

## Local Authority Maintained Governing Body Delegation Planner

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. Very 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 body may legally delegate functions. Please note that the decision planner does not apply to academy governing bodies.**

### Key

Level 1: Full governing body

Level 2: A committee of the governing body

Level 3: An individual governor

Level 4: Headteacher.

**Blue box** Function **cannot** 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 a committee with delegated authority, not by individuals. As long as it is line with the regulations governing bodies 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
- Committees 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 committees or to the governing body for discussion prior to adoption by the full governing body.
- The head 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.

Area	Function	Level				In our school, this responsibility is delegated to:
		1	2	3	4	
Budgets	To approve the first formal budget plan each financial year (and depends on your local scheme of financial delegation)	✓	✓			Man Comm
	To monitor monthly expenditure.	✓	✓	✗	✓	Man Comm – ratified by GB
	To establish a charging and remissions policy	✓	✓	✗	✗	Man Comm
	To enter into contracts (GB should agree financial limits)	✓	✓	✗	✓	GB set limits
Staffing	Appoint selection panel for headteacher	✓				GB
	Appoint selection panel for deputy head	✓				GB
	Appoint selection panel for other members of the senior leadership team	✓	✗	✗	✗	Man Comm
	Appoint other teachers	✗	✓	✓	✓	
	Appoint non-teaching staff	✗	✓	✓	✓	
	To put in place a pay policy	✓	✓	✗		Man Comm - GB
	To make pay decisions in line with the pay policy and legal requirements <sup>1</sup> .	✗	✓	✗	✓	HT – through PM
	Dismissal of headteacher	✗	✓	✗		Stat comm
	Initial dismissal of other staff	✗	✗	✓	✓	HT with Chair of Gov
	Suspending head	✗	✓	✓		Stat Comm
	Suspending staff (except head)	✗	✗	✗	✓	HT
	Ending suspension (head)	✓	✓	✓		CofG/Stat comm/ GB
	Ending suspension (except head)	✓	✓	✓		As above
	Setting the overall staffing structure	✓	✓	✗		HT – proposed, agreed Man Comm – ratified GB
	In voluntary and foundation schools to agree whether or not the Chief Education Officer/diocesan authority should have advisory rights	✓	✓	✗		GB
	Determining dismissal payments/ early retirement	✓	✓	✗		Stat comm – ratified GB
To produce and maintain a central record of recruitment and vetting checks	✗	✗	✗	✓	HT – delegated BM	
Establish and review procedures for addressing staff discipline, conduct and grievance.	✓				Stat Comm	

Area	Function	Level				In our school, this responsibility is delegated to:
		1	2	3	4	
Curriculum	Ensure National Curriculum (NC) taught to all pupils.	✓	✓	✗	✓	Delegated HT P & C Comm
	To consider any disapplication for pupil(s)	✗	✗	✗	✓	HT
	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)	✓	✓	✗	✗	P & C Comm – ratified GB
	Establish and review a SRE policy (incl 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.	✗	✗	✗	✓	HT
Religious Education	Responsibility for ensuring that provision of RE meets statutory requirements and/or the requirements of any trust deed.	✓	✓	✗	✓	Delegated HT P & C Comm
Collective Worship	To ensure that all pupils take part in a daily act of collective worship in line with statutory requirements.				✓	HT
Extended schools	To decide whether to offer additional activities and what form these should take	✗	✗	✓	✓	
	To put into place the additional services provided	✗	✗	✓	✓	
	To decide whether to stop providing additional activities.	✗	✗	✓	✓	
Performance management	To formulate and review teacher appraisal policy	✓	✓	✗		Man Comm – ratified GB
	To appoint the panel to carry out the appraisal of the head teacher.	✓	✓	✗		Man Comm - GB
	To carry out appraisal of other teachers.				✓	HT – delegated SLT
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)	✗	✓			Stat comm

