

## 2. Governing Bodies: Their Powers, Duties and Relationships

This chapter provides an introduction to the basic powers and duties of a governing body and guidance on how it is required to undertake them, as follows:

- corporate status and individual liability of governors;
- the conduct and duties of governors; and
- relationships with stakeholders.

Responsibilities required under legislation are dealt with in greater detail in later chapters; this is referred to where applicable.

### Corporate Status and Individual Liability of Governors

1. The governing bodies of all maintained schools are corporate bodies. A corporate body has a legal identity separate from that of its members.
2. The governing body of a foundation, foundation special, voluntary controlled and voluntary aided school is a corporate body with exempt charitable status. These governing bodies may wish to contact the Charities Commission to find out how charitable status can help them make the most effective use of gifts and other support from the business community, parents and others. The Charities Commission may be contacted by post at Charity Commission Direct, PO Box 1227, Liverpool L69 3UG or by FAX: 0151 703 1555, or telephone either 0845 3000 218 - General Enquiries, 0845 3000 219 - Textphone service for hearing and speech impaired callers or 0845 3000 197 – On Line Services Enquiries.
3. As governing bodies are corporate bodies, individual governors are generally protected from personal liability as a result of the governing body's decisions and actions. Provided they act honestly, reasonably and in good faith, any liability will fall on the governing body even if it has exceeded its powers, rather than on individual members.
4. Individual governors, groups of governors or committees have no power or right to act on behalf of the governing body, except where the governing body, at a meeting, has agreed to delegate a specific function to that individual, group of governors or committee; or where regulations specify that a function is to be exercised in a particular way.
5. The governing body remains legally liable for all actions taken in its name by individuals or committees to which it has delegated functions. The governing body should therefore ensure that decisions to delegate specific responsibilities are clear and that the scope and provisions of such delegations are properly and fully recorded in the minutes.

6. The governing body as a whole needs to be insured. The LA will either pay for such insurance from central funds or it may include funding for this in the school's delegated budget. The governing body as a whole should consider their insurance needs. Information should be available from the maintaining LA on the level of cover it provides. For further information please see Chapter 8 of this Guide entitled 'Managing the Budget'.

7. Governors are not disqualified by the normal rules on pecuniary interests as described in regulations (Schedule 7 to the Government of Maintained Schools (Wales) Regulations 2005) from participating in meetings about obtaining personal indemnity insurance. They can consider and vote on proposals for the governing body to take out insurance protecting members against liabilities incurred by them, arising out of their office.

8. As a corporate body, the governing body may have a seal to validate documents, such as deeds. When the seal is used, the chair and another governor who has been duly authorised by the governing body, should also sign the document to validate the seal. Legal stationers can give advice on the type and cost.

## The Conduct and Duties of Governors

9. Governing bodies and individual governors should act at all times with honesty and integrity and be ready to explain their actions and decisions to staff, pupils, parents and anyone with a legitimate interest in the school. Governors must be aware that minutes and papers of governing body meetings should, as soon as reasonably practicable after a meeting, be made available for anyone to see them at the school. For further information please refer to Chapter 4, Governing Body Procedures and Meetings.

10. In general, the governing body should carry out its functions with the aim of taking a broadly **strategic role** in the running of the school.

11. A strategic role means the governing body decides what they want the school to achieve and set the strategic framework for getting there. It should establish the strategic framework by:

- setting aims and objectives for the school;
- adopting policies for achieving those aims and objectives;
- setting targets for achieving those aims and objectives; and
- reviewing progress towards achieving the aims and objectives.

12. The School Development Plan (SDP), School Improvement Plan (SIP) and action plan drawn up in response to inspection by Estyn (the Inspectorate for Education and Training in Wales) along with the governing body's agreed policies, will generally provide the strategic framework. In schools with trustees the governing body should also comply with any trust deed relating to the school.

