

ROLES AND RESPONSIBILITIES OF THE GOVERNING BOARD AND THE HEADTEACHER

The Governing Board (GB) of a school has many legal responsibilities and functions. Often the law gives GBs a choice as to whether to carry out their functions themselves or delegate them to the head teacher, a committee or an individual.

For a few functions, the law restricts who can decide or carry out the function, either by placing responsibility clearly on the head teacher alone, or by preventing GBs from delegating, or by requiring the GB to consider advice. In all other areas, it is for the GB to say how they organise their business, and how much they want the head teacher or others to do on their behalf.

Wherever possible we would like to delegate decisions to the head teacher, but especially in a small school like ours, the following factors are also relevant:

- i) the experience and wishes of the head teacher;
- ii) the availability of good management information (because the GB is still responsible even after it has delegated a function);
- iii) any special skills or experience that GB members can offer; and, in our first years,
- iv) the particular challenges around establishing (as opposed to maintaining) a school.

Decision levels are reviewed annually or in response to a significant change in circumstances.

ALLOCATION OF MAJOR RESPONSIBILITIES BETWEEN THE GB AND THE HEADTEACHER

SCHOOL BUDGET

Responsibilities of Headteacher	Responsibilities of GB
<p>As the School's Accounting Officer submit to the GB a formal annual budget plan ("the budget plan")</p> <p>To prepare and submit to the GB any significant proposals for revisions to the budget plan within the strategic guidelines set by the GB.</p>	<p>To approve the annual budget plan ("the budget plan") proposed by the Headteacher, and to amend the budget plan where appropriate.</p> <p>To consider and approve any proposed revisions to the budget plan [submitted by the Headteacher during the course of the year] and</p> <p>To consider the delegation of their duties under the funding agreement</p>
	<p>To spend the delegated budget before end of financial year.</p> <p>To decide how to spend additional grants paid to the School.</p>
	<p>To decide whether to delegate their powers to spend the delegated budget and any grants to the Headteacher. If so, they should decide the amount to be delegated.</p>

STAFFING

Responsibilities of Headteacher	Responsibilities of GB
	<p>To decide the number of staff at the School and the level of the posts.</p>
<p>To advise the GB on the appointment of all teachers (except the Headteacher)</p>	<p>To decide the overall procedures for appointing staff, including whether to delegate functions to the Headteacher or governor(s), taking account of legal requirements.</p> <p>To advertise Headteacher and deputy vacancies nationally, and other vacancies as appropriate.</p> <p>To set up selection panels for Headteacher and Deputy Headteacher posts.</p> <p>To conduct interviews and appoint teaching staff.</p>
<p>To decide whether to exercise their power to delegate certain functions relating to the appointment of staff.</p>	
<p>To advise the GB on the specification for a vacant teaching post.</p>	<p>To decide a specification for any vacant post, in consultation with the Headteacher.</p>

	To set the pay of all members of staff, including that of the Headteacher and Deputy Headteacher, in line with legal requirements.
	To establish disciplinary rules and procedures and staff grievance procedures and to take appropriate steps to make them known to members of staff.
To advise the GB on whether anyone employed at the School should be dismissed	To dismiss an employee
To advise the GB on payments to be made	To decide whether any payment should be made by the Secretary of State in respect of the dismissal, or to secure the resignation of a member of staff (includes early retirement and redundancies) and the amount of any such payment. To decide whether to grant early retirement to teachers.
To suspend staff in appropriate circumstances.	To suspend staff in appropriate circumstances. To end a suspension.
To deploy, manage and lead all teaching and Student Services staff of the School and allocate particular duties to them.	
To evaluate the standards of teaching and learning in the School and ensure that proper standards of professional performance are established and maintained.	

CURRICULUM

Responsibilities of Headteacher	Responsibilities of GB
To determine, organise and implement an appropriate curriculum for the School. To ensure that the government specified assessment requirements are implemented in the School. To advise the GB on disapplication for any pupil(s).	To ensure that the curriculum is balanced and broadly based. To ensure that the government specified assessment requirements are implemented. To consider any proposed disapplication for pupil(s).
To draw up a policy for the curriculum for the School ("the curriculum policy").	To agree, amend or reject the curriculum policy drafted by the Headteacher.

To implement and review the policy once every School year and suggest any necessary changes to the GB.	To monitor the implementation of the School curriculum policy and consider with a view to adopting or rejecting any changes submitted by Headteacher.
	To establish a sex education policy, to ensure that copies of the policy are available free of charge to parents and that parents can read a copy of the policy at the School.

