



MAINTAINED GOVERNING BODY SCHEME OF DELEGATION 2021-2022

CHILWELL SCHOOL

Introduction

Governing bodies are accountable in law for all major decisions about the school and its future. However, this does not mean that they are required to carry out all the work themselves. Many of the tasks can and should be delegated to individuals and committees. It is vital that the decision to delegate a task/responsibility to an individual is made by the full governing body and recorded – without such a formula, the individual/committee has no power to act.

The table below sets out the major areas of responsibility for our governing body and who they can delegate each task to. This scheme of delegation shows to which level the governing body may legally delegate functions. Please note that this scheme of delegation does not apply to academies who will use their own documentation.

There is also space for notes relevant to our governing body – for example, which committee or individual a particular task will be delegated to.

- The governing body is responsible for the strategic direction of the school.
- Committees can be given delegated authority (subject to prescribed restrictions) to make decisions, monitor, evaluate and review particular plans, policies and targets. The head and staff play the major role in formulating plans, policies and targets to bring to committees or to the governing body for discussion prior to adoption by the full governing body.
- The Headteacher is responsible for internal organisation, management and control of the school and is accountable to the governing body.
- Although decisions may be delegated, the governing body as a whole remains responsible for any decision made under delegation therefore the governing body should receive reports/minutes from any individual or committee to whom a function of the governing body has been delegated and consider whether any further action is necessary.

Annual Review

The governing body must review the delegation of functions annually. The governing body will remain accountable for any decisions taken, including those relating to functions delegated to a committee or individual.

Quoracy

Decisions may only be made if a meeting is quorate. The quorum for full governing body meetings is 50% (rounded up to the nearest whole number) of the governors in post (not including vacancies). The minimum quorum for a committee is three governors but the full governing body may set this at a higher level if it wishes. Associate Members do not count towards quoracy.

Establishment of committees

The governing body must determine the membership and proceedings of any committee. A chair must be appointed annually to each committee by the governing body or elected by the committee as determined by the governing body. The governing body may remove the chair of a committee from

office at any time. The governing body must appoint a clerk to each committee established by it, who must not be the headteacher of the school.

Some additional notes:

Schools are required by law to establish the following statutory committees (where necessary):

- Community, Voluntary Controlled, Voluntary Aided and Foundation schools - Staff hearing/appeals
- Voluntary Aided and Foundation schools - Admissions Committee

Finance

- Annual budgets should be approved and submitted no later than 31 May each year
- SFVS (Schools Financial Value Standard) should be approved, signed by the chair of governors and submitted to LA school finance by no later than 31 March each year
- The governing body may delegate consideration of the SFVS questions to the Finance Committee but a detailed report must be given to the full governing body and the chair of governors must sign the completed form.

Chairs emergency powers

The chair – or vice-chair if the chair is unavailable or the position is vacant – can make decisions on the governing body’s behalf using the power of ‘chair’s action’ (Regulation 8 of the Role, Procedures and Allowances Regulations).

Decisions taken under the power of ‘chair’s action’ must be reported to the governing body at the first available opportunity.

While there is no specified restriction on which functions the chair may exercise under chair’s action, the power should only be used where any delay would be likely to be seriously detrimental to the interests of:

- the school
- any pupil at the school or his/her parent
- or a person who works at the school.

Key

Level 1: Full governing body

Level 2: A committee of the governing body

Level 3: An individual governor

Level 4: Headteacher.

Grey box Function **cannot** be carried out at this level.

✓ Action could be undertaken by this level

X Although legally possible to delegate to this level, it is not recommended. Significant decisions, monitoring and evaluation are best undertaken by the governing body or a committee with delegated authority, not by individuals. As long as it is in line with the regulations governing bodies are free to decide for themselves.

