

## Scheme of Delegation

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## DOCUMENT CONTROL

*Unless there are legislative or regulatory changes in the interim, this policy will be reviewed every year. Should no substantive changes be required at that point, the policy will move to the next review cycle.*

## 1. Background and Approach

- 1.1. This document outlines delegated responsibilities for the key governance tiers of Mercia Learning Trust. It sits alongside but does not seek to replicate information contained in other key documents such as the Articles of Association, Master Funding Agreement or policy schedules.
- 1.1. The purpose of our scheme of delegation is to provide clarity on the role and responsibilities of those who contribute to the governance and oversight of our trust and its schools. All those with governance and management responsibilities must be familiar with it so appropriate steps can be taken to ensure sufficient and proper challenge of those with leadership responsibilities, with regard to performance of our schools and financial stability within our trust.

## 2. Mission and Values

- 2.1. This document is underpinned by Mercia Learning Trust's mission which is working as individual schools, and in partnership, to ensure every pupil, whatever their background, will attend an exceptional school. Pupils should enjoy school, feel safe and be fully supported, be inspired to learn, develop character and aspiration, and realise their full potential. Our trust is committed to pupil success and wellbeing, and we choose to think of every pupil we serve as if they are our own, and to measure our actions and impact against this.
- 2.2. We share the same moral purpose. We believe an exceptional education can realise the potential of every pupil, whatever their background, and truly transform lives.
- 2.3. There is an expectation that all involved with governance of the Trust and schools are committed to undertake their roles in line with Nolan's Seven Principles of Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

## 3. Governance Model

- 3.1. Mercia Learning Trust is a multi-school trust and company limited by guarantee. Details of trust members, trustees and senior staff, including business interests and attendance at meetings, can be found on our trust's website.
- 3.2. Mercia Learning Trust has set up a governance model that ensures clear and non-duplicative roles and responsibilities within the overall governance structure. There is clear separation between members and trustees, and executive and non-executive. Our trust leadership team facilitates communications between levels of governance as well as a culture of regular self-evaluation.
- 3.3. Our trust's governance structure is as follows:
  - 3.3.1. Members: the guardians of the constitution (Articles of Association) who ensure the charitable objects are fulfilled. As outlined in the Department for Education Academy trust governance guide, members are the founders of the academy trust. They have a general duty to assure themselves that the governance of the trust is effective. Given members' roles, they are not included on the breakdown of delegations as set out below.
  - 3.3.2. Board of Trustees (also known as Directors under company law): accountable to the Members, Secretary of State for Education and the wider community for the quality of the education provided to students and for the appropriate expenditure of public money. Our board holds ultimate legal accountability for all aspects of operational delivery and are required to have systems to assure themselves of the quality, safety and good practice of the affairs of our trust. Our board delegates some responsibility including for day-to-day management.
  - 3.3.3. Local Governing Bodies (LGB): accountable to our trust board, provide a crucial challenge and support role and have some delegated responsibilities particularly for their own school.
  - 3.3.4. Chief Executive Officer (CEO) with the Leadership Team: have delegated responsibilities for operational running at trust level and supporting schools and governance. The CEO is the Accounting Officer, supported by the Director of Finance and Operations who is the Chief Financial Officer.
  - 3.3.5. Headteachers: responsible for the performance and defined operational delivery areas within their own school including oversight of their senior leadership team.

## 4. Structure

- 4.1. The document is divided into three key areas of responsibility and activity. The following levels of delegated power are used throughout:
  - 4.1.1. **Approve:** has primary responsibility for approval, making relevant appointment, determining how the task should be undertaken, setting appropriate milestones or targets and ensuring the task is completed.
  - 4.1.2. **Consult:** the individual/group that should be consulted as part of the process of completing a particular task.