PERFORMANCE MANAGEMENT

Responsibilities of Headteacher	Responsibilities of GB
<p>To draft, if requested by the GB, a School performance management policy, within the framework set by the Appraisal Regulations.</p> <p>To consult all teachers at the School, if requested by the GB, before drafting a performance management policy</p> <p>To implement the School performance management policy established by the GB</p> <p>To appoint/act as appraiser for teachers</p> <p>To review complaints by teachers about their appraisal where the Headteacher has not been the appraiser.</p> <p>To provide an annual written report on the effectiveness of the appraisal procedures to the GB for their consideration.</p> <p>To set the timing of the performance management cycle for other teachers</p>	<p>To establish a School performance management policy to govern the implementation of School teacher appraisal (including the Headteacher) within the framework set by the Appraisal Regulations.</p> <p>To ensure that all School teachers are consulted.</p> <p>To review and, if necessary, amend the performance management policy annually.</p> <p>To ensure that School teachers receive a regular appraisal of their performance.</p> <p>To appoint two or three governors to take responsibility for carrying out all aspects of the Headteacher's appraisal.</p> <p>To receive any report from a School Improvement Partner (or any others carrying out a similar advisory role) about the performance of the school, based on its self evaluation, plans and targets.</p> <p>To decide the exact timing of the performance review cycle for the Headteacher.</p> <p>To appoint one or more review officers where a complaint is made by the Headteacher about his/her performance review and the Chair of Governors has been involved in that review.</p>

STANDARDS AND TARGET SETTING

Responsibilities of Headteacher	Responsibilities of GB
	To be responsible for setting by 31 December of each year the targets for the achievement of pupils at the end of EYFS, KS1 and KS2 in the following School year, and for publishing those targets in their annual report.

EXCLUSIONS

Responsibilities of Headteacher	Responsibilities of GB
The Headteacher can exclude pupils for fixed period(s) of not more than 45 days in total in a year or permanently.	The School GB must set up a pupil discipline committee to review the use of exclusions in the School and to decide whether or not to confirm all permanent exclusions and fixed term exclusions where the pupil is either excluded for more than 5 days in a term or would lose the opportunity to take a public examination.

ADMISSIONS

Responsibilities of Headteacher	Responsibilities of GB
The Headteacher may deal with applications for admission only where the need to determine an application does not arise, which will be where none of the statutory circumstances for refusing admission apply under section 86 of the 1998 Act. This applies to applications at both the normal time of entry and to in-year applications.	<p>The School GB is the admissions authority.</p> <p>The School's admission authority is responsible for setting its admission policy and making the arrangements for admission appeals. It can also decide whether to complain to the Adjudicator about another admission authority's admission arrangements.</p> <p>Separate arrangements apply for children, who have an Education & Health Care Plan (EHCP) of special educational needs.</p> <p>In these cases the EHCP determines admissions. Before naming a School in an EHCP, LAs must consult the School's GB, and the home Local Authority where the School is maintained by another authority.</p>

RE AND COLLECTIVE WORSHIP

Responsibilities of Headteacher	Responsibilities of GB
<p>RELIGIOUS EDUCATION</p> <p>The Headteacher shall ensure that RE is provided, in accordance with the School's basic curriculum.</p>	<p>The GB shall exercise their functions with a view to ensuring that RE is provided in accordance with the School's basic curriculum and the syllabus of the London Diocesan Board for Schools</p>
<p>COLLECTIVE WORSHIP</p> <p>The Headteacher shall ensure that each pupil at the School shall on each school day take part in an act of collective worship.</p>	<p>The GB shall exercise their functions with a view to ensuring that each pupil at the School takes part in an act of collective worship each day.</p>

SCHOOL PREMISES

Responsibilities of Head teacher	Responsibilities of GB
<p>Control of School premises</p> <p>Day to day management of the School and day to day charge of who can enter the School premises.</p> <p>To advise GB where appropriate</p>	<p>To control the use of the School premises both during and outside the School day.</p> <p>To decide on what charges to levy where external providers want to use the School premises.</p>
<p>Health and Safety</p> <p>To comply with the GB directions.</p>	<p>To prepare a health and safety policy, carry out risk assessments and set up arrangements to manage health and safety.</p>

<p>MEDICAL CARE AND SCHOOL MEALS</p>	<p>To ensure pupils take advantage of dental and medical care available.</p> <p>To ensure free meals provided for those pupils whose parents are on income support, and paid meals on request.</p>
---	--

GB DECISION PLANNER

Level 1 = decisions made by GB;

Level 2 = decisions made by GB with advice from Headteacher;

Level 3 = decisions delegated to Headteacher (but for which GB remain ultimately responsible);

Level 4 = decisions made by Headteacher.

Column blocked off: Function cannot legally be carried out at this level.

