

# Governance Board Delegation Planner

## Introduction

Governance boards 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, as a whole. Very many of the tasks can and should be delegated to individuals and committees. It is vital that the full governance board makes the decision to delegate a task/responsibility to an individual and that this is recorded – without this, the individual/committee has no power to act.

The ensuing table sets out the major areas of responsibility for governing bodies of maintained schools and highlights who each task can be delegated to; it also indicates where it would not be good practice to delegate, even though legally it is not set out that a task/responsibility cannot be delegated. Space is also provided for you to specify which committee, or individual, each task is delegated to for your governance board. This could be a good reference document to provide to new governors as part of an induction pack.

The governance board is responsible for strategic direction and monitoring. The Headteacher and staff play the major role in formulating plans, policies and targets to bring to committees or to the full governance board for discussion prior to adoption. The Headteacher is also responsible for internal organisation, management and control of the school and is accountable to the governance board. Although decisions may be delegated, the governance board, as a whole, remains responsible for any decision made under delegation.

**This planner shows to which level the governing body of a maintained school may legally delegate functions. Please note that the delegation of functions for academy governance boards will very likely differ, particularly in multi academy trusts, and you should always refer to your articles of association and scheme of delegation/terms of reference for clarification. However, you could still use the planner as a reference and may wish to use it to indicate who does have delegated responsibility within the academy trust.**

## Planner Key

- Level 1: Full governance board
- Level 2: A committee of the governance board
- Level 3: An individual governor
- Level 4: Headteacher.

 : Function **cannot** be legally carried out at this level.

✓ : Action could be undertaken by this level.

✗ : Although legally possible to delegate to this level, it would not be particularly good practice. Significant decisions, monitoring and evaluation are best undertaken by a team of governors, not by individuals. However, as long as it is in line with the regulations, the board is free to decide for itself.

The "Planner"

| Area   | Function  | Level |   |   |                    | In our school, this responsibility is delegated to: |
|--|---|-------|---|---|--------------------|---|
|  |   | 1     | 2 | 3 | 4                  |   |
| <b>Budgets</b>   | To approve the first formal budget plan each financial year.                | ✓     | ✓ |   |                    | Resources Committee                                 |
|  | To monitor monthly expenditure.   | ✓     | ✓ | x | ✓                  | Headteacher   |
|  | To establish a charging and remissions policy.                              | ✓     | ✓ | x | x                  | Board of Governors                                  |
|  | To enter into contracts (GB should agree financial limits).                 | ✓     | ✓ | x | ✓                  | Headteacher   |
| <b>Staffing</b>  | Appoint selection panel for Headteacher.                                    | ✓     |   |   |                    | Board of Governors                                  |
|  | Appoint selection panel for Deputy Headteacher.                             | ✓     |   |   |                    | N/A   |
|  | Appoint selection panel for other members of the senior leadership team.    | ✓     | x | x | x                  | N/A   |
|  | Appoint other teachers.   | x     | x | x | ✓                  | Headteacher   |
|  | Appoint non-teaching staff.   | x     | x | x | ✓                  | Headteacher   |
|  | To put in place a pay policy.   | ✓     | ✓ | x |                    | Resources Committee                                 |
|  | To make pay decisions in line with the pay policy and legal requirements.   | x     | ✓ | x | ✓                  | Resources Committee / HT                            |
|  | Dismissal of Headteacher.   | x     | ✓ | x |                    | Perf Man Committee                                  |
|  | Initial dismissal of other staff.   | x     | x | x | ✓                  | Headteacher   |
|  | Suspending Headteacher.   | x     | ✓ | ✓ |                    | Chair of Governors                                  |
|  | Suspending staff (except Headteacher).                                      | x     | x | x | ✓                  | Headteacher   |
|  | Ending suspension (Headteacher).  | ✓     | ✓ | ✓ |                    | Chair of Governors                                  |
|  | Ending suspension (except Headteacher).                                     | ✓     | ✓ | ✓ |                    | Chair of Governors                                  |
|  | Setting the overall staffing structure.                                     | ✓     | ✓ | x |                    | Resources Committee                                 |
|  | Determining dismissal payments/ early retirement.                           | ✓     | ✓ | x |                    | Resources Committee                                 |
|  | To produce and maintain a central record of recruitment and vetting checks. | x     | x | x | ✓                  | Headteacher   |
| Establish and review policies and procedures for addressing staff discipline, conduct and grievance. | ✓   |       |   |   | Board of Governors |   |

