



Bright Futures

EDUCATIONAL TRUST

Scheme of Delegation

of the

Local Governing Body of Marton Primary Academy & Nursery

Effective Date: 01 July 2015

SCHEME OF DELEGATION

This Scheme of Delegation is made between Bright Futures Educational Trust (“the Trust”) and the Local Governing Body (LGB) of Marton Primary Academy and Nursery in accordance with the Constitution of the LGB (wherein this Scheme of Delegation is referred to as “the Scheme”) and is effective from 01 July 2015.

Subject to the requirements of the Trust set out in this Scheme, the Trust delegates to the LGB its responsibility and powers as the Governing Body of the Academy which shall be discharged by the LGB in accordance with its Constitution and Terms of Reference, the Policies of the Trust and advice published from time to time by the Department for Education and Ofsted.

Responsibilities and powers delegated to the LGB may be further delegated to a Committee or to the Principal of the Academy. It should be remembered that although decisions may be delegated, the LGB, together with the Trust as a whole, remains responsible for any decision made under delegation.

All policies referred to in this Scheme of Delegation mean the current policy by that title.

Members of the LGB agree to:

- Attend such training as is reasonably required by the Trust in order to update and improve the knowledge and skills available within the LGB to fulfil its role in respect of the Academy and as part of the Trust.
- Provide the information required by the Trust in the form indicated by the Trust and not to withhold any information which the Trust reasonably requires.
- Refer certain decisions to the Trust for approval as set out in this Scheme and not to act, or to omit any act, in reliance on such a decision prior to obtaining such approval.

1. BUDGETS AND FINANCE

The Trust will appoint an Internal Auditor who will act in the role of Responsible Officer for each Academy.

1.1 Procurement

1.1.1 The LGB should ensure compliance with the Trust Procurement Policy for all procurement undertaken in the Academy.

1.1.2 **Central Essential Services**

The Trust shall determine, having regard to but not being bound by the views and recommendations of the LGB, the scope of mandatory core services to be procured and delivered by the Trust on behalf of its academies and shall deliver those services ensuring they represent good value for money.

1.1.3 **Non-Central Essential Services**

The Trust shall also determine those essential services which should be procured by each Academy. The LGB shall ensure that such services are procured ensuring that they represent good value for money.

1.2 Budget and Budget Plan

1.2.1 The Trust shall determine the proportion of the overall Academy budget to be top sliced for Central Services and shall inform the LGB of the balance.

1.2.2. The Trust is committed to providing added value for each school and will provide a breakdown of the areas covered by the top slicing at the beginning of each academic year. It is expected a more detailed analysis of services provided and their associated costs will be developed in future years.

1.2.3 The Trust shall provide the LGB with the full financial detail of the total allocation of funding provided by the Education Funding Agency in respect of the Academy.

1.2.4 The LGB shall develop the individual Academy plan for spending the budget (“the Budget Plan”) in accordance with the Trust’s Financial Procedures Handbook and the School Development Plan and shall present the proposed Budget Plan to the Trust for approval.

1.2.5 The Trust shall approve the Budget Plan provided that:

- It is consistent with the Trust’s Financial Procedures Handbook.
- It is consistent with the Values and Vision of the Trust.
- It is consistent with all policies published by the Trust.
- It is consistent with the School Development Plan.

1.2.6 Where additional funds become available which the LGB wish to utilise during that financial year, an updated budget plan should be submitted to the Trust for agreement.

1.3 Financial Monitoring

The LGB shall:

- Monitor monthly expenditure of the Academy against the approved Budget Plan.
- Enter into contracts within the financial limits that are published by the Trust and are within the Budget Plan.
- Observe the policy on charging and remissions published by the Trust.
- Not agree to any expenditure outside of the approved total Budget Plan without the approval of the Trust.
- Report on the financial position of the Academy to the Trust in the format required and at the times required by the Trust.

2. STAFFING

2.1 Appointments

- 2.1.1 The Trust shall appoint Leadership Members of the Teaching staff from Assistant Vice Principal and above in consultation with the LGB.
- 2.1.2 For those schools who receive Good or Outstanding Ofsted inspections, greater autonomy may be provided. Leadership appointments would be discussed with the Trust, via the appropriate Director of Education, and an agreed recruitment process undertaken.
- 2.1.3 The LGB shall appoint other Teaching staff to the Academy in accordance with Trust HR policies.
- 2.1.4 The LGB shall appoint all Associate Staff to the Academy in accordance with Trust HR policies and in line with the Associate Staff Structure agreed with the Chief Operating Officer.

2.2 Performance Appraisal, Pay Discretions and Appeals

- 2.2.1 The Trust's CEO has the ultimate responsibility for the appraisal of Principals/Executive Principals. This will usually be delegated to the appropriate Director of Education who will establish a panel comprising of him/herself and a minimum of one Governor and a maximum of two Governors to undertake the appraisal. The Director of Education will Chair this process and be the ultimate decision maker.
- 2.2.2 The Chair of Governors of the LGB will not participate in the appraisal process of the Principal/Executive Principal as they will be involved in any appeals brought by the Principal/Executive Principal. Appeals will be heard by the HR & Legal Committee of the Trust.
- 2.2.3 The LGB may, in line with the Trust Pay Policy and the Budget Plan and with any written recommendations from the Appraisal procedure, recommend discretionary pay awards for the Principal, or any other member of the Academy staff, to the Trust who will consider, but not be bound by any such recommendation.

