



## **The White Hills Park Federation Trust scheme of delegation 2017/18**

Academy trusts have almost complete flexibility to shape their governance arrangements and design the constitution of their boards and local governing bodies as they see fit. Their specific arrangements are set out in their individual Articles of Association.

A standalone academy is a single legal entity responsible for one academy that has its own articles of association and funding agreement with the Secretary of State.

Multi-academy trusts (MATs) are also a single legal entity but its board of trustees is accountable for a number of academies in its chain. Each academy may have a local governing body to which the MAT trustees may delegate some governance functions. Local governors who sit on local governing bodies are not trustees of the academy trust unless they also sit on the trust's board.

All individuals involved in the governance of a multi-academy trust, whether at trust level or at the local governing body level, should know who the trustees are and understand what functions have been delegated by the trust to the local governing body or bodies.

### **Purpose of the Decision Planner**

This decision planner is to support governing bodies or local governing bodies to record their delegation of functions by listing areas of business and the types of decision typically taken each year. (It will also provide useful evidence for Ofsted). This document can also be used to create the governing body's committee remits; the listed business functions are the suggested list of business areas that each committee will undertake during the year.

### **Annual Review**

The governing body/local governing body must review the delegation of functions annually. Each governing body will remain accountable for any decisions taken, including those relating to functions delegated to a committee or an individual.

### **Quoracy**

Decisions may only be made if a meeting is quorate. The quorum for a full governing body meeting is three directors or one third of the total number of directors in office whichever is greater. The quorum is two thirds of the total number of directors (rounded up to a whole number) to vote on:

- Appointment of parent director
- Removal of a director appointed by the governing body
- Vote on the removal of the chair

The minimum quorum for a committee meeting is three directors but the full governing body may set this at a higher level if it wishes.

### **Reporting back to the full governing body**

All decisions are taken on behalf of the governing body/local governing body. The governing body should receive reports/minutes from any individual or committee to whom a decision has been delegated and consider whether any further action is necessary.

### **Delegation of functions of the governing body**

A governing body can delegate any of its statutory functions to a committee, a director, the Executive Principal, or individuals subject to prescribed restrictions in the Articles of Association.

### **Review of committees and delegation**

Subject to the Articles of Association, the governing body/local governing body must review the establishment, terms of reference and membership of any committee annually. In addition, the governing body/local governing body may review the delegation of functions to committees and individuals annually.

### **How to use the decision planner**

The decision planner provides one grid for each of the main areas of governing body/local governing body business. Each individual grid is divided into two columns. The first column lists the function statement relating to the main business and the second column indicates the delegation of each function.

The governing body/local governing body will need to decide where the decision making function should be allocated, subject to the Articles of Association. The governing body/local governing body will need to agree the committee or individual, for example Executive Principal, bursar, chair of directors, and write this information in the blank box. This will indicate the governing body/local governing body's decision as to who will carry out the function relating to each of the main business tasks.

### **Academy/Trust who have adopted the NCC HR related policies for Appraisal Policy and Guidance and Pay Policy and Guidance**

More detailed information is provided in the documentation for maintained schools where an Academy/Trust has adopted the NCC HR related policies for Appraisal Policy and Guidance and Pay Policy and Guidance

## 1. Constitutional decisions

Function statement		Delegated to
1.1	To appoint or remove Members	Members
1.2	To appoint or remove Directors (other than parent Directors)	Members
1.3	To appoint or remove parent Directors	Board of Directors
1.4	To appoint a Company Secretary to the Directors	Board of Directors
1.5	To determine voting rights for associate members on committees	Board of Directors
1.6	To suspend any Director	Board of Directors
1.7	To elect or remove the chair	Board of Directors
1.8	To elect or remove the vice-chair	Board of Directors
1.9	To appoint link or designated Directors, for example performance management, child protection and complaints	Board of Directors
1.10	To decide on additional attendance at full Directors' meetings	Board of Directors
1.11	To decide the arrangements for Board of Directors' meetings (legal minimum three per year)	Board of Directors
1.12	To regulate the procedures of meetings	Board of Directors
1.13	Establishment and membership of committees and their remits, including selection panels for Headteacher and Deputy Headteacher recruitment	Board of Directors
1.14	To appoint or remove a clerk to each committee	Board of Directors
1.15	To establish the Board of Directors' register of business interests and oversee its maintenance	Board of Directors
1.16	Approval of scheme of financial delegation/financial regulations	Board of Directors
1.17	To recruit a new Executive Principal, determine job description and pay	Board of Directors
1.18	Ratification of the appointment of the Executive Principal	Board of Directors
1.19	To determine the arrangements for the appointment of all other staff	Board of Directors

