

## **APPENDIX TWO: DALES ACADEMIES TRUST (Dales) LEVELS OF DELEGATION CHECKLIST April 2017 Updated July 2022**

### **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 Resources Committee (F&R), Education and Standards Committee (E&S)
- Level 3: The CEO of the Trust
- Level 4: Local Governing Body of the Academy
- Level 5: A named individual endorsed by the Trust / Trustee
- Level 6: Executive Headteacher or Headteacher of the Academy

√ : 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.**

**Chair's action (by either the Chair of Trust Board, or the Education & Standards or the Finance & Resources committee) may be taken if circumstances dictate a decision needs to be made prior to the next scheduled meeting. In the event of the Trust Chair being unavailable, the Trust Vice Chair will make the decision and in the absence of a committee Chair, the CEO will make the decision after consulting with one of the other committee Trustees.**

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Dales Academies Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, company number 08372064, whose registered office is at All Saints Academy, Blair Avenue, Ingleby Barwick, Stockton On Tees, TS17 5BL.

Function	No	Tasks	Decision Level						Notes
			1	2	3	4	5	6	
<b>Central Services</b>	1	To determine the scope of mandatory core central services to be delivered by the Trust 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.		I		√			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
<b>Finance and Budgets</b>	4	To determine the proportion of the overall Academy budget to be delegated to individual Academies.	√						Confirmed to LGB at the point of joining and will be reviewed annually to reflect core service offer.
	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 and Skills Funding Agency (ESFA) returns.	√	I				I	The Trust Finance Director will finalise end of year accounts for ESFA, checking and consolidating the figures provided from each Academy. The Budget is recommended by the LGB to the F&R committee who approves the budget, which then is ratified by the full Board.
	7	To monitor monthly expenditure - and account to the Trust 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 F&R committee
	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 Trust and Trust financial policy. Changes must be reported to the Trust Finance Director to report to the Trust F&R committee.

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	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. F&R committee to authorise overspend. CEO can authorise up to £5,000
	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.		√					F&R committee must authorise overspends. CEO can authorise up to £5,000.
	12	To re-enter into current contracts which exceed the agreed annual budget allocation.				√			Initially limited to £1,000 or 20% of budgeted cost (whichever is higher) without written agreement of the Trust.
	13	To make payments within agreed financial limits.					√		Central Finance Team – as per the bank mandate.
<b>Staffing</b>	14	CEO appointment, performance management, pay decisions, suspension, and dismissal.	√				√		Appointment and pay decision by Board. Performance management and dismissal by Chair and another nominated Trustee.
	15	Finance and Operations Director and Central team Education staff, appointment, setting pay grade suspension, and dismissal.	√		√		√		Process undertaken by CEO and a nominated Trustee; decision ratified by Trust Board.
	16	To manage the Finance and Operations Director and any Central team Education staff			√				Staffing spend plan pre-approved by Board.
	17	To appoint, manage and dismiss any Central Trust staff, excluding leadership/education roles			√				CEO and line manager. Staffing spend plan pre-approved by Board.
	18	Executive Headteacher and Headteacher appointments, including, agreement to release, second or appoint Acting Headteacher, suspension and dismissal.	√		√	I			CEO and Chair of the LGB must be included as a member of the appointments/selection panel and decision panel agreeing to planned release/secondment. Other LGB members and Trustees may be invited. Appoint panels will normally be around 5 plus a Diocesan Advisor as required. The Board makes the final appointment

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	19	Head of School appointments, including secondments- suspension and dismissal.	√		√	I			√	The CEO, Chair of LGB and Executive Headteacher will always be included in appointments / selection panel. Other LGB members and Trustees may be invited, and a Diocesan Advisor as required. The Board makes the final appointment. Suspension – CEO and Trustee decision.
	20	Executive Headteacher, Headteacher and Head of School flexible working requests		√	I*				I**	*Head of School requests - Executive Headteacher involved in decision and makes recommendation. Approval by E&S Committee. **EHT/HT requests CEO involved in decision and makes recommendation. Approval by E&S Committee.
	21	Deputy and Associate Assistant Headteacher, appointments (including secondments), suspensions and dismissal.					√		√	Chair of the LGB and Headteacher must be included as a member of the appointments/selection panel and decision panel agreeing to planned release/secondment. The LGB makes the final appointment. Chair of the LGB must always be informed immediately of a dismissal or suspension.
	22	Appoint/dismiss (including suspension and safeguarding allegations) and performance management of other teachers.			I	I			√	Executive 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 and CEO must always be informed immediately of a dismissal, safeguarding allegation or suspension.
	23	Appoint/dismiss (including suspension and safeguarding allegations) and performance management of non-teaching staff.			I	I			√	Executive 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 and CEO must always be informed immediately of a dismissal, safeguarding allegation or suspension.

