

# ***Scheme of Delegation***

*October 2023*

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## 1. Introduction

The JCB Academy's Board of Trustees is accountable in law for all decisions about the academy. However, this does not mean that the full Board is required to make all the decisions itself. Subject to some restrictions, the Board of Trustees can decide to delegate decisions to its Principal, committees ("link trustees") and individuals. The decision to delegate a function is made by the full Board of Trustees and must be recorded. Without formal delegation, the individual or link trustees have no power to act. Once delegation has been determined, the Scheme of Delegation (SoD) must be published on the academy's website.

## 2. Purpose

This SoD is the key document defining which functions have been delegated and to whom. It should be a simple yet systematic way of ensuring members, trustees, link trustees and individuals are clear about who has responsibility for making which decisions. This overarching SoD, covering all decision-making, should not be confused with the Financial Regulations which contain the written scheme of delegation of financial powers referred to in the Academies Financial Handbook.

## 3. Key

The following abbreviations are used in the SoD:

AO	Admissions Officer
DFO	Director of Finance & Operations (Chief Financial Officer)
DKS4	Director of KS4/Designated Safeguarding Lead
FAR	Finance, Audit and Risk Link Trustees
LHR	Legal and HR Link Trustees
PHS	Property and Health & Safety Link Trustees
SLW	Safeguarding/Learner Welfare Link Trustees
SC	Special Educational Needs & Disability Co-ordinator



TASK	Members	Board of Trustees	Link Trustees	Individual Trustee	Principal	Senior Leader
<b>Admissions</b>						
Determine the academy's admissions arrangements annually, including the published admission number (PAN) and the oversubscription criteria		✓	LHR		✓	
Make sure the academy's admissions arrangements comply with the School Admissions Code and are fair, clear and objective		✓	LHR			
Establish an independent appeals panel when there are admissions appeals		✓				DFO
<b>Behaviour and exclusions</b>						
Arrange for suitable full-time education for any learners of compulsory school age who have a fixed-term exclusion of more than five school days					✓	
Convene a meeting to consider reinstating an excluded learner and consider parents'/carers' representations about an exclusion in some circumstances		✓				
Arrange an independent review panel to consider permanent exclusions, where requested by parents/carers		✓				
<b>Curriculum</b>						
Ensure the academy teaches a broad and balanced curriculum to the age of 16					✓	
Ensure learners are provided with independent careers guidance from Y9 to Y13		✓			✓	VP
<b>Finance and budgets</b>						
Appoint a senior leader as the accounting officer for the trust and a chief financial officer		✓				
Approve a written scheme of delegation of financial powers that maintains robust internal controls		✓	FAR			
Approve and administer a scheme of Financial Regulations		✓	FAR			DFO



TASK	Members	Board of Trustees	Link Trustees	Individual Trustee	Principal	Senior Leader
<b><i>Finance and budgets</i></b>						
Refer potentially novel and contentious transactions to the Education and Skills Funding Agency (ESFA) for explicit prior authorisation		✓				DFO
Appoint a registered statutory auditor and prepare annual financial statements in line with the ESFA's academies accounts direction		✓	FAR			DFO
Make sure that the trust has adequate insurance cover or has opted into the academies risk protection arrangement		✓	FAR			DFO
Establish an audit committee, or committee with an audit function, if annual income exceeds £50 million		✓				DFO
Approve a balanced budget each financial year and submit to the ESFA		✓	FAR			DFO
Maintain a published register of interests, including the business and pecuniary interests of members and trustees		✓				DFO
Monitor impact of pupil premium funding		✓	SLW		✓	DKS4
<b><i>Board of Trustees procedures</i></b>						
Hold full Board of Trustees meetings at least 3 times a year		✓				
Elect a Chair and Vice Chair of Trustees		✓				
Appoint a clerk		✓				
Determine the constitution, membership and terms of reference of any link trustee group it decides to establish and review this annually.		✓				
Check that all statutory policies and documents are in place		✓				
Delegate functions to link trustees and individuals		✓				



