

APPENDIX TWO: DALES ACADEMIES TRUST (Dales) LEVELS OF DELEGATION CHECKLIST April 2017 Updated April 2018

Key

- Level 1: The Trust Board (the company). NB. The Chief Executive Officer (CEO) is also an ex-officio member of the Dales Board and Trustee.
- Level 2: A Dales Board committee: Finance and Audit Committee (FAC), Education and Standards Committee (ESC)
- 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 Headteacher or Headteacher of the Academy

v : decision maker I : involved in decision

This document sets out the powers Dales, as the Trust, delegate to Academy Local Governing Bodies (LGBs) and named people. The CEO, LGB, Board committee or Academy Headteacher / Executive Headteacher may choose to delegate further powers as required. It should be remembered that although decisions may be delegated, the 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 Trust Board and discussed with all schools when considering joining the Trust. It will be reviewed annually.
	2.	To identify those additional services to be procured on behalf of individual academies.				√			Decisions for individual academies rests with schools LGBs, however in some instances decisions may be taken at Board committee level to procure goods across schools. Headteachers and Chairs must be consulted.
	3.	To ensure centrally procured services provide value for money.					√		Dales Finance Director/Manager
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 and will be reviewed annually to reflect core service offer.</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)

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			1	2	3	4	5	6	
	6.	To approve the first formal budget plan each financial year and receive final end of year Education and Skills Funding Agency (ESFA) 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 Budget is recommended by the LGB to the FAC who 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 Dales Finance Director also monitoring on behalf of Dales and reporting to the Trust FAC
	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.		√		I	I		LGB to discuss change with Trust Finance Director and propose changes. FAC to authorise overspend.

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	9.	To establish financial decision levels and limits.	√					I		As advised by the Trust Finance Director.
	10.	To establish a charging and remissions policy.				√				
	11	Miscellaneous financial expenditure outside and in addition to the agreed budget.		√						FAC must authorise overspends.
	12.	To enter into additional contracts which exceed the agreed annual budget allocation.				√				Initially limited to £10,000 or 20% of budgeted surplus (whichever is higher) without written agreement of the Trust.
	13.	To make payments within agreed financial limits.							√	Central Finance Manager or Business Manager or equivalent within the Academy - and as agreed by LGB
Staffing	14	CEO appointment, performance management and dismissal.	√					√		Appointment by Board, performance management by Chair and another nominated Trustee.
	15.	To appoint and manage the Trust Finance Director.	√		√			√		CEO and a nominated Trustee. Staffing spend plan pre-approved by Board
	16	To appoint and manage any Trust Education staff.	√		√			√		CEO and a nominated Trustee. Staffing spend plan pre-approved by Board.

Function	No	Tasks	Decision Level						Notes
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	17	To appoint, manage and dismiss any central Trust staff.	√		√		√		CEO and line manager. Staffing spend plan pre-approved by Board.
	18.	Executive Headteacher, Headteacher and Head of School / Associate Headteacher appointments and dismissals. Agreement to release and appoint Acting Headteacher.	√		I	I		I	<p>CEO, Chairman of the Academy LGB and any Executive Headteacher in place must be included as a member of the appointments / selection panel and decision panel agreeing to planned release / secondment.</p> <p>The Executive Headteacher will always be on a Head of School / Associate Headteacher panel. Other LGB members and Trustees may be invited. Panels will normally be around 5 plus a Diocesan Advisor as required.</p> <p>The Board makes the final appointment.</p>
	19.	Deputy and Assistant Headteacher appointments and dismissals (selection panel).				√	I	I	<p>Chair of the Academy LGB and Headteacher must be included as a member of the appointments / selection panel and decision panel agreeing to planned release / secondment.</p> <p>The LGB makes the final appointment. The Chair of the LGB must always be informed immediately of a dismissal or suspension.</p>

Function	No	Tasks	Decision Level						Notes
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	20	Appoint/dismiss and performance management of other teachers.				√		I	Headteacher or nominated representative must be a member of the appointment/selection panel. LGB pre-approves all staffing and budgets. The Chair of the LGB must always be informed immediately of a dismissal or suspension.
	21.	Appoint/dismiss and performance management of non-teaching staff.				√		I	Headteacher /Headteacher or nominated representative must be a member of the appointment/selection panel LGB pre-approves all staffing and budgets. The Chair of the LGB must always be informed immediately of a dismissal or suspension.
	22	Agree a Trust pay policy.	√			I		I	Trust to agree overall policy. LGB and Headteacher to implement in school.
	23a).	Pay discretions for Headteacher or Executive Headteachers.		√	√	I	I		FAC Remuneration committee to agree. LGB to recommend based on performance management and with recommendation of CEO and within agreed budget.
	23b)	Pay discretions for other Staff.				√		√	Headteacher to recommend to LGB within agreed budget.

Function	No	Tasks	Decision Level						Notes
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	23 c)	Pay discretion for central Trust staff.		√	I				FAC Remuneration committee to agree. CEO to recommend based on performance management and with advice of line manager and within agreed budget.
	24	Establishing disciplinary/capability procedures.	√			I		I	Trust to agree overall policy. LGB and Headteacher to implement in school.
	25	Agreeing any out of normal process HR intervention.			√		√		The CEO must always be informed at the outset of any out of normal HR process and must be regularly informed. It is likely that the CEO may also inform the Chair of Trust.
	26	Determining Staff complement within agreed budget – including making provision for exceptional staff costs e.g. absence/ maternity/paternity payments.				√		√	
	27.	Determining dismissal payments/early retirement.	√		√	I		I	Trust to determine policy. CEO to be informed at outset. LGB and Headteacher to implement in school in line with allocated budget, as determined by Academies Financial handbook
Curriculum	28.	To approve a curriculum policy.				√			Headteacher to develop and recommend.

