



# **Downview Primary School SCHEME OF DELEGATION**

**September 2020**

## **DELEGATION - GENERAL**

Under the Articles of Association of Downview Primary School, the Governors may delegate to any Governor, committee, the Headteacher 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 the Governors may impose and may be revoked or altered.

Where any power or function of the Governors has been exercised by any committee, 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.

The Governors may establish any committee to exercise powers and functions of the Governors. The constitution, membership and proceedings of any committee of the Governors shall be determined by the Governors. 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.

The Governing Body is responsible for ensuring that high standards of corporate governance are maintained. It should exercise its powers and functions with a view to fulfilling a largely strategic leadership role in the running of the academy, addressing such matters as:

- policy development and strategic planning, including target-setting to keep up momentum on school improvement;
- ensuring sound management and administration of the academy, and ensuring that managers are equipped with relevant skills and guidance;
- ensuring compliance with legal requirements;
- establishing and maintaining a transparent system of prudent and effective internal controls.
- management of the academy's financial, human and other resources
- monitoring performance and the achievement of objectives, and ensuring that plans for improvement are acted upon;
- helping the academy be responsive to the needs of parents and the community and making it more accountable through consultation and reporting;
- setting the academy's standards of conduct and values;
- assessing and managing risk (including preparation of a statement on the academy's risk management for its annual report and accounts).

## **SCHEME of DELEGATION**

The Governing Body should agree a formal schedule of matters reserved for their decision, i.e. those which should not be delegated within the academy. These are listed below. Beyond this, the Governing Body should consider establishing separate committees to deal with specific areas of academy business and should determine the delegated responsibilities to be assigned to those committees, to ensure that matters can be dealt with in appropriate detail and with sufficient frequency. However, as a minimum, it is a requirement that all academies establish a finance committee separate from the Governing Body to deal with financial matters.

Where the Governing Body decides to delegate certain matters for consideration by committees, each committee should be chaired by a Governor. The membership of the committee may include persons who are not Governors provided that a majority of the members are Governors. All members of the committee, including those not Governors, are entitled to vote at committee meetings. The Governing Body should ensure that it receives adequate feedback on the work of those committees and is able to consider their decisions formally. The establishment of committees does not absolve the governing body of its overall responsibility to manage the finances of the academy.

## **HEADTEACHER**

The Governors shall appoint the Headteacher (Principal) who will act as an ex-officio Governor. By signing this document the Governors 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 of by the Governors) and for the direction of the teaching and curriculum at the Academy.

## **GOVERNORS' MEETINGS**

It is a requirement of all academy governing bodies that they meet at least once a term. No business can be conducted at any meeting unless a quorum is present. **ALL meetings may take place virtually as a result of Covid-19. Microsoft Teams will be used.**

Governors must appoint a clerk/secretary to the governing body, who must be someone other than a Governor or the Headteacher of the academy.

Each meeting of the governing body should consider:

- a report of the financial position of the academy, including its income and expenditure and financial commitments;
- whether adequate financial monitoring of the academy's budget and activities is being undertaken;
- progress on any action identified to improve financial arrangements at the academy;
- significant contracts proposed to be entered into by the academy;
- details of any significant matters affecting the academy's staff;
- details of any significant matters affecting the pupils' welfare or education;
- details of any significant matters affecting the academy's assets e.g. computers, whiteboards etc;

Matters that should be considered by Governor's at least once a year are:

- the academy's goals and how they are being met;
- review of the management structure to ensure it is operating effectively;
- review of the performance of external providers e.g. bankers, services provided under SLAs;
- review and approval of the academy's annual accounts and report of the trustees;
- review and approval of the financial budget for the following year;
- review and approval of the levels of insurance cover for the academy's assets;
- review PSC register;
- findings made by the auditors and the auditor's management letter, and any other financial reviews, and consideration of what actions should be taken arising from their recommendations;
- review of the risks to which the academy is exposed and determination of whether systems are in place to mitigate those risks.

The board may decide to delegate responsibility for specified matters, where it has power to do so, to individual members or committees of the board. Decisions taken by individual members or committees of the board under delegated powers should be recorded in written minutes available to the board as a whole.

## **AUDIT COMMITTEE**

### **Responsibilities**

- To maintain an oversight of the Academy Trust's (AT's) financial, governance, risk management and internal control systems.
- To report its findings termly and annually to the Trust Board and the Accounting Officer as a critical element of the AT's annual reporting requirements.
- The Audit Committee has no executive powers or operational responsibilities/duties.

