



Mercia
Learning Trust

Mercia Learning Trust
Scheme of Delegation

Autumn 2022

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Background and Approach

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.

The purpose of the Scheme of Delegation is to provide clarity on the role and responsibilities of those who contribute to the governance and oversight of the 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 the Schools and financial stability within the Trust.

Mission and Values

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. The 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.

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.

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.

Governance Model

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 the Trust's website.

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. The Executive team facilitates communications between levels of governance as well as a culture of regular self-evaluation.

The Trust's governance structure is as follows:

- **Members:** the guardians of the constitution (Articles of Association) who ensure the charitable objects are fulfilled. As outlined in the Department for Education's Governance Handbook, members have a strategic 'eyes on, hands off' role. Given Members' roles, they are not included on the breakdown of delegations as set out below.
- **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. The Board hold 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 the Trust. The Board delegates some responsibility including for day to day management.
- **Local Governing Bodies (LGB):** accountable to the Trust Board, provide a crucial challenge and support role and have some delegated responsibilities particularly for their own school.
- **Chief Executive Officer (CEO) with the Executive 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.

- **Headteachers:** responsible for the performance and defined operational delivery areas within their own school including oversight of their senior leadership team.

Structure

The document is divided into three key areas of responsibility and activity. The following levels of delegated power are used throughout:

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.

Consult: the individual/group that should be consulted as part of the process of completing a particular task.

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 Academy level.

Determine: the individual/group that has primary responsibility for ensuring the particular task is completed and determining how the Trust and/or Academies (as appropriate) should undertake the task including determining appropriate milestones and targets to be reported against.

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.

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 Academy to the CEO and/or LGB (as appropriate).

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 the Board and/or LGB (as appropriate), (ii) the LGB they will be making reports in relation to their Academy to the Board and/or CEO (as appropriate) and (iii) the Headteacher they will be making reports in relation to their Academy to the CEO and/or LGB (as appropriate).

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 MLT Executive Headteacher they will be reviewing the Headteacher and (iii) the LGB they will be reviewing the Headteacher and his leadership team.

Comply: the individual/group will follow agreed policies and procedures.

Audience

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

Approval and Renewal

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

STRATEGY & LEADERS: ensuring clarity of vision, ethos and strategic direction

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Executive Team	Headteachers
STRATEGIC OBJECTIVES							
Trust Strategic objectives	Develop, approve and then review objectives	Consulted on objectives with regard to financial priorities	Consulted on objective with regard to improvement priorities	Informed	Informed	Develop and deliver objectives and report to Board	Deliver consistent implementation of Trust strategic objectives in own school
Schools Strategic objectives	Informed on objectives and review		Review objectives and report		Informed on objectives, review for their own school	Support development of, be consulted on, approve and report	Develop and deliver objectives
Trust Development Plan	Approve and review Development Plan	Consulted on development plan with regard to financial priorities	Consulted on development plan with regard to improvement priorities			Develop, deliver and report on development plan	
Set organisational culture, values and ethos	Develop, approve and then review				Review for own school	Develop, deliver and report	Deliver for their own school
New schools to join Trust	Approve any additional schools and review progress	Consulted on any possible additional schools from financial/risk perspective				Develop, Deliver and Report to the Board on the process to identify and progress possible additional schools	
Stakeholder Voice	Be informed and review				Be informed and review reports/ updates for own school	Deliver for the Trust and Schools monitoring reports/ updates, respond to them, and report to Board	Deliver for own school, monitoring reports/ updates respond to them, and report to Executive Team and LGB

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Executive Team	Headteachers
Media and PR – oversee public relations activities to project the activities of the trust and the academies to the wider community.	Review				Comply	Deliver trust wide activities	Comply
Trust prospectus and website	Review				Comply	Determine, review and report	Comply
School prospectus and website					Review	Review	Determine, review consult and report
COMPLIANCE							
Trust and School financial and governance regulations and procedures	Approve and be informed	Review across Trust and Schools			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 Executive Team and report to Executive Team and LGB on own School
Regulations affecting the Trust e.g. employment, charity, company, health & safety	Informed on compliance 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 Executive Team and report to Executive Team and LGB on own School
Regulations affecting the Trust regarding safeguarding and Single Centre Record (SCR)	Approve and review					Develop systems and processes, deliver and report on compliance	

