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The Diamond Learning Partnership Trust  
Scheme of Delegation  
11th October 2018

## **Introduction**

The Scheme of Delegation includes the structure for governance of The Diamond Learning Partnership Trust (the Academy Trust), the terms of reference of the committees within that structure and the delegation of financial and HR authority agreed by the Trustees of the Trust

The Trustees are appointed by the Members of the Trust in accordance with the Articles of Association. The Trust is a Charitable Company and the Trustees are also Directors of the company. The Articles of Association permit the appointment of 12 Trustees by Members

The Articles of Association describe the powers of the Trustees. The Trustees have decided to delegate their powers as described in this document.

## Structure

The governance structure of the Trust comprises the Board of Trustees and several committees of the Board. These are

Standards committees

The Board will establish a Standards Committee for each hub comprising a number of academy schools

Finance and Audit committee

Local Governing Bodies

The Board will normally establish a Local Governing Body for each academy school but in some circumstances one LGB will be responsible for two or more schools

New School committee<sup>1</sup>

The Board may also establish ad hoc committees in accordance with the Articles of Association.

## Trustee Board

Responsibility for the operation of the Trust is delegated to the CEO subject to the exceptions and limits in this document.

The following items are not delegated to the CEO or any of the committees and decisions related to them must be taken in properly convened and recorded meeting of the Trustees. The Trustees may appoint a Trustee or a working group of two or more Trustees with specific terms of reference to prepare a proposal for consideration by the Trustees

Appointment of the Chief Executive Officer

Appointment of Headteachers

Approval of the Scheme of Delegation

Approval of the Business Plan

Approval of the budgets for regulated and non-regulated funds

Approval for schools to join or leave The Diamond Learning Partnership Trust

Approval of a recovery plan for an academy school and the appointment of an Executive Headteacher

Approval of Pay policy

Approval of Pay policy for CEO (employees other than Clerk excluded)

Approval of Admissions policy

Approval of Special Educational Needs and Disability policy

Approval of Safeguarding policy

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<sup>1</sup> New in this context means creation of a school rather than an established school joining the Trust

## **Standards Committees**

Academies may be grouped according to geographical proximity or other factors into hubs and there will be a separate Standards Committee for each hub

### **Purpose:**

To hold to account the CEO and LGB of each academy school to ensure that all children are making rapid progress towards achieving the full extent of their potential and that this is supported by a broad and balanced curriculum and appropriate policies.

To promote academy schools within the hub working collaboratively

### **Membership:**

The Trustees will decide the membership of the committee on an annual basis. The LGB of each academy school will be asked to propose a member of the committee for consideration by the Trustees. The CEO or another person appointed by the CEO and approved by the Trustees is a member of the committee. A resolution approving the membership of the committee or committees will be recorded in the minutes of the Trustees meeting.

The Chair of each committee will be appointed by the Trustees.

### **Clerk:**

The Trustees will appoint a clerk to the committee.

### **Quorum:**

The quorum is 3 members of the committee including the CEO (or approved alternative)

### **Meetings:**

Meetings will be held at least once each term. One week's notice of the agenda must be given by the clerk of the committee when convening a meeting. The clerk will be responsible for calling the meetings and producing minutes.

### **Delegated responsibilities:**

To monitor the standards, achievements and progress of all children in each school and by relevant groups including any for which hypothecated funding is given.

To monitor the standards of attendance, behaviour and safety of all children and the effectiveness of teaching, leadership and management in each school.

To monitor targets for each academy school and the effectiveness of plans to achieve those targets.

To consider Ofsted and other reports that relate to the schools.

To monitor the curriculum offered by academy schools

To monitor the quality and development of teaching and learning including the process and impact of performance management in each school and the training of students

To review in the first term of each school year the performance of the committee in delivering these responsibilities

To require action by the CEO or LGB of a school wherever deficiencies are identified

To report to the Board

## **Finance and Audit Committee**

### **Purpose**

To hold to account the CEO and each academy school to ensure that the financial resources of the Trust are deployed in accordance with the ESFA Academies Financial Handbook and in the most effective manner so that the purpose of the Standards committee can be achieved.

### **Membership:**

The Trustees will decide the membership of the committee on an annual basis. A resolution approving the membership of the committee will be recorded in the minutes of the Trustees meeting. The CEO is a member of the committee.

The majority of the members will be Trustees.

