



R3 – GUIDANCE ON THE ROLES OF GOVERNING BODIES AND HEADTEACHERS

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INTRODUCTION

1. New Regulations come into force on 1 September 2000 which set out the “terms of reference” for governing bodies of all maintained schools in England (the Education (School Government) (Terms of Reference) (England) Regulations 2000). This guidance explains the content of the Regulations. It also invites governing bodies to consider the division of responsibilities between them and their head teachers and to review their procedures. The aim is to help governing bodies and head teachers work together as effectively as possible without duplication of effort. With one exception, the Regulations do not give governing bodies new duties, but clarify that their role is mainly strategic, and that they should act as a “critical friend” to the head teacher. The Regulations replace provisions in previous Articles of Government which were abolished on 31 August 1999 following the reconstitution of governing bodies.
2. The one new element in the Regulations is the requirement (Regulation 9) on the governing body to establish a written performance management policy. All schools will get a model policy and governors and heads will be trained so that this task should not be too burdensome. There is also a requirement for a curriculum policy (Regulation 8), but this is not imposing a new burden on heads and governing bodies who have always had to determine and organise their curriculum and ensure that it is followed within the school.
3. The full text of the Regulations can be found on the governors website: <http://www.dfes.gov.uk/governor/governor.htm>. Governors and heads may also refer to the Guide to the Law and the A-Z of School Leadership and Management for further information. They may also call the School Government Team on 0207 925 5791 and the Governors’ helplines: NGC on 01363 774377 or ISCG on 0207 2290200 or NAGM on 0800 241242 for advice.

WHAT DO THE REGULATIONS SAY?

1. The Regulations are made under section 38(3) of the 1998 School Standards and Framework Act. They set down a number of principles to operate as terms of reference for governing bodies. Governing bodies must act as a **corporate body**. They must also act with integrity, objectivity and honesty and in the best interests of the school. They must be open about, and prepared to explain, their decisions and actions. (Regulation 3).
2. The Regulations also describe the respective roles and responsibilities of governing bodies and head teachers. **The governing body** are to carry out their functions with the aim of taking a largely strategic role in the running of the school. This includes setting up a strategic framework for the school, setting its aims and objectives, setting policies and targets for achieving the objectives, reviewing progress and reviewing the strategic framework in the light of progress. The governing body should act as a “critical friend” to the head teacher by providing advice and support. (Regulation 4).
3. **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. (Regulation 5).
4. Where the governing body delegate any function to a head teacher the Regulations give them power to give the head reasonable directions in relation to that function, and oblige the head to comply with those directions. (Regulation 6). This makes it explicit that in delegating a function, the governing body can prescribe how that function should be undertaken. This is not a new requirement. It was previously in schools’ Articles of Government. Governing bodies may decide to delegate some of their functions to the head; having regard to their largely strategic role, and the head’s responsibility for internal school organisation, management and

control. (Regulation 7).

5. The Regulations make the head teacher responsible for preparing a policy for the secular curriculum and for reviewing the policy every school year. The governing body must consider and agree the head's curriculum policy and monitor and review its implementation. (Regulation 8).

6. The governing body is responsible for establishing a written performance management policy to govern implementation of school teacher appraisal, after making sure that all teachers at the school are consulted. The governing body can ask the head to consult teachers but must ensure that consultation takes place. The governing body must review the policy, again having ensured that all teachers are consulted every school year. The head must draft the policy, if the governing body so directs, and, with the governing body, must implement the policy. The governing body must make a copy of the policy available at the school to any of the school's teachers, anyone inspecting the school's appraisal system or to the external adviser. (Regulation 9).

HOW SHOULD GOVERNING BODIES FULFIL A LARGELY STRATEGIC ROLE?

1. A strategic role means the governors decide what they want the school to achieve and set the framework for getting there (the strategic framework). This means:

- setting suitable aims and objectives,
- agreeing policies, targets and priorities; and
- monitoring and reviewing aims, objectives, and whether the policies, targets and priorities are being achieved.

Governing bodies should take advice on all this from the head before taking their own decisions.

1. The School Development Plan, School Improvement Plan or post-OFSTED Action Plan, along with agreed policies, will generally provide the strategic framework. In schools with trustees the governing body should also comply with any trust deeds relating to the school. Governing bodies will need to monitor progress, but are not responsible for collecting monitoring data themselves. Instead they should agree arrangements with their head teacher. Governors should agree with their head any visits they may wish to make to classrooms.

