



Scheme of Delegation

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Wynstones Council Scheme of Delegation

Introduction

Wynstones' Council of trustees is accountable in law for all decisions about the school. However, this does not mean that the full board is required to make all the decisions itself. Many decisions can be delegated to the principal, board committees and individual trustees. It is vital that the decision to delegate a function is made by the full board of trustees and is recorded. Without such formal delegation, the individual or committee has no power to act.

The SoD will be reviewed annually, with revisions made as the context changes, if necessary, each year. This is not a failure, but recognition of the need to be responsive to changing circumstances and to adapt accordingly. It is, however, important to ensure that all involved in governance are made aware of any changes and what these mean in practice.

The purpose of scheme of delegation

A scheme of delegation (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, committees and individuals are clear about who has responsibility for making which decisions in the school.

Deciding what to retain at trustee level and what to delegate is not set out in the articles of association, the school's governing document. It falls to the trustees to define a SoD that explicitly establishes who makes which decisions, and to ensure this is clear to all. A detailed yet clear SoD can help prevent confusion from arising before any misunderstanding arises.

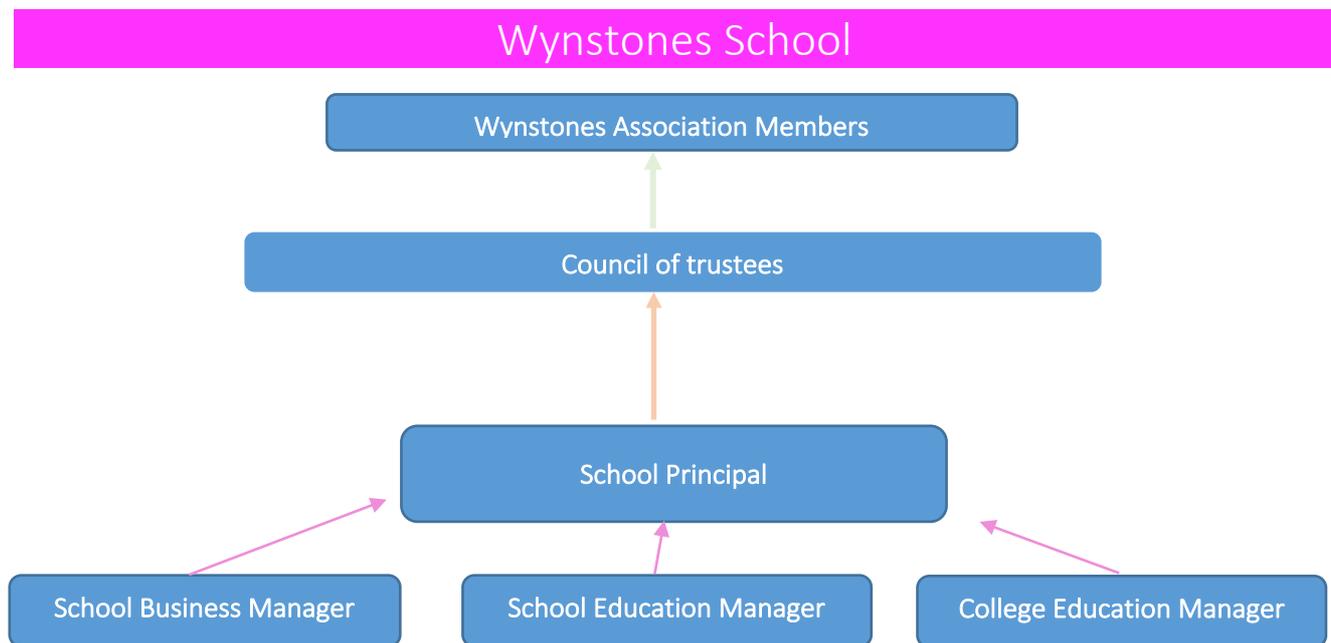
Format, structure and clarity

This document aims to clarify decision making and lines of accountability in a simple, succinct and clear format. It includes:

- A short paragraph of text which outlines the structure
- A structure diagram which shows the layers of governance and reporting structures
- Details on roles and responsibilities
- A grid format, with columns for each layer of governance which enables stakeholders to quickly determine who has the power to take which decisions within the school. The grid is in four key areas to reflect both the governance framework and the three core functions of the governing board:
 1. The governance framework:
 - a. People
 - b. Systems and structures
 - c. Reporting
 2. Being strategic
 3. Holding to account
 4. Ensuring financial probity

