

SCHEME OF DELEGATION

Issued: June 2016
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Key

- Level 1: The Trust Board (the company). NB. The Chief Executive Officer (CEO) is also an ex-officio member of the BDAT Board and Trustee.
- Level 2: A BDAT Board committee: Finance and Audit Committee (FAC), Primary Committee, Secondary Committee.
- Level 3: The CEO of the Trust
- Level 4: Local Governing Body of the Academy
- Level 5: A named individual endorsed by the Trust
- Level 6: Executive Principal or Principal of the Academy

v : decision maker

I : involved in decision

This document sets out the powers BDAT as the Trust delegate to Academy Local Governing Bodies (LGBs) and named people. The CEO, LGB, Board committee or Academy principal /Executive Principal may choose to delegate further powers as required. It should be remembered that although decisions may be delegated Trust Board remains responsible for any decision made under delegation and can de-delegate powers as needed.

Function	No	Tasks	Decision Level						Notes	
			1	2	3	4	5	6		
Central Services	1.	To determine the scope of mandatory core central services to be delivered by the Company on behalf of its Academies	√							These are set by the Board as per the “Terms of joining document” provided to all schools when considering joining the Trust.
	2.	To identify those additional services to be procured on behalf of individual academies		I		√				Decisions for individual academies rests with schools however in some instances decisions may be taken at primary or secondary committees to procure goods across schools. Principals and Chairs of all LGBS are represented on this group.
	3.	To ensure centrally procured services provide value for money							√	BDAT Finance Director and Operations Director
Budgets	4.	To determine the proportion of the overall Academy budget to be delegated to individual Academies	√							Confirmed to LGB at <u>the point of joining</u>
	5.	To develop and propose the individual Academy budget, including the allocation and use of any ring-fenced resources.				√				Academy budget planning and spend is delegated to individual academies for all funding minus the retained central funds (see 4)
	6.	To approve the first formal budget plan each financial year and receive final end of year Education Funding Agency (EFA) returns	√	I					I	The Trust Finance Director will finalise end of year accounts for EFA, checking and consolidating the figures provided from each Academy. The Trust FAC approves the budget which then is ratified by the full Board. See Trust finance reporting cycle.
	7.	To monitor monthly expenditure - and account to the Company for value for money.		I		√			I	This will be the responsibility of the LGB – with the BDAT Finance Director also monitoring on behalf of BDAT and reporting to the Trust FAC



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	8a)	To approve any between budget changes or in-year budget movements between spend headings within the Academy budget which do not result in a budget overspend.				√			LGB do this within the limits set by the Company - as referred to in 6.3.5 of the Scheme of Delegation and Trust financial handbook Changes must be reported to the Trust Finance Director to report to the Trust FAC.
	8b)	To approve any between budget or in-year budget movements between spend headings within the Academy budget which are likely to result in a budget overspend		√					LGB to discuss change with Trust Finance Director and propose changes. FAC to authorise overspend
	9.	To establish financial decision levels and limits	√						
	10.	To establish a charging and remissions policy				√			
	11.	To appoint and manage the Trust Finance Director and Operations Director			√				
	12.	Miscellaneous financial expenditure outside and in addition to the agreed budget		√					FAC must authorise overspends
	13.	To enter into additional contracts which exceed the agreed annual budget allocation				√			Initially limited to £10,000 or 20% of budgeted surplus without written agreement of the Trust
	14.	To make payments within agreed financial limits						√	Finance Director, Business Manager or equivalent within the Academy - and as agreed by LGB
Staffing	15.	Principal appointments (selection panel) and agreement to release and appoint Acting Principal	√						CEO, Chairman of the Academy and any Exec Principal / Trust Education Director in place must be included as a member of the appointments/selection panel and decision panel