| Area                       | Function   | Level |   |   |   | In our school, this responsibility is delegated to: |
|----------------------------|--|-------|---|---|---|---|
|                            |  | 1     | 2 | 3 | 4 |   |
| Curriculum                 | Ensure National Curriculum EYFS is taught to all pupils.   | ✓     | ✓ | ✗ | ✓ | Headteacher   |
|                            | To consider any disapplication for pupil(s).   | ✗     | ✗ | ✗ | ✓ | N/A   |
|                            | To decide which subject options should be taught having regard to resources, and implement flexibility in the curriculum.  | ✓     | ✓ | ✗ | ✗ | N/A   |
|                            | Establish and review a sex education 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.   | ✗     | ✗ | ✗ | ✓ | N/A   |
| Religious Education        | Responsibility for ensuring that provision of RE meets statutory requirements and/or the requirements of any trust deed.   | ✓     | ✓ | ✗ | ✓ | Headteacher   |
| Collective Worship         | To ensure that all pupils take part in a daily act of collective worship in line with statutory requirements.  |       |   |   | ✓ | N/A   |
| Extra-curricular provision | To decide whether to offer additional activities and what form these should take.  | ✓     | ✗ | ✗ | ✗ | Board of Governors                                  |
|                            | To put into place the additional services provided.  | ✗     | ✗ | ✗ | ✓ | Headteacher   |
|                            | To decide whether to stop providing additional activities.   | ✓     | ✗ | ✗ | ✗ | Board of Governors                                  |
| Performance management     | To formulate and review the teacher appraisal policy.  | ✓     | ✓ | ✗ |   | Board of Governors                                  |
|                            | To appoint the working party to carry out the appraisal of the Headteacher.  | ✓     | ✓ | ✗ |   | Board of Governors                                  |
|                            | To carry out appraisal of other teachers.  |       |   |   | ✓ | Headteacher   |
| Discipline/ exclusions     | To review the use of exclusion and to decide whether or not to confirm 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). | ✗     | ✓ |   |   | Chair + 2 Governors if required                     |
|                            | To produce a set of written principles for the school behaviour policy and present these to the Headteacher, parents, staff and students   | ✓     | ✓ | ✗ |   | Board of Governors                                  |

| Area                 | Function   | Level |   |   |   | In our school, this responsibility is delegated to: |
|----------------------|--|-------|---|---|---|---|
|                      |  | 1     | 2 | 3 | 4 |   |
|                      | for consultation.  |       |   |   |   |   |
|                      | To draft the content of the school behaviour policy and publicise it to staff, students and parents.   |       |   |   | ✓ | Headteacher   |
| Admissions           | To consult annually before setting an admissions policy (VA and foundation schools).   | ✓     | ✓ |   |   | Board of Governors                                  |
|                      | Admissions application decisions (VA, foundation and special schools).   | x     | ✓ |   |   | N/A   |
|                      | 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). | x     | ✓ |   |   | N/A   |
| Premises & insurance | Buildings insurance and personal liability – GB to seek advice from LA, diocese or trustees where appropriate.   | ✓     | x | x |   | Board of Governors                                  |
| Health & safety      | To ensure a health and safety policy and procedures are in place.  | ✓     | ✓ |   |   | Board of Governors                                  |
|                      | To ensure that health and safety regulations are followed.   | x     | x | x | ✓ | Headteacher   |
| School organisation  | To publish proposals to change category of school.   | ✓     | ✓ | x | x | Board of Governors                                  |
|                      | To decide whether to convert to academy status.  | ✓     | x | x | x | N/A   |
|                      | Propose to alter voluntary foundation or foundation special school.  | ✓     | x | x | x | N/A   |
|                      | Propose to discontinue voluntary foundation or foundation special school.  | ✓     |   |   |   | N/A   |
|                      | To set the times of school sessions and the dates of school terms and holidays (except in community, special and VC schools where this is the LA's role).          | ✓     | x | x |   | Board of Governors                                  |
|                      | To ensure that the School Food Standards are met.  | x     | x | x | ✓ | Headteacher   |
|                      | To establish a data protection policy and review it at least every two years.  | x     | ✓ | x | ✓ | Resources Committee                                 |
|                      | Maintain a register of pupil attendance.   | x     | x | x | ✓ | Headteacher   |
|                      | To ensure provision of free meals to those pupils meeting the criteria.  | x     | x | x | ✓ | N/A   |