2. Working strategically, governors should then use any monitoring evidence to review and evaluate progress against any targets set to see whether a policy is working or needs changing. The head can suggest arrangements for monitoring and evaluating particular requirements and policies.

3. As "lead professional" the head will be responsible for formulating and implementing the policies, for leading the school towards the set targets and for discharging many responsibilities on the governing body's behalf, as well as for discharging responsibilities imposed directly on him or her.

4. Heads should give their governing bodies enough information for the governors to feel confident that those delegated responsibilities - and the head's own responsibilities - have been met. Governing bodies should make sure they get enough information to allow them to check on their school's achievements and progress, over time and in comparison with similar schools.

SECURING ACCOUNTABILITY AND WORKING IN PARTNERSHIP

1. The head teacher and professional staff are accountable to the governing body for the school's performance. The governing body must be prepared to explain its decisions and actions to anyone who has a legitimate interest. This may include staff, pupils, parents and the press as well as the LEA, school's foundation or the Secretary of State.
2. Ideally, governing bodies and head teachers should work together in partnership to develop key policies. Heads should involve governing bodies at an early stage when formulating policies.

HOW DOES THE GOVERNING BODY ACT AS A "CRITICAL FRIEND" TO THE HEAD TEACHER?

1. A critical friend offers support, constructive advice, a sounding board for ideas, a second opinion on proposals and help where needed. But a critical friend may also challenge, ask questions, seek information, improve proposals and so seek to arrive at the best solution.

DELEGATION BY THE GOVERNING BODY

1. Education legislation places a great many statutory duties on governing bodies, but very few directly on head teachers. The governing body may choose to delegate some of its functions to the head, an individual or a committee (unless they cannot legally do so, see, for example, section 42 of the Main School Government Regulations 1999). The head must comply with any reasonable direction by the governing body when acting on the governing body's behalf. Governing bodies have no powers to direct head teachers over any function belonging in law to the head. The Decision Planner below suggests which functions can and should be delegated to the head.

ROLES AND RESPONSIBILITIES OF GOVERNING BODIES AND HEAD TEACHERS

1. **Annex A** at the end of this guidance explains the responsibilities the **law** places on governing bodies and head teachers respectively. Having the legal responsibility does not prevent governors from delegating (where the law allows) or taking advice.

IN PRACTICE, WHO SHOULD TAKE WHICH DECISIONS?

1. Often the law gives governing bodies a choice as to whether to carry out their functions themselves or delegate them. Every governing body must decide which decisions it will take itself, and which it will delegate to a committee, individual or to the head teacher. Governing bodies must also decide when, and from whom they should take advice. 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 governing bodies from delegating. Sometimes the law requires the governing body to consider advice. In all other areas, it is for the governing body to say how they organise their business, and how much they want the head teacher or others to do on their behalf. But governing bodies must abide by the principles in the new Regulations, described above.
2. We suggest that every governing body reviews its present decision-taking and delegation arrangements in the light of this guidance and records its new arrangements.

DECISION PLANNER

1. The following table sets out all the main school functions. For each function it suggests a decision level. The four possible decision levels are:

Level 1 - Decisions made by the governing body.

Level 2 - Decisions made by the governing body with advice from the head.

Level 3 - Decisions delegated to the head (often within a framework set by the governing body as these remain, legally, their responsibility).

Level 4 - Decisions made by the head.

1. This table allocates responsibilities in respect of schools with **delegated budgets** only. It is based on what the law says. Action taken by properly constituted committees or delegated to an individual governor or to a head teacher, are taken on behalf of the governing body. The governing body will therefore still be accountable. For the sake of simplicity the table does not suggest where a governing body should delegate to a committee or an individual other than the head. It concentrates on the division of responsibility between the governing body (whether as a whole or in committee or through an individual governor) and the head teacher. Those decisions which have to be taken by the whole governing body and cannot be delegated are asterisked on the Decision Planner.

2. Where the law means that a particular function cannot be carried out at a particular level, or Regulation 42 of the School Government Regulations prevents the governing body from delegating it, the relevant column is blocked off. Otherwise the governing body has a choice but, taking into account the requirements of the new Regulations, and best practice, the Decision Planner recommends the appropriate level with a tick or ticks. Where there are two ticks, the law may give both the head teacher and the governing body responsibility, or it may be that the decision level will vary according to, for example, the amount at stake.