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<b>Pay</b>	24	Agree a Trust pay policy and cost of living rise.	√			I		I	Trust to agree overall policy. LGB and Executive Headteacher/Headteacher to implement in school.
	25a	Pay discretions for Headteacher or Executive Headteachers.		√	√	I		I	CEO makes decision, F&R to ratify. Nominated representative from LGB involved in the process and external advisor makes recommendation to CEO based on performance management and within agreed budget.
	25b	Pay discretions for other staff.				√		I	Executive Headteacher/Headteacher to recommend to LGB within agreed budget in respect of pay progression. Where a permanent grade change is proposed for a post, this should be discussed and agreed in the first instance with the FOD.
	25c	Pay discretion for Central Trust staff, including leadership.		√	I				F&R to agree. CEO to recommend based on performance management and with advice of line manager and within agreed budget.
<b>HR processes</b>	26	Establishing Trust HR policies including, disciplinary/capability procedures, including temporary addendums.	√			I		I	Trust to agree overall policy. LGB and Headteacher to implement in school.
	27	Restructuring/redundancy relating to Executive Headteacher/Headteacher/Head of School	√		√				Proposed restructures/redundancies impacting on Executive Headteacher/Headteacher and/or Academy leadership arrangements across the Trust. LGB to be consulted as part of the process.
	28a	Restructuring/redundancy in an individual Academy.			√	I		√	LGB involved in decision making. CEO and Executive Headteacher agree restructure proposal and plan.
	29	Determining Staff complement within agreed budget – including making provision for exceptional staff costs e.g., absence/ maternity/paternity payments.				√		√	
	30	Determining settlement agreement payments/early retirement.	√		√	I		I	Once identified as a possible/likely course of action, the CEO should be informed. Paperwork signed off by CEO, in line with regulatory guidance / Academies handbook. LGB and Headteacher to implement in school.

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<b>Curriculum and Standards</b>	31	To approve a curriculum policy.				√			Headteacher to develop and recommend.
	32	To develop and implement curriculum policy.						√	
	33	Responsible for standards of teaching.						√	
	34	Accountability for standards of teaching.	√			√		√	Main responsibility of Headteacher reporting to the Board and LGB.
	35	Responsibility for individual child's education, including decisions regarding disapplication.				√		√	Headteacher responsible; Accountable to LGB and Board.
	36	Accountability for individual child's education.	√			√			Headteacher responsible; Accountable to LGB and Board.
	37	Provision of sex education – to establish and keep up to date a written policy.				√			
	38	To prohibit political indoctrination and ensuring the balanced treatment of political issues.				I		√	
	39	To establish a charging and remissions policy for activities.				√			
<b>Performance Management</b>	40	To ensure an approved Trust appraisal policy is in place which is reviewed annually.							
	41	To secure the statutory appraisal of: <ul style="list-style-type: none"> <li>Executive Headteacher / Headteacher</li> <li>Head of School/Associate Headteacher</li> <li>Other staff</li> </ul>			√	√		√	Executive Headteacher/Headteacher: CEO and nominated Governor/s. (Where there is an Executive Headteacher in place, the Executive Headteacher will lead the appraisal of the Head of School / Associate Headteacher with a LGB representative See relevant policy) All other staff: Executive Headteacher/Headteacher/Deputy Headteacher/Head of School.
<b>Target Setting</b>	42	To propose targets for pupil achievement.			√			√	Headteacher with CEO.
	43	To agree targets for pupil achievement.	√			√			
	44	Responsibility for pupil outcomes.			√			√	Headteacher with CEO.