13. Governing bodies will need to monitor progress and regularly review the framework for the school in the light of that progress. They are not responsible for collecting or monitoring data themselves, instead they should agree appropriate arrangements and reporting with the head teacher.
14. The head teacher is responsible for the internal organisation, management and control of the school; and for advising on and implementing the governing body's strategic framework. In particular, head teachers need to formulate aims and objectives, policies and targets for the governing body to consider adopting; and to report to the governing body on progress at least once every school year.
15. The conditions of employment for head teachers are set out in the School Teachers' Pay and Conditions document, which is updated each year. This document has legal force. See Chapter 10 of this guide entitled Staffing.
16. Governing bodies may decide to delegate some of their functions to a panel of governors, individual governors or the head teacher. In doing so they must have regard to regulations (paragraphs 50 – 52 of the Government of Maintained Schools (Wales) Regulations 2005) and their largely strategic role, and the head teacher's responsibility for internal school organisation, management and control.
17. Where the governing body agrees to delegate any function it should give direction in relation to how that function is to be carried out.
18. The decision planner contained within the Guidance on the School Government (Terms of Reference) (Wales) Regulations 2000 - National Assembly for Wales (NAfW) Circular 34/2000 (which can be found at the end of this chapter) will be useful in deciding which matters the governing body may wish to delegate.
19. Staff disciplinary/dismissal hearings, staff disciplinary/dismissal appeals and pupil discipline and exclusion hearings (and admissions where the governing body is the admissions authority) must be delegated by the governing body to a committee or committees. For further details on this see Chapter 4 entitled Governing Body Procedures and Meetings and Chapter 10 entitled Staffing.
20. Governing bodies have a range of duties and powers in legislation. Later chapters of this Guide explain these in more detail, but at a maintained school with a delegated budget this would also include all of the following:
  - conducting the school with a view to promoting high standards of educational achievement and behaviour;
  - setting appropriate school targets for pupil achievement at Key Stage 2, 3 and 4;

- taking general responsibility for the conduct of the school - in practice this means policy making and how, in broad strategic terms, the school should be run;
- managing the school's budget, including determining the staff complement and making decisions on staff pay in accordance with the School Teachers' Pay and Conditions Document (STPCD);
- making sure that the curriculum for the school is balanced and broadly based and in particular that the National Curriculum and religious education are taught;
- providing parents with a report every year which includes information about National Curriculum assessments and examination results;
- appointing the head teacher and deputy head teacher (with advice from the LA and, in the case of voluntary aided and voluntary controlled schools the Diocese) and other staff and regulating staff conduct and discipline; and
- drawing up an action plan following an Estyn inspection.

## **Curriculum**

21. The governing body shares responsibility with the head teacher and the LA for making sure that the National Curriculum and the appropriate assessment arrangements are carried out. This responsibility includes making sure that sufficient time is allowed to cover the National Curriculum and other statutory requirements. For detailed information see Chapter 11 The Curriculum.

## **Target-setting**

22. The governing body of each maintained school in Wales including Special Schools, in consultation with the head teacher, is required to set and publish targets for their pupils' performance in the Key Stage 2 and 3 National Curriculum assessments and performance of 15 year olds in public examinations, as applicable. There are no statutory requirements for target setting at Key Stage 1.

23. The governing body must publish details of their targets in the Governing Body's Annual Report (see Chapter 6 Providing Information).

24. The school's results in the relevant school years are to be published alongside the targets where appropriate; a short commentary on performance against targets should also be included.

## **Visiting the School**

25. Individual governors do not have an automatic right to enter the school whenever they wish. To be effective, governors should visit from time to time in order to develop their knowledge and understanding of the school. These

visits enable them to fulfil their statutory responsibility for the conduct of the school. Governors should arrange their visits with the head teacher, who has responsibility for the day-to-day management and conduct of the school.

26. It would be useful for a governing body to agree a policy for governors' visits to cover matters such as giving notice and holding feedback sessions.

27. The All Wales Centre for Governor Training and Research, Swansea, has developed a draft protocol for governors' visits, copies can be obtained from the Centre at <http://www.governorswales.org.uk/publications/2008/10/08/publications/2008/10/08/protocol-governor-visits/>.

