



Winckworth
Sherwood

Our Lady of Fatima Catholic Multi Academy Trust



Scheme Of Delegation

Effective Date: September 2024

Part 4: Supervision and Intervention: Accountability

SUPERVISION AND INTERVENTION: ACCOUNTABILITY

1. Notwithstanding the level of delegated responsibility to the Local Governing Committee and leadership, the Trustees remain legally responsible and accountable for all matters in connection with the Academies and they are required to have systems in place through which they can assure themselves of quality, safety and good practice in the Academies.
2. Underpinning this accountability is a requirement for transparency and openness both in terms of the communication of expectations and the reporting of activities and outcomes. It is the responsibility of all to ensure this is achieved, with reporting taking such format as the Trust Board and the Local Governing Committee shall agree from time to time.
3. As well as the legal or financial implications of any failure or wrongdoing, the reputational damage to the Trust and its Academies, as well as the Bishop of Brentwood and the wider Diocese, is a significant risk and concern.
4. As the day to day responsibility for the running of the Academy is delegated to the Local Governing Committee (such responsibility being managed in practice by the Headteacher), the Trustees are removed from the operational risks and thus require the Academy to notify them (or as directed) of the following:
 - 4.1. any event leading to loss of life or critical injury on the premises of the Academy or during an event off the premises organised or supervised by Academy staff;
 - 4.2. any sexual or violent or illegal act against a child committed by any person while on the Academy premises under any circumstances and any matter where the LADO is involved;
 - 4.3. the suspension or summary dismissal of any senior member of staff;
 - 4.4. any event that requires a report to the Health and Safety Executive or that results in the service of a legal notice on the Academy alleging a breach of fire or health or safety law or regulations;
 - 4.5. any event that requires a formal hearing by a panel of representatives of the Academy or that results in the service of a legal notice on the Academy alleging a breach of employment law or regulations including any early conciliation notification from Acas;
 - 4.6. notification of any Ofsted or Catholic School Inspection (also known as a section 48 inspection) and any independent review commissioned or advised by any regulatory authority;
 - 4.7. any suspected breach of the Academy Trust Handbook or other statutory guidance including the Admissions Code and Keeping Children Safe in Education or communication received from the Education & Skills Funding Agency seeking to investigate any complaint made in relation to the Academy;
 - 4.8. any malicious or vexatious complaints, any referral to the Teaching Regulation Agency or notification from the TRA of the investigation of any employee, any threatened industrial action including the notification of a strike ballot and any collective grievance raised by staff and/or vote of no confidence in the leadership or governance of the Academy;

- 4.9. any threatened legal action including the service of any pre-action protocol letter warning of legal proceedings.
5. Appropriate steps will then be taken to manage any situation, communicating as appropriate in the circumstances (having regard to the fundamental principle of transparency and openness).
6. The Local Governing Committee acknowledges the need for and submits to any inspection by the Trustees, the Trust Executive Team and the Diocesan Education Service.
7. Where weaknesses are identified, either as a consequence of a fall in standards, a failure of governance and/or leadership or where there is any financial wrongdoing, the Trust Board expressly reserves the unfettered right to review or remove any (or indeed all) power or responsibility conferred on the Local Governing Committee under this Scheme of Delegation.
8. The Trust's Leadership and Governance Decision Planner indicates relevant decision making authority which may be temporarily removed from an Academy which is being formally supported by the Trust. Decisions as to whether an Academy is "effective" or to be formally "supported" (beyond the support which the Trust would normally provide or secure for its Academies) will be made by the Trust Board, who will have regard to any advice issued by the Trust Executive Team and the Diocesan Education Service.
9. If the Trustees resolve to suspend all delegated authority to a Local Governing Committee, an executive or management board will be established (an "intervention board") to undertake the responsibilities of the Local Governing Committee until such time as delegated authority can be restored. Any decision to do so and any appointments to the intervention board will be that of the Trust Board, who shall seek the advice and support of the Members (and in particular the Diocesan Education Service) if any external concerns are raised.
10. Notwithstanding the above, the Trust Board and the Local Governing Committee acknowledge the value of maintaining a good working relationship particularly in light of the levels of delegated responsibility within the Trust and the impact this may have on the ability of the Trust Board or the Local Governing Committee to react when standards are falling and/or there is evidence of financial imprudence exposing the Academy or the Trust to a threat of intervention. The Trust Board and the Local Governing Committee in such circumstances make the following commitments to each other:
 - 10.1. to discuss openly any weaknesses or any situation which may in the opinion of either potentially lead to a threat of intervention by the Secretary of State for Education as the Principal Regulator;
 - 10.2. to use all reasonable endeavours to agree the measures to be taken to improve standards and the performance of the Academy and to support each other in the implementation of those measures, including involving the Diocesan Education Service who will support and advise on steps to be taken and facilitate additional support if needed;
 - 10.3. to allow each other the opportunity to effect improvements at the Academy provided such steps do not seek to undermine the collaborative and respectful approach being adopted by each;

10.4. the Trust Board shall not exercise any power to suspend or remove the Headteacher without first discussing with the Chair of the Local Governing Committee the need to ensure that such power is being exercised appropriately and proportionately.