### **Authority**

The Audit Committee is a Committee of the Academy Trust Board and is authorised to investigate any activity within its terms of reference or specifically delegated to it by the Board.

The Audit Committee is authorised to

- request any information it requires from any employee, external audit, internal audit or other assurance provider.
- obtain outside legal or independent professional advice it considers necessary, normally in consultation with the Accounting Officer and/or the Trust Board.

### **Composition**

- The membership of the Committee will comprise a minimum of 3 trustees.
- The chair of the board of the academy trust and the chair of the finance committee shall not serve as chair of the audit committee
- Until otherwise determined by the board of trustees, a quorum shall consist of 2 members of the committee.
- At least one member of the audit committee should have recent or relevant accountancy, or audit assurance, experience.
- Staff employed by the trust may be invited to attend the audit committee to provide information and participate in discussions but should not be members of the committee, will be separate to the finance committee and not have overlapping membership.

- Any trustee may attend a meeting of the audit committee, including those who are not members of the audit committee.
- The chief executive officer/accounting officer and chief financial officer should also attend meetings.

### **Reporting**

The Audit Committee will:

- report back to the Trust Board regularly every term.
- provide an annual summary report provided by the internal auditor in areas reviewed by internal audit covering key findings, recommendations and conclusions.

### **Terms of Reference**

The Audit Committee will:

- oversee the trust's risk register and, on the advice of the CEO/accounting officer and CFO, conduct a regular review of risks.
- take delegated responsibility on behalf of the board of trustees for examining and reviewing all systems and methods of control both financial and otherwise including risk analysis and risk management; and for ensuring the Trust is complying with the overall requirements for internal scrutiny, as specified in the Academies Financial Handbook.
- agree an annual programme of internal scrutiny with the trust's internal auditors for checking financial systems, controls, transactions and risks.
- ensure that the programme of internal scrutiny delivers objective and independent assurance.
- provide assurance to the Trust Board that risks are being adequately identified and managed;
- advise the Trustees on the adequacy and effectiveness of the Academy Trust's systems of internal control and governance processes, securing economy, efficiency and effectiveness (value for money);
- consider the appropriateness of executive action following internal audit/internal scrutiny reviews and to advise senior management on any additional or alternative steps to be taken;
- advise the Trust Board on the appointment, reappointment, dismissal and remuneration of auditors (both external auditors and internal audit);
- monitor the effectiveness of auditors;
- review the findings of the external auditors and agree any action plan arising from it;
- ensure there is co-ordination between internal audit and external audit and any other review bodies that are relevant;
- ensure that additional services undertaken by the auditors is compatible with the audit independence and objectivity;
- consider the reports of the auditors/scrutineers and, when appropriate, advise the Trust Board of material control issues;
- encourage a culture within the trust whereby each individual feels that he or she has a part to play in guarding the probity of the Trust, and is able to take any concerns or worries to an appropriate member of the management team or in exceptional circumstances directly to the Board of Trustees;
- provide minutes of all Audit Committee meetings for review at board meetings;

## **FINANCE AND STAFFING COMMITTEE**

The Governing Body hereby resolves to establish a committee of the governing body to be known as the Finance and Staffing Committee and will cover all Finance and Personnel issues.

Governors who are not members of the Finance Audit and Staffing Committee should have the right of attendance. The secretary will circulate minutes of meetings of the Finance Audit and Staffing Committee to all members of the governing body. The Headteacher in his or her role as Accounting Officer and the Business Manager will normally attend meetings of the Committee.

The Governing Body shall determine how often the Committee shall meet. The external auditor may request a meeting if he or she considers one necessary.

### **Authority**

The Finance and Staffing Committee is an advisory body with no executive powers. However, it is authorised by the Governing Body to investigate any activity within its terms of reference, and to seek any information it requires from staff, who are requested to co-operate with the Committee in the conduct of its inquiries.

The Finance and Staffing Committee is authorised to obtain independent professional advice if it considers this necessary.