Area		Function	Level				In our school, this responsibility is delegated to:
			1	2	3	4	
Budgets/ Finance	1	To approve the initial budget plan each financial year	✓	✓			Business Management Committee
	2	Ensure adherence to the LA scheme for financing schools in relation to: <ul style="list-style-type: none"> obtaining quotes and inviting tenders inventories and security of assets use of income from the sale of assets 	✓	✓		✓	Governing Body
	3	To agree annual action plans and monitor how school premiums are spent (i.e. PE and sports premium, Y7 numeracy and maths catch up premium, service premium and the pupil premium)	✓	✓			Curriculum and Student progress Committee
	4	To monitor monthly expenditure	✓	✓		✓	Business Management Committee
	5	Review completed mid-year reforecast and note impact of changes to projected carry forward	✓	✓		✓	Business Management Committee
	6	Submit surplus balance return to CFCS finance by 31 May	✓	✓			Business Management Committee
	7	Approve the school's SFVS	✓				Governing Body
	8	To review and approve the School's Finance Policy	✓	✓			Governing Body
	9	To determine arrangements for the accounts, and annual auditing of the school funds and to send audited accounts to CFCS internal audit	✓	✓			Business Management Committee
	10	To monitor actions following a LA internal audit	✓	✓			Business Management Committee
	11	To approve write off of irrecoverable debts and the disposal of surplus and damaged equipment	✓				Governing Body
	12	To establish a charging and remissions policy	✓	✓			Business Management Committee
	13	To establish the financial limits of delegated authority to enter into commitments and to authorise payments	✓				Governing Body
	14	To enter into contracts (above £25,000)	✓				Governing Body
	15	To enter into contracts (below set financial limit as set in finance policy)	✓	✓		✓	Business Management Committee
	16	Setting the Individual School Range (ISR).In accordance with School Pay Policy, set or reset the IPR if circumstances change	✓				Governing Body
	1	To decide to recruit a new headteacher, determine job description and IPR	✓				Governing Body

Staffing	2	Appoint selection panel for headteacher	✓				Governing Body
	3	To decide to recruit a new deputy headteacher, determine job description and IPR	✓				Governing Body
	4	Appoint selection panel for deputy head	✓				Governing Body
	5	To determine the arrangements for the appointment of senior leadership team, including job description and pay range	✓				Governing Body
	6	Ratification of the appointment of a headteacher and deputy headteacher	✓				Governing Body
	7	To ensure the appointment of all staff on the leadership spine are made and reviewed in line with the school pay policy, statutory regulations and, for support staff, the JE scheme adopted by the governing body	✓	✓			Business Management Committee
	8	Appointment of all other staff				✓	Headteacher
	9	To review annually the pay policy	✓	✓			Governing Body
	10	To monitor the implementation of pay decisions in line with the pay policy and legal requirements		✓		✓	Pay Committee
	11	To consider the recommendations of the appraisal governors in relation to the headteacher's pay		✓			Pay Committee
	12	To receive a report from the headteacher on pay progression for all teaching and support staff		✓			Pay Committee
Staffing	13	To determine and review any temporary pay allowances in line with the schools pay policy		✓			Pay Committee
	14	Suspending head		✓	✓		Normally Chair, supported by a senior LA officer
	15	Suspending staff (except head)		✓		✓	Head teacher
	16	Ending suspension (head)	✓	✓	✓		Governing Body
	17	Ending suspension (except head)	✓	✓	✓	✓	Governing Body
	18	To determine the staffing complement of the school in line with the budget and requirements of the school	✓	✓			Business Management Committee
	19	To determine and review staffing structure including any temporary appointments in line with the fixed term agreement policy. To ensure all teaching posts are paid in line with the STPCD. To ensure all support staff posts are evaluated and paid in line with the schools Job Evaluation Scheme	✓	✓			Business Management Committee
	20	In voluntary and foundation schools to agree whether or not the Chief Education Officer/diocesan authority should have advisory rights	✓				Governing Body
	21	To produce and maintain a central record of recruitment and vetting checks				✓	Headteacher

