

**LADY MARGARET SCHOOL**

**SCHEME OF DELEGATION**

**COMMITTEE STRUCTURE**

**AND TERMS OF REFERENCE**



**AUTUMN 2018**

**ADOPTED ON .....**

**SIGNED .....** Chair of the Governing Body

# LADY MARGARET SCHOOL GOVERNING BODY

## *SCHEME OF DELEGATION*

1. This scheme of delegation is made pursuant to Articles 102 and 104 of the Articles of Association of Lady Margaret School and has effect subject to the provisions of the Articles.
2. The following Standing Committees are established to exercise on behalf of the Governing Body the functions referred to in the Terms of Reference contained in Annexes A, B, C and D to this Scheme respectively:

- (1) Finance and Resources Committee
- (2) Curriculum Committee
- (3) Staffing and General Purposes Committee
- (4) Admissions Committee

The Chair of Governors and the Chair of the Finance and Resources Committee shall be ex officio members of the Staffing and General Purposes Committee and of the Curriculum Committee. The Chair of Governors shall be an ex officio member of the Admissions Committee

3. The following Occasional Committees are established to exercise the functions set out in Annexes E, F, G, H, I and J to this Scheme respectively:
  - (1) Pupil Discipline Committee
  - (2) Staff Discipline Committee
  - (3) Staff Discipline Appeal Committee
  - (4) Staff Committee
  - (5) Staff Appeal Committee
  - (6) Complaints Committee
4. No person shall sit on an appeal committee if he or she was party to the decision under appeal.
5. The powers set out in Annexe K to this Scheme are delegated to the Headteacher.
6. The Chair and, in his or her absence, the Vice-Chair of the Governing Body may exercise any function of the Governing Body in circumstances where a delay in exercising that function would be likely to be seriously detrimental to the interests of the School, or to the interests of any registered pupil at the School, or her parent, or a person employed to work at the School.
7. This scheme, including the composition and chairing of each Committee, shall be reviewed at least every twelve months at the first meeting of the Governing Body in the School Year.

## MEETINGS AND PROCEEDINGS OF COMMITTEES

8. Any matter delegated to any Standing Committee shall be subject to the following restrictions and conditions:
  - (1) The Committee shall give effect to any resolution of the Governing Body on matters of policy or principle
  - (2) Notwithstanding the delegated powers given to a Committee, the Governing Body may at any time call for any matter which is still under discussion to be referred to it for decision.
9. Any member of the Governing Body may attend any Committee meeting (even if not a member) and, with the consent of the Chair of that Committee, speak but not vote.
10. The quorum for a meeting of a Committee shall be three voting members and in each case (unless otherwise determined by the Governing Body) members of the Committee who are not members of the Governing Body shall not be entitled to vote.
11. Every question shall be decided by a majority of votes of the eligible members present and voting on that question save that where there is an equal division of votes, the person who is acting as Chair for the purposes of the meeting shall have the casting vote. No vote on any matter may be taken at a meeting of any Committee unless the majority of the members of the Committee present are members of the Governing Body.
12. Any Committee shall report to the Governing Body in respect of any action taken or decision made with respect to the exercise of its functions at the meeting of the Governing Body immediately following the taking of the action or the making of a decision except that the Staff Discipline and Staff Committees will only report their decisions without statements or reasons of evidence, so that the Governors who may form an Appeal Committee are not affected and any appeal is not prejudiced.
13. The Clerk to the Governing Body shall be the Clerk to each Committee except for the Finance & Resources Committee whose Clerk shall be the Finance Manager.
14. The agenda for any meeting of a Committee shall be prepared by its Chair in consultation with the Headteacher. Each meeting shall be convened by the Clerk or acting clerk of that Committee who shall give each member (and the Headteacher) at least seven clear days before the date of the meeting notice in writing thereof and a copy of the agenda for the meeting save in cases of emergency. So far as is possible, Chairs of Committees will arrange dates for Committee meetings at the same time as those for full Governing Body meetings are fixed, at the beginning of the school year.
15. The minutes of the proceedings of each meeting of a Committee shall be drawn up, recorded, approved and duly signed (and copies supplied).

