

FINAL Appendix 8
Levels of Delegation

Note: these delegations must be read in conjunction with the Trust's Financial Regulations and the Department for Education's Academies Financial Handbook, which provide more and further detail. Please also read in conjunction with SoDA appendices 3, 4 and 5 for greater detail.

Function	No.	Tasks	RHT Board of Directors	RHT Finance & Audit Committee	LGB
Central Services	1.1	To determine the scope of mandatory core services to be delivered by the company on behalf of its Academies	✓		
	1.2	To identify those additional services to be procured on behalf of the Academy in line with Trust Financial Regulations and financial limits as set out in Appendix 5			✓
	1.3	To ensure centrally procured services provide value for money	✓	✓	✓
Budgets	2.1	To determine the proportion of the overall academy budget to be delegated to the academy	✓		
	2.2	To develop and propose the individual Academy budget			✓
	2.3	To receive, review and recommend budget proposals from each academy and make recommendations to Directors		✓	
	2.4	To receive and approve revenue and capital budgets for each academy on an annual basis	✓		
	2.5	To monitor monthly academy expenditure		<u>✓</u>	✓
	2.6	To receive financial reports on a termly basis and make recommendations as appropriate to Directors		✓	
	2.7	To approve transfers between budget headings within the approved budget limits			✓
	2.8	To ensure the arrangements for collection of income, ordering of goods and services and payments.		✓	
	2.8	To approve budget overspends capped at 1% of GAG		✓	
	2.10	To approve budget overspends of over 1% of GAG	✓		
	2.11	To establish financial decision levels and limits (in consultation with HT and LGB)	✓		
	2.12	To propose a charging and remissions policy annually to Directors			✓
	2.13	To receive and approve charging and remissions policy proposals from each academy		✓	
	2.14	To appoint the Accounting Officer and Chief Financial Officer	✓		
	2.15	To enter into/approve contracts which relate to each academy in accordance with the financial limits set out in Appendix 5 .		✓	✓
	2.16	To enter into contracts which effect more than one Company academy	✓		
	2.17	To make payments within agreed financial limits			✓
	2.18	To approve capital spend within the agreed annual budget		<u>✓</u>	✓
	2.19	Maintain a register of formal contracts (major capital works) entered into, amounts paid and certificates of completion		✓	
	2.20	Retention of quotes obtained for goods, works and services.			✓

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	2.21	To ensure that all correct invoices are certified by authorised people before payments are made and that the invoices and accompanying documentation are stored securely and available for inspection.			✓
	2.22	Authorisation of a tender document before it is published		✓	
Audit and risk	3.1	Compilation and monitoring of each academy's risk register			✓
	3.2	To receive, review and make recommendations on each academy's risk register		✓	
	3.3	Appointment of Auditors (internal and external) Members to appoint External Auditor after first accounting year	✓		
	3.4	Evaluation of the performance of auditors (internal and external)		✓	
	3.5	Compile records to ensure an audit trail		✓	✓
	3.6	Implement recommendations arising from an audit inspection			✓
	3.7	Ensure all audit recommendations are implemented and report to Directors as appropriate		✓	
	3.8	Approve, publish and file a Director's report and audited annual company accounts	✓		
	3.9	Propose a Risk Management Policy		✓	
	3.10	Approve a Risk Management Policy	✓		
	3.11	Implement the Risk Management Policy	✓	✓	✓
	3.12	Propose Business Continuity Plan			HT
	3.13	Approve the contingency and business continuity plan	✓		
Staffing	The Board has delegated functions to Head teachers relating to processes for staff appointments, suspension and initial dismissal decisions, assisted where necessary by the CEO. The HT must attain prior HR advice in advance of any suspension/dismissal . Any appeals by members of staff against decisions made by Head teachers will be heard by an Appeal Panel.				
	4.1	Headteacher appointments (selection panel)	✓		✓
	4.2	Approval of HT appointment	✓		
	4.3	Deputy appointments (selection panel)	✓		✓
	4.4	Appoint other Academy teachers			HT
	4.5	Appoint Academy non-teaching staff			HT
	4.6	Compile and propose an annual pay policy for each academy			✓
	4.7	To receive, review and recommend to Directors an annual pay policy from each academy		✓	
	4.8	To receive recommendations and approve an annual pay policy for each academy	✓		
	4.9	Pay discretions for academy staff awarded in line with budget limits and agreed Trust pay scales (Reported to the Board)			✓
	4.10	Hear appeals from the HT's pay decisions (panel members must be independent)			✓
	4.11	Approve disciplinary/capability procedures	✓		
	4.12	Oversee implementation of Trust disciplinary/capability procedures	✓		HT
	4.13	Dismissal of Headteacher (selection panel)	✓		✓
	4.14	Approval of HT Dismissal	✓		
	4.15	Dismissal of other staff (pending review of disciplinary procedure) Must have HR advice.			HT

