

**SCHEME OF DELEGATION**

**made between**

**THE DIOCESE OF GLOUCESTER ACADEMIES TRUST**

**and**

**THE LOCAL GOVERNING BODY**

**OF**

**DURSLEY CHURCH OF ENGLAND PRIMARY ACADEMY**

**EFFECTIVE DATE: 1 September 2015**

**THIS SCHEME OF DELEGATION** (which in this document is referred to as the "**Scheme**") is made on 1<sup>st</sup> April 2015 between:

(1) **The Diocese of Gloucester Academies Trust, a charitable company limited by guarantee and registered in England and Wales under company number 08149299 (the "Company");** and

(2) **THE LGB OF DURSLEY CHURCH OF ENGLAND PRIMARY ACADEMY (the "LGB").**

## I. **DEFINITIONS AND INTERPRETATION**

1.1 In this Scheme:

**"The Academy"** means Dursley Church of England Primary Academy

**"Academies Financial Handbook"** means the DfE's financial handbook for academies in force at the time;

**"Articles"** means the Articles of Association of the Company;

**"Budget"** means the annual budget set by the Directors for the Academy in accordance with the Master Funding Agreement and/or the Relevant Funding Agreement;

**"The Company"** means the Diocese of Gloucester Academies Trust

**"DBE"** means the Diocesan Board of Education for the Diocese within which the Academy is situated;

**"Directors"** means the directors of the Company;

**"The Effective Date"** means 1 September 2015

**"Incumbent or Principal Officiating Minister of the Parish in which the Academy is sited"** means the Incumbent or Principal or Officiating Minister of the Parish of St James the Great or a suitably qualified substitute. In the case of a vacancy of a Principal Officiating Minister, the Archdeacon of Cheltenham will appoint a suitably qualified person to act in their stead.

**"LGB"** means the Local Governing Body of the Academy constituted by clause 5.2 of this Scheme and pursuant to Articles of Association.

**"Master Funding Agreement"** means the Master Funding Agreement entered into by the Company and the Secretary of State on 1<sup>st</sup> June 2013 and any subsequent amendments;

**"Parochial Church Council"** means the PCC of the Parish of St James the Great, Dursley

**"Principal"** means the Head Teacher of the Academy;

**"Relevant Funding Agreement"** means the Supplemental Funding Agreement entered into by the Company and the Secretary of State in respect of the Academy on **1<sup>st</sup> June 2013**;

**"Reserved Posts"** Section 58 of the School Standards and Framework Act 1998 (as amended) requires the appointment in VC and Foundation Schools with a designated religious character of teachers who are able to provide religious education in accordance with the requirements of the trust deed of the school or in accordance with the tenets of the relevant religion or denomination.

**"Secretary of State"** means the Secretary of State for Education and his successors;

- 1.2 Except as expressly provided in this Scheme, words and expressions not defined in this Scheme shall have the same meaning accorded to them in the Articles and the Relevant Funding Agreement entered into by the Company.
- 1.3 Reference in this Scheme to clauses, paragraphs and annexes shall, unless otherwise stated, be to clauses, paragraphs and annexes of this Scheme.
- 1.4 In the event of conflict between any provision of this Scheme and the Articles, the Articles shall prevail.

## 2. INTRODUCTION

- 2.1 As a charity and company limited by guarantee, the Diocese of Gloucester Academies Trust is governed by a Board of Directors (the "Directors") who are responsible for, and oversee, the management and administration of the Company and the academies which it runs. Dursley Church of England Primary Academy is one of the academies.
- 2.2 The Directors are accountable to external government agencies including the Charity Commission and the Department for Education (including any successor bodies) for the quality of the education they provide and they are required to have systems in place through which they can assure themselves of quality, safety and good practice. As the Academy is a Church of England School, designated as such, the Directors are also accountable to the Gloucester Diocesan Board of Education (the "DBE") under the provisions of the Diocesan Board of Education Measure 1991 (amended Education Act 2006) and to the trustees of the school site to ensure that the Academy is conducted as a Church of England school.
- 2.3 In order to discharge these responsibilities, the Directors appoint people who are more locally based to serve on the Local Governing Body which has been established to ensure the good governance of the Academy.
- 2.4 This Scheme of Delegation explains the ways in which the Directors fulfil their responsibilities for the leadership and management of the Academy, the respective roles and responsibilities of the Directors and the members of the Local Governing Body ("the LGB members") and the commitments to each other to ensure the success of the Academy.
- 2.5 This Scheme of Delegation has been put in place by the Directors, in consultation with the LGB, from the Effective Date in accordance with the provisions of the Company's Articles of Diocese of Gloucester Academies Trust. Registered Office: 4 College Green, Gloucester, GL1 2LR. Registered in

the England. Company Number: 08149299

Association and it should be read in conjunction with those Articles. References in this Scheme to numbered Articles are to the relevant clause of the Articles. References in this Scheme to numbered paragraphs are to the relevant paragraphs of this Scheme or its Appendix.

### **3. ETHOS AND MISSION STATEMENT**

3.1 As an Academy with a Christian foundation, the Academy commits to:

*Recognising its historic foundation and preserving and developing its religious character in accordance with the principles of the Church of England and in partnership with the Church at Parish and Diocesan level.*

3.2 Dursley Church of England Primary School will:

*Serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers to all its pupils.*

### **4. DIRECTORS' POWERS AND RESPONSIBILITIES**

4.1 The Directors have overall responsibility for the Academy and are the ultimate decision-making authority for all the work of the Company, including the establishing and running of schools and in particular the Academy as a Church of England school. This is largely exercised through strategic planning and the setting of policy. It is managed through business planning, monitoring of budgets, performance management, the setting of standards and the implementation of quality management processes. The Directors reserve the right to direct change where required, as set out in Section 8 of this document.

4.2 The Directors have a duty to act in the fulfilment of the Company's Objects. The Directors also have a duty to the DBE to uphold the Objects of the Company and to have regard to the advice of the DBE generally.

4.3 The Directors will have regard to the interests of the other academies for which the Company is responsible in deciding and implementing any policy or exercising any authority in respect of the Academy.

4.4 The Articles of Association provide for the appointment by the Directors of committees to whom the Directors may delegate certain of the functions of the Directors. From the 1<sup>st</sup> April 2015 the day-to-day governance of Dursley Church of England Primary Academy will be delegated to a Local Governing Body. Whilst the Directors have the power to direct change where required, it is an expectation that the Directors and LGB will work in partnership to secure outstanding educational outcomes for all pupils.

4.5 The constitution, membership and proceedings of the local governing body is determined by the directors, and this scheme of delegation expresses such matters as well as setting out the authority delegated to the local governing body in order to enable the local governing body to run the academy and fulfil the academy's mission.

