

## **Delegated Powers**

### **Business Management Committee (incorporating Audit Committee Function)**

#### **Terms of Reference**

**The main aims of this committee are to ensure that:**

- There is effective deployment of all funds available to the school so that they have maximum impact upon teaching, learning and achievement;
- The premises are safe & provide an excellent learning environment for students, staff and community groups;
- The school complies with the standards of the FMGE (Financial Management & Governance Evaluation) and has good financial management;
- A programme of reviewing all risks to the academy is in place, including the responsibility for annual and periodic audits.

**Its functions are to:**

1. Provide guidance and assistance to the Board of Trustees and Headteacher on all matters relating to the school's resources, including staffing, finance, budget, premises, grounds, security and health and safety including auditing internal financial control;
2. Take part in the development of and monitor the progress of the relevant sections of the School Improvement Plan;
3. Monitor the school's staffing structure (teachers *and* support staff) to ensure that it provides value for money and reflects the needs of the school, including recommendations to change the staffing complement when appropriate;
4. Keep under review the school's incentive allowance structure and to be responsible for staff appointments, as determined by the Board of Trustees.
5. Prepare a provisional school budget for the approval of the Board of Trustees;
6. Agree a final budget for submission to the ESFA, when notification is received of the General Annual Grant (GAG);
7. Monitor income and expenditure of all funds (including monies delegated for specific purposes, e.g., Insurance, Rates, CPD), and make regular reports to the Board of Trustees;
8. Monitor and review the effectiveness of the school's Internal Audit function;
9. Make recommendations to the board in relation to the appointment, reappointment or removal of the school's External Auditors;
10. Approve the remuneration and terms of engagement of the External Auditors;
11. Inspect the premises and grounds annually and implement a prioritised programme of maintenance and development;
12. Formulate, review and approve the school's Health and Safety Policy & ensure that the school complies with health and safety regulations. This includes undertaking an annual safety audit of the school premises and ensuring that action is taken to remedy any serious concerns;

13. Formulate, review and approve the school lettings and lettings charging policy;
14. Monitor and review energy use and advise the Board of Trustees on ways in which it can be more efficiently managed;
15. Monitor and review the school's Asset Management Plan;
16. Consider and make recommendations on security, risk management and insurance arrangements for the school.

**Delegated powers:**

Delegated powers are to:

1. Ensure that the financial regulations for the school approved by the Board of Trustees are implemented;
2. Decide the final budget for each financial year and ensure that it is submitted to the ESFA by the required date;
3. Exercise virement between budget headings for amounts greater than those delegated to the Headteacher by the school's financial regulations. Such amounts shall not exceed £50,000 of the budget heading concerned without the prior approval of the Board of Trustees;
4. Ensure that the appropriate repayments from lettings are credited to the school budget;
5. Monitor spending so that it does not exceed the annual budget, reporting any potential overspend to the Board of Trustees;
6. Receive and, where appropriate, respond to annual/periodic audits of delegated funds;
7. Ensure that an annual audit of any other funds (e.g., the unofficial "School Fund") operated by the school is conducted;
8. Respond on behalf of the Board of Trustees to any consultations by the DfE, ESFA or similar body on the Schemes for Financing Schools and the budget share formulae;
9. Review all matters related to the maintenance and hire of the school building;
10. Call a special meeting of the Board of Trustees when necessary.

