

APPENDIX THREE: BDAT LEVELS OF DELEGATION CHECKLIST JULY 2023

Key for main decision maker

- Level 1: The Trust Board (the company). NB. The CEO is also an ex-officio member of the BDAT Board and Trustee.
- Level 2: A BDAT Board committee for example: Finance and Resources, Audit Committee, Primary Committee, Secondary Committee.
- Level 3: The CEO of the Trust
- Level 4: Local Governing Body of the Academy
- Level 5: A named individual endorsed by the Trust
- Level 6: Executive Principal or Principal of the Academy

v : decision maker

I : involved in decision

This document sets out the powers BDAT as the Trust delegate to Academy Local Governing Bodies (LGBs) and named people.

The CEO, LGB, Board committee or Headteacher / Executive Headteacher may choose to delegate further powers as required.

It should be remembered that although decisions may be delegated the Trust Board remains responsible for any decision made under delegation and can de-delegate powers as needed.



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
Strategy and Vision	1	To set the strategic direction and vision for the Trust.	√		√	I	I	I	
	2	To set the strategic direction and vision for the Academy				√		√	
Central Services	3	To determine the scope of mandatory core central services to be delivered by the Company on behalf of its Academies including the level of centrally retained funding	√						These are set by the Board as per the “Terms of joining document” provided to all schools when considering joining the Trust and will be reviewed annually at every Summer Trust Board meeting alongside this Scheme of Delegation.
	4	To identify those additional services to be procured on behalf of individual academies.		I		√			Additional Services will be reviewed on a regular basis
Finance	5	To ensure centrally procured services provide value for money.					√		CFO. Approved at FARC where required in line with the Trust Financial Scheme of Delegation.
	6	To develop and propose the individual Academy budget, including resource and staffing and the allocation and use of any ring-fenced resources.				√			Academy budget planning and spend is delegated to individual academies for all funding minus the retained central funds (see 4).



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	7	To approve the first formal budget plan each financial year and receive final end of year Education and Skills Funding Agency (ESFA) returns.	✓	I			I		The CFO will finalise end of year accounts for ESFA, checking and consolidating the figures provided from each Academy. The Trust FARC approves the budget which is then ratified by the full Board. See Trust finance reporting cycle.
	8	Determining Staff complement within agreed budget – including making provision for exceptional staff costs e.g., absence/ maternity/paternity payments.				✓		✓	This is done by the Board and CEO for the Central MAT staffing following the same cycle.
	9	To monitor monthly expenditure - and account to the Company for value for money.		I		✓		I	This will be the responsibility of the LGB – with the CFO also monitoring on behalf of BDAT and reporting to the Trust FARC.
	10	To approve any between budget changes or in-year budget movements between spend headings within the Academy budget which do not result in a budget overspend.				✓			LGB do this within the limits set by the Company - as referred to in Appendix 1 of the BDAT Finance Policy. changes must be reported to the CFO to report to the Trust FARC.
	11	To approve any between budget or in-year budget movements between spend headings within the		✓		I	I		LGB to discuss change with CFO and propose changes. FARC to authorise overspend.



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
		Academy budget which are likely to result in a budget overspend.							
	12	To establish financial decision levels and limits.	√				I		As advised by the CFO.
	13	To establish a charging and remissions policy.				√			
	14	Miscellaneous financial expenditure outside and in addition to the agreed budget.		√					FARC is the authorised Trust committee to authorise overspends.
	15	To enter into additional contracts which exceed the agreed annual budget allocation.				√			Initially limited to £10,000 or 20% of budgeted surplus without written agreement of the Trust.
	16	To make payments within agreed financial limits.					√		CFO, Business Manager, or equivalent within the Academy - and as agreed by LGB.
Investments	17	To ensure there is an investment policy and financial levels of delegation for significant investments in place in accordance with the Articles of Association	√				√		CFO to report at every FARC on high level investments
HR	18	Establishing Employment and HR policies and procedures.	√			I		I	Trust to agree overall policy. LGB and Headteacher to implement in school.