Staffing	22	To ensure an up to date central record of recruitment and vetting checks is kept in line with statutory requirements	✓	✓	✓		Governing Body
	23	Establish and review HR policies and procedures for addressing staff matters including discipline, conduct and grievance, capability and absence management	✓	✓			Governing Body
	24	To hear appeals made by staff in relation to all staffing matters and to ensure that any hearing or appeal panels set up to consider staffing matters are properly convened	✓	✓			Governing Body
	25	To make recommendations on dismissal and consider dismissal payments/early retirement (seek advice from the LA for community schools)	✓	✓			Governing Body
	26	Dismissal of headteacher		✓			Committee plus hearing/appeal panel
	27	Dismissal of other staff				✓	Headteacher (plus hearing/appeal panel)
	1	Ensure National Curriculum (NC) taught to all pupils	✓	✓		✓	Curriculum and Student progress Committee
Curriculum	2	To comply with the requirements of the Ofsted Inspection Framework	✓	✓		✓	Curriculum and Student progress Committee
	3	To consider in detail any inspection report made by Ofsted or the LA	✓	✓	✓	✓	Governing Body
	4	To ensure that recommendations following an Ofsted inspection are incorporated into the SIP	✓	✓		✓	Curriculum and Student progress Committee
	5	To approve and monitor the school improvement plan	✓	✓			Curriculum and Student progress Committee
	6	To be involved in the formulation and review of school self-evaluation	✓	✓		✓	Curriculum and Student progress Committee
	7	To consider any disapplication for pupil(s)				✓	Headteacher
	8	To monitor the standards of teaching and attainment				✓	Headteacher
	9	To decide which subject options should be taught having regard to resources, and implement provision for flexibility in the curriculum (including activities outside school day)	✓	✓		✓	Curriculum and Student progress Committee
	10	Establish and review an RSE policy (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				✓	Headteacher

Curriculum	11	Provide clear advice, informed by statutory guidance, on which a strategy for careers advice and guidance can be based				✓	Headteacher
	12	To prohibit political indoctrination of pupils and ensure a balanced treatment of political issues				✓	Headteacher
	13	To ensure the curriculum complies with the Equality Act legislation				✓	Headteacher
	14	Responsibility for ensuring that provision of religious education (RE) meets statutory requirements and/or the requirements of any trust deed	✓	✓		✓	Curriculum and Student progress Committee
	15	To ensure that all pupils take part in a daily act of collective worship in line with statutory requirements				✓	Headteacher
	16	To set and monitor targets for pupil achievement				✓	Headteacher
	17	To receive and monitor pupil achievement against set targets	✓	✓			Curriculum and Student progress Committee
Extra-curricular provision	1	To consider activities to be offered and ensure the effective delivery of activities provided	✓				Governing Body
	2	To put into place and monitor the effectiveness and financial sustainability of the additional services provided				✓	Headteacher
	3	To decide whether to stop providing additional activities	✓	✓		✓	Curriculum and Student progress Committee
Performance management	1	To adopt and review teacher appraisal policy	✓	✓			Governing Body
	2	To appoint the panel to carry out the appraisal of the head teacher	✓				Governing Body
	3	To appoint an external adviser to support the appraisal governors in conducting the headteacher's appraisal process	✓				Governing Body
	4	To appoint a QA governor to carry out the QA of the headteacher appraisal process	✓				Governing Body
	5	To conduct the annual appraisal of the headteacher with the assistance of the external adviser		✓			Appointed appraisal governors who report to the appropriate committee
	6	To carry out appraisal of other teachers (or delegate to line managers in the school)				✓	Headteacher
Discipline/ Exclusions	1	To review 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 Committee