The Chair of the committee will be appointed by the Trustees.

### **Clerk:**

The Trustees will appoint a clerk to the committee.

### **Quorum:**

The quorum is 3 members of the committee.

### **Meetings:**

Meetings will be held at least once each term. One week's notice of the agenda must be given by the clerk of the committee when convening a meeting. The clerk will be responsible for calling the meetings and producing minutes.

No decision may be made unless the majority of those attending the meeting and voting in favour of the decision are Trustees.

### **Delegated responsibilities:**

#### **Audit**

To review internal and external audit reports

To review action plans arising from audit reports

To ensure Financial Procedures manual reflects any amendments arising from audit actions

To recommend areas for audit by internal auditors

To nominate a Trustee representative at the audit review meeting with external auditors

To recommend the appointment of the external auditor for adoption by the Members at the AGM

To require action by the CEO wherever deficiencies are identified

#### **Finance**

To monitor the management accounts and propose remedial action if necessary.

To ensure that all money is spent in accordance the relevant regulations

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To approve the form and content of monthly management accounts to be provided to the Trustees that as a minimum satisfy the requirements of the ESFA

To review the risks to internal financial control and to agree a programme of work that will address these risks, inform the statement of internal control and, so far as is possible, provide assurance to the external auditors

To review policies for financial management including those for purchasing, service agreements charges, remissions, and expenses

To require action by the CEO or LGB of a school wherever deficiencies are identified

## **Local Governing Body**

### **Purpose**

To ensure that all children at the academy school are receiving a high quality education and are making rapid progress towards achieving the full extent of their potential and that the resources available to the academy school are appropriate and deployed effectively.

Each school normally has an LGB but one LGB may be responsible for two or more schools.

### **Membership:**

The Trustees will appoint all members of the Local Governing Body. The membership will be between seven and nine Governors including the Headteacher, two Parent Governors, and two Staff Governors. The Staff and Parent Governors will be selected by elections within the staff and parent bodies of the school. If the Local Governing Body is responsible for two schools then as far as possible one Parent Governor and one Staff Governor will be appointed from each school.

Each member is appointed for four years from date of appointment and must at all times adhere to the Code of Conduct for LGB members. The appointment of a member will become effective only after the completion of DBS checks

The Chair of the LGB will be appointed by the Trustees, normally on the recommendation of the LGB.

### **Clerk:**

The Trustees will appoint a clerk to the LGB.

### **Quorum:**

The quorum is the Headteacher and 3 other members of the LGB.

### **Meetings:**

Meetings will normally be held once each term. One week's notice of the agenda must be given by the clerk of the committee when convening a meeting. The clerk will be responsible for calling the meetings and producing minutes.

An LGB may choose to meet more frequently or may be required by the Board to meet more frequently if the school requires rapid improvement.

### **Delegated responsibilities:**

To monitor the standards, achievements and progress of all the children in the academy school and by relevant groups including any for which hypothecated funding is given, the standards of attendance, behaviour and safety of all children and the effectiveness of teaching, leadership and management in the academy school and any additional areas that may be considered by Ofsted during an inspection

To review the safeguarding of children and staff

To consider Ofsted and other reports on the school

To approve the targets proposed by the Headteacher and the plan to achieve those targets

To monitor the achievement and impact of the agreed plan

To monitor the relationship between the school and the community including parents and propose any action necessary

To consider the whether the resources of money, staff and buildings available to the academy school are appropriate and are deployed effectively

To ensure that the school web-site contains all information required by law, DfE or TDLPT and is up to date

To require action by the Headteacher wherever deficiencies are identified

To report to the Trustees as required

## **New School Committee**

### **Purpose**

To supervise and oversee the establishment and operation of each new<sup>2</sup> School until such time as it is established in permanent premises and is operating in such a way that the governance requirements can be fully satisfied by an LGB operating in accordance with the standard Terms of Reference for such a committee.

### **Membership**

The membership will comprise the CEO, three non-executive Trustees, and the Executive Headteacher responsible for the school. Only members that are also Trustees will be entitled to vote on any issue.

The Headteacher, once appointed, will be required to attend meetings. Other members of staff may be invited to attend from time to time

The Trustees will appoint one of the Trustee members of the committee as Chair.

