and can therefore make the decisions associated with that function.

A scheme of delegation is an essential requirement for effective governance and clear decision making. As a document, we have tried to make the scheme of delegation as clear and systematic as possible, so that the members, trustees, board committees, SRGs, LGBs, and executive leaders are all certain about their roles and responsibilities within the governance structure.

To ensure understanding and to be transparent, the scheme of delegation is visible to all, both within and beyond the trust, so that it is clear how the governance structure and lines of accountability work. This is why we have published the scheme of delegation on the trust's website, as well as all of its individual academy websites.

It is worth noting that governing and managing groups of schools is complex - hence the scheme of delegation need not detail every single governance function, but seeks to demonstrate the principles which determine the lines of accountability so that it is clear where certain functions and key decision making lies.

Some points of principle:

- The trust maintains a clear distinction between accountability through governance (i.e. by the trust board and its committees) and accountability through line management (i.e. by executive leaders).
- There is clear separation between the layers of governance which means that the individuals making up one tier of the governance structure of the organisation are not the same as another tier.
- The SRGs bring together these different tiers to engage in trust-wide debate and responsibility over performance and growth.
- The trust can choose what we call our committees and this terminology is not used in the same sense as when it is used in maintained schools, where governing bodies and governors act in accordance with school governance regulations.
- The overarching scheme of delegation should not be confused with the written scheme of delegation of financial powers referred to in the [Academies Financial Handbook](#).

The status of the scheme of delegation

The scheme of delegation is a key governance document to ensure clarity about how accountability and decision-making works within the trust. This is why the Academies Financial Handbook (AFH) requires it to be published on the trust's website (AFH 2020 para 2.50).

It is especially important that you take time to understand the trust's scheme of delegation so that you are clear about the trust's approach to local governance and which functions are delegated. We supplement the scheme of delegation with terms of reference for LGBs, so it is clear how these are constituted.

Changing Lives Learning Trust makes a clear distinction between The Trustees and Governors who it holds as responsible for 'strategic oversight' and The Executive and headteachers who it holds accountable for the 'day to day management and leadership' of The Trust's academies.

As part of this structure there is a clear distinction that Strategic Recommendation Groups make 'recommendations' for Trust Board Approval. While they are part of the decision-making process and agree joint priorities, it is The Board who make the decisions on what is acceptable/unacceptable performance and growth and any associated actions.

As with all committees, the trust board has the power to change the constitution and powers of its committees at any time, and this includes the membership of those committees too.

Format and structure

While schemes of delegation will vary from trust to trust, our scheme includes:

1. a structure diagram which shows the layers of governance, basic functions, and lines of accountability
2. a narrative description of the roles and responsibilities of each layer of governance
3. a grid format, with columns for each layer of governance which indicates clearly who within the trust is responsible for each function and the associated decision making. The grid is in four key areas to reflect both the governance framework and the three core functions of the governing board:
 - a. The governance framework:
 - i. People
 - ii. Systems and structures
 - iii. Reporting
 - b. Being strategic
 - c. Holding to account
 - d. Ensuring financial probity

Our scheme does not use the legal language associated with articles of association. This is because a scheme of delegation is a trust board document (as are committee terms of reference), and as such can be revised and adapted in response to the trust board's context and circumstances. It is, however, important to ensure that all those involved in governance in the trust are consulted on and made aware of any changes and understand what these changes will mean in practice. This is the purpose of our review during the financial and academic year of 2020 to 2021.

Ethos

Our scheme of delegation reflects the trust's ethos, promoting a positive climate and a culture of honesty, transparency, and accountability for the benefit of all stakeholders.

If you are a Member, Trustee or Governor you are person in whom ultimate trust is placed. You stand outside the trust or academy but are intimately concerned with it and, with the benefit of some detachment, are influential in helping the trust and its academies maintain consistent high-level

performance and purposeful progress towards fulfilling our vision. It is vital we establish whether the net effect of your influence on others enriches, is neutral, or diminishes.

Executive Leadership

Our scheme of delegation also ensures the executive leadership is clear about which decisions the trust board retains, and the extent of executive powers. If you feel the scheme is not clear in this regard please contact the Governance Professional to the trust board – trustees@westlakesmat.org.uk.