### **Duties**

The specific duties of the Finance and Staffing Committee shall be to:

#### **Finance**

- To receive and monitor, once per school term, a statement of income and expenditure on all funds against budget made up to within one calendar month of the meeting. Headteacher and Chair of Governors to receive Management Accounts monthly. Finance and Staffing Committee to receive Monthly Management Accounts four times per year at Committee meetings and twice via email in between meetings;
- To make recommendations to the full Governing Body at each June meeting, having considered the draft budget;
- Levels of delegation: to review annually the levels of delegation to the Headteacher for the day-to-day financial management of the school (specifics in terms of reference);
- When necessary, authorise cheque signatories for the school bank account;
- Ensure a Register of Pecuniary and Business Interests for Governors and staff is kept and is open to inspection;

#### **Staffing**

- Decide arrangements for all staff appointments, except for the appointment of the Head and Deputy Headteacher which is the responsibility of the full Governing Body;
- To ensure that this Committee is advised on the drafting/adoption and implementation of appropriate personnel policies and procedures using models as set out in the Local Authority's HR guide (on WSSFS), including any actions taken;
- To review the staffing structure at least annually in relation to the School Improvement Plan and to submit recommendations as necessary on staff establishment numbers (both teaching and non-teaching) and allowances, having regard to the School Pay Policy;

- To advise the Governing body on arrangements for the appointment of the Head or Deputy;
- To ensure compliance with the school's recruitment and selection policy using the LA model;
- To select appointment panels up to a minimum of one non-staff Governor, to include the Headteacher, to deal with the appointment of teachers. (The procedures to be followed are delegated to the Headteacher to decide depending on the particular posts to be filled);
- To monitor the school's Sickness, Absence, Grievance Procedure, Capability and Disciplinary Policies as required;
- To monitor staff and pupil welfare through an agenda item at each meeting;
- The governing body should also ensure that procedures are in place to ensure that employees of the academy are paid for work done in accordance with their contracts of employment with the academy;
- In addition, the governing body must ensure the academy has adequate insurance cover to support its activities as an employer, such as employers' liability insurance, fidelity insurance, trustee indemnity, public liability insurance and so forth;

To report to the Full Governing Body meeting once a year on the discharge of duties set out in the Scheme of Delegation.

### **Accounting Officer**

The Funding Agreement requires each academy to identify the Headteacher as the Accounting Officer. This post confers responsibility for financial and administrative matters. This is a vital role, as the Accounting Officer is personally responsible to the governing body for:

- ensuring regularity and propriety;
- prudent and economical administration;
- avoidance of waste and extravagance;
- efficient and effective use of available resources; and
- the day to day organisation, staffing and management of the academy.

The Accounting Officer may delegate, or appoint others to assist in these responsibilities, for example to the Business Manager. Within the framework of the academy improvement plan as approved by the governing body the Headteacher has overall executive responsibility for the academy's activities including financial activities.

Much of the financial responsibility has been delegated to the Business Manager but the Headteacher still retains responsibility for:

- approving new staff appointments within the authorised establishment, except for any senior staff posts which should be approved by the Governing Body;
- authorising contracts between £1,000 and £50,000 in conjunction with the Business Manager; contracts above £50,000 will need to be approved by the Governing Body.
- ensuring cheques up to £20,000 are signed by two authorised signatories. Most payments are to be made by BACS, so cheques above £20,000 should be rare. Where a cheque is for an amount over £20,000, one of the signatories should be a non-executive Board member of the Finance Audit and Staffing Committee.
- approving any BACS payment over £20,000.

## **Business Manager**

The main responsibilities of the Business Manager are:

- the day to day management of financial issues including the establishment and operation of a suitable accounting system;
- the management of the academy financial position at a strategic and operational level within the framework for financial control determined by the governing body;
- the maintenance of effective systems of internal control;
- ensuring that the annual accounts are properly presented and adequately supported by the underlying books and records of the academy;
- the preparation of monthly management accounts
- authorising orders below £1,000 in conjunction with budget holders
- signing cheques and BACS payments up to £20,000 in conjunction with either the Headteacher or one other authorised signatory
- organising BACs payments over £20,000 with two signatories and counter signed by the Headteacher (Accounting Officer) and
- ensuring forms and returns are sent to the DfE in line with the timetable in the DfE guidance. Signing such forms as necessary.

## **CURRICULUM COMMITTEE**

The governing body hereby resolves to establish a committee of the governing body to be known as the Curriculum Committee.

Governing Body members who are not members of the Curriculum Committee should have the right of attendance. The secretary will circulate minutes of meetings of the Curriculum Committee to all members of the Governing Body. The Governing Body shall determine how often the Committee shall meet.

The Headteacher or delegated member of the Senior Leadership Team will normally attend meetings of the Committee.

### **Authority**

The Curriculum Committee is an advisory body with no executive powers. However, it is authorised by the governing body to investigate any activity within its terms of reference, and to seek any information it requires from staff, who are requested to co-operate with the Committee in the conduct of its inquiries.

