TDET

Thomas Deacon Education Trust

Unity of Purpose,
Diversity of Practice

Thomas Deacon Education Trust

Scheme of Delegation

1 Introduction

i) Under the approved structure, Thomas Deacon Education Trust (the "Trust") is a charitable company limited by guarantee. The Trust has entered into a Master Funding Agreement with the Department for Education (DfE) and a Supplemental Funding Agreement in respect of each academy.

ii) The Trust is responsible for ensuring that the company fulfils its statutory objectives, general functions and duties and appropriately exercises the legal powers vested in it, under the Charities Act 2011 and other legislation. The Trust is ultimately responsible to:

- the Members of the Trust - for overall performance and conduct. Members may at any time review and/or make amendments to the governance structure of the Trust; and

- the DfE in relation to compliance with the Funding Agreements and the requirements of the Academies' Financial Handbook.

2 The Scheme of Delegation

i) The TDET Board ("Trust Board") is the Governing Body of the Trust. The Board has full authority and responsibility for:

- setting the strategic direction and policy governing all aspects of Trust activity; and
- governance and compliance.

ii) In accordance with the Articles of Association of the Trust, the Board has delegated the power to carry out many of these responsibilities to sub-committees or, through the Chief Executive, to the Executive Group and Principals. This document sets out the Scheme of Delegation approved by the Board.

iii) The delegated powers are broken down into five different levels: Own, Deliver, Monitor, Review and Assurance. The delegated autonomy for individual academies is aligned with the requirement for the Trust to fulfil its corporate responsibilities and accountabilities to the Department for Education, the Education and Skills Funding Agency, the Charities Commission, HMRC and Companies House.

iv) The different levels of delegated power are listed below but it should be noted that not every task requires all levels of delegated power to be defined:

• **Own**: the individual/group that has responsibility for determining (including delegated decision-making authority) and initiating the task and ensuring that it is completed.

• **Deliver**: the individual/group that has responsibility for undertaking the task delegated to them and reporting on its delivery as determined by the owner.

• **Monitor**: the individual/group that has responsibility for ensuring compliance, monitoring effectiveness, and reporting on that monitoring whilst the task is in progress.

• **Review**: the individual/group that has responsibility for reviewing, at the end of the process, whether a particular task has been delivered satisfactorily, and taking any subsequent action as appropriate.

• **Assurance**: the individual/group that provides external validation. Not all tasks require assurance external to the Trust.

To meet the requirements of this scheme of delegation, there may be a need in some cases for additional communications outside of scheduled meeting dates.

v) The Scheme of Delegation should be read in conjunction with the Terms of Reference for each sub-committee (Resources and Education) and Terms of Reference for Academy Committees.

3   Sub Committees

i) There are two sub-committees to the Trust Board: Education Committee and Resources Committee. Both operate to terms of reference approved by the Trust Board and consist of Trustees from the Trust Board. Delegated responsibilities are included in the Scheme of Delegation and the terms of reference for the relevant committee.

ii) Academy Committees are responsible for holding the Principal to account for educational standards and targets as detailed in the Framework Response Plan (FRP). Delegated responsibilities are included in the terms of reference for Academy Committees.

APPENDIX A: Scheme of Delegation

Ref	Task	Own	Deliver	Monitor	Review	Assurance
1. Strategy and Leadership						
1.1	**Create and annually review the Scheme of Delegation**	**Trust Board**	**Chief Executive**	**Clerk to Trust Board**	**Trust Board Members**	**Auditors OfSTED**
1.2	**Create strategic objectives and associated plan for the Trust**	**Trust Board**	**Chief Executive**	**Trust Board**	**Trust Board Members**	
1.3	**Deliver Trust strategic plan**	**Trust Board**	**Trust Executive Group**	**Trust Board: sub-committees**	**Trust Board**	
1.4	**Create strategic objectives for the Academy** (in line with the Trust's strategic plan)	**Academy Committee**	**Principal**	**Trust Executive Group**	**Trust Board: Education Committee**	
1.5	**Create and deliver Academy Framework Response Plan** (in line with the Academy's strategic objectives)	**Academy Committee**	**Principal**	**Trust Executive Group**	**Trust Board: Education Committee**	**OfSTED**
1.6	**Complete Trust self-evaluation framework**	**Trust Board**	**Chief Executive**	**Trust Board: sub-committees**	**Trust Board**	**OfSTED Regional Director**
1.7	**Complete Academy Self Evaluation**	**Academy Committee**	**Principal**	**Trust Executive Group**	**Academy Committee Trust Board: Education Committee**	**OfSTED**