We are clear that the trust board (which must include the three sponsor organisation appointed trustees) which is responsible for the appointment and performance management of the chief executive. It is the chief executive (supported by the relevant trustees) who is responsible for the appointment and performance management other senior executives, and the headteacher/Principal.

Core functions of the trust board

The trust board retains responsibility for:

- determining policy
- management of risk
- oversight of budgets and financial management
- oversight of educational performance

Our structure features:

Three clear layers of governance:

- members
- trustees
- committees and individuals with a focus on equality, diversity and inclusion

It makes clear that:

- The members have a limited yet distinct and vitally important role.
- The board of trustees is responsible for the core governance functions.
- The board of trustees appoint the chief executive (CEO), holding them accountable for their delegated responsibility for the conduct and performance of the trust, including the performance of the schools within the trust, and for its financial management.
- The board constitutes committees look in detail at resources and risk, and progress and attainment across the trust.
- The board also constitutes academy committees (LGBs) to provide links to parents and the community, as well as for providing additional scrutiny of how the trust is managing its schools.
- We believe this makes it clear from which tier within the governance structure that panels are convened. These include formal complaints panels, reviewing pupil exclusions and dealing with disciplinary matters.

Detailed roles and responsibilities

The role of the members

- The members of the trust are guardians of the governance of the trust and must ensure it carries out its charitable objective.
- There are three members (members are not permitted to be employees of the academy trust). They are the sponsors of the trust and are The Nuclear Decommissioning Authority, Sellafield Ltd. and The University of Central Lancashire. Each organisation appoints a single representative for their organisations. They are currently:
 - Andrew Sellar (NDA)
 - Alyson Armett (Sellafield Ltd.)
 - Lynne Livesey (UCLan)
- The members agree the trust's articles of association, appoint trustees by ratification and appoint the trust's external auditors.
- The members receive information about the trust's business and receive the annual report and accounts. If they have concerns that the trust is not carrying out its charitable objective, members can remove trustees that are failing to fulfil this responsibility.

The role of the trustees

- The trust 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 (within the terms of the Companies Act 2006).
- Trustees are bound by both charity and company law so the terms 'trustees' and 'directors' are often used interchangeably. We use the term trustee.
- The use of trustee also serves to highlight the overarching charitable purpose of the organisation, distinguishing it from other directorships that may be held in the private sector.
- Trustees are responsible for the general control and management of the trust and, in accordance with the provisions set out in the memorandum and articles of association and its funding agreement, are legally accountable for all statutory functions and for the performance of all the schools within the trust. They do this by carrying out the core governance functions.
- The board of trustees must approve a written scheme of financial delegation and a written scheme of delegation and committee terms of reference.
- The trust creates information pathways between the trust board, the academy committees (LGBs) and the chief executive so that academy committees (LGBs) can share with them any concerns or celebrations they may have.

The role of trust board committees

- Trustees delegate some governance functions to board committees, one of which must include audit and risk which advises on the adequacy of the trust's controls and risks.
- Our board committees must have at least three trustees in membership.
- We delegate detailed scrutiny of financial management and school performance to our Finance and General Purposes committees.

The role of the academy committee (LGBs)

- Trustees delegate some governance functions to academy committees (LGBs);
- There are no LGB committees in our structure because we focus the work of the LGBs in order to sharpen the decision making of the trust in regard to performance and growth;
- The LGB is responsible for setting clear and measurable targets that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement.
- There are two parent representatives at academy level (on the LGB) as opposed to trust wide elections for parent trustees.
- There is one staff representative at academy level (on the LGB) as opposed to trust wide elections for staff trustees

Being close to and representative of the community the school serves, the academy committees (LGBs) should be:

- a valued point of consultation and representation in the development of trust policies;
- the recipients of detailed information about how their schools are being managed;
- tasked with scrutinising management information thus providing assurance to trustees that the school is:
 - operating within the ethos and values of the trust and creating a positive climate for all stakeholders
 - working within agreed policies
 - meeting the agreed targets
 - engaging with stakeholders
 - acting as an ambassador for the trust;
- Our trust has some very small schools, and schools in very close proximity, and a number of schools overseen by an executive headteacher. In these circumstances, having one academy committee (LGB) overseeing that group of schools is an effective approach to local governance and will be adopted where appropriate.
- The trust board demonstrates the value of local governance by ensuring effective channels of communication between trustees and academy committees (LGBs), as well as providing specific training and development programmes for all involved in the governance of the trust.

