

GOVERNING BODY SCHEME OF DELEGATION FRAMEWORK 2017-18

A RESOURCE FOR GOVERNING BODIES OF WILTSHIRE LOCAL AUTHORITY MAINTAINED SCHOOLS

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This framework is produced for use by governing bodies when reviewing their schemes of delegation annually. It has been compiled by Wiltshire Governor Services to help governing bodies distribute their responsibilities across the full governing body and its committees as well as, where deemed appropriate, to individual governors or the head teacher. **Changes to the previous version (2014-15) are written in italics and the source of the change identified.** The framework includes the key responsibilities expected to be undertaken by governing bodies and indicates by shading of boxes where specific responsibilities **cannot** legally be undertaken.

Whilst the framework allows for many responsibilities to be delegated to individual governors or to the head teacher, it's expected that governing bodies will want to fulfil most of their responsibilities at either full governing body or committee level to ensure corporate decision making. Please also note that the responsibilities listed under each heading are those for which the governing body retains overall responsibility. They do not include functions that fall within the head teacher's school management responsibility e.g. responsibility for each pupil's education.

It's likely that governing bodies will want to add to the responsibilities listed under some of the headings with others that reflect their own priorities e.g. to nominate link governors as advocates for vulnerable groups of pupils. It is for each governing body to determine the scheme of delegation that allows them to: fulfil legal requirements; set the school's strategic direction; hold the head teacher to account for the performance of the school and its pupils and the performance management of staff and oversee the financial performance of the school, ensuring that its money is well spent.

The framework draws on a number of sources of information including: National Governors' Association Local Authority Maintained Governing Body Decision Planner 2014; Department for Education Governors' Handbook 2015; OFSTED Handbook for School Inspection September 2015; School Information (amendment) regulations 2012; School Governance Constitution Regulations 2012; The School Governance (Roles, Procedures and Allowances) regulations 2013; The constitution of governing bodies of maintained schools (Statutory guidance for maintained schools and local authorities in England) March 2015; Statutory policies for Schools (DFE) September 2014.

Whilst this resource has been prepared for Wiltshire Council's maintained schools, governing bodies of other schools in Wiltshire may also find it a useful reference document to consider alongside resources which detail their specific responsibilities.

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General and Procedural Responsibilities	FGB	Cttee	Ind. Gov.	H T
Draft instrument of government and any subsequent amendments	√			
Co-opt governors (<i>School Governance Constitution regulations 2012</i>) and appoint (and remove) associate members	√			
Appoint Local Authority governors (<i>School Governance Constitution regulations 2012</i>)	√			
Review governor election materials to ensure that electorate understands what is required of governors. <i>Ref: The constitution of governing bodies of maintained schools (Statutory guidance for maintained schools and local authorities in England) March 2015</i>	√			
Agree suspension of governors	√			
Appoint (and remove) the chair and vice chair of the governing body	√			
Determine period of office of chair and vice chair (between 1 and 4 years)	√			
Appoint (and dismiss) the clerk to the governors	√			
Determine any functions to be performed by the clerk to governors <i>that are additional to those laid out in regulations</i>	√			
Establish and review committees	√			
Elect or appoint committee chairs		√		
<i>Publication of governors' details on school website. As a minimum this should include: each governor's (or associate member's) name; category; appointing body; term of office; any committees they serve on; positions they hold such as Chair, Vice Chair, Chair of a Committee. Associate members' voting rights on any committees should also be included. Ref: The constitution of governing bodies of maintained schools (Statutory guidance for maintained schools and local authorities in England) March 2015</i>	√			

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General and Procedural Responsibilities	FGB	Cttee	Ind. Gov.	HT
<i>Effective September 2015: Establish, publish on website, (and update annually) a register of headteachers' and governors' business interests. The register must set out details of any relevant business interests and any other schools at which they govern. It should also detail any relationships between governors and school staff including spouses, partners and relatives. Ref: The constitution of governing bodies of maintained schools (Statutory guidance for maintained schools and local authorities in England) March 2015</i>	√			
<i>Review the Governors' Code of Conduct to ensure that all governors and associate members are aware that their details as identified in the preceding 2 points will be published and that all are required to provide the information. Governors' explicit agreement to the Code of Conduct should be recorded in minutes. Ref: The constitution of governing bodies of maintained schools (Statutory guidance for maintained schools and local authorities in England) March 2015</i>	√			
Approve Annual Governance Statement <i>The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013</i>	√			
Determine level of delegation of functions to individuals or committees annually	√			
Establish any required GB procedures (where not set out in law)	√			
School Self Evaluation/School Improvement Planning Responsibilities				
	FGB	Cttee.	Ind. Gov.	H T
Agree the outcomes of the School's Self Evaluation process	√			
Agree long term vision and strategic plan	√			
Approve school improvement plans and evaluate their impact	√			
Appoint governors for SEN, safeguarding, whistle blowing and any others agreed by GB	√			
Ensure OFSTED recommendations are incorporated into the school improvement plan	√			

