

GOVERNING BODY SCHEME OF DELEGATION FRAMEWORK 2022-2023

PRINCECROFT PRIMARY SCHOOL

SCHEME OF DELEGATION

Agreed by the Full Governing Body 6th October 2022

This framework is produced for use by governing bodies when reviewing their schemes of delegation annually. It has been compiled by Wiltshire School Governance Team 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. 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. New or revised functions are given in **red**.

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 Governance Association Local Authority Maintained Governing Body Decision Planner 2016; Department for Education Governance Handbook 2020; OFSTED School Inspection Handbook; 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) August 2017; Statutory policies for Schools and academy trusts (DFE) 2020.

General and Procedural Responsibilities		FGB	Cttee	Ind. Gov	H T
1.	Draft instrument of government and any subsequent amendments	√			
2.	Co-opt governors	√			
3.	Appoint Local Authority governors	√			
4.	Review governor election materials to ensure that electorate understands what is required of governors	√			
5.	Agree suspension of governors	√			
6.	Appoint (and remove) the chair and vice chair of the governing body	√			
7.	Determine period of office of chair and vice chair (between 1 and 4 years)	√			
8.	Appoint (and dismiss) the clerk to the governors	√			
9.	Determine functions to be performed by the clerk to governors additional to those laid out in regulations	√			
10.	Establish and review committees	√			
11.	Elect or appoint committee chairs	√			
12.	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>(Ref: The constitution of governing bodies of maintained schools (Statutory guidance for maintained schools and local authorities in England) August 2017)</i>	√			
13.	Establish, publish on website and update annually a register of headteachers and governors' business interests. The register must set out details of relevant business interests and other schools at which they govern. It should also detail any relationships between governors and school staff including spouses, partners and relatives. <i>(Ref: The constitution of governing bodies of maintained schools (Statutory guidance for maintained schools and local authorities in England) August 2017)</i>	√			
14.	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. <i>(Ref: The constitution of governing bodies of maintained schools (Statutory guidance for maintained schools and local authorities in England) August 2017)</i>	√			

15. Approve Annual Governance Statement (no longer statutory). (<i>The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013</i>)	√			
16. Determine level of delegation of functions to individuals or committees annually	√			
17. Establish any required GB procedures (where not set out in law)	√			
18. Submit governor information to the DfE database of governors via Get Information About Schools	√			
School Self Evaluation/School Improvement Planning Responsibilities	FGB	Cttee.	Ind. Gov	H T
19. Agree the outcomes of the School's Self Evaluation process	√			
20. Agree long term vision and strategic plan	√			
21. Approve school improvement plans and evaluate their impact	√			
22. Appoint governors for SEND, safeguarding, whistle blowing and any others agreed by GB	√			
23. Ensure OFSTED recommendations are incorporated into the school improvement plan	√			

Data Analysis and Target Setting Responsibilities	FGB	Cttee.	Ind. Gov	H T
24. Scrutinise a range of pupil performance data to evaluate the school's performance, especially the DfE's compare school performance tables, Analyse School Performance and the Inspection Dashboard Summary Report		TLS		
25. Agree challenging targets for pupil achievement/attainment, ensuring they are based on outcomes of robust data analysis, and monitor performance against them				√
26. Scrutinise analysis of examination results and key stage assessments against agreed targets		TLS		
27. Ensure rigorous assessment processes are in place				√

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

Discipline/Exclusions Responsibilities	FGB	Cttee.	Ind. Gov	H T
31. Agree a behaviour principles statement and ensure that this is posted on the school website. Also monitor Exclusion rates – Elective Home Education – any patterns the board needs to be aware.	√	√		
32. Draft a school behaviour policy and publicise to staff, students and parents				√
33. Consider parents' representations about an exclusion (can be delegated to a sub-committee of at least 3 governors. Consider the reinstatement of 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 (Can be delegated to chair/vice-chair in cases of urgency)		Pupil Discipline		

Premises Responsibilities	FGB	Cttee.	Ind. Gov	H T
34. Agree long term strategy for use of school premises	√			
35. Establish all legally required and Local Authority recommended premises related policies and monitor the effectiveness of their implementation		Resources		
36. Arrange for regular monitoring and inspection of school premises		Resources		
37. Agree a funded maintenance plan		Resources		
38. Approve hiring policy and charges		Resources		
39. Ensure security of school premises and equipment				√
40. Agree level of maintenance service the school will buy from service providers		Resources		
41. Ensure risk assessments of school site are conducted and considered as appropriate				√
42. Buildings insurance and personal liability– GB to seek advice from LA where appropriate		Resources		