Tick: Recommended level(s) or where law assigns specific responsibility.

Asterisk: *Functions which the whole GB should consider.

Key Function		Tasks	DECISION LEVEL			
			1	2	3	4
Budgets	1	To approve the first formal budget plan each financial year*		✓	X	X
	2	To monitor monthly expenditure				✓
	3	To monitor termly expenditure		✓		
	4	Miscellaneous financial decisions (e.g. write-offs)			✓	✓
	5	To enter into contracts with a value of up to £1000pa				✓
	6	To enter into contracts with a value above £1000pa		✓		
	7	To investigate irregularities (other suspected)				✓
	8	To make payments up to £5000			✓	
	9	To make payments above £5000		✓		
Staffing	10	Headteacher appointments (selection panel)*	✓	X	X	X
	11	Deputy appointments (selection panel)*	✓	X	X	X
	12	Appoint other teachers		✓		✓
	13	Appoint non teaching staff		✓		✓
	14	Agree a pay policy		✓		X
	15	Pay discretions			✓	X
	16	Establishing disciplinary /capability procedures				✓
	17	Dismissal of other staff		✓		

	18	Suspending Headteacher	✓			
	19	Suspending staff (except Headteacher)			✓	✓
	20	Ending suspension (Headteacher)	✓			
	21	Ending a suspension (except Headteacher)		✓	✓	
	22	Determining staff complement			✓	
	23	Determining dismissal payments/early retirement		✓		
Curriculum	24	To establish a curriculum policy				✓
	25	To implement curriculum policy				✓
	26	To agree or reject and review curriculum policy		✓		X
	27	Responsible for standards of teaching				✓
	28	To decide which subject options should be taught having regard to resources, and implement provision for flexibility in the curriculum (including activities outside the school day)		✓		✓
	29	Responsibility for individual child's education				✓
	30	Provision of sex education - make and keep up to date a written policy*		✓		✓
	31	To prohibit political indoctrination and ensuring the balanced treatment of political issues*			✓	✓
	32	To review the charging and remissions policy for activities (non NC based).				✓
Performance Management	33	To formulate a performance management policy				✓
	34	To establish a performance management policy		✓		
	35	To implement the performance management policy				✓
	36	To review annually the performance management policy		✓		
Targets	37	To set and publish targets for pupil achievement		✓		✓
Exclusions	38	To establish a discipline policy		✓	X	X
	39	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 5 days in total in a term or would lose the opportunity to sit a public examination. NB. The GB must act through their pupil discipline committee		✓	X	X
	40	To direct reinstatement of excluded pupils		✓	X	X
Admissions	41	The admissions policy is reviewed annually. Any changes are consulted on and if no changes have been made, consultation will take place at least every seven years.		✓	X	X
	42	To establish an admissions policy		✓	X	X
	43	Admissions: application decisions		✓	X	X
	44	To appeal against LA directions to admit pupil(s)		✓	X	X

Religious Education	45	Responsibility for ensuring provision of RE in line with School's basic curriculum		✓		
Collective Worship	46	Arrangements for collective worship				✓
Premises	47	Buildings and personal liability insurance*	✓			
	48	Developing School buildings strategy or master plan*		✓		
	49	Procuring and maintaining buildings, including developing properly funded maintenance plan		✓		
Health and Safety	50	To institute a health and safety policy	✓			
	51	To ensure that health and safety regulations are followed				✓
School Organisation	52	Proposal to alter or discontinue the School	✓			
	53	To set the times of School sessions and the dates of School terms and holidays		✓		
	54	To ensure that the School meets the agreed number of sessions for the School year				✓
	55	To ensure that School lunch nutritional standards are met where provided by the GB				✓
Information For Parents	56	To prepare and publish the School prospectus				✓
	57	To prepare and publish the School profile				✓
	58	To ensure provision of free School meals to those pupils meeting the criteria				✓
	59	Adoption and review of the home-school agreement				✓
GB Procedures	60	To work in accordance with the Articles of Association and submit any amendments considered appropriate to the DfE	✓			
	61	To appoint and remove the chair (co-chairs) and vice chair	✓	X	X	X
	62	To appoint and dismiss the clerk to the Governors	✓	X	X	X
	63	To hold a GB meeting at least three times in a School year, or as often as occasion may require*	✓	X	X	X
	64	To set up a Register of Governors' Business Interests	✓	X	X	X
	65	To approve and set up an Expenses scheme	✓			
	66	To discharge duties in respect of students with special needs by appointing a "responsible person"			✓	X
	67	To consider whether or not to exercise delegation of functions to individuals or committees*	✓	X	X	X
68	To regulate the GB's procedures (where not set out in law)*	✓	X	X	X	

27/07/16