- 4.1.3. **Deliver:** the individual/group that has responsibility for undertaking the particular task delegated to them and reporting on its delivery at suitable intervals. In the case of the CEO this will be at trust level. In the case of the headteacher this will be at school level.
- 4.1.4. **Determine:** the individual/group that has primary responsibility for ensuring the particular task is completed and determining how our trust and/or schools (as appropriate) should undertake the task including determining appropriate milestones and targets to be reported against.
- 4.1.5. **Develop:** the individual/group that has responsibility for developing proposals relating to a task for discussion and approval by the appropriate decision-making individual/group.
- 4.1.6. **Recommend:** the individual/group that should make recommendations as to how a particular task should be completed. In the case of (i) the CEO they will be making recommendations to the board and/or LGB (as appropriate), (ii) the LGB they will be making recommendations in relation to their academy to the board, CEO and/or Headteacher (as appropriate) and (iii) the headteacher they will be making recommendations in relation to their school to the CEO and/or LGB (as appropriate).
- 4.1.7. **Report:** the individual/group that has responsibility for reporting on the delivery of tasks. In the case of (i) the CEO they will be making reports to our board and/or LGB (as appropriate), (ii) the LGB they will be making reports in relation to their school to our board and/or CEO (as appropriate) and (iii) the headteacher they will be making reports in relation to their school to our CEO and/or LGB (as appropriate).
- 4.1.8. **Review:** the individual/group that has responsibility for reviewing whether a particular task is being carried out satisfactorily and where appropriate requiring action to be taken to ensure task is delivered appropriately. In the case of (i) the board they will be reviewing the CEO and/or LGB (as appropriate), (ii) the CEO or executive lead they will be reviewing the headteacher and (iii) the LGB they will be reviewing the headteacher and their leadership team.
- 4.1.9. **Comply:** the individual/group will follow agreed policies and procedures.

## 5. Audience

- 5.1. This document is designed for use by key governance stakeholders within our trust as well as externally. It will be made available on our trust's website.

## 6. Approval and Renewal

- 6.1. The Mercia Learning Trust Scheme of Delegation will be reviewed at least annually and approved by our trust board, so that the roles and responsibilities can be updated to reflect organisational priorities, good practice and updates to requirements or legislation.

## Detail of delegations

## 1. Culture and engagement

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## 2. Strategy

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Setting trust strategy</b>	Develop, approve and review	Recommend objectives with regard to financial priorities	Recommend on objective with regard to improvement priorities	Recommend on objective with regard to people strategy	Deliver	Develop and deliver and report to Board	Recommend and deliver
<b>Championing trust strategy</b>	Deliver	Deliver	Deliver	Deliver	Deliver	Deliver	Deliver
<b>Reviewing progress against the strategy</b>	Review	Review	Review	Review	Report	Recommend and report	Report
<b>Setting our trust improvement plan in line with trust priorities</b>	Approve and review Development Plan	Consulted on development plan with regard to financial priorities	Consulted on development plan with regard to improvement priorities		Informed	Develop, deliver and report on development plan	Informed
<b>New schools to join our trust</b>	Approve any additional schools and review progress	Review any possible additional schools from financial/risk perspective	Review any possible additional schools from standards perspective	Review any possible additional schools from standards perspective	Develop	Develop, deliver and report to the Board on the process to identify and progress possible additional schools	Develop
<b>Stakeholder Voice</b>	Develop and review	Report	Report	Report	Deliver and report	Develop, review and report	Deliver for own school, monitoring reports/updates respond to them, and report to trust leadership team and LGB



Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Media and PR – oversee public relations activities to project the activities of our trust and schools to the wider community.</b>	Review	Report	Report	Report	Report	Deliver trust-wide activities	Report and deliver
<b>Trust prospectus and website</b>	Review and approve	Recommend	Recommend	Recommend	Recommend	Develop, review and report	Recommend
<b>School prospectus and website</b>					Review and approve	Review and approve	Develop, review and report