Ref	Task	Own	Deliver	Monitor	Review	Assurance
1.8	**Compliance: Funding Agreement** – ensure compliance with all obligations including the Academies Financial Handbook	**Trust Board**	**Accounting Officer Director of Resources**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor**
1.9	**Compliance: Regulatory** – ensure compliance with all regulations and statutory guidance affecting the Trust (including but not restricted to – Safeguarding, GDPR and Health and Safety)	**Trust Board**	**Trust Executive Group**	**Trust Board: sub-Committees**	**Trust Board**	**Auditor Charity Commission HSE ICO OfSTED LA**
1.10	**Compliance** – complete the register of business interests for Trustees, Academy Committee members and relevant staff and put in place a procedure to deal with any conflicts of interest	**Trust Board**	**Director of Resources**	**Executive Assistant**	**Trust Board**	**Auditor OfSTED**
1.11	**Appoint and remove Members** <u>Member Appointed by Thomas Deacon Foundation</u> <u>Member Appointed by Perkins Engines Company Ltd</u> <u>Other Members</u>	Thomas Deacon Foundation Perkins Engines Company Ltd Members	Thomas Deacon Foundation Perkins Engines Company Ltd Members	Clerk to Trust Board Clerk to Trust Board Clerk to Trust Board	Chair Trust Board Chair Trust Board Chair Trust Board	

Ref	Task	Own	Deliver	Monitor	Review	Assurance
1.12	**Appoint and remove Member-appointed Trustees** (including ensuring that Trustees have the skills to perform their functions and the constitution of the Committee is correct)	**Members**	**Chair of Trust Board[1]**	**Clerk to Trust Board**	**Members**	**ESFA**
1.13	**Appoint and remove non-Member-appointed Trustees** (including ensuring that Trustees have the skills to perform their functions and the constitution of the Committee is correct)	**Trust Board**	**Chair of Trust Board[2]**	**Clerk to Trust Board**	**Trust Board**	**ESFA**
1.14	**Appoint and remove Academy Committee members** (including ensuring that members have the skills to perform their functions and the constitution of the Committee is correct)	**Chair of Academy Committee**	**Academy Committee**	**Executive Assistant**	**Trust Board**	
1.15	**Appoint and remove Academy Committee Chair**	**Academy Committee and Chief Executive**	**Academy Committee and Chief Executive**	**Executive Assistant**	**Trust Board**	
1.16	**Appoint the Company Secretary**	**Trust Board: Resources Committee**	**Chief Executive**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor**
1.17	**Appoint the Internal Assurance team**	**Trust Board: Resources Committee**	**Director of Resources**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor**

[1] With ratification by Members
[2] Inform Members

Ref	Task	Own	Deliver	Monitor	Review	Assurance
1.18	Appoint the Audit & Risk Committee (subsumed within Resources Committee)	Trust Board	Trust Board	Trust Board	Members	Auditor
1.19	Appoint the Clerk to the Trust Board	Trust Board	Chair of Trust Board	Trust Board	Trust Board	Auditor
1.20	Appoint the Clerk to the Academy Committees	Trust Executive Group	Trust Executive Group	Executive Assistant	Trust Executive Group	
1.21	Identify which Trust-wide policies are to be standardised and in place	Trust Board	Trust Executive Group	Trust Board: sub-committees	Trust Board	OfSTED
1.22	Determine Academy Policies - including Trust-wide statements/sections as indicated	Trust Executive Group	Principal	Academy Committee	Trust Board Trust Executive Group	OfSTED LA
1.23	Prepare and review annually terms of reference for Trust Board Committees including Academy Committees with reference to the Trust's Articles of Association	Trust Board	Chair of Trust Board	Clerk to Trust Board Executive Assistant	Trust Board	
1.24	Develop a suitable training programme for Trustees and Academy Committee members	Trust Board	Chairs of Trust Board and Academy Committees	Clerk to Trust Board and Academy Committees	Trust Board	