The Curriculum Committee is authorised to obtain independent professional advice if it considers this necessary. The committee has responsibility for monitoring pupils' attainment and quality of learning; ensuring the curriculum offer is relevant and appropriate for all children and advising the governing body on the Academy's curriculum statutory obligations;

### **Duties**

The specific duties of the Curriculum Committee shall be to:

- To consider all matters relating to the provision of a sound curriculum that is consistent with national curriculum policy and has regard to any West Sussex curriculum policy and to advise the Governing Body as necessary on implication/change relating to Downview Primary;

- To review, at least annually, the School Improvement Plan for Downview and to advise the Governing Body on priorities and plans for specific implementation for the key areas of the curriculum;
- To agree with the Headteacher arrangements for pupil assessment and to consider results of national tests taken by Downview children;
- To gain an understanding and overview of all curriculum areas;
- To ensure all safeguarding and child protection policies are in place and acted upon;
- To advise the Governing Body on the curriculum requirements and policy in respect of:
  - Pupils with Special Needs (as required)
- To review the policy and provision for Sex and Relationship Education and make recommendations to the governing body;
- To make recommendations to the Governing Body on the arrangements for collective worship and the provision of religious education, as required;
- To review the policy on charging for curriculum activities and make recommendations to the governing body as required;
- To monitor and review the provision for gifted and talented pupils;
- To review and make recommendations on the contents of the school website;
- To ensure school inset days are linked to the School Improvement Plan priorities;
- To monitor the implementation of the behaviour policy through the number and reasons for fixed term and permanent exclusions;
- To monitor attendance against any targets, including Persistent Absentees;
- To monitor the diversity of activities and equity of access;

To report to the Full Governing Body meeting once a year on the discharge of duties as listed in the Scheme of Delegation.

### **PREMISES AND ENVIRONMENT COMMITTEE**

The governing body hereby resolves to establish a committee of the governing body to be known as the Premises and Environment Committee.

Governing Body members who are not members of the Premises and Environment Committee should have the right of attendance. The secretary will circulate minutes of meetings of the Premises and Environment Committee to all members of the Governing Body. The Governing Body shall determine how often the Committee shall meet.

The Headteacher or delegated member of the Senior Leadership Team will normally attend meetings of the Committee.

### **Authority**

The Premises and Environment Committee is an advisory body with no executive powers. However, it is authorised by the governing body to investigate any activity within its terms of reference, and to seek any information it requires from staff, who are requested to co-operate with the Committee in the conduct of its inquiries.

The Premises and Environment Committee is authorised to obtain independent professional advice if it considers this necessary.

## **Duties**

The specific duties of the Premises and Environment Committee shall be to:

- To be responsible for the Health and Safety of all children, employees and visitors to our school and to provide a forum for any complaints or procedures connected with Health and Safety, in accordance with current regulations;
- To consider the condition of the fabric of the buildings with a view for repair, decoration, refurbishment or replacement and obtain estimates as necessary;
- To make recommendations to the Governing Body concerning future works proposed on the school building and facilities, including those detailed in the Premises Development Plan;
- To report to the Governing Body details of works carried out as previously agreed by them;
- To consider the terms and conditions of all applications for lettings at the school. These to be approved at Premises and Environment committee;
- To monitor utility services, minor works and contracts under the powers delegated by the Governing Body;
- To continually review and monitor school security, including fire safety procedures and alarms;
- To agree the level of delegation to the Headteacher/Deputy Headteacher for the day to day responsibility for the premises; including procedures for developments;
- In accordance with Special Educational and Disability Act 2001, to ensure the preparation, regular review and revision of a written Disability and Equality Statement and Accessibility Plan to:
  - Ensure that all pupils can participate in the curriculum
  - Improve the physical environment of the school to ensure equal access to all
  - Monitor the delivery of information;
- Receive reports on the necessary risk assessments for Health and Safety, security and fire by ensuring they comply with West Sussex procedures;
- Monitor the level of maintenance service the school receives from contracted providers;
- Monitor the use of on-site environmental facilities and their impact on learning and teaching;
- Ensure adequate premises insurance;
- To report to the Full Governing Body meeting once a year on the discharge of the duties set out in the Scheme of Delegation.

**Delegation to Other Committees**

The Governing Body recognises that it may need to delegate duties to a Committee other than the above and shall need to amend this document accordingly.

By order of the Trust, we approve the Downview Primary School's Scheme of Delegation

Chair of Trust:

Print name: \_\_\_\_\_

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Headteacher:

Print name: \_\_\_\_\_

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Business Manager:

Print name: \_\_\_\_\_

Sign: \_\_\_\_\_

Date: \_\_\_\_\_