Minutes should record decisions and other main points together with such brief explanations as may be necessary. Confidential matters shall be recorded as Part 2 items and, as such, subject to restricted circulation (in case of doubt to be resolved by the Chair). Minutes shall be sent in draft as soon as possible to the Chair of the meeting for approval or amendment and a copy of the draft as so approved or amended shall be supplied to every member in advance of the next meeting. The draft minutes shall be formally submitted to the next meeting of the Committee as an item on its agenda for approval. The Clerk to the Governing Body shall arrange for such minutes to be circulated to all members of the Governing Body and for them to be included as an item on the Agenda at the next meeting of the Governing Body.

16. If the person appointed as Chair of a Committee is absent from any meeting of the Committee, the members of the Committee who are present shall, before proceeding to any other business, appoint any of their number (not being an employee of the School or a registered pupil or a person who is not a member of the Governing Body) to be Chair of the meeting.
17. Subject to and without prejudice to Articles 98 and 99 of the Articles of Association, a person who is a member of the Governing Body or a Committee shall withdraw from considering a matter where there is a conflict of interest or any reasonable doubt as to that person's ability to act impartially and no governor employed by the school shall participate in discussions about salary, including any discussion of the Headteacher's performance review.
18. Annexe M contains provisions concerning the deputy vice-chair of the Governing Body.

## **GENERAL**

19. For the avoidance of doubt it is declared that nothing in this Scheme of Delegation shall be construed as affecting the duties of Working Parties appointed by the Governing Body on matters that can only be decided by the full Governing Body.

## **ANNEXE A**

### **FINANCE AND RESOURCES COMMITTEE**

#### **Purpose**

To assist the decision making of the governing body, by enabling more detailed consideration to be given to the best means of fulfilling the governing body's responsibility to ensure sound management of the academy's finances and resources, including proper planning, monitoring and probity.

To make appropriate comments and recommendations on such matters to the governing body on a regular basis.

Major issues will be referred to the full governing body for ratification.

## **Terms of Reference**

The committee is authorised:

1. To consider the academy's indicative funding, notified annually by the DfE, and to assess its implications for the academy, in consultation with the Headteacher, in advance of the financial year, drawing any matters of significance or concern to the attention of the governing body.
2. To consider and recommend acceptance/non-acceptance of the academy's budget, at the start of each financial year.
3. To contribute to the formulation of the academy's development plan, through the consideration of financial priorities and proposals, in consultation with the Headteacher, with the stated and agreed aims and objectives of the academy.
4. To receive and make recommendations on the broad budget headings and areas of expenditure to be adopted each year, including the level and use of any contingency fund or balances, ensuring the compatibility of all such proposals with the development priorities set out in the development plan.
5. To liaise with and receive reports from the staffing/remuneration and curriculum committees, as appropriate, and to make recommendations to those committees about the financial aspects of matters being considered by them.
6. To monitor, review and authorise expenditure on a regular basis and ensure compliance with the overall financial plan for the academy, and with the financial regulations of the DfE, drawing any matters of concern to the attention of the governing body.
7. To monitor and review procedures for ensuring the effective implementation and operation of financial procedures, on a regular basis, including the implementation of bank account arrangements and, where appropriate to make recommendations for improvement.
8. To prepare financial statements for filing in accordance with Companies Act and Charity Commission requirements.
9. To receive auditors' reports and to recommend to the full governing body action as appropriate in response to audit findings.

10. To recommend to the full governing body the appointment or reappointment of the auditors of the academy.
11. To review and determine the following Policies and procedure documents (see Annexe N):
  - (1) Charging Policy;
  - (2) The Financial Procedures document;
  - (3) Governors' Allowances Policy.
  - (4) Gifts and hospitality policy
12. To monitor the implementation and effectiveness of the said Policies and procedure documents.
13. To ensure that the functions of an audit committee and/or Responsible Officer are carried out.
14. To ensure that the annual Financial Management and Governance Self Evaluation (FMGS) is carried out and necessary remedial action taken.
15. To ensure that the Risk Register for the School is maintained and reviewed regularly.
16. To ensure that the school operates within the guidelines set out in the Academies Financial Handbook.
17. To ensure that the school's voluntary fund accounts are correctly maintained.
18. To ensure the school complies with the conditions of its Funding Agreement.