<p style="text-align: center;"><b>ROLES AND RESPONSIBILITIES OF THE HEADTEACHER, THE BOARD OF TRUSTEES AND ITS COMMITTEES</b></p>
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<p><i>All of the following areas are the specific responsibility of the board of trustees of the school. However, the board may delegate each area of responsibility to the headteacher or a committee of the board. Detailed below are details of the decisions taken by the board of trustees at its meeting on 18 September 2023 with regard to the delegation of these responsibilities.</i></p>
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<p><b>1. Revenue Budget – Preparation</b></p>
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| <p>1.1 The Director of Business &amp; Finance is responsible for the preparation of a detailed budget from the sum allocated to the school.</p> <p>1.2 The Director of Business &amp; Finance is responsible for submitting the budget to Trustees for approval.</p> <p>1.3 The Director of Business &amp; Finance will advise the Education, Skills &amp; Funding Agency of the approved budget allocations on a timely basis.</p> |
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<p><b>2. Revenue Budget – Control</b></p>
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| <p>2.1 The Director of Business &amp; Finance will ensure that the school accounting system is robust and accurately reflects the business of the school.</p> <p>2.2 The Director of Business &amp; Finance will ensure that adequate systems and procedures are implemented to effectively monitor the budget.</p> <p>2.3 The Director of Business &amp; Finance will ensure budgetary control statements are completed on a termly basis and are submitted to the relevant Trustees' meeting or committee, if delegated.</p> <p>2.4 The Director of Business &amp; Finance will advise Trustees of likely over/underspendings not covered by virement.</p> <p>2.5 The Headteacher approves virement between budget headings of up to £30,000 or 20% of the budget heading from which resources are being transferred, whichever is the lower.</p> <p>2.6 The Director of Business &amp; Finance will report any virement to the Business Management Committee.</p> |
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<p><b>3. Revenue Budget – Accounting Procedures Year End</b></p>
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| <p>3.1 The Director of Business &amp; Finance will ensure that year end provision is made to ensure the accuracy of the annual accounts and to enable the school's accounts to be closed promptly.</p> |
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<p><b>4. Revenue Budget – Accounting Procedures General</b></p>
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| <p>4.1 The Director of Business &amp; Finance will ensure that sound financial systems and adequate financial records are maintained to secure the effective management of the school budget.</p> |
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<p><b>5. Income</b></p>
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| <p>5.1 The Director of Business &amp; Finance will review annually sources and levels of income and charges and report to the Business Management Committee.</p> |
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<p><b>6. Insurance</b></p>
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| <p>6.1 The Director of Business &amp; Finance will ensure that insurance matters are dealt with in accordance with the responsibilities outlined in Financial Regulations.</p> |
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<p><b>7. Expenditure</b></p>
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| <p>7.1 The Director of Business &amp; Finance/Finance Officer will ensure that orders upto the value of £10,000 for the supply of goods or materials, or the execution of any work are placed utilising an official school order form.</p> <p>7.2 The Director of Business &amp; Finance/Finance Officer is not required to obtain written quotations or tenders for orders or contracts with a value of £10,000 or below.</p> <p>7.3 The Director of Business &amp; Finance/Finance Officer should obtain three written competitive quotations for orders or contracts with a value between £10,001 and £50,000. Details of these orders/contracts and any tenders shall be reported to the Business Management Committee at the next meeting.</p> <p>7.4 The Director of Business &amp; Finance will report to the Business Management Committee if it is impossible or disadvantageous to obtain three quotations, and the reason shall be recorded in the minutes.</p> <p>7.5 The Director of Business &amp; Finance should seek tenders for orders or contracts above the upper value detailed in 7.3 above.</p> <p>7.6 The Headteacher and Director of Business &amp; Finance may incur expenditure on goods and services as detailed above without the prior approval of the Business Management Committee, as long as there are sufficient resources within the appropriate budget heading, and the purchase does not exceed £50,000 or result in an additional commitment to the budget of more than £50,000 in future years (for example, a maintenance contract linked to purchase of a photocopier).</p> <p>7.7 The Headteacher shall ensure that if the additional commitment is more than that detailed in 7.6 above, approval will be obtained from the Business Management Committee before the order is placed.</p> |
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<p><b>8. Security</b></p>
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| <p>8.1 The Site Manager shall maintain proper security at all times for all buildings, stocks, stores, furniture, equipment, cash etc.</p> |
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<p><b>9. Salaries, Wages and Pensions</b></p>
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| <p>9.1 The Director of Business &amp; Finance/Headteacher's PA will notify the HR/Payroll provider in the required form, of all matters affecting the payment of salaries, wages and pensions.</p> |
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<p><b>10. Unofficial School Funds</b></p>
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| <p>10.1 The Finance Officer will ensure that the funds are held in a separate bank account from the general school budget. The bank account will be in the name of the school, and will require at least two signatories to effect withdrawal from the account.</p> |
| <p>10.2 The Director of Business &amp; Finance/Finance Officer will inform the Board of Trustees at the end of each school year of the balance of the unofficial funds, and detail how the funds have been utilised during the year.</p>                            |
| <p>10.3 The Director of Business &amp; Finance/Finance Officer will submit to the Board of Trustees at the end of each school year, a statement of accounts for each fund signed by the Headteacher and the Auditor appointed by the Board of Trustees.</p>         |

