



**Lakelands**  
Academy

# **Scheme of Delegation**

**2023/24**

## **The purpose of the Scheme of Delegation**

A scheme of delegation is the key document defining which functions have been delegated and to whom. It should ensure that Members, Trustees (Governors), committees and individuals are clear about who has responsibility for making which decisions in the Trust. This document includes purchase and tendering thresholds but should not be confused with the written scheme of the delegation of financial powers referred to in the Academy Trust Handbook.

## **Governance Structure at Lakelands Academy**

**Members**

**Full Governing Body**

**Governors Committees**

**Headteacher**

**Senior Leadership Team**

The Governing Body delegate responsibility for the day to day running of the academy to the Headteacher. The Governing Body will hold the Headteacher to account for the performance of the academy. The Headteacher in turn holds other members of the senior leadership team to account by line managing them. While the board cannot ever delegate its accountability, it can delegate some of the detailed scrutiny, oversight and decision making.

The Headteacher will report to Governors on the performance of the academy, although this will be supplemented by the monitoring of Governing Body committees and individual Governors with any delegated responsibilities.

The Headteacher is performance managed by the Governing Body.

## **Roles and responsibilities**

### **The role of the Members**

The Members of the Trust have a different status to Governors. Originally they were the signatories to the memorandum of association and agreed the Trust's Articles of Association (a document which outlines the governance structure and how the Trust will operate). The Articles of Association describe how Members are appointed, and how many of the Governors the Members can appoint to the Governing Body. The Members ensure that the Trust's charitable object is carried out. Members are also responsible for approving any amendments made to the Trust's Articles of Association.

### **The role of the Governors (Trustees)**

The Academy Trust is a charitable company and so Trustees are both charity Trustees (within the terms of section 177(1) of the Charities Act 2011) and company directors. Because Trustees are bound by both charity and company law, the term 'Trustees' are often used interchangeably, along with 'Governors'.

The Governing Body is responsible for the general control and management of the administration of the trust, and in accordance with the provisions set out in the Memorandum and Articles of Association and its funding agreement, it is legally responsible and accountable for all statutory functions, for the performance of the trust, and must approve a written scheme of delegation of financial powers that maintains robust internal control arrangements. In addition it must carry out the three core governance functions:

1. Ensuring clarity of vision, ethos and strategic direction
2. Holding executive leaders to account for the educational performance of the organisation and its pupils, and the performance management of staff
3. Overseeing the financial performance of the organisation and making sure its money is well spent

The Governing Body has the right to review and adapt its governance structure at any time which includes removing delegation.

### **The role of Governing Body Committees**

The Governing Body may establish any committee subject to the articles of association. The constitution, membership and proceedings of any committee shall be determined by the Governors. The establishment, terms of reference and membership of any committee of the Governors shall be reviewed at least once in every twelve months.

The Trust has a Finance, Staffing and General Purposes Committee and an Internal Scrutiny Committee to which the Governing Body delegates financial scrutiny and oversight.

### **The role of the Headteacher**

The Headteacher is appointed by the Governors.

The Headteacher has the delegated responsibility for internal organisation, management and control of the Academy.

The Headteacher is the Accounting Officer so has overall responsibility for the operation of the academy trust's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The Headteacher leads the senior leadership team (SLT) of the academy trust. The Headteacher will delegate management functions to the SLT and is accountable to the Governors for the performance of the SLT.

## Lakelands Academy Scheme of Delegation

### Key

✓	Action could be taken at this level at Lakelands Academy
	Action is not taken at this level at Lakelands Academy
	Action cannot be carried out at this level

Although decisions may be delegated, the governing body as a whole remains responsible for any decision made by a committee, individual Governor or the Headteacher under delegated powers.

The Chair or Vice Chair may take decisions/action where a delay in doing so would be seriously detrimental to the interests of

- the school
- any pupil or their parents
- a staff member

This power will not apply to approving the budget, taking decisions on admissions, suspending Governors or agreeing policies involving the management of staff.

Any such action should be reported to Governors within 7 days, and confirmed at the next Full Governors Meeting.

Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
Admissions	Determine the school's admissions arrangements annually, including the published admission number (PAN) and the oversubscription criteria		✓	✓			
	Make sure the school's admissions arrangements comply with the School Admissions Code and are fair, clear and objective		✓	✓			
	Establish an independent appeals panel when there are admissions appeals		✓				
Behaviour and Exclusions	Arrange for suitable full-time education for any pupil of compulsory school age who has a fixed-term exclusion of more than five school days					✓	
	Convene <a href="#">a meeting to consider reinstating an excluded pupil</a> and consider parents' representations about an exclusion in some circumstances		✓	✓	✓		This task can be delegated to the chair or vice-chair in cases of urgency.

Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
	Arrange an independent review panel to consider permanent exclusions, where requested by parents		✓				
<b>Curriculum</b>	Make sure the school teaches a broad and balanced curriculum to the age of 16					✓	
	Make sure all pupils at the school are provided with independent careers guidance from year 8 to year 11		✓	✓		✓	
<b>Finance and Budgets</b>	Make day-to-day spending decisions up to the amount of £30,000					✓	
	Appoint a senior executive leader as the accounting officer for the trust and a chief financial officer		✓				

Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
	Maintain adequate accounting records and prepare an annual report and accounts in line with the Charity Commission's Statement of Recommended Practice (SORP) and Education and Skills Funding Agency (ESFA) Accounts Direction		✓	✓			
	Refer potentially novel and contentious transactions to Education and Skills Funding Agency (ESFA) for explicit prior authorisation		✓				
	Approve annual financial statements in line with the ESFA's academies accounts direction		✓	✓			
	Make sure that the Trust has adequate insurance cover or has opted into the academies risk protection arrangement		✓	✓			
	Make arrangements for Internal Scrutiny.		✓				



Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
	Appoint Auditors	✓					
	Approve a balanced budget each financial year and submit to the ESFA		✓				
	Monitor the budget during the year		✓	✓			
	Approve Audited Accounts and receive Audit Recommendations		✓	✓			
	Maintain a published register of interests, including the business and pecuniary interests of members and trustees.		✓				
	Monitor impact of pupil premium funding and other targeted funding		✓	✓		✓	
<b>Governance</b>	Appoint/Remove Members	✓					
	Agree and Review Articles of Association	✓					

Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
	Appoint Remove Governors	✓	✓				
	Hold full governing board meetings at least 3 times a year		✓				
	Elect a Chair and Vice-Chair of Governors		✓				
	Appoint a clerk		✓				
	Determine the constitution, membership and terms of reference of any committee it decides to establish and review this annually. Appoint or elect a chair for each committee or delegate to the committee		✓				
	Check that all statutory policies and documents are in place		✓	✓			
	Delegate functions to committees and individuals		✓				

Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
<b>Health &amp; Safety</b>	Monitor the implementation of the health and safety policy		✓	✓		✓	
	Make sure there is an appointed person in charge of first aid		✓	✓		✓	
<b>Parents and the Community</b>	Make sure the required information is published on the school website		✓	✓		✓	
	Approve a complaints procedure		✓	✓		✓	
	Establish a complaints panel to consider formal complaints about the school and any community facilities or services it provides		✓				
	Make sure the school complies with the Freedom of Information Act 2000		✓	✓		✓	
	Make sure the school complies with the General Data Protection Regulations		✓	✓		✓	

Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
<b>Pupil wellbeing</b>	Make sure the provision of free school meals to those pupils meeting the criteria		✓	✓		✓	
	Appoint a designated teacher to promote the educational achievement of looked after children (LAC) and post-LAC and that they undertake appropriate training		✓	✓		✓	
	Make sure the school complies with the Equality Act 2010 and the Public Sector Equality Duty and publishes equality objectives and information about how it is doing this		✓	✓		✓	
	Make arrangements for supporting pupils with medical conditions		✓	✓		✓	
<b>Safeguarding</b>	Check that the school complies with statutory guidance on safeguarding		✓	✓			
	Make sure there's a child protection policy in place		✓				

Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
	Make sure a senior governor takes leadership responsibility for safeguarding and that they receive training		✓				
	Make sure governors receive safeguarding training		✓	✓	✓	✓	
	Appoint a member of staff to be the designated safeguarding lead					✓	
	Make sure that effective support is provided for any employee facing an allegation		✓	✓		✓	
<b>Special Educational Needs and Disabilities (SEND)</b>	Designate a member of the governing body or a committee to have oversight of the school's arrangements for SEND		✓				
	Make sure that the necessary special education provision is made for any pupil who has SEN, and monitor its effectiveness			✓	✓	✓	

Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
	Make sure that parents are notified by the school when special educational provision is being made for their child					✓	
	Make sure the school produces and publishes online its school SEN information report		✓	✓		✓	
	Co-operate with the local authority in developing the local offer		✓	✓		✓	
	Make sure the school follows the statutory SEND Code of Practice		✓	✓		✓	
	Make sure that there is a qualified teacher as the special educational needs co-ordinator (SENDCO) for the school		✓	✓		✓	
	Make sure that the teachers in the school are aware of the importance of identifying pupils who have SEN and providing appropriate teaching					✓	

Function	Task	Members	FGB	Committee	Individual governor	Headteacher	Notes
<b>Staffing Matters</b>	Appoint/dismiss the Headteacher		✓				
	Make sure safer recruitment procedures are applied (for example, disclosure and barring checks)		✓			✓	
	Make sure employment law and guidance is being followed		✓	✓		✓	
	Approve staffing structure changes		✓	✓			
	Dismiss the Headteacher		✓				

Tendering process will support and be consistent with the ESFA Guidance and operated in accordance current legislation. The value of the order dictates the purchasing route that the Academy needs to follow. The order/contract value is the total value across the life of the order/contract, **including VAT (as per Procurement Policy Note from Cabinet Office - December 2021).**

The Following diagram shows the Purchasing and Tendering thresholds