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	19	Agreeing any out of normal process HR intervention.			✓		✓		The CEO (or a member of the Executive Team in their absence) must always be informed at the outset of any out of normal HR process and must be regularly informed. It is likely that the CEO may also inform the Chair of Trust.
	20	Maintain accurate and effective and secure employee records.						✓	e.g. recruitment material, absence, performance management, capability, disciplinary, staff complaints.
Appraisal	21	To review appraisal policy every three years.	✓						
	22	To ensure the Appraisal process is implemented in full				✓		✓	Reference should be made to Appendix 4 of the appraisal policy
Appointment / Dismissal	23	CEO appointment, performance management and dismissal.	✓				✓		Appointment by Board, Performance Management by Chair, and another nominated Trustee.
	24	Central Executive Team appointment, performance managements and dismissal.			✓		✓		CEO and a nominated Trustee
	25	Central Trust Staff appointment, performance management and dismissal			✓		✓		CEO and Line Manager.



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	26	Executive Principal, Principal and Head of School appointments, management and dismissals and agreement to release and appoint Acting Principal.	✓		I	I	I	I	<p>CEO, Chair of the Academy, and any Exec Principal / Trust Education Director must be included as a member of the appointments/selection panel and decision panel agreeing to planned release/secondment.</p> <p>The Exec Principal will always be on a Head of school panel. Other LGB members and Trustees may be invited. Panels will normally be around 5 plus a Diocesan Advisor as appropriate.</p> <p>The Board makes the final appointment.</p>
	27	Deputy, Vice and Assistant Principal appointments, Performance Management, and dismissals (selection panel)				✓	I	I	<p>Trust Education Director, Chair of the Academy and Principal must be included as a member of all appointments/selection panel and decision panel agreeing to planned release/secondment. Where an Executive or Consultant Head is in place they should also be involved. The Headteacher must inform the CEO of dismissals.</p>



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Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
									The LGB makes the final appointment. The Chair of the LGB must always be informed immediately of a dismissal or suspension.
	28	Appointment /dismissal and performance management of other teachers.				√		I	Headteacher or nominated representative must be a member of the appointment/selection panel. The Headteacher must inform the CEO of dismissals. The Chair of the LGB must always be informed immediately of a dismissal or suspension
	29	Appointment /dismissal and performance management of non-teaching staff.				√		I	Headteacher or nominated representative must be a member of the appointment/selection panel. The Headteacher must inform the CEO of dismissals. The Chair of the LGB must always be informed immediately of a dismissal or suspension.
	30	To manage school level staff and other complaints.				√		√	The Trust will only investigate complaints about schools when they have not been resolved at school level and the school has been found to either breach its funding agreement or has not followed the Trust



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
									complaints process. Complainants who are unhappy with responses but do not meet the above criteria should be referred to the ESFA as per the BDAT complaint policy.
	31	To manage school level grievances.				√		√	Staff grievances should be routinely dealt with by the line manager in school with a final escalation point of the Headteacher and Governing Body. In the case where the grievance is directly about the Headteacher this should be referred to the CEO or delegated representative as per the staff complaints and grievance policy.
Pay	32	Agree a Trust pay policy pay rewards proposed by National Unions and the Department for Education.	√			I		I	Trust to agree overall policy and pay rewards. LGB and Headteacher to implement in school.
	33	Pay discretions for all Headteacher / Exec Headteacher (or any school-based staff member with a salary over £90,000).		√		I	I		FARC Remuneration committee to agree. LGB to recommend based on performance management and with advice of Trust Education Director and within agreed budget.