Area	Function	Level				In our school, this responsibility is delegated to:
		1	2	3	4	
Discipline/ exclusions	To produce a set of written principles for the school behaviour policy and present these to the headteacher, parents, staff and students for consultation.	✓	✓	✗		P & C Comm – ratified GB
	To draft the content of the school behaviour policy and publicise it to staff, students and parents.				✓	HT and Teachers
Admissions	To consult annually before setting an admissions policy (VA and foundation schools)	✓	✓			Man Comm – ratified GB
	Admissions: application decisions (VA, foundation and special schools)	✗	✓			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)	✗	✓			Man Comm
Premises & insurance	Buildings insurance and personal liability– GB to seek advice from LA, diocese or trustees where appropriate.	✓	✗	✗		GB – delegated HT
Health & safety	To ensure a health and safety policy and procedures are in place.	✓	✓			Man Comm – ratified GB
	To ensure that health and safety regulations are followed	✗	✗	✗	✓	HT – delegated BM
School organisation	To publish proposals to change category of school	✓	✗	✗	✗	GB
	To decide whether to convert to academy status <sup>2</sup>	✓	✗	✗	✗	GB
	Propose to alter voluntary foundation or foundation special school	✓	✗	✗	✗	GB
	Propose to discontinue voluntary foundation or foundation special school	✓				GB
	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)	✓	✗	✗		GB – recommended by HT
	To ensure that school lunch nutritional standards <sup>3</sup> are met	✗	✗	✗	✓	HT – delegated to catering contractors
	To establish a data protection policy and review it at least every two years.	✗	✓	✗	✓	HT – agreed by Man Comm
Maintain a register of pupil attendance	✗	✗	✗	✓	HT – delegated to BM	

Area	Function	Level				In our school, this responsibility is delegated to:
		1	2	3	4	
<b>School organisation</b>	To ensure provision of free meals to those pupils meeting the criteria, including Universal Infant Free School Meals (if applicable).	x	x	x	✓	HT – delegated BM
<b>Information for parents</b>	To adopt and review the home-school agreement	✓	✓	x		P & C Comm – ratified GB
	To establish, publish and review a complaints procedure.	✓	✓	x	x	Man Comm – ratified GB
	To establish and publish a Freedom of Information scheme and ensure the school complies with it.	✓	✓	x	✓	Man Comm – ratified GB
<b>GB procedures</b>	To draw up an instrument of government and any amendments thereafter	✓				GB
	To appoint (and remove) the chair and vice-chair of a permanent or a temporary governing body	✓				GB
	To appoint and dismiss the clerk to governors	✓	✓	x	x	Stat comm
	To appoint and remove community or sponsor governors (if constituted under 2007 Regulations) or co-opted governors (if constituted under 2012 Regulations).	✓				GB
	To appoint local authority governors if constituted under the 2012 Regulations	✓				GB
	To set up a register of governors' business interests	✓	x	x		GB – delegated to Clerk
	To approve and set up a governors expenses scheme	✓	x	x	x	GB – delegated to HT
	To consider whether or not to exercise delegation of functions to individuals or committees.	✓				GB
	To regulate the GB procedures (where not set out in law)	✓				GB
<b>Federations</b>	To consider forming a federation or joining an existing federation	✓				GB
	To consider requests from other schools to join the federation	✓				GB
	To leave a federation	✓				GB

Area	Function	Level				In our school, this responsibility is delegated to:
		1	2	3	4	
Inclusion and equality	To establish and review a special educational needs (SEN) policy.	✓				P & C Comm – ratified GB
	To establish and publish annually an ‘Equality information and objectives statement’ and review equality objectives every four years.	✓	✓	✗	✓	GB – delegated to HT Man Comm
	To designate a ‘responsible person’ for children with SEN in community, voluntary and foundation schools	✓	✓	✗	✓	GB – delegated to HT P & C Comm
	To designate a ‘responsible person’ for looked after children in community, voluntary and foundation schools	✓	✓	✗	✓	GB – delegated HT P & C Comm
	To establish an accessibility plan and review it every three years.	✓	✓	✗	✓	Man Comm – ratified GB
	To establish and review annually a child protection policy and relevant procedures.	✓	✓	✗	✗	Man Comm – ratified GB

### Notes

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. These are changing to the School Food Regulations which come into force on 1 January 2015.