



## DELEGATION FRAMEWORK

### Signatories

I declare that I have read, understood and agree with the contents of this delegation framework (December 2019 update).

School Name.....South Shore academy.....

| Role                              | Name          | Signature   |
|-----------------------------------|---------------|---|
| Chair of the Local Governing Body | Jill Baker    |    |
| Principal/Head of School          | NEIL REYNOLDS |  |

Date of Implementation.....03 February 2020.....

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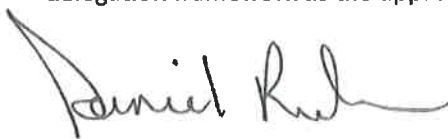
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## Forward

This document details the framework for effective governance at Bright Futures Educational Trust (BFET). By BFET we mean all of the academies sponsored by 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 2019 updated delegation framework as the appropriate approach to governance for BFET.



**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, BFET is mindful of the DfE's guidance contained within their Governance Handbook (March 2019) 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 is the body accountable for the overall performance of the Trust. The Board ensures compliance, signs off the Annual Accounts and is accountable for adhering to the Funding Agreement.

### 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.

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, regularity and propriety.

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 LGB on the overall performance of the school, progress of pupils and any other matters delegated to them.

#### **6. Executive Team**

The Executive team comprises of 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/SIB should also provide strong support and challenge to the Academy leadership team.

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 Academies 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 BFET 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   |  | Articles of Association                  |
| Appoint/agree role descriptions and Remove Trustees               | Members   |  |  |
| 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 descriptions/ Suspend/Dismiss Chair of LGBs    | Chair of the Board of Trustees  | CEO<br>Principal*                                  | LGB Terms Of Reference                   |
| Appoint Clerks to the LGBs  | Members of Executive Team   | LGB Chair<br>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                                     |  |
| Approve and Review Terms of Reference for Trust Board Committees  | Board of Trustees   | Executive Team                                     |  |
| Approve and Review Terms of Reference for LGBs and sub-committees | LGB chair   | Executive Team<br>Principal*<br>LGB Chair          |  |
| Appoint Governors to the LGBs and LGB Sub-committees              | LGB Chair   | Principal*<br>Executive team                       | LGB Terms Of Reference                   |
| Suspend or Dismiss Governors to the LGB and LGB Sub-Committees    | LGB Chair   | Principal*<br>Executive Team                       | LGB Terms Of Reference                   |
| Approve Trust-wide Policies                                       | Executive Team (note a small number eg Procurement need Trustee approval) | Principal*<br>Unions for some staff policies       |  |

| Decision/Activity   | Accountable for the decision                          | Provide advice or input into the decision      | Reference Policies or Relevant Documents |
|---|---|--|--|
| Monitor Use and Implementation of all Trust Policies  | Executive Team  | Principal*                                     |  |
| Approve and Review School Specific Policies   | LGB   | Principal*                                     |  |
| 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*<br>(To Trustees for information)    |  |
| <b>Budget and Finance</b>   |   |  |  |
| Approve Individual School Budgets for each Academic Year  | Board of Trustees                                     | Chief Operating Officer (COO)/ Principal*/LGBs |  |
| Determine the proportion of the Academies budget that will be a management fee for central services                       | Board of Trustees                                     | CEO, COO                                       | Finance handbook                         |
| Agree Individual School Finance Plans for each Academic Year in line with approved Budget and the school development plan | LGB   | Principal*<br>Executive Team                   | BFET Strategy                            |
| Monitor Expenditure of Individual School against agreed Finance Plan  | LGB   | Principal*                                     | Charging and Remissions Policy           |
| Determine where any additional funding/income received by the school during the year, can be spent                        | COO   | LGB<br>Principal*                              |  |
| Approve/Review Trust Financial Handbook   | Board of Trustees delegated to Audit & Risk Committee | Exec Team<br>Principal*<br>LGB Chairs          |  |
| Approve/Review Procurement Policy   | Board of Trustees delegated to Audit & Risk Committee | Exec Team<br>Principal* LGB Chairs             |  |

