



**Learn-AT**  
Learning ~ Fellowship



Learn-AT  
Governance  
Framework

# Scheme of Delegation

LAT034 Version 10 Updated June 2023



## Introduction

A charitable school trust scheme of delegation refers to the framework or set of rules that govern the delegation and distribution of powers, accountabilities, responsibilities, and decision-making authority within a school trust organisation. It outlines how different levels of governance, such as the Trust's Members, the Trust's Board of Trustees, individual schools' local governing bodies, interact and make decisions. The scheme of delegation defines the functions and limits of authority for each tier of governance within the Trust, ensuring effective accountability and governance across all schools within the Trust structure. Detailed information about the roles of each tier of governance can be found in the <Learn-AT Governance Framework>.

While the Scheme of Delegation defines the tier of governance within which authority and ultimate accountability sits, the operational responsibility for compliance is delegated to Trust employees. For example, from the Trust Board to the CEO and/or the DFO; from the Local Governing Body to the Headteacher. Executive leaders report on compliance across all aspects of the Scheme of Delegation to Trustees and Local Governors at full Board or LGB meetings and through Board committees. Local Governing Bodies are committees of the Trust Board.

In groups of schools which share an executive headteacher and leadership structure, (a Cluster) the Trust Board may approve a Cluster governance structure and may confirm an appropriate / individual Scheme of Delegation which meets the governance requirements of the cluster.

In certain circumstances, the Trust Board can restrict delegation to Local Governing Bodies. The criteria and process for restriction of delegation are outlined on page 13.

Learn-AT Scheme of Delegation 2021– Unrestricted Delegation (No Cluster Board)		Delegation			
Area of accountability / delegated authority	Members	Trustees	Trust Leader (& DFO)	Local Governing Body	School Headteacher
<b>Governance</b>					
Appoint and remove members	✓				
Role descriptions for members	✓				
Appoint and remove trustees	✓				
Appoint a Chair and Vice-Chair to the Trust Board from among Board members		✓			
Appoint a Trust Company Secretary, and Clerk to the Trustees.		✓			
Appoint a Clerk to the Local Governing Bodies		✓			
Appoint Local Governors (including Associates) to LGB		✓	<A	<A	<A
Appoint Chair and/or Vice Chair to LGB from among LGB members				✓	
Remove Local Governors (including Associates) from the LGB, including Chair and/or Vice-Chair		✓	<A	<A	<A
<b>Systems and structures</b>					
Agree and review the Articles of Association.	✓				
Receive an annual report from the Trustees and the Trust Leader on the Trust's performance.	✓				
Review, amend and approve: <input type="checkbox"/> the Learn-AT Governance Policy <input type="checkbox"/> the Learn-AT Scheme of Delegation <input type="checkbox"/> the terms of reference for the Trust Board and its committees <input type="checkbox"/> the constitution and terms of reference of LGBs <input type="checkbox"/> The constitution and terms of reference of any school cluster governance arrangements		✓	<A		
Review and amend the terms of reference for LGB working groups				✓	
Determine the educational character, mission, values, vision, culture and ethos of the Trust.		✓	<A		
Determine Trust strategy.		✓	<A		
Determine, review and amend the policies of the Trust, including: data protection, information sharing, Freedom of Information, code of conduct, complaints, whistleblowing.		✓	<A		
Ensure that the school has robust school development plan which aligns to the priorities of the Trust.				✓	
Review and amend the policies of the school (in line with any relevant Trust prescribed policy).				✓	
Succession planning for Trust Board		✓	<A>		
Succession planning for Local Governing Bodies			<A>	✓	<A

Learn-AT Scheme of Delegation 2021– Unrestricted Delegation (No Cluster Board)	Delegation				
Area of accountability / delegated authority	Members	Trustees	Trust Leader ( & DFO)	Local Governing Body	School Headteacher
Succession planning for the Trust Executive Team (Trust Leader, Deputy Trust Leader, Director of Finance and Operations, Executive Headteachers and Headteachers).		✓	<A		
<b>Reporting</b>					
Publish Trust governance details on Trust website.		✓	<A		
Publish school governance details on school websites with links to Trust website		✓	<A		
Establish and publish registers of all interests: business, pecuniary, loyalty for members/Trustees/committee members.		✓	<A		
Publish annual report and accounts including accounting policies, signed statement on regularity, propriety, and compliance, incorporating governance statement demonstrating value for money; submit.		✓	<A		
Publish annual report on work of the school and LGB in line with Trust Board requirements.				✓	<A
<b>Financial probity</b>					
Appoint external auditors	✓		<A		
Establish a framework of internal controls including appointment of internal auditors.		✓	<A		
Secure financial competency at Board level.		✓			
Sign off annual accounts and reports.		✓			
Establish and approve the financial scheme of delegation.		✓			
Appoint a finance committee.		✓			
Appoint an audit committee.		✓			
Appoint the Trust Leader as Accounting Officer.		✓			
Appoint a chief finance officer (Director of Finance and Operations).		✓			
Approve the annual budget for the Trust ( <i>including all schools</i> ) and approve any significant changes to that budget.		✓	<A>	<A	<A
Propose an annual cluster budget in line with the overall Trust budget and with guidance from the Trust.		✓	<A		
Deliver monthly management accounts and forecasts		✓	<A		
Establish and review Trust and schools' Schemes of Financial Delegation		✓	<A		
Approve Trust Leader's annual pay award		✓	<A		
Approve Headteachers' annual pay awards.		✓	<A		

