



The John of Gaunt School

Scheme of Delegation

2020/21

Originator	Reviewed by	Date of Review	Approved by	Date of Approval	Next Review Date	Website
School	BoG	07/09/2020	FGB	07/09/2020	Sept 2021	Yes

THE JOHN OF GAUNT SCHOOL SCHEME OF DELEGATION

For the Academic Year 2020 – 2021

INTRODUCTION

The Scheme has been developed to clarify the responsibilities and powers of the governors and members of staff employed at the school in respect of key aspects of the management of the school and to ensure compliance with legal requirements and the Academy Articles and Funding Agreement, all of which have precedence over this document in case of contradictions.

The delegations set out in this Scheme are delegated to the specified committees of the governing body and postholders employed at the school.

Delegations cannot be exercised other than by the designated person or committee unless otherwise directed or agreed by the governing body.

In the absence or incapacity of the Headteacher, the delegations stand delegated to the Deputy Headteacher, unless otherwise directed or agreed by the governing body. In the absence or incapacity of a postholder, other than the Headteacher, the delegations stand delegated to the Headteacher, unless otherwise directed or agreed by the governing body.

Instead of exercising her/his delegated powers, a postholder or committee may refer a matter to the appropriate committee or governing body.

The Scheme will be reviewed at the first meeting in each academic year and is made without prejudice to the powers and duties of the Members, the Governing Body and its committees.

THE MEMBERS

The members of the Academy, including the Chair of Governors, have no other obligations in that role beyond what is prescribed in the Articles, including:-

- May amend the articles of association subject to any restrictions in the articles, the funding agreement or charity law
- May in certain circumstances, appoint new members or remove existing members
- have powers to appoint and remove trustees in certain circumstances
- may, by special resolution, issue direction to the trustees to take a specific action
- appoint the trust's auditors and receive the trust's audited annual accounts (subject to the Companies Act)
- have power to change the name of the company and, ultimately, wind up the academy trust.
- Holding meetings including an Annual General Meeting

THE FULL GOVERNING BODY

The composition of the governing body comprises of:

- 1 LA governor
- up to 10 Appointed governors
- at least 2 Parent governors
- 5 staff governors to include Headteacher, 1 teacher and 1 non teaching member of staff
- 1 Clerk (non-voting)
- 1 Deputy Headteacher (non-voting)
- 1 Finance & Business Manager (non-voting)
- up to 3 Co-opted governors

GENERAL STRUCTURE

- The governing body will elect a chairperson and vice chairperson at the first meeting of each school year. Governors will be invited to nominate themselves before the date of the first governing body meeting. (Employees at the school are not eligible for election.) The term of office for each is one year.
- All governors are expected to be a member of at least one committee.
- Each committee should elect a chairperson at the beginning of each school year. The term of office is one year.
- The quorum for a meeting of a committee shall be any three governors.
- Seven days' notice should be given of any committee meetings.
- The governing body should appoint clerks to all committees. All committees must be clerked by one of their members or by an appointed clerk (not the Headteacher).
- Names of governors and others present should be recorded.
- Committee minutes must be signed as approved by the chair of the committee.
- Copies of committee minutes should be circulated to all members of the governing body.
- Any member of the governing body may attend the meeting of any Committee as a non-voting observer.
- Only governors who are members of the committee being attended have the right to vote at that meeting.
- No vote may be taken unless the majority present are members of the governing body.

GOVERNANCE DECISION PLANNER

KEY

The use of ticks shows that decisions **can be taken** by various groups or individuals as detailed below:

Level 1: Decision to be taken by **full governing body**

Level 2: Decision to be delegated to a **committee** of the governing body

Level 3: Decision to be delegated to an **individual governor**

Level 4: Decision to be delegated to **head**.

The use of crosses shows that decisions **cannot be taken** by the indicated group or individual.

* Special Committee comprising experienced governors set up as required.

Key Function	No	Actions Tasks	Decision Level			
			1	2	3	4
Strategy		Agree long term vision and strategic plan	✓			
Information	1	To provide information to be published by governing bodies (in so far as approval of the school prospectus)	✓			X
	2	Make available a procedure for dealing with complaints.				✓
	3	Agree the Freedom Of Information Act (FOIA) publication scheme and access policy	✓			
	4	Ensure that employees at the academy are able to comply with requests for information under the FOIA and register annually with the Information Commissioner's Office				✓
	5	Establish a data protection policy and review it at least every two years	✓			
General	6	To ensure that the school meets for 380 sessions in a school year	✓			✓
	7	To ensure that the school lunch nutritional standards are met		R&A		✓
GB procedures	8	To appoint (and remove) the chair and vice-chair of a permanent or a temporary governing body	✓	X	X	X
	9	To appoint and dismiss the clerk to the governors	✓	X	X	X
	10	To hold a governing body meeting at least three times in a school year or a meeting of the temporary governing body as often as may be required	✓	X	X	X
	11	To appoint and remove co-opted, including temporary additional governors.	✓	X	X	X
	12	Agree suspension or removal of governors	Depending on governor category, where the articles allow this at all, it is done by the body that appointed them.			