## Scheme of Delegation for Staffing Matters

Issue	Terms of Reference	Responsibility	Notes
<b>1. Staffing Structure and Policy Framework</b>	<ul style="list-style-type: none"> <li>• To review the staffing structure on an annual basis and, where appropriate, as a vacancy occurs in relation to the current and future needs of the school as identified in the School Improvement Plan.</li> <li>• To make recommendations concerning the school's staffing structure for approval by the Board of Trustees.</li> <li>• To liaise with other Committees in order to establish the annual and longer term salary budgets and other costs relating to personnel matters, e.g. professional development costs.</li> <li>• To ensure all school employees are aware of the Board's personnel policies and procedures.</li> <li>• To monitor the implementation of the policies and procedures in practice, evaluate impact and recommend future changes as appropriate.</li> <li>• To review and recommend for approval by the Board of Trustees policies and procedures relating to:               <ul style="list-style-type: none"> <li>- Equality of Opportunity and Good Employment Practice</li> <li>- Recruitment and Selection</li> <li>- Performance Management</li> <li>- Pay</li> <li>- Discipline</li> <li>- Grievance</li> <li>- Performance and Ill Health Capability</li> <li>- Staffing Reductions</li> </ul> </li> </ul>	Business Management Committee	<ul style="list-style-type: none"> <li>• The Business Management Committee has an extensive range of responsibilities and governing bodies should ensure that membership is sufficient to support the potential issues detailed in this table at 1, 3 and 7</li> <li>• The minimum size is dictated by the need for a quorum of three</li> </ul>

Issue	Terms of Reference	Responsibility	Notes
<b>2. Appointment of Headteacher and Deputy Headteacher</b>	<ul style="list-style-type: none"> <li>To prepare the job description, person specification, advertisement and supporting information for the post.</li> <li>To agree the selection process.</li> <li>To select for interview such applicants as it thinks fit and, where the post is for Headteacher, notify the Authority in writing of the names of the applicants selected.</li> <li>To interview such candidates as attend for that purpose.</li> <li>Where considered appropriate, to recommend an interviewee to the governing body for appointment.</li> <li>To consider any representations made by the Authority concerning the suitability of the applicant.</li> </ul>	Headteacher/Deputy Headteacher Selection Committee	<ul style="list-style-type: none"> <li>The <b>decision</b> on the appointment of a Headteacher or a Deputy Headteacher is the responsibility of the board of trustees and cannot be delegated.</li> <li>The Selection Committee should ideally consist of at least three trustees. However, this could be delegated to two.</li> <li>Guidance on the appointment process is found in the 'Employment Handbook for Schools'</li> </ul>
<b>3. Appointments to posts other than Head and Deputy Head</b> (i) Senior Management Posts  (ii) Other Posts	<ul style="list-style-type: none"> <li>To recruit, select and appoint to all senior management team posts, including any support staff who may be members of the team</li> <li>To recruit, select and appoint to all posts, both teaching and support, outside the senior management team</li> </ul>	Business Management Committee  Headteacher (advised by one or two trustees and/or members of the school staff as specified within the recruitment and selection policy). Can be delegated to a panel with at least one member who holds a safer recruitment certificate.	<ul style="list-style-type: none"> <li>The Staffing Regulations continue to give flexibility in the delegation of powers to appoint all staff other than the Headteacher and Deputy Headteacher.</li> <li>The Panel making appointments to SLT should ideally consist of at least three trustees. However, this could be delegated to two.</li> </ul>