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	34	Pay discretions for other Staff.				✓		✓	Headteacher to agree with LGB within agreed budget and pay award envelope (see 31).
	35	Pay discretion for central Trust staff		✓	I				FARC Remuneration committee to agree. CEO to recommend based on performance management and with advice of line manager and within agreed budget.
School Organisation	36	To publish and consult on proposals to change category/phase and age range of the Academy.	✓			✓			The LGB can propose changes to the Board and must implement all required consultations.
	37	To set the times of school sessions and the dates of school terms and holidays.				✓		✓	Any changes must be agreed in writing with the Trust following consultation with the Education Director.
	38	To ensure that the school meets for 380 sessions in a school year.				✓		✓	
	39	To decide the unexpected and unplanned school closures e.g. for snow or critical equipment breakdowns.						✓	The Chair of the LGB, CEO or a member of the executive team and LA must be notified as soon as the decision to close is taken. The school should also notify BSO and other relevant parties
	40	To prepare and publish the school prospectus.				✓		✓	



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Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
Significant Changes	41	To consider requests from other schools to join the Company.	✓		✓				Due diligence proposed to Board by CEO.
	42	To consider requests from schools who would like to make a significant change which may impact the number, type and or location of school places.	✓			✓	I	✓	BDAT Board must approve business case and where necessary DBE, DfE, ESFA, LA approval may need to be sought. i.e. permanent enlargement of an academy's buildings, and age range changes. Director of Corporate Affairs (DCA) can advise.
Admissions	43	To consult before setting an admissions policy.	✓			✓	I		The LGB will be responsible for consultation on changes to the admissions policy on an annual basis based on The Schools Admissions Code. The Trust Board must give its written approval for any changes to the admissions policy. DCA can advise.
	44	Admissions: to administer the admissions process in accordance with the policy and, as appropriate, procure an independent appeals process.				✓			In accordance with the LA admissions facility.
	45	To appeal against LA directions to admit pupil(s).	✓			✓			Although in practice the LGB and Headteacher would normally do this with the support of the Company.



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
Curriculum and Standards	46	To develop and implement curriculum policy.						✓	
	47	To approve a curriculum policy.				✓			Oversight by the relevant Education Director;
	48	Responsible for standards of teaching.						✓	Oversight by the relevant Education Director.
	49	Accountability for standards of teaching.	✓				I	✓	Main responsibility with Trust Education Director reporting to the Board.
	50	Responsibility for individual child's education.					✓	✓	Headteacher and Trust Education Director, Accountable to LGB and Board.
	51	Accountability for individual child's education.	✓			✓			Headteacher and Trust Education Director, Accountable to LGB and Board.
	52	Provision of RSHE– to establish and keep up to date a written policy.				✓		✓	All schools are required to meet the statutory requirement to consult on RSE curriculum and implement this in line with the DFE timetable. Headteacher recommends. LGB approve



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Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	53	To ensure all staff follow the relevant professional standards and act in a non-partisan and professional manner to ensure the academy is represented appropriately				I		✓	
Religious Education and Collective Worship	54	To ensure provision of RE in line with the locally agreed syllabus and the national curriculum requirements for Non-church schools.	✓			I		✓	All BDAT Church schools are following the Diocese of Leeds and York RE syllabus. Non-Church schools will follow the locally agreed syllabus.
	55	To ensure that all Church Schools deliver the minimum requirements within the Church of England Statement of Entitlement for RE.	✓			I		✓	Parents have the right to withdraw their children from RE if notified to the Academy in writing. The Headteacher must make appropriate provision if a parent exercise this right. The Trust Board must also ensure each Church Academy meet the requirement of the Church of England Statement of Entitlement for RE as set out in the Academy Church Supplemental Funding agreement.
	56	To ensure that all pupils take part in a daily act of collective worship (all schools). See	✓			✓		✓	Parents have the right to withdraw their children from collective worship if notified to the Academy in writing. The Headteacher must make appropriate provision if a parent exercise this right. The Trust



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			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
		collective-worship-guidance-18052021.pdf (churchofengland.org)							Board also have a responsibility to ensure each church academy, follows the requirement of the Church of England Guidance for Collective Worship as set out in the Academy Church Supplemental Funding Agreement.
Target Setting	57	To propose targets for pupil achievement.					✓	✓	Headteacher with Trust Education Director.
	58	To agree targets for pupil achievement.	✓			✓			
	59	Responsibility for pupil outcomes.					✓	✓	Headteacher with Trust Education Director.
	60	Accountability for pupil outcomes.		✓		I	I	I	The Company are responsible to the Secretary of State for standards and pupil outcomes and delegate the monitoring of this to the primary and secondary committees. They will hold the LGB and Headteacher and Trust Education Directors accountable to them.
	61	To establish a pupil discipline policy.				✓		✓	The LGB must ensure this is implemented. Headteacher oversees.
	62	To implement the pupil discipline policy						✓	