Staffing Responsibilities	FGB	Cttee.	Ind. Gov	H T
43. Formally approve appointments of head teacher and deputy head teacher	√			
44. Appoint an external adviser to assist with the head teacher's performance management	√			
45. Nominate 2/3 governors to conduct head teacher's performance management	√			
46. Approve, and keep under review, a school pay policy/teachers' pay policy	√			

47.	Fulfil role expected of governing bodies in adopted procedures for range of staffing issues e.g. discipline, capability, grievance, redundancy, termination of employment		TLS		
48.	Approve a Statement of procedures for dealing with allegations of abuse against staff				√
49.	Approve applications for early retirement, secondment and leave of absence not covered by local agreements		Staffing Panel		
50.	Approve, and keep under review, a teacher appraisal policy		TLS		
51.	Carry out appraisal of other teachers (or delegate to line managers in the school)	√			
52.	Make teachers' pay progression decisions following recommendations of head teacher (by end of October)		Resources		
53.	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)		TLS		
54.	Determine the school's staffing complement and structure		Resources and TLS		
55.	Ensure safer recruitment requirements are met		TLS		
56.	Ensure that required staffing policies and procedures are in place and implemented		TLS		
57.	Appoint selection panel for head teacher and deputy head teacher appointments	√			
58.	Appoint selection panel for other members of the senior leadership team	√			
59.	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
60.	Award contracts: FGB above £10K, Resources Committee £5-£10K, HT below £5K	√	Resources		√
61.	Approve transfers between budget headings: FGB above £10K, Resources Committee £5-£10K, HT below £5K	√	Resources		√
62.	Approve annual budget (as required by Wiltshire Scheme of Financial Delegation)	√			
63.	Ensure that the budget is only spent for school purposes		Resources		
64.	Agree the first budget plan, prioritised against school improvement priorities		Resources		
65.	Agree an annual Best Value Statement - it is still considered good practice that a Best Value Statement is completed alongside the financial documents for the school.		Resources		
66.	Monitor the impact of the additional funding (Covid-19 catch up and summer schools)		T&L		

67. Review contracts and services due for renewal: FGB above £10K, Resources Committee £5-£10K, HT below £5K	√	Resources		√
68. Monitor adequacy of financial management competency amongst staff and governors		Resources		
69. Approve signatories for authorising orders and payments		Resources		
70. Ensure that the school is compliant with the Schools Financial Value Standards (SFVS)		Resources		
71. Monitor income and expenditure reports and approve returns required by LA		Resources		
72. Establish (and keep under review) a charging and remissions policy		Resources		
73. Approve (and keep under review) ordering and payment systems		Resources		
74. Approve purchase of services from Local Authority and other sources above £10,000	√			
75. Approve the writing off of irrecoverable debts up to the value of £500 (LA approval required above this amount)		Resources		
76. Approve the disposal of surplus and damaged equipment		Resources		
77. Consider annual financial benchmarking data and analyse outcomes		Resources		
78. Ensure the budget has allocated funds to support the school improvement plan, agreed changes to staffing structure and salary increases approved following appraisal outcomes		Resources		
79. Ensure all required finance policies and procedures are in place and implemented		Resources		
80. Agree end of year budget rollover		Resources		
81. Receive, and where appropriate respond to, reports from Local Authority Auditors		Resources		
82. Evaluate the impact of the allocation of pupil premium funding on overcoming barriers to learning		TLS		
83. Evaluate the impact of the allocation of the primary school sport funding in improving the quality and breadth of PE and Sport provision		TLS & Resources		
84. Approve (and keep under review) a governors' allowances scheme	√			
85. Agree budget allocation for governor training and evaluate the impact of spending		Resources		

School Organisation Responsibilities	FGB	Cttee.	Ind. Gov	HT
86. Publish proposals to change category of school	√			
87. Consider forming, joining or leaving a federation or academy <i>or multi-academy trust</i>	√			
88. Set the times of school sessions and the <u>dates of school terms and holidays</u> NB: The government included a change of responsibility in the 2015 Deregulation Act - but it was never enforced – so this responsibility still lies with the LA and not the school.	√			
89. Ensure the school meets for 380 sessions in a school year				√

