

Rushbrook Primary Academy

Delegation Framework



101 Shillingford Road Gorton M18 7TN
Tel: 0161 223 5955 Web: www.rpa.bfet.uk
Email: admin@rpa.bfet.uk
A member of Bright Futures Educational Trust



Date:

Jan 2021

Reviewed:

www.rpa.bfet.uk

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DELEGATION FRAMEWORK

Signatories

I declare that I have read, understood and agree with the contents of this delegation framework (January 2021 update).

School Name..... Rusheybrook Primary Academy.....

Role	Name	Signature
Chair of the Local Governing Body	<u>K. SHAW</u>	<u>Kathryn A. Shaw.</u>
Principal/Head of School	<u>M. CARROLL</u>	<u>[Signature]</u>

Date of Implementation..... 01st March 2021.....

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Forward

This document details the framework for effective governance at Bright Futures Educational Trust (Bright Futures). By Bright Futures we mean all of the academies within the Trust, along with the executive team and central teams that support these academies.

The Board of Trustees is the accountable authority as defined in the Articles of Association. However, some oversight, monitoring and decision making is delegated through the frameworks described in this document.

The Chair of the Board of Trustees and the Chief Executive Officer have approved this 2020 updated delegation framework as the appropriate approach to governance for Bright Futures.



Dan Rubin
On behalf of the Board of Trustees



John Wm Stephens
Chief Executive Officer

The Governance Structure

1. Members

The Members of the Trust are the signatories to the Trust's Memorandum and Articles of Association and are responsible for approving any amendments to the Articles.

Members appoint Trustees and are also able to remove Trustees if they fail to fulfil their duties properly. Whilst Members can also be Trustees, Bright Futures is mindful of the DfE's guidance contained within their Governance Handbook (October 2020) that robust governance structures will have a significant degree of distinction between the Members and the Trustees. As such, only one Member can be appointed as a Trustee and sit on the Board of Trustees.

2. Trustees

The Board of Trustees sets the vision and strategic direction of the Trust and is the accountable body. It may delegate some of its responsibilities to executive leaders or committees, which includes local governing bodies. In doing so it holds these executive leaders and committees to account. The Board of Trustees also oversees the financial performance of the Trust and ensures that public money is well spent.

3. Board Committees

The Board of Trustees has established two committees, with delegated authorities as follows:

The Audit & Risk Committee oversees financial reporting, internal controls and risk management systems, compliance and internal and external audits.

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The Remuneration Committee leads on any recruitment and selection process for the Chief Executive Officer (CEO) post, conducts the appraisal of the CEO and determines the remuneration for the CEO, the Chief Operating Officer (COO) and the Director of Education.

The detailed responsibilities of both of these Committees are set out in their Terms of Reference.

4. Chief Executive Officer

The CEO is appointed as the Accounting Officer for the Trust to carry out the duties as outlined within the Academies Financial Handbook, including an accountability for the proper stewardship of public funds, regularly and properly.

The CEO also has the delegated responsibility for operational leadership and management of the Trust.

5. Principal/Head of School

The Principal or Head of School is responsible for the day-to-day running of their academy. They bring regular reports to the school's Local Governing Body (LGB) on the overall performance of the school, progress of pupils and any other matters delegated to them. See the LGB handbook for further information.

6. Executive Team

The Executive team comprises the Chief Executive Officer, the Chief Operating Officer, the Director of Education, the Director of Teaching School and Partnerships and the Director of Human Resources and Strategy. They operate as a collective governance body as defined in the Executive Team Meeting terms of reference. In addition, they have individual responsibilities as defined in this document and/or their job description.

7. Local Governing Bodies (LGBs)

The responsibilities of the LGBs are set out in detail within their terms of reference. In summary their main responsibility is to provide scrutiny of the delivery of the School Development Plans, to ensure the academy is working within agreed financial budgets, to monitor the academy is working within agreed policies and help the Academy to engage with all stakeholders. The LGB should also provide strong support and challenge to the academy leadership team. The LGB handbook, which includes its terms of reference provides the detail.

Responsibilities and powers delegated to the LGB may be further delegated to a sub-committee or to the Principal/Head of School as appropriate. See the detail in the delegated responsibilities section below and in the Local governing body handbook or Bright Futures' Financial handbook.