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									agreeing to planned release/secondment.
	16.	Deputy appointments (selection panel)				√			Trust Education Director, Chairman of the Academy and Principal must be included as a member of the appointments/selection panel and decision panel agreeing to planned release/secondment
	17.	Appoint other teachers				√			Principal/Headteacher or nominated representative must be a member of the appointment/selection panel
	18.	Appoint non-teaching staff				√			Principal/Headteacher or nominated representative must be a member of the appointment/selection panel
	19.	Agree a Trust pay policy	√						Trust to agree overall policy. LGB and Principal to implement in school.
	20a).	Pay discretions for Principal/Exec Principals				√	√	√	LGB to agree with Trust Education and CEO within agreed budget.
	20b)	Pay discretions for Staff			√	√		√	Principal to agree with LGB within agreed budget.
	21.	Establishing disciplinary/capability procedures	√						Trust to agree overall policy. LGB and Principal to implement in school.
	22.	Dismissal of Principal	√						CEO, Education Director, Chairman (or representative) of the Academy, plus any Exec Principal must be included as a member of the decision making panel
	23.	Dismissal of other staff				√	√		Chairman (or representative) of the Academy and



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									Principal must be included as a member of the decision making panel
	24.	Suspending Principal			√				Chairman (or representative) of the Academy and Principal must be included as a member of the decision making panel. Chair of Trust to be informed immediately.
	25.	Suspending other Staff					√		The Chair of the LGB must always be informed immediately
	26.	Ending suspension (Principal)			√				Chairman (or representative) of the Academy must be included as a member of the decision making panel. Chair of Trust to be informed immediately,
	27.	Ending Suspension (other Staff)					√		The Chair of the LGB must always be informed immediately
	28.	Determining Staff complement within agreed budget – including making provision for exceptional staff costs e.g. absence/ maternity/paternity payments				√	√		
	29.	Determining dismissal payments/early retirement	√						Trust to determine policy. LGB and Principal to implement in school in line with allocated budget, as determined by Academies Financial handbook
Curriculum	30.	To approve a curriculum policy				√			
	31.	To develop and implement curriculum policy							
	32.	Responsible for standards of teaching							
	33.	Accountability for standards of teaching	√					√	Main responsibility with Trust Education Director

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									reporting to the Board
	34.	Responsibility for individual child's education				√	I	I	Principal and Trust Education Director, Accountable to LGB and Board
	35.	Accountability for individual child's education.					I	I	Principal and Trust Education Director, Accountable to LGB and Board
	36.	Provision of sex education – to establish and keep up to date a written policy				√			
	37.	To prohibit political indoctrination and ensuring the balanced treatment of political issues				I	√		
	38.	To establish a charging and remissions policy for activities				√			
Performance Management	39.	To ensure that an approved appraisal policy is in place			√	√			
	40.	To secure the statutory appraisal of : <ul style="list-style-type: none"> Executive Principal /Principal Other staff 			√	I √	√	√	CEO/Education Director. Chair of LGB involved. Where there is an Exec Principal in place the Exec P will lead the appraisal of the Principal with the Trust Director instead of the CEO. See line management and performance management policy
	41.	To review annually the Academy appraisal policy				√			
Target Setting	42.	To propose targets for pupil achievement					√	√	Principal with Trust Education Director
	43.	To agree targets for pupil achievement	√			√			

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	44.	Responsibility for pupil outcomes					√	√	Principal with Trust Education Director
	45.	Accountability for pupil outcomes		√					The Company are responsible to the Secretary of State for standards and pupil outcomes and delegate the monitoring of this to the primary and secondary committees. They will hold the LGB and Principal/Headteacher and Trust Education Directors accountable to them.
	46.	To establish a discipline policy	√						The LGB must ensure this is implemented.
	47.	To review the use of exclusion and to decide whether or not to confirm all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 15 days in total in a term or would lose the opportunity to sit a public examination. (Can be delegated to chair/vice-chair in cases of urgency)				√			
	48.	To direct reinstatement of excluded pupils (Can be delegated to chair/vice-chair in cases of urgency)				√			
Admissions	49.	To consult before setting an admissions policy	√			√			The LGB will be responsible for consultation on changes to the admissions policy. The Company must give its written approval for any changes to the admissions policy.
	50.	Admissions: to administer the admissions process in accordance with the policy and, as appropriate, procure an independent appeals process				√			In accordance with the LA admissions facility