## Relationships

28. Schools and governing bodies do not exist in isolation from their wider community. Governing bodies have important relationships and interactions with the LA, head teacher, staff and pupils, and other schools and, in the case of voluntary aided or voluntary controlled schools, the Diocesan Authority. Building on these relationships and strengthening them is a very important part of making schools more effective.

29. School governors have a responsibility to take a strategic overview of the performance of the school. The governing body's function is to plan and monitor progress towards improving the quality of education provided and the standards pupils achieve. This means governing bodies taking responsibility for ensuring that they identify variations in standards within their school and between it and others. They need to understand the reasons for differences and to challenge the head teacher.

30. The WAG wants schools and their governing bodies to work more closely with each other and for them, LAs and the WAG to share best practice. The WAG has introduced the School Effectiveness Framework (SEF) to do this. By working this way, the whole education community will get better at working together and sharing good practice. It also means that, from the outset, new policy and programme initiatives will be shaped by head teachers, teachers and governors rather than being imposed on them. The intention is that working in this way will help secure the best possible outcomes for every learner, in every learner setting.

31. Further information on the Framework can be found on the WAG website: [www.wales.gov.uk](http://www.wales.gov.uk).

## Relationship with the Head Teacher

32. The head teacher and governing body, in particular the chairs must work closely together. Each should respect the knowledge and contribution brought by the other. The respective roles and responsibilities of governing bodies and head teachers are set out in Guidance on the School Government (Terms of Reference) (Wales) Regulations 2000, as referred to in paragraph 18, above.

33. The head teacher has responsibility for the internal organisation, management and control of the school and for implementation of the strategic framework set by the governors. Governors should not be involved in the detail of the day-to-day management of the school. The head teacher should discuss all the main aspects of school life with the governing body and expect the governing body to ask questions, challenge and hold him or her to account, in the cause of supporting the school.

34. To make the relationship work well, the governing body should act as the head teacher's "critical friend". This means the governing body should offer support and constructive advice, but governors should not be deterred from questioning proposals and seeking further information to enable them to make sound decisions.

35. To assist the governing body in carrying out its functions, the head teacher has a duty to provide the governing body with such reports in connection with the exercise of his or her functions as the governing body requires. The head teacher should provide sufficient information, including explanation and justification of proposals and actions, to enable the governing body to feel confident that both it and the head teacher are fulfilling their statutory responsibilities.

36. A good governing body will delegate enough powers to allow the head teacher to perform his or her management duties as effectively as possible. The head teacher must report to the governing body regularly on how those delegated powers have been exercised and the governing body should keep the delegation under regular review.

37. The head teacher is also accountable to the governing body – both for the functions performed as part of the head teacher's normal role and for powers delegated by the governing body. Again, useful advice on the subject can be found in the guidance circular referred to in paragraph 18, above.

38. Governing bodies are required to have regard to the desirability of the head teacher achieving a satisfactory work-life balance. This requires governors to have an understanding of the nature of the head teacher's workload and of the demands placed on the role. This should be consistent with the principles described above and be reflected in the working relationship between the chair and the head teacher. Further information can be found in Chapter 10 "Staffing".

### **Relationship with the Local Authority (LA)**

39. The governing body is responsible for the school. The LA 'maintains' schools, which means that it has an interest in them being governed and managed well and that, as a whole, schools in the authority area deliver effective and efficient provision. The LA should support a governing body's efforts to improve the school by providing advice, resources and challenge.

40. Generally, LAs will focus their efforts on a school causing concern, or a governing body acting in a way that is detrimental to a school. If this happens, the LA must bring its concerns to the attention of the governing body and the head teacher. The LA should also inform any other stakeholders, for example the diocese or the foundation, of its concerns. In order to improve the situation the LA should offer appropriate support to the school. Where the LA judges it necessary, it can intervene using powers granted in legislation. For detailed information on these issues see Chapter 24 of this Guide entitled Schools Causing Concern and Interim Executive Boards.