3. We would suggest the governing body consider choosing Level 3 for as many functions as possible. But, in deciding, they will need to take into account factors like:

- the experience and wishes of the head;
- the extent to which the head is supported by a senior management team;
- the availability of good management information (to ensure that the governing body will still know how or whether the function is being performed after they have delegated); and
- any special skills or experience the governing body members can offer.

The governing body should record the decision levels they have agreed, so that it is clear to all where responsibilities lie. They may review their delegations from time to time and if circumstances change.

GOVERNING BODY DECISION PLANNER

KEY

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.

Asterisk: Functions which the whole governing body must consider.

Key Function	No	Action Sheet Tasks	Decision Level			
			LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
School	1	To approve the first formal budget plan each financial year*		✓	X	X
Budgets	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		✓	✓	
Staffing	9	Head teacher appointments (selection panel)*	✓	X	X	X
	10	Deputy appointments (selection panel)*	X	✓	X	X
	11	Appoint other teachers (GB may, if they wish, be involved in the selection panel)		✓	✓	X
	12	Appoint non teaching staff (GB may, if they wish, be involved in the selection panel)		✓	✓	X
	13	Pay discretions (the head should not advise on his/her own pay)		✓		X
	14	Establishing disciplinary /capability procedures		✓		X
	15	Dismissal (head) NB GB must act through Dismissal Committee*	✓	X	X	X
	16	Dismissal (other staff) NB GB must act through Dismissal Committee	X	✓	X	X
	17	Suspending head	✓	X	X	X
	18	Suspending staff (except head)		✓		✓
	19	Ending suspension (head)	✓	X	X	X
	20	Ending a suspension (except head)		✓	X	X
	21	Determining dismissal payments / early retirement		✓		
	22	Determining staff complement		✓		
	23	In VA and foundation schools to agree whether or not the Chief Education Officer /diocesan authority should have advisory rights	✓		X	

Curriculum	24	Ensure National Curriculum (NC) taught to all pupils and to consider any disapplication for pupil(s)	✓		✓	
	25	To draft curriculum policy		✓		
	26	To implement curriculum policy			✓	
	27	To agree or reject and review curriculum policy	✓	X	X	
	28	Responsible for standards of teaching			✓	
	29	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)			✓	
	30	Responsibility for individual child's education			✓	
	31	Provision of sex education - make and keep up to date a written policy*	✓	X	X	
	32	To prohibit political indoctrination and ensuring the balanced treatment of political issues*	✓		✓	
	33	To draw up a charging and remissions policy for activities (non NC based) in consultation with the LEA*	✓			
Performance Management	34	To establish a performance management policy	✓	X	X	
	35	To implement the performance management policy	✓		✓	
	36	To review annually the performance management policy	✓	X	X	
Target Setting Exclusions	37	To set and publish targets for pupil achievement	✓	X	X	
	38	To decide a discipline policy*	✓	X	X	
	39	To exclude a pupil for one or more fixed terms (not exceeding 45 days in total in a year) or permanently	X	X	X	✓
	40	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
	41	To direct reinstatement of excluded pupils	✓	X	X	X

Admissions	42	To consult annually before setting an admissions policy (but in community & controlled schools only where the LEA has delegated this power to the governing body)*		✓	X	X
	43	To consult annually before setting an admissions policy (VA and foundation schools)*		✓	X	X
	44	To set an admissions policy (special schools where pupils do not have a statement) acting with LEA*		✓	X	X
	45	To set an admissions policy (special schools where pupils have statements) - for LEA after consultation with the governing body*		✓	X	X
	46	Admissions: application decisions (but in community & controlled schools only where the LEA has delegated this power to the governing body)		✓	X	X
	47	Admissions: application decisions (VA, foundation & special schools)		✓	X	X
	48	To appeal against LEA directions to admit pupil(s) (VA, foundation and special schools; also community and VC schools where LEA is the admissions authority)		✓	X	X
	Religious Education	49	Responsibility for ensuring provision of RE in line with school's basic curriculum (all schools)		✓	X
	50	Decision to revert to previous RE syllabus (former GM schools except VA of religious character)		✓		
	51	Decision to provide RE according to trust deed / specified denomination in VA schools with religious character (foundation & VC schools of religious character at request of parents)	✓			
	52	Decision to provide RE in line with locally agreed syllabus (VA schools - only if parents request it. All other schools not covered in 51 above)		✓		
Collective Worship	53	In all maintained schools the LEA and head teacher shall ensure that all pupils take part in a daily act of collective worship. The governing body also has similar duties.		✓	X	✓
	54	To make application to the advisory councils, SACRE, concerning requirements for collective worship (schools without a religious character) to disapply. Head must consult GB	X	X	X	✓
	55	Arrangements for collective worship (schools without religious character). Head teacher must consult GB	X	X	X	✓
	56	Arrangements for collective worship (foundation schools of religious character, VC or VA schools)*	X	✓	X	X
Premises	57	Buildings insurance - GB to seek advice from LEA, diocese or trustees where appropriate		✓		
	58	Strategy (including budgeting for repairs etc.) and Asset Management Plans		✓		
	59	To ensure health and safety issues are met		✓		✓
	60	To set a charging and remissions policy*		✓	X	X
School Organisation	61	To draw up instrument of government and any amendments thereafter*	✓		X	X
	62	To publish proposals to change category of school*		✓	X	X