### **CONSTITUTION OF THE LOCAL GOVERNING BODY**

## Members of the Local Governing Body

- 5.1 The number of people who shall sit on the Local Governing Body (LGB) shall be not less than three but, unless otherwise determined by the Directors, shall not be subject to any maximum. In determining the initial composition of the Local Governing Body, the Directors will consult the governing body of the predecessor school and be mindful of the school context. Any further amendments to the LGB will be determined after consultation with the LGB.
- 5.2 The Local Governing Body shall have the following members (“the LGB members”):
  - 5.2.1 Four Foundation LGB members, one of whom will be the Principal or Officiating Minister of the Parish of St James the Great, Dursley or their licensed delegate.
  - 5.2.2 One Staff LGB member
  - 5.2.3 Three Parent LGB members
  - 5.2.4 The Principal of the Academy (the “Principal”); and
  - 5.2.5 Three co-opted governors
- 5.3 A Director shall also be entitled to serve on the Local Governing Body. A Director attending any meetings of the Local Governing Body shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the Local Governing Body. The presence of a Director will constitute one vote in any such matters.
- 5.4 All persons appointed or elected to the Local Governing Body shall give an undertaking to the Directors to uphold the Objects of the Company<sup>1</sup>. The directors will inform the LGB of any changes to the Objects of the Company.

## Appointment of LGB Members

- 5.4 The Foundation LGB members shall be nominated by the PCC and appointed by the Directors. In appointing members, the Directors will have regard for skills and experience needed on the LGB and the need to adequately prepare for succession planning. All Foundation LGB members will be accountable for upholding the Christian ethos and values of the academy.
- 5.5 The Directors, after consultation with the LGB, may appoint a person employed at the Academy to serve as a staff LGB member (“the staff LGB member”). The positions held by

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<sup>1</sup> The Company’s object (“the Object”) is specifically restricted to the following:

to advance for the public benefit education in the United Kingdom, in particular but without prejudice to the generality of the foregoing by establishing, maintaining, carrying on, managing and developing Academies which shall offer a broad and balanced curriculum and which shall include:

- (i) Church of England schools designated as such which shall be conducted in accordance with the principles, practices and tenets of the Church of England both generally and in particular in relation to arranging for religious education and daily acts of worship, and having regard to any advice issued by the Diocesan Board of Education; and
- (ii) other Academies whether with or without a designated religious character; but in relation to each of the Academies to recognise and support their individual ethos, whether or not designated Church of England.

those employed at the Academy (e.g. teaching and non teaching) may be taken into account when considering appointments.

- 5.6 In appointing a person to serve on the LGB who is employed at the Academy, the LGB shall invite nominations from all staff employed under a contract of employment or a contract for services or otherwise engaged to provide services to the Academy (excluding the Principal) and, where there is a contested post, shall hold an election by a secret ballot. All arrangements for the calling and the conduct of the election and resolution of questions as to whether any person is an eligible candidate shall be determined by the Directors acting reasonably.
- 5.7 The Principal shall be treated for all purposes as being an *ex officio* LGB Member.
- 5.8 The Parent LGB members shall be elected by parents of registered pupils at the Academy and he or she must be a parent/carer of a pupil at the Academy at the time when he or she is elected. Under the Scheme of Delegation, the Returning Officer (normally the Principal) shall make all necessary arrangements for the election of the parent LGB members, including any question of whether a person is a parent of a registered pupil at the Academy.
- 5.9 Where a vacancy for a parent/guardian LGB member is required to be filled by election, the Returning Officer shall take such steps as are reasonably practical to secure that every person who is known to them to be a parent of a registered pupil at the Academy is informed of the vacancy and that it is required to be filled by election, informed that he is entitled to stand as a candidate, and vote at the election, and given an opportunity to do so.
- 5.10 The parent LGB members shall be appointed by the Directors if the number of parents standing for election is less than the number of vacancies.
- 5.11 In appointing a person to be a parent LGB member, the LGB shall appoint a person who is the parent of a registered pupil at the Academy; or where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.

### **Co-opted members of the Local Governing Body**

- 5.12 The Local Governing Body with the consent of the Directors (such consent not to be unreasonably withheld or delayed) may appoint up to 3 persons to be co-opted to the Local Governing Body ("Co-opted LGB members"). The Local Governing Body may not co-opt a person who is employed at the Academy if thereby the number of persons employed at the Academy serving on the Local Governing Body would exceed one third of the total number of persons serving on the Local Governing Body (including the Principal).
- 5.13 In appointing Co-opted LGB members, the local Governing Body and the Directors shall have regard to the need to ensure that the LGB members between them have an appropriate range of skills and experience and due attention is given to succession planning.

### **Term of office of LGB Members**

- 5.14 The term of office for any LGB Member shall be 4 years, save that this time limit shall not apply to the Principal or incumbent (who shall serve *ex officio*) and to Co-opted LGB members (who shall serve an initial term of two years). Subject to remaining eligible to be a particular type of member on the Local Governing Body, any person may be re-appointed or re-elected (including being co-opted again) to the Local Governing Body.

## **Resignation and removal of LGB Members**

- 5.15 A LGB member shall cease to hold office if he/she resigns his/her office by notice to the Local Governing Body (but only if at least three persons will remain in office when the notice of resignation is to take effect) or is disqualified under the requirements of the Articles of Association.
- 5.16 A LGB member shall cease to hold office if he/she is removed by the person or persons who appointed him/her. Whilst acknowledging that no reasons need to be given for the removal of a LGB member by a person or persons who appointed him/her, any failure to uphold the values of the Company and/or the Academy or to act in a way which is appropriate in light of this Scheme of Delegation will be taken into account.
- 5.17 If the staff LGB member ceases to work at the Academy then he/she shall be deemed to have resigned and shall cease to serve on the Local Governing Body automatically on termination of his/her work at the Academy.
- 5.18 Where a LGB member resigns his/her office or is removed from office, that person or, where he/she is removed from office, those removing him/her, shall (as necessary) give written notice thereof to the Local Governing Body who shall inform the Directors.

## **Disqualification of members of the Local Governing Body**

- 5.19 No person shall be qualified to serve as a LGB member unless he/she is aged 18 or over at the date of his/her election or appointment. No current pupil of the Academy shall be entitled to serve as a LGB member
- 5.20 A LGB member shall cease to hold office if he/she becomes incapable by reason of mental disorder, illness or injury of managing or administering his/her own affairs.
- 5.21 A LGB member shall cease to hold office if he/she is absent without the permission of the Local Governing Body from all the meetings of the LGB held within a period of one term and the LGB resolves that his/her office be vacated.
- 5.22 A person shall be disqualified from serving on the Local Governing Body if:
- 5.22.1 His/her estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or
- 5.22.2 He/she is the subject of a bankruptcy restrictions order or an interim order.
- 5.23 A person shall be disqualified from serving on the Local Governing Body at any time when he is subject to a disqualification order or a disqualification undertaking under the Company Directors Disqualification Act 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
- 5.24 A LGB member shall cease to hold office if he/she would cease to be a director by virtue of any provision in the Companies Act 2006 or is disqualified from acting as a trustee by virtue of section 178 of the Charities Act 2011 (or any statutory re-enactment or modification of those provisions).
- 5.25 A person shall be disqualified from serving on the Local Governing Body if he/she has been removed from the office of charity trustee or trustee for a charity by an order made by the

Charity Commission or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity for which he/she was responsible or to which he/she was privy, or which he/she by his/her conduct contributed to or facilitated.