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	4.16	Suspending/Ending Suspension Headteacher	✓		
	4.17	Suspending/Ending Suspension other staff (pending review of disciplinary procedure) Must have HR advice.			HT
	4.18	Approval of staff complement and (costed) structure	✓		
	4.19	Determining staff complement within agreed budget			HT/✓
	4.20	Determining dismissal payments/early retirement		✓	
	4.21	Approval of staff severance payments agreements in accordance with the Academies Financial Handbook and seek approval from the ESFA where appropriate.	✓		
	4.22	Review the Academy Headteacher's performance appraisal and salary review/ performance objective setting	✓/CEO		
	4.23	Teaching staff appraisals and salary reviews (within allocated budget)			HT
	4.24	Support staff appraisals and salary reviews (within allocated budget)			HT
Curriculum	5.1	To develop and recommend a curriculum policy			✓
	5.2	Approval of the curriculum policy for each academy	✓		
	5.3	To implement the curriculum policy			✓
	5.4	Responsible/Accountable for standards of teaching			✓
	5.5	Responsible/Accountable for individual child's education			✓
	5.6	Provision of sex education – to establish and keep up to date a written policy			✓
	5.7	To prohibit political indoctrination and ensure a balanced treatment of political issues			✓
Performance Management	6.1	To develop, recommend and implement an academy development plan (or post Ofsted action plan)			✓
	6.2	To receive and approve an ADP from each Academy	✓		
	6.3	To review annually the performance management policy			✓
	6.4	To receive and approve the performance management policy	✓		
	6.5	Scrutinise, monitor and challenge academy self-evaluation reports			✓
	6.6	Review and consider Examination Results	✓		✓
Target Setting	7.1	Approve relevant whole Trust and academy performance KPIs on the recommendation of the CEO	✓		
	7.2	Scrutinise, monitor and challenge whole Trust performance data on priority areas.	✓		
	7.3	Scrutinise, monitor and challenge academy performance data on primarily priority areas.			✓
	7.4	Responsible for pupil outcomes			✓
Behaviour	8.1	To establish, recommend_ approve and implement a pupil behaviour policy which defines sanctions to be adopted where students misbehave.			✓
	8.2	To receive and approve a pupil behaviour policy from each academy_ , monitor and review a termly report on the number of behavioural concerns reported with an analysis of day/time, group/course, type of incident. To identify trends and action taken to reduce reoccurrences.	✓		✓
Exclusions	9.1	To receive, monitor and review a termly report on all exclusion data	✓		✓

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	9.2	To review the head teacher's exclusion decisions, in accordance with the DfE statutory guidance 'Exclusion from maintained schools, academies and pupil referral units in England'. As an Academy, the LGB may delegate these decisions to a smaller designated sub-committee consisting of at least three governors.			✓
Admissions		<p>The Trust must set admission arrangements annually, notify the relevant Local Authority and publish the arrangements on its website in accordance with the 'Admissions Code'. When changes to the admission arrangements are proposed, the Trust must consult. Consultation must last at least eight weeks between 1 November and 1 March so that the arrangements are finalised by 15 April. There should be a clear decision by the Board to determine a set of arrangements. Local Authorities must publish on their website by 1 May, details of where the set arrangements for all schools can be found</p> <p>The Trust must, as part of setting its admission arrangements, set a pupil admission number (PAN). The Trust cannot refuse a child a place if the school is undersubscribed (fewer applications than the PAN). The only exception is where the child has been permanently excluded from two or more schools within the past two years. Where academies are oversubscribed the Trust must keep a waiting list for at least the first term in the normal year(s) of admission. It must also give priority on that list according to their oversubscription criteria, regardless of when an application was made.</p> <p>Should there be an appeal against a decision of the Trust in respect of admission the Trust will buy into the relevant Local Authority admission appeal panel service. The admissions appeal panels is an independent panel set up by the Local Authority in line with the 'Admission Appeals Code'. The 'Admission Appeals Code' provides details on appeal procedures and outlines a parent's or child's right of appeal. Where a panel finds in favour of the parent or child, the decision is binding on the Trust.</p> <p>The Trust must ensure that for each Academy pupils with SEN are admitted on an equal basis with others in accordance with the Academy's admissions policy</p> <p>See the Trust's 'Funding Agreement', and the 'School Admission Code' and 'School Admissions Appeals Code' for further details.</p>			
	10.1	To propose an admissions policy			✓
	10.2	To review and determine admissions policies	✓		
	10.3	Publish an admissions policy	✓		
	10.4	Admissions: application decisions			✓
	10.5	To appeal against LA directions to admit pupil(s).			✓
	10.5	Establish an Independent Appeals Panel	✓		
Public Equality Duty	11.1	Develop, implement and report on equality objectives, equality action and disability accessibility action plans.			✓
	11.2	Approve the equality objectives, equality action plan.	✓		
	11.3	Publish and keep under review, required information – Head teachers.			
Religious Education	12	Responsible for ensuring provision of RE in line with school's basic curriculum			✓
Premises and Insurance	13.1	Buildings insurance and personal liability		✓	