Ref	Task	Own	Deliver	Monitor	Review	Assurance
1.25	Review performance of Trust Board	Members	Chair of Trust Board	Members	Members	OfSTED ESFA Auditors
1.26	Review performance of Academy Committees	Trust Board	Trust Board	Trust Executive Group	Trust Board	
2. Educational Standards						
2.1	Set Educational Key Performance Indicators	Trust Board	Chief Executive	Trust Board: Education Committee	Trust Board	OfSTED
2.2	Quality of Educational Provision (Trust-wide)	Trust Board	Trust Executive Group	Trust Board: Education Committee	Trust Board	OfSTED
2.3	Quality of Education (academy specific)	Academy Committee	Principal	Trust Executive Group	Trust Board: Education Committee Academy Committee	OfSTED
2.4	Set published admissions numbers (PAN)	Trust Board	Principal	Trust Executive Group	Trust Board	Local Authority
2.5	Academy Hours – set term dates and academy hours	Trust Board	Principal	Trust Executive Group	Trust Board	OfSTED

Ref	Task	Own	Deliver	Monitor	Review	Assurance
3. Finance						
3.1	**Appoint Responsible Officer**	**Trust Board**	**Trust Board: Resources Committee**	**Accounting Officer**	**Trust Board**	**Auditor**
3.2	**Funding Model -** agree a funding model across the Trust	**Trust Board**	**Trust Executive Group**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor ESFA**
3.3	**Trust Annual Budget –** formulate and set the Trust-wide budget (including academy budgets allocation)	**Trust Board**	**Trust Executive Group (Principals)**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor ESFA**
3.4	**Deliver against the Annual Trust Budget** (including academy budgets allocation)	**Trust Board**	**Trust Executive Group (Principals)**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor**
3.5	**Adhere to TDET financial regulations**	**Trust Board**	**Trust Executive Group Principals**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor**
3.6	**Ensure appropriate insurance arrangements are in place across the Trust**	**Trust Board**	**Trust Executive Group**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor**
3.7	**Submit monthly Management Reports (Trust)**	**Chief Executive**	**Director of Resources**	**Trust Executive Group**	**Trust Board: Resources Committee**	**Auditor**
3.8	**Submit monthly Management Reports (Academy)**	**Trust Executive Group**	**Director of Resources**	**Principal**	**Trust Board: Resources Committee**	**Auditor**

Ref	Task	Own	Deliver	Monitor	Review	Assurance
3.9	Submit annual Trust accounts	Trust Board	Accounting Officer	Trust Board: Resources Committee	Members	Auditor ESFA
3.10	Compile, maintain and review Trust Risk Register	Trust Board	Trust Executive Group	Trust Board: sub committees	Trust Board	Auditor
3.11	Compile, maintain and review Academy Risk Register	Trust Executive Group	Principal	Academy Committee	Trust Executive Group	Auditor
3.12	Unrestricted Trust reserves – agree the strategy in line with the Academies Financial Handbook and any internal policies and controls	Trust Board	Accounting Officer	Trust Board: Resources Committee	Trust Board	Auditor
3.13	Restricted Trust reserves - agree the strategy in line with the Academies Financial Handbook and any internal polices and controls	Trust Board	Accounting Officer	Trust Board: Resources Committee	Trust Board	Auditor
3.14	Designated Trust reserves - agree the strategy in line with the Academies Financial Handbook and any internal polices and controls	Trust Board	Accounting Officer	Trust Board: Resources Committee	Trust Board	Auditor
3.15	Investments – agree the strategy in line with the Academies Financial Handbook and any internal polices and controls	Trust Board	Director of Resources	Trust Board: Resources Committee	Trust Board Members	Auditor ESFA
3.16	Trust Trading Subsidiary (TDA Development Ltd) - maintain financial oversight	Trust Board	Chief Executive Director of Resources	Trust Board: Resources Committee	Trust Board	Auditor