1.20	To appoint and dismiss the Clerk to Directors	Board of Directors
1.21	To participate in the school self-review process including the review of the governing body effectiveness	Board of Directors
1.22	To set (determine) admission arrangements annually by 28 February ensuring that all appropriate bodies are notified. Publish a copy of the determined arrangements on the school website and send to the Local Authority by 15 March.	Student and Community Committee

## 2. Policy Development, Planning and Public Accountability

Function statement		Delegated to
2.1	To approve and monitor the School Improvement/ Development Plan	Board of Directors
2.2	To decide annual school holiday pattern	Board of Directors
2.3	To decide school session times taking into account recommended minimum weekly lesson time	Board of Directors
2.4	To ensure that the school meets for 380 sessions in a school year	Board of Directors
2.5	To approve new policies or amendments to policies	Board of Directors
2.6	To adopt and review the Home School Agreement	Student & Community Committee
2.7	To issue press statements	Executive Principal
2.8	To determine matters relating to health and safety and the security of the premises and its occupants	Resources Committee
2.9	To monitor the use and suitability of the premises in relation to the above	Resources Committee
2.10	To set targets for pupil achievement	Achievement & Standards Committee
2.11	To monitor pupil achievement against set targets	Achievement & Standards Committee
2.12	To receive school improvement information from the school and Ofsted	Achievement & Standards Committee
2.13	To agree and organise an annual governing body self-evaluation process	Chair
2.14	To monitor school records	Student & Community Committee
2.15	To ensure a Single Central Record (SCR) Inc. safer recruitment vetting checks is constantly kept up to date in line with statutory requirements (expectation that the EP will maintain)	Executive Principal / Safeguarding Link Director
2.16	To establish and monitor a directors expenses scheme	Resources Committee
2.17	To carry out an annual review of safeguarding children and child protection policy and procedures	Executive Principal / Safeguarding Link Director
2.18	To ensure a designated teacher for looked after children has been appointed and reports to governing body at least once per year	Executive Principal/ Student & Community Committee

2.19	To formulate the information required to be published on academy website	Board of Directors
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### 3. Financial Matters

Function statement		Delegated to
3.1	To establish an Audit Committee or equivalent	Board of Directors
3.2	To approve the annual budget plan and budget forecast	Board of Directors
3.3	To monitor expenditure against the budget plan and agree adjustments as necessary	Resources Committee
3.4	To approve finance policies	Resources Committee
3.5	To apply internal delegation levels	Resources Committee
3.6	To enter into contracts including the buy-back of LA Services	Resources Committee
3.7	To write off bad debts	Resources Committee
3.8	To operate the governing body's arrangements for obtaining quotations and inviting tenders	Resources Committee
3.9	To maintain inventories and security of assets	Resources Committee
3.10	To monitor and approve use of income from the sale of assets	Resources Committee
3.11	To establish a lettings policy	Resources Committee
3.12	To establish a charging and remissions policy	Resources Committee
3.13	To determine insurance arrangements	Resources Committee
3.14	To ensure that the grant from the EfA is used only for the purpose intended	Resources Committee
3.15	To ensure that annual accounts are kept in accordance with the EfA guidance	Resources Committee
3.16	To appoint or remove the external auditors	Board of Directors
3.17	To sign the audit report	Board of Directors
3.18	To ensure spending decisions represent value for money	Resources Committee
3.19	To appoint a Responsible Officer or equivalent	Board of Directors