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Area of accountability / delegated authority	Members	Trustees	Trust Leader (& DFO)	Local Governing Body	School Headteacher
Scrutinise and approve any contracts which involve related party transactions.		✓	<A		
Establish and review a Trust charging and remissions policy		✓	<A		
Maintain a register of relevant personal and business interests.		✓			
Monitor and agree staff appraisal procedure and pay progression		✓	<A		
Ensure robust benchmarking and Trust-wide value for money		✓	<A		
Ensure robust benchmarking and school value for money			A>	✓	<A
Develop Trust-wide procurement strategies and efficiency savings programmes.		✓	<A		
Manage the Trust's cash position.		✓	<A		
Monitor pupil premium spend inc. Catch-Up, PE and Sports Premium.			A>	✓	<A
Ensure compliance with ESFA requirements.		✓	<A		
Insure adequate insurance is in place.		✓			
Maintain the Trust's risk register.		✓			
Maintain the schools' risk registers.				✓	<A
<b>Curriculum and standards</b>					
Approve a Trust-wide school improvement framework.		✓	<A		
Develop, monitor and approve a school development/ Improvement plan which aligns with schools' and Trust key priorities.			A>	✓	<A
Attend Ofsted inspections.		✓	A>	✓	<A
Receive an annual report from the Trustees and the Trust Leader on standards and Trust self-evaluation.		✓	✓	✓	✓
Appoint a Trust Board school improvement committee.		✓			
Approve Trust-wide curriculum and assessment frameworks, including EYFS.		✓	<A		
Ensure provision of a coherent, rounded and rigorous curriculum, which aligns to the Trust frameworks and includes a prohibition on political indoctrination, balanced treatment of political issues and a written policy on relationships and sex education.				✓	✓
Determine a policy on religious education and collective acts of worship.				✓	✓
Receive a termly report from the Trust Executive Team regarding standards across the Trust.		✓	<A		
Receive a termly report from the Executive Headteacher / Headteacher regarding standards in school.				✓	✓

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Area of accountability / delegated authority	Members	Trustees	Trust Leader (& DFO)	Local Governing Body	School Headteacher
Approve the curriculum proposed by the Executive Headteacher /Headteacher (to the extent that it is consistent with the Trust-wide curriculum framework).				✓	✓
Ensure effective systems and processes are in place for developing and monitoring the quality of teaching and learning, the curriculum, inclusion and the sharing of good practice in school.				✓	✓
Ensure effective systems and processes are in place for developing and monitoring the quality of teaching and learning, the curriculum, inclusion and the sharing of good practice across the Trust.		✓	<A		
Approve a trust-wide school improvement framework.		✓	<A		
<b>SEND</b>					
Determine a Trust-wide SEND and Equalities policy		✓			
Appoint a Local Governor responsible for SEND and inclusion, including Looked After Children.			A>	✓	<A
Appoint a Trustee responsible for SEND and inclusion, including Looked After Children.		✓			
Review and maintain the School's SEND and Equalities policy (consistent with any Trust-wide policy).			A>	✓	<A
Adopt a Trust-wide Equality Policy and ensure compliance with the requirements of the Equalities Act.		✓	<A>		
<b>Safeguarding</b>					
Adopt a Trust-wide Safeguarding and Child Protection policy.		✓	A>		
Adopt a Trust-wide policy regarding school trips.		✓	A>		
Promote a robust safeguarding culture in all Trust schools.		✓	A>	✓	
Appoint a designated governor for safeguarding.				✓	
Appoint a designated trustee for safeguarding		✓			
Adopt the Learn-AT safeguarding and child protection policy for the school and monitor/ensure its implementation.			A>	✓	
To ensure compliance with all safer recruitment requirements, including DBS checks and the completion and regular review of the single central record.		✓	A>	✓	<A
<b>Behaviour</b>					
Adopt a Trust-wide behaviour framework .		✓	<A		
Adopt a Trust-wide exclusions policy		✓	<A		
Review the use of exclusions across the Trust		✓	<A		