5.26 A person shall be disqualified from serving on the Local Governing Body at any time when he/she is:

5.26.1 included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or

5.26.2 disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000; or

5.26.3 barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006).

5.27 A person shall be disqualified from serving on the Local Governing Body if he/she is a person in respect of whom a direction has been made under section 142 of the Education Act 2002 or is subject to any prohibition or restriction which takes effect as if contained in such a direction.

5.28 A person shall be disqualified from serving on the Local Governing Body where he/she has, at any time, been convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 178 of the Charities Act 2011.

5.29 Where, by virtue of these provisions, a person becomes disqualified from serving on the Local Governing Body, or was proposed to so serve, he/she shall upon becoming so disqualified give written notice of that fact to the Local Governing Body who shall inform the Directors, the DBE and the Trustees.



## 5. DELEGATED POWERS

### General Provisions

6.1 Subject to provisions of

- (a) the Companies Act 2006;
- (b) the Articles;
- (c) The strategic plan and policies of the Directors of the Company;
- (d) Any budget set by the Directors for the Academy in association with the LGB;
- (e) And any directions given and rules and regulations set by the Directors of the Company,

The management of the business of the Academy shall otherwise be delegated by the Directors to the Local Governing Body who may exercise all the powers of the Company in so far as they relate to the Academy, in accordance with the terms of this Scheme of Delegation, Academies Financial handbook and Trust policies. No alteration of the Articles and no such direction shall invalidate any prior act of the Local Governing Body which would have been valid if that alteration had not been made or that direction had not been given. Except as provided for in this Scheme of Delegation, the powers given by this Scheme of Delegation shall not be limited by any special power given to the Directors by the Articles or to the Local Governing Body by this Scheme of Delegation and a meeting of the Local Governing Body at which a quorum is present may exercise all the powers so delegated.

6.2 In general terms, the responsibility of the Directors in so far as the business of the Academy is concerned is to determine the policy and procedures of the Academy and to consider and respond to strategic issues. The Directors are free to decide what constitutes a strategic issue, having regard to all the circumstances and acting reasonably.

6.3 Except as provided for in this Scheme of Delegation, in addition to all powers hereby expressly conferred upon the Local Governing Body and without detracting from the generality of the powers delegated, the Local Governing Body shall have the following powers, namely:

6.3.1 to expend certain funds of the Company in such a manner as the Local Governing Body shall consider most beneficial for the achievement of the Objects of the Company in so far as it relates to the Academy; and

6.3.2 to enter into contracts, on behalf of the Company in so far as they relate to the Academy.

6.4 In the exercise of its powers and functions, the Local Governing Body shall observe any directions given by the Directors.

6.5 Any bank account in which any money of the Company in so far as it relates to the Academy is deposited shall be operated by the Local Governing Body in the name of the Company. All cheques and orders for the payment of money from such an account shall be signed by at least two signatories authorised by the Local Governing Body. Before any cheque is authorised, the Local Governing Body should refer to the Trust's Finance Policy.

## **Ethos and Values**

- 6.6 Whilst the Local Governing Body shall be responsible for ensuring that the Academy is conducted in accordance with its ethos and values referred to in section 3, determination of the Academy's ethos and mission statement shall be the responsibility of the Directors who shall not make any alteration to the religious character of the Academy or the conduct of the Academy as a Church of England school without the consent of the Diocesan Board of Education.
- 6.7 At all times, the Directors and the Local Governing Body shall ensure that the Academy is conducted in accordance with the Objects of the Company, the terms of the trust governing the use of the land which is used for the purposes of the Academy and any agreement entered into with the Secretary of State for the funding of the Academy.

## **Finance**

- 6.8 In acknowledgement of the receipt by the Directors of funds in relation to the Academy, provided by the Secretary of State, donated to the Company and generated from the activities of the Company, the Directors delegate to the Local Governing Body the responsibility to manage and expend all monies received on account of the Academy for the purposes of the Academy less an amount to be determined each year by the Directors in accordance with the Academy's budget (in 2014/5, 5% of the academy budget (excluding ring-fenced funds) will be withheld by the Trust). All centrally held funds will only be used to further the Objects of the Trust and to provide quality education and services to academies. The Trust will only hold such amounts that are defined as reasonable by the Education Funding Agency and Department for Education.
- 6.9 Whilst the Local Governing Body shall have the power to enter into contracts on behalf of the Company in so far as they relate to the Academy, the Local Governing Body shall first obtain the consent (such consent not to be unreasonably withheld or delayed) of the Directors to any contracts or expenditure for any single matter above such sum as shall be mandated by the Directors in the Trust's finance policy.
- 6.10 The accounts of the Company shall be the responsibility of the Directors but the Local Governing Body shall provide such information about the finances of the Academy as often and in such format as the Directors shall reasonably require. In the summer term the LGB will submit the Academy budget for the next academic year to the Directors for approval.
- 6.11 The Local Governing Body shall ensure that proper procedures are put in place for the safeguarding of funds and that the requirements of the Academies Financial Handbook are observed at all times as well as any requirements and recommendations of the Directors and the Secretary of State.
- 6.12 The Local Governing Body shall inform the Directors of any need for significant unplanned expenditure and will discuss with the Directors (and others as the Directors shall require) options for identifying available funding.
- 6.13 The Local Governing Body shall follow the requirements of the Academies Financial Handbook and any associated Trust policies, and shall develop appropriate risk management strategies and shall at all times adopt financial prudence in managing the financial affairs of the Company in so far as these relate to the Academy.
- 6.14 Subject to any contrary direction by the Directors, the Local Governing Body shall at all times have in place a competent Finance/Resources Committee as provided for in Appendix I.

- 6.15 Both the Directors and the Local Governing Body acknowledge that neither the Diocesan Board of Education or the Trustees of any associated Trusts have any financial responsibility for the Company or the Academy in any situation.