### 3. Appointments within governance

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Appointment of trustees:</b>  <i>Members formally appoint and remove trustees</i>	Recommend potential candidates to members with required skills for effective governance. Approve the recruitment of co-opted trustees and report to members.						
<b>Appoint chair of trustees on an annual basis</b>	Recommend and approve						
<b>Board committees or working groups</b>	Approve any board committees or working groups	Report and deliver	Report and deliver	Report and deliver	Report and deliver	Report and recommend	Report and recommend
<b>Appoint chair of finance and audit committee on an annual basis</b>	Approve chair of finance and audit committee						
<b>Appoint chair of standards committee on an biennial basis</b>	Approve chair of standards committee						
<b>Appoint chair of HR and remuneration on biennial basis</b>	Approve chair of HR and remuneration committee						

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Appoint LGB chair and vice chair on a biennial basis</b>	Approve appointments of LGB chairs as required				Approve chair and vice-chair (or co-vice chairs) on a biennial basis from nomination within the LGB	Recommend appointment of chair. Informed on appointment of vice-chair.	
<b>Appointment of governors</b>	Recommend and approve the recruitment of co-opted local governors				Recommend and approve local governor appointments through application and interview process	Review and report all governor appointments	Deliver the appointment process for staff and parent governors
<b>Nomination of Link roles safeguarding and SEND leads</b>	Recommend and approve				Recommend and approve for LGB link roles		



#### 4. Compliance

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Trust and school financial and governance regulations and procedures</b>	Approve and be informed	Review across trust and schools			Comply and review reports/updates for own school	Develop systems and processes, deliver at trust level, review headteachers' reports. Report to board on compliance for trust and schools	Deliver in line with guidance from trust leadership team and report to trust leadership team and LGB on own school
<b>Regulations affecting our trust e.g. employment, charity, company, health &amp; safety</b>	Informed compliance on and comply	Review specific areas in line with committee terms of reference	Review specific areas in line with committee terms of reference	Review specific areas in line with committee terms of reference	Review reports/updates for own school	Develop systems and processes, deliver and report on compliance	Deliver in line with guidance from trust leadership team and report to trust leadership team and LGB on own school
<b>Regulations affecting our trust regarding safeguarding and Single Centre Record (SCR)</b>	Approve and review				Comply	Develop systems and processes, deliver and report on compliance	Comply
<b>Regulations affecting individual schools e.g. safeguarding and SCR or website requirements</b>	Informed compliance on	Review specific areas in line with committee terms of reference	Review specific areas in line with committee terms of reference	Review specific areas in line with committee terms of reference	Review reports/updates for own school	Develop systems and processes, deliver and report on compliance	Deliver in line with guidance from trust leadership team and report to trust leadership team and LGB on own school

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Completing the register of business interests and put in place a procedure to deal with any conflicts of interest and connected party transactions.</b>	Determine policies to ensure compliance and deliver				Deliver	Deliver and report to our board	Deliver
<b>Financial oversight and controls</b>	Approve and be informed on - including regarding trust approach to charging and remission	Recommend and review financial oversight			Review reports/ updates for own school	Develop systems and processes, deliver at trust level, review headteachers' reports. Report to board on compliance for trust and schools	Deliver in line with guidance from trust leadership team and report to trust leadership team and LGB on own school