The role of the chief executive

- The trustees delegate the day-to-day management of the trust to the chief executive, line managed in line with the trust's appraisal and performance management policies.
- The chief executive is also the accounting officer and so is not only responsible for the performance of the trust as a whole, but has a personal responsibility to parliament for the regularity, propriety and value for money, and for assuring the board about compliance with the funding agreement and the Academies Financial Handbook.
- The chief executive will be responsible for the leadership and management of the central executive team and the academies' headteachers and will report to the trust board and its committees.
- The chief executive is responsible for setting clear and measurable targets for the trust that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement

The role of Headteachers/Principals

- The chief executive delegates the day-to-day management of the trust's schools to headteachers, line managing them in accordance with the trust's appraisal and performance management policies.
- The headteacher is responsible for delivering clear and measurable targets that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement
- Headteachers share information about how the trust is managing the school with the academy committee (LGB) so that committee members build an understanding about how the school operates and are enabled to monitor and scrutinise how key policies and improvement plans are working in practice.

Variations

Delegation to an intervention board

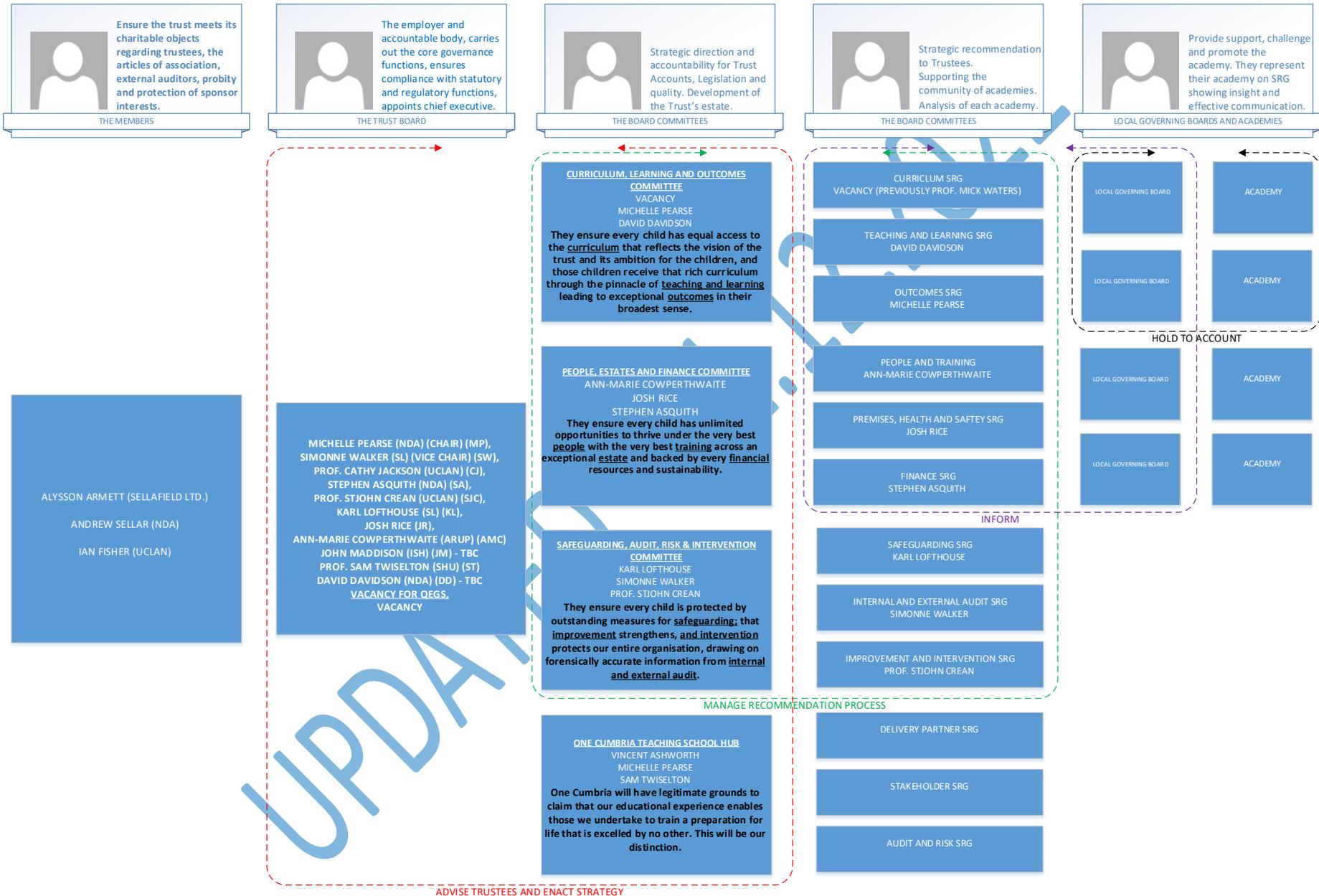
We will use of an intervention board as an effective way of governing a school which requires rapid improvement across a range of operational areas as well as to the local governance function. Similar to an interim executive board in a maintained school, an intervention board will generally consist of a small number of senior executives plus one or two non-executives (trustees or academy committee (LGB) members) who will meet very regularly (eg fortnightly or every three weeks or so) to monitor and evaluate agreed actions and to take key decisions. The chief executive will chair the intervention board and will report its work directly to the trust board via the chief executive.

