**September 2017**

**Active Learning Trust - Delegation of Directors’ responsibilities**

These tables identify responsibilities which are assigned to the Directors of the Trust in the main Scheme of Delegation (including the sections on the Functioning of Local Governing Bodies and Procurement Regulations) The table also includes a section on decisions taken centrally because they exceed the authorisation limit of the Local Governing Body). It shows those responsibilities that are reserved to the full Board, and those which the Board has delegated to its committees or executive staff.

*Key:* Board Full board of Directors

 F&A Finance & Audit Committee R & P Remuneration and Personnel Committee

 CEO Chief Executive Officer CoSec Company Secretary

 DoSI Director of School Improvement DoHR Director of Human Resources

 DoFin Director of Finance LGB Local Governing Body

**A. SCHEME OF DELEGATION**

| **Responsibility** | **Board** | **F&A** | **R & P** | **CEO** | **CoSec** | **DoSI** | **DoHR** | **DoFin** | **LGB** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Directors powers and responsibilities |
| Delegate powers to LGBs. | ✓ |  |  |  |  |  |  |  |  |
| Determine constitution of LGBs. | ✓ |  |  |  |  |  |  |  |  |
| Constitution of the Local Governing Body |
| Appoint the Chair of each LGB.  | ✓ |  |  |  |  |  |  |  |  |
| Elect Vice-Chair of each LGB annually |  |  |  |  |  |  |  |  | ✓ |
| Prescribe the format of the written commitment required from persons seeking membership of a LGB. | ✓ |  |  |  |  |  |  |  |  |
| Appoint three Trust members to each LGB. |  |  |  | ✓ |  |  |  |  |  |
| Oversee election of Parent and staff governors |  |  |  |  |  |  |  |  | ✓ |
| Remove members from a LGB.  |  |  |  | ✓ |  |  |  |  |  |
| Receive notification of the resignation/removal of a governor of a LGB.  |  |  |  |  | ✓ |  |  |  |  |
| Receive notification if a LGB governor becomes disqualified, e.g. criminal conviction. |  |  |  |  | ✓ |  |  |  |  |
| Ensure LGB register of interests is legally compliant |  |  |  |  |  |  |  |  | ✓ |
| Ensure LGB information is up-to-date and compliant on school website |  |  |  |  |  |  |  |  | ✓ |
| Delegated Powers – general provisions |
| Determine what constitutes a strategic issue (and therefore not within the remit of a LGB) |  |  |  | ✓ |  |  |  |  |  |
| Authorise bank account signatories  |  |  |  |  |  |  |  | ✓ |  |
| Authorise school’s use of on-line banking facilities. |  |  |  |  |  |  |  | ✓ |  |
| Ethos and Values |
| Determine school’s ethos and mission statement. | ✓ |  |  |  |  |  |  |  |  |
| Ensure school ethos and values are adhered to |  |  |  |  |  |  |  |  | ✓ |
| Ensure school is conducted in accordance with the Funding Agreement. |  |  |  | ✓ |  |  |  |  |  |
| Curriculum and Standards |
| Ensure school provides a broad and balanced curriculum. |  |  |  |  |  | ✓ |  |  |  |
| Advice and recommendations to LGB on standards. |  |  |  |  |  | ✓ |  |  |  |
| Monitor outcomes achieved by pupils |  |  |  |  |  |  |  |  | ✓ |
| Monitor standards of teaching  |  |  |  |  |  |  |  |  | ✓ |
| Consider proposal to change to a school’s admission arrangements. | ✓ |  |  |  |  |  |  |  |  |
| Expansion of a school | ✓ |  |  |  |  |  |  |  |  |
| Ensure safeguarding procedures are secure in schools | ✓ |  |  | ✓ |  |  |  |  | ✓ |
| Finance |
| Annual determination of funds retained centrally (currently 4%) | ✓ |  |  |  |  |  |  |  |  |
| Consent to expenditure above £20,000 (primary school) or £50,000 (secondary school). | >over OJEU |  |  |  |  |  |  | >up to OJEU |  |
| Annual school budgets | Approve |  |  |  |  |  |  | recommend | monitor |
| Annual Central Budget | Approve |  |  | recommend |  |  |  |  |  |
| Approve travel beyond the UK paid from the School’s delegated funds |  |  |  |  |  |  |  | ✓ |  |
| Determine format of financial information required from schools |  |  |  |  |  |  |  | ✓ |  |
| Receive monthly management accounts provided in format requested by Board |  |  |  |  |  |  |  |  | ✓ |
| Monitor budget to ensure remains in line with that set and approved by Board |  |  |  |  |  |  |  |  | ✓ |
| Impose requirements on schools for the safeguarding of funds |  |  |  |  |  |  |  | ✓ |  |
| Require HT to provide reports of the financial health of the School |  |  |  |  |  |  |  | ✓ |  |
| Receive requests from HTs for any significant unplanned expenditure |  |  |  |  |  |  |  | ✓ |  |
| Monitor processes and procedures to ensure they are in-line with the Trust Financial Controls Manual |  |  |  |  |  |  |  |  | ✓ |
| Novel and Contentious Payments |
| Advise academies on the propriety of a proposed payment |  |  |  |  |  |  |  | ✓ |  |
| Premises |
| Approve any disposals or acquisition of land | ✓ |  |  |  |  |  |  |  |  |
| Insurance of land and buildings via RPA |  |  |  |  |  |  |  | ✓ |  |
| Implement capital programme to meet school building needs within resources available | ✓ |  |  |  |  |  |  | ✓ |  |
| Resources |
| Appointment of the Headteacher. |  |  |  | ✓ |  |  |  |  |  |
| Performance management of the Headteacher. |  |  |  | ✓ |  |  |  |  |  |
| Pay terms and conditions. | Approve |  |  |  |  |  | Advise |  |  |
| Issue standard contracts of terms and conditions. |  |  |  |  |  |  | ✓ |  |  |
| Advise on the management of claims and disputes. |  |  |  |  |  |  | ✓ |  |  |
| Approve policies and procedures for the performance management of school staff  |  |  | ✓ |  |  |  |  |  |  |
| Ensure policies and procedures for school staff are adhered to, including secure performance management |  |  |  |  |  |  |  |  | ✓ |
| Oversee procedures for appointment and management of staff (apart from headteacher & those indicated in scheme of delegation)  |  |  |  |  |  |  |  |  | ✓ |
| Refer to Headteacher on specific elements of HR processes, who will seek clarification as necessary |  |  |  |  |  |  |  |  | ✓ |
| Institute health & safety policies | ✓ |  |  | ✓ |  |  |  |  |  |
| Extended Schools and Business Activities |
| Approve policies in relation to extended schools or activities designed to generate business income | ✓ |  |  |  |  |  |  |  |  |
| Regulatory Matters |
| Issue directions to LGBs in relation to regulatory and legal matters |  |  |  | ✓ |  |  |  |  |  |
| Operational Matters |
| Issue recommendations to LGBs about the review of its policies and practices |  |  |  | ✓ | ✓ | ✓ | ✓ | ✓ |  |
| Inspect LGBs | ✓ |  |  |  |  |  |  |  |  |
| Remove delegated powers in the event of intervention by the Secretary of State. |  |  |  | ✓ |  |  |  |  |  |
| Annual Review |
| Review annually and alter Schemes of Delegation, having regard to any views of the LGB. | ✓ |  |  |  |  |  |  |  |  |