## **ANNEXE B**

### **CURRICULUM COMMITTEE**

#### **Terms of Reference**

1. To consider all matters relating to the Curriculum of the school.
2. In conjunction with the Headteacher, to monitor the delivery of the Curriculum and advise the Governing Body on the content of the Curriculum over and beyond the requirements of the Curriculum.
3. To hear complaints in respect of any curricular matter including a decision to disapply or modify the Curriculum in respect of a particular pupil.
4. In conjunction with the Headteacher and the Chaplaincy to oversee the arrangements made for religious education and collective worship and to ensure that they are in accordance with the school's Trust Deed and in this respect to liaise with the LDBS.

5. In conjunction with the Headteacher to make recommendations to the Governing Body with a view to ensuring that its duties in respect of the following matters are duly performed and that the school's policies in respect of such matters are carried out and kept under review:
  - (1) Special and additional Educational Needs including disapplication of the Curriculum
  - (2) Sex Education; and
  - (3) the treatment of political issues arising in the curriculum.
  
6. In conjunction with the Headteacher and the Senior Management Team to keep the School Development Plan under review. Subject to approval from the Finance and Resources Committee or of the Chair of the said Committee, to recommend to the Governing Body any amendments to the Development Plan which from time to time appear necessary in light of changing circumstances including any OFSTED or other authorised Inspection Reports and in this respect to oversee arrangements for inspections and the preparation of subsequent Action Plans.
  
7. To review and determine the following Policies and procedure documents (see Annexe N):
  - (1) Target Setting for the School Year;
  - (2) Home School Partnership Agreement;
  - (3) Sex and Relationship Education Policy;
  - (4) Special Educational Needs Policy;
  - (5) Collective Worship Policy;
  - (6) Pupil Premium Policy;
  - (7) E-Safety Policy;
  - (8) Supporting Pupils with Medical Conditions Policy
  - (9) Careers Guidance Provider Access Policy
  
8. To monitor the effectiveness of the said Policies and procedure documents.

## **ANNEXE C**

### **STAFFING AND GENERAL PURPOSES COMMITTEE**

#### **Terms of Reference**

1. To consider all matters relating to staff, including the training and development of staff, except those responsibilities reserved exclusively to the Staff Committee and the Staff Appeal Committee, and to make recommendations to the Headteacher and to the Governing Body.
  
2. To determine, subject to the approval of the Finance and Resources Committee or of the Chair of the said Committee, the terms and conditions of service of all employees but so that this delegation shall not extend to the appointment of a Headteacher or Deputy Headteacher.

3. To review and determine regularly the Whole School Pay Policy and all policies relating to the Governors' employment responsibilities including the review of Performance Management Policy.
4. Without prejudice to the generality of Paragraph 1 but subject to the provisions of Annexes H and I, to consider and determine all issues arising out of any restructuring or modification of the staffing structure of the school
5. Subject and without prejudice to the power of the Governing Body to delegate any matter to another Committee or to a working party, to review and determine the school's policies and procedure documents that would otherwise be determined by the Governing Body and that are not delegated to another Committee by this scheme.
6. To monitor the implementation and effectiveness of the said Policies and procedure documents.
7. Without prejudice to the generality of paragraph 5 above to monitor the implementation and effectiveness of the School's Data Protection Policy.
8. Annexe N lists the school's policies and procedure documents that would otherwise be determined by the Governing Body.
9. Where this Committee has adopted a model Policy issued by the Local Authority or the Diocesan Board and the Local Authority or Diocesan Board issue an amendment to that model policy or issue a new model policy, the corresponding policy of this school shall be treated as if this Committee had made the same amendment or adopted the new model policy. Nothing in this Paragraph affects the duty of this Committee to review such a policy from time to time.