Function	No	Tasks	Decision Level					Notes	
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
Exclusions	63	Exclusion or Suspension of a pupil				I		√	Headteacher must notify the Governing body, the Trust and the LA without delay At the point of any decision to exclude the Headteacher must inform the DCA of any permanent exclusion or suspension that takes a pupils total days of suspension to more than 15 in a term and any parental requests for LGB consideration on suspensions less than 15 days in a term. Exclusions and Suspensions are monitored and reported to the Trust Director on a half termly basis (minimum).
	64	To consider exclusions and to decide whether or not to confirm all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 15 days in total in a term or would lose the opportunity to sit a public examination.				√			
	65	To direct reinstatement of excluded pupils				√			
	66	To remove the pupils name from the school admissions register.				√		√	



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	67	To manage the appeal process for an exclusion.	✓				✓		Supported by the Trust Governance team.
Education Visits	68	Planning and organisation of straight forward and routine day visits and activities (normal activity)						✓	For example, visit to local church or swimming club (not first-time visits)
	69	Day visits and activities requiring advanced planning				I		✓	For example, annual school trips or visits. LGB to be informed of forthcoming trips
	70	Complex and exceptional visits including overnight stays or overseas visits				✓		✓	Planning and risk assessment done by school staff. Approved by Headteacher. LGB to approve and have sight of the risk assessments on request.
	71	To ensure provision of free school meals to those pupils meeting the criteria.						✓	
	72	Adoption and review of home – school agreements						✓	
Premises, Insurance and	73	School insurance programme.		✓			✓		Inclusion within the Trust insurance policy. As considered necessary by the LGB additional insurance



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
Health and Safety									can be arranged chargeable to the school. Deputy CFO to manage and account to FARC.
	74	Asset management.		√			√		Head of Estates and Environment to coordinate and manage and account to FARC.
	75	Developing school buildings strategy or master plan.				√	I		The LGB should take responsibility for producing and implementing a Premises Development Plan, liaising with the Head of Estates and Environment as required.
	76	To determine the allocation and prioritisation of school conditions funding.		√			√		Head of Estates and Environment to coordinate and manage and account to FARC who will approve all awards.
	77	Procuring and maintaining buildings, including developing properly funded maintenance plan.				√	I		With support from the Head of Estates and Environment.
	78	To institute a health and safety policy.				√		√	Head of Estates and Environment to implement at Trust level. Academies to publish their own policy pertinent to their setting and operations.



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			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	79	To ensure that health and safety regulations and safeguarding are followed.					✓	✓	Head of Estates and Environment and Headteacher
ICT and Digital Strategy	80	To approve the Trust-wide digital strategy and monitor its impact.	✓						
	81	Monitor the implementation and impact of the digital strategy.				✓			
	82	Implement the digital strategy						✓	
Governance	83	To draw up governing documents and any amendments thereafter.	✓			✓			The Trust will approve; LGB to implement with support from the Governance Team. e.g. scheme of delegation / terms of reference and BDAT Statutory policies
	84	To appoint (and remove) the Chair of the LGB.	✓						
	85	To appoint (and remove) the Clerk to the LGB.	✓						
	86	To hold a full LGB meeting at least three times in an Academy year.				✓	I		The Trust endeavors to hold half termly meetings. Statutory agenda items to be included as instructed by Trust.