**B. FUNCTIONING OF THE LOCAL GOVERNING BODY**

| **Responsibility** | **Board** | **F & A** | **R & P** | **CEO** | **CoSec** | **DoSI** | **DoHR** | **DoFin** | **LGB** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Remove Chair or Vice-Chair. |  |  |  | ✓ |  |  |  |  |  |
| Determine any disagreement between LGB and the Headteacher |  |  |  | ✓ |  |  |  |  |  |
| Receive minutes of all LGB meetings |  |  |  |  | ✓ |  |  |  |  |
| Notify LGBs if subcommittee minutes are to be provided |  |  |  |  | ✓ |  |  |  |  |
| Impose conditions on LGB’s power to further delegate their delegated powers | ✓ |  |  |  |  |  |  |  |  |
| Issue directions to LGBs in relation to the convening of meetings |  |  |  | ✓ |  |  |  |  |  |
| Consider committee functions in line with Board recommendations |  |  |  |  |  |  |  |  | ✓ |
| Discipline panels as appropriate (pupil & staff) |  |  |  |  |  |  |  |  | ✓ |
| Ensure LGB meet at least three times per year |  |  |  |  |  |  |  |  | ✓ |
| Determine development needs of governors and implement appropriate programme of training |  |  |  |  |  |  |  |  | ✓ |
| Appoint link governors as required to carry out statutory obligations  |  |  |  |  |  |  |  |  | ✓ |
| Induction of new governors | ✓ |  |  | ✓ |  |  |  |  | ✓ |