41. The relationship between an authority and school is captured in a partnership agreement. The Maintained Schools (Partnership Agreements) (Wales) Regulations 2007 SI 2007/3066 imposes a duty on governing bodies and LAs in respect of all schools maintained by them, excluding pupil referral units. LAs are required to enter into an individual partnership agreement with each governing body.

42. A WAG Guidance Circular No 016/2008 entitled 'The Maintained Schools (Partnership Agreements) (Wales) Regulations 2007 – Guidance for Local Education Authorities and Schools' has been produced. The guidance details the information to be included in a partnership agreement or statement, as follows:

- the statutory functions to be included;
- non-statutory functions which may be included; and
- the level of detail required.

43. A partnership agreement is defined in the Regulations as an agreement about how an LA and the governing body of a school will act to discharge their functions in relation to the school. It is envisaged that most agreements will be achieved by mutual consent but, where, an LA is unable to reach agreement with a governing body, it can draw up a statement setting out how the LA and governing body will discharge their functions.

### **Relationships with Pupils - Giving Children and Young People a Say**

44. The Education Act 2002 placed a duty on LAs and governing bodies of maintained schools, in the exercise of their functions, to have regard to any guidance from the WAG on consultation with pupils when taking decisions affecting them.

45. The School Councils (Wales) Regulations 2005 set out the requirements for all maintained schools (other than a maintained nursery or maintained infant school) to establish a school council to act as a representative body on behalf of all pupils attending the school, with the aim of providing pupils with the opportunity to discuss and make representations on any issues that affect them in school. The Regulations set out the minimum requirements for the correct running of school councils, including election by secret ballot and that school council meetings should be held at least six times a year. WAG issued circular 42/2006 entitled Guidance for

Governing Bodies on the Establishment and Operation of School Councils in October 2006.

46. Both the governing body and the head teacher of a school must consider any matter communicated to them by the school council and provide a response to the school council.

47. Governing bodies should consider how effective their school council is in terms of the range of issues considered; communication between the council, pupils, the governing body and the head teacher; and resources. It is recommended that the governing body appoint a link governor to liaise with the school council.

48. Schools in Wales must ensure that the school council has the opportunity to nominate up to two pupils from years 11, 12 and/or 13 from its membership to be associate pupil governors on the school's governing body.

**Relationships with the Wider Community**

49. The Children Act 2004 placed a duty upon local authorities and partner agencies to co-operate to improve the well being of children and young people in each local authority area in Wales, which is taken forward through 22 statutory Children and Young People's Partnerships.

50. Section 21 of the Education Act 2002 as amended by Section 38 of the Education and Inspection Act 2006, requires school governing bodies to take account of their local Children and Young People's Plan (CYPP). In doing so, governors should consider the extent to which schools are or have been engaged in strategic planning and review of their local CYPP. Consideration should also be given to the extent to which their school development plan contributes to implementing the strategic priorities set out in the CYPP, and how far school-based outcomes for children and young people are reflected in the overall outcome measures in the Plan. For further information see also Chapter 6, Providing Information.

51. Schools play an important and pivotal role in the community. Schools not only provide education for pupils and create a community spirit amongst parents, but they also have the opportunity, and often the facilities, to benefit the whole community. Governing bodies control the use of the school premises outside school hours subject to the restrictions referred to in Chapter 26 entitled Control and Community Use of School Premises.

52. It is up to schools themselves, in consultation with their partners, to develop as little or as much provision as they think suitable for their community, as long as it does not interfere with their main duty to educate pupils or promote high standards of educational achievement.

53. A community focused school is one that provides a range of services and activities, often beyond the school day, to help meet the needs of its pupils, their families and the wider community. Across Wales many schools

already provide some community services including adult education, study support, ICT facilities and community sports programmes. Further information on this is provided in Chapter 26 entitled Control and Community Use of School Premises and Chapter 27 headed Community Focused Schools.