Information for Parents	63	Proposal to alter or discontinue voluntary, foundation or foundation special school*	✓	X	X
	64	To draft a school Action Plan following OFSTED inspection and distribute copies to parents	✓		
	65	To set the times of school sessions and the dates of school terms and holidays except in community and VC schools where it is the LEA*	✓	X	X
	66	To hold an Annual Parents' Meeting	✓	X	X
	67	To approve & distribute the Annual Parents' Report	✓	X	X
	68	To provide information to be published by governing bodies (in so far as approval of the school prospectus)*	✓	X	X
GB Procedures	69	To ensure provision of free school meals to those pupils meeting criteria		✓	X
	70	Adoption and review of home-school agreements	✓	X	X
	71	To appoint (and remove) the chair and vice-chair of a permanent or a temporary governing body*	✓	X	X
	72	To appoint and dismiss the clerk to the governors	✓	X	X
	73	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
	74	To appoint and remove co-opted, including temporary additional co-opted, governors*	✓	X	X
	75	To set up a Register of Governors' Business Interests	✓	X	X
	76	To approve and set up an Expenses scheme	✓	X	X
	77	To discharge duties in respect of pupils with special needs by appointing a "responsible person" in community, voluntary and foundation schools	✓	X	X
	78	To consider whether or not to exercise delegation of functions to individuals or committees*	✓	X	X
	79	To regulate the GB's procedures (where not set out in law)*	✓	X	X
	80	To review at least once a year the establishment, terms of reference and membership of committees, including selection panels*	✓	X	X
	81	To consider and take a decision on whether or not to delegate functions to an EAZ Forum*	✓	X	X

ALLOCATION OF MAJOR RESPONSIBILITIES BETWEEN GOVERNING BODIES AND HEAD TEACHERS

Please note that this is not a comprehensive list of head teachers' and governing bodies' responsibilities. Further details of the particular areas of responsibility highlighted here can be found by referring to the relevant legislation and/or guidance in the endnotes.

SCHOOL BUDGET

Responsibilities of Head Teacher	Responsibilities of Governing Body
<p>If required by an LEA scheme to draw up and submit to the governing body an annual budget plan¹ ("the budget plan") for the school's funds which must conform to the LEA's scheme.</p> <p>If required by an LEA scheme to prepare and submit to the governing body any significant proposals for revisions to the budget plan within the strategic guidelines set by the governing body.</p>	<p>If required by an LEA scheme to consider the annual budget plan ("the budget plan") [proposed by the head teacher], and to amend the budget plan where appropriate, and to approve the budget plan², and</p> <p>to consider and approve any proposed revisions to the budget plan [submitted by the head teacher during the course of the year] and</p> <p>to consider the delegation of their duties under any LEA scheme³.</p>
	<p>To spend the delegated budget before end of financial year.</p> <p>To decide how to spend grant paid to the LEA where the LEA has delegated such decisions to the governing body.</p>
	<p>To decide whether to delegate their powers to spend the delegated budget and any grants to the head teacher. If so, they should decide the amount to be delegated.</p>