Key Function	No	Actions Tasks	Decision Level			
			1	2	3	4
	13	Publication of governors' details on school website. [As a minimum this should include: each governor's (or associate member's) name; category; appointing body; term of office; any committees they serve on; positions they hold such as Chair, Vice Chair, Chair of a Committee. Associate members' voting rights on any committees should also be included]	✓			
	14	Write and approve Annual Governance Statement			Chair	
	15	Establish and review Governors' Code of Conduct	✓			
	16	Establish, publish on website, (and update annually) a register of headteachers', members' and governors' business interests. The register must set out details of any relevant business interests and any other schools at which they govern. It should also detail any relationships between governors and school staff including spouses, partners and relatives and a register of gifts and hospitality	✓	X	X	X
	17	To approve and set up an Expenses Scheme	✓			X
	18	To discharge duties in respect of pupils with special needs by appointing a "responsible person" in community, voluntary and Foundation Schools			Spec Needs Gov	X
	19	To consider whether or not to exercise delegation of functions to individuals or committees	✓	X	X	X
	20	To regulate the GB procedures (where not set out in law)	✓	X	X	X
	21	Responsibility for minor updates of policies		Individual Cttee		
	22	Recommendations to members on appointment of new members and governors	✓			
School Organisation	23	To draw up instrument of government and any amendments thereafter	✓	X	X	X
	24	Appoint (and dismiss) the Company Secretary	✓			
	25	Determine any functions to be performed by the Company Secretary	✓			
	26	To publish proposals to change category of school	✓		X	X
	27	To draft a school Action Plan and distribute copies to parents	✓			✓
	28	To set the times of school sessions and the dates of school terms and holidays	✓			X
School Partnerships	29	To consider forming and/or ending formal school partnerships	✓			
Target Setting and Monitoring	30	Scrutinise a range of pupil performance data to evaluate the school's performance, including the OFSTED Data Dashboard		CLES		✓

		Actions	Decision Level			
Key Function	No	Tasks	1	2	3	4
	31	Agree challenging targets for pupil achievement/attainment, ensuring they are based on outcomes of robust data analysis, and monitor performance against them.	✓			X
	32	Scrutinise analysis of examination results and key stage assessments against agreed targets.	✓			
	33	Ensure rigorous assessment processes are in place.				✓
Staffing	34	Ensure that safer recruitment requirements are met				✓
	35	Head teacher appointments (selection panel and final approval)	✓	X	X	X
	36	Deputy appointments (selection panel and final approval)	✓	X	X	X
	37	Appoint selection panel for other members of senior leadership team			Chair	✓
	38	Determine the head teacher appraisal process	✓			
	39	Appoint other teachers				✓
	40	Appoint non teaching staff				✓
	41	Pay discretions			Chair of Resources	X
	42	Establishing disciplinary/capability procedures		R&A		✓
	43	Dismissal of headteacher (GB must act through Dismissal Committee)		Spec Cttee*		X
	44	Dismissal of other staff (GB must act through Dismissal Committee but normally delegated to head)		Spec Cttee*		
	45	Suspending head			Chair	X
	46	Suspending staff (except head)			Chair	✓
	47	Ending suspension (head)			Chair	X
	48	Ending suspension (except head)			Chair	✓
	49	Determining staff complement		R&A		✓
	50	Determining dismissal payments/ early retirement		R&A		X
	51	Fulfil role expected of governing bodies in adopted procedures for staffing issues e.g. discipline, capability, grievance, redundancy, termination of employment	✓	✓		X
Performance Management	52	To formulate and establish performance management and pay policies		Consult		X
	53	To implement the performance management and pay policies				✓
	54	To review annually the performance management and pay policies	✓			X
	55	Make teachers' pay progression decisions following recommendations of head teacher		Pay Cttee		X
Pupils, parents and community	56	To ensure provision of free school meals to those pupils meeting the criteria		R&A		X
Admissions	57	Ensure that all the mandatory provisions of the School Admissions Code (2012) are implemented.				✓