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Adopt and ensure the implementation of a behaviour policy for the school (consistent with Trust-wide framework).				✓	<A
Convene a committee to review any permanent exclusion of a pupil.		✓	<A		<A
<b>Admissions</b>					
Adopt a Trust-wide admissions policy.		✓			
Undertake consultation, publish admissions and determine arrangements that are consistent with the Learn-AT admissions policy, as required in accordance with the school Admissions and Appeals Codes.			A>	✓	<A
Publish an school prospectus.				✓	<A
Determine admissions and make arrangements for admission appeals according to the Trust Admissions Policy.			A>	✓	
Ensure effective arrangements are in place for pupil recruitment.		✓		✓	
Ensure accurate attendance registers and admissions records are kept.					✓
<b>Other pupil-related matters</b>					
Receive a termly report from the Executive Team regarding standards (to include attendance and the impact of the Pupil Premium and Sports Grants).		✓	<A		
Receive a termly report from the school headteacher regarding standards (to include attendance and the impact of the Pupil Premium and Sports Grants)				✓	<A
Adopt a Trust-wide Complaints Policy and receive reports from the Executive Team regarding the level of complaints across the Trust.		✓	<A		
Review attendance and pupil absences (as part of the KPIs).		✓	<A	✓	<A
Adopt the Learn-AT Complaints Policy for the school.				✓	<A
Approve exceptional bans from the premises of any persons, ensuring that the relevant protocol is adhered to.				✓	<A
Ensure effective arrangements are in place for pupil support and representation at the school.				✓	<A
<b>Staffing</b>					
Define any overarching management structures across the Trust.		✓			
Undertake the performance management and pay of Trust Leader acting through the Trust Pay Committee		✓			
Undertake performance management and set pay of Headteacher		✓		<A	A

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Area of accountability / delegated authority	Members	Trustees	Trust Leader ( & DFO)	Local Governing Body	School Headteacher
Adopt Trust-wide HR policies and procedures, including appraisal,		✓			
Appoint, suspend and dismiss the Trust Leader acting through a committee.		✓			
Appoint, suspend and dismiss the executive leaders (excluding the Trust Leader) acting through a committee.		✓	<A		
Appoint, suspend and dismiss the Executive/Headteachers/Heads of school		✓	<A	<A	<A
Appoint, suspend and dismiss and conduct the performance management review of the Trust Company Secretary.		✓	<A>	<A	
Approve applications for early retirement.		✓	<A	<A	<A
Agree an appropriate staffing structure for schools.			A>	✓	<A
Approve the adjustment (appointment, removal and contract changes) of school staffing arrangements <i>which do not require a financial settlement.</i>				✓	<A
Approve any removal/termination of contracts of school staffing requiring any form of financial settlement.		✓	<A	<A	<A
Ensure that there is effective communication between the Headteacher and the Trust Leader.				✓	<A
<b>Information management and communication</b>					
Adopt data protection policies and procedures to cover: <input type="checkbox"/> the requirement to notify individuals as to how information is to be used <input type="checkbox"/> safe storage of data according to the GDPR and other legal or regulatory requirements.		✓	<A		
Adopt Trust-wide IT related policies and procedures		✓	<A	✓	
Ensure the effective implementation of the data protection policies and procedures in the school.			A>	✓	<A
Ensure effective systems are in place for communication with pupils, parents or carers, staff and the wider community.			A>	✓	<A
Ensure that the school websites are compliant with the law/ statutory guidance and are up to date.		✓	A>	✓	<A
Ensure secure broadband, digital communications and data storage systems for the Trust and its schools		✓	<A		
<b>Health and safety, risk and estates</b>					
Review and monitor risk management for the Trust and maintain a Trust risk register.		✓			
Approve insurance arrangements.		✓			
Review and maintain a strategic estates strategy and asset management planning arrangements.		✓			

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Approve capital projects over £5K		✓			
Approve administration, management and sign off of all capital projects funded by the DfE Conditions Improvement Fund (CIF)		✓			
Adopt a Trust-wide health and safety policy.		✓			
Adopt a Trust-wide lettings policy.		✓			
Appoint an LGB sub-committee responsible for health and safety.				✓	<A
Review school risk registers and prepare a regular Risk Report for the Board of Trustees.			A>	✓	<A
<b>Community engagement and communications</b>					
Secure positive and proactive engagement and communication with parents and carers			A>	✓	<A
Secure positive and proactive engagement and communication with the school's local community			A>	✓	<A
Secure positive and proactive engagement and communication with the wider community across the Trust at local, regional and national level.		✓	<A	<A	<A
Positive and constructive engagement with local, regional and national press		✓	<A	<A	<A
<b>Equalities</b>					
Adopt a trust-wide Equalities Policy compliant with the requirements of the Equalities Act		✓			
Oversee the implementation of all policies to ensure compliance with the Trust Equalities Policy and the requirements of the Equalities Act.				✓	