## **Premises**

- 6.16 Subject to the provisions of any Supplemental Agreement between the Directors, the LGB Members and the Trustees, the maintenance of the buildings and facilities used in respect of the Academy is the responsibility of the Local Governing Body, who shall have regard at all times to the safety of the users of the buildings and the facilities and the legal responsibilities of the Directors (and/or the Trustees or others) as owners of such buildings and facilities.
- 6.17 The Local Governing Body shall in conjunction with the Directors develop an estate management strategy every 5 years that will identify the suitability of building and facilities in light of long term curriculum needs. To meet the Local Governing Body's responsibility to ensure the buildings and facilities are maintained they will annually agree a Planned Maintenance Programme with the Directors and confirm that all plant has been serviced by registered contractors. The Local Governing Body will have a responsibility to maintain and repair the building so that it is compliant with statutory regulations.
- 6.18 The responsibility for any disposals or acquisitions of land to be used by the Academy will be that of the Directors and/or the Trustees.
- 6.19 Insuring the land and buildings used by the Academy will be the responsibility of the Directors who shall recover the cost from the budget delegated to the Local Governing Body. The Directors shall, at all times, ensure adequate, competitive insurance for the academy and provide proof of the same if reasonably requested by the LGB.

## **Human Resources**

### **Principal**

- 6.20 The Directors shall, in consultation with the LGB, appoint the Principal in accordance with the Articles. The Directors and the Local Governing Body may delegate such powers and functions as they consider are required by the Principal for the internal organisation, management and control of the Academy (including the implementation of all policies approved by the Directors and the Local Governing Body and for the direction of the teaching and curriculum at the Academy).
- 6.21 The Directors shall ensure that the Principal is committed to supporting and promoting the objects of the Academy which include conducting the objects of the Company in accordance with the principles practices and tenets of the Church of England.

### **Other Staff**

- 6.22 The Local Governing Body shall be responsible for the appointment and management of all other staff to be employed at the Academy provided that the Local Governing Body shall:
- 6.22.1 comply with all policies dealing with staff issued by the Directors from time to time including an agreed numbers of relevant staff and their payscales;
- 6.22.2 take account of any pay terms set by the Directors;

- 6.22.3 adopt any standard contracts or terms and conditions for the employment of staff issued by the Directors;
- 6.22.4 manage any claims and disputes with staff members having regard to any advice and recommendations given by the Directors.
- 6.22.5 To ensure, if appropriate, a proportion of the staff are designated as ‘Reserved Teachers’.
- 6.22.6 The Local Governing Body will ensure that the performance management of all academy staff (including the Principal) has been carried out and will ensure that the Academy puts in place procedures for the proper professional and personal development of staff. The Directors will appoint a suitably qualified individual to participate in the Performance Management of the Principal, on their behalf.

### **Curriculum and Standards**

- 6.23 In recognition of the Directors’ obligation to the Secretary of State to provide a broad and balanced curriculum, the Local Governing Body will be responsible for ensuring a broad and balanced curriculum offer which meets the needs of learners. The Local Governing Body will review the curriculum annually and will have regard to any core entitlement determined by the Directors.
- 6.24 The Directors are ultimately responsible for the standards achieved by the Academy and the pupils attending the Academy. The Local Governing Body will review the progress of pupils termly and will ensure the Academy takes immediate remedial action when underperformance (in any area) is identified.
- 6.25 Subject to the provisions of any statutory admissions code, the Local Governing Body shall be responsible for the review from time to time of the Academy’s admissions policy. The Directors shall, in consultation with the LGB be ultimately responsible for the approval of the admissions policy and no change will be made to the admissions criteria without the consent of the Directors and the DBE.
- 6.26 Any decision to expand or decrease the size of the Academy shall be that of the Directors, after due consultation with the LGB and following the statutory guidance and procedure for making such amendments as laid down in the School Admissions Code. Such a decision will not be taken in isolation, and the LGB and Directors will ensure that a risk assessment is completed before a final decision is made about increasing or reducing numbers on roll. The LGB and Directors will inform the LA before making a final decision.

### **Extended Schools and Business Activities**

- 6.27 Whilst the undertaking of any activities which would be described as part of the Academy’s “extended schools agenda” or any activities designed to generate business income, would be the responsibility of the Local Governing Body, this shall only be undertaken in a manner consistent with any policy set by the Directors and having regard to the viability of such activities, the impact on the Academy’s activities and any financial implications, such as the threat of taxation in light of the Company’s charitable objects and any threat to funding provided by the Secretary of State.

## **Regulatory Matters**

- 6.28 The responsibility for the satisfaction and observance of all regulatory and legal matters shall be the Directors but the Local Governing Body shall do all such things as the Directors may, acting reasonably, specify as being necessary to ensure that the Company is meeting its legal obligations.

## **7. OPERATIONAL MATTERS**

- 7.1 The Local Governing Body shall comply with the obligations set out in the Appendices which deals with the day to day operation of the Local Governing Body.
- 7.2 The Local Governing Body will adopt and will comply with all policies of the Directors communicated to the Local Governing Body.
- 7.3 Both the Directors and all members of the Local Governing Body have a duty to act independently and not as agents of those who may have appointed them. The LGB will act with integrity, objectivity and honesty in the best interests of the Company and the Academy and shall be open about decisions and be prepared to justify those decisions except in so far as any matter may be considered confidential.
- 7.4 The Local Governing Body will review its policies and practices on a regular basis, having regard to recommendations made by the Directors from time to time, in order to ensure that the governance of the Academy is best able to adapt to the changing political and legal environment.
- 7.5 The Local Governing Body shall provide such data and information regarding the business of the Academy, its staff and the pupils attending the Academy as the Directors may require from time to time.
- 7.6 The Local Governing Body shall, given reasonable notice, submit to any inspections by the Directors and any inspections pursuant to section 48 of the Education Act 2005 and any additional inspections or any person appointed by the DBE for the purpose of ensuring that the Academy is being conducted in accordance with the practices and teachings of the Church of England.

## **8. REVIEW AND TERMINATION OF SCHEME OF DELEGATION**

- 8.1 This Scheme of Delegation shall operate from the Effective Date in respect of the named Academy and will be reviewed annually, in consultation with the LGB.
- 8.2 The Local Governing Body shall work closely with and shall promptly implement any advice or recommendations made by the Directors in the event that intervention is either threatened or is carried out by the Secretary of State.
- 8.3 Where there is cause for concern about the performance of the academy. The Directors acting reasonably reserve the unfettered right to review or temporarily remove any power or responsibility conferred on the Local Governing Body under this Scheme of Delegation informing the LGB of their intention to do so immediately in writing. Such concerns may include, but shall not be limited to:

- i. Significant concerns about the educational outcomes for pupils
- ii. A serious decline in the achievement and progress of pupils

- iii. Performance which is 'requiring improvement' or worse in an Ofsted Inspection
- iv. Performance which is 'satisfactory' or worse in a SIAMS inspection
- v. Ongoing safeguarding or health and safety issues
- vi. Actions by the Local Governing Body which contravene the legal obligations of the Trust or undermine the effective operation of the Trust
- vii. Concerns regarding financial irregularity
- viii. Significant budgetary concerns
- ix. Failure to comply with Trust policies

8.4 In considering any material changes to this Scheme of Delegation or any framework on which it is based, the Directors will have regard to and give due consideration of any views of the Local Governing Body.