### **Clerk**

The Trustees will appoint a clerk to the committee

### **Quorum**

The quorum is three members of the committee

### **Meetings**

Meetings will be held at least once each term. One week's notice of the agenda must be given by the clerk of the committee when convening a meeting. The clerk will be responsible for calling the meetings and producing minutes. The minutes must include a record of all decisions taken under delegated authority.

### **Delegated authority and responsibilities.**

All those responsibilities delegated to a Local Governing Body in these Terms of Reference  
To prepare a plan for the establishment of the substantive LGB, to make recommendations of prospective members of the LGB, and to transfer responsibilities to the LGB at appropriate times

To recommend the cessation of the activities of the committee from time to time

To consider and procure such external advice as is necessary

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<sup>2</sup> New in this context means creation of a school rather than an established school joining the Trust.



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To approve and authorise on behalf of the Board such proposals, plans, programmes, budgets, expenditure, submissions, appointments and other matters as are necessary to expedite the opening and successful establishment of the Free School and to report on all approvals and authorisations to the next Board meeting provided always that the financial implication of such approval and authorisation do not exceed the financial authority delegated to the CEO acting alone.

To report to the Trustees as required

## **Financial Delegation**

The CEO can reduce the amounts delegated at any time but must issue a notice to the person or people affected, to the Head of Finance and to the Resources committee at their next meeting, and must issue a further notice to the recipients of the first notice when any reduction is further varied.

Expenditure and virements not covered by the delegations below must be authorised by the CEO subject to a maximum limit of £50,000

Local Governing Bodies can authorise expenditure recommended by the Headteacher up to £10,000 within the limits set by the budget for that class of expenditure

Headteachers can authorise expenditure up to £5,000 within the limits set by the budget for that class of expenditure

Headteachers may not further delegate expenditure but may establish informal arrangements for allocation of budget to phase leaders, subject leaders, staff with other specific responsibilities, and class teachers.

Scope:

All budget headings for the school except for utilities, insurance and other services procured at Trust level

Head of Personnel can authorise expenditure up to £5000 within the limits set by the budget for that class of expenditure

Scope:

All Central Services budget headings for the Personnel function

Professional Development Leader can authorise expenditure up to £5000 within the limits set by the budget, or supplementary budget approved by the CEO, for that class of expenditure

Scope:

All Central Services budget headings for the Professional Development function

All supplementary budgets for the Professional Development function approved by the CEO

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Head of Finance can authorise expenditure up to £2000 within the limits set by the budget for that class of expenditure

Scope:

All Central Services budget headings for the Finance function

All Central Services budget headings for office equipment and office supplies,

All school budget headings for utilities, insurance and other services procured at

Trust level

The Head of Finance can authorise virements up to £2000

## Personnel Delegation

The CEO can remove any delegated authority at any time but must issue a notice to the person or people affected, to the Head of Personnel and to the Resources committee at their next meeting, and must issue a further notice to the recipients of the first notice when any delegated authority is further varied.

Authority to make appointments and other employment decisions as listed below is given to the substantive post holders of the following positions. These authorities are not automatically conferred on those holding the positions on a temporary basis or when deputising for the substantive post holder. All those with the authority to make appointments or suspend or dismiss employees may at their discretion consult other employees, Local Governing Body or Trustees of the Trust, or external advisors.

The CEO has the authority to appoint any person reporting directly or indirectly to the CEO in accordance with Trust policies and procedures with the exception of Headteachers. The CEO will select and recommend for appointment candidates for the posts of Headteachers.

The Headteacher has the authority to appoint any person reporting directly or indirectly to the Headteacher in accordance with Trust policies and procedures, and to authorise others to undertake selection processes and make a recommendation for appointment to the Headteacher.

The Headteacher will consult with the CEO on the appointment of any Deputy Headteacher, Assistant Headteacher or equivalent position

The Headteacher will consult with the LGB on any changes to the management and reporting structure within the school

The CEO has the authority to appoint any person reporting to the CEO in accordance with Trust policies and procedures, and to authorise others to undertake selection processes and make a recommendation for appointment to the CEO.

The CEO will consult with the Trustees on the appointment of any Headteacher.

The CEO has the authority to suspend or dismiss any person employed by the Trust

In the absence of the CEO the Deputy CEO has the authority to suspend any person employed by the Trust

In the absence of the CEO and Deputy CEO the Head of HR and any one Headteacher acting jointly have the authority to suspend any person employed by the Trust