Health, Safety/Child Protection/ Safeguarding Responsibilities	FGB	Cttee	Ind. Gov	H T
90. Keeping Children Safe in Education 2022 – governors should receive appropriate safeguarding training at induction which should be regularly updated.	√	√	SA	√
91. Ensure compliance with health, safety and safeguarding legislation applied to schools				√
92. Approve a health and safety policy and monitor its implementation		Resources		
93. Ensure effectiveness of health and safety policy				√
94. Conduct inspections of buildings, plant and equipment			JC	
95. Approve Child Protection Policy and review its effectiveness at least annually	√			
96. Ensure effectiveness of record keeping related to health, safety and safeguarding responsibilities, including maintenance of central record of recruitment and vetting checks			RS	√
97. Consider school's annual safeguarding audit and monitor subsequent action plans	√			
98. Ensure school meets national school food standards				√
99. Ensure compliance with statutory guidance regarding pupils with medical needs				√
100. Have due regard to the need to prevent people from being drawn into terrorism and to oversee the incorporation of the necessary procedures and practices outlined in the Prevent duty into the child protection policy	√			

Curriculum/Inclusion/ Equality Responsibilities	FGB	Cttee.	Ind. Gov	H T
101. Ensure that the relevant national curriculum programmes of study are taught				√
102. Establish (and keep under review) a policy on sex and relationships education (including in primary schools where the GB must decide whether to teach sex education) and ensure that parents are informed of their right to withdraw their children		TLS		
103. Consider any disapplication for pupils (from the National Curriculum)				√
104. 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)				√
105. Approve the school's SEND policy and publicise to parents and carers and report annually to parents on provision for pupils with SEND	√			
106. Ensure appropriate provision is provided for gifted, more able and talented pupils		TLS		
107. Ensure that only approved external qualifications and syllabuses are offered to pupils				√
108. Prohibit political indoctrination and ensure the balanced treatment of political issues				√
109. Designate a qualified teacher to be responsible for co-ordinating SEN provision (the SEN co-ordinator or SENCO)				√
110. Designate a "responsible person" (staff) for Looked After Children				√
111. Establish an accessibility plan and review it at least every three years		Resources		
112. Ensure that the statutory requirements for Early Years Foundation Stage are implemented				√
113. Approve off-site visits and activities of more than 24 hours or which involve a hazardous pursuit or journey by air or sea				√
114. Establish and publish annually an "Equality information and objectives statement" and review equality objectives every four years		TLS		
115. Ensure that provision of religious education (RE) meets statutory requirements and/or the requirements of any trust deed				√
116. Ensure that all pupils take part in a daily act of collective worship in line with statutory requirements				√

Pupils, Parents and Community Responsibilities	FGB	Cttee.	Ind. Gov	H T
117. Ensure that school policy and procedure for looked after children are consistent with the measures set out in the statutory guidance	√			
118. Ensure legally required information is published online, including annually required information e.g. report on SEND, pupil premium funding				√
119. Agree parental complaints procedure and publicise to parents	√			
120. Consider parental complaints against head teacher (as outlined in complaints procedure)		Parental Complaints		
121. Ensure the governing body can demonstrate its accountability to parents	√			
122. Revisiting the school's vision statement annually – bearing in mind current government restrictions (post-Covid)	√			
123. Adopt (and keep under review) home-school agreements (no longer statutory and does not apply to nursery schools)		T&L		
124. Consider matters relating to the role of the school in the community	√			
125. Ensure the school has a published freedom of information scheme		Resources		
126. Annually register with the Information Commissioner's Office if desired. Schools are exempt, as non-profit organisations.				√
127. Establish a data protection policy in line with the General Data Protection Regulation (GDPR) and review it annually		Resources		
128. Ensure provision of free meals to those pupils meeting the criteria				√
129. Maintain a register of pupil attendance				√

Full Governing Body Terms of Reference

Governing Body's Key Purpose

Ensure that the school provides the best possible education for all pupils by establishing the school's strategy, challenging and supporting the headteacher and ensuring accountability.

Governing Body Membership

As detailed in the school's instrument of government

Quorum

The quorum for any full governing body meeting is one half of the membership of the governing body (rounded up and excluding vacancies).

Chairing/Clerking Arrangements

Meetings will be chaired by the chair of governors or the vice chair of governors in the chair's absence. The appointed clerk to the governing body will take the minutes.

Frequency of Meetings

At least 3 meetings a year.