#### 4. Personnel Functions and Pay

Function statement		Delegated to
4.1	To determine the staff complement for teachers and support staff	Resources Committee
4.2	To determine and review staffing structure including any temporary appointments	Achievement and Standards Committee / Resources Committee
4.3	To review annually the appraisal policy	Executive Principal
4.4	To implement the appraisal policy	Executive Principal
4.5	To review annually the school's pay policy	Pay Committee
4.6	To monitor implementation of the pay policy	Pay Committee
4.7	To manage the annual salary review, including post-threshold progression for teachers	Executive Principal
4.8	To recruit staff on the leadership spine*	Executive Principal & Board of Directors
4.9	To recruit all other staff*	Executive Principal
4.10	To suspend the Executive Principal	Chair
4.11	To end the suspension of the Executive Principal	Chair
4.12	To suspend other staff	Executive Principal
4.13	To end the suspension of other staff	Executive Principal
4.14	To develop and systematically review policies relating to staffing matters and to make recommendations for adoption/amendment of these to the Board of Directors E.g. disciplinary/capability procedures/absence management	Board of Directors
4.15	To hear appeals made by staff in relation to the above and to ensure that any hearing or appeal panels set up to consider staffing matters are properly convened	Discipline Committee
4.16	To determine dismissal payments/early retirement	Board of Directors
4.17	To dismiss the Executive Principal	Discipline Committee
4.18	To dismiss other staff	Discipline Committee

4.19	To agree and monitor a training strategy for teachers, support staff and directors	Chair and Executive Principal
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**\* Notes**

The normal expectation is for the Executive Principal to lead the process of making staff appointments outside the leadership group (i.e. other than Executive Principal, deputy and assistant headteacher) and for making initial dismissal decisions. The Board of Directors should delegate these functions to the Executive Principal unless there are good grounds not to do so. The Board of Directors will be involved in any appointments within the leadership group.

## 5. Admissions and Exclusions

Function statement		Delegated to
5.1	To hear pupil exclusions representations and determine outcome	Discipline Committee
5.2	To annually review the behaviour policy and anti-bullying policy and the use of exclusion in comparison with local and national data	Executive Principal
5.3	To appoint a clerk to the discipline committee (who is not a director or the Executive Principal)	Executive Principal
5.4	To monitor and review pupil attendance	Student & Community Committee
5.5	To carry out statutory consultation when changes are proposed to admission arrangements, as outlined in the School Admission Code (paragraphs 1.42-1.45). This includes supplementary information forms and 6 <sup>th</sup> form arrangements	Executive Principal
5.6	To set (determine) school admission arrangements annually and notify the LA	Board of Directors
5.7	To apply the admissions criteria to applications for admissions according to the DfE co-ordinated scheme	Executive Principal
5.8	To attend admissions appeals as necessary (presenting the school's case)	Executive Principal /Assistant Headteachers

## 6. Strategic Development

<b>Function statement</b>		<b>Delegated to</b>
6.1	To establish and implement the curriculum policy	Executive Principal
6.2	To monitor and review the curriculum policy implications	Executive Principal & Achievement & Standards Committee
6.3	To monitor standards of teaching and attainment	Achievement & Standards Committee
6.4	To ensure that the delivery of sex education and RE are in line with the directors' policies and legal guidance	Executive Principal
6.5	To prohibit political indoctrination of pupils and ensure a balanced treatment of political issues	Executive Principal
6.6	To monitor the arrangements for collective worship and monitor provision	Executive Principal
6.7	To ensure the curriculum complies with the Equality Act legislation	Executive Principal
6.8	To monitor the curriculum in respect of Special Needs provision, including Gifted and Talented pupils	Executive Principal & Achievement and Standards Committee
6.9	To monitor the arrangements for school visits/ residential visits	Executive Principal
6.10	To be involved in the formulation and review of school self- evaluation	Executive Principal & Achievement and Standards Committee
6.11	To comply with the requirements of the Ofsted Inspection Framework	Executive Principal & Board of Directors
6.12	To consider in detail any inspection report made by Ofsted	Executive Principal & Board of Directors
6.13	To ensure that recommendations following an Ofsted inspection are incorporated into the School Improvement/ Development Plan	Executive Principal & Board of Directors
6.14	To decide which subject options should be taught having regard to resources and implement provision for flexibility in the curriculum (including activities outside school day)	Executive Principal & Achievement and Standards Committee

Chair's Signature .....Date .....