

# Moorside Primary School and Nursery

## Maintained Governing Body Delegation Planner for 2019-2020 Academic Year

Planner provided by the National Governors Association

Agreed by Full Governing Board 4<sup>th</sup> December 2019

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 governing bodies and who they can delegate each task to; it also records where the NGA does not think that, even if a task/responsibility can be delegated, this would be good practice.

This planner shows to which level the governing board may legally delegate functions. Please note that the decision planner does not apply to academy governing bodies.

Key	
Level 1: Full governing body (FGB)	
Level 2: Specific Governor Panel or Link Governors	
Level 3: An individual governor	
Level 4: Headteacher (HT)	
<b>Blue box</b>	Function <b>cannot</b> be legally carried out at this level.
✓	Action could be undertaken by this level.
✗	Although legally possible to delegate to this level, the NGA would not recommend it. Significant decisions, monitoring and evaluation are best undertaken by the governing body or panel with delegated authority, not by individuals. As long as it is line with the regulations governing boards are free to decide for themselves.

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

- The governing body is responsible for the strategic direction of the school
- Link Governors can be given delegated authority 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 link governors or to the governing board for discussion prior to adoption by the full governing board.
- The head is responsible for internal organisation, management and control of the school and is accountable to the governing board.
- Although decisions may be delegated, the governing board as a whole remains responsible for any decision made under delegation.



Area		Function	Level				In our school, this responsibility is delegated to:
			1	2	3	4	
Budgets	1.	To approve the first formal budget plan each financial year (whether this can be delegated to a committee of the governing body depends on your local authority's scheme of financial delegation)	✓	✓			FGB
	2.	To agree annual action plans and monitor how school premiums are spent (i.e. PE and sports premium, service premium and the pupil premium)	✓	✓	✗	✗	FGB with Link Govs monitoring & reporting to FGB
	3.	To monitor monthly expenditure	✓	✓	✗	✓	SBM / HT
	4.	To establish a charging and remissions policy	✓	✓	✗	✗	FGB
	5.	To enter into contracts (GB should agree financial limits)	✓	✓	✗	✓	SBM / HT and/or FGB see Budget Management Policy
Staffing	6.	Appoint selection panel for headteacher	✓				FGB
	7.	Appoint selection panel for deputy head	✓				FGB
	8.	Appoint selection panel for other members of the senior leadership team	✓	✗	✗	✗	FGB
	9.	Ratify or reject decisions of appointed selection panels	✓				FGB
	10.	Appoint other teachers	✗	✗	✗	✓	HT
	11.	Appoint non-teaching staff	✗	✗	✗	✓	HT
	12.	To put in place a pay policy	✓	✓	✗		FGB
	13.	To make pay decisions in line with the pay policy and legal requirements <sup>1</sup>	✗	✓	✗	✓	Performance Pay Panel (PPP) Lead & HT



Area		Function	Level				In our school, this responsibility is delegated to:
			1	2	3	4	
	14.	Dismissal of headteacher	✓	✓	✗		FGB
	15.	Initial dismissal of other staff	✗	✗	✗	✓	HT
	16.	Suspending head	✗	✓	✓		Governor Panel set up for this purpose
	17.	Suspending staff (except head)	✗	✗	✗	✓	HT
	18.	Ending suspension (head)	✓	✓	✓		FGB
	19.	Ending suspension (except head)	✓	✓	✓		FGB
	20.	Setting the overall staffing structure	✓	✓	✗	✗	HT, FGB
	21.	In voluntary and foundation schools to agree whether or not the Chief Education Officer/diocesan authority should have advisory rights	✓	✓	✗		Not applicable
	22.	Determining dismissal payments/ early retirement	✓	✓	✗	✗	Res Gobs /FGB
	23.	To produce and maintain a central record of recruitment and vetting checks	✗	✗	✗	✓	HT & SBM
Curriculum	24.	Establish and review procedures for addressing staff discipline, conduct and grievance	✓				FGB
	25.	Ensure National Curriculum (NC) taught to all pupils	✓	✓	✗	✓	FGB & HT
	26.	To consider any disapplication for pupil(s)	✗	✗	✗	✓	HT
	27.	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)	✓	✓	✗	✗	N/A Not a Secondary School
	28.	Establish and review a sex and relationships education policy (including in primary schools)	✗	✗	✗	✓	HT



