

The Learning Village Academy Trust



Scheme of Delegation for Governance Functions 2019-20

Approved by:	Adam Mitton	Date adopted: 16 January 2017
Reviewed on:	30.01.18 and 09.07.19	
Next review due by:	July 2020	

Members	Trust Members (a minimum of 3); an employee of the Academy Trust cannot be a Member. Strategic, overarching, 'hands off' role. Members control how the company operates through changes to the Articles & Trustee appointments. Members hold Trustees to account.
Trust Board	The Trust Board (up to 8 people, one to be the CEO / Executive Headteacher as the lead professional, two parent Trustees in the absence of a Local Governing Body.) Legal responsibility for governance is held by the Trust Board along with strategic vision and direction, academy performance and financial probity. The Board will establish committees to undertake detailed scrutiny. <u>The Board is the legally accountable body for all academies in the MAT.</u> The people here are both Charity Trustees and Company Trustees.
Trust Committees	<ul style="list-style-type: none"> i) Educational Standards & Safeguarding: The Trust meets three times a year as a Trust Board / Education Standards Committee and addresses school improvement, attainment, curriculum development, community links ii) Finance and Audit: The Trust operates a combined resources and audit committee which meets 3 times a year and considers personnel, pay, performance, internal controls & scrutiny, financial reporting of each Academy & Trust financial performance and probity, financial planning and management iii) Estates and health and Safety
Abbreviations in the Scheme of Delegation	
Exec HT	Executive Headteacher
Acc Off	Accounting Officer
Exec BM	Executive Business Manager / Chief Financial Officer
Head (Substantive Head or Head of School)	Academy Head of School
LGB	There will be no Local Governing Bodies in 2019-20, all Governance is the responsibility of the Trust Board and its committees

Members

Members key functions & decision-making responsibilities:

- Control the company
- Power to appoint and remove Trustees
- Provide assurance that appropriate governance structures are in place
- Ensure that the vision of the Trust is embedded
- Receive reports on the finances and the strategy of the MAT from Trustees
- May amend the Articles of Association to support stronger governance arrangements
- Complete a Register of Interests
- May remove Auditors subject to a majority vote and provide reasons for the decision
- Receive the annual report from the Trustees
- In order to retain a degree of separation of powers between the members and the Trustee board, and in line with DfE expectations, only 1 member will be a Trustee. Members are not permitted to be employees of the Trust.
- To appoint other Members (to not exceed 5) as necessary in line with the provisions of the Articles of Association
- Expected time commitment – 1 meeting per year

Trustees

Trustees key functions and decision-making responsibilities

Trustees

The Trustees are the charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the memorandum and articles of association. The board of Trustees is the accountable body for the performance of all schools within the Trust and as such must:

- Ensure clarity of vision, ethos and strategic direction
- Hold the CEO to account for the educational performance of the schools and their pupils, and the performance management of staff
- Oversee the financial performance of the trust and make sure its money is well spent

As Trustees are bound by both charity and company law, the terms 'Directors' and 'Trustees' are often used interchangeably. We use the term Trustee. The Trustee board is permitted to exercise all the powers of the Trust. The Trustee board will delegate to the chief executive responsibility for the day to day operations of the Trust. The Trustee board has the right to review and adapt its governance structure at any time which includes removing delegation.

- To ensure that the activities of the Trust fulfil the objectives as described in the Articles of Association
- To ensure compliance with the Trust's duties under company and charity law
- To ensure the academies are compliant with all statutory obligations (e.g. curriculum, SEND, safeguarding)
- To safeguard the assets of the Trust
- To ensure the solvency of the trust and to abide by the agreements made with the DfE and Educational and Skills Funding Agency (ESFA) including the Master Funding agreement and the Supplemental Funding Agreement and as defined in the current issue of the Academies Financial Handbook
- To determine the overall strategic direction and development of the Trust through good governance and clear strategic planning
- To approve the Trust's strategic plan
- To challenge and support the Trust's CEO, senior staff and academy leaders to achieve the outcomes of the strategic plan
- To oversee the performance of the Trust and its academies and direct change where performance falls short of expectation
- To understand the Trusts curriculum offer for the children
- To agree policies across the academies within the Trust
- To ensure that risks are mitigated where possible and otherwise effectively managed
- To review the Trust Board's terms of reference on a regular basis and to recommend any changes to the Board of Members