## **ANNEXE D**

### **ADMISSIONS COMMITTEE**

#### **Terms of Reference**

1. To exercise the power of the Governing Body to determine whether any girl should be admitted to the school.
2. To make proposals to the Governing Body as to the School's admissions policies and arrangements.
3. To approve variations to the admissions policies and arrangements if delay is likely to be seriously detrimental to the interests of the school.
4. The Committee may delegate any of its functions to an Admissions Panel of two or more of its members appointed by the Chair of Governors.



## **ANNEXE E**

### **PUPIL DISCIPLINE COMMITTEE**

#### **Terms of Reference**

To discharge the functions of the Governing Body relating to the exclusion of pupils

## **ANNEXE F**

### **STAFF DISCIPLINE COMMITTEE**

#### **Terms of Reference**

To deal with staff discipline, grievance and competency matters not suitable to be dealt with by the Headteacher save where these fall within the remit of the Staff Committee (see Annexe H below). The Committee's jurisdiction and powers include those given to the Committee by the School's Grievance and Discipline Procedures Document (including dismissal).

## **ANNEXE G**

### **STAFF DISCIPLINE APPEALS COMMITTEE**

#### **Terms of Reference**

To hear and determine any appeal in respect of a decision of the Staff Discipline Committee.

## **ANNEXE H**

### **STAFF COMMITTEE**

#### **Terms of Reference**

1. To make the decision whether a person employed to work at the school should have his contract of employment with the governing body terminated or should not have that contract renewed (except where the dismissal is pursuant to a direction of the local authority).
2. Without prejudice to the generality of Paragraph 1, to consider and determine all issues arising out of any restructuring or modification of the staffing structure of the school.
3. The powers and duties under Paragraph 2 include approving and declaring any redundancies and overseeing any redundancy process.

4. To consider the circumstances of individual members of staff in cases that fall outside the powers of the other Committees of this Governing Body.
5. To receive and consider representations in relation to the matters falling within Paragraphs 1 to 4.
6. The Committee shall have power to initiate any proceedings that it considers appropriate and to make any agreement with a member of staff that it considers appropriate.
7. Without prejudice to Paragraphs 8 and 19 of this scheme of delegation (powers of the governing body), the powers under Paragraphs 1 and 3 of this Annexe are reserved to this Committee and may not be exercised or performed by the Staffing and General Purposes Committee.
8. The powers and duties under Paragraph 2 of this Annexe may also be exercised and performed by the Staffing and General Purposes Committee.
9. Dismissals involving staff discipline, grievance and competency matters are reserved to the Staff Dismissal Committee.
10. Provided that nothing in this Annexe shall affect the powers and duties of any of the other Committees of this Governing Body or shall be construed as authorising any form of procedure concerning a staff member that is not already established by the existing policies of the School
11. Annexe J shall have effect to supplement the provisions of this Annexe

## **ANNEXE I**

### **STAFF APPEAL COMMITTEE**

#### **Terms of Reference**

1. To hear and determine any appeal in respect of a decision of the Staff Committee
2. Annexe J shall have effect to supplement the provisions of this Annexe

## **ANNEXE J**

### **PROVISIONS SUPPLEMENTING THE TERMS OF REFERENCE OF THE STAFF COMMITTEE AND THE STAFF APPEAL COMMITTEE**

1. Subject to Paragraph 7, the Staff Committee shall include not less than three members of the governing body
2. The Staff Appeal Committee shall include no fewer members of the governing body than the staff committee the decision of which is subject to appeal
3. Where a Staff Appeal Committee is considering an appeal against a decision of the Staff Committee, no member of the Staff Committee whose decision is subject to appeal shall take part in the proceedings of the Staff Appeal Committee
4. Provided that nothing in Paragraph 3 shall prevent a member of the Staff Committee from attending the proceedings of the Staff Appeal Committee to give evidence or to make representations on behalf of the school
5. The Headteacher of the school shall not be a member of the Staff Committee or the Staff Appeal Committee
6. No member of the Staff Committee or the Staff Appeal Committee who is not a member of the governing body shall be entitled to vote in any proceedings of the committee in question
7. Where it is not reasonably practicable for the Staff Committee and the Staff Appeal Committee each to include three members of the governing body, the Staff Committee shall include two members of the governing body.