		Actions	Decision Level			
Key Function	No	Tasks	1	2	3	4
Curriculum	58	Ensure appropriate curriculum taught to all pupils and to consider any disapplication for pupil(s)		CLES		✓
	59	To draft curriculum policy	X	X	X	✓
	60	To implement curriculum policy				✓
	61	To agree and monitor curriculum policy	✓			X
	62	Responsible for standards of teaching				✓
	63	To decide which subject options should be taught having regard to resources, and implement provision for flexibility in the curriculum (including activities outside school day)		CLES		✓
	64	Responsibility for individual child's education				✓
	65	Provision of sex education – make and keep up to date a written policy		S&C and CLES		X
66	To prohibit political indoctrination and ensuring the balanced treatment of political issues				✓	
67	To draw up a charging and remissions policy for activities (non national curriculum based)	✓				
68	Responsibility for ensuring provision of RE in line with school's basic curriculum (all schools)		CLES		✓	
Collective Worship	69	To make application to the advisory councils, SACRE, concerning the requirements for collective worship (schools without a religious character) to disapply	✓	X	X	✓
	70	Arrangements for collective worship (schools without religious character)	✓	X	X	✓
Safeguarding	71	Approve Child Protection Policy	✓			
	72	Review effectiveness of Child Protection Policy at least annually		S&C		
	73	Ensure effectiveness of record keeping related to safeguarding responsibilities, including maintenance of central record of recruitment and vetting checks				✓
	74	Consider School's annual safeguarding audit and monitor subsequent actions.		S&C		
	75	Ensure that school policy and procedures for looked after children are consistent with the measures set out in statutory guidance				✓
Exclusions and Behaviour	76	Draft a school behaviour and discipline policies and publicise to staff, students, and parents		S&C	X	X
	77	To exclude a pupil for one or more fixed terms (not exceeding 15 days in total in a year) or permanently.	X	X	X	✓
	78	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 5 days in total in a term or would lose the opportunity to sit a public examination. NB the GB must act through their pupil discipline committee		Disc Cttee	X	X

		Actions	Decision Level			
Key Function	No	Tasks	1	2	3	4
	79	To direct reinstatement of excluded pupils		Disc Cttee	X	X
	80	To consider parents' representation about exclusions		Disc Cttee	X	X
Finance procedures	81	(refer also to 'Academies Financial Handbook' and 'Academies Accounts Direction')				
School Budgets and Payments	82	Oversee the preparation of the annual budget plan in line with strategic and other relevant plans				✓
	83	Approve the first formal budget plan each financial year		R&A	X	X
	84	Approve the final budget	✓			
	85	Notify the final budget to appropriate authorities				✓
	86	Evaluate the impact of the allocation of Pupil Premium Funding on overcoming barriers to learning and report this on the academy website	Evaluate	CLES to consider and report	✓	Report
	87	To monitor monthly expenditure.		R&A		
	88	Miscellaneous financial decisions e.g. write-offs (above £500)		R&A		
	89	Miscellaneous financial decisions e.g. write-offs (below £500)				✓
	90	Authorise other income-generation activities		R&A		✓
	91	Accept quotations/tenders and authorises orders/ contracts for goods, works, and services (above £20,000)		R&A		
	92	Accept quotations/tenders and authorises orders/ contracts for goods, works, and services (below £20,000)				✓
	93	Ensure all contracts and agreements conform with finance policies and procedures				✓
	94	Approve applications for business credit cards				✓
	95	Ensure economy, efficiency and effectiveness (value for money) in the use of all funds				✓
	96	Authorise bank payments				✓
Accounting	97	Ensure adherence to EFA and statutory financial arrangements, and agreed internal policies				✓
	98	Maintain accurate financial records				✓
Assets	99	Ensure security of all assets including buildings and cash				✓
	100	Maintain and review an inventory of valuable items				✓
	101	Maintain a record of assets borrowed by staff				✓
Audit	102	Appoint external and internal auditors -	Members			X
	103	Receive and act on auditors' reports		R&A		✓
Insurance and risk management	104	Ensure insurance cover is appropriate				✓
	105	Maintain a risk register				✓

		Actions	Decision Level			
Key Function	No	Tasks	1	2	3	4
	106	Ensure appropriate Business Continuity Plan in place				✓
Taxation and compliance	107	Ensure compliance with VAT, PAYE and HMRC regulations				✓
	108	Ensure compliance with the Companies Act regulations, including preparing and submitting an annual report to Companies House and the Charities Act regulations.				✓
Premises	109	Buildings insurance		R&A		✓
	110	Strategy (including budgeting for repairs etc.) and Asset Management Plans		R&A		✓
	111	Arrange for regular monitoring and inspection of school premises		R&A		✓
	112	Agree a funded maintenance plan	✓			
	113	Agree Health and Safety policy and ensure compliance and implementation	✓			✓
	114	Ensure risk assessments of school site are conducted and considered as appropriate				✓
	115	Ensure security of school premises and equipment		R&A		✓
	116	Agree level of maintenance service school will buy from service providers		R&A		✓
	117	Approve Lettings Policy and Charging and Remissions policy	✓			✓
Complaints	118	Formal complaints dealt with under Stage 1 & 2 of the School's Complaints procedure.				✓
	119	Formal complaints dealt with under Stage 3 of the School's Complaints procedure.		Special Cttee	X	X
	120	Annual reporting to the governing body.				✓