## 5. Policies

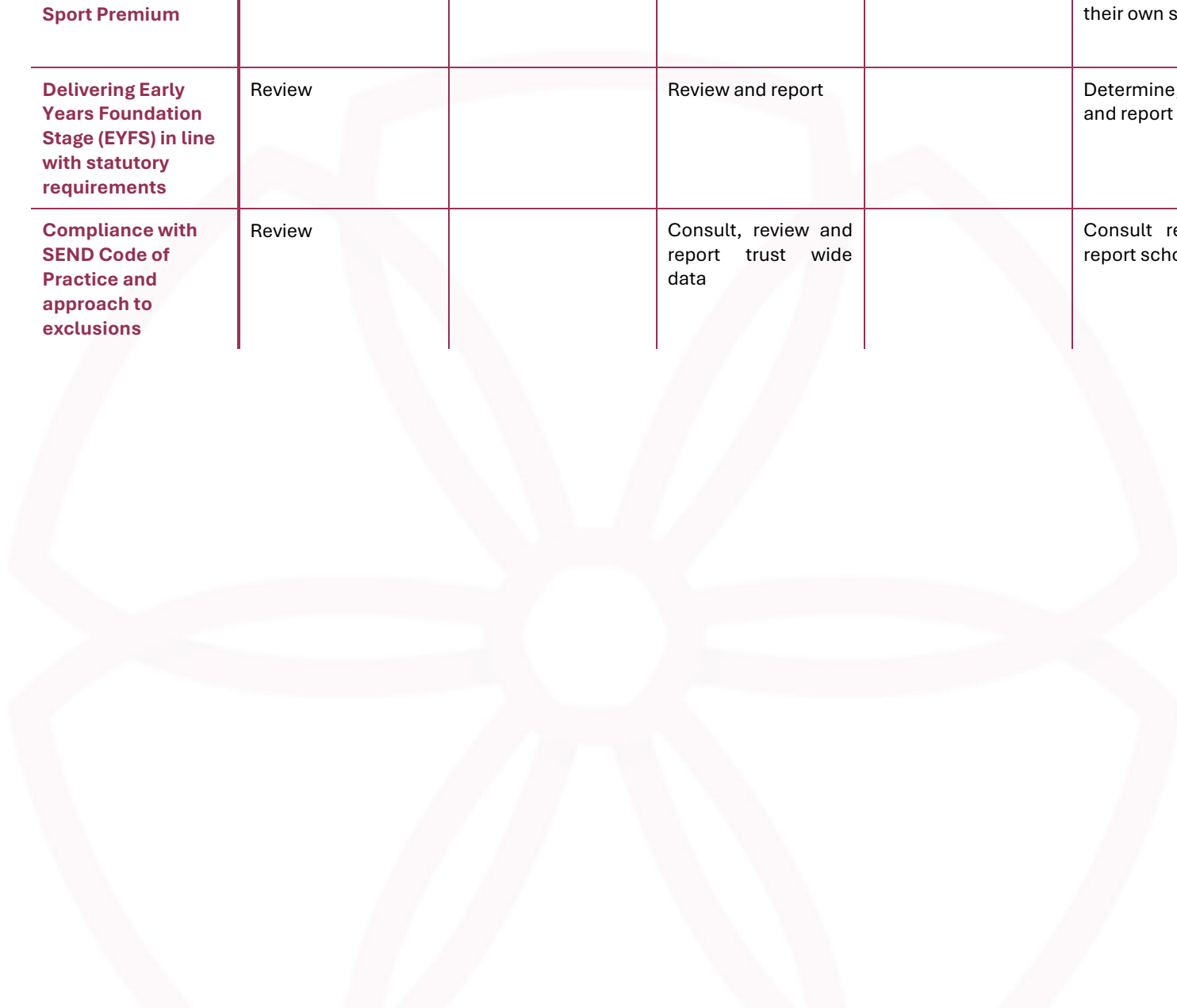
Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Policies – for trust and schools</b>	Approve trust-wide policies	Approve trust-wide policies under the remit of the terms of reference	Approve trust-wide policies under the remit of the terms of reference	Approve trust-wide policies under the remit of the terms of reference	Approve school policies under the remit of the terms of reference	Review, recommend and deliver trust-wide policies	Review, recommend and deliver school policies