## Complaints

54. Some times a parent, staff member, pupil or someone in the community may raise a concern or make a complaint. All governing bodies must have and must publish procedures for dealing with complaints. The WAG has published guidance on procedures for complaints. At the time of writing this guidance is under review, with a guidance circular and model policy expected to be published in 2009.

55. Information on dealing with complaints is included in Chapter 12 headed Complaints and Whistleblowing.

## The Law

The Education Act 1996

School Standards and Framework Act 1998: Section 48 (as amended by the Education Act 2002)

The Education Act 2002

The School Councils (Wales) Regulations 2005

The Government of Maintained Schools (Wales) Regulations 2005

The Education and Inspections Act 2006

The Education and Skills Act 2008 Part 5

The Maintained Schools (Partnership Agreements) (Wales) Regulations 2007 SI 2007/3066

The Race Relations Act 1976 (as amended by the Race Relations (Amendment) Act 2000), replaced by the Equality Act 2010

The Disability Discrimination Act 1995 (as amended by the Disability Discrimination Act 2005), replaced by the Equality Act 2010

The Disability Discrimination Act 2005 (Commencement No1) (Wales) Order 2007, replaced by the Equality Act 2010

The Sex Discrimination Act 1975 (as amended by the Equality Act 2006), replaced by the Equality Act 2010

The Race Relations Act 1976 (Amendment) Regulations 2003: SI 2003/1626 implements the Race Directive 2000/43EC, replaced by the Equality Act 2010

The Education (School Performance and Unauthorised Absence Targets) (Wales) Regulations 1999 (S.I. 1999/1811) as amended. (*Revisions to the Regulations and supporting guidance will be consulted on in 2009*)

## Guidance

Guidance on the School Government (Terms of Reference) (Wales) Regulations 2000 NAFW Circular 34/2000

School Teachers' Pay and Conditions Document (STPCD) - (Published Annually)

School Effectiveness Framework

The Maintained Schools (Partnership Agreements) (Wales) Regulations – Guidance for Local Education Authorities and Schools

Protocol for Governors Visits

<http://www.governorswales.org.uk/publications/2008/10/08/protocol-governor-visits/>

Target Setting - Guidance for Head Teachers and Governing Bodies.

## Governing Body Decision Planner

| <b>Key</b>                                                                                                                                                                             |                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Level 1 = decisions made by GB                                                                                                                                                         |                                                                                                          |
| Level 2 = decisions made by GB with advice from head                                                                                                                                   |                                                                                                          |
| Level 3 = decisions delegated to head                                                                                                                                                  |                                                                                                          |
| Level 4 = decisions made by head                                                                                                                                                       |                                                                                                          |
| Column blocked off:                                                                                                                                                                    | Function cannot legally be carried out at this level.                                                    |
| Tick:                                                                                                                                                                                  | Recommended level(s) or where law assigns specific responsibility.                                       |
| Blank:                                                                                                                                                                                 | Action could be carried out at this level if governing body so decide, but is not generally recommended. |
| * Functions which the whole governing body must consider                                                                                                                               |                                                                                                          |
| ** All schools must ensure that their financial arrangements comply with the current financial regulations, standing orders and schemes of delegation issued by their local authority. |                                                                                                          |
| *** GB may, if they wish, be involved in the selection panel.                                                                                                                          |                                                                                                          |