8.5 The Directors shall also be entitled to serve on the Local Governing Body and attend any meetings of the Local Governing Body, when concerns arise, having first informed the LGB in writing. Any Director attending a meeting of the Local Governing Body shall count towards the quorum for the purposes of the meeting and shall be entitled to vote on any resolution being considered by the Local Governing Body.

## **APPENDIX I**

### **FUNCTIONING OF THE LOCAL GOVERNING BODY**

#### **1. CHAIR AND VICE-CHAIR OF THE LOCAL GOVERNING BODY**

- 1.1 The Directors may determine to invite the Chairs of LGBs to become Academy Directors. This is at the absolute discretion of the Directors, and Directors will need to give consideration to the composition of the Trust Board at any given time before determining whether it is appropriate for the Chair of a Local Governing Body to become a member of the Trust. Any decision to appoint will be made under Article 50 of the Memorandum and Articles of Association.
- 1.2 The Chair of the Local Governing Body will be appointed by the Directors.
- 1.3 Unless the Directors shall otherwise direct, the LGB Members shall each school year, at their first meeting in that year, elect a vice-chair and a chair of the finance committee from among their number to serve until a successor is appointed or a vacancy occurs. A person who is employed by the Company (whether or not at the Academy) shall not be eligible for election as vice-chair.
- 1.4 Subject to paragraph 1.6, the vice-chair and the chair of the resources/finance committee shall hold office as such until his/her successor has been elected in accordance with this clause 1.3
- 1.5 The chair or vice-chair or the chair of the resources/finance committee may at any time resign his/her office by giving notice in writing to the Local Governing Body, and, in the case of the Chair, the Body of Directors. The chair or vice-chair or finance director shall cease to hold office if:
  - 1.5.1 he/she ceases to serve on the Local Governing Body;
  - 1.5.2 he/she is employed by the Company whether or not at the Academy;
  - 1.5.3 he/she is removed from office in accordance with this Scheme of Delegation; or
- 1.6 Where by reason of any of the matters referred to in paragraph 1.5, a vacancy arises in the office of vice-chair or the chair of the finance committee, the members of the Local Governing Body shall at its next meeting elect one of their number to fill that vacancy.
- 1.7 Where the chair is absent from any meeting or there is at the time a vacancy in the office of the chair, the vice-chair shall act as the chair for the purposes of the meeting.
- 1.8 Where in the circumstances referred to in paragraph 1.7 the vice-chair is also absent from the meeting or there is at the time a vacancy in the office of vice-chair, the LGB members shall elect one of their number to act as a chair for the purposes of that meeting, provided that the person elected shall neither be a person who is employed by the Company (whether or not at the Academy) nor a Director.
- 1.9 Any election of the vice-chair which is contested shall be held by secret ballot of the LGB.
- 1.10 The chair or vice-chair may be removed from office by the Directors at any time or by the Local Governing Body in accordance with section 8 of this Scheme of Delegation.

- 1.11 A resolution to remove the vice-chair from office which is passed at a meeting of the Local Governing Body shall not have effect unless:
- 1.11.1 it is confirmed by a resolution passed at a second meeting of the Local Governing Body held not less than fourteen days after the first meeting; and
  - 1.11.2 the matter of the vice-chair's removal from office is specified as an item of business on the agenda for each of those meetings.
- 1.12 Before a resolution is passed by the Local Governing Body at the relevant meeting as to whether to confirm the previous resolution to remove the vice-chair from office, the person or persons proposing his/her removal shall at that meeting state their reasons for doing so and the vice-chair shall be given an opportunity to make a statement in response.

## **2. CONFLICTS OF INTEREST**

- 2.1 Any LGB member who has or can have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with his/her duties as a LGB member shall disclose that fact to the Local Governing Body as soon as he becomes aware of it. A person must absent himself from any discussions of the Local Governing Body in which it is possible that a conflict will arise between his/her duty to act solely in the interests of the Academy and any duty or personal interest (including but not limited to any Personal Financial Interest).
- 2.2 For the purpose of paragraph 2.1, a person has a Personal Financial Interest if he is in the employment of the Company or is in receipt of remuneration or the provision of any other benefit directly from the Company or in some other way is linked to the Company or the Academy.
- 2.3 In any conflict between any provision of this Scheme of Delegation and the Articles, the Articles shall prevail.
- 2.4 Any disagreement between the members of the Local Governing Body and the Principal or any subcommittee of the Local Governing Body shall be referred to the Directors for their determination.
- 2.5 The LGB shall maintain a register of business interests of its Governors.

## **3. THE MINUTES**

- 3.1 The minutes of the proceedings of a meeting of the Local Governing Body shall be drawn up and entered into written records kept for the purpose by the person authorised to keep the minutes of the Local Governing Body; and shall be signed (subject to the approval of the members of the Local Governing Body) at the same or next subsequent meeting by the person acting as chair thereof. The minutes shall include a record of:
- 3.1.1 all appointments of officers made by the Local Governing Body; and
  - 3.1.2 all proceedings at meetings of the Local Governing Body and of committees of the Local Governing Body including the names of all persons present at each such meeting.
- 3.2 The chair shall ensure that copies of minutes of all meetings of the Local Governing Body (and such of the subcommittees as the Directors shall from time to time notify) shall be



provided to the Directors as soon as reasonably practicable after those minutes are approved.

#### 4. **COMMITTEES**

- 4.1 Subject to this Scheme of Delegation and to any contrary direction by the Directors, the Local Governing Body shall establish a Resources Committee and may establish any other subcommittee. The constitution, membership and proceedings of any subcommittee shall be determined by the Local Governing Body but having regard to any views of the Directors. Subject to 4.2 below, the establishment, terms of reference, constitution and membership of any subcommittee shall be reviewed in consultation with and having regard to the views of the Directors at least once in every twelve months. The membership of any subcommittee may include persons who do not also serve on the Local Governing Body, provided that a majority of the members of any such subcommittee shall be members of the Local Governing Body or Directors. The Local Governing Body may determine that some or all of the members of a subcommittee who are not Directors or who do not serve on the Local Governing Body shall be entitled to vote in any proceedings of the subcommittee. No vote on any matter shall be taken at a meeting of a subcommittee unless the majority of members of the subcommittee present either are Directors or LGB members.
- 4.2 The terms of reference, constitution and membership of the Finance Committee shall be such as shall first have been agreed in writing by the Directors (please see appendix 2).