Area		Function	Level				In our school, this responsibility is delegated to:
			1	2	3	4	
		where the GB must decide whether to teach sex education) and ensure that parents are informed of their right to withdraw their children					
	29.	Provide clear advice, informed by statutory guidance, on which a strategy for careers advice and guidance can be based	✗	✗	✗	✓	N/A Not a Secondary School
	30.	Responsibility for ensuring that provision of religious education (RE) meets statutory requirements and/or the requirements of any trust deed	✓	✓	✗	✓	FGB / HT
	31.	To ensure that all pupils take part in a daily act of collective worship in line with statutory requirements				✓	HT
Extra-curricular provision	32.	To decide whether to offer additional activities and what form these should take	✓	✗	✗	✗	FGB
	33.	To put into place the additional services provided	✗	✗	✗	✓	HT
	34.	To decide whether to stop providing additional activities	✓	✗	✗	✗	FGB
Performance management	35.	To adopt and review teacher appraisal policy	✓	✓	✗		Res Gobs / FGB/ HT
	36.	To appoint the panel to carry out the appraisal of the head teacher	✓	✓	✗		FGB
	37.	To carry out appraisal of other teachers (or delegate to line managers in the school)				✓	HT
Discipline/ exclusions	38.	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)	✗	✓			GB Panel for this purpose. Chair / Vice Chair if urgent
	39.	To produce a set of written principles for the school behaviour policy and present these for consultation	✓				FGB



Area		Function	Level				In our school, this responsibility is delegated to:
			1	2	3	4	
	40.	To draft the content of the school behaviour policy and publicise it to staff, students and parents.				✓	HT
Admissions	41.	To annually determine admission arrangements (VA and foundation schools)	✓	✓			N/A
	42.	To carry out consultation where changes to admission arrangements are proposed, or the governing board has not consulted on their arrangements in the last seven years (VA and foundation schools)	✓	✓			N/A
	43.	Admissions: application decisions (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)	✗	✓			N/A
	44.	To establish and publish an admissions appeal timetable (VA and foundation schools)	✗	✓			N/A
	45.	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)	✗	✓			FGB
Premises & insurance	46.	Buildings insurance and personal liability– GB to seek advice from LA, diocese or trustees where appropriate	✓	✗	✗		SBM / Res Govs / FGB
Health & safety	47.	To ensure a health and safety policy and procedures are in place	✓	✓	✗		H&S Link Gov/FGB
	48.	To ensure that health and safety regulations are followed	✗	✗	✗	✓	HT
	49.	To publish proposals to change category of school	✓	✓	✗	✗	FGB



Area		Function	Level				In our school, this responsibility is delegated to:
			1	2	3	4	
School organisation	50.	To decide whether to convert to academy status <sup>2</sup>	✓	✗	✗	✗	FGB
	51.	Propose to alter voluntary foundation or foundation special school	✓	✗	✗	✗	N/A
	52.	Propose to discontinue voluntary foundation or foundation special school	✓				N/A
	53.	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)	✓	✗	✗		Local Authority
	54.	To ensure that school lunch nutritional standards <sup>3</sup> are met	✗	✗	✗	✓	HT
	55.	To establish a data protection policy and review it at least every two years and register with the Information Commissioner's Office	✗	✓	✗	✓	Res Govs / HT / SBM
	56.	Maintain a register of pupil attendance	✗	✗	✗	✓	HT
	57.	To ensure provision of free meals to those pupils meeting the criteria, including Universal Infant Free School Meals (if applicable)	✗	✗	✗	✓	HT
Information for parents	58.	To determine whether to publish a home-school agreement (no longer a statutory requirement)	✓	✓	✗	✓	FGB / HT
	59.	Overall responsibility for ensuring that statutory requirements for information published on the school website, including details of governance arrangements, are met	✓	✓	✗	✗	Chair / Vice Chair
	60.	To establish, publish and review a complaints procedure	✓	✓	✗	✗	Chair / Vice Chair / FGB
	61.	To establish and publish a Freedom of Information scheme and ensure the school	✓	✓	✗	✓	HT/FGB