|                     |           | <b>Action Sheet</b>                                           | <b>Decision level</b> |            |            |            |
|---------------------|-----------|---------------------------------------------------------------|-----------------------|------------|------------|------------|
| <b>Key Function</b> | <b>No</b> | <b>Tasks</b>                                                  | LEVEL<br>1            | LEVEL<br>2 | LEVEL<br>3 | LEVEL<br>4 |
| <b>School</b>       | 1         | To approve the first formal budget plan each financial year * |                       | ✓          | X          | X          |
| <b>Budgets **</b>   | 2         | To monitor monthly expenditure                                |                       |            | ✓          |            |
|                     | 3         | Miscellaneous financial decisions (e.g. write-offs)           |                       | ✓          | ✓          |            |
|                     | 4         | To investigate financial irregularities (head suspected)      | ✓                     | X          | X          | X          |
|                     | 5         | To investigate irregularities (other suspected)               |                       | ✓          | ✓          |            |
|                     | 6         | To enter into contracts (above set financial limit)           |                       | ✓          |            |            |
|                     | 7         | To enter into contracts (below set financial limit)           |                       |            | ✓          |            |
|                     | 8         | To make payments                                              |                       | ✓          | ✓          |            |
|                     | 9         | To provide insurance – where funding has been delegated       |                       | ✓          |            | X          |

| Key Function | No | Action Sheet<br>Tasks                                                                                                                                                                                                                           | Decision level |            |            |            |
|--------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------|------------|------------|
|              |    |                                                                                                                                                                                                                                                 | LEVEL<br>1     | LEVEL<br>2 | LEVEL<br>3 | LEVEL<br>4 |
| Staffing     | 10 | Head teacher appointments (selection panel) *                                                                                                                                                                                                   | ✓              | X          | X          | X          |
|              | 11 | Deputy appointments (selection panel) *                                                                                                                                                                                                         | X              | ✓          | X          | X          |
|              | 12 | Appoint other teachers ***                                                                                                                                                                                                                      |                | ✓          | ✓          | X          |
|              | 13 | Appoint non teaching staff ***                                                                                                                                                                                                                  |                | ✓          | ✓          | X          |
|              | 14 | Pay discretions (the head teacher should not advise on his/her own pay)                                                                                                                                                                         |                | ✓          |            | X          |
|              | 15 | Dismissal (headteacher)<br>NB: GB must act through Dismissal Committee *                                                                                                                                                                        | ✓              | X          | X          | X          |
|              | 16 | Dismissal (other staff)<br>NB: GB must act through Dismissal Committee                                                                                                                                                                          | X              | ✓          | X          | X          |
|              | 17 | Establishing disciplinary/capability procedures                                                                                                                                                                                                 |                | ✓          |            | X          |
|              | 18 | Suspending head                                                                                                                                                                                                                                 | ✓              | X          | X          | X          |
|              | 19 | Suspending staff (except head)                                                                                                                                                                                                                  |                | ✓          |            | ✓          |
|              | 20 | Ending suspension (head)                                                                                                                                                                                                                        | ✓              | X          | X          | X          |
|              | 21 | Ending a suspension (except head)                                                                                                                                                                                                               |                | ✓          | X          | X          |
|              | 22 | Determining dismissal payments/early retirement                                                                                                                                                                                                 |                | ✓          | X          | X          |
|              | 23 | Determining staff complement                                                                                                                                                                                                                    |                | ✓          |            |            |
|              | 24 | In VA and Foundation schools to decide whether or not the Chief Education Officer (CEO)/diocesan authority should have advisory rights. In VC schools, to decide whether the diocesan authority should have advisory rights in appointing staff |                | ✓          | X          | X          |

