

# Lincolnshire Wolds Community Trust Scheme of Delegation



## **Introduction:**

The Lincolnshire Wolds Community (LWCT) multi academy trust's (MAT) board of trustees is accountable in law for all decisions about its academies. However, this does not mean that the board is required to make all the decisions itself. Many decisions can and should be delegated including to the CEO, board committees and cluster and local governing committees. It is vital that the decision to delegate a function is made by the full board of trustees and is recorded. Without such formal delegation, the individual or committee has no power to act.

This Scheme of Delegation will be published on the trust website.

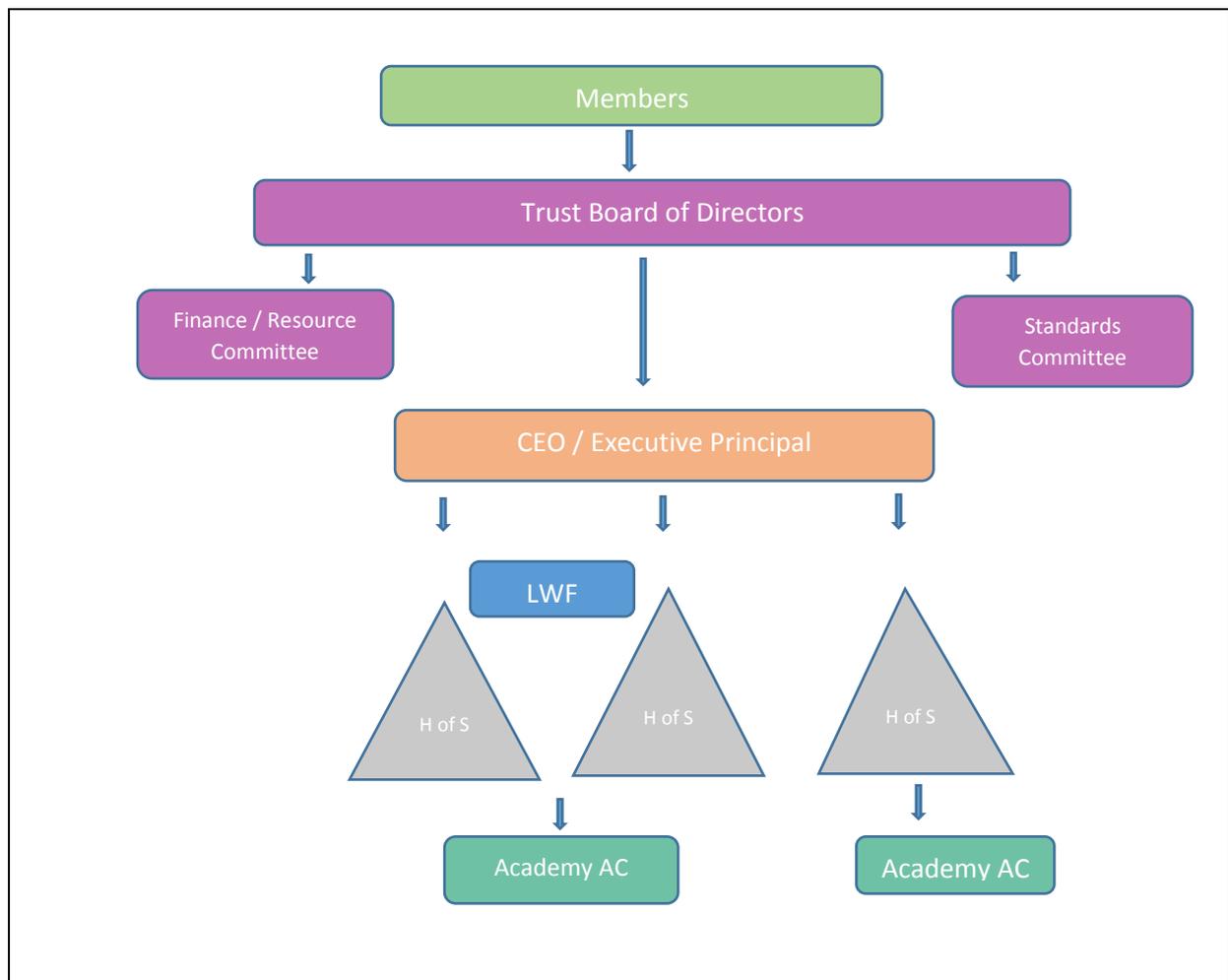
LWCT scheme of delegation (SoD) is the key document defining which functions have been delegated and to whom. . It is a simple yet systematic way of ensuring members, trustees, committees (including local governing committees), executive leadership and academy Heads of School are clear about who has responsibility for making which decisions in the trust. This overarching SoD covering all decision making in the trust should not be confused with the written scheme of delegation of financial powers referred to in the Academies Financial Handbook.