Function	No	Tasks	Decision Level						Notes
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	29.	To develop and implement curriculum policy.						√	
	30.	Responsible for standards of teaching.						√	
	31.	Accountability for standards of teaching.	√			√		√	Main responsibility of Headteacher reporting to the Board and LGB.
	32.	Responsibility for individual child's education.				√	√	√	Headteacher responsible; Accountable to LGB and Board.
	33.	Accountability for individual child's education.	√			√			Headteacher responsible; Accountable to LGB and Board.
	34.	Provision of sex education – to establish and keep up to date a written policy.				√			
	35.	To prohibit political indoctrination and ensuring the balanced treatment of political issues.						√	
	36.	To establish a charging and remissions policy for activities.				√			
Performance Management	37.	To ensure that an approved appraisal policy is in place.	√		√	√			

Function	No	Tasks	Decision Level						Notes
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	38.	To secure the statutory appraisal of : <ul style="list-style-type: none"> Executive Headteacher Headteacher Other staff 			√	√			Executive Headteacher: CEO and Chair of LGB Headteacher: CEO and Chair of LGB. (Where there is an Executive Headteacher in place, the Executive Headteacher will lead the appraisal of the Head of School / Associate Headteacher with a Trust Director instead of the CEO. See line management and performance management policy) All other staff: Headteacher and LGB.
	39.	To review annually the Academy appraisal policy.			√	√			
Target Setting	40.	To propose targets for pupil achievement.			√			√	Headteacher with CEO.
	41.	To agree targets for pupil achievement.	√			√			
	42.	Responsibility for pupil outcomes.			√			√	Headteacher with CEO.
	43.	Accountability for pupil outcomes.	√			I		I	The Company are responsible to the Secretary of State for standards and pupil outcomes and delegate the monitoring of this to the Education and Standards

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									committee. They will hold the LGB and Headteacher accountable to them.
	44.	To establish a pupil discipline and behaviour policy.	√						The LGB must ensure this is implemented.
	45.	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).				√			Executive Headteachers / Headteachers / Heads of School / Associate Headteachers may exclude pupils in line with current DfE Guidance. A copy of Form Ex1 should be sent to the CEO.
	46.	To direct reinstatement of excluded pupils (Can be delegated to Chair/Vice-Chair in cases of urgency).				√			
	47.	To manage the appeal process for an exclusion.	√		√				
Admissions	48.	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.

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	49.	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.
	50.	To appeal against LA directions to admit pupil(s).	√			√		√	Although in practice the LGB and Headteacher/Headteacher would normally do this with the support of the Company.
Religious Education	51.	Responsibility for ensuring provision of RE in line with school's basic curriculum.						√	
Collective Worship	52.	To ensure that all pupils take part in a daily act of collective worship (for Church schools only).						√	Parents have the right to withdraw their children from collective worship if notified to the Academy in writing. The Headteacher must make appropriate provision if a parent exercises this right.
Premises & Insurance	53.	School insurance programme.		√			√		Inclusion within the Trust insurance policy. As considered necessary by the LGB additional insurance can be arranged chargeable to the school. Director of Finance to manage and account to FAC.

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	54	Asset management.		√				√	Headteacher or nominated representative to coordinate and manage at school level and account to FAC.
	55.	Developing school buildings strategy or master plan.				√			The LGB should take responsibility for producing and implementing a Premises Development Plan, liaising with the Trust Director of Operations as required.
	56	To determine the allocation and prioritization of conditions improvement funding.				√			
	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 and safeguarding are followed.			√			√	CEO and Headteacher.
	60.	To publish proposals to change category/phase and age range of the Academy.	√						The LGB can propose changes to the Board and must implement all required consultations.

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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.	√			√			The Trust will approve; LGB to implement.
	67.	To appoint (and remove) the Chair of the LGB.	√						
	68.	To appoint and dismiss the clerk to the LGB.	√						May be on request of 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.

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	71.	To set up a Register of members' Business Interests.					√		Clerks to academies accountable to CEO and LGB.
	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 in law).					√		Clerks to academies accountable to CEO and LGB.
	76.	To determine the development needs of governors and put in place an appropriate programme.				√	√		Clerks to academies accountable to CEO and LGB.
	77.	To consider requests from other schools to join the Company.	√		√				Due diligence proposed to Board by CEO.
	78.	To decide to offer additional activities and to set out the form these should take.				√			

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	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 Headteacher. Written arrangements must be put in place.
	81.	To cease providing extended school provision.				√			Must inform Dales Board.
	82.	To develop a safeguarding policy in line with statutory requirements and best practice.				√			
	83.	To implement the governors safeguarding policy.						√	
	84.	Maintain accurate, effective and secure pupil records.						√	
	85.	Maintain accurate, effective and secure employee records.						√	
	86.	Comply with all Data Protection legislation and good practice.						√	

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	87.	To determine, on an annual basis, those policies which will be developed by the Trust and be mandatory for all Trust Academies.			√				
	88.	To provide to the Company, on an annual basis, copies of all policies and procedures and a schedule for their review.			√				
	89.	To determine the need to close the school in the event of exceptional circumstances, for example, flood or snow.						√	The Chair of the LGB and CEO should be informed of the decision as soon as is possible.