|                       |           | <b>Action Sheet</b>                                                                                                                                                              | <b>Decision level</b> |            |            |            |
|-----------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------|------------|------------|
| <b>Key Function</b>   | <b>No</b> | <b>Tasks</b>                                                                                                                                                                     | LEVEL<br>1            | LEVEL<br>2 | LEVEL<br>3 | LEVEL<br>4 |
| <b>Curriculum</b>     | 25        | Ensure National Curriculum (NC) taught to all pupils and to consider any disapplication for pupil(s)                                                                             |                       | ✓          |            | ✓          |
|                       | 26        | To draft curriculum policy                                                                                                                                                       |                       |            | ✓          |            |
|                       | 27        | To implement curriculum policy                                                                                                                                                   |                       |            |            | ✓          |
|                       | 28        | To agree and review curriculum policy                                                                                                                                            |                       | ✓          | X          | X          |
|                       | 29        | Responsible for standards of teaching                                                                                                                                            |                       |            |            | ✓          |
|                       | 30        | 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) |                       |            |            | ✓          |
|                       | 31        | Responsibility for individual child's education                                                                                                                                  |                       |            |            | ✓          |
|                       | 32        | Provision of sex education - make and keep up to date a written policy *                                                                                                         |                       | ✓          | X          | X          |
|                       | 33        | To prohibit political indoctrination and ensuring the balanced treatment of political issues *                                                                                   |                       | ✓          |            | ✓          |
|                       | 34        | To draw up a charging and remissions policy for activities (non NC based) in consultation with the LA *                                                                          |                       | ✓          |            | ✓          |
| <b>Target setting</b> | 35        | To set and publish targets for pupil achievement *                                                                                                                               |                       | ✓          | X          | X          |
| <b>Exclusions</b>     | 36        | To decide a discipline policy *                                                                                                                                                  |                       | ✓          | X          | X          |
|                       | 37        | To exclude a pupil fixed term (less than 45 days in total a year) or permanently                                                                                                 | X                     | X          | X          | ✓          |

|                            |           | <b>Action Sheet</b>                                                                                                                                                                     | <b>Decision level</b> |            |            |            |
|----------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------|------------|------------|
| <b>Key Function</b>        | <b>No</b> | <b>Tasks</b>                                                                                                                                                                            | LEVEL<br>1            | LEVEL<br>2 | LEVEL<br>3 | LEVEL<br>4 |
|                            | 38        | To consider certain exclusions and any representations (must consider any pupil excluded permanently or for more than 5 days)<br>NB: GB must act through the pupil discipline committee |                       | ✓          | X          | X          |
|                            | 39        | To direct reinstatement of excluded pupils                                                                                                                                              | ✓                     | X          | X          | X          |
| <b>Admissions</b>          | 40        | To set an admissions policy (community & controlled schools where the LA has delegated this power to the governing body) *                                                              |                       | ✓          | X          | X          |
|                            | 41        | To set an admissions policy (VA and foundation schools) *                                                                                                                               |                       | ✓          | X          | X          |
|                            | 42        | To set an admissions policy (special schools where pupils do not have a statement) acting with LA *                                                                                     |                       | ✓          | X          | X          |
|                            | 43        | Admissions: application decisions (community & controlled schools where the LA has delegated this power to governing body) -                                                            |                       | ✓          | X          | X          |
|                            | 44        | Admissions: application decisions (VA, foundation & special)                                                                                                                            |                       | ✓          | X          | X          |
|                            | 45        | To appeal against LA directions to admit pupil(s) (VA, foundation and special schools; also community and VC schools where LA is the admissions authority)                              |                       | ✓          | X          | X          |
| <b>Religious Education</b> | 46        | Responsibility for ensuring provision of RE in line with school's basic curriculum (all schools)                                                                                        |                       | ✓          | X          | ✓          |

| Key Function               | No | Action Sheet<br>Tasks                                                                                                                                                             | Decision level |            |            |            |
|----------------------------|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------|------------|------------|
|                            |    |                                                                                                                                                                                   | LEVEL<br>1     | LEVEL<br>2 | LEVEL<br>3 | LEVEL<br>4 |
|                            | 47 | Decision to provide RE according to trust deed/specified denomination (Foundation & VC schools of religious character at request of parents)                                      | ✓              |            |            |            |
|                            | 48 | Decision to provide RE in line with locally agreed syllabus                                                                                                                       |                | ✓          |            |            |
| <b>Collective worship</b>  | 49 | Joint responsibility (with LA and head teacher) to ensure collective worship                                                                                                      |                | ✓          | X          | ✓          |
|                            | 50 | To make application to the advisory councils, SACRE concerning the requirements for collective worship (schools without a religious character) to disapply. Head must consult GB. | X              | X          | X          | ✓          |
|                            | 51 | Arrangements for collective worship (schools without religious character). Head teacher must consult GB.                                                                          | X              | X          | X          | ✓          |
|                            | 52 | Arrangements for collective worship (foundation schools of religious character, VC or VA schools) *                                                                               | X              | ✓          | X          | X          |
| <b>Premises</b>            | 53 | Buildings Insurance - advice from LA, diocese or trustees where appropriate                                                                                                       |                | ✓          |            |            |
|                            | 54 | Strategy (including budgeting for repairs etc.)                                                                                                                                   |                | ✓          |            |            |
|                            | 55 | To ensure health and safety issues are met                                                                                                                                        |                | ✓          |            | ✓          |
|                            | 56 | To set a charging and remissions policy *                                                                                                                                         |                | ✓          | X          | X          |
| <b>School Organisation</b> | 57 | Proposal to alter or discontinue voluntary, foundation or foundation special school *                                                                                             |                | ✓          | X          | X          |