Area		Function	Level				In our school, this responsibility is delegated to:
			1	2	3	4	
		complies with it					
GB roles, procedures and development	62.	Ensure focus on three core strategic functions: 1. Ensuring clarity of vision, ethos and strategic direction 2. Holding the headteacher to account for the educational performance of the school and its pupils, and the performance management of staff 3. Overseeing the financial performance of the school and making sure its money is well spent	✓				FGB
	63.	To draw up an instrument of government and any amendments thereafter	✓				FGB
	64.	To appoint (and remove) the chair and vice-chair of a permanent or a temporary governing board	✓				FGB
	65.	To appoint and dismiss the clerk to governors	✓	✓	✗	✗	FGB
	66.	To appoint and remove co-opted governors	✓				FGB
	67.	To appoint local authority governors	✓				FGB
	68.	To dismiss any Governor as per agreed Policy	✓				FGB
	69.	To set up and publish a register of governors' business and pecuniary interests	✓	✓	✗		Chair / FGB
	70.	To set the structure and remit of the governing board / panels, including governor appointment details, term of office and attendance record	✓				FGB
	71.	To publish structure and remit of the governing board / panels, including governor appointment details, term of office and attendance record	✗	✗	✗	✓	HT / SBM
	72.	To submit governor information to the DfE database of governors via Edubase	✗	✗	✗	✓	HT / SBM



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			1	2	3	4	
	73.	To approve and set up a governors expenses scheme	✓	✓	✗	✗	FGB
	74.	To consider whether or not to exercise delegation of functions to individuals or panels /link governors	✓				FGB
	75.	To regulate the GB procedures (where not set out in law)	✓				FGB
	76.	To agree governor induction and training programme	✓				FGB
	77.	To review progress against strategic plan and evaluate governing body performance	✓				FGB
Formal Collaboration	78.	To consider forming or joining a group of schools	✓				FGB
Academies	79.	To consider approach and time scale to academy conversion	✓	✓			When / if applicable: FGB
	80.	To consider forming or joining an existing Multi-academy-trust (MAT)	✓	✓			FGB
Federations	81.	To consider forming a federation or joining an existing federation	✓	✓			FGB
	82.	Review of structure including any subsequent conversion to MAT status	✓				FGB
Inclusion and equality	83.	To establish and approve a special educational needs (SEN) policy	✓				FGB
	84.	To publish and update at least annually a SEN information report (meeting requirements set out in the Special Educational Needs and Disability Regulations 2014)	✓	✓	✗	✓	HT/ FGB SEN Link Gov to monitor.
	85.	To designate suitably qualified person to be responsible for co-ordinating SEN provision (the SEN co-ordinator or SENCO)	✗	✗	✗	✓	HT





Area		Function	Level				In our school, this responsibility is delegated to:
			1	2	3	4	
	86.	To appoint a designated teacher for looked-after children	✗	✗	✗	✓	HT
	87.	To establish an accessibility plan and review it every three years	✓	✓	✗	✓	HT, FGB
Safeguarding	88.	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 <i>Prevent</i> duty into the child protection policy	✓				FGB
	89.	To adopt and review annually a child protection policy and relevant procedures	✓	✓	✗		FGB

#### Notes

*Point 68 has been added to this delegation planner.*

1. In some schools, particularly larger ones, it may be appropriate to delegate deciding pay discretions to the headteacher. However, in this case it is a good idea for the governing body to quality assure the decisions made, for example by spot checking a selection.
2. [Regulation 18](#) of the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 permits the governing body to delegate any of its functions, subject to the restrictions listed in [Regulation 19](#). Academy conversion is not included on this list and the Academies Act 2010 explicitly restricts the functions of the discontinuance of schools provisions in the Education and Inspections Act 2006. Therefore legally the Regulations permit delegation of the decision to convert to an academy. However, it would be bad practice for any decision affecting the future of the school to be decided by anything other than the full governing body. Furthermore, it is unlikely that the Department for Education would accept an application to convert which had not been signed off by the full governing body.
3. Set out in the School Food Regulations which came into force on 1 January 2015.