- To approve the terms of reference of the Board’s committees
- To, approve the Trust’s annual budget and monitor progress through the receipt of regular reports and to commission auditors
- To approve the annual budget for each academy and monitor expenditure against the budgets
- To approve the annual and other statutory reports to Members and the ESFA
- To agree and review from time to time the scheme of delegation to the academies
- To approve the annual report and accounts prior to submission to Companies House
- To review the effectiveness and skill set of the Board and recommend appropriate changes to the Board of Members
- To ensure safe recruitment practices are followed and provide staff with opportunities for professional development, pastoral support and career progression
- To ensure the school estates and premises are well managed, including all health and safety matters
- Expected time commitment – 6 Board meetings per year plus committees

The role of committees

- The Learning Village Academy Trust have 3 committees: Finance and Audit; Education Standards and Safeguarding; Estates including health and safety.
- These established committees have some delegated authorities to make decisions and also provide advice and support, informing the overall work of the Trust board.
- The Trustee board may appoint committee members and committee chairs.

The role of the Chief Executive Officer

The CEO has the delegated responsibility for the operation of The Learning Village Academy Trust including the performance of the academies and so the CEO performance manages the Heads of each School

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 impact of our improvement strategy will be measured by the following KPIs:

- All academies will be judged good or outstanding by Ofsted
- All teaching within our academies will be good or better
- Progress (and ultimately attainment) in our academies will exceed national data at both ARE and GDS
- Our academies will demonstrate excellent leadership, including governance, and this inspirational leadership will be shared across academies
- Our academies will be able to accurately self-evaluate and will have a culture of continuous improvement and high aspirations
- High-quality CPD of staff will mean our academies will attract and retain the very best
- All academies will be financially solvent, have reserves and submit three-year financial plans that are realistic, robust and do not produce a deficit financial position
- The Trust will comply with all statutory regulations and have a positive annual audit report

The role of the Chief Financial Officer.

The Academies Financial Handbook issued by the Education Funding Agency (EFA) highlights the need for a chief financial officer (CFO) to ensure resources are properly accounted for and managed in an academy. The Handbook notes that the EFA requires academies to appoint a 'chief financial officer' to lead on financial matters.

A clearly designated CFO must be appointed.

The chief financial officer must be able to intervene in spending plans to maintain the balance of resources so that the academy remains a going concern, therefore he or she must have access to the accounting officer, including a direct reporting line.

In order to perform his or her duties effectively, the CFO should be a member of the senior management team and attend meetings of the major resource committees.

The CFO must provide the objective, professional advice required to help the accounting officer undertake his or her duties.

The CFO also has an important role in supporting and advising the governing body/board of trustees on all financial matters. He or she must therefore have access to all governors – individually and collectively – and vice versa, and establish a good professional working relationship.

A persuasive and confident communicator

The CFO must be a persuasive and confident communicator, able to challenge others and influence material business decisions.

The CFO also has an important role in ensuring necessary financial information and advice is provided to decision-makers at all levels across the trust.

The CFO who must take the lead in establishing a strong framework for implementing and maintaining good financial management across the trust.

The role of the Headteacher/ Head of School

The Headteacher/head of school is responsible for the day to day management of the academy. They will demonstrate and fundamentally promote to all stakeholders the following behaviours:

- Children at the heart of all decisions made
- Strong and capable leadership
- People striving to provide outstanding education and to improve outcomes for their pupils
- Interacting with colleagues with respect and trust
- A commitment to continuous improvement
- The head of school is managed by the CEO.
- The Head of School reports to the Trust board termly through their Head of School report.

Trust structure

Members:

Gary Stephenson, Gayl Nixon, Andrew Johnson

Trustees:

Adam Mitton, (Chair), Christine Dean (CEO), Gemma Peake (Vice Chair), Gayl Nixon, Chris Potts, Brett Young, Helen Meigh, Paul Copestick

Executive leadership team:

Christine Dean (Exec Head/CEO, Accounting officer), Julie Goldstraw (Exec SBM/Chief Financial officer).

Senior Leadership team:

Lorraine Jukes (Head of School – Milton), Jemma Garside Head of School -Greenways