This scheme sets out to:

- Ensure the school leadership is clear about which decisions the council remain in control of
- Ensure that the role of the principal is fully understood
- Promote a culture of honesty and accountability
- Identify responsibility for the appointment and performance management of the principal
- Identify responsibility for policy and practice in the school
- Identify responsibility for oversight of the school's budget
- Identify responsibility for assessment of risk in the school
- Identify responsibility for oversight of educational performance in the school



Governance structure and lines of accountability

The school council of trustees delegate responsibility for the day to day running of the school to the principal. The trustee board will hold the principal to account for the performance of the school. The principal 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 principal will report to the board on the performance of the school, although this will be supplemented by the monitoring of board committees, sub-groups and individual trustees with any delegated responsibilities.

The principal is performance managed by the council.

Roles and responsibilities

The role of the members

The members of the Wynstones Association have the responsibility to elect trustees. The articles of association describe the requirements for membership, and how many trustees the members can elect to the council. The members appoint trustees to ensure that the school's charitable objects are carried out and so must be able to remove trustees if they fail to fulfil this responsibility. Accordingly, the council submits an annual report on the performance of the school to the members. Members are also responsible for approving any amendments made to the school's articles of association.

The role of the trustees

The school is run by Wynstones Limited which 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 terms 'trustees' and 'directors' are often used interchangeably. This document uses the term trustee.

The council of trustees is responsible for the general control and management of the administration of the school, and in accordance with the provisions set out in the memorandum and articles of association. It is legally responsible and accountable for all statutory functions and for the performance of the school. In addition, it must carry out the three core governance functions:

1. Ensure clarity of vision, ethos and strategic direction
2. Hold the management to account for the educational performance of the school and their pupils, and the performance management of staff
3. Oversee the financial performance of the school and make sure its money is well spent

The board of trustees has the right to review and adapt its governance structure at any time which includes removing delegation.

The role of council committees

The trustees may establish committees to carry out some of its governance functions which may include making decisions, although any decisions made will be deemed decisions of the council. The membership (there must be at least three trustees) and responsibilities of board committees are set out in the committees' terms of reference. It is usual for the council to appoint board committee chairs and committee members according to their skills.

In addition, the trustees have established a number of sub-groups to better carry out detailed oversight of specific areas. These sub-groups differ from committees in that they generally do not carry any delegated authority and simply report their findings to council. The exception is that they currently have authority to approve the relevant school policies as defined in their terms of reference.

The role of the school principal

The principal has the delegated responsibility for the operation of the school.

The principal has overall responsibility for the operation of the school's financial responsibilities and must ensure that the organisation is run with financial effectiveness and stability; avoiding waste and securing value for money.

The principal leads the school management team (SMT) of the school. The principal will delegate management functions to the SMT and is accountable to the council for the performance of the SMT.

Key	
Level 1: Members	
Level 2: School council of trustees	
Level 3: Board Committee	
Level 4: Individual trustee	
Level 5: School Principal	
Blue box	Function cannot be carried out at this level.
✓	Action to be undertaken at this level
A	Provide advice and support to those accountable for decision making
<>	Direction of advice and support

Area	Decision	Delegation				
		Members	Council	Committee	Individual trustee	School Principal
Governance framework						
People	Members: Approve/Remove		✓			
	Trustees: Appoint/Remove	✓	✓			
	Role descriptions for trustees/chair/ specific roles/committee members: agree		✓	<A		
	Chair and Vice-chair: elect		✓		✓	
	Committee chairs: appoint and remove		✓	<A		
	Clerk to board: appoint and remove		✓			
Systems and structures	Articles of association: agree and review	✓	<A	<A		
	Governance structure (committees) for the school: establish and review annually		✓	<A		
	Terms of reference for school committees (including audit if required, and scheme of delegation): agree annually		✓	<A		
	Skills audit: complete and recruit to fill gaps		✓			
	Annual self-review of council and committee performance: complete annually		✓	✓		
	Chair's performance: carry out 360 review periodically		✓			
	Trustee contribution: review annually		✓			
	Succession: plan		✓	<A		
	Annual schedule of business for council: agree		✓	<A		<A