## 6. Governance roles and evaluation

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Governance delegations and terms of reference for LGBs, committees and working groups</b>	Approve and review delegations including trust scheme of delegation	Recommend delegations with regard to finance, risk and audit committee	Recommend delegations with regard to standards committee	Recommend delegations with regard to HR and remuneration committee	Informed on delegations including for LGB	Develop, deliver and report on delegations	Informed on delegations
<b>Performance of Board, committees and working groups</b>	Approve and review evaluation of performance. Board may use independent assessors to deliver evaluation and report					Support and have input into our board, committees and working groups evaluation process	
<b>Performance of LGB</b>	Informed on evaluation of LGB performance				Consult, review and deliver, the outcomes of the evaluation process	Develop, deliver and report on evaluation of LGB performance	Consulted as part of evaluation of LGB performance

## 7. Teaching and progress

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>School Improvement plan - in line with strategic aims of our trust</b>	Review capacity of trust to ensure school improvement		Review standards in each school and report to our board		Be informed on and monitor for their own school	Consulted on, approve and review for all schools	Develop, deliver and report for their own school
<b>Quality of teaching and curriculum development – trust level</b>	Approve and review trust curriculum model in line with requirement to ensure ‘broad and balanced curriculum’ and all relevant government guidance including relationships and sex education (RSE) and collective worship					Develop and approve expectations at a trust level	
<b>Quality of teaching and curriculum development – school level</b>			Review standards in each school and report to our board		Informed on and review for their own school in line with trust-wide policy	Consulted on and review for individual schools, and support each headteacher to deliver	Develop and deliver for their own school in line with trust-wide policy supported by our trust leadership team
<b>Academic results and destinations</b>	Informed on and review at a trust level		Review in line with the committee terms of reference.		Informed on and review for their own school	Develop and approve expectations at a trust level Review all Schools and report to the standards committee/board	Develop expectations and deliver for their own school in line with direction from our trust leadership team



Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Pupil Premium and Primary PE and Sport Premium</b>	Informed				Approve and review use and impact for their own school	Consulted on, recommend and review across schools	Develop, deliver and report on for their own school
<b>Delivering Early Years Foundation Stage (EYFS) in line with statutory requirements</b>	Review		Review and report		Determine, review and report	Consult, determine and recommend	Develop, deliver and report
<b>Compliance with SEND Code of Practice and approach to exclusions</b>	Review		Consult, review and report trust wide data		Consult review and report school data	Review, determine and report	Review, determine and report

## 8. Finance and risk management

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Trust annual budget</b>	Approve budget	Consulted on and recommend budget in line with strategic priorities			Comply	Develop and deliver budget	Comply
<b>Trust annual budget execution within approved budget or financial delegations</b>	Approve and review execution of budget or amendments subject to level of amendments required	Review and recommend amendments			Comply	Deliver and report. Approve, subject to level of amendments required	Comply
<b>School annual budgets</b>	Approve and review budget	Consulted on and recommend budget to our board			Informed of budget and review	Develop and review each school budget through scrutiny process	Develop and deliver school budget with CFO/CEO
<b>School annual budget (execution) within approved budget levels or financial delegations</b>	Approve (subject to level) and review execution of budget or amendments	Review or recommend (subject to level) execution of budget or amendments			Comply and Review execution of budget	Approve (subject to level) and review budget or amendments	Deliver and report on execution of budget with CFO/CEO
<b>Delegated budgets and finances</b>	Approve and be informed on financial delegations for trust and schools	Recommend and review financial delegations for trust and schools			Be informed on and review delegated budget and finances for own school	Develop, deliver and report on delegations at school and trust level	Deliver and report (to trust leadership team) on delegations for own school
<b>Cash management, planning and cash flow</b>		Be informed on and review			Comply	Develop, approve and report	Comply