COMMITTEES' TERMS OF REFERENCE

Each governors' committee has delegated powers of decision making on policy matters relating to the specific areas of school organisation. Each committee is accountable to the full governing body and should report to them via **formal minutes of meetings**.

Each committee may from time to time co-opt persons with particular expertise

Teaching Learning Standards Committee Terms of Reference

Committee's Key Purpose

Fulfil the range of governing body responsibilities related to staffing and the school curriculum, except those performed by the full governing body or delegated to the head teacher.

Committee Membership

At least 4 governors, including the head teacher.

Quorum

3 governors

Chairing/Clerking Arrangements

The chair of the committee will be appointed at the first committee meeting of each academic year. A clerk will be nominated from amongst those present at each meeting.

Frequency of Meetings

At least 3 meetings a year.

Delegated Responsibilities

See governing body decision planner.

Resources Committee Terms of Reference

Committee's Key Purpose

Fulfil the range of governing body responsibilities related to school finance and premises, except those performed by the full governing body or delegated to the head teacher.

Committee Membership

At least 4 governors including the head teacher.

The committee will nominate a Health and Safety Governor

Quorum

3 governors

Chairing/Clerking Arrangements

The chair of the committee will be appointed at the first committee meeting of each academic year. . A clerk will be nominated from amongst those present at each meeting.

Frequency of Meetings

At least 3 meetings a year.

Staffing Panel Terms of Reference

Panel's Key Purpose:

Fulfil the range of governing body responsibilities relating to individual members of staff as set out in adopted staffing procedures and as required in school governance legislation.

Panel Membership

3 non-staff governors

Quorum

3 governors

Chairing/Clerking Arrangements

The chair of the committee will be elected as and when necessary.

Frequency of Meetings

Meetings will be convened by the chair of the committee as required.

Delegated responsibilities

See governing body decision planner.

Consider matters relating to individual members of staff, as required in the range of adopted staffing procedures e.g. redundancy, termination of employment, discipline, grievance.

Staffing Appeals Panel Terms of Reference

Panel's Key Purpose

Fulfil the governing body's responsibility to establish an appeals process for individual members of staff who wish to appeal against decisions made by the staffing panel.

Committee Membership

3 governors **Three non-staff Governors (NOT members of the Staffing Panel)**

Quorum

3 governors

Chairing/Clerking Arrangements

The chair of the committee will be elected as and when necessary.

Frequency of Meetings

Meetings will be convened by the chair as required.

Delegated Responsibilities

See governing body decision planner.

Consider matters relating to individual members of staff, as required under the range of adopted staffing procedures e.g. redundancy, termination of employment, discipline, grievance.(when member of staff is appealing against decision of staffing panel).

Pupil Discipline Committee Terms of Reference

Committee's Key Purpose

Fulfil governing body responsibilities relating to the exclusion of individual pupils.

Committee Membership

At least 3 governors

Quorum

3 governors

Chairing/Clerking Arrangements

The chair of the committee will be elected as and when necessary.

Frequency of Meetings

Meetings will be convened by the chair as required.

Delegated Responsibilities

See governing body decision planner.

Decide whether to confirm permanent and fixed term exclusions where the pupil is either excluded for more than 15 days a term or at risk of being unable to sit a public examination

Follow statutory exclusions guidance (effective from Sept 2012).

- a. Where a student has been excluded from school for 5 (but less than 15) days or had a series of exclusions which total 5 (but less than 15) days, any one governor from the Panel to meet with the Headteacher and Parents to discuss a student's behaviour and issue a formal warning, according to school and LA policies.
- b. Where a student has been excluded for 15 days or more in any one term, they and their parents should meet with three of the Panel. The Panel will receive information from the school about the exclusion and consider the views of the parents in deciding whether to uphold the exclusion or recommend reinstatement.
- c. When all other meetings, negotiations, sanctions and a formal warning have failed to improve a student's behaviour, any three members of the Panel meet to receive information, hear evidence and reach a decision concerning a student's future education or decide whether a permanent exclusion should be recommended.

Parental Complaints Panel Terms of Reference

Panel's Key Purpose

Fulfil governing body responsibilities outlined in parental concerns procedure.

Committee Membership

At least 3 governors

Quorum

3 governors

Chairing/Clerking Arrangements

The chair of the panel will be elected as and when necessary. Minutes of meetings will be taken by the clerk to governors.

Frequency of Meetings

Meetings will be convened by the chair as required.

Delegated Responsibilities

As defined in the parental complaints procedure