The relationship between all of the elements of the governance structure is one of partnership and collaboration. All elements work in support of delivering the Bright Futures Strategy, which includes its vision: *The best for everyone, the best from everyone.*

Delegated Responsibilities

Governance Overview

*Where a Principal is referred to in the remainder of this document, this could also be either the Executive Principal or Head of School/Headteacher, dependent upon the structure in the particular school

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Appoint /agree role descriptions and remove members	Members		
Appoint/agree role descriptions and Remove Trustees	Members		Articles of Association
Appointment and Dismissal of Chief Executive Officer	Board of Trustees	Director of HR & Strategy or external legal advice	Trust's relevant HR policies
Appoint/Agree role description and suspend Chair of LGBs	CEO	Principal* Executive team	LGB Terms of Reference
Dismiss an LGB chair	Chair of the Board of Trustees	CEO Director of HR & Strategy	LGB Terms of Reference
Appoint Clerks to the LGBs	Members of Executive Team	LGB Chair Principal*	
Approve and Amend the Articles of Association	Members	Executive Team	Articles of Association
Approve and Review the Delegation Framework	Board of Trustees	Executive Team	Academies Financial Handbook
Approve and Review Terms of Reference for Trust Board Committees	Board of Trustees	Executive Team	
Approve and Reviews Terms of Reference for LGBs and sub committees	CEO	Executive Team Principal* LGB Chair	
Appoint Governors to the LGBs and LGB committees	CEO	Principal* Executive Team	LGB terms of Reference
Suspend or Dismiss Governors to the LGB and LGB Committees	CEO	Principal Executive Team	LGB Terms of Reference

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Oversee compliance with Data Protection Regulations and take responsibility for reporting data breaches to the Information Commissioners Office (ICO)	The Trust's Data Protection Officer	Data protection co-ordinator in each school. Principals	The Trust's Data Protection policies
Approve Trust-wide Policies	Executive Team (note a small number eg Procurement, Health and Safety need Trustee approval)	Principal* Unions for some staff policies	The policy schedule held by the Trust's policy group members
Monitor Use and Implementation of all Trust Policies	Executive Team	Principal*	
Approve and Review School specific Policies eg behaviour for learning, examinations, educational trips	LGB	Principal*	The policy schedule held by the Trust's policy group members
Monitor Use and Implementation of all Policies for the School	LGB	Principal*	
Replace and disband an LGB with an interim School Improvement Board and vice versa	CEO	Principal* (To Trustees for information)	
Budget and Finance			
Decision/Activity	Accountable for the decision	Provide advice or input not the decision	Reference Policies or Relevant Documents
Prepare the proposed annual school budget proposal for discussion with the COO	Principal/LGB (recommendation)	Financial Controller/finance team	Finance handbook
Approve individual school budgets for each academic year	Board of Trustees	Chief Operating Officer (COO)	Bright Futures' Strategy
Determine the proportion of the academies budget that will be a management fee for central services	Board of Trustees	CEO, COO	
Monitor Expenditure of Individual School against agreed annual budget	LGB	Principal*	School's Charging and Remission Policy

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Determine where any additional funding/income received by the school during the year, can be spent	COO	LGB Principal* Executive Team	
Approve/Review Trust Financial Handbook	Board of Trustees delegated to Audit and Risk Committee	COO Financial Controller Principal*LGB Chairs	
Approve/Review Procurement Policy	Board of Trustees delegated to Audit and Risk Committee	COO Principal* LGB Chair	
Determine which contracts are to be procured trust wide	COO	Principals, Executive Team	Procurement policy
Enter into/renew contract or approve spend* of up to £19,999 *i.e. procure, raise the purchase order and sign the invoice	COO or Financial Controller (Trust wide contracts) Principal* (school specific) if budgeted for	Financial Controller	Procurement Policy
Enter into/renew contracts or approve spend* between £20,000 - £39,999 *i.e. procure, raise the purchase order and sign the invoice	COO with CEO approval	Principal* (school specific)/financial controller	Finance handbook
Enter into/renew contract or approve spend* between £40,000-£79,000 *i.e. procure, raise the purchase order and sign the invoice	Audit and Risk Committee	COO Principal*	
Enter into/renew contracts or approve spend over £80,000 *i.e. procure, raise the purchase order and sign the invoice	Board of Trustees (all contracts)	Audit and Risk Committee Executive Team Principal* (school specific)	
Open up a new bank account for a school or head office	Board of Trustees	COO	
Approve/Review Trust Risk Register	Board of Trustees Delegated to Audit and Risk Committee	Audit and Risk Committee Executive Team Principal* (school specific)	