Trust Committees

Finance and Audit	Education Standards and Safeguarding	Estates including Health and Safety
<ul style="list-style-type: none"> • Gayl Nixon (Chair) • Adam Mitton • Helen Meigh • Brett Young 	<ul style="list-style-type: none"> • Gemma Peake (Chair) & Greenways safeguarding link including LAC/CIC • Paul Copestick • Chris Potts Milton - safeguarding link including LAC/CIC • Gayl Nixon • Helen Meigh 	<ul style="list-style-type: none"> • Brett Young (Chair) • Chris Potts • Paul Copestick
<p>Responsibilities</p> <ul style="list-style-type: none"> • Management accounts • Cash Flow • Raising achievement plans (Education) • Review of fees and charges (Spring) • Premises and H/S finance plans • Pay and remuneration • Gender pay gap Pay policy • Finance polices reviewed • Finance Risk • Business and HR Risk • Review of Accounts 	<p>Responsibilities</p> <ul style="list-style-type: none"> • English, Maths and science – Raising achievement plans • Early Reading and phonics • Data, including ASP (Autumn) • Ofsted framework • LVAT curriculum and assessment of these subjects • EYFS incl Data and provision • Curriculum - Understanding the schools curriculum and rationale • Pupil Premium strategy and evaluation • PE and Sports premium spend/evaluation • Education policies reviewed • Single central record checks • Safeguarding Policies reviewed • Stakeholder views (Autumn) 	<p>Responsibilities</p> <ul style="list-style-type: none"> • Premises walk around, incl site staff • Health and safety concerns and recommendations • Finance and priorities related to estates • CIF bids • Safeguarding • Policies related to estates & H & S

TRUST SUB COMMITTEES

PUPIL APPEALS (DISCIPLINE, ADMISSIONS ETC.)	STAFFING COMMITTEE (PAY REVIEW, DISCIPLINARY HEARINGS ETC.)	STAFFING APPEALS COMMITTEE (PAY REVIEW, DISCIPLINARY HEARING ETC. APPEALS)
<ul style="list-style-type: none"> • Gemma Peake • Chris Potts • Brett Young • Paul Copestick 	<ul style="list-style-type: none"> • Gemma Peake • Chris Potts • Brett Young • Helen Meigh 	<ul style="list-style-type: none"> • Adam Mitton • Gayl Nixon • Paul Copestick
EXECUTIVE HEAD TEACHER'S PERFORMANCE MANAGEMENT REVIEW BODY	SAFEGUARDING LINK, INCLUDING LAC/CIC LINK	
<ul style="list-style-type: none"> • Adam Mitton • Gayl Nixon • Helen Meigh 	<ul style="list-style-type: none"> • Gemma Peake (GPA) • Chris Potts (MPA) 	

- Decision making
- Consultation / Monitoring

Tasks	Trustees			Exec Leaders		ACADEMY	
	Trust Board	Education Standards Committee	Finance & Audit Committee	Exec HT / CEO (also Accounting Officer)	Exec BM	Head of School	
A. Governance							
Ensure compliance with the funding agreement & articles	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Create / disband LGBs & amend delegated responsibilities	<input checked="" type="checkbox"/>						
Appoint / remove Chair & Vice Chair of LGBs if applicable	<input checked="" type="checkbox"/>						
Appoint the Clerk to the Trust Board	<input checked="" type="checkbox"/>						
Appoint the Clerk to the LGB if applicable				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Appoint / Remove Governors of LGB if applicable	<input checked="" type="checkbox"/>						
Maintain Register of Interests for Trust Board and update website	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Maintain Register of Interests for LGB if applicable and update website					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Regular self evaluation of Trust Board's effectiveness	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			
Undertake regular self-evaluation of the LGB and its effectiveness if applicable	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			
Determine the development needs of Trustees / governors	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			
Consider whether to delegate responsibility to individual committees / individuals	<input checked="" type="checkbox"/>						
Appoint the Chief Executive Officer/Executive Headteacher by ordinary resolution	<input checked="" type="checkbox"/>						

B. Strategic Management	Trust Board	Education Standards Committee	Finance & Audit Committee	Exec HT / CEO (also Accounting Officer)	Exec BM	Head of School	
Set out the vision and strategic plan for the Trust	✓			✓			
In time, determine the scope of core services to be delivered and those to be procured by individual academies	✓ (core)			✓ (individual)	✓	✓ (individual)	
Set the times of school sessions and the dates of the school terms and holidays	✓			✓		✓	
Determine those policies which will be mandatory for all Academies	✓			✓	✓		
Consider requests from other schools to join / leave the Trust	✓			✓			
Maintain a risk register	✓			✓	✓		

C. Finance and Audit	Trust Board	Education Standards Committee	Finance & Audit Committee	Exec HT / CEO (also Accounting Officer)	Exec BM	Head of School	
Appoint the Accounting Officer (LVAT appoints the CEO as Accounting Officer)	✓						
Appoint the Auditors for the MAT	✓			✓	✓		
Ensure core services (centrally procured) provide value for money	✓		✓	✓	✓		
Determine the annual top slice percentage for each academy	✓		✓	✓	✓		
Approve the central MAT Budget Forecast Return	✓		✓	✓	✓		
Develop individual Academy budget				✓	✓	✓	
Approve the individual academy budgets	✓		✓				
Monitor Trust expenditure	✓		✓	✓	✓		
Monitor Academy expenditure monthly	✓		✓	✓	✓	✓	
Agree financial procedures and limits	✓		✓	✓	✓	✓	
Establish a Charges & Remissions Policy	✓		✓	✓	✓	✓	
Manage capital funds	✓		✓	✓	✓	✓	
Ensure compliance with Academies Financial Handbook	✓		✓	✓	✓	✓	
Monitor internal controls (LVAT Articles delegate internal controls to CEO)	✓		✓	✓	✓		
Adopt relevant Financial policies	✓		✓				

