

MARK RUTHERFORD SCHOOL TRUST SCHEME OF DELEGATION OF BOARD AUTHORITY

**Approved by the Board :- 10 December 2024
Date for next scheduled review :- September 2025**

Purpose of this document

Mark Rutherford School's Scheme of Delegation is a reference document showing what authority the Board of Governors¹ ("the Board") has delegated to committees and to the Headteacher under the powers set out in the Trust's Articles of Association. It indicates the general conditions that apply to such delegations, and where further details of specific delegations may be found.

The Scheme of Delegation empowers and enables timely and effective action by Governors and staff working in partnership for the benefit of the school and its students. It ensures an appropriate level of delegation from the Board so that there is effective input into decision-making and clear accountability for delivery. It also ensures that Governors are able to fulfil their legal and constitutional duties, through levers which enable them to delegate, monitor and if necessary, withdraw the delegated authority if it is considered in the interests of the Trust and its beneficiaries.

Delegation to committees, and use of working groups

The Board may choose to delegate authority to committees of the Board set up for particular purposes. The purpose, scope and nature of any such delegation, and the membership of the committee, are set out in the Terms of Reference for each committee as determined by the Board. Each committee is accountable to the Board for the exercise of its functions, and should report back to the Board on its activities so that these can formally be noted by the Board. The committee in receipt of delegated authority may not delegate further – for example to another person or body.

The Board may from time to time also convene working groups, comprising Governors and others, to help progress specific issues. Such working groups do not have any delegated authority from the Board; whilst they may make recommendations, decisions arising from matters considered in the working group can only be made by the Board itself.

Delegation to the Headteacher

¹ Also referred to as the Full Governing Board

Where matters are referred to in the attached Scheme as being delegated to the Headteacher, this empowers the Headteacher to delegate further to staff (except where indicated). In these instances, the Headteacher remains accountable to the Board for exercise of the powers delegated.

Delegation to the Chair (or Vice-Chair) of Trustees

In relation to any function of the Board, the Chair has the power to take such action as considered appropriate provided that delaying action would be seriously detrimental to the interests of the Trust, and a meeting of the Board (or the relevant Committee) cannot be held until after the decision or action must be taken. The Vice-Chair may exercise the same powers (in the same circumstances) if the Chair is unavailable. All decisions and actions taken under these powers must be reported to the next meeting of the Board.

Delegation to individual Governors

The Board may also delegate authority to individual Governors. This could involve delegation of a specific task (for example as a one-off action following a meeting), or an ongoing role (for example in connection with a link role for a particular curriculum area). The terms of each such delegation must be agreed by the Board and recorded in the minutes of the relevant Board meeting.

General conditions and restrictions related to delegation.

Where the Board has delegated authority to another body or person (including a Committee or the Headteacher) it may direct the body or person in relation to the exercise of that authority and may oblige the relevant body or person to comply with those directions.

In exercising any delegated authority, the relevant body or person must give effect to any resolution of the Board in relation to matters of principle or policy and comply with any direction given by the Board. In cases of doubt or difficulty, the relevant person or body must submit its decision to the Board as a recommendation for consideration by the Board.

Notwithstanding any delegation of authority, the Board may require any matter that is still under consideration to be referred to the Board for a decision.

Where matters arise involving significant risk to the Trust, but not defined in this document, these should be referred to the Board.

Reserved matters, and revocation of delegations

Where matters are not specified as delegated, they are reserved to the Board. The Board is not entitled to give away any of its authority permanently and retains the right to revoke, at its sole discretion, any or all of the powers it delegates if, for example, the Board is concerned that:

- delegated powers are not being used effectively;
- the use of delegated powers is damaging the interests or reputation of the Trust; or
- delegated powers are being used against the letter or spirit of the Trust's agreed policies and procedures.

Implementation

This Scheme of Delegation provides a high level framework for decision-making and action but it is not exhaustive. There will be instances where it is not clear by whom an issue should be decided, or differences arise. In such cases, the Board expects all parties to work constructively together to arrive at timely, clear pragmatic solutions within the spirit of our values, our strategy, and Code of Conduct, to maximise the positive impact of our work. This Scheme of Delegation also indicates the key sources of advice to the Board to assist the exercise of its functions.

Related documents

This Scheme of Delegation provides an overview of key responsibilities. It should be read alongside the Trust's Articles of Association and the terms of reference for the Committees of the Board including:-

- Curriculum and Standards Committee (C&S)
- Finance, Premises, Health and Safety, Audit, Scrutiny and Risk (FPHASR)
- Personnel, Pay and Performance (PPP)
- Pay Decisions Committee
- Discipline (Exclusions) Committee (Discipline)

Reviews of the scheme of delegation

This policy will be regularly updated to ensure that it reflects any changes to delegations agreed by the Board.