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	51.	To appeal against LA directions to admit pupil(s)	√			√			Although in practice the LGB and Headteacher/Principal would normally do this with the support of the Company.
Religious Education	52.	Responsibility for ensuring provision of RE in line with school's basic curriculum					√		
Collective Worship	53.	To ensure that all pupils take part in a daily act of collective worship					√		Parents have the right to withdraw their children from collective worship if notified to the Academy in writing. The Principal/Head Teacher must make appropriate provision if a parent exercises this right.
Premises & Insurance	54.	School insurance programme		√			√		Inclusion within the Trust insurance policy. As considered necessary by the LGB additional insurance can be arranged chargeable to the school.
	55.	Asset management		√			√		
	56.	Developing school buildings strategy or master plan				√			The LGB should take responsibility for producing and implementing a Premises Development Plan
	57.	Procuring and maintaining buildings, including developing properly funded maintenance plan				√			
	58.	To institute a health and safety policy				√			
	59.	To ensure that health and safety regulations are followed					√		
	60.	To publish proposals to change category of the Academy	√						The LGB can propose changes to the Board



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	61.	To set the times of school sessions and the dates of school terms and holidays				√			Any changes must be agreed in writing with the Trust
	62.	To ensure that the school meets for 380 sessions in a school year				√			
	63.	To prepare and publish the school prospectus				√			
	64.	To ensure provision of free school meals to those pupils meeting the criteria					√		
	65.	Adoption and review of home-school agreements					√		
	66.	To draw up governing documents and any amendments thereafter	√			√			
	67.	To appoint (and remove) the chair of the LGB	√						
	68.	To appoint and dismiss the clerk to the LGB	√						
	69.	To hold a full LGB meeting at least three times in an Academy year				√			
	70.	To appoint and remove members of the LGB	√					√	Named person jointly accountable is Chair of LGB
	71.	To set up a Register of members' Business Interests						√	Trust Governance Officer
	72.	To approve and set up a members' Expenses Scheme	√						
	73.	To discharge duties in respect of pupils with special needs by appointing a "responsible person"				√	√		
	74.	To consider whether or not to exercise delegation of functions (as allowable under Appendix 1 Sections 4 and 5) to committees or individuals				√	√		The LGB may delegate to individuals functions already delegated to it by the Company so long as this does not breach the delegations set out in this document.
	75.	To regulate the LGB procedures (where not set out	√						



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		in law)								
	76.	To determine the development needs of governors and put in place an appropriate programme				√			√	Trust Governance Officer
	77.	To consider requests from other schools to join the Company	√							
	78.	To decide to offer additional activities and to set out the form these should take				√				
	79.	To put into place the additional services provided				√				
	80.	To ensure delivery of services provided					√			LGB to delegate delivery of services to named person (may be Head/Principal. Written arrangements must be put in place.
	81.	To cease providing extended school provision				√				
	82.	To develop a safeguarding policy in line with statutory requirements and best practice.				√				
	83.	To implement the governors safeguarding policy					√			
	84.	Maintain accurate and effective and secure pupil records.					√			
	85.	Maintain accurate and effective and secure employee records.					√			
	86.	Comply with all Data Protection legislation and good practice.					√			
	87.	To determine, on an annual basis, those policies which will be developed by the Trust and be mandatory for all Trust Academies			√				√	Trust Operations Director



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	88.	To provide to the Company, on an annual basis, copies of all policies and procedures and a schedule for their review				√		√	Trust Operations Director