Ref	Task	Own	Deliver	Monitor	Review	Assurance
4. HR						
4.1	**Appoint the Chief Executive**	**Trust Board**	**Specifically convened panel including external advisor**	**Chair of panel**	**Trust Board**	
4.2	**Appoint other Executive staff**	**Trust Board**	**Specifically convened panel including external advisor**	**Chair of panel**	**Trust Board**	
4.3	**Fulfil appraisal process for Chief Executive**	**Trust Board**	**Specifically convened panel including external advisor**	**Chair of panel**	**Trust Board**	
4.4	**Approve individual pay decisions for Chief Executive**	**Trust Board**	**Trust Board: Resources Committee**	**Trust Board**	**Trust Board**	**External Adviser ESFA**
4.5	**Approve individual pay decisions for Trust Executive Group**	**Trust Board**	**Chief Executive**	**Trust Board: Resources Committee**	**Chair of Trust Board**	**External Adviser ESFA**
4.6	**Appoint Principals at each Academy**	**Trust Board**	**Chief Executive**	**Academy Committee**	**Trust Board**	**External Adviser**
4.7	**Fulfil continuous development process for Principals**	**Chief Executive**	**Trust Executive Group**	**Chief Executive**	**Trust Board**	
4.8	**Approve individual pay decisions for Principals**	**Chief Executive**	**Trust Executive Group**	**Trust Board: Resources Committee**	**Trust Board**	
4.9	**Approve staffing strategy for Academies**	**Trust Executive Group**	**Principal**	**Academy Committee**	**Trust Executive Group**	

Ref	Task	Own	Deliver	Monitor	Review	Assurance
4.10	Appoint SLT staff in Academies	Trust Executive Group	Principal	Academy Committee	Trust Executive Group	
4.11	Appoint all other academy staff (in line with recruitment policy)	Trust Executive Group	Principal	Trust HR	Trust Executive Group	
4.12	Appoint non-executive central staff	Trust Executive Group	Central team leads	Trust HR	Trust Executive Group	
4.13	Arrangements for the induction of newly staff - ensure compliance with legal requirements	Trust Executive Group	Principal Central team leads	Trust HR	Trust Executive Group	
4.14	Set pay rates annually for all staff	Trust Board	Chief Executive Director of Resources	Trust Board: Resources Committee	Trust Board	Auditor
4.15	Set Terms and Conditions of employment	Trust Board	Chief Executive Director of Resources	Trust Board: Resources Committee	Trust Board	
4.16	Perform disciplinary and capability - Chief Executive	Members	Specifically convened panel including external support	Chair of panel	Chair of Trust Board	
4.17	Perform disciplinary and capability - Principals	Trust Board	Chief Executive	Trust Executive Group	Trust Board	
4.18	Deal with grievances - Chief Executive	Trust Board	Specifically convened panel including external support	Chair of panel	Chair of Trust Board	
4.19	Deal with grievances - Principals	Trust Board	Chief Executive	Trust Executive Group	Trust Board	

Ref	Task	Own	Deliver	Monitor	Review	Assurance
5. Operations						
5.1	**Establish Trust-wide procurement practices**	**Trust Board**	**Trust Executive Group**	**Trust Board: Resources Committee**	**Trust Board**	**Auditors**
5.2	**Determine central services provided by the Trust to its Academies**	**Trust Board: sub-committees**	**Trust Executive Group**	**Trust Board: sub-committees**	**Trust Board**	**Auditor**
5.3	**Maintain Trust asset register**	**Trust Board**	**Trust Executive Group**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor**
5.4	**Manage the ICT Replacement Strategy**	**Trust Board**	**Trust Executive Group**	**Trust Board: Resources Committee**	**Trust Board**	
5.5	**Develop policy for use of Academy premises**	**Trust Board**	**Trust Executive Group**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor**
5.6	**Manage strategic estates plan including maintenance**	**Trust Board**	**Trust Executive Group**	**Trust Board: Resources Committee**	**Trust Board**	**Auditor External Condition Surveys H&S Audit**
5.7	**Acquire and dispose of Trust land**	**Trust Board**	**Accounting Officer**	**Trust Board: Resources Committee**	**Members**	**ESFA Sports England**
5.8	**Oversee Trust Media and PR**	**Trust Executive Group**	**Communications Officer**	**Executive Assistant**	**Trust Board**	

Ref	Task	Own	Deliver	Monitor	Review	Assurance
5.9	Oversee Academy Media and PR	Trust Executive Group	Principal Communications Officer	Communications Officer	Executive Assistant	
5.10	Develop and update Trust documents and website	Trust Board	Trust Executive Group Executive Assistant	Chief Executive	Trust Board External consultant	OfSTED Auditor
5.11	Develop and update Academy prospectus and website	Trust Executive Group	Principal Communications Officer	Communications Officer	Trust Board External consultant	OfSTED Auditor

APPENDIX B: TDET Governance Structure