#### 5. **DELEGATION**

- 5.1 Provided such power or function has been delegated to the Local Governing Body, the Local Governing Body may further delegate to any person serving on the Local Governing Body, committee, the Principal or any other holder of an executive office, such of their powers or functions as they consider desirable to be exercised by them. Any such delegation may be made subject to any conditions either the Directors or the Local Governing Body may impose and may be revoked or altered.
- 5.2 Where any power or function of the Directors or the Local Governing Body is exercised by the Finance Committee or any other subcommittee, any Director or LGB Member, the Principal or any other holder of an executive office, that person or subcommittee shall report to the Local Governing Body in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Local Governing Body immediately following the taking of the action or the making of the decision.

#### 6. **MEETINGS OF THE LOCAL GOVERNING BODY**

- 6.1 Subject to this Scheme of Delegation, the Local Governing Body may regulate its proceedings as the members of the Local Governing Body think fit.
- 6.2 The Local Governing Body shall meet at least three times in every school year. Meetings of the Local Governing Body shall be convened by the clerk to the Local Governing Body. In exercising his/her functions under this Scheme of Delegation the clerk shall comply with any direction:
- 6.2.1 given by the Directors or the Local Governing Body; or
- 6.2.2 given by the chair of the Local Governing Body or, in his/her absence or where there is a vacancy in the office of chair, the vice-chair of the Local Governing Body, so far

as such direction is not inconsistent with any direction given as mentioned in 6.2.1 above.

- 6.3 Any three members of the Local Governing Body may, by notice in writing given to the clerk, requisition a meeting of the Local Governing Body; and it shall be the duty of the clerk to convene such a meeting as soon as is reasonably practicable.
- 6.4 Each LGB Member shall be given at least seven clear days before the date of a meeting:
  - 6.4.1 notice in writing thereof, signed by the clerk, and sent to each LGB Member at the address provided by each member from time to time; and
  - 6.4.2 a draft copy of the agenda for the meeting;
  - 6.4.3 provided that where the Directors, the chair or, in his/her absence or where there is a vacancy in the office of chair, the vice-chair, so determines on the ground that there are matters demanding urgent consideration, it shall be sufficient if the written notice of a meeting, and the copy of the agenda thereof are given within such shorter period as he directs.
- 6.5 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of any individual not having received written notice of the meeting or a copy of the agenda thereof.
- 6.6 A resolution to rescind or vary a resolution carried at a previous meeting of the Local Governing Body shall not be proposed at a meeting of the Local Governing Body unless the consideration of the rescission or variation of the previous resolution is a specific item of business on the agenda for that meeting.
- 6.7 A meeting of the Local Governing Body shall be terminated forthwith if:
  - 6.7.1 the members of the Local Governing Body so resolve; or
  - 6.7.2 the number of members present ceases to constitute a quorum for a meeting of the Local Governing Body in accordance with paragraph 6.10, subject to paragraph 6.12.
- 6.8 Where in accordance with paragraph 6.7 a meeting is not held or is terminated before all the matters specified as items of business on the agenda for the meeting have been disposed of, a further meeting shall be convened by the clerk as soon as is reasonably practicable, but in any event within seven days of the date on which the meeting was originally to be held or was so terminated.
- 6.9 Where the Local Governing Body resolves in accordance with paragraph 6.7 to adjourn a meeting before all the items of business on the agenda have been disposed of, the Local Governing Body shall before doing so determine the time and date at which a further meeting is to be held for the purposes of completing the consideration of those items, and they shall direct the clerk to convene a meeting accordingly.
- 6.10 Subject to paragraph 6.12, the quorum for a meeting of the Local Governing Body, and any vote on any matter thereat, shall be three of the members of the Local Governing Body. Where the total membership is greater than the minimum (9 members) one third (rounded up to a whole number) of the total number of persons holding office on the Local Governing Body at the date of the meeting must be present.

- 6.11 The Local Governing Body may act notwithstanding any vacancies on its Body, but, if the numbers of persons serving is less than the number fixed as the quorum, the continuing persons may act only for the purpose of filling vacancies or of calling a general meeting.
- 6.12 The quorum for the purposes of:
- 6.12.1 appointing a Parent LGB Member;
  - 6.12.2 any vote on the removal of a LGB Member in accordance with this Scheme of Delegation;
- will be five members.
- 6.13 Subject to this Scheme of Delegation, decisions to be made at a meeting of the Local Governing Body shall be determined by a majority of the votes of the persons present and entitled to vote on the proposal. Every LGB member shall have one vote.
- 6.14 Subject to paragraphs 6.10 – 6.12, where there is an equal division of votes, the chair of the meeting shall have a casting vote in addition to any other vote he may have.
- 6.15 The proceedings of the Local Governing Body shall not be invalidated by
- 6.15.1 any vacancy on the Body; or
  - 6.15.2 any defect in the election, appointment or nomination of any person serving on the Local Governing Body.
- 6.16 A resolution in writing, signed by all the persons entitled to receive notice of a meeting of the Local Governing Body or of a subcommittee of the Local Governing Body, shall be valid and effective as if it had been passed at a meeting of the Local Governing Body or (as the case may be) a subcommittee of the Local Governing Body duly convened and held. Such a resolution may consist of several documents in the same form, each signed by one or more of the members of the Local Governing Body and may include an electronic communication by or on behalf of the Local Governing Body indicating his/her or her agreement to the form of resolution providing that the member has previously notified the Local Governing Body in writing of the email address or addresses which the member will use.
- 6.17 Subject to paragraph 6.18, the Local Governing Body shall ensure that a copy of:
- 6.17.1 the agenda for every meeting of the Local Governing Body;
  - 6.17.2 the signed minutes of every such meeting; and
  - 6.17.3 any report, document or other paper considered at any such meeting,
  - 6.17.4 are, as soon as is reasonably practicable, made available at the Academy to persons wishing to inspect them.
- 6.18 There may be excluded from any item required to be made available in pursuance of paragraph 6.17, any material relating to:
- 6.18.1 a named teacher or other person employed, or proposed to be employed, at the Academy;

- 6.18.2 a named pupil at, or candidate for admission to, the Academy; and
- 6.18.3 any matter which, by reason of its nature, the Local Governing Body is satisfied should remain confidential.
- 6.19 Any LGB member shall be able to participate in meetings of the Local Governing Body by telephone or video conference provided that:
- 6.19.1 he/she has given notice of his/her intention to do so detailing the telephone number on which he/she can be reached and/or appropriate details of the video conference suite from which he/she shall be taking part at the time of the meeting at least 48 hours before the meeting; and
- 6.19.2 the Local Governing Body has access to the appropriate equipment if after all reasonable efforts it does not prove possible for the person to participate by telephone or video conference the meeting may still proceed with its business provided it is otherwise quorate.