| Area                    | Function  | Level |   |   |   | In our school, this responsibility is delegated to: |
|-------------------------|---|-------|---|---|---|---|
|                         |   | 1     | 2 | 3 | 4 |   |
| Information for parents | To decide whether to have a home-school agreement.  | ✓     | x | x | x | Board of Governors                                  |
|                         | To review the home-school agreement.  | ✓     | ✓ | x | x | Board of Governors                                  |
|                         | To establish, publish and review a complaints procedure.  | ✓     | ✓ | x | x | Board of Governors                                  |
|                         | To establish and publish a Freedom of Information scheme and ensure the school complies with it.                                      | ✓     | ✓ | x | ✓ | Resources Committee                                 |
| GB procedures           | To draw up an instrument of government and any amendments thereafter.   | ✓     |   |   |   | Board of Governors                                  |
|                         | To appoint (and remove) the chair and vice-chair of a permanent or a temporary governing body.  | ✓     |   |   |   | Board of Governors                                  |
|                         | To appoint and dismiss the clerk to governors.  | ✓     | ✓ | x | x | Board of Governors                                  |
|                         | To appoint and remove co-opted governors.   | ✓     |   |   |   | Board of Governors                                  |
|                         | To appoint local authority governors.   | ✓     |   |   |   | Board of Governors                                  |
|                         | To set up a register of governors' business interests.  | ✓     | ✓ | x |   | Board of Governors                                  |
|                         | To approve and set up a governors' expenses scheme.   | ✓     | ✓ | x | x | Board of Governors                                  |
|                         | To consider whether or not to exercise delegation of functions to individuals or committees.  | ✓     |   |   |   | Board of Governors                                  |
|                         | To regulate the GB procedures (where not set out in law).   | ✓     |   |   |   | Board of Governors                                  |
| Federations             | To consider forming a federation or joining an existing federation.   | ✓     |   |   |   | Board of Governors                                  |
|                         | To consider requests from other schools to join the federation.   | ✓     |   |   |   | Board of Governors                                  |
|                         | To leave a federation.  | ✓     |   |   |   | Board of Governors                                  |
| Inclusion and equality  | To establish and review a special educational needs (SEN) policy.   | ✓     |   |   |   | Board of Governors                                  |
|                         | To establish and publish annually an 'Equality information and objectives statement' and review equality objectives every four years. | ✓     | ✓ | x | ✓ | Headteacher   |
|                         | To designate a 'responsible person' for children with SEN in community, voluntary and   | ✓     | ✓ | x | ✓ | Board of Governors                                  |

| Area | Function  | Level |   |   |   | In our school, this responsibility is delegated to: |
|------|---|-------|---|---|---|---|
|      |   | 1     | 2 | 3 | 4 |   |
|      | foundation schools.   |       |   |   |   |   |
|      | To designate a 'responsible person' for looked after children in community, voluntary and foundation schools. | ✓     | ✓ | ✗ | ✓ | Board of Governors                                  |
|      | To establish an accessibility plan and review it every three years.   | ✓     | ✓ | ✗ | ✓ | Headteacher   |
|      | To establish and review annually a child protection policy and relevant procedures.                           | ✓     | ✓ | ✗ | ✗ | Board of Governors                                  |