



BRENTFORD
SCHOOL FOR GIRLS

Brentford School for Girls

Scheme of Delegation

Key points and summary

This document outlines:

- The requirements of the Articles of Association regarding delegation
- The principles of decision making within the Academy Trust
- The scheme of delegation within the Academy Trust
- The respective roles of the Governors and the Headteacher

Approved:

..... Chair of Governors

Rev	Date	Description
9	February 2024	Next review due
8	February 2023	Reviewed
7	February 2022	Reviewed
6	October 2020	Reviewed
5	October 2019	Reviewed
4	October 2018	Reviewed
3	October 2017	Reviewed
2	October 2016	Reviewed
1	October 2015	Initial Version

Introduction and statement of intent

The Academy Trust believes that:

- a. Strategic/policy decisions regarding the whole school should be taken by Governors
- b. Operational and managerial decisions should be delegated to the Headteacher
- c. The Headteacher should delegate operational decisions with a view to keeping decision making as close to the day to day operation as possible and to ensure staff feel empowered to lead their areas of responsibility

Scope and applicability

This policy outlines the framework for decision making within the Academy Trust. It applies to all governors and staff.

The Articles of Association

The following are the relevant clauses from the Articles of Association, which outline what can, and cannot, be delegated.

- Clause 94: subject to provisions of the Companies Act 2006, the Articles and to any directions given by special resolution, the Governors who may exercise all the powers of the Academy Trust shall manage the business of the Academy Trust.
- Clause 101: Subject to these Articles, the Governors may establish any committee. Subject to these Articles, the Governors shall determine the constitution, membership and proceedings of any committee. The establishment, terms of reference, constitution and membership of any committee of the Governors shall be reviewed at least once in every twelve months. The membership of any committee of the Governors may include persons who are not Governors, provided that a majority of members of any such committee shall be Governors. The Governors may determine that some or all of the members of a committee who are not Governors shall be entitled to vote in any proceedings of the committee. No vote on any matter shall be taken at a meeting of a committee of the Governors unless the majority of members of the committee present are Governors.
- Clause 102: The governors may delegate to any Governor, committee, Headteacher or any other holder of an executive office, such of their powers or functions as they consider being desirable to be exercised by them.
- Clause 103: Where any power or function of the Governors is exercised by any committee, any Governor, Headteacher or any other holder of an executive office, that person or committee shall report to the Governors in respect of any action taken or decision made with respect to the exercise of that power or function at the meeting of the Governors immediately following the taking of the action or the making of the decision.
- Clause 104: The Governors shall appoint the Headteacher. The Governors may delegate such powers and functions as they consider are required by the Headteacher for the internal organisation, management and control of the Academy (including the implementation of all policies approved by the Governors and for the direction of the teaching and curriculum at the Academy).

The Governing Body cannot delegate any functions relating to:

- the constitution of the Trust (unless otherwise provided by the Constitution Regulations);
- the appointment or removal of the chair and vice-chair;

- the appointment of the clerk;
- the suspension of governors;
- the delegation of functions;
- the establishment of committees.

Functions that can be delegated to a committee but cannot be delegated to an individual include those that relate to:

- the approval of the first formal budget plan of the financial year;
- academy discipline policies;
- the exclusion of pupils (except in an emergency when the Chair has the power to exercise these functions);
- admissions

Responsibilities under the policy

Full Governing Body

The Governing Body is able to exercise all of the powers of the Academy Trust. It is responsible for the performance of the Trust. Accordingly, it will approve the policies for the Trust.

The Governing Body will offer support, constructive advice, a sounding board for ideas, a second opinion on proposals and help where needed, but may also challenge, ask questions, seek information, improve proposals and so seek to arrive at the best solution for the Trust.

Governing Body Committees

The Governing Body may establish a structure of Committees as appropriate. These Governing Body Committees will act in an advisory capacity to the Governing Body except where powers have been specifically delegated to them by the Governing Body.

The Governing Body shall appoint the following committees:

1. Attainment; Progress and Pupil Welfare Committee
2. Premises and Finance Committee (including Audit)
3. Human Resources Committee (including the Pay Committee)

The terms of reference for each committee are outlined in Appendix 2.

Committees are expected to meet at least three times a year, with additional meetings if required. The functions and proceedings of the committees are subject to regulations made by the governors from time to time pursuant to the powers contained in the Articles of Association.