## 7. **NOTICES**

- 7.1 Any notice to be given to or by any person pursuant to this Scheme of Delegation (other than a notice calling a meeting of the Local Governing Body) shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice. In these Articles, "Address" in relation to electronic communications, includes a number or address used for the purposes of such communications.
- 7.2 A notice may be given by the Local Governing Body to its members either personally or by sending it by post in a prepaid envelope addressed to the member at his/her registered address or by leaving it at that address or by giving it using electronic communications to an address for the time being notified to the Local Governing Body by the member. A member whose registered address is not within the United Kingdom and who gives to the Local Governing Body an address within the United Kingdom at which notices may be given to him/her, or an address to which notices may be sent using electronic communications, shall be entitled to have notices given to him/her at that address, but otherwise no such member shall be entitled to receive any notice from the Local Governing Body.
- 7.3 A LGB Member present, either in person or by proxy, at any meeting of the Local Governing Body shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.
- 7.4 Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given. A notice shall be deemed to be given at the expiration of 48 hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, at the expiration of 48 hours after the time it was sent.

## 8. **INDEMNITY**

- 8.1 Subject to the provisions of the Companies Act 2006 every LGB Member or other officer or auditor of the Company acting in relation to the Academy shall be indemnified out of

the assets of the Company against any liability incurred by him in that capacity in defending any proceedings, whether civil or criminal, in which judgment is given in favour or in which he/she is acquitted or in connection with any application in which relief is granted to him by the court from liability for negligence, default, breach of duty or breach of trust in relation to the affairs of the Company.

## APPENDIX 2

### TERMS OF REFERENCE FOR A FINANCE/RESOURCES COMMITTEE

#### FINANCE/RESOURCES Committee

- In consultation with the Principal, to draft the first formal budget plan of the financial year
- To establish and maintain an up to date financial plan
- To ensure that priorities in the academy's development plan is appropriately financed
- To consider a budget position statement including virement decisions at least termly and to report significant anomalies from the anticipated position to the Local Governing Body and, where appropriate, Directors, in line with the requirements of the Finance Policy.
- To ensure that the academy operates within the financial regulations and guidance from DFE and within the scheme of delegation for the Diocese of Gloucester Academies Trust
- To monitor expenditure of all voluntary funds kept on behalf of the Local Governing Board
- To ensure, as far as is practical, that funding for Health and Safety issues are appropriately prioritised
- To ensure sufficient funds are available for pay increments as recommended by the Principal for all (other) staff
- In the light of the Principal's Performance Management Panel's recommendations, to ensure sufficient funds are available to cover any recommendations for an incremental allowance
- To consider finance and resource recommendations from other committees which will have an impact on the academy budget
- To make decisions in respect of service agreements, as delegated by the Diocese of Gloucester Academies Trust.
- To review local policies as assigned by the Local Governing Body, ensuring compliance with any Trust policies/guidance
- To report back to the Local Governing Body
- To assure best value and impeccable systems of financial management.

## APPENDIX THREE

### Levels of Delegation

#### COMPANY DELEGATION CHECK LIST

**KEY**

- Level 1: The Company
- Level 2: LGB
- Level 3: An individual member
- Level 4: Principal

It should be remembered that although decisions may be delegated, the LGB together with the Company as a whole remains responsible for any decision made under delegation

Function	No	Tasks	Decision Level				Comments
			1	2	3	4	
<b>Governance</b>	1	To draw up governing documents and any amendments thereafter (inc. Articles of Association)	X				
	2	To annually review the Delegated Scheme of Authority for each academy	X				
	3	To appoint (and remove) the chair of the LGB	X				
	4	To appoint the Company Secretary	X				
	5	To appoint the clerk to the LGB		X			
	6	To hold a full LGB meeting at least three times in a school year		X			
	7	To be accountable for the development of an Academy Improvement Plan/Development Plan		X			
	8	To recommend academy targets for the coming year to the Trust		X			

Function	No	Tasks	Decision Level				Comments
			1	2	3	4	
	9	To approve academy targets for the coming year, as identified in the SDP	X				
	10	To appoint an academy professional development partner	X				
	11	To appoint and remove members of the LGB (apart from ex-officio and parent elected members)	X				
	12	To be accountable for the implementation of all DGAT academy policies, including the complaint's policy		X		X	The Principal to report regularly to the LGB on matters relating to the implementation of policy
	13	To ensure the academy has in place all statutory policies and any other policies deemed necessary		X			
	14	To provide to the Company, on an annual basis, copies of any policies and procedures and a schedule for their review, as requested by the Directors		X			
	15	To determine, on an annual basis, those policies which will be developed by the Trust and are mandatory for all Trust Academies	X				
	16	To regulate the LGB procedures (where not set out in law)		X			
	17	To determine the development needs of governors and implement an appropriate training and development programme	X	X			
	18	To consider requests from other schools to join the Company	X				
	19	To consider whether or not to exercise delegation of functions to individuals		X			The LGB may delegate to individuals functions already delegated to it by the Company so long as it does not breach the delegations set out in this document.



Function	No	Tasks	Decision Level				Comments
			1	2	3	4	
	20	To set up a Register of members' Business Interests			X		Company Secretary
Finance	21	To appoint auditors for the Trust	X				
	22	To prepare annual accounts	X		X		Head of Finance and Business Services
	23	To develop an academy Finance Policy for all Trust academies and approve financial schemes of delegation	X				
	24	To agree a pay policy	X				See policy
	25	To determine salaries of staff within the academy in line with the Trust's pay policy	X	X			In consultation with the Trust
	26	To determine the proportion of the overall Academy budget to be delegated to individual Academies	X				
	27	To establish a Charging and Remissions Policy	X				See policy
	28	To be accountable for the application of the Charging and Remissions Policy within the Academy		X			
	29	To appoint someone to assume the function of a Responsible Officer	X		X		Head of Finance and Business Services
	30	To establish a LGB Finance committee		X			
	31	To develop and propose the individual Academy budget		X			Delegated to LGB Finance committee working with Trust and Principal
	32	To approve the first formal budget plan each financial year	X	X			Received by the LGB and ratified by the Trust.
	33	To ensure academy expenditure is in keeping with the budget, to oversee the operation of the academy's bank account and ensure financial management systems and accounting records are administered in accordance with the finance policy.	X			X	

