



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 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 the Board and Terms of Reference for Academy Committees.

3 Terms of Reference

- i) The terms of reference for the Trust Board is covered by two aspects, Education and Resources, which includes a separate Audit and Risk Committee.
- ii) Academy Committees are responsible alongside the Executive Link for holding the Principal to account for educational standards and targets. 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	Governance and Compliance Manager	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	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	
1.5	Create and deliver Academy Implementation Plan (in line with the Academy's strategic objectives)	Academy Committee	Principal	Trust Executive Group	Trust Board	Ofsted
1.6	Complete Trust self-evaluation framework	Trust Board	Chief Executive	Trust Board	Trust Board	Ofsted Regional Director
1.7	Complete Academy Self Evaluation	Academy Committee	Principal	Trust Executive Group	Academy Committee Trust Board	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	Named Trustee	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	Named Trustee	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	Governance and Compliance Manager	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	Governance and Compliance Manager	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	Governance and Compliance Manager	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	Governance and Compliance Manager	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	Governance and Compliance Manager	Trust Board	
1.15	Appoint and remove Academy Committee Chair	Academy Committee and Chief Executive	Academy Committee and Chief Executive	Governance and Compliance Manager	Trust Board	
1.16	Appoint the Company Secretary	Trust Board	Chief Executive	Trust Board		Auditor
1.17	Appoint the Internal Assurance team	Trust Board	Director of Resources	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 the Trust Board)	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 Notetaker to the Academy Committees	Trust Executive Group	Principals	Governance and Compliance Manager	Trust Executive Group	
1.21	Identify which Trust-wide policies are to be standardised and in place	Trust Board	Trust Executive Group	Governance and Compliance Manager	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	Governance and Compliance Manager	Trust Board	
1.24	Develop a suitable training programme for Trustees and Academy Committee members	Trust Board	Chairs of Trust Board and Academy Committees	Governance and Compliance Manager 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	Trust Board	Ofsted
2.2	Quality of Educational Provision (Trust-wide)	Trust Board	Trust Executive Group	Trust Board	Trust Board	Ofsted
2.3	Quality of Education (academy specific)	Academy Committee	Principal	Trust Executive Group	Trust Board Academy Committees	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	Accounting Officer	Trust Board	Auditor
3.2	Funding Model - agree a funding model across the Trust	Trust Board	Trust Executive Group	Trust Board	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	Trust Board	Auditor ESFA
3.4	Deliver against the Annual Trust Budget (including academy budgets allocation)	Trust Board	Trust Executive Group (Principals)	Trust Board	Trust Board	Auditor
3.5	Adhere to TDET financial regulations	Trust Board	Trust Executive Group Principals	Trust Board	Trust Board	Auditor
3.6	Ensure appropriate insurance arrangements are in place across the Trust	Trust Board	Trust Executive Group	Trust Board	Trust Board	Auditor
3.7	Submit monthly Management Reports (Trust)	Chief Executive	Director of Resources	Trust Executive Group	Trust Board	Auditor
3.8	Submit monthly Management Reports (Academy)	Trust Executive Group	Director of Resources	Principal	Trust Board	Auditor

Ref	Task	Own	Deliver	Monitor	Review	Assurance
3.9	Submit annual Trust accounts	Trust Board	Accounting Officer	Trust Board	Members	Auditor ESFA
3.10	Compile, maintain and review Trust Risk Register	Trust Board	Trust Executive Group	Trust Board	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	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	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	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	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	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	Trust Board	Trust Board	External Adviser ESFA
4.5	Approve individual pay decisions for Trust Executive Group	Trust Board	Chief Executive	Trust Board	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	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 new 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	Trust Board	Auditor
4.15	Set Terms and Conditions of employment	Trust Board	Chief Executive Director of Resources	Trust Board	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	Trust Board	Auditors
5.2	Determine central services provided by the Trust to its Academies	Trust Board	Trust Executive Group	Trust Board	Trust Board	Auditor
5.3	Maintain Trust asset register	Trust Board	Trust Executive Group	Trust Board	Trust Board	Auditor
5.4	Manage the ICT Replacement Strategy	Trust Board	Trust Executive Group	Trust Board	Trust Board	
5.5	Develop policy for use of Academy premises	Trust Board	Trust Executive Group	Trust Board	Trust Board	Auditor
5.6	Manage strategic estates plan including maintenance	Trust Board	Trust Executive Group	Trust Board	Trust Board	Auditor External Condition Surveys H&S Audit
5.7	Acquire and dispose of Trust land	Trust Board	Accounting Officer	Trust Board	Members	ESFA Sports England
5.8	Oversee Trust Media and PR	Trust Executive Group	Communications Officer	Chief Executive	Trust Board	

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

APPENDIX B: TDET Governance Structure