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Data Analysis and Target Setting Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Scrutinise a range of pupil performance data to evaluate the school's performance, including the Governors' and OFSTED data Dashboards		√		
Agree challenging targets for pupil achievement/attainment, ensuring they are based on outcomes of robust data analysis, and monitor performance against them		√		
Scrutinise analysis of examination results and key stage assessments against agreed targets		√		
Ensure rigorous assessment processes are in place		√		

Extended Services Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Decide whether to offer additional services and what form these should take				√
Decide whether to cease provision of additional services				√
Review provision and impact of additional services				√

Discipline/Exclusions Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Agree a behaviour principles statement and ensure that this is posted on the school website	√			
Draft a school behaviour policy and publicise to staff, students and parents				√
Decide whether to confirm permanent and fixed term exclusions where the pupil is either excluded for more than 15 days in a term or at risk of being unable to sit a public examination		√		
Consider parents' representation about exclusions		√		

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Premises Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Agree long term strategy for use of school premises		√		
Establish all legally required and Local Authority recommended premises related policies and monitor the effectiveness of their implementation		√		
Arrange for regular monitoring and inspection of school premises		√		
Agree a funded maintenance plan		√		
Approve hiring policy and charges		√		
Ensure security of school premises and equipment		√		
Agree level of maintenance service the school will buy from service providers		√		
Ensure risk assessments of school site are conducted and considered as appropriate		√		

Staffing Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Formally approve appointments of head teacher and deputy head teacher	√			
Appoint an external adviser to assist with the head teacher's performance management		√		
Nominate 2/3 governors to conduct head teacher's performance management	√			
Approve, and keep under review, a school pay policy/teachers' pay policy	√			
In voluntary and foundation schools, decide whether to give advisory rights to Diocese/Local Authority	√			
Fulfil role expected of governing bodies in adopted procedures for range of staffing issues e.g. discipline, <i>capability</i> , grievance, redundancy, termination of employment		√		
<i>Approve a Statement of procedures for dealing with allegations of abuse against staff</i>				√

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Staffing Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Approve applications for early retirement, secondment and leave of absence not covered by local agreements		√		
Approve, and keep under review, a teacher appraisal policy		√		
Make teachers' pay progression decisions following recommendations of head teacher (by end of October)		√		
Consider a report from the head teacher on the operation of the appraisal policy (to include information as outlined in the school's appraisal policy)		√		
Determine the school's staffing complement		√		
Ensure safer recruitment requirements are met		√		
Ensure that required staffing policies and procedures are in place and implemented		√		
Appoint selection panel for head teacher and deputy head teacher appointments	√			
Appoint selection panel for other members of the senior leadership team		√		
Ensure that at least one person on the selection panel for head teacher appointment has completed safer recruitment training	√			

Finance Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Award contracts (GB to determine levels of authorisation)		√		
Approve transfers between budget headings (GB to determine levels of authorisation)				√
Approve annual budget (as required by Wiltshire Scheme of Financial Delegation)	√			
Ensure that the budget is only spent for school purposes		√		
Agree the first budget plan, prioritised against school improvement priorities		√		

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Finance Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Agree an annual Best Value Statement		√		
Review contracts and services due for renewal (GB to determine levels of authorisation)		√		
Monitor adequacy of financial management competency amongst staff and governors	√			
Approve signatories for authorising orders and payments		√		
Ensure that the school is compliant with the Schools Financial Value Standards (SFVS)		√		
Monitor income and expenditure reports and approve returns required by LA				√
Establish (and keep under review) a charging and remissions policy		√		
Appoint (annually) auditors to conduct an audit of the School Fund				√
Receive an annual report on the audited accounts of the School Fund		√		
Approve (and keep under review) ordering and payment systems		√		
Approve purchase of services from Local Authority and other sources (GB to determine levels of authorisation)				√
Approve the writing off of irrecoverable debts up to the value of £500 (LA approval required above this amount)		√		
Approve the disposal of surplus and damaged equipment				√
Consider annual financial benchmarking data and analyse outcomes		√		
Ensure the budget has allocated funds to support the school improvement plan, any agreed changes to staffing structure, and any salary increases approved following appraisal outcomes		√		
Ensure all required finance policies and procedures are in place and implemented		√		
Agree end of year budget rollover		√		