The policy will be subject to a formal review at the first meeting of the Full Governing Board at its first meeting of each academic year.

Key to table

- * Indicates responsibility set out in the Articles of Association

Functional Area	Member responsibilities	Board of Governors responsibilities	Committee responsibilities	Headteacher responsibilities
Admissions		Agrees the school's admission arrangements (annual)	Monitors admission forecasts and outcomes, and agrees actions required in response (FPHASR, C&S)	Liaises with Bedford Borough on the operation of admissions and admissions appeals Publishes the admissions policy on the school website by Bedford Borough deadline
Behaviour, attendance and exclusions		Receives regular reports on behaviour, attendance and exclusions	Agrees relevant policies (as delegated by Board) (C&S) Monitors behaviour and attendance at the school, and the effectiveness of improvement actions taken (C&S) Reviews relevant decisions to exclude or suspend students, in line with DfE statutory guidance (Discipline)	Implements the agreed policies on behaviour, attendance and exclusions Reports regularly to Governors on performance Proposes changes and improvements to policies as required Ensures that relevant statutory obligations are adhered to
Curriculum, Teaching and Learning		Receives regular reports on curriculum, teaching, and learning	Agrees the school's curriculum (C&S) Agrees targets for student outcomes (C&S) Monitors educational progress and performance, including against relevant external benchmarks (C&S) Receives regular reports on the standards of teaching and learning, and monitors progress on improvement (C&S) Agrees relevant policies (as delegated by Board) (C&S)	Proposes the curriculum for the school Ensures that the curriculum meets relevant statutory and funding obligations Ensures that the curriculum meets the needs of the students and is financially viable, sustainable and supports the school's vision

Functional Area	Member responsibilities	Board of Governors responsibilities	Committee responsibilities	Headteacher responsibilities
Estates			<p>Agrees the Trust's estates management plan, setting out the vision, strategy and asset management plan (FPHASR)</p> <p>Monitors implementation of the estates management plan (FPHASR)</p> <p>Agrees relevant policies (as delegated by Board) (FPHASR)</p>	<p>Prepares the estates management plan for agreement</p> <p>Implements the estates management plan</p> <p>Reports to Governors on progress in delivery of the plan</p>
Financial management, budget and resourcing	<p>Appoints and removes external auditors</p> <p>Receives external auditors' report</p> <p>Receives annual report and accounts</p>	<p>Appoints the Accounting Officer and the Chief Financial Officer</p> <p>Agrees the annual budget and budget forecast</p> <p>Agrees the annual report and accounts</p> <p>Monitors the financial position of the trust</p>	<p>Agrees financial delegations (FPHASR)</p> <p>Reviews the proposed annual budget and budget forecast (FPHASR)</p> <p>Monitors the financial position of the trust, and performance against budget (FPHASR)</p> <p>Reviews the draft annual report and accounts, and auditor's findings (FPHASR)</p> <p>Agrees spending and budget virements in excess of delegated limits (FPHASR)</p> <p>Agrees the annual programme of internal scrutiny, and agrees actions arising (FPHASR)</p> <p>Agrees relevant policies (as delegated by Board) (FPHASR)</p>	<p>Fulfils the duties and responsibilities of the Accounting Officer</p> <p>Proposes the annual budget and budget forecast for approval</p> <p>Implements process for management of receipts and expenditure, in line with agreed policies</p> <p>Prepares monthly management accounts covering actual and forecast income and expenditure</p> <p>Determines the charges for lettings of school facilities</p>
Governance	<p>Appoints and removes Members*</p>	<p>Appoints and removes Governors*</p> <p>Elects a Chair and Vice Chair*</p>	<p>Appoints the Chair and Vice Chair of the Committee</p>	<p>Arranges elections for parent / carer Governors as required, and acts as returning officer</p>

Functional Area	Member responsibilities	Board of Governors responsibilities	Committee responsibilities	Headteacher responsibilities
	Appoints and removes Governors*	<p>Appoints a Clerk*</p> <p>Agrees the constitution, membership, and terms of reference of Committees*</p> <p>Agrees the delegation of policies to each Committee</p> <p>Agrees the Scheme of Delegation</p> <p>Maintains a published register of interests covering Governors and Members</p> <p>Agrees the Governor Code of Conduct and relevant Governance Code applicable to the Board</p> <p>Appoints Governors to prescribed link roles (safeguarding, careers, SEND etc)</p> <p>Ensures that Governors undertake the learning and development required for them to be effective in their roles</p> <p>Agrees process for reviewing Board effectiveness</p>		<p>Supports the recruitment of new Governors</p> <p>Supports the induction and development of Governors, for example through facilitating governor visits to the school</p>
Health and safety		Receives regular reports on health and safety	Receives regular reports on any H&S incidents (FPHASR)	Ensures that the school's premises are maintained in a safe working condition, and mitigations are in place for key H&S risks