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	87	To appoint and remove members of the LGB.	√				√		Named person jointly accountable is Chair of LGB. The Trust board reserve the right to appoint and remove members of the LGB
	88	To set up a Register of members' Business Interests.					√		Trust Governance Team to ensure implementation and publication on Trust website.
	89	To approve and set up a members and Trustees Expenses Scheme.		√					Finance Team to write and FARC to approve. Trust Governance Team to ensure shared at point of induction.
	90	To discharge duties in respect of pupils with special needs by appointing a "responsible person".				√		√	
	91	To consider whether or not to exercise delegation of functions (as allowable under Appendix 1 Sections 4 and 5) to committees or individuals.				√			The LGB may delegate to individuals functions already delegated to it by the Company so long as this does not breach the delegations set out in this document.
	92	To regulate the LGB procedures (where not set out in law).					√		Director of Corporate Affairs accountable to CEO and Board.



Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	93	To determine the development needs of Governors and contribute to sharing an appropriate programme.				✓	✓		Director of Corporate Affairs. All Boards will undertake a mandatory annual skills audit which will feed into the skills matrix which will be reported at LGB in the Spring term of each academic year.
Safeguarding	94	To develop a safeguarding policies in line with statutory requirements and best practice.	✓				I		Led by the Head of Safeguarding and includes the Safeguarding and Child Protection Policy, Managing Allegations and Low Level Concerns Policy etc
	95	To implement the Trust's safeguarding policy and the Academy Safeguarding guidance.				✓		✓	LADO referrals are to be made in accordance with the policy Any referral or serious incident is to be reported to the Trust (Head of Safeguarding and relevant Education Director) without delay.
	96	To provide half – termly Safeguarding Report to the LGB using the Trust template.					✓	✓	Annual report provided to the Trust board, supported by the Head of Safeguarding
	97	Maintain accurate and effective and secure pupil records in line with the agreed Trust CPOMS categories and protocols.						✓	e.g. SIMS, CPOMS,



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			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	98	Maintain accurate and effective and secure employee records by using the Trust SCR and Personnel File templates				I	✓	✓	Within the Central Trust Office this is managed by the Head of Safeguarding and Trust Office Manager
GDPR	99	Comply with all GDPR Data Protection legislation and good practice.					✓	✓	<p>The Deputy CFO is the named Data Protection Officer (DPO) for the Trust.</p> <p>Each school has a local Data Protection Coordinator (DPC) responsible for managing data at the Academy and reporting concerns or breaches to the Headteacher and Trust DPO. The Trust will produce all GDPR and Data policies and review these regularly. Each LGB should note the policies available and monitor compliance.</p>
Legal	100	To ensure the Trust has adequate insurance and legal protection in the case of any claims.	✓		I	I	I	I	Headteacher is to notify the CEO and DCA of any actual or potential claims or proceedings affecting the school as soon as they become aware of them. e.g. Employment Tribunals, Public liability, Insurance Claims, SEND Tribunals.



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Function	No	Tasks	Decision Level						Notes
			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
	101	To sign and approve trust related documents and documents relating to academies. Inc settlement agreements etc	✓		✓			I	Headteacher is to notify the CEO and DCA of any requests for signatures for claims, legal documents, court proceedings etc
Compliance Policies	102	To determine, on an annual basis, those policies which will be developed by the Trust and be mandatory for all Trust Academies.			✓		✓		DCA reporting to CEO. The DCA is responsible for managing and updating all statutory policies and ensuring compliance. Schools should link to the Trust website.
	103	To maintain and publish Trust policies and guidance including a schedule for review.	✓				I		Director of Corporate Affairs.
	104	To maintain and publish local policies and guidance						I	Schools are responsible for maintaining and updating all local policies and operational guidance and the Clerk to the LGB is responsible for ensuring compliance and in date.
Compliance Website	105	To ensure that schools websites meet all legal and BDAT requirements.				✓	I	✓	Schools are responsible for maintaining and updating the school website. This will be quality assured by the named clerk.



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			Board	Board Committee	CEO	LGB	OTHER NAMED	HEAD or EXEC HEAD	
Compliance	106	To ensure that there is a Gifts and Hospitality policy and register in place.	√				I		
	107	To complete the gifts and hospitality register.				√		√	
Wellbeing	108	To ensure that the Trust has a Wellbeing Charter which is contextualised at School level.	√			I		√	