The intervention board will not include parents, but we will establish a parent council in the school as soon as it is practicable. The intervention board will be time limited with the aim of establishing a local governance function as soon as possible.

Delegation to hubs or clusters

As we grow, we may consider moving to a hub or cluster model.

Organisation Chart (overleaf)



Delegation and decision making at Changing Lives Learning Trust

Example grid representation of delegation in an academy trust

Reading the grid
✓ - governance function and decision making is at this level
C - to be consulted prior to decision being made
Note: Decisions delegated to the trust board may be delegated to a board committee but not the CEO, academy committee or HT
* - members of charitable companies have a statutory power to remove a charity trustee/company director by ordinary resolution served by special notice, provided that the correct procedure has been followed (section 168, Companies Act 2006). It is also noted that while trustees can appoint trustees, they should inform the Members.

Governance function		Members	Trust board / board committees	Strategic Recommendation Groups	CEO / accounting officer	Academy committees (LGBs)	HT
Governance framework: people	Members: appoint/remove	✓					
	Trustees: appoint/remove*	*	✓				
	Parent trustees/parent academy committee (LGB) members: appoint when elected		C			✓	
	Board committee and SRG chairs: appoint and remove		✓				
	Named safeguarding trustee: appoint and remove		✓				
	Academy committee (LGB) chairs: appoint and remove		✓				
	Academy committee (LGB) members: appoint and remove		✓			C	
	Governance Professional to board: appoint and remove		✓				
	Governance Professional to SRGs: appoint and remove		✓				
	Governance Professional to academy committees (LGBs): appoint and remove		✓			C	
Governance framework:	Articles of association: review and agree	✓					
	Governance structure for the trust: establish and review annually		✓				

Governance function		Members	Trust board / board committees	Strategic Recommendation Groups	CEO / accounting officer	Academy committees (LGBs)	HT
systems and structures	Committee terms of reference and scheme of delegation: agree annually		✓	C			
	Annual schedule of governance business: agree		✓	C	C	C	C
	Self-review of trust board and committees: complete annually		✓	C			
	Self-review of academy committees (LGBs): complete annually		C	✓		C	
	Chair's performance: carry out 360° review periodically		✓				
	Trustee/academy committee (LGB) member contribution: review each member's contribution to the board/committee annually		C	✓		✓	
Governance framework: reporting	Publish governance arrangements on trust and schools' websites: ensure				✓		
	Setting clear and measurable targets that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement				C	✓	C
	Approving clear and measurable targets that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement		✓			C	
	Annual report on the performance of the trust: submit to members and publish		✓	C		C	
	Annual self-review/triannual external review of board effectiveness: submit to members		✓	C		C	
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit to members and Companies House		✓				
	ESFA required reports and returns submit		✓				
	Annual report work of academy committee (LGB): submit to trust and publish					✓	

