



# Oak Learning Trust Scheme of Delegation



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**Introduction**

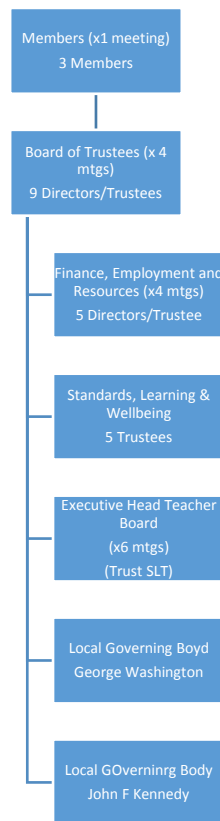
The Oak Learning Trust board of trustees is accountable in law for all decisions about its schools/academies. Many decisions will be delegated including to the Executive Head Teacher, board committees and local governing bodies. The decision to delegate a function is made by the full board of trustees and is recorded.

**The Purpose of Scheme Delegation**

The scheme of delegation (SoD) defines which functions have been delegated and to whom, ensuring members, trustees, committees (including local governing body's), executive leadership and academy/school senior Head Teacher are clear about who has responsibility for making which decisions in the Trust.

**Delegation to Local Governing Body's (LGB's)**

**Oak Learning Trust**



The Board of Trustees of a multi academy trust delegate responsibility for delivery of the vision and strategy to the Oak Learning Trust Executive Head Teacher. The MAT board will hold the Executive Head Teacher to account for the performance of the trust, including the performance of the academies within the trust. The board will delegate some of the detailed scrutiny, oversight and decision making.

In this scheme of delegation (SoD) the trust board delegates responsibility for the performance of the trust, including the performance of the academies within the trust, to the Executive Head Teacher. However, some responsibilities concerning the performance of each academy are delegated to a local governing body (LGB). These responsibilities include monitoring whether the school is working within the agreed policies, whether standards are being met, and if the money is being well spent. The LGB will use its detailed knowledge and engagement with stakeholders to ensure that their school is being well served by the executive leadership, and as a board committee has direct access to the board if there are concerns.

As the Executive Head Teacher is accountable to the board for the performance of the trust as a whole, the Executive Head Teacher will report to the board on the performance of the trust including on the performance of the trust's schools, this may also be supplemented by monitoring reports from the LGBs.

The Executive Head Teacher is performance managed by the trust board. The Executive Head Teacher performance manages the academy principals but will seek input from the LGB chair.

## **Roles and Responsibilities**

### **The role of the members**

The members of the trust have a different status to trustees. The articles of association 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. The articles state that members are not permitted to be employees of the academy trust.

### **The role of the 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:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the executive to account for the educational performance of the 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

Because trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. We use the term trustee as it avoids the possible confusion caused when executive leaders are called directors but are not company directors and trustees.

The trust board is permitted to exercise all the powers of the academy trust. The trust board will delegate to the chief executive responsibility for the day to day operations of the trust. The trustees determine whether to delegate any governance functions.

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

### **The role of committees**

The trustees may establish committees either with delegated authority to make decisions or for the purpose of providing advice and support, informing the overall work of the trust board. However, these committees are not legally responsible or accountable for statutory functions - the trust board retains overall accountability and responsibility. The responsibilities for the school governing body are set out in the scheme of delegation. The trust board may appoint committee members and committee chairs.

### **The role of the local governing body (LGB)**

The trust board will establish LGB's, appoint the chair, ensure two parents are elected and will determine what will be delegated. Typically, responsibilities include:

- 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
- Reporting to the board

There will be no further sub committees of this committee.

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

### **The role of the chief executive officer (Executive Head Teacher)**

The Executive Head Teacher has the delegated responsibility for the operation of the trust including the performance of the trust's schools / academies. The LGB chair performance manages the school / academy Head Teacher alongside the Executive Head Teacher who will support the process.

The Executive Head Teacher 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 Executive Head Teacher leads the executive Head Teacher's Board of the academy trust. The Executive Head Teacher will delegate executive management functions to the executive Head Teacher's Board and is accountable to the trust board for the performance of the executive Head Teacher's Board.

### **The role of the Head Teacher**

Head of School is responsible for the day to day management of the school / academy and reports to the Executive Head Teacher and LGB on matters which have been delegated to the LGB.

### **Terms of Office**

- Members will serve 4 years
- Trustees will serve 4 years
- Local Governors will serve 3 years

The number of governors at each school / academy will be agreed by the Trust Board.