D. Staffing	Trust Board	Education Standards Committee	Finance & Audit Committee	Exec HT / CEO (also Accounting Officer)	ExecBM	Head of School	
Head of School appointments (Selection Panel)	✓			✓			
SLT appointments (Selection Panel)				✓		✓	
Appoint other Academy staff				✓		✓	
Appoint Senior MAT staff	✓			✓			
Appoint other MAT staff				✓			
Approve Pay Policy	✓		✓	✓	✓		
Performance management – EHT/CEO & determining pay points for all senior leaders.	✓						
Performance management – Academy Staff				✓		✓	
Determine pay point values (TLR) / pay ranges	✓		✓	✓	✓		
Agree disciplinary / capability procedures	✓			✓			

E. Premises	Trust Board	Estates committee	Finance & Audit Committee	Exec HT / CEO (also Accounting Officer)	ExecBM	Head of School	
Opt in to RPA or ensure insurance sourced elsewhere for i) premises ii) liability	✓	✓	✓	✓	✓		
Developing school buildings strategy / plan	✓	✓	✓	✓	✓	✓	
Premises compliance / maintenance including PFI	✓	✓	✓	✓	✓	✓	
Agree Estates policies	✓	✓		✓	✓		
Agree a Health & Safety Policy	✓	✓		✓	✓	✓	
Maintain an Asset Register	✓	✓	✓	✓	✓	✓	

F. School Management	Trust Board	Education Standards Committee	Finance & Audit Committee	Exec HT / CEO (also Accounting Officer)	ExecBM	Head of School	
Maintain a Single Central Record	✓			✓		✓	
Publish a school prospectus / information pack				✓		✓	
Agree a Safeguarding Policy	✓			✓		✓	
Ensure provision of free school meals to pupils entitled				✓		✓	
Prepare and review a Home School Agreement				✓		✓	
Agree an Admissions Policy and PAN for each Academy	✓			✓	✓		
Determine admissions arrangements and carry out a statutory consultation	✓			✓	✓		
Admission application decisions				✓		✓	
Appeal against LA directions to admit pupils				✓		✓	
Agree a Behaviour Management Policy	✓			✓		✓	
Review the use of Exclusion / decide permanent and fixed term exclusions				✓		✓	
Make decisions about safeguarding issues				✓		✓	
Discharge duties in respect of pupils with SEN by appointing a responsible person				✓		✓	
Data protection and security	✓			✓	✓	✓	
Freedom of Information				✓	✓	✓	
Maintain Trust website				✓	✓		
Maintain academy website				✓		✓	
Agree a Complaints Policy	✓			✓	✓		
Managing Complaints Policy: individual Academy				✓		✓	
Managing Complaints Policy: Central staff / governance / whole Trust				✓		✓	
Managing complaints, appealed following a reply by the Exec Head/CEO.	✓			✓			

G. Curriculum & Teaching	Trust Board	Education Standards Committee	Finance & Audit Committee	Exec HT / CEO (also Accounting Officer)	ExecBM	Head of School	
Agree a Curriculum Policy	✓			✓		✓	
Accountability for standards of teaching and pupil outcomes across the Trust	✓			✓			
Responsibility for standards of teaching and pupil outcomes at the individual Academy				✓		✓	
Review and challenge academy development plan and Integrated curriculum and financial planning (ICFP) {schools to plan their curriculum and their finances in a combined exercise.}		✓		✓		✓	
Review and challenge academy self-evaluation		✓		✓		✓	
Review and challenge education data, ASP and Inspections data summary report.		✓		✓		✓	
Adoption of policies for education		✓		✓		✓	
Responsibility for ensuring provision of sex education, RE and collective worship are in line with Trust policy		✓		✓		✓	
Review Pupil premium strategy and spending		✓		✓		✓	
Review PE spending and actions plans		✓		✓		✓	
Decide to offer additional activities and what form these should take				✓		✓	
Manage any additional activities offered				✓		✓	
Establish a Charges & Remissions Policy for 'additional activities' (see DfE guidance)	✓		✓	✓		✓	
Decide to offer nursery places				✓			
Decide whether to and what to charge for nursery places	✓		✓			✓	