| Decision/Activity  | Accountable for the decision   | Provide advice or input into the decision             | Reference Policies or Relevant Documents |
|--|--|---|--|
| Enter into/renew contracts or approve spend of up to £999                                  | COO or Financial Controller (Trust wide contracts)<br>Principal* (school specific) if budgeted for | Financial Controller                                  | Procurement Policy                       |
| Enter into/renew contracts or approve spend between £1,000 - £4,900                        | COO or Financial Controller (Trust wide contracts)<br>Principal* (school specific) if budgeted for | Financial Controller                                  | Finance handbook                         |
| Enter into/renew contracts or approve spend between £5,000 - £9,999                        | COO or Financial Controller (Trust wide contracts)<br>Principal* (school specific) if budgeted for | Financial Controller                                  |  |
| Enter into/renew contracts or approve spend between £10,000 - £39,900 (previously £20,000) | COO with CEO approval  | Principal* (school specific)/<br>Financial Controller |  |
| Enter into/renew contracts or approve spend between £40,000 - £79,900                      | Audit & Risk Committee   | COO<br>Principal*                                     |  |
| Enter into/renew contracts or approve spend over £80,000                                   | Board of Trustees (All contracts)  | Audit & Risk Committee<br>Exec Team<br>Principal*     |  |
| Open up a new bank account for a school or head office                                     | Board of Trustees  | COO   |  |
| Approve/Review Trust Risk Register   | Board of Trustees<br>Delegated to Audit & Risk Committee   | Audit & Risk Committee<br>Exec Team<br>Principal*     |  |
| Approve/Review Academy Risk Register   | LGB  | Principal*<br>Exec Team                               |  |
| Appointment and removal of External Auditors   | Members  | Board of Trustees                                     | ESFA Academies Financial handbook        |
| Appointment and dismissal of Internal Auditors   | Audit & Risk Committee   | COO   |  |

**Education and Standards**

| <b>Decision/Activity</b>   | <b>Accountable for the decision</b>                                   | <b>Provide advice or input into the decision</b>  | <b>Reference Policies or Relevant Documents</b>   |
|--|---|---|---|
| Determine the Academy's curriculum   | Principal*  | Director of Education<br>Executive Team – (e.g. if finance/HR impact)<br>Parents/Carers | National Curriculum   |
| Determine the Academy's development plan and monitor progress  | Principal*  | Director of Education<br>LGB<br>Parents/Carers  |   |
| Monitor pupil progress and attainment, including specific groups e.g. pupil premium  | Principal*  | Director of Education<br>LGB<br>Parents/Carers  |   |
| Determine and consult where necessary to issue to the LA, in accordance with statutory requirements and timeliness the academy's admissions policy (BFET is the admissions authority and delegates this responsibility to the LGB) | LGB   | Principal*<br>Executive Team  | DFE statutory guidance<br>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<br>LGB<br>Principal*<br>Executive Team<br>Trustees<br>Parents/Carers    | DFE Advice: Making significant changes to an open academy and closure by mutual agreement |
| Admissions decisions and appeals   | LGB   | Principal*<br>Executive Team  |   |
| Academy opening times, term dates and inset days   | LGB   | Principal*<br>Executive Team<br>Parents/Carers  | DFE Guidance  |



| Decision/Activity  | Accountable for the decision   | Provide advice or input into the decision            | Reference Policies or Relevant Documents   |
|--|--|--|--|
| Complaints   | Stage 1 and 2 Principal<br>Stage 3 Chair of LGB<br>Stage 4 Appeal panel comprising of two LGB members and one BFET representative                          | Executive team                                       | BFET Complaints policy   |
| Exclusions   | Stage 1 Principal (or deputy for fixed term only)<br>Stage 2 Appeal LGB<br>Stage 3 independent review panel –made up of independent BFET leaders/governors | Executive team                                       | BFET 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<br>Appoint a governor with specific responsibility for safeguarding as per the Trust's Child Protection and Safeguarding Policy.<br>Provide appropriate monitoring of policy application and training. | Principal*<br><br>LGB  | Chair of the Trust's DSL group LGB<br><br>Principal* | Child Protection and Safeguarding Policy<br><br>Statutory Guidance- Keeping Children Safe in Education |
| Appoint a trustee with specific responsibility for safeguarding as per the Trust's Child Protection and Safeguarding Policy.   | Board of Trustees  | CEO  |  |
| Provide appropriate monitoring and training  |  |  |  |
| Determine a Trust wide Health and Safety Policy and template procedures for schools  | CEO  | Exec team<br>Principals*                             | Health and Safety at Work Act and associated regulations   |
| Appoint the Principal/Head of school as the designated Health and Safety member of staff with overall responsibility in the Academy  | LGB  | Exec Team<br>Principal*                              |  |