Area	Decision	Delegation				
		Members	Trust Board	CEO	LGB	Academy / School Head Teacher
<b>Governance Framework</b>						
People	Members: Appoint/Remove	✓				
	Trustees: Appoint/Remove	✓				
	Role descriptions for members	✓				
	Role descriptions for trustees/chair/specific roles/committee members: agree		✓	A		
	Parent trustee/committee member: elected		✓			
	Committee chairs: appoint and remove		✓	A		
	LGB chairs: appoint and remove		✓	A		
	Vice chair of the LGB: appoint and remove				✓	
	Clerk to board: appoint and remove		✓			
	Clerk to LGB: appoint and remove		✓			
Systems and structures	Articles of association: agree and review	✓	A	A		
	Governance structure (committees) for the trust: establish and review annually		✓	A		
	Terms of reference for trust committees (including audit if required, and scheme for school committees): agree annually		✓	A		
	Terms of reference for LGB/local committees: agree and review annually		✓	A		
	Skills audit: complete and recruit to fill gaps		✓	A	✓	A
	Annual self-review of trust board and committee performance: complete annually		✓			
	Annual self review of LGB performance: complete annually				✓	
	Trustee / committee member contribution: review annually		✓		✓	
	Succession: plan		✓	A	✓	A
	Annual schedule of business for trust board: agree		✓	A		
Annual schedule of business for LGB: agree			A	✓	A	

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<b>Reporting</b>						
Reporting	Trust governance details on trust and academies' websites: ensure		✓	A		
	Academy governance details on academy website: ensure		✓	A		
	Register and publish interests, business, pecuniary, loyalty for members and trustees		✓	A		
	Annual report on performance of the trust: submit to members and publish		✓	A		
	Annual report & accounts (policies, signed statement on regularity, propriety and compliance, governance statement demonstrating value for money: submit		✓	A		
	Annual report work of LGB: submit to trust and publish				✓	A
<b>Being Strategic</b>						
Being strategic	Determine trust policies reflecting Trust's ethos and values ( <i>discussions with unions where appropriate</i> ) including: admissions; charging and remissions; complaints; expenses; health and safety, premises management; data protection and FOI; staffing policies: capability, discipline, conduct and grievance; SEND; safeguarding and child protection; curriculum; behaviour		✓	A		A
	Central spend / top slice: agree		✓	A		
	Management of risk: establish register, review and monitor		✓	A	✓	A
	Engagement with stakeholders	✓	✓	✓	✓	✓
	Trust's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against progress towards achieving the vision can be measured: determine		✓	A		
	Schools vision and strategy, agreeing key priorities and key performance indicators (KPIs) against progress towards achieving the vision can be measured: determine			✓	A	A
	Chief executive officer: Appoint and dismiss		✓			
	Financial Director: Appoint and dismiss		✓			
	School / Academy Leadership team: Appoint and dismiss			✓		
	Budget plan to support delivery of trust key priorities: agree		✓	A		
	Budget plan to support delivery of school key priorities: agree			✓	A	✓
	Trust's staffing structure and appointments		✓	A		
School staffing structure and appointments			✓	A	A	

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<b>Holding to account</b>						
Holding to account	Auditing and reporting arrangements for matters of compliance (eg safeguarding, H&S, employment): agree		✓	A	✓	A
	Reporting arrangements for progress on key priorities: agree		✓	A	✓	A
	Performance management of the Chief Executive Officer: undertake		✓			
	Performance management of school / academy principal : undertake			✓	A	
	Trustee monitoring: agree arrangements		✓	A		
	LGB member monitoring: agree arrangements				✓	A
<b>Ensuring financial probity</b>						
Ensuring financial probity	Chief financial officer for delivery of trusts detailed accounting processes: appoint		✓	A		
	Trust's scheme of financial delegation: establish and review		✓	A		
	School's scheme of financial delegation: establish and review		✓	A		
	External auditors' report: receive and respond		✓	A	✓	A
	Executive Head Teacher (CEO) pay award agree					
	School / Academy Head of School pay award: agree		✓	A		
	Staff appraisal procedure and pay progression: monitor and agree		✓	A		A
	Benchmarking and trust wide value for money: ensure robustness		✓	A		
	Benchmarking and school / academy value for money: ensure robustness				✓	A
	Develop trust wide procurement strategies and efficiency savings programme		✓	A		A

Area	Decision	Delegation				
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<b>Human Resources &amp; Staffing</b>						
Ensuring Clear and Robust HR policies and	Approve Terms and Conditions policy		✓	A		A
	Approve disciplinary / capability / grievance / performance management and pay policies		✓	A		A
	Implement, monitor, review and propose amendments to the HR policies		✓	A		A
	Suspend staff following HR policies (besides the above)		✓	✓		✓
	Implement HR hearings, appeal hearings and Dismiss staff (besides the above)		✓	✓		✓
	Approve any leaving payments (redundancy, dismissal, early retirement) in accordance with academy policy		✓	✓		

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<b>Student Development</b>						
Ensure policies support learning	To ensure that the curriculum complies with the legal and Funding Agreement requirements		✓	A	✓	A
	To ensure behaviour policy is applied consistently		✓	A	✓	A
	Determine and apply attendance and punctuality protocols and procedures		✓	A	✓	A
	To exclude a pupil (fixed term)			A	✓	✓
	To exclude a pupil (permanently) and hear any appeals		✓	A	✓	A
	To regularly monitor standard in learning, curriculum and safeguarding in school		✓	✓	✓	A