Issue	Terms of Reference	Responsibility	Notes
<b>4. Performance Management</b>			
(i) Performance Review of Headteacher	<p>In accordance with the School's Performance Management Policy:</p> <ul style="list-style-type: none"> <li>To review the Headteacher's performance over the previous academic year and to set performance objectives for the forthcoming year</li> <li>To make a recommendation concerning the award of a performance related pay award to the Pay Committee of the Board of Trustees</li> </ul>	Headteacher's Performance Review Committee	<ul style="list-style-type: none"> <li>The Appraisal regulations require a board of trustees to appoint two or three trustees to be appraisers in respect of the Headteacher's performance review</li> <li>No trustee who is a teacher or other employee at the school may be a member of this committee.</li> <li>In voluntary aided schools, where three trustees form the Panel at least two must be foundation trustees. In voluntary controlled schools and voluntary aided schools, where two trustees are appointed to the Review Panel, one must be a foundation trustee.</li> <li>Trustees can be supported in this role by external advisers.</li> </ul>
(ii) Complaints about the Headteacher's Performance Review	<ul style="list-style-type: none"> <li>To hear any complaints as Review Officer about the Headteacher's performance review process and decide on remedial action or otherwise in accordance with the alternatives specified within the Appraisal Regulations.</li> </ul>	Chair of Trustees (except where (s)he is a member of the Headteacher's Performance Review committee, when another trustee must be appointed)	<ul style="list-style-type: none"> <li>The Headteacher has the responsibility for ensuring the performance management process is undertaken for all teachers other than him/herself</li> </ul>
(iii) Performance Review and Complaints of teachers other than the Headteacher	<ul style="list-style-type: none"> <li>To ensure each teacher's performance over the previous academic year is reviewed and performance objectives for the forthcoming year are set.</li> <li>To make recommendations concerning performance related pay awards to the Pay Committee of the Board of Trustees.</li> <li>To hear complaints about a teacher's performance review process and decide on remedial action or otherwise in accordance with the alternatives specified within the Appraisal Regulations.</li> </ul>	<p>Headteacher</p> <p>Headteacher/Chair of Trustees</p>	<ul style="list-style-type: none"> <li>In accordance with the Appraisal Regulations and the school's Performance Management Policy, the Headteacher (usually for the senior management team) and team leaders specified by the Headteacher (in relation to other teachers) will undertake performance reviews in practice.</li> <li>Complaints will usually be heard by the Headteacher, but where (s)he has undertaken the performance review, this will be undertaken by the Chair of Trustees</li> </ul>

Issue	Terms of Reference	Responsibility	Notes
<b>5. Pay</b>	<ul style="list-style-type: none"> <li>To review and approve teacher salaries annually (including Headteacher and deputy Headteacher) as required by the School Teachers' Pay and Conditions' Document.</li> <li>To consider and approve as appropriate the award of discretionary payments, including performance related pay.</li> <li>To review and approve support staff salaries annually.</li> </ul>	Pay Committee	<ul style="list-style-type: none"> <li>The Pay Committee must consist of a minimum of three trustees.</li> <li>No employee of the school (other than the Headteacher) can be a member of the Pay Committee. The Headteacher must withdraw during discussion and determination of his/her own pay. The Headteacher would normally, therefore, have an advisory role to the Committee only and not be a member.</li> <li>Ideally, the Panel of appointed trustees that review the Headteacher's performance with the external adviser will have a separate membership from the Pay Committee.</li> </ul>
<b>6. Suspension from Duty</b> (i) Imposition of suspension           (ii) Lifting of Suspension	<ul style="list-style-type: none"> <li>Where appropriate, to suspend an employee as a neutral act pending an investigation into alleged misconduct or serious incapability.</li> <li>To inform the Board of Trustees of the decision to suspend an employee without disclosing any details of the reasons for suspension</li> <li>To inform the HR/Payroll provider of the decision to suspend</li> <li>To lift the suspension of an employee as considered appropriate</li> </ul>	<p>In the case of suspension of a Headteacher, the Chair of Trustees (having sought advice from the Schools HR advisors)</p> <p>In the case of all other employees, the Headteacher (in consultation with the Chair of Trustees where practicable and having sought HR advice if required). Can be delegated to SLT by the Headteacher.</p> <p>Chair of Trustees, as advised by the Headteacher and HR advisors</p>	<ul style="list-style-type: none"> <li>The Staffing Regulations, 2003, allow either the board of trustees or the Headteacher to suspend an employee but only the board (not the Headteacher) to lift the suspension</li> </ul>