	2	To appoint a clerk to the Discipline Committee (who is not a governor or the headteacher)	✓				Governing Body	
	3	Ensure compliance with the exclusions related provisions of the Education & Inspections Act 2006					Curriculum and Student progress Committee	
	4	To implement the behaviour policy, anti-bullying policy and peer on peer abuse policy (inclusive of sexual violence and sexual harm).				✓	Headteacher	
	5	To annually review the behaviour policy and receive regular reports on the use of exclusion in school in comparison with local and national data	✓	✓			Curriculum and Student progress Committee	
Admissions	1	To annually determine admission arrangements by 28 February every year even if there is no change ensuring all appropriate bodies are notified. Publish a copy of the determined arrangements on the school website and send to the local authority by 15th March (VA and foundation schools)	✓				Governing Body	
	2	To consider annually the LA consultation on admission arrangements	✓				Governing Body	
	3	To implement the LA's admission arrangements including the coordinated admissions scheme				✓	Headteacher	
	VA and foundation schools							
	<i>Governing bodies of VA and foundation schools must establish a dedicated admissions committee to allocate places, where they choose to delegate authority to committee level</i>							
	4	To carry out statutory consultation when changes are proposed to admission arrangements, as outlined in the School Admissions Code (paragraphs 1.42 – 1.45). This includes catchment areas, supplementary information forms and 6th form arrangements where relevant or where the school has not consulted on their arrangements in the last seven years.	✓	✓			✓	Governing Body
	5	To consult with the Local Authority on variations to the admissions number	✓				✓	Governing Body
	6	To verify and rank admission applications against the school's admission oversubscription criteria according to the Local Authority's co-ordinated scheme	✓	✓				Governing Body
	7	To notify the Local Authority of applications and outcomes for in-year applications (for schools not participating in the Local Authority's non-statutory co-ordinated in-year scheme)	✓	✓				Curriculum and Student progress Committee
	8	To establish and publish an admissions appeal timetable		✓			✓	Head teacher
9	To attend admissions appeals as necessary (presenting school's case)					✓	Head teacher	

	10	To appeal against LA directions to admit pupil(s) (voluntary, foundation and special schools; also, community and VC schools where LA is the admissions authority)		✓			Curriculum and Student progress Committee
	Special schools						
	11	To establish an admissions policy (where pupils do not have a statement) acting with the Local Authority	✓				N/A
12	To establish an admissions policy (where pupils have statements) – for Local Authority after consultation with the governing body	✓					
Premises & Insurance	1	To determine insurance arrangements – GB to seek advice from LA, diocese or trustees where appropriate	✓				Governing Body
	2	Procuring building maintenance works in accordance with the school's delegated and devolved responsibilities (see LA property handbook) and developing a properly funded site maintenance plan				✓	Headteacher
	3	To establish a lettings policy	✓	✓			Business Management Committee
Health & Safety	1	To ensure a health and safety policy and procedures are in place	✓	✓			Business Management Committee
	2	To ensure that health and safety regulations are followed				✓	Headteacher
	3	To monitor the use and suitability of the premises in relation to the above				✓	Headteacher
	4	To monitor the arrangements of school visits/residentials	✓	✓		✓	Curriculum and Student progress Committee
School Organisation	1	To consider the alteration, discontinuation or change of category of maintained schools (must be confirmed by governing body)	✓	✓		✓	Governing Body
	2	To ensure publication of proposals to change category of school	✓	✓			Governing Body
	3	To decide whether to convert to academy status	✓				Governing Body
	4	Propose to alter voluntary foundation or foundation special school	✓				Governing Body
	5	Propose to discontinue voluntary foundation or foundation special school	✓				Governing Body
	6	To agree school session times (taking into account recommended minimum weekly lesson time)	✓				Governing Body
	7	To ensure that the school meets for 380 sessions in a school year	✓				Governing Body
	8	To ensure that school lunch nutritional standards are met				✓	Headteacher

	9	To establish a data protection policy and review it at least every two years and register with the Information Commissioner's Office		✓		✓	Business Management Committee
	10	Maintain a register of pupil attendance				✓	Headteacher
	11	To monitor and review pupil attendance	✓	✓			Curriculum and Student progress Committee
	12	To ensure provision of free meals to those pupils meeting the criteria, including Universal Infant Free School Meals (if applicable)				✓	Headteacher
Information for Parents	1	To determine whether to publish a home-school agreement (no longer a statutory requirement)	✓	✓		✓	Curriculum and Student progress Committee
	2	Overall responsibility for ensuring that statutory requirements for information published on the school website, including details of governance arrangements, are met	✓	✓			Governing Body
	3	To establish, publish and review a complaints procedure	✓	✓			Governing Body
	4	To establish and publish a Freedom of Information scheme and ensure the school complies with it	✓	✓		✓	Business Management Committee
GB roles, procedures and development	1	Ensure focus on three core strategic functions	✓				Governing Body
	2	To draw up an instrument of government and any amendments thereafter	✓				Governing Body
	3	To appoint (and remove) the chair and vice-chair of a permanent or a temporary governing body	✓				Governing Body
	4	To appoint and dismiss the clerk to governors and clerk to each committee	✓				Governing Body
	5	To appoint or remove community/co-opted, partnership, any appointed parent, any sponsor governors and associate members	✓				Governing Body
	6	To appoint local authority governors	✓				Governing Body
	7	To suspend any governor	✓				Governing Body
	8	To establish, publish and oversee the maintenance of a register of governors' business and pecuniary interests	✓	✓			Business Management Committee
	9	To set the structure and remit of the governing body and any committees including governor appointment details, term of office and attendance record	✓				Governing Body
	10	To decide on additional attendance at full governing body meetings	✓				Governing Body
	11	To appoint link or designated governors e.g. appraisal, safeguarding, complaints	✓				Governing Body
	12	To publish the structure and remit of the governing body and any committees including				✓	Headteacher