|   |            |                         |  |
|---|------------|-------------------------|--|
| Monitor compliance in their school with Health and Safety regulations and report to the Exec Team | LGB        | Principal*              | Trust's Health and Safety Policy and School's Staff Handbook |
| Monitor compliance in all schools with Health and Safety regulations and report to the Trustees   | CEO        | Principal*<br>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 & Strategy<br><br>Director of Education                      |  |
| Appointment of Academy Senior Staff (Assistant VP and above)                             | CEO or Director of Education (depends on reporting line) | LGB (appointments & appraisals only)<br>Principal*<br>LGB<br>Executive Team |  |
| Dismissal of Academy Senior Staff (Assistant VP and above)                               | Principal* (from a different BFET school)                | Director of HR & Strategy   |  |
| Appointment/appraisals of all Academy Staff below Assistant Vice Principal               | Principal*   | LGB   | Trust's relevant staff policies          |
| Dismissal of all Academy Staff below Assistant Vice Principal                            | Principal*   | Director of HR & Strategy   |  |
| Appointment /Appraisals of Trust Directors (Executive Team) and Data Protection Officer  | CEO or COO, depending upon reporting line                | Principals*<br>Board of Trustees  |  |
| Appointment/Appraisal of Director of HR and Strategy, Finance Managers and Finance staff | COO  | Principals*   |  |

| Decision/Activity  | Accountable for the decision  | Provide advice or input into the decision  | Reference Policies or Relevant Documents                  |
|--|---|--|---|
| Dismissal of any Finance Staff or Director of HR and Strategy                                | COO except for Director of HR and Strategy and Financial Controller—CEO | Director of HR & Strategy<br>Or External consultant/legal input                        |   |
| Determine Academy non-Leadership Staffing Structure as part of the budget approval process   | Principal*  | LGB<br>Executive team  |   |
| Agreed Academy Leadership Structure  | CEO or Director of Education (depending upon reporting line)            | Principal*<br>LGB<br>Executive team  |   |
| Approve changes to staffing structures at all levels (except for like for like appointments) | COO   | Principal*<br>Director of HR & Strategy  |   |
| Principals* Pay  | CEO   | Director of HR & Strategy<br>Director of Education<br>COO                              | Trust's School leaders and teachers 'Pay policy           |
| Approval of Central Team remuneration (except COO and Director of Education)                 | CEO   | Director of HR & Strategy<br>COO   | Leadership (non-school) Appraisal and remuneration policy |
| Pay of all school staff (excluding the principal*)   | LGB   | Principal  | Trust's School leaders and teachers 'Pay policy           |
| 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 & terms and conditions)                    | Remuneration Committee of the Board of Trustees                         | CEO (recommends)<br>Director of HR & Strategy (advice)/external consultant if required | Leadership (non-school) Appraisal and remuneration policy |
| COO and Director of Education's appraisal  | CEO   | Director of HR & Strategy (advice)/external consultant if required                     | Leadership (non-school) Appraisal and remuneration policy |

**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*<br>Hub Facilities Manager      | Trust's Procurement Policy                         |
|   | COO                          | Principal*<br>Hub Facilities Manager      |  |
| Appointment and Determination of Academy Cleaning and Catering Contractors/Contracts (trust wide contract)  | COO                          | Principal*<br>Hub Facilities Manager      | Trust's Procurement Policy                         |
| Appointment and Determination of Academy PPM Contractors/Contracts  | Hub Facilities Manager       | Principal*<br>COO                         |  |
| Contract Administrator of all Premise/Facilities related Services Contracts   | Hub Facilities Manager       | Principal*<br>COO                         |  |
| Contract Administrator of PFI Contracts (Post Construction)   | Hub Facilities Manager       | Principal*<br>COO                         |  |
| Standardisation of all Statutory assessment across the Trust – legionella, fire, asbestos and statutory compliance and Health and Safety Risk Insurance audits. | COO                          | Principal*<br>Hub Facilities Manager      | Health and Safety Policy and statutory regulations |
| Annual Inspection Auditing of School performance in FM matters  | Hub Facilities Manager       | Executive Team<br>LGB                     |  |
| Regular Reporting of all FM service matters at Trust level  | Principal*                   | LGB<br>Exec team                          |  |
| Management of Trust Capital Funding   | COO                          | Principal*<br>LGB                         | Schools Condition Funding Agreement                |

| Decision/Activity   | Accountable for the decision | Provide advice or input into the decision          | Reference Policies or Relevant Documents |
|---|------------------------------|--|--|
| Project Management for Capital Improvement Works                                    | Hub Facilities Manager       | COO<br>Principal*                                  |  |
| Approval of any structural works or change of use of the existing school buildings. | CEO                          | Principal*<br>COO<br>Hub Facilities Manager<br>LGB | Schools Condition Funding Agreement      |
| Approval of any new rental or leased building proposal for all schools              | CEO                          | Principal*<br>COO<br>Hub Facilities Manager<br>LGB | Schools Condition Funding Agreement      |