STAFFING

Responsibilities of Head Teacher	Responsibilities of Governing Body
	To decide the number of staff at the school and the level of the posts.
To advise the governing body on the appointment of all teachers (except the head teacher) ⁴	<p>To decide the overall procedures for appointing staff, including whether to delegate functions to the head or governor(s), taking account of legal requirements⁵</p> <p>To advertise head teacher and deputy vacancies nationally, and other vacancies as appropriate⁶. The LEA may make nominations for consideration by governing body⁷</p> <p>To set up selection panels for head teacher and deputy head teacher posts⁸</p> <p>To conduct interviews and make recommendations on appointments to the LEA (for community and voluntary controlled schools) or appoint teaching staff (for foundation or voluntary aided schools)⁹.</p>
To advise on the appointment of non-teaching staff ¹⁰ .	To recommend to the LEA non-teaching staff for appointment in the case of community or voluntary controlled schools or appoint non-teaching staff in the case of foundation or voluntary aided schools ¹¹ .
	To decide whether to exercise their power to delegate certain functions relating to the appointment of staff ¹² .
To advise the governing body on the specification for a vacant teaching post ¹³	To decide a specification for any vacant post, in consultation with the head teacher.
	To set the pay of all members of staff, including that of the head teacher and any deputy head teachers, in line with legal requirements ¹⁴ .
To advise the governing body on adopting effective procedures to deal with incompetent teachers and to keep the governing body informed of the general operation of such procedures ¹⁵	To establish capability procedures to deal with incompetent teachers.

STAFFING

Responsibilities of Head Teacher	Responsibilities of Governing Body
	To establish disciplinary rules and procedures and staff grievance procedures and to take appropriate steps to make them known to members of staff ¹⁶ .
To advise the governing body on whether anyone employed at the school should be dismissed	To dismiss an employee ¹⁷ .
To advise the governing body on payments to be made	To decide whether any payment should be made by the LEA 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 ¹⁸ . To decide whether to grant early retirement to teachers.
To suspend staff in appropriate circumstances ¹⁹ .	To suspend staff in appropriate circumstances. To end a suspension ²⁰ .
To deploy, manage and lead all teaching and non-teaching staff of the school and allocate particular duties to them ²¹ .	
To evaluate the standards of teaching and learning in the school and ensure that proper standards of professional performance are established and maintained ²² .	

SECULAR CURRICULUM

Responsibilities of Head Teacher	Responsibilities of Governing Body
<p>To determine, organise and implement an appropriate curriculum for the school²³.</p> <p>To ensure that the National Curriculum is implemented in the school²⁴.</p> <p>To advise the governing body on NC disapplication for any pupil(s).</p>	<p>To ensure that the curriculum is balanced and broadly based.</p> <p>To ensure that the National Curriculum is implemented.</p> <p>To consider any disapplication for pupil(s).</p>
<p>To draw up a policy for the secular curriculum for the school ("the curriculum policy")²⁵.</p>	<p>To agree, amend or reject the curriculum policy drafted by the head teacher.</p>
<p>To implement and review the policy once every school year and suggest any necessary changes to the governing body.</p>	<p>To monitor the implementation of the school curriculum policy and consider with a view to adopting or rejecting any changes submitted by head teacher.</p>
	<p>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 school²⁶.</p>

PERFORMANCE MANAGEMENT

Responsibilities of Head Teacher	Responsibilities of Governing Body
<p>To draft, if requested by the governing body, a school performance management policy²⁷, within the framework set by the Appraisal Regulations²⁸.</p> <p>To consult all school teachers at the school, if requested by the governing body, before drafting a performance management policy</p> <p>To implement the school performance management policy established by the governing body</p> <p>To appoint/act as appraisers for teachers</p> <p>To review complaints by teachers about their appraisal where the head has not been the appraiser.</p> <p>To provide an annual written report on the effectiveness of the appraisal procedures to the governing body 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 policy²⁹ to govern the implementation of school teacher appraisal (including the head teacher) within the framework set by the Appraisal Regulations.</p> <p>To ensure that all school teachers are consulted.</p> <p>To implement the school performance management policy. To review and, if necessary, amend the performance management policy annually.</p> <p>To ensure that school teachers receive a regular appraisal of their performance³⁰.</p> <p>To appoint two or three governors to take responsibility for carrying out all aspects of the head teacher's appraisal.</p> <p>To appoint an accredited external adviser to support the appointed governors in reviewing the performance of the head teacher.</p> <p>To decide the exact timing of the performance review cycle for the head teacher.</p> <p>To appoint one or more review officers where a complaint is made by the head teacher about his/her performance review and the Chair of Governors has been involved in that review.</p>