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Executive Team	Headteachers
Regulations affecting individual Schools e.g. safeguarding and SCR or website requirements	Informed on compliance	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. Review Headteachers' reports. Report to Board	Deliver in line with guidance from Executive Team and report to Executive Team and LGB on own School
Completing the register of business interests and put in place a procedure to deal with any conflicts of interest and connected party transactions.	Determine policies to ensure compliance and deliver.				Deliver	Deliver and report to the Board	Deliver
Financial Oversight and Controls	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 Executive Team and report to Executive Team and on own School
APPOINTMENTS							
Appointment of Trustees: Members formally appoint and remove Trustees	Recommend potential candidates to Members with required skills for effective governance. Approve the recruitment of Co-opted Trustees and					Deliver through support for process and decisions	

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Executive Team	Headteachers
	report to Members.						
Appoint Chair of Trustees on an annual basis	Appoint Chair						
Board committees or working groups	Approve any Board committees or working groups					Deliver through support for the Board process and decisions	
Appoint Chair of Finance & Audit Committee on an annual basis	Appoint Chair of Finance & Audit Committee						
Appoint Chair of Standards Committee on an bi-annual basis	Appoint Chair of Standards Committee						
Appoint Chair of HR and Remuneration on bi-annual basis	Appoint Chair of HR and Remuneration Committee						
Appointment of Governors	Approve the recruitment of Co-opted local governors as required.				Chair of LGB to Deliver and approve local governor appointments through application and interview process. Support the process e.g. through skills audits, induction etc	Review and Report all Governor appointments	Deliver the appointment process for staff and parent governors Consulted and informed on appointments of LGB governors for their school

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer/Executive Team	Headteachers
Appoint LGB Chair and Vice Chair on a bi-annual basis	Approve appointments of LGB Chairs as required				Approve Chair and Vice- Chair (or Co-Vice Chairs) on a bi-annual basis from nomination within the LGB	Recommend appointment of Chair. Informed on appointment of Vice-Chair.	Consulted and informed on appointments of LGB Chairs and Vice-Chairs for their School
Nomination of Safeguarding and SEND lead trustees	Determine and approve						
POLICIES							
Policies – for Trust and Schools	Approve trust wide policies.	Approve trust wide polices under the remit of the terms of reference.	Approve trust wide polices under the remit of the terms of reference.	Approve trust wide polices 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
GOVERNANCE ROLES AND EVALUATION							
Governance delegations and Terms of Reference for LGBs, committees and working groups	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
Performance of Board, committees and working groups	Approve and review evaluation of performance. Board may use independent assessors to deliver evaluation and report					Support and have input in to the Board, committees and working groups evaluation process	
Performance of LGB	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

EDUCATION & CURRICULUM: holding executive leaders to account for the educational performance of the organisation and its pupils

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer	Headteachers
TEACHING AND PROGRESS							
School Improvement Plan - in line with strategic aims of the Trust	Review capacity of Trust to ensure school improvement		Review standards in each school and report to the 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
Quality of Teaching and Curriculum development - Trust level	Approve and review Trust curriculum model in line with requirement to ensure 'broad and balanced curriculum' and all relevant government guidance including sex and relationships education (SRE) and collective worship					Develop and approve expectations at a Trust level	
Quality of Teaching and Curriculum development - School level			Review standards in each school and report to the 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 Executive Team
Academic results and destinations	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.	Develop expectations and deliver for their own School in line with

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer	Headteachers
						Review all Schools and report to the Standards Committee/Board	direction from Executive Team
Pupil Premium and Primary PE and Sport Premium					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
Delivering Early Years Foundation Stage (EYFS) in line with statutory requirements.	Review		Review and report		Determine, review and report	Consult, determine and recommend	Develop, deliver and report
Compliance with SEND Code of Practice and approach to exclusions	Review		Consult, review and report trust wide data		Consult review and report school data	Review, determine and report	Review, determine and report

FINANCE, HR & OPERATIONS overseeing and ensuring effective financial performance and holding executive leaders to account for the performance management of staff

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer	Headteachers
BUDGET AND FINANCES							
Trust Annual Budget	Approve budget	Consulted on and recommend budget in line with strategic priorities				Develop and deliver budget	
Trust Annual Budget execution within approved budget or financial delegations	Approve and review execution of budget or amendments	Review and recommend amendments				Deliver and report. Approve, subject to level of	