Functional Area	Member responsibilities	Board of Governors responsibilities	Committee responsibilities	Headteacher responsibilities
			<p>Monitors H&S risks and the effectiveness of mitigating actions (FPHASR)</p> <p>Agrees relevant policies (as delegated by Board) (FPHASR)</p>	<p>Reports regularly to Governors on H&S incidents</p>
Parents and the community		<p>Agrees the school's complaints policy</p> <p>Convenes a governor panel to consider formal complaints as required</p>	<p>Monitors complaints received and action taken in response (C&S)</p>	<p>Implements agreed complaints procedure, reporting regularly to Governors</p> <p>Makes sure the required information is published on the school website</p>
Special educational needs and disabilities (SEND)		<p>Receives regular reports on matters related to SEND</p>	<p>Monitors the quality and effectiveness of the school's provision for students with SEND (C&S)</p> <p>Agrees relevant policies (as delegated by Board) (C&S)</p>	<p>Ensures that the necessary provisions are made for any student with an EHCP</p> <p>Ensures that the school follows the statutory SEND Code of Practice</p> <p>Implements agreed policies relating to SEND, and reports regularly to Governors on progress</p>
Staffing		<p>Appoints the Headteacher</p> <p>Dismisses the Headteacher, if required</p> <p>Appoints the Deputy Headteacher(s)</p> <p>Appoints the Chief Financial Officer</p> <p>Receives regular reports on staffing matters</p>	<p>Performs manages the Headteacher, and agrees HT pay award (PPP)</p> <p>Agrees the staffing structure of the Trust, including the senior leadership team (PPP)</p> <p>Agrees staff appraisal procedure and monitors implementation (PPP)</p> <p>Agrees staff pay policy, terms and conditions of employment (PPP)</p>	<p>Recruits and appoints to other posts in Senior Leadership Team</p> <p>Recruits and appoints teaching and non-teaching staff</p> <p>Implements the agreed performance development policy, and other agreed staffing policies (disciplinary, capability etc)</p> <p>Makes recommendations on incremental pay increases for teachers</p>

Functional Area	Member responsibilities	Board of Governors responsibilities	Committee responsibilities	Headteacher responsibilities
		Convenes a Governor panel to consider appeals by staff as required	<p>Agrees disciplinary and capability processes and monitors implementation (PPP)</p> <p>Agrees ex gratia exit payments, early retirement, pension discretion (PPP)</p> <p>Reviews pay decision data (PPP)</p> <p>Monitors staff wellbeing and attendance (PPP)</p> <p>Agrees other relevant policies (as delegated by Board) (PPP)</p> <p>Decides on incremental pay increases for teachers, in line with agreed policies (PRC)</p>	<p>Decides on any variation of terms and conditions within the scope of any relevant policies</p> <p>Ensures the provision of continuing professional development for staff</p>
Student welfare and safeguarding		<p>Ensures that all Governors have undertaken safeguarding training</p> <p>Receives regular reports on the effectiveness of safeguarding procedures, and any safeguarding incidents</p>	<p>Monitors the impact of pupil premium funding (C&S)</p> <p>Agrees pastoral and welfare support provision for students, monitor its effectiveness (C&S)</p> <p>Monitors any security incidents (FPHASR)</p> <p>Agrees relevant policies (as delegated by Board) (C&S)</p>	<p>Implements safeguarding procedures in line with the agreed policy, reporting to Governors on their effectiveness</p> <p>Appoints a member of staff to be the school's designated safeguarding lead</p>
Vision, strategy, and stakeholders		<p>Determines the Trust's vision, strategy and key priorities / targets</p> <p>Agrees the school's improvement plan</p>	<p>Monitors risks, and effectiveness of risk management policy and processes (FPHASR)</p> <p>Monitors progress against improvement plan, for any aspects falling within the scope of the</p>	<p>Supports the Board in developing the Trust's vision, strategy, and key priorities</p>

Functional Area	Member responsibilities	Board of Governors responsibilities	Committee responsibilities	Headteacher responsibilities
		<p>Monitors progress against the strategy and the improvement plan</p> <p>Establishes a risk register and ensures that key risks are kept under review</p> <p>Ensures engagement with key stakeholders</p>	<p>committee's terms of reference (C&S, FPHASR, PPP)</p>	<p>Develops and implements the school's improvement plan, reporting regularly on progress</p> <p>Monitors new risks and issues, and ensure that these are included in the risk register as appropriate and mitigations identified</p>