Area	Decision	Delegation				
		Members	Council	Committee	Individual trustee	School Principal
Reporting						
Reporting	School governance details on school website: ensure		✓	<A	<A	<A
	Register of all interests, business, pecuniary, loyalty for trustees: establish and publish		✓	<A	<A	
	Annual report on performance of the school: submit to members and publish		✓	<A		
	Annual report and accounts including accounting policies, signed statement on regularity, propriety and compliance, incorporating governance statement demonstrating value for money: submit		✓	<A		
	Overall responsibility for ensuring that statutory requirements for information published on the school website, including required details of governance arrangements, performance, financial and equality data are met		✓	<A	<A	<A
Being Strategic						
Being Strategic	Determine school policies which reflect the school's ethos and values including: admissions; expenses; data protection and FOI; SEN, safeguarding and child protection and curriculum, : approve		A>	✓		<A
	Determine school staffing policies which reflect the school's ethos and values including appraisal, capability, discipline, conduct and grievance: approve		A>	✓		<A
	Determine school procedure for complaints. Establish Complaints panel		✓	<A		
	Determine school policy for health and safety, accessibility plan, premises management, data protection and FOI: approve		A>	✓		<A

Area	Decision	Delegation				
		Members	Council	Committee	Individual trustee	School Principal
	Establish school policy for sex education, careers guidance			✓		<A
	Determine a behaviour and discipline policy that promotes good behaviour among pupils and defines the sanctions to be adopted where pupils misbehave		A>	✓		<A
	To draft content of school behaviour policy and publicise it to staff, students and parents.					✓
	Ensure a broad and balanced curriculum is in place		✓	<A		<A
	To set the times of school sessions and the dates of school terms and holidays		A>			✓
	Agree enrichment/extra-curricular offer including any additional services required					✓
	To establish and agree a Pay policy		A>	✓		
	Management of risk: establish register, review and monitor		✓	<A	✓	<A
	Engagement with stakeholders	✓	✓	✓	✓	✓
	School's vision and strategy, agreeing key priorities and key performance indicators (KPIs) against which progress towards achieving the vision can be measured: determine		✓	<A		<A
	Principal: Appoint and dismiss		✓			
	Budget plan to support delivery of key priorities: agree		✓	<A		
	School staffing structure: agree		A>	A>		✓
	Appoint teaching staff		A>	A>		✓

Area	Decision	Delegation				
		Members	Council	Committee	Individual trustee	School Principal
	Appoint non-teaching staff					✓
Holding to account						
Holding to account	Auditing and reporting arrangements for matters of compliance (including safeguarding, Health and Safety, employment, data protection, Equalities Act): agree		✓	<A	<A	<A
	To produce and maintain a central record of recruitment and vetting checks			A>		✓
	To ensure safer recruitment procedures are being applied		✓			✓
	Implementation of Child Protection policy: ensure		✓			
	Designated Safeguarding Lead: appoint		A>			✓
	To have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the <i>Prevent</i> duty into the child protection policy		✓	<A	<A	<A
	Reporting arrangements for progress on key priorities: agree		✓	✓		<A
	Performance management of the Principal: undertake		✓			
	Performance management of staff: undertake					✓

Area	Decision	Delegation				
		Members	Council	Committee	Individual trustee	School Principal
	Establish and review procedures for addressing staff discipline, conduct and grievance		✓	✓		
	Trustee monitoring: agree arrangements		✓	<A		
	To ensure that health and safety regulations are followed					✓
	Maintain a register of pupil attendance					✓
Ensuring financial probity						
Ensuring Financial Probity	School's scheme of financial delegation: establish and review		✓	<A	<A	<A
	Appointment of statutory auditor	✓	<A	<A		
	External auditors' report: receive and respond		✓	<A		<A
	Principal pay award: agree		✓			
	Staff appraisal procedure and pay progression: monitor and agree		✓	<A		<A
	Benchmarking and school value for money: ensure robustness		✓	<A		
	To approve the first formal budget plan each financial year		✓	<A		<A
	To establish and agree finance policy		✓	<A		
	Buildings insurance and personal liability		✓			