Function	No	Tasks	Decision Level				Comments
			1	2	3	4	
	34	To monitor termly expenditure		X		X	The person fulfilling the Responsible Officer responsibilities will monitor on behalf of DGAT
	35	To approve any variance between budget headings and/or likely budget overspends		X			As defined in the Finance Policy
	36	To authorize miscellaneous financial expenditure outside of the agreed budget	X				
	37	To enter into contracts up to the limits of delegation and within an agreed budget		X			
	38	To make payments within agreed financial limits			X		Principal may delegate to authorised individuals as per the Finance Policy ,
	39	To ensure provision of free school meals to those pupils meeting the criteria	X	X			
	40	To set up and approve governor expenses		X			Delegated to the Finance Committee
<b>Central Services</b>	41	To determine the scope of mandatory core services to be delivered by the Company on behalf of its academies	X				
	42	To identify those additional services to be procured on behalf of individual academies		X			
	43	To ensure centrally procured services provide value for money			X		Head of Finance and Business Services
<b>Staffing</b>	44	To define any overarching management structures across academies	X				
	45	To determine management structures and staffing requirements within an individual academy		X			
	46	To appoint the Principal (selection panel)	X	X			A partnership between Directors and LGB
	47	To appoint other senior staff/deputies (selection panel)		X		X	Directors, or their representatives, will be invited to participate in all elements of the

Function	No	Tasks	Decision Level				Comments
			1	2	3	4	
							selection process
	48	To appoint other teachers		X		X	LGB must inform CEO of all vacancies
	49	To appoint non teaching staff		X		X	LGB must inform CEO of all vacancies
	50	To oversee effective engagement with unions and professional associations	X				
	51	To determine DGAT 'family' training and development in line with distinctive ethos, aims and vision of the Trust	X				
	52	To be accountable for supporting the training and development of individual academy staff		X			Identified through Performance Management
	53	To establish disciplinary/capability and grievance policies	X				
	54	To hear appeals under the disciplinary, capability and grievance procedures		X			
	55	To ensure the application of the disciplinary/capability and grievance procedures, as appropriate				X	
	56	To dismiss the Principal/Deputy	X				Chair or LGB representative will be involved in decision making panel
	57	To dismiss other staff		X			Representative of the Trust will be involved in decision making panel
	58	To suspend the Principal	X	X			A partnership between Directors and LGB
	59	To suspend other Staff		X		X	In consultation with the Chair of LGB and the Trust
	60	To end suspension (Principal)	X				Chair or LGB representative will be involved in decision making panel

Function	No	Tasks	Decision Level				Comments
			1	2	3	4	
	61	To end suspension (other Staff)		X		X	
	62	To determine dismissal payments/early retirement	X				
	63	To monitor and report on the attendance of staff				X	Principal to report to the LGB
	64	To ensure a proportion of the staff are designated as Reserved Teachers		X			Applies to ex VC and Foundation schools only. At least 2 (of which the principal may be one)but no more than 1/5th of staff
Performance Management	65	To develop a performance management policy	X				
	66	To implement the performance management policy: Principal Other staff		X		X	Trust representative to be involved in Principal's Performance Management
	67	To review annually the performance management policy	X				
Standards and Curriculum	68	Please see 7, 8 and 10 (Governance)					
	69	To set targets for pupil achievement and progress			X	X	Principal with the School Improvement Partner
	70	To notify the Trust, parents and other stakeholders of Ofsted and SIAMS inspections and outcomes		X			
	71	To be accountable for the academy offering a broad and balanced curriculum, in line with the requirements of the Funding Agreement		X			
	72	To make recommendations to the LGB regarding curriculum developments and to implement a curriculum which is broad and balanced and is designed to promote educational excellence for pupils				X	
	73	To be accountable for standards of teaching		X			

Function	No	Tasks	Decision Level				Comments
			1	2	3	4	
		and pupil progress across the academy					
	74	To be responsible for standards of teaching and pupil progress and to take remedial action where necessary				X	To be monitored termly by Company representative
	75	To be accountable for a Sex Education Policy, having due regard for Trust guidance		X		X	
	76	To prohibit political indoctrination and ensuring the balanced treatment of political issues		X		X	
	77	To establish a behaviour policy and be accountable for behaviour for learning		X		X	
	78	To ensure excellent behaviour for learning, make recommendations to the LGB and implement all related policies consistently across the academy				X	
	79	To ensure compliance with all safeguarding practice, ensuring a suitably trained member of staff is responsible for safeguarding		X		X	
	80	To discharge duties in respect of pupils with special needs by appointing a "responsible person"				X	
	81	To adopt and review home-school agreements		X		X	
	82	To institute a safeguarding policy in line with statutory requirements and best practice		X		X	
	83	To ensure that the safeguarding policy is implemented				X	
	84	To review the use of exclusions		X		X	
	85	To direct reinstatement of excluded pupils (can be delegated to chair/vice-chair in cases of urgency)		X			
	86	To monitor the use of Pupil Premium and the impact on learning and standards		X		X	
	87	To approve off-site visits for pupils of more		X			

Function	No	Tasks	Decision Level				Comments
			1	2	3	4	
		than 24 hrs.					
	88	To monitor and report on the attendance of pupils		X		X	
	89	To ensure that school policy and procedure for Looked after Children (LAC) are consistent with statutory guidance		X		X	
<b>Christian Character</b>	90	To be accountable for the impact of the Christian character of the academy on pupils (as monitored by Section 48 inspections)		X		X	
	91	To be accountable for ensuring the provision of collective worship and the provision of RE in line with school's basic curriculum		X		X	
	92	To ensure that all pupils take part in a high quality daily act of collective worship				X	Parents do have the right to withdraw their children from collective worship if notified to the Academy in writing. The Principal must make appropriate provision if a parent exercises this right.
	93	To ensure the Christian values and character of the academy is embedded in all practice, including through the provision of high quality RE teaching and learning				X	
<b>Admissions</b>	94	To consult before setting an admissions policy		X			The LGB will be responsible for consulting on changes to the admissions policy. The Company must give its written approval for any changes to the Admissions Policy
	95	To be accountable for application decisions		X			
	96	To appeal against LA directions to admit pupil(s)	X				
<b>Pre mis es</b>	97	To procure buildings insurance and personal liability	X				

Function	No	Tasks	Decision Level				Comments
			1	2	3	4	
	98	To develop a school buildings strategy or master plan	X				The Company will produce a 5 year building development plan for the Academy
	99	To maintain buildings, including developing a properly funded maintenance plan	X	X			
	100	To institute a health and safety policy, based on Trust guidance		X			See Trust guidance
	101	To ensure that health and safety regulations are followed				X	
	102	To review security of school premises and equipment				X	
	103	To draw up, agree and monitor an Accessibility Plan for the school		X		X	
	104	To approve the lettings policy	X	X			
	105	To ensure suitable risk assessments are prepared and appropriate actions taken.				X	
	106	To monitor the accident book and agree appropriate actions		X		X	
<b>Administration</b>	107	To set the times of school sessions and the dates of school terms and holidays		X			
	108	To ensure that the school meets for 380 sessions in a school year		X		X	
	109	To ensure the publication of school information, ensuring that all electronic communication, including web pages, are up to date		X		X	
	110	To maintain accurate and secure pupil records				X	
	111	To maintain accurate and secure staff records				X	
	112	To comply with all data protection legislation and good practice	X	X	X	X	