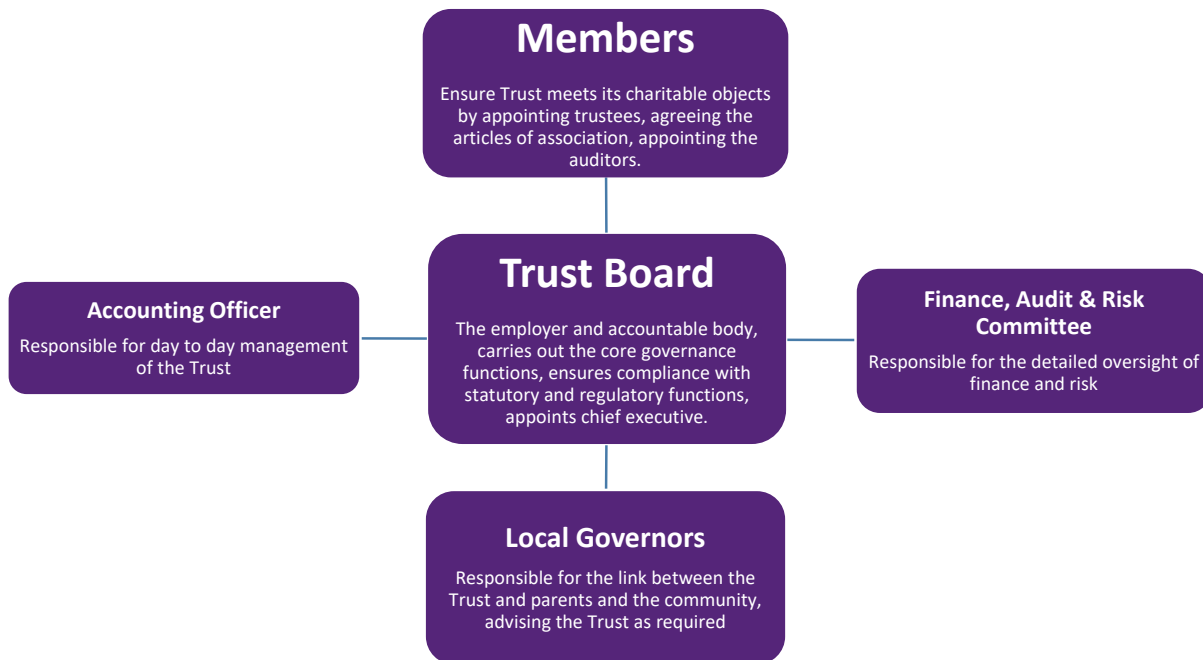




Scheme of Delegation

2022-23

Lunesdale Learning Trust Structure



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 must be at least three members, although the DfE prefer at least five; members are not permitted to be employees of the academy trust.
- The members agree the trust's articles of association, appoint trustees and appoint the trust's external auditors.
- The members should 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 should 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.
- 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 if they choose to delegate to board committees and Local Advisory Groups (LAG), must approve a written scheme of delegation and committee terms of reference.
- The trust creates information pathways between the trust board, the LAG and the Accounting Officer so that LAG 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.
- Board committees must have at least three trustees in membership, and trustees must be in the majority for voting purposes; it is usual for the trust board to appoint board committee chairs and committee members according to their skills.
- Most trusts will delegate detailed scrutiny of financial management and school performance to board committees.

The role of Local Governors

- Trustees delegate some governance functions to Local Governors. By committing to the separation of individuals on each tier in the governance structure, trusts are able to demonstrate transparent decision making and prevent bias and conflicts from emerging, thus strengthening the governance checks and balances within the trust.
- It is advisable for the trust board to approve the appointment of the Local Governing Body chair, and many will also approve the appointment of the majority of Local Governing Body members.
- The Trust has opted for parent representation to be at school level with parents elected to sit on the Local Governing Body as opposed to trust wide elections for parent trustees.

The Local Governors are close to and representative of the community the schools serve and are:

- 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
- The trust board should demonstrate the value they put on local governance by ensuring effective channels of communication between trustees and Local Governors as well as providing specific training and development programmes for all involved in the governance of the trust.

The role of the Executive Head & Accounting Officer

- The trustees delegate the day to day management of the trust to the Executive Head, line managing them in line with the trust's appraisal and performance management policies.
- The Executive Head 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 Executive Head will be responsible for the leadership and management of the central executive team and the schools' headteachers and will report to the trust board and its committees.

Delegation and decision making

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 Executive Headteacher or Local Advisory Group

Governance function		Members	Trust Board	Accounting Officer	Headteacher	Local Advisory Group
Governance framework: people	Members: appoint/remove	✓				
	Trustees: appoint/remove	✓	✓			
	Parent academy committee (LGB) members: appoint when elected		✓			✓
	Board committee chairs: appoint and remove		✓			
	Named safeguarding trustee: appoint and remove		✓			
	Academy committee (LGB) chairs: appoint and remove		✓			✓
	Academy committee (LGB) members: appoint and remove		✓			✓
	Clerk to board: appoint and remove		✓			
	Clerk to academy committees (LGBs): appoint and remove		✓			✓
Governance framework: systems and structures	Articles of association: review and agree	✓				
	Governance structure for the trust: establish and review annually		✓			
	Committee terms of reference and scheme of delegation: agree annually		✓			
	Annual schedule of governance business: agree		✓			✓
	Self-review of trust board and committees: complete annually		✓			
	Self-review of academy committees (LGBs): complete annually					✓
	Chair's performance: carry out review periodically		✓			
Trustee/academy committee (LGB) member contribution: review annually		✓			✓	
	Publish governance arrangements on trust and schools' websites: ensure			✓		
	Annual report on the performance of the trust: submit to members and publish		✓			C

Governance function		Members	Trust Board	Accounting Officer	Headteacher	Local Advisory Group
Governance framework: reporting	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					✓
Being strategic	Determine trust wide policies which reflect the trust's ethos and values: approve		✓	✓		
	Determine school specific policies: approve		✓		✓	✓
	Management of risk: establish register, review and monitor		✓	C		
	Engagement with stakeholders: ensure		✓	✓		✓
	Determine trust's vision, strategy and key priorities: approve		✓	C		
	Determine schools' vision, strategy and key priorities: approve		C	✓	✓	✓
	Chief executive officer: appoint and dismiss		✓			
	Accounting officer: appoint and dismiss		✓			
	Leadership Team: appoint and dismiss				✓	
	Budget plan to support delivery of trust key priorities: agree		✓	✓		
	Budget plan to support delivery of schools' key priorities: agree		C	✓	✓	✓
	Trust's staffing structure: agree		✓	✓		
	Schools' staffing structure: agree			✓		?
Holding to account	Ensuring compliance (e.g. safeguarding, H&S, employment): agree auditing and reporting arrangements		✓	C		
	Monitoring progress on key priorities: agree reporting arrangements		✓	C		
	Performance management of the chief executive: undertake		✓			
	Performance management of Leadership Team: undertake				✓	C
	Trust wide policies enacted and enforced		✓	✓		
	School wide policies enacted and enforced				✓	✓
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		✓	✓		

Governance function		Members	Trust Board	Accounting Officer	Headteacher	Local Advisory Group
	CEO pay award: agree		✓			
	Leadership Team pay award: agree			C	✓	✓
	Staff appraisal procedure and pay progression: review and agree		✓		✓	✓
	Benchmarking and trust wide value for money: ensure robustness		✓	✓		
	Monitoring budget: agree reporting - Trust		✓	✓		
	Monitoring budget: agree reporting – School				✓	✓