| Key Function                   | No | Action Sheet<br>Tasks                                                                                                         | Decision level |            |            |            |
|--------------------------------|----|-------------------------------------------------------------------------------------------------------------------------------|----------------|------------|------------|------------|
|                                |    |                                                                                                                               | LEVEL<br>1     | LEVEL<br>2 | LEVEL<br>3 | LEVEL<br>4 |
|                                | 58 | To set the times of school sessions and the dates of school terms and holidays (VA and Foundation Schools) *                  |                | ✓          | X          | X          |
|                                | 59 | To draw up instrument of government and any amendments thereafter *                                                           | ✓              |            | X          | X          |
|                                | 60 | To publish proposals to change category of school *                                                                           |                | ✓          | X          | X          |
| <b>Information for parents</b> | 61 | To hold an Annual Parents' Meeting                                                                                            |                | ✓          | X          | X          |
|                                | 62 | Annual Parents' Report - to approve and distribute                                                                            |                | ✓          | X          | X          |
|                                | 63 | To provide information to be published by governing bodies (approval of the school prospectus) *                              |                | ✓          | X          | X          |
|                                | 64 | To ensure provision of free school meals to those pupils meeting criteria                                                     |                |            | ✓          | X          |
|                                | 65 | Adoption and review of home-school agreements                                                                                 |                | ✓          | X          | X          |
| <b>GB procedures</b>           | 66 | To appoint (and remove) the chair and vice-chair of a permanent or a temporary governing body *                               | ✓              | X          | X          | X          |
|                                | 67 | To appoint and dismiss the clerk to the governors                                                                             | ✓              | X          | X          | X          |
|                                | 68 | To hold a governing body meeting once a term, or a meeting of the temporary governing body as often as occasion may require * | ✓              |            | X          | X          |
|                                | 69 | To appoint and remove community governors, including temporary additional community governors *                               | ✓              |            | X          | X          |

|                     |           | <b>Action Sheet</b>                                                                                                             | <b>Decision level</b> |                   |                   |                   |
|---------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------------|-------------------|-------------------|
| <b>Key Function</b> | <b>No</b> | <b>Tasks</b>                                                                                                                    | LEVEL<br><b>1</b>     | LEVEL<br><b>2</b> | LEVEL<br><b>3</b> | LEVEL<br><b>4</b> |
|                     | 70        | To consider whether or not to exercise delegation of functions to individuals or committees *                                   | ✓                     |                   | X                 | X                 |
|                     | 71        | To regulate the GB's procedures (where not set out in law) *                                                                    | ✓                     |                   | X                 | X                 |
|                     | 72        | To review at least once a year the establishment, terms of reference and membership of committees, including selection panels * | ✓                     |                   | X                 | X                 |
|                     | 73        | To set up a Register of Governors' Business Interests                                                                           |                       | ✓                 | X                 | X                 |
|                     | 74        | To approve and set up a governors' expenses scheme                                                                              |                       | ✓                 | X                 | X                 |
|                     | 75        | To discharge duties in respect of pupils with special needs by appointing a "responsible person"                                |                       | ✓                 | X                 | X                 |