Governance function		Members	Trust board / board committees	Strategic Recommendation Groups	CEO / accounting officer	Academy committees (LGBs)	HT
Being strategic	Determine trust wide policies which reflect the trust's ethos and values: approve		✓	C	C		
	Determine school level policies: approve			✓		C	C
	Management of risk: establish register, review and monitor		✓	C	C		
	Engagement with stakeholders: ensure		C	✓	C	C	C
	Determine trust's vision, strategy and key priorities: approve		✓		C		
	Determine schools' vision, strategy and key priorities: approve		✓	C	C	C	C
	Chief executive officer: appoint and dismiss		✓				
	Accounting officer: appoint and dismiss		✓				
	HTs: appoint and dismiss		✓		C	C	
	Budget plan to support delivery of trust key priorities: agree		✓	C	C		
	Budget plan to support delivery of schools' key priorities: agree		✓	✓	C		C
	Trust's staffing structure: agree		✓	C	C		
Schools' staffing structure: agree			✓	C		C	
	Monitoring performance and progress against clear and measurable targets that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement		✓	C	C	C	C
Holding to account	Ensuring compliance (e.g. safeguarding, H&S, employment): agree auditing and reporting arrangements		✓	C	C	C	C
	Monitoring progress on key priorities: agree reporting arrangements		✓	C	C	C	
	Performance management of the chief executive: undertake		✓				
	Performance management of HTs: undertake				✓	C	
Financial oversight	External auditors: appoint	✓					
	Chief financial officer: appoint		✓		C		
	Trust's scheme of financial delegation: establish, monitor and review		✓		C		
	External auditors' report: receive and respond		✓				
	CEO pay award: agree		✓				
	Headteachers' pay award: agree				✓	C	

Governance function		Members	Trust board / board committees	Strategic Recommendation Groups	CEO / accounting officer	Academy committees (LGBs)	HT
	Staff appraisal procedure and pay progression: review and agree		✓				
	Benchmarking and trust wide value for money: ensure robustness			C	✓		
	Monthly management accounts and draft budgets: monitor and review		✓		C	✓	
	Approve annual audited accounts		✓				

UPDATED - 01.12.2022

Example of a meeting schedule for academy committees (LGBs)

Example meeting schedule for an academy committee (LGB)			
Autumn 1 (early Sept)	Autumn 2 (late in term)	Spring (mid term)	Summer (late in term)
Business: Confirm membership, chair, safeguarding lead Sign code of conduct Declare conflicts Confirm minutes	Business: Declare conflicts Confirm minutes	Business: Declare conflicts Confirm minutes	Business: Declare conflicts Confirm minutes
HT Reporting: HT report on: Initial analysis of public examination results against targets Update on operational matters (staffing, premises etc.) Confirm strategy for achieving the vision	HT Reporting: HT report on: Benchmarked validated performance data against national and local figures Progress towards meeting targets/KPIs, budget and staffing	HT Reporting: HT report on: Mid year progress towards meeting targets/KPIs, budget and staffing Stakeholder survey results	HT Reporting: HT report on: End year progress Review of strategy and if it supports the achievement of the vision Propose targets/KPIs for following year(s) How budget and staffing will support strategy
LGB Reporting Report to Trust Board through SRGs on performance and progress against clear and measurable targets that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement	LGB Reporting Report to Trust Board through SRGs on performance and progress against clear and measurable targets that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement	LGB Reporting Report to Trust Board through SRGs on performance and progress against clear and measurable targets that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement	LGB Reporting Report to Trust Board through SRGs on performance and progress against clear and measurable targets that improve on previous best performance outcomes across all key performance indicators whether in DfE Performance Tables or those that require improvement
Monitoring: Determine which aspects of improvement strategy and which key policies will be monitored and how	Monitoring: Committee members to report on monitoring visits	Monitoring: Committee members to report on monitoring visits	Monitoring: Review monitoring arrangements and their effectiveness and to begin thinking about strategy for the following year
Community: Determine interface with the school and agree plan for the year	Community: Report on community engagement	Community: Report on community engagement	Community: Review community engagement and effectiveness, plan strategy for following year
Building knowledge: Gain an understanding of pupil attainment and progress and performance targets for the year, and how these will be measured	Building knowledge: SLT to present on a curriculum area	Building knowledge: HT to lead on: Review of the school's SWOT, its vision and ethos, key priorities for achieving the vision, areas of risk	Building knowledge: SLT to present on how following year's curriculum will be broad and balanced and prepare students for the next stage of their education or adult life
Training and CPD: Identify training needs and plan delivery	Training and CPD ongoing Plan annual conference with trust board for thanks and acknowledgements, information sharing and training		

UPDATED - 01.12.2022