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	45	Accountability for pupil outcomes.	√			I			I	The Trust is responsible to the Secretary of State for standards and pupil outcomes and delegate the monitoring of this to the Education and Standards committee. They will hold the LGB and Headteacher accountable to them.
<b>Behaviour</b>	46	To establish a pupil discipline and behaviour policy.							√	
<b>Exclusions</b>	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).				√				Executive Headteacher/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.
	48	To direct reinstatement of excluded pupils (Can be delegated to Chair/Vice-Chair in cases of urgency).				√				
	49	To manage the appeal process for an exclusion.	√		√					
<b>Admissions (including Out of Year requests)</b>	50	To consult before setting an admissions policy.	√			√				The LGB will be responsible for consultation on changes to the admissions policy. The Trust must give its written approval for any changes to the admissions policy.
	51	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.
	52	To appeal against LA directions to admit pupil(s).	√			√			√	In practice the LGB and Headteacher/Headteacher would normally do this with the support of the Trust.
	53	To approve a request for a pupil to be educated outside of their chronological age group.		√					I	Situation should first be discussed with the CEO. Requests should be submitted to the Education & Standards committee.

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<b>Religious Education</b>	54	Responsibility for ensuring provision of RE in line with school's basic curriculum.							✓	
<b>Collective Worship</b>	55	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.
<b>Premises &amp; Insurance</b>	56	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 F&R committee.
	57	Asset management.		✓					✓	Headteacher or nominated representative to coordinate and manage at school level and account to F&R.
	58	Developing school buildings strategy or master plan.				✓				The LGB should take responsibility for producing and implementing a Premises Development Plan, liaising with the CEO as required.
	59	To determine the allocation and prioritization of conditions improvement funding.				✓				
	60	Procuring and maintaining buildings, including developing properly funded maintenance plan.				✓				
	61	To institute a Health and Safety policy.				✓				
	62	To ensure that Health and Safety regulations and safeguarding procedures are followed.			✓				✓	CEO and Headteacher.
<b>School organisation</b>	63	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.
	64	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.
	65	To ensure that the school meets for 380 sessions in a school year.				✓			✓	
	66	To prepare and publish the school prospectus.				✓			✓	



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	67	To ensure provision of free school meals to those pupils meeting the criteria.						√	
	68	Adoption and review of home-school agreements.						√	
<b>Governance</b>	69	To draw up governing documents and any amendments thereafter.	√			√			The Trust will approve; LGB to implement.
	70	To appoint (and remove) the Chair of the LGB.	√						
	71	To appoint and dismiss the clerk to the LGB.	√						May be on request of LGB.
	72	To hold a full LGB meeting at least three times in an Academy year.				√			
	73	To appoint and remove members of the LGB.	√				√		Named person jointly accountable is Chair of LGB.
	74	To set up a Register of members' Business Interests.					√		Clerks to academies accountable to CEO and LGB.
	75	To approve and set up a Members' Expenses Scheme.	√						
	76	To discharge duties in respect of pupils with special needs by appointing a 'responsible person'.				√		√	
	77	To consider whether or not to exercise delegation of functions to committees or individuals				√			The LGB may delegate to individuals functions already delegated to it by the Trust so long as this does not breach the delegations set out in this document.
	78	To regulate the LGB procedures (where not set out in law).					√		Clerks to academies accountable to CEO and LGB.
	79	To determine the development needs of governors and put in place an appropriate programme.				√	√		Clerks to academies accountable to CEO and LGB.
	80	To consider requests from other schools to join the Trust.	√		√				Due diligence proposed to Board by CEO.

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	81	To decide to offer additional activities and to set out the form these should take.				√			
	82	To put into place the additional services provided.				√			
	83	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.
	84	To cease providing extended school provision.				√			Must inform Dales Board.
<b>Safeguarding</b>	85	To develop a safeguarding policy in line with statutory requirements and best practice.				√			
	86	To implement the governors' safeguarding policy.						√	
	87	Maintain accurate, effective, and secure pupil records.						√	
	88	Maintain accurate, effective, and secure employee records.						√	Each school and the central team will maintain SCRs.
<b>GDPR</b>	89	Comply with all Data Protection legislation and good practice, including that associated with Freedom of Information requests.						√	This policy is a central policy.
<b>Policies</b>	90	To determine, on an annual basis, those policies which will be developed by the Trust and be mandatory for all Trust Academies.			√				
	91	To provide to the Trust, on an annual basis, copies of all policies and procedures and a schedule for their review.			√				
<b>School closure</b>	92	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.
<b>Food standards</b>	93	To ensure school food standards are met.						√	