Each committee will elect a Chair from amongst its number. The Chair of the committee must be a governor. Each committee will establish its clerking arrangements.

The committee may co-opt additional committee members who are not governors, but governors must constitute a majority of the committee. The committee will decide whether non-governor members are able to vote, but governors must be a majority of those individuals voting on any particular issue.

A committee may choose to establish its own committees; any such committee will act in an advisory capacity to the Governing Body committee. The functions and proceedings of the

committees are subject to regulations made by the governors from time to time pursuant to the powers contained in the Articles of Association.

Headteacher and staff

The Headteacher is responsible for the internal organisation, management and control of the academy, for advising on and implementing the Trust's strategic framework, for the implementation of all policies approved by the governors and for the direction of the teaching and the curriculum at the Academy. For these purposes, the governors shall delegate those powers and functions required by the Headteacher.

The Headteacher will formulate its aims, objectives, policies and targets for the Governing Body to consider, and to report to the Governing Body on progress at each meeting in accordance with a schedule drawn up annually with the Chair of the Governing Body. The Headteacher will work closely with the senior management team to this end.

The Headteacher and staff are accountable to the Governing Body for the academy's performance. The Governing Body will be prepared to explain its decisions and actions to anyone who has a legitimate interest. This may include staff, pupils and parents as well as the Local Authority or the Secretary of State.

The Headteacher will comply with any reasonable direction by the Governing Body when acting on the Trust's behalf.

The Headteacher will agree and monitor appropriate delegations of authority with other staff.

Appendices

Appendix 1: Decision matrix

Appendix 2: Committee Terms of Reference

Appendix 1: Decision Matrix

The following table sets out all the main academy functions and their agreed decision level.

Note: Actions taken by a properly constituted committee, or delegated to an individual governor or to the Headteacher, are taken on behalf of the Governing Body. The Governing Body will remain accountable.

The decision levels are:

- **GB** - Governing Body.
- **GBC** - Governing Body Committee which has delegated powers
- **HT** - Headteacher.
- **SBM** - School Business Manager via the Headteacher.
- **SFO** – Senior Finance Officer
- **SM** – Site Manager
- **ITM** – IT Manager
- **Staff** - Decisions delegated to other members of staff
- Tick: ✓ Recommended level(s) of delegation or where law assigns specific responsibility
- Star: ☆ Decisions are made without advice from the Headteacher.

	GB	GBC	HT	SBM	Staff / Other Est	Which staff
Financial and Operational Management	Approving financial procedures in accordance with legal and DfE requirements and best practice	✓				
	Ensuring that the financial procedures are implemented effectively		✓			
	Maintaining accurate, reconciled and up to date records to provide financial and statistical information			✓	✓	SFO
	Establishing and maintaining asset registers in accordance with financial procedures			✓	✓	SFO/SM ITM
	Ensuring that any disposal of assets complies with the financial procedures	✓				
	Maintaining a register or pecuniary and business interests of governors and staff			✓	✓	Clerk to Governor
	Establishing and maintaining procedures for effective audit in accordance with legal and DfE requirements			✓	✓	SFO
	Receiving reports from audit inspections and the resulting Action Plan	✓				
	Ensuring appropriate insurance arrangements in accordance with the financial procedures			✓		

	GB	GBC	HT	SBM	Staff / Other Est	Which staff
	✓					
		✓				
		✓				
		✓				
		✓				
		✓				
		✓				
Governance						

		GB	GBC	HT	SBM	Staff / Other Est	Which staff
HR / staffing	To review and approve the policies for the Academy, including but not limited to: Financial procedures Staffing (including Terms and Conditions) Health and Safety Student performance and behaviour	✓					
	To approve and circulate the Annual Report	Members					
	Establish and ensure accurate payroll management				✓	✓	SFO
	Appoint the Headteacher	✓ ☀					
	Performance management of the Headteacher (including salary)		✓ ☀				
	Appoint staff who directly report to the Headteacher	✓					
	Appoint other teaching staff			✓			
	Appoint other support staff			✓			
	Approve Terms and Conditions policy	✓					
	Approve disciplinary / capability / grievance / performance management policies	✓					
	Implement, monitor, review and propose amendments to the HR policies			✓			
	Suspend or dismiss the Headteacher	✓ ☀					
	Suspend staff (besides the Headteacher)			✓			
	Dismiss staff (besides the Headteacher)			✓			
	To hear appeals for staff disciplinary findings	✓					
Student development	Approve any leaving payments (redundancy, dismissal, early retirement)	✓		✓			ESFA when appropriate
	To exclude a pupil (fixed term)			✓			
	To exclude a pupil (permanently)			✓			
	To hear appeals for permanent exclusions	✓					
	To consult on and determine an admissions policy	✓					
	To determine who will be offered a place in accordance with the admissions policy		✓				
	To ensure that there is a daily act of collective worship			✓			
	To ensure that the curriculum complies with the legal and Funding Agreement requirements			✓			