**Key:**

A = Advice

<> = Direction of advice

## Restriction of delegation

The Trust Board will use the following criteria to inform decisions to restrict delegated authority to Local Governing Bodies. Any or all criteria being met might lead the Board to judge that such restriction is necessary. This is not an exhaustive list:

- An Ofsted rating of Grade 3 (Requires Improvement) or below
- Any or all of the following are below national average: EYFS, Year 1 phonics, KS1 English and Maths, KS2 English and maths, attendance / absence.
- Systems and procedures in the School do not prioritise high quality teaching and learning and continuous school improvement, provide for sufficient challenge and feedback or enable support to be accessed from the school leadership and Trust teams where necessary
- School is not fully and appropriately staffed
- There is insufficient expertise or capacity in the school's executive and senior leadership team
- In-year expenditure for capital and operating costs is higher than income; day to day budgetary controls are inadequate; 3-year financial plan shows income and expenditure are not balanced each year; reserves are below target level (6% of GAG).
- There are concerns relating to the safety of pupils or staff at the school
- There is an increase in parental concerns and complaints
- There are safeguarding concerns
- The Local Governing Body lacks the appropriate skills and capacity, and/or is not capable of enacting ethical and competent local governance in line with Learn-AT values on behalf of the school and the Trust Board.
- There is no Local Governing Body Chair.

Delegated authority for any or all of the roles and functions of the Local Governing Body according to the above criteria is exercised at the discretion of the Trustees. Delegated authority may be returned for any section of the Scheme of Delegation at the discretion of the Trustees and according to the relevant criteria.

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### Process for review

Under normal circumstances a process of consultation would be undertaken with the LGB before any amendment to delegation was implemented. However, where necessary to respond to urgent issues, the restriction of delegation remains at the Trustees' discretion.

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### Additional support and reduced delegation

Where concerns about a school emerge, the Trust's initial response will be to support the LGB and the leadership team to take the lead in addressing issues. There will be transparency in reporting about a school - so any advice to Trustees sought from external consultants or NLGs will be shared with the

school concerned. If concerns persist and/or there is limited progress, the Trust Leader will recommend to Trustees a plan for a schedule of reduced delegation. It may be that concerns are discussed and monitored with the Executive Headteacher / Headteacher as it is their role to keep Local Governors informed and ensure they understand their roles as local governors in a multi-school trust.

The flowchart below is indicative of the potential stages of how avenues of support are sought before reduced delegation is considered (some or all of these stages may be missed out and in many instances a task group may not be necessary). Any approach used would be bespoke to each situation and LGBs should be able to make their case known if any disagreement arose in a Trust's decision to take this route. Their views would be heard in writing at the next available meeting of the full board. However, the decisions made and ratified by the Trustees would be final. It may be that only some aspects of delegation are reduced delegation and timeframes may differ according to individual circumstances.

In all cases the aim would remain as swift a return to standard delegation as possible. Systems and processes would be put in place to support local governors to work back towards full delegation again.

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## Appeal process

- A Local Governing Body in dispute over any aspect of delegation, may, through the Chair, make their case in writing to the Board of Trustees for consideration at its next available meeting.
- In all cases, local governors will be given a minimum of 5 days' notice to send an appeal.
- Trustees should respond within 20 days.
- Any serious breaches of the Nolan Principles, Academy Governance Code and/or trust policy may be reported to the DfE and/or the EFSA.



## Initial Concerns

- Concerns identified from monitoring or support requested by the school.



## Informal Discussion

- Trust Leader meets with any/all Executive Headteacher / Headteacher/ Head of School / Senior Leaders / Local Governors to discuss situation
- Trust Leader procures informal support and monitors progress
- Trust Leader may monitor LGB minutes to advise/support
- Where situation escalates or little improvement made, TRUST LEADER establishes Task Group Action Plan



## Task Group Action Plan

- TG/extraordinary meeting formed of Trustees chosen by the Board and if appropriate HTs or Local Governors
- Trust Leader co-ordinates formal support/action plan/clearly defined timeline in discussion with HT
- Task group recommends reduced delegation



## Ongoing Support

- Task Group reviews progress at key stages.
- Trust Leader co-ordinates response of more formal support with an action plan and clearly defined timeline.
- With progress in key areas, delegations moved to LGB.



## Summary Review

- Review with LGBs to approve full delegation.
- Action plan closes



# Learn-AT

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## Learn Academies Trust

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