

Newham Community Learning - Scheme of Delegation: Accountability

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Applies to: Newham Community Learning

Approved by: Trust Board, September 2022



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Newham Community Learning is a charitable company limited by guarantee and registered in England and Wales with Company Number 09896221. The registered office of the Trust is Sarah Bonnell School, Deanery Road, London, E15 4LP.

Scheme of Delegation: Accountability (supervision and intervention)

Overview

Notwithstanding the level of delegated responsibility to the Local Governing Body and leadership, the Trustees remain legally responsible and accountable for all matters in connection with the Schools and they are required to have systems in place through which they can assure themselves of quality, safety and good practice in the Schools.

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 formats as the Trust Board and the Local Governing Body shall agree from time to time.

As well as the legal or financial implications of any failure or wrongdoing, the reputational damage to the Trust and its Schools is a significant risk and concern.

As the day to day responsibility for the running of the School is delegated to the Local Governing Body (such responsibility being managed in practice by the Headteacher), the Trustees are removed from the operational risks and thus require the School to notify them (or as directed) of the following:

- any event leading to loss of life or critical injury on the premises of the School or during an event off the premises organised or supervised by School staff;
- any sexual or violent or illegal act against a child committed by any person while on the School premises under any circumstances;
- the suspension or summary dismissal of any senior member of staff;
- any event that requires a report to the Health and Safety Executive or that results in the service of a legal notice on the School alleging a breach of fire or health or safety law or regulations;
- any event that requires a formal hearing by a panel of representatives of the School or that results in the service of a legal notice on the School alleging a breach of employment law or regulations; and
- notification of any Ofsted inspection.

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).

The Local Governing Body acknowledges the need for and to submit to any inspection by the Trustees, the Executive Group and/or any Trust Executive Team in place.



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 Body under this Scheme of Delegation.

The Trust Leadership and Governance Decision Planner indicates relevant decision making authority which may be temporarily removed from a School which is being formally supported by the Trust - ie. a "supported school" designation in the Planner. Decisions as to whether a School is "effective" or to be formally "supported" (beyond the support which the Trust would normally provide or secure for its Schools) will be made by the Trust Board, who will have regard to any advice issued by the Executive Group.

If the Trustees resolve to suspend all delegated authority to a Local Governing Body, an executive or management board will be established to undertake the responsibilities of the Local Governing Body until such time as delegated authority can be restored. Any decision to do so and any appointments to the executive or management board will be that of the Trust Board, who may seek the advice and support of the Members if any external concerns are raised.

Notwithstanding the above, the Trust Board and the Local Governing Body 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 Body to react when standards are falling and/or there is evidence of financial imprudence exposing the School or the Trust to a threat of intervention. The Trust Board and the Local Governing Body in such circumstances make the following commitments to each other:

- 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;
- to use all reasonable endeavours to agree the measures to be taken to improve standards and the performance of the School and to support each other in the implementation of those measures;
- to allow each other the opportunity to effect improvements at the School provided such steps do not seek to undermine the collaborative and respectful approach being adopted by each; and
- the Trust Board shall not exercise any power to suspend or remove the Headteacher without first discussing with the Chair of the Local Governing Body the need to ensure that such power is being exercised appropriately.

