



DELEGATION OF POWERS - OVERVIEW

This is intended as a summary. It is not exhaustive and reference should be made to Articles of Association, Schemes of Delegation and terms of reference for individual committees.

Everyone within the Trust

- Ensure that income and property of the Company shall be applied solely towards the promotion of the Object.
- Responsibility to ensure that academies are conducted in accordance with objects of company and promoting high standards.
- Duty to promote safeguarding requirements
- Ensure compliance with the health and safety, buildings and other policies of the Company academies (acting in accordance with appropriate professional advice)

	Members of Company	Directors (Trustees)	Directors' F&GP Ctee	Local Governing Body	LGB Sub Ctee	CEO/ Executive Headteacher	Headteacher	Audit Committee	CFO
GOVERNANCE									
Determine the objects of the Company	✓								
Approve Deed of Variation and Articles	✓								
Determine company policies and ethos		✓							
Ensure that appropriate indemnity insurance is in place to cover the liability of Directors	✓								
Determine expenses policy for Directors		✓							
Establish subsidiary companies to carry on any trade or business for the purpose of raising funds for the Company	✓								
Ensure that accounts are prepared in accordance with the relevant Statement of Recommended Practice as if the Company was a non-exempt charity and Parts 15 and 16 of the Companies Act 2006 and filed with the Secretary of State and the Principal Regulator each Academy Financial Year	✓	✓							
Approve Annual Report in accordance with the Statement of Recommended Practice as if the Company was a non-exempt charity and file these with the Secretary of State and the Principal Regulator each Academy Financial Year		✓							
Comply with obligations under Part 24 of the Charities Act 2006 (or any statutory re-enactment or modification of that Act) with regard to the preparation of an annual return to the Registrar of Companies and in accordance with the Statement of Recommended Practice as if the Company was a non-exempt charity and to the Secretary of State and the Principal Regulator each Academy Financial Year		✓							
Hold General Meetings in accordance with Articles of Association	✓	✓							
Determine whether any of Directors' powers be delegated to a committee, CEO or other holder of executive office		✓							
Determining the constitution, membership and proceedings of the Local Governing Bodies		✓							
Reviewing schemes of delegation		✓							
Appointment of up to 9 Directors to represent the Trust as set out in Articles of Association	✓								
Co-opting up to 3 Directors		✓							
Making arrangements for election of Parent Members of Local Governing Bodies		✓							
Appointment and Removal of ATC Members to Local Governing Bodies		✓							
Power to co-opt and remove members to LGB (having any regard to views of Directors)				✓					
Appointment of Secretary to the Directors and to Committees		✓							

	Members of Company	Directors	Directors' F&GP Ctee	Local Governing Body	LGB Sub-Ctee	CEO / Executive Headteacher	Headteacher	Audit Committee	CFO
GOVERNANCE (continued)									
Appoint Chair and Vice-chair of Local Governing Body		✓							
Power to appoint committees, determine constitution, membership and proceedings of committees		✓							
Determine functions and proceedings of Local Governing Bodies		✓							
Power to manage the business of the Company and exercise all the powers of the Company		✓							
Power to expend the funds of the Company in such manner as they shall consider most beneficial for the achievement of the Object (as delegated by Directors)			✓						
Power to invest in the name of the Company such part of the funds as they may see fit and to direct the sale or transposition of any such investments and to expend the proceeds of any such sale in furtherance of the Object (as delegated by Directors)			✓						
Ability to give views on suitability of appointments to LGB membership (not elected categories)		✓							
Power to appoint and remove co-opt members of Local Governing Body from office		✓							
Duty to adhere to instructions given by CEO				✓			✓		
Instituting, settling or compromising any legal proceedings instituted or threatened against the Academy or submitting to arbitration or alternative dispute resolution any dispute involving the Academy			✓			✓			
Responding to any investigation or Ofsted visit and issuing direction to LGB						✓			
Consulting with CEO before responding to any investigation or Ofsted visit				✓					
Determination membership and roles of sub-committees of Local Governing Bodies (having regard to any views of Directors)				✓					
Monitoring viability of extended services and community needs (and reporting to Directors accordingly)				✓					
Holding LGB to account for performance of schools		✓							
Obligation to ensure high standards overall		✓							
Put systems in place to ensure quality, safety and good practice		✓							
Schools self-evaluation and quality assurance				✓					
Responsibility for challenging and monitoring standards and reporting to Directors				✓					
Setting and review of the curriculum, having regard to any views of the Directors/CEO				✓					
Determining school session times				✓					
Considering formal complaints (stage 2)					Chair or ctee (❖)		✓ (❖)		
Considering formal complaints (stage 3)		Chair or ctee (❖)			Chair or ctee (❖)				
Determination of Published Admission Policy and written consent to changes to admission criteria		✓							
Application of Admissions Policy				✓			✓		
Monitor and challenge pupil attendance				✓					
Decision to expand any academy		✓							
Determining or changing the name of an academy		✓							
Power to exclude pupils							✓		
Consideration of representations from parents re. exclusions					✓				
Consideration of fixed term and permanent exclusions					✓				
Determine school holidays with view of LGB		✓							