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer	Headteachers
	subject to level of amendments required					amendments required	
School Annual Budgets	Approve and review budget	Consulted on and recommend budget to Board			Informed of budget and review	Develop and review each School budget through scrutiny process	Develop and deliver School budget with Finance Director
School Annual Budget (execution) within approved budget levels or financial delegations	Approve (subject to level) and review execution of budget or amendments	Review or recommend (subject to level) execution of budget or amendments			Review execution of budget	Approve (subject to level) and review budget or amendments	Deliver and report on execution of budget with Finance Director
Delegated Budgets and Finances	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 Executive Team) on delegations for own School
Cash management, planning and cash flow		Be informed on and review				Develop, approve and report	
Annual Accounts and Trustees' Report	Approve Annual Accounts and Trustees' Report	Consulted on and recommend Annual Accounts and Trustees' Report				Deliver and report on Annual Accounts and Trustees' Report	
External auditors and Internal audit	Informed on appointment of external auditors by Members	Review recommendation from Executive Team and recommend appointment of external auditors to Members				Devise tender and put out for quotes. Recommend external auditors to Finance & Audit Committee	

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer	Headteachers
Corporate Risk Register and Management including risk strategy, contingency or business continuity planning	Informed on for the Trust and all Schools Approve any escalation required regarding high-risk cases of fraud, theft or irregularity	Review for the Trust and Schools			Review for their own School	Develop, deliver and report at School and Trust level	In conjunction with Executive Team deliver and report for their own School
Financial operation regarding investments, returns to the Education and Skills Funding Agency (ESFA), auditors' management letter/ response, procurement and value for money	Informed on for the Trust and all Schools	Review for the Trust and all Schools				Develop, deliver and report at School and Trust level	
Staff structure/ Restructures and training/ professional development	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 Executive Team
APPOINTMENTS AND PERFORMANCE MANAGEMENT							
Appointment of Chief Executive Officer (CEO) and Accounting Officer	Consult with the Regional Director, develop, recommend, approve and deliver appointment or dismissal of CEO.						

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer	Headteachers
Appointment of Trust Executive Team including Chief Financial Officer (CFO)	Informed on appointment or dismissal	Deliver and recommend appointment process for CFO				Deliver and approve appointments of Executive Team with support from the board for the appointment process	
Appointment of Headteachers	Informed on appointment or dismissal Note: appointment panel will include at least one Trustee				Informed on appointment or dismissal. Note: Appointment panel will include Chair of LGB	Deliver and approve appointment and dismissal of Headteachers	
Setting the pay framework including for Executive Team and Headteacher pay	Review and approve pay			Recommend in line with performance management and pay policy Approve executive pay		Develop, deliver and recommend	
CEO Performance Management Review	Board Chair – Deliver with external advisor in line with PM policy						
Executive Team's Performance Management Review	Informed on Performance Management in line with policy			Consulted on and approve – in line with Performance Management Policy		Develop, deliver and recommend	
Headteachers' Performance Management Review				Approve Performance Management	Consulted on and approve - through LGB Chair participating in process for	Develop, deliver and recommend with LGB Chair	

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer	Headteachers
					Headteacher at their School		
Performance Management of Teaching staff				Informed on Performance Management in line with policy	Approve Performance Management for Teaching staff through Pay Committee	Informed and review performance management process	Develop, deliver and recommend to LGB
Setting Terms and Conditions of Employment and Staff Handbook	Consider and approve			Consider and review and recommend to the Board	Comply	Review and recommend any suggested changes to the Academy's terms and conditions	Comply
Note: Appointment, dismissal, performance management, disciplinary or grievance procedures for all other Trust and Schools' staff to be undertaken by relevant governance layer in line with policies and delegations							
OPERATIONAL MANAGEMENT							
Key Performance Indicators (KPIs) – at Trust level	Review Trust KPIs including progress against them					Develop, deliver, recommend and report on Trust KPIs	
KPIs- at School level	Informed Schools KPIs on basis of exception reporting		Review Schools KPIs on basis of exception reporting and report to the Board		Informed on KPIs for their own School	Review Schools KPIs and, where necessary, Exception Report to Board	Develop, deliver and report to Executive Team and LGB for their own School
Trust central services provided to Schools	Approve and review					Develop, deliver and recommend	Deliver and report (to Executive Team) for own School
Asset and Premises Maintenance Strategy and delivery maintaining buildings	Approve	Recommend and review				Develop, deliver and report at Trust and Schools level	

Operational area	Trust Board	Finance, Risk and Audit Committee	Standards Committee	HR and Remuneration Committee	Local Governing Bodies	Chief Executive Officer	Headteachers
and facilities in line with legal obligations							
Acquiring and disposing of Trust land	Approve and review	Consulted on				Develop, recommend, deliver and report	
Changing use of assets	Review/approve	Consider, determine and recommend				Consult, review and recommend	
Arranging insurance for the Trust	Review	Consider, determine and recommend				Consult, review and recommend	