**C. PROCUREMENT REGULATIONS**

| **Responsibility** | **Board** | **F & A** | **R & P** | **CEO** | **CoSec** | **DoSI** | **DoHR** | **DoFin** | **LGB** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agree exceptions to the Procurement Regulations (Reserved to the Board) | ✓ |  |  |  |  |  |  |  |  |
| Safe keeping of sealed documents, e.g. contracts above the EU threshold |  |  |  |  |  |  |  | ✓ |  |
| Exercise right to inspect LGBs’ registers of contracts over £10,000. |  |  |  |  |  |  |  | ✓ |  |
| Authorise and accept contracts for school activities above EU threshold (Table 5.1(a)) |  | ✓ |  |  |  |  |  |  |  |
| Accept contracts for school activities on behalf of schools within parameters set  |  |  |  |  |  |  |  |  | ✓ |
| Authorise and accept contracts for central activities (Table 5.1(b)) |  | >EU threshold |  | <EU threshold | <£50k |  |  | <£50K |  |
| Waive procurement regulations in the event of an emergency |  |  |  |  |  |  |  | ✓ |  |
| Approve school opt-out from consortia and corporate purchasing arrangements |  |  |  |  |  |  |  | ✓ |  |
| Agree pre-contract award meeting where tender clarification is required for a Trust contract |  |  |  |  |  |  |  | ✓ |  |
| Ensure contracts above EU threshold value are sealed and kept safe |  |  |  |  |  |  |  | ✓ |  |
| Consider any proposal by a school to enter into a leasing agreement |  |  |  |  |  |  |  | ✓ |  |

**D. DECISIONS BEYOND THE AUTHORISATION LIMITS OF LOCAL GOVERNING BODIES**

| **Responsibility** | **Board** | **F & A** | **R & P** | **CEO** | **CoSec** | **DoSI** | **DoHR** | **DoFin** | **LGB** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Consent to expenditure above £20,000 (primary school) or £50,000 (secondary school). |  |  |  |  |  |  |  | ✓ |  |
| Write off bad debts above £5,000 and up to 1% of school’s grant income for single debt or 2.5% of grant income per year. *[Amounts > 1%/2.5% of school income approved by SoS]* |  |  |  |  |  |  |  | ✓ |  |
| Disposal of assets and removal from asset register for items >£20,000 *[excludes freehold, leasehold and tenancy agreements – these require SoS approval]* |  |  |  |  |  |  |  | ✓ |  |
| Removal of school staff |  |  |  | ✓ |  |  |  |  |  |
| Staff severance payments outside normal or contractual requirements up to £50,000 *[Payments in excess of £50,000 require EFA approval in advance].* |  |  |  | ✓ |  |  |  |  |  |
| Compensation payments up to £50,000. *[Payments in excess of £50,000 require EFA approval in advance]* |  |  |  | ✓ |  |  |  |  |  |

**E. OTHER DELEGATIONS**

| **Responsibility** | **Board** | **F & A** | **R & P** | **CEO** | **CoSec** | **DoSI** | **DoHR** | **DoFin** | **LGB** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Approve staffing structure and establishment for centrally-employed staff |  | ✓ |  |  |  |  |  |  |  |
| Approve issue of corporate credit cards to centrally-employed staff and associated monthly credit limit |  |  |  | ✓ |  |  |  |  |  |
| Attendance and cost of professional development/training courses or conference/event fees where beneficial to the Trust |  |  | ✓For CEO | ✓ |  |  |  |  |  |
| Provide Risk Register in format requested by Board. Monitor risks and develop appropriate risk management strategies  |  |  |  |  |  |  |  |  | ✓ |
| Be aware of, and ensure all policies approved by Board are complied with |  |  |  |  |  |  |  |  | ✓ |