(❖) – depending on nature of complaint

	Members of Company	Directors	Directors' F&GP Ctee	Local Governing Body	LGB Sub-Ctee	CEO/ Executive Headteacher	Headteacher	Audit Committee	CFO
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PREMISES MANAGEMENT

Prepare reports in relation to buildings and facilities							✓		
Exercise responsibilities for maintenance of the buildings and facilities, having due regard to the safety of the users and the legal responsibilities of the Directors as owners of such buildings and facilities			✓	✓		✓	✓		
Receive and consider estate management strategy / plan			✓						
Determine level of capital investment in buildings and facilities taking account of feedback from LGBs			✓						
Disposal or acquisition of land and property		✓							
Insuring the land and buildings used by the academies		✓							
To undertake inspection of academy premises and monitor action plans in line with Trust policies				✓					
Secure such professional advice as necessary to ensure effective management of estates to ensure suitability and sufficiency of accommodation in line with procurement procedures						✓			
In conjunction with the Directors contribute to the estate management strategy which will identify the suitability of building and facilities in light of long term curriculum needs and the need for, and availability of, capital investment				✓					
Incurring capital expenditure which is provided for within agreed budget in line with financial procedures						✓	✓		
Determine priorities in relation to capital projects/expenditure			✓						
Incurring capital expenditure which is outside of that provided for within agreed budgets			✓						
Consider applications for hire of premises in accordance with procedures and make recommendation to Directors				✓					
Hire of premises – consider and ensure such use is in accordance with Trust policies and Trust approved				✓					

PREMISES MANAGEMENT

	Members of Company	Directors	Directors' F&GP Ctee	Local Governing Body	LGB-Sub-Ctee	CEO/Executive Headteacher	Headteacher	Audit Committee	CFO
EMPLOYMENT									
Determine policies and set pay terms for all academy staff including contracts, terms and conditions		✓							
Follow policies for all academy staff including contracts, terms and conditions as set by Directors			✓	✓	✓	✓	✓		
Adopting HR Policies		✓							
Power to direct workforce to work across the Trust						✓			
APPOINTMENTS & STAFFING STRUCTURES									
Determine all matters relating to appointment of CEO, Headteachers and Leadership Group		✓							
Determine all matters relating to appointment of staff (Head Office/company wide)						✓			
Appointment of teaching and support staff at academy level					✓ (a)				
Appointment of teaching and support staff at academy level where delegated to do so							✓		
Determine staffing structure (overall company)		✓							
Determine re-organisation of staffing structure within existing resources				✓					
REDUCING STAFF (REDUNDANCY/REDEPLOYMENT)									
Determining need for staff reductions (all staff)			✓						
Determine the number and category of staff to be reduced and criteria to be used in making a selection (Academy staff other than leadership group)				✓					
Determine the number and category of staff to be reduced and criteria to be used in making a selection (Head Office staff and Leadership Group)			✓						
Initial consultation with trade unions						✓	✓		
Consider applications for voluntary redundancy/redeployment (Academy based staff)							✓		
Select staff for redundancy/redeployment according to agreed criteria (Academy based staff)							✓		
Consider representations from staff selected for redundancy/redeployment (Academy based staff)							✓		
Hear appeals from staff affected by decision to reduce staff (Academy Based Staff)					✓				
Consider applications for voluntary redundancy/redeployment (Head office staff)						✓			
Select staff for redundancy/redeployment according to agreed criteria (Head Office staff)						✓			
Hear appeals from staff affected by decision to reduce staff (Head Office staff)		✓ II							
SALARY ISSUES									
Arrange annual appraisal of Headteachers/all leadership and and make recommendations on pay with engagement of the Chair of the LGB						✓			
Arrange annual appraisal of Head Office Staff/ and make recommendations on pay						✓			
Arrange annual appraisal of other academy staff and make recommendations on pay							✓		
Annual determination of salary of CEO			✓						
Annual determination of salary of Headteacher and other leadership group staff			✓						
Annual determination of salary of other employees based on recommendation of Headteacher			✓						
Consideration of re-grading claims from support staff (staff in academies)		✓ II							
Consideration of re-grading claims from support staff (staff in Head Office, or leadership posts)			✓						
Consider salary appeals across the Trust		✓ II							