TASK	Members	Board of Trustees	Link Trustees	Individual Trustee	Principal	Senior Leader
<b><i>Health and safety</i></b>						
Monitor the implementation of the Health and Safety Policy		✓	PHS			DFO
Make sure there is an appointed person in charge of first aid		✓	PHS		✓	DFO
<b><i>Parents/carers and the community</i></b>						
Make sure the required information is published on the academy website		✓			✓	
Approve a complaints procedure		✓	LHR			
Establish a complaints panel to consider formal complaints about the academy and any community facilities or services it provides		✓				
Ensure the academy complies with the Freedom of Information Act 2000		✓	LHR			
<b><i>Learner wellbeing</i></b>						
Ensure the provision of free school meals to those learners who meet the criteria		✓	SLW		✓	DFO
Appoint a designated teacher to promote the educational achievement of looked after children (LAC) and post-LAC and that they undertake appropriate training		✓			✓	
Ensure the academy complies with the Equality Act 2010 and the Public Sector Equality Duty and publishes equality objectives and information about how it is doing this		✓	LHR			
Make arrangements for supporting learners with medical conditions		✓	SLW		✓	SC



TASK	Members	Board of Trustees	Link Trustees	Individual Trustee	Principal	Senior Leader
<b>Safeguarding</b>						
Check that the academy complies with statutory guidance on safeguarding		✓	SLW			DKS4
Ensure safeguarding arrangements take into account the procedures and practice of the LA, as part of inter-agency safeguarding procedures set up by the Local Safeguarding Children Board		✓	SLW		✓	DKS4
Ensure a trustee is nominated to liaise with the designated officer(s) from the relevant local authority and partner agencies if allegations are made against the Principal		✓	SLW			
Monitor the implementation of the Safeguarding and Child Protection Policy		✓	SLW			DKS4
Appoint a member of staff to be the Designated Safeguarding Lead					✓	
Ensure effective support is provided for any employee facing an allegation		✓	LHR		✓	
<b>Special Educational Needs and Disabilities (SEND)</b>						
Designate a trustee or committee to have oversight of the academy's arrangements for SEND		✓				
Ensure that the necessary special education provision is made for any learner who has SEND and monitor its effectiveness			SLW	✓	✓	
Ensure parents/carers are notified by the academy when special educational provision is being made for their child					✓	
Ensure the academy produces and publishes online its SEND information report		✓	SLW		✓	
Co-operate with the local authority in developing the local offer			SLW		✓	
Ensure the academy follows the statutory SEND Code of Practice		✓		✓	✓	
Ensure there is a qualified teacher as the Special Educational Needs & Disability Co-ordinator (SENDCO) for the academy		✓	SLW		✓	



TASK	Members	Board of Trustees	Link Trustees	Individual Trustee	Principal	Senior Leader
<b>Special Educational Needs and Disabilities (SEND)</b>						
Make sure that the teachers in the school are aware of the importance of identifying learners who have SEND and providing appropriate teaching					✓	SC
<b>Staffing/Trustees</b>						
Appoint the Principal		✓				
Appoint the Director of Finance & Operations		✓				
Appoint the Director of Apprenticeships		✓				
Make sure safer recruitment procedures are applied (for example, disclosure and barring checks)		✓	LHR			
Make sure employment law and guidance is being followed		✓	LHR			
Approve staffing structure changes		✓	LHR			
Dismiss the Principal		✓				
Appoint and remove academy trustees	✓					
Appoint and remove academy members (by majority vote)	✓					
By special resolution, direct academy trustees to take specific action	✓					
Amend the Articles of Association	✓					
Appoint and remove the academy's auditors	✓					
Approve and amend the Scheme of Delegation	✓					

**Signatures:**

Principal: .....

Chair of Trustees: .....