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Annual accounts and trustees' report</b>	Approve annual accounts and trustees' report	Consulted on and recommend annual accounts and trustees' report			Informed	Deliver and report on annual accounts and trustees' report	Informed
<b>External auditors and Internal audit</b>	Informed on appointment of external auditors by members	Review recommendation from trust leadership team and recommend appointment of external auditors to members				Devise tender and put out for quotes. Recommend external auditors to finance and audit committee	
<b>Corporate risk register and management including risk strategy, contingency or business continuity planning</b>	Informed on for our trust and all schools  Approve any escalation required regarding high-risk cases of fraud, theft or irregularity	Review for our trust and all schools			Review for their own school	Develop, deliver and report at trust and school level	In conjunction with trust leadership team deliver and report for their own school
<b>Financial operation regarding investments, returns to the Education and Skills Funding Agency (ESFA), auditors' management letter/response, procurement and value for money</b>	Informed on for our trust and all schools	Review for our trust and all schools				Develop, deliver and report at trust and school level	
<b>Staff structure/restructures and training/professional development</b>	Informed on and review at a Trust level	Review for the trust and all schools			Informed on and review for their own school	Consulted on, approve and review for all schools	Develop and deliver for their own school in line with trust-wide policy supported by our

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
							trust teamleadership





## 9. Appointments and HR

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Appointment of Chief Executive Officer (CEO) and Accounting Officer</b>	Consult with the Regional Director, develop, recommend, approve and deliver appointment or dismissal of CEO						
<b>Appointment of trust leadership team including Chief Financial Officer (CFO)</b>	Informed on appointment or dismissal	Deliver and recommend appointment process for CFO			Informed	Deliver and approve appointments of trust leadership team with support from our board for the appointment process	Informed
<b>Appointment of Headteachers</b>	Informed on appointment or dismissal <i>Note: appointment panel will include at least one Trustee</i>				Informed on appointment or dismissal. <i>Note: Appointment panel will include chair of LGB</i>	Deliver and approve appointment and dismissal of headteachers	
<b>Setting the pay framework including for our trust leadership team and headteacher pay</b>	Review and approve pay			Recommend in line with performance management and pay policy  Approve trust leadership team pay		Develop, deliver and recommend	
<b>CEO Performance Management Review</b>	Deliver by chair of board, in line with PM policy					Comply	

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Trust leadership team's performance management review</b>	Informed on performance management in line with policy			Consulted on and approve – in line with performance management policy		Develop, deliver and recommend	
<b>Headteachers' performance management review</b>				Approve performance management	Consulted on and approve - through LGB chair participating in process for headteacher at their school	Develop, deliver and recommend with LGB chair	Comply
<b>Performance management of teaching staff</b>						Develop and review performance management process	Deliver in line with policy
<b>Setting terms and conditions of employment and staff handbook</b>	Consider and approve			Consider and review and recommend to our board	Comply	Review and recommend any suggested changes to the school's terms and conditions	Comply

Note: Appointment, dismissal, performance management, disciplinary or grievance procedures for all other trust and school staff to be undertaken by relevant governance layer in line with policies and delegations

## 10. Operational management

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
<b>Key Performance Indicators (KPIs) – at trust level</b>	Review trust KPIs including progress against them					Develop, deliver, recommend and report on trust KPIs	
<b>KPIs– at school level</b>	Informed schools KPIs on basis of exception reporting		Review schools KPIs on basis of exception reporting and report to our board		Informed on KPIs for their own school	Review schools KPIs and, where necessary, report to our board	Develop, deliver and report to trust leadership team and LGB for their own school
<b>Trust central services provided to schools</b>	Approve and review					Develop, deliver and recommend	Deliver and report (to trust leadership team) for own school
<b>Asset and premises maintenance strategy and delivery maintaining buildings and facilities in line with legal obligations</b>	Approve	Recommend and review				Develop, deliver and report at trust and school level	
<b>Acquiring and disposing of trust land</b>	Approve and review	Consulted on				Develop, recommend, deliver and report	
<b>Changing use of assets</b>	Review/approve	Consider, determine and recommend				Consult, review and recommend	

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Leadership Team	Headteachers
Arranging insurance for our trust	Review	Consider, determine and recommend				Consult, review and recommend	