	Members of Company	Directors	Directors' F&GP Ctee	Local Governing Body	LGB Sub-Ctee	CEO/ Executive Headteacher	Headteacher	Audit Committee	CFO
GRIEVANCE									
Initial consideration of grievance (academy based staff)							✓		
Appeals against grievances (academy based staff)					✓				
Initial consideration of grievance (HTs or Head Office staff)						✓			
Consideration of grievance (HT or Head Office/ staff) where CEO already considered or where concerning CEO			✓						
Appeals against grievances (HT or Head Office staff)		✓ II							
Initial consideration of grievance (CEO)		Chair							
Consideration of grievance (CEO) where Directors already considered or where concerning Directors		✓ II							
DISCIPLINARY/DISMISSAL/CAPABILITY									
Consideration of disciplinary cases and issuing of sanctions up to and including final written warning (staff in academies)							✓		
Consideration of disciplinary cases and issuing of sanctions up to and including final written warning (Head Office staff)						✓			
Consideration of disciplinary cases and issuing of sanctions up to and including final written warning (CEO)			✓						
Initial determination on dismissals of employees (academy based staff other than Headteachers & Head Office staff)							✓ ^ ^		
Initial determination on dismissals of (Headteacher/Head Office staff)						✓			
Initial determination on dismissals of CEO			✓						
Appeals from staff in respect of sanctions/dismissals previously considered (academy based staff – NOT Headteacher or Head Office staff)					✓				
Appeals from staff in respect of dismissals previously considered (Headteacher or Head Office Staff)		✓ II							
Appeals from CEO in respect of dismissal		✓ II							
MEDICAL INCAPABILITY									
Consideration of medical incapability (academy based staff)						✓ @			
Consideration of medical incapability (Head Office staff and Headteachers)						✓			
Consideration of medical incapability (CEO)			✓						
Appeals from academy all staff across the Trust		✓ II							
Appeals from CEO		✓ II							
SUSPENSION									
Suspend academy staff							✓		
Suspend Headteacher /Head Office staff						✓			
Suspend CEO		Chair							
Lift suspension academy staff (i.e. where no action)							✓		
Lift suspension of Headteacher/Head Office staff (i.e. where no action)						✓			
Lift suspension of CEO			✓						

- ^^ in consultation with CEO
 II denotes Committee of Directors to be formed if needed
 (a) this power is usually delegated to the Headteacher
 @ in consultation with the Headteacher

	Members of Company	Directors	Directors' F&GP Ctee	Local Governing Body	LGB Sub-Ctee	CEO/ Executive Headteacher	Headteacher	Audit Committee	CFO
GENERAL									
Consider requests for flexible working (academy staff –other than Leadership)					✓				
Consider requests for flexible working (Leadership /Head Office staff)			✓						
Appeals against Flexible working (academy staff other than Leadership)					✓				
Appeals against Flexible working (Leadership /Head office staff)		✓							
Monitoring and receiving reports on staff attendance			✓	✓					
Consider conflicts Code of Conduct declarations/disclosures						✓			
Authorising of Settlement Agreements – up to £20,000						✓			
Authorising of Settlement Agreements – between £20,001 - £50,000			✓						
Authorising of Settlement Agreements – Over £50,000 *									