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Approve/Review Academy Risk Register	LGB	Principal* Exec Team	
Appointment and removal of External Auditors	Members	Board of Trustees	Academies Financial handbook
Appointment and dismissal of Internal Auditors	Audit and Risk Committee	COO	

Education and Standards

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Determine the Academy's curriculum	Principal and senior leadership determine local school curriculum	Executive Team – (if specific input needed) Parents/Carers/students and communities	
Determine the Academy's development plan and monitor progress	Principal* as above	Executive Team LGB Parents/Carers/students	
Monitor pupil progress and attainment including specific groups e.g. pupil premium	Principal*	Executive Team LGB Parents/Carers/students	
Schools Admissions Policy. Determine and consult where necessary to issue to the LA, in accordance with statutory requirements and timelines. (The Trust is the admissions authority and delegates this responsibility to the Principal)	Principal	LGB Principal* Executive Team	DfE statutory guidance Schools Admissions Code
Significant changes to the number, type or location of an academy i.e. changes which affect clauses in Bright Futures' funding agreement	Regional Schools Commissioner, following a recommendation by Trustees	Local Authority LGB Principal* Executive Team Trustees Parents/Carers	Dfe Advice: Making significant changes to an open academy and closure by mutual agreement

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Admissions decisions and appeals	LGB Independent Appeals Panel (when applicable)	Principal* Executive Team Local Authority	School Admissions Code (DfE)
Academy opening times, term dates and inset days	Principal	Executive Team Parents/Carers/students and local partners	DfE Guidance
Determine the Academy's communication and Public Relations strategy	Principal	Director of Teaching School and Partnerships Executive Team	Brand Guidelines (policy) Communication Strategy
Complaints	Stage 1 and 2 Principal Stage 3 Chair of LGB Stage 4 Appeal panel comprising two LGB members and one Bright Futures' representative	Executive Team	Bright Futures' Complaints policy
Exclusions	Stage 1 Principal (or deputy for fixed term only) Stage 2 Appeal LGB Stage 3 Independent review panel – made up of independent Bright Futures leaders/governors	Executive Team	Bright Futures Exclusions Policy
Appoint a Designated Safeguarding Lead (DSL) and a Deputy with accountabilities as detailed in the Trust's Child Protection and Safeguarding Policy and provide appropriate monitoring and training	Principal*	Chair of the Trust's DSL group CEO LGB	Child Protection and Safeguarding Policy Statutory Guidance – Keeping Children Safe in Education

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Appoint a governor with specific responsibility for safeguarding as per the Trust's Child Protection and Safeguarding Policy. Provide appropriate monitoring of policy application and training	LGB	Principal*	Child Protection and Safeguarding Policy
Appoint a trustee with specific responsibility for safeguarding as per the Trust's Child Protection and Safeguarding Policy Provide appropriate monitoring and training	Board of Trustees	CEO	Statutory Guidance – Keeping Children Safe in Education
Determine a Trust wide Health and Safety Policy and template procedures for schools	CEO	Exec Team Principals*	Health and Safety at Work Act and associated regulations Trust's Health and Safety Policy and School's Staff Handbook
Appoint the Principal/Head of School as the designated Health and safety member of staff with overall responsibility in the Academy.	LGB	Exec Team Principal*	
Monitor compliance in their school with Health and Safety regulations and report to the Exec Team	LGB	Principal*	
Monitor compliance in all schools with Health and safety regulations and report to the Trustees	CEO	Principal* Exec Team	
Reporting of RIDDOR Accidents and Enforcement Notices	Principal*	LGB	