Issue	Terms of Reference	Responsibility	Notes
<b>7. Application of procedures that could result in dismissal</b>  (i) Staffing Reduction/ Redundancy Selection  (ii) Performance Capability  (iii) Ill Health Capability  (iv) Disciplinary	<ul style="list-style-type: none"> <li>To consider and make decisions that could result in the compulsory redundancy of an employee</li> <li>To consider and make decisions that could result in the termination of employment of an employee on the grounds of performance capability</li> <li>To consider and make decisions that could result in the termination of employment of an employee on the grounds of ill health</li> <li>To consider and make decisions that could result in a disciplinary sanction against or dismissal of an employee</li> </ul>	Headteacher  Headteacher or Business Management Committee (depending on the particular circumstances of the case) Headteacher or Business Management Committee (depending on the particular circumstances of the case) Headteacher or Business Management Committee (depending on the particular circumstances of the case)	<ul style="list-style-type: none"> <li>There is the expectation in the Statutory Guidance on staffing matters that Headteachers will normally make staff dismissal decisions except in particular circumstances (paragraph 2.5.3 of this guidance refers)</li> <li>The proposals here are consistent with this statutory guidance and the relevant procedures within the 'Employment Handbook for Schools'</li> <li>The Panel/Committee should have separate members to the Appeals Committee and should not include the Chair of Trustees (who will undertake the Headteacher's role in a case involving the head)</li> <li>Where there are insufficient trustees to hear a case, two trustees (rather than the recommended three) may undertake the role if the need arises. However, to avoid this happening, the identification of a pool of trustees greater than the minimum required is advised, stipulating how they will be selected (eg alphabetically or in number order)</li> <li>The Panel/Committee should have separate members to the Appeals Committee and should not include the Chair of Trustees (who will undertake the Headteacher's role in a case involving the head)</li> </ul>
<b>8. Grievance</b>	<ul style="list-style-type: none"> <li>To consider and make decisions relating to staff grievances</li> </ul>	Headteacher or Business Management Committee (depending on the particular circumstances of the case and in line with the Grievance Procedures within the 'Employment Handbook for Schools')	<ul style="list-style-type: none"> <li>Where there are insufficient trustees to hear a case, two trustees (rather than the recommended three) may undertake the role if the need arises. However, to avoid this happening, the identification of a pool of trustees greater than the minimum required is advised, stipulating how they will be selected (eg alphabetically or in number order)</li> <li>The Panel/Committee should have separate members to the Appeals Committee and should not include the Chair of Trustees (who will undertake the Headteacher's role in a case involving the head)</li> </ul>

Issue	Terms of Reference	Responsibility	Notes
<b>9. Appeals against decisions of the Headteacher or Staffing Committee</b>	<ul style="list-style-type: none"> <li>• To hear an appeal against a decision which has resulted in a disciplinary or other warning or the termination of employment of a member of staff on the grounds of either misconduct, performance capability, ill health capability or redundancy.</li> <li>• To consider any appeals against a decision about matters relating to staff grievances or pay.</li> </ul>	Appeals Committee	<ul style="list-style-type: none"> <li>• The Appeal Committee should consist of three trustees who have not been involved in any previous action or decision connected with the matter</li> <li>• Where there are insufficient trustees available the appeal may be heard by two trustees, but there should be no fewer than the number that made the initial decision. Given unavoidable attendance difficulties at times, the identification of a pool of trustees greater than the minimum required is advised, stipulating how they will be selected (eg alphabetically or in number order)</li> <li>• In the case of appeals against pay decisions, no employee of the school (other than the Headteacher) can be a member of the Appeal Committee.</li> </ul>