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	13.2	Directors and Officers insurance with Risk Protection Arrangements (RPA)	✓		
	13.3	Develop school buildings strategy or master plan	✗	✓	✓
	13.4	Maintain buildings, including development of properly funded maintenance plan			✓
	13.5	Arrange the security and maintenance of buildings and furniture on a day-to-day basis			✓
	13.6	Maintain an inventory of moveable items of equipment and checking inventory annually			✓
	13.7	Maintain a record of all equipment borrowed by staff			✓
	13.8	Authorise the disposal of all unusable and obsolete equipment in excess of £5k		✓	
	13.9	Review insurance cover		✓	
H&S and Educational Visits	14.1	The main legislation covering this area is the Health and Safety at Work etc. Act 1974 and regulations made under that Act. The Trust as the employer is responsible for health and safety. Under the Health and Safety at Work etc. Act 1974, the Trust must take reasonable steps to ensure that staff and pupils are not exposed to unacceptably high risks to their health and safety. This applies to activities on or off school premises. The Trust must set out its health and safety arrangements in a written health and safety policy.			
	14.2	Oversee compliance with health and safety regulations	CEO		✓
	14.3	Develop, implement and report on arrangements for compliance with health and safety regulations			HT
	14.4	To approve on an annual basis a compliant health and safety policy for the Trust and each of its Academies	✓		
	14.5	To implement, monitor and report on the operation of (on an at least termly basis) The Trust's health and safety policy			✓
	14.6	To report immediately any material breach of Health and Safety policy to the Chair of Directors and The Trust Chief Executive			✓ HT
	14.7	To receive from each academy on an annual basis a report on compliance with the health and safety policy	✓		
	14.8	Overall responsibility for first aid under relevant regulations			HT
Educational Visits	14.9	To receive a termly report relating to the educational visits undertaken by all Trust schools/ academies and a report on the working of the Evolve educational visits approval system.		✓	✓
	14.10	To scrutinise reports on all educational visits and their outcomes.			✓
	14.11	Approval of educational visits (to include risk assessments)	Headteacher, LGB Chair with the approved educational visit advisor		
School Organisation	15.1	To publish proposals to change category of school	✓		
	15.2	To set the times of school sessions and the dates of school terms and holidays			✓
	15.3	To ensure that the school meets for 380 sessions in a school year			✓
Information for parents	16	To prepare and publish the school prospectus			✓
	16.1	To ensure the provision of free school meals to those pupils meeting the criteria			✓
	16.2	Adoption and review of home school agreements			✓
	16.3	To approve a Directors'/Governors' Expenses Policy	✓		