Governing bodies may opt to join LWCT with the agreement they will be retained as a local governing committee by the trust. It needs to be clearly understood by all parties that this is subject to future change. The trust board will always have the power to appoint and remove committees at any point, whether it be a committee of the trust board, or a cluster committee, or local governing committee (LGC), often referred to as a local governing body or LGB. Although the LGC may be retained as a committee of the trust board, its decision making powers may well be very different to those it had as a local authority maintained school governing body. In some cases these may be much reduced or even non-existent (which is not to say that the local governing committee does not have a role, but it will be different).

This S of D will:

- Ensure the executive leadership is clear about which decisions the trust board remain in control of
- Ensure that the role of the executive leadership is fully understood throughout LWCT
- Promote a culture of honesty and accountability
- Identify responsibility for the appointment and performance management of the CEO/executive principal and academy Heads of School
- Identify responsibility for policy and practice in each academy
- Identify responsibility for oversight of each academy's budget
- Identify responsibility for assessment of risk in each academy
- Identify responsibility for oversight of educational performance in each academy

## LWCT Academy Advocate Committee (LGB)



### **Governance structure and lines of accountability**

The board of trustees of LWCT will delegate responsibility for delivery of the vision and strategy to the lead professional of LWCT, who is increasingly being termed a chief executive officer (CEO). The LWCT board will hold the CEO to account for the performance of the trust, including the performance of the academies within the trust. The CEO in turn holds other senior leaders to account by line managing them. While the board cannot ever delegate its accountability, it can and must delegate some of the detailed scrutiny, oversight and decision making.

In this scheme of delegation (SoD) the trust board delegates responsibility for the day to day operation and performance of the trust, including the performance of the academies within the trust, to the chief executive officer (CEO).

- This means that as the CEO is accountable to the board for the performance of the trust as a whole, the CEO will report to the board on the performance of the trust including on the performance of the trust's schools.
- The CEO is performance managed by the trust board. The CEO performance manages the academy heads of school.

At school level are academy advocate committee who understand how the school is led and managed, act as the eyes and ears of the school and its community and have a role in influencing decision making. They will have a direct link to the trust board in case concerns need to be raised.

## Roles and responsibilities

### The role of the members

The members of LWCT have a different status to trustees. Originally they have been the signatories to the memorandum of association and will have agreed the trust's first articles of association (a document which outlines the governance structure and how the trust will operate). The articles of association will also describe how members are recruited and replaced, and how many of the directors the members can appoint to the trust board. The members appoint directors to ensure that the trust's charitable object is carried out and so must be able to remove directors if they fail to fulfil this responsibility. Accordingly, the trust board will submit 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.

While members are permitted to be appointed as directors, in order to retain a degree of separation of powers between the members and the trust board, and in line with DfE expectations, not all members should be directors. Within LWCT, one member is permitted to also be a director. Members are not permitted to be employees of the academy trust.

### The role of the Directors

The directors 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 directors 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 students, and the performance management of staff
3. Oversee the financial performance of the trust and make sure its money is well spent

Because directors are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably. Within LWCT we use the term director. The trust board of directors 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 directors can 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 directors within LWCT have established committees with delegated authority 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 of committees are set out in their terms of reference; the responsibilities for school governing committees are set out in the scheme of delegation grid. The trust board may appoint committee members and committee chairs.

## The role of the chief executive officer (CEO)

The CEO has the delegated responsibility for the operation of LWCT including the performance of the trust's academies and so the CEO performance manages the academy heads of 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 CEO leads the executive management team of the academy trust. The CEO will delegate executive management functions to the executive management team and is accountable to the trust board for the performance of the executive management team.

## The role of the academy Head of School

The academy Head of School is responsible for the day to day management of the school and is accountable to the CEO.

## The role of the academy advocate committee (LGB)

The trust board will establish an academy advocate committee in each school and will appoint the chair. Two parents will be elected to the committee. The committee may:

- Seek to understand how the school is led and managed: the academy principal will report termly on how the school is fulfilling the trust's ethos, vision and strategy
- Act as the panel when reviewing the academy head of school's decisions on exclusions, and parents' complaints
- Be the consultative body for the school's stakeholders
- Represent the school's stakeholders
- Forge links with the community
- Act as an ambassador for the school