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Finance Responsibilities	FGB	Cttee.	Ind. Gov.	HT
Receive, and where appropriate respond to, reports from Local Authority Auditors		√		
Evaluate the impact of the allocation of pupil premium funding on overcoming barriers to learning		√		
Evaluate the impact of the allocation of the primary school sport funding in improving the quality and breadth of PE and Sport provision (primary schools)		√		
Evaluate the impact of the allocation of year 7 catch up funding (secondary schools)				
Approve (and keep under review) a governors' allowances scheme		√		
Agree <i>budget</i> allocation for governor training and evaluate the impact of spending		√		

School Organisation Responsibilities	FGB	Cttee.	Ind. Gov.	HT
Publish proposals to change category of school	√			
Consider forming, joining or leaving a federation or academy	√			
Set the times of school sessions and the dates of school terms and holidays (<i>extended to all schools as a result of the Deregulation Act 2015</i>)	√			
Ensure the school meets for 380 sessions in a school year	√			

Health, Safety/Child Protection/ Safeguarding Responsibilities	FGB	Cttee	Ind. Gov.	H T
Ensure compliance with health, safety and safeguarding legislation applied to schools		√		
Approve a health and safety policy and monitor its implementation		√		
Ensure effectiveness of health and safety policy		√		

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Health, Safety/Child Protection/ Safeguarding Responsibilities	FGB	Cttee	Ind. Gov.	H T
Conduct inspections of buildings, plant and equipment		√		
Approve Child Protection Policy and review its effectiveness at least annually	√			
Ensure effectiveness of record keeping related to health, safety and safeguarding responsibilities, including maintenance of central record of recruitment and vetting checks		√		
Consider school's annual safeguarding audit and monitor subsequent action plans		√		
Ensure school meets national school food standards (new standards in force from Jan 2015)		√		
Ensure compliance with statutory guidance regarding pupils with medical needs (came into force Sept 2014)				√

School Admission Responsibilities (voluntary aided and foundation schools)	FGB	Cttee.	Ind. Gov.	HT
Establish an admissions policy and publish				
<i>Consult before making any changes to the admissions policy. (Where there are no changes consult at least every 7 years.)</i>				
Consider admissions applications				
Appeal against Local Authority direction to admit pupils				

Curriculum/Inclusion/ Equality Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Ensure that (from September 2014) the relevant national curriculum programmes of study are taught				√
Establish (and keep under review) a policy on sex education and publicise to parents and carers		√		

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Curriculum/Inclusion/ Equality Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Consider any disapplication for pupils (from the National Curriculum)				√
Decide which subject options should be taught having regard to resources, and implement provision for flexibility in the curriculum (including activities outside the school day)				√
Approve the school's SEN policy and publicise to parents and carers and report annually to parents on provision for pupils with SEN	√			
Ensure appropriate provision is provided for gifted, more able and talented pupils				√
Ensure that only approved external qualifications and syllabuses are offered to pupils				√
Prohibit political indoctrination and ensure the balanced treatment of political issues		√		
Designate a "responsible person" (<i>staff</i>) for pupils with SEN	√			
Designate a "responsible person" (<i>staff</i>) for Looked After Children	√			
Establish an accessibility plan and review it <i>at least every three years</i>	√			
Ensure that the September 2014 statutory requirements for Early Years Foundation Stage are implemented				√
Approve off-site visits and activities of more than 24 hours or which involve a hazardous pursuit or journey by air or sea				√
Establish and publish annually an "Equality information and objectives statement" and review equality objectives every four years	√			
Ensure provision of RE in line with the school's basic curriculum			√	

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Curriculum/Inclusion/ Equality Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Decide RE syllabus (Foundation, VA,VC schools)				√
Review provision of careers education, information and advice (secondary schools)				

Pupils, Parents and Community Responsibilities	FGB	Cttee.	Ind. Gov.	H T
Ensure that school policy and procedure for looked after children are consistent with the measures set out in the statutory guidance.			√	
Ensure legally required information is published online, including annually required information e.g. report on SEN, pupil premium funding				√
Agree parental complaints procedure and publicise to parents	√			
Consider parental complaints against head teacher (as outlined in complaints procedure)		√		
Ensure the governing body can demonstrate its accountability to parents	√			
Adopt (and keep under review) home-school agreements (<i>does not apply to nursery schools</i>)	√			
Consider matters relating to the role of the school in the community	√			
Ensure the school has a published freedom of information scheme	√			
Annually register with the Information Commissioner's Office if desired. Schools are exempt, as non-profit organisations.				√
Establish a data protection policy and review it at least every two years	√			
Ensure provision of free meals to those pupils meeting the criteria, including Universal Infant School Meals where applicable)	√			