Human Resources and Staffing

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Appointment/Appraisals/Dismissal of Academy Principals*	CEO	Director of HR and Strategy, external legal input. Director of Education/LGB (appointments and appraisals only)	Trusts' relevant staff policies
Appointment of academy senior staff (Assistant VP/Deputy Head and above)	CEO or Director of Education (depends on reporting line)	Principal* LGB Executive Team	Trust's relevant staff policies
Dismissal of academy senior staff (Assistant VP/Deputy Head and above)	Principal* (from a different Bright Futures school)	Director of HR and Strategy	
Appointment/appraisals of all Academy Staff below Assistant Vice Principal	Principal*	LGB	
Dismissal of all academy staff below Assistant Vice Principal	Principal*	Director of HR and Strategy	Trust's relevant staff policies
Appointment/Appraisals of Trusts' Executive Team and Data Protection Officer and other posts in the central team structure	CEO or COO, depending upon reporting line	Principals* Board of Trustees	
Dismissal of Trust's Executive and other posts in the central team structure	CEO/COO (not direct line manager)	Director of HR & Strategy or External Consultant/legal input	
Determine Academy non-Leadership Staffing Structure as part of the budget approval process	Principal*	LGB Executive Team	
Agreed Academy Leadership Structure	CEO or Director of Education (depending upon reporting line)	Principal* LGB Executive team	

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Determine the Trusts' operational/central services structure for Finance, Governance, HR, Digital Technologies, Communications and PR, Estates, Health and Safety, Education Psychology and Specialist Outreach (EPSO) and Data Protection.	COO	Executive Team, Principals	
Approve changes to staffing structures at all levels (except for like for like appointments)	COO	Principal* Director of HR and Strategy	
Principals' Pay	CEO	Director of HR and Strategy Director of Education COO	Trust's School Leaders and Teachers' Pay Policy
Approval of Central Team remuneration (except COO and Director of Education)	CEO	Director of HR and Strategy Director of Education COO	Leadership (non-school) Appraisal and remuneration policy
Pay of all school staff (excluding the principal*) (the pay scales and policies are Trust approved)	LGB	Principal	Trust's School leaders and teachers' Pay policy
Determine the pay scales and other terms and conditions of employment for all school based staff groups	Board of Trustees	Executive team, Principal	School Teachers terms and Conditions and Burgundy book. NJC pay scales and Green Book.
CEO's Appraisal and remuneration (pay & terms and conditions)	Remuneration Committee of the Board of Trustees	Director of HR & Strategy/external consultant if required	Leadership (non-school) Appraisal and remuneration policy
COO and Director of Education's remuneration (pay and terms and conditions)	Remuneration Committee of the Board of Trustees	CEO (recommends) Director of HR & Strategy (advice)/external consultant if required	Leadership (non-school) Appraisal and remuneration policy

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
COO and Director of Education's appraisal	CEO	Director of HR & Strategy (advice)/external consultant if required	Leadership (non-school) Appraisal and remuneration policy
Apprenticeship standards-staff access to funding through the shared apprenticeship levy	The Principals as a group decision	Director of HR and Strategy	

Facilities and Estates

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Develop specification, production of tender documentation, overseeing selection recommendation entering in formal contracts related to FM services	COO	Principal* (Hub) Facilities Manager	Trust's Procurement Policy
Appointment and Determination of Academy Cleaning and Catering Contractors/Contracts (trust wide contract)	COO	Principal* (Hub) Facilities Manager	
Appointment and Determination of Academy PPM Contractors/Contracts	COO	Principal* (Hub) Facilities Manager	
Contract Administrator of all Premise/Facilities related Services Contracts	(Hub) Facilities Manager	Principal* COO	
Contract Administrator of PFI Contracts (Post Construction)	(Hub) Facilities Manager	Principal* COO	

Decision/Activity	Accountable for the decision	Provide advice or input into the decision	Reference Policies or Relevant Documents
Standardisation of all Statutory assessment across the Trust – legionella, fire, asbestos and statutory compliance and Health and Safety Risk Insurance audits	COO	Principal*(Hub) Facilities Manager	Health and Safety Policy and statutory regulations
Oversee compliance with facilities and estates management standards across all schools	COO	Principals, (Hub) facilities managers, Executive Team LGB	ESFA Estates management guidance
Management of Trust Capital Funding	COO	Financial Controller Principal* LGB	Schools Condition Funding Agreement
Project Management for Capital Improvement Works	(Hub) Facilities Manager	COO Principal*	
Approval of any structural works or change of use of the existing school buildings	CEO	Principal* COO (Hub) Facilities Manager LGB	Schools Condition Funding Agreement
Approval of any new rental or leased building proposal for all schools	CEO	Principal* COO (Hub) Facilities Manager LGB	School condition Funding Agreement