## **ANNEXE K**

### **COMPLAINTS COMMITTEE**

#### **Terms of Reference**

1. To hear and determine formal written complaints under the School's Complaints Policy.
2. The Complaints Committee shall not deal with a complaint where a School Policy or the law provides a different procedure.
3. The following are the principal cases where there are different procedures for complaints:
  - (1) Pupil admissions;
  - (2) Pupil exclusions;

- (3) Special Education provision;
  - (4) National Curriculum;
  - (5) Curriculum matters;
  - (6) Religious education and collective worship;
  - (7) Complaints by staff or prospective staff;
  - (8) Compulsory competitive tendering arrangements.
- 4 The Chair of the Governing Body will appoint from a pool of seven Governors appointed by the Governing Body at the beginning of each school year two members of a Complaints Committee to consider a particular formal written complaint. He will also appoint a third member who will be independent of the running and management of the school. This person will not be a governor, employee, volunteer or member of the Academy Trust that runs the School and may be a governor of another school.

## **ANNEXE L**

### **POWERS OF THE GOVERNING BODY DELEGATED TO THE HEADTEACHER**

1. Appointment of staff including teaching staff below the status of Head of Department.
2. To deal with discipline and grievances involving employees other than those functions reserved to the Governing Body or expressly delegated by the Governing Body to Committees under this Scheme or otherwise.
3. To authorise expenditure, in line with the school's Financial Regulations Manual within the agreed budget plan.
4. To adjust the budget plan (i.e. to process virements) across budget headings including the allocation of contingency funds in line with the school development plan, subject to the limits described in the Financial Regulations Manual.
5. In conjunction with the Senior Management Team, to draw up the School Development Plan for consideration by the Curriculum Committee and approval by the Governing Body.
6. To devise the annual programme of out-of-school or extra-curricular activities to be offered to pupils to widen their experience, and to keep the Governing Body informed about it and to publicise it to parents.
7. Without prejudice to the duties placed upon the Headteacher by law and this Scheme, to be the executive leader of the school and to perform the functions set out in the following DfE Guidance Documents:
  - (1) National standards of excellence for headteachers - Departmental advice for headteachers, governing boards and aspiring headteachers (January 2015)
  - (2) Governance handbook - For academies, multi-academy trusts and

maintained schools (January 2017)

### **POWERS OF THE GOVERNING BODY DELEGATED TO THE DEPUTY HEADTEACHER**

The Deputy Headteachers will, in the absence of the Headteacher, assume the delegated powers of the Headteacher jointly.

### **POWERS OF THE HEADTEACHER DELEGATED TO THE BURSAR AND HEADS OF DEPARTMENT**

The power to authorise expenditure is delegated as per the Financial Regulations Manual.

## **ANNEXE M**

### **THE DEPUTY VICE-CHAIRMAN OF THE SCHOOL'S GOVERNING BODY**

1. The governing body has by ordinary resolution resolved to create the position of deputy vice-chairman with the following terms of reference:
  - (1) to assist the chairman and vice-chairman;
  - (2) to chair meetings of the governing body in the absence of the chairman and vice-chairman but without prejudice to the right of the governing body under Article 88 of the Articles of Association to elect another governor to act as chairman of that meeting;
  - (3) to perform such other duties as the governing body may from time to time decide.
2. The deputy vice-chairman shall not be a person employed by the Academy Trust.
3. The provisions of the Articles of the Association relating to the election, resignation, ceasing to hold office and removal of the chairman and vice-chairman shall apply mutatis mutandis to the deputy vice-chairman.
4. For the avoidance of doubt nothing in this Annexe affects the right of the vice-chairman under Article 87 of the Articles of Association to chair meetings of the governing body in the absence of the chairman.

## **ANNEXE N**

### **THE SCHOOL'S POLICIES AND PROCEDURE DOCUMENTS**

Attached.

Signed.....  
Chair of the Governing Body

Date.....