

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.</i>				

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<i>Ref: The constitution of governing bodies of maintained schools (Statutory guidance for maintained schools and local authorities in England) March 2015</i>				
<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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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				
Agree an annual Best Value Statement				

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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				
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				

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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				
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				

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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				
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				

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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				
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				

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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)				