		governor appointment details, term of office and attendance record					
	13	To submit governor information to the DfE database of governors via GIAS				✓	Headteacher
	14	To determine whether or not to pay governor allowances for out of pocket expenses	✓				Governing Body
	15	To establish and monitor a governors' expenses scheme	✓	✓			Business Management Committee
	16	To consider whether or not to exercise delegation of functions to individuals or committees	✓				Governing Body
	17	To determine voting rights for associate members on committees	✓				Governing Body
	18	To decide the arrangements for full governing body meetings (legal minimum three per year)	✓				Governing Body
	19	To regulate the GB procedures (where not set out in law)	✓				Governing Body
	20	To agree governor induction and training programme	✓	✓	✓		Governing Body
	21	To annually review progress against strategic plan and evaluate governing body performance	✓				Governing Body
	22	To approve new policies or amendments to policies	✓	✓			Governing Body
Formal collaboration	1	To consider forming/joining/leaving a group of schools	✓				Governing Body
	2	To consider requests from other schools to join	✓				Governing Body
Academies	1	To consider approach and time scale to academy conversion	✓	✓			Governing Body
	2	To consider forming or joining an existing Multi-academy-trust (MAT)	✓	✓			Governing Body
Federations	1	To consider forming a federation or joining/leaving an existing federation	✓				Governing Body
	2	To consider requests from other schools to join the federation	✓				Governing Body
	3	Review of structure including any subsequent conversion to MAT status	✓				Governing Body
Inclusion and equality	1	To establish and approve a special educational needs (SEN) policy	✓				Governing Body
	2	To publish and update at least annually a SEN information report (meeting requirements set out in the Special Educational Needs and Disability Regulations 2014)	✓	✓		✓	Curriculum and Student progress Committee
	3	To designate a qualified teacher to be responsible for co-ordinating SEN provision (the SEN co-ordinator or SENCO)				✓	Headteacher
	4	To appoint a designated teacher for looked-after children				✓	Headteacher
	5	To establish an accessibility plan and review it every three years	✓	✓		✓	Governing Body

Safeguarding	1	To 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	✓				Governing Body
	2	To adopt and review annually a child protection policy and relevant procedures and report to the LA	✓	✓			Governing Body
	3	To appoint a Snr Designated Safeguarding Lead (who is a member of the school's senior leadership team) and ensure the role and responsibilities of DSL are written into the persons job description. To consider the need to appoint Deputy DSL's and ensure the role and responsibilities are defined within their job description.	✓			✓	Headteacher/ Governing body
	4	To appoint a Designated Teacher to promote the educational achievement of registered pupils who are looked after. Ensure the role and responsibilities are written into their job description.	✓			✓	Headteacher/ Governing body
	5	To adopt the NCC & Nottinghamshire Safeguarding Children's Partnership (NSCP) Safeguarding in Education Annual Audit. To be completed during the autumn term and reported to the LA. To be signed off at the full Governing body meeting autumn term. (linked to Headteacher appraisal)	✓		✓	✓	Governing Body/ Headteacher/ Snr DSL/ Safeguarding Governor
	6	To adopt and carry out the NCC & NSCP annual spring term child protection and confidential file audit and report to Governing body.	✓		✓	✓	Governing Body/ Headteacher/ Snr DSL/ Safeguarding Governor