	GB	GBC	HT	SBM	Staff / Other Est	Which staff
	✓					
			✓			
			✓			
		✓				

Appendix Two: Committee Terms of Reference

Attainment; Progress and Pupil Welfare Committee

Membership	Minimum of 5 Governors, including the Headteacher
Chair	Elected by the Full Governing Body
Quorum	At least 3 Governors
Clerk	To be determined by the Committee
Purpose of Committee	<ul style="list-style-type: none"> balanced and broadly based that includes the National Curriculum, religious education, drug education, personal, social, health and citizenship and sex education promotes spiritual, moral, social and physical development of pupils and society prepares pupils for the next stage of their school education helps to prepare pupils for the opportunities, responsibilities and experiences of adult life

Premises and Finance Committee

Membership	Minimum of 5 Governors, including the Headteacher
Chair	Elected by the Full Governing Body
Quorum	At least 3 Governors
Clerk	To be determined by the Committee
Purpose of Committee	<ul style="list-style-type: none"> To monitor the financial administration of the school To prepare the annual budget for approval by the whole Governing Body To authorise any necessary changes in the course of the year To plan ahead for the financial well-being of the school including continually looking at efficiency To deal with all matters related to Health and Safety; to ensure Health and Safety is monitored and given due regard. To deal with all matters related to premises To review the monthly Management Accounts which will be made available to Governors on Premises and Finance Committee and the Chair of Governors on GovernorHub The terms of reference to be reviewed annually and read in conjunction with the Finance Policy – Governors and Finance Policy – Staff. These Policies include the virement of financial limits. To act as the School Audit Committee.
Functions retained by the Governing Body	<ul style="list-style-type: none"> Approving the scheme of delegation and financial procedures, and reviewing them annually, to ensure that it satisfies the Governing Body's ultimate responsibility for ensuring that there are adequate operational controls in place for all financial processes within the academy Appointing the Responsible Officer with appropriate Terms of Reference Receiving any audit inspection report and associated action plan Approving the financial accounts Approving the initial budget each financial year Receiving information from the Finance Committee as appropriate Determining appropriate virements (as set out in the Delegation Matrix) Approving and reviewing appropriate contracts (as set out in the Delegation Matrix) Approving the Lettings Policy

	<ul style="list-style-type: none"> • Writing off debts or liabilities, or authorising ex-gratia payments, in line with limits set in the Scheme of Delegation • Authorising land disposals
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Human Resource Committee

Membership	Minimum of 4 Governors, including the Headteacher
Chair	Elected by the Full Governing Body
Quorum	At least 3 Governors
Clerk	To be determined by the Committee
Purpose of Committee	<p>It is the responsibility of the Human Resources Committee to take the lead role within the governing body to consider all matters relating to staffing including:</p> <ul style="list-style-type: none"> • Vacancies and appointments • Staff development • Performance management • Absence • Disciplinary proceeding • Grievance proceedings • Redundancy • Early retirement requests • Pay (electing a separate pay committee) • Recruitment and Retention

Pay Committee

Membership	Minimum of 3 Governors
Chair	Elected by the Full Governing Body
Quorum	At least 3 Governors
Clerk	To be determined by the Committee
Purpose of Committee	<p>It is the responsibility of the Pay Committee</p> <ul style="list-style-type: none"> • Ensure that the whole academy pay policy is statutorily compliant • Reviewing the whole academy pay policy and making recommendations to the full governing body for amendment • Reviewing the academy pay structure on an annual basis • Ensure the policy is applied equitably and consistently for all staff • Ensure pay decisions are fair and equitable, link with the Appraisal Policy • Determine appropriate pay ranges for all staff • Review the academy staffing structure • Ensure good quality external advice sought where appropriate • Ensure accurate and up to date person specifications and job descriptions are maintained • Ensure annual pay statements are issued to all staff • Provide an annual report to the full governing body summarising pay decisions and issues arising