- 2.2.3 The Trust will be responsible for the application of pay awards to Vice Principals and above.
- 2.2.5 The Trust will be responsible for Appeals for Vice Principals and above regarding pay grades and awards.
- 2.2.6 The LGB shall ensure the Performance Appraisal of all staff is conducted in accordance with the Trust's Appraisal Policy* for both Teaching and Associate staff.

2.3 Disciplinary and Capability Procedures

- 2.3.1 The Trust will be the final decision maker in proceedings that could result in the dismissal of Vice Principals and above.
- 2.3.2 The Principal/Executive Principal, on behalf of the LGB, shall undertake any proceedings that could result in actions up to and including dismissal, other than for Vice Principal and above, in accordance with the Trust's policies and in accordance with advice from the Trust's Head of HR.
- 2.3.3 The Trust may request Principals from its other schools, a member of the Executive Team or a member of the LGB to Chair any proceedings, or leaders from other schools to conduct investigations, if it is needed to ensure independent and fairness.
- 2.3.4 In the event that a staff member is dismissed, no payment in respect of that dismissal shall be made without the consent of the Trust's Head of HR.

2.4 General

The LGB shall consider any requests for Early Retirement or Flexible Working and should seek advice in that respect from the Trust's Head of HR.

3. STANDARDS, CURRICULUM AND TARGET SETTING

- 3.1 The Trust, via the Education Committee, Directors of Education and Principal of the Academy, will be responsible for the Curriculum and target setting.
- 3.2 The LGB will work with the Academy's senior leadership to agree, and monitor progress of, a School Development Plan in accordance with overall Trust strategy.
- 3.3 The LGB will monitor pupils' progress and attainment and provide appropriate challenge where necessary.
- 3.4 The LGB will provide robust challenge and positive support to the Principal and senior leadership team of the Academy enabling effective decision making to take place and ensure strong leadership and governance for the Academy.

4. Admissions

- 4.1 The LGB shall ensure the Admissions Policy for the Academy is consistent with the Admissions Policy of the Trust* and is published on the Academy's website.
- 4.2 Decisions on admissions shall be made by the LGB in line with the Admissions Policies and procedures mentioned above.
- 4.3 Any Appeals will be considered by an Independent Panel in line with the Admissions Policies and procedures mentioned above.

5. Structure

- 5.1 Prior to implementation of, or consultation on such change, the LGB shall refer to the Trust any proposal to alter:
 - Leadership Structure
 - Opening Times
 - Extended School Provision
 - Change in Age Range
 - Setting Term Times and INSET days
- 5.2 No Change to any of the above shall be made without the prior consent of the Trust.
- 5.3 The Trust will consider such consent, having regard to, but not being bound by, representations from the LGB.

6. Safeguarding

- 6.1 The LGB shall ensure the Academy has a Designated Officer and Deputy and their contact details are published on both the Academy and Trust website.
- 6.2 The LGB shall appoint a Governor with specific responsibility for safeguarding.
- 6.3 The LGB shall ensure the safeguarding and wellbeing of pupils and staff through the effective implementation of appropriate policies and procedures, both on and off the Academy site.

7. Premises and Insurance

- 7.1 The Trust shall effect an insurance policy for buildings, public liability, business interruption and officer's liability in accordance with the Articles of Association of the Trust.
- 7.2 The LGB will ensure the Academy's estate is maintained so it is fit for purpose and provides a safe, attractive and appropriate environment for staff, pupils and visitors.

8. Health & Safety

- 8.1 The LGB shall ensure the health and safety of pupils and staff through the effective implementation of appropriate policies and procedures, both on and off the Academy site.
- 8.2 The LGB shall ensure each Academy has a designated Health & Safety member of staff who has overall responsibility for every aspect of health and safety within that Academy.

9. Policies and Procedures

- 9.1 The Trust will have approval of overall financial policies and procedures as documented in the Trust's Financial Procedures Handbook.
- 9.2 The Trust will oversee the Academy has in place appropriate statutory policies and procedures and complies with all legal requirements.
- 9.3 The LGB will either approve or provide views (where appropriate) for all policies and procedures and ensure a robust and on-going implementation.

Signed by Chair of LGB on behalf of the LGB:

(Name, in Block Letters)

Signed by the Chair of the Board of Directors:

(Name, in Block Letters)

Implementation Date:

* Policies that have been recognised as Trust Policies and are currently being drafted.

APPENDIX : REPORTING REQUIREMENTS

1. Reports after each LGB meeting:

- A copy of the signed Minutes to be sent to the Head of Governance
- A brief summary of the meeting to be prepared by the Chair of the LGB and presented with the Minutes to the Head of Governance.
- Any particular issues for the attention of the Board of Directors/appropriate Sub Committees of the Board to be highlighted in the Chair's summary.

2. Annual Reports

- Draft Budget Plan (for approval by the Trust)