*EFA

	Members of Company	Directors	Directors F&GP Ctee	Local Governing Body	LGB Sub-Cttee	CEO/ Executive Headteacher	Headteacher	Audit Committee	CFO
FINANCIAL MANAGEMENT PROCEDURES									
Ensure that sound and appropriate financial governance are in place	✓	✓				✓			✓
Determination of level of central charges to individual academies		✓							
Review financial management arrangements and delegation of powers at least annually		✓							
Prepare and monitor budgets									✓
Contribute to the financial priorities				✓			✓		
Present draft academy budget to committee of Directors representing LGB feedback.							✓		✓
Approve initial budget			✓						
Monitor individual academy budget				✓					
Authorise expenditure up to £5,000							✓		
Authorise expenditure between £5,001 - £20,000						✓			
Authorise expenditure over £20,000			✓						
Ultimate responsibility for ensuring budget is conducted in accordance with requirements		✓							
Amending budget for operation of academy			✓						
Determine use of surpluses			✓						
Determine and review the Reserves Policy		✓							
Ensure high standards of probity in the management of public funds in particular securing value for money around expenditure						✓			
Ensure that funds are spend in accordance with legislation (regularity) and principles of parliamentary control (propriety)						✓			✓
Monitoring and ensuring effective use of specific targeted resources eg Sports Premium and Pupil Premium				✓					
Provide written consent to enter into new contracts, vary or terminate contracts or entering into transactions not provided for within the devolved budget	<i>See section relating to Purchase of goods and services</i>								
Ensure the delivery of annual accounts									✓
Overall responsibility for accounts of the company		✓				✓			
Ensure that financial management accounts are produced			✓						
Ensure appropriate procedures in place for safeguarding of funds (overall)		✓				✓			
To inform Directors of need for any unplanned expenditure including input from LGB						✓	✓		
Ensure that the Directors are informed of need for any significant unplanned expenditure and options for identifying available funding (Head Office / other)						✓			
Responsibility to ensure that adequate financial risk management strategies are in place								✓	
Ensure that financial risk management strategies are adhered to								✓	
Receive monitoring reports on individual academy budget		✓	✓	✓		✓	✓		
Receive regular reports on budgets		✓	✓				✓		
Determine how CEO's financial powers will be exercised where the substantive post holder is absent		✓							
Approval of Annual Financial Statements								✓	
Determining cost of school meals/extended services		✓							
Giving consent to changes to extended services or other activities provided by or through academies		✓							
Monitor quality of extended services and use of effectiveness and make recommendations				✓					
Ensure that asset register is in place in line with financial procedures							✓		✓
Authorise disposal of equipment in line with financial procedures up to the value of £2,000				✓					
Authorise disposal of equipment in line with financial procedures over the value of £2,000			✓						

	Members of Company	Directors	Directors' F&GP Ctee	Local Governing Body	LGB Sub-Ctee	CEO/ Executive Headteacher	Headteacher	Audit Committee	CFO
PURCHASING GOODS OR SERVICES									
Determine the internal distribution of capitation between departments within the academy							✓		
Authorise orders up to a limit of £5,000 in accordance with financial policies							✓		
Authorise orders between £5,001 - £20,000 on basis of best value						✓			
Approve expenditure (£20,000 or over) and authorise orders after formal tenders			✓						
Approve Service Level Agreements – procurement at overall level			✓						

FINANCIAL MANAGEMENT

	Members of Company	Directors	Directors' F&GP Ctee	Local Governing Body	LGB Sub-Ctee	CEO/ Executive Headteacher	Headteacher	Audit Committee	CFO
RISK MANAGEMENT/INTERNAL ASSURANCE									
Ensure that risk management arrangements are in place									✓
Responsibility to develop risk management strategies						✓			
Consider risk management plans from each academy								✓	
Agree the internal assurance work programme								✓	
Consider Internal assurance reports and, when appropriate, advise the Directors of material controls issues								✓	
Monitor the implementation of agreed recommendations relating to Internal Assurance reports								✓	
Advise the Academy Trust on the appointment, reappointment, dismissal and remuneration of the external auditor								✓	
Establish relevant performance measures and indicators, and to monitor the effectiveness of the external auditor.								✓	
Review the annual financial statements in the presence of the external auditor, including the auditor's formal opinion, the governance statement, including consideration of the internal control systems effectiveness, risk management statements and any relevant issue raised in the external audit management letter.								✓	
Recommend the annual financial statements to the Academy Trust for approval.								✓	
Review the adequacy of the Academy Trust's Risk Management Policy and procedures and to regularly review the risk register.								✓	
Monitor and implementation of Risk Management								✓	
Duty to ensure that appropriate risk management systems are in place external (Residential) visits				✓					
Review the Academy Trust's anti-fraud arrangements								✓	
Ensure that all allegations of fraud and irregularity are properly followed up and control weaknesses addressed								✓	
Produce an annual report for the Academy Trust and Accounting Officer, which should include advice on the effectiveness of the Academy's risk management, control and governance processes, and any significant matters arising from the work of the Responsible Officer and the external auditor								✓	
At least annually review the risk register and focus on key risks throughout the year								✓	
Business Continuity Plan – oversee census data/returns								✓	
Ensure appropriate framework for risk management plans		✓							
Keep under review risk management plans – academy level				✓					
Ensure school website is compliant and fit for purpose				✓					

RISK MANAGEMENT / INTERNAL ASSURANCE