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SEND	See 'Special Educational Needs and Disability Code of Practice: 0-25 Years' for further details.			
	17.1	To discharge duties in respect of pupils with special needs and disability by appointing a 'responsible person'.		✓
	17.2	Publish information on academy and Trust website about the Trust's policy for students with SEND to be updated annually		HT
	17.3	Prepares and publish a SEND information report.		HT
	17.4	Implement the SEND Policy		HT
	17.5	Develop, implement and report on SEND provision, arrangements and procedures, having had regard to SEND Code of Practice.		HT
	17.6	Appoint a SEND special responsibility role.		✓
	17.7	Approve and review SEND provision, arrangements and procedures, having had regard to SEND Code of Practice.	✓	
Extended Schools	18.1	To decide to offer additional activities and to what form these should take on a cost-neutral basis		✓
	18.2	To put into place the additional services provided		✓
	18.3	To ensure delivery of services provided		✓
	18.4	To cease providing extended school provision		✓
Safeguarding	The Board must ensure that it complies with its duties set under legislation. They must also have regard to relevant guidance to ensure that policies, procedures and training are effective and comply with the law at all times. See 'Keeping Children Safe in Education - Statutory Guidance for Schools and Colleges' - DfE for further details.			
	19.1	To propose a safeguarding policy, safer recruitment policy and staff code of conduct		✓
	19.2	To approve a safeguarding policy, safer recruitment policy and staff code of conduct	✓	
	19.3	Implementation of a safeguarding policy, safer recruitment policy and staff code of conduct.		HT
	19.4	Appointment of 'designated' members of staff responsible for safeguarding at academies.		HT
	19.5	Develop, implement and report on safeguarding and safer recruitment arrangements and procedures.		HT
	19.6	Appoint a safeguarding special responsibility member		✓
	19.7	To immediately inform the Chair and CEO of the Trust about serious safeguarding issues		✓
	19.8			
	19.8	Receive periodic safeguarding monitoring reports.	✓	
Looked After Children	20.1	Discharge legal duty to appoint a 'designated person' to manage the teaching and learning programme for looked after children.		HT
	20.2	Develop, implement and report on LAC arrangements and procedures, including admissions.		HT
	20.3	Appoint a LAC special responsibility member		✓
Supporting Students with Medical Conditions	21.1	Ensure that arrangements are in place to support students with medical conditions which are sufficient to meet statutory responsibilities.		HT
	21.2	Ensure a policy and relevant plans, procedures and systems are developed and implemented effectively.		HT

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		The policy should be readily accessible to parents and school staff			
	21.3	A named person should be appointed to have with overall responsibility for policy implementation.			HT
	21.4	Approve the Policy relating to the support of students with medical conditions. (Report to Board)			✓
GDPR	22.1	Controlling IT systems, security and GDPR	✓	✓	✓
	22.2	To appoint a Data Protection Officer (DPO) for the Trust that has oversight of each academy and oversees compliance with GDPR	✓		
	22.3	To appoint a Data Protection Lead (DPL) for each academy to oversee GDPR Compliance			HT
	22.4	Students and parents to be informed via Fair Processing Notices that students' personal data may be transferred in accordance with the Funding Agreement			HT
	22.5	To approve a Trust wide Data Protection and FOI Policy	✓		
	22.6	To implement and monitor the DP and FOI Policies			✓ HT
	22.74	Compliance with FOI requirements	✓		✓
	22.8	FOI Publication Scheme to be published on the <u>academy</u> website	✓		✓
Policies	23.1	To determine on an annual basis, those policies which will be developed by the Trust and mandatory for all Academies	✓		
	23.2	To provide, on an annual basis, a schedule detailing all academy specific policies and procedures and evidence of their review.			✓
Governance Procedures	24.1	Appoint / remove Trust Members	Members		
	24.2	Appoint / remove directors	Members		
	24.3	Co-opt Directors	✓		
	24.4	Appoint / remove LGB members	✓		
	24.5	Appoint / remove the Chairs of LGBs	✓		
	24.6	Appoint / dismiss the Company Secretary	✓		
	24.7	Hold a full meeting at least 3 times in an academic year	✓		✓
	24.8	Establish and implement a register of Business and Pecuniary Interests for Board and LGBs and senior staff	✓		✓
	24.9	Establish and implement a Gifts and Hospitality register for Board and LGBs	CS		✓
	24.10	Establish and implement Standing Orders to regulate governance procedures	✓		
	24.11	Establish and implement a Code of Conduct for Board and LGBs	✓		
	24.12	Annual review of functions, committee structures and scheme of delegation	✓		
	24.13	Establish an annual calendar of business for Board and LGBs	✓		
	24.14	Ensure annual confirmation statement is made to Companies House	✓		
	24.15	To approve a Directors'/Governors' Expenses Policy	✓		

Version Control

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Date	Status	Meeting	Author
18.10.18	Draft	Project Working Group	Xanne Blythe
23.10.18	Draft	Project Steering Group	Xanne Blythe
<u>8 July 2019</u>	<u>Draft</u>	<u>Amended with PLO's and XBLs comments</u>	<u>Xanne Blythe</u>
11.12.18 <u>9 July 2019</u>	Final	RHT Board/ <u>Electronic Written Resolution</u>	Xanne Blythe