STANDARDS AND TARGET SETTING

Responsibilities of Head Teacher	Responsibilities of Governing Body
	<p>To be responsible for setting by 31 December of each year the targets for the achievement of pupils at the end of KS2 and KS4 in the following school year, and for publishing those targets in their annual report³¹.</p>

EXCLUSIONS

Responsibilities of Head Teacher	Responsibilities of Governing Body
<p>The head teacher can exclude pupils for fixed period(s) of not more than 45 days in total in a year or permanently³².</p>	<p>All maintained school governing bodies must set up a pupil discipline committee³³ 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.</p>

ADMISSIONS

Responsibilities of Head Teacher	Responsibilities of Governing Body
<p>The Head teacher 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>	<p>For community and controlled schools the LEA is the admission authority (and makes all the decisions on admissions) UNLESS it delegates that responsibility, with the governing body's agreement, to the governing body³⁴.</p> <p>For foundation and aided schools the governing body is the admissions authority.</p> <p>A 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. Separate arrangements apply to special schools, and to mainstream schools where pupils have a statement of special educational needs³⁵. In these cases admissions are determined by the statement. Before naming a school in a statement, LEAs must consult the school's governing body, and the home Local Authority where the school is maintained by another authority. Admissions to special schools of pupils without statements should only be made following consultation between parents, the headteacher and LEA.</p>

RE AND COLLECTIVE WORSHIP

Responsibilities of Head Teacher	Responsibilities of Governing Body
<p>RELIGIOUS EDUCATION</p> <p>The head teacher shall ensure that RE is provided, in accordance with the school's basic curriculum³⁶.</p> <p>COLLECTIVE WORSHIP</p> <p>The head teacher shall ensure that each pupil at a community, foundation or voluntary school shall on each school day take part in an act of collective worship. [see endnote 37].</p> <p>The head teacher shall make application/s to the advisory councils (SACRE) concerning the requirements for collective worship in non religious schools for disapplication.</p>	<p>At all maintained schools the local education authority and the governing body shall exercise their functions with a view to ensuring that RE is provided in accordance with the school's basic curriculum (see endnote 36).</p> <p>The governing body shall exercise their functions with a view to ensuring that each pupil at a community, foundation or voluntary school takes part in an act of collective worship each day³⁷.</p> <p>Governing body must be consulted before any application/s can be made.</p>

SCHOOL PREMISES

Responsibilities of Head Teacher	Responsibilities of Governing Body
<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 governing body where appropriate</p> <p>Health and Safety</p> <p>To comply with the LEA's directions in community and VC schools. In VA and foundation schools to comply with governing body directions³⁸.</p>	<p>To control the use of the school premises both during and outside the school day³⁹.</p> <p>To decide on what charges to levy where external providers want to use the school premises.</p> <p>To prepare a health and safety policy, carry out risk assessments and set up arrangements to manage health and safety in foundation and VA schools. In community and controlled schools this is the LEA's responsibility.</p>
<p>MEDICAL CARE AND SCHOOL MEALS</p>	<p>To ensure pupils take advantage of dental and medical care available⁴⁰.</p> <p>To ensure free meals⁴¹ provided for those pupils whose parents are on income support, and paid meals on request, where LEAs delegate resources for school meals into school budget shares.</p>

End Notes

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- ¹ Decisions made by head and governing body must be made in line with any requirements set out in local education authority schemes under section 48 of the School Standards and Framework Act 1998 ("the 1998 Act").
- ² See regulation 42 (j) of The Education (School Government) (England) Regulations 1999 requires the whole governing body to give their approval to the first formal budget plan of the financial year.
- ³ See section 50(6) of the 1998 Act allows delegation to the headteacher.
- ⁴ See paragraph 19 of Schedule 16 of the 1998 Act, or paragraph 19 to Schedule 17 to the 1998 Act.
- ⁵ See paragraphs 42(o) and (p) of the Education (School Government) (England) Regulations 1999 which limit the governing body's right to delegate certain matters. See also paragraph 17 of Schedule 16 and paragraph 17 of Schedule 17 to the 1998 Act.
- ⁶ See paragraphs 5 and 13 of Schedule 16 and paragraphs 6 and 14 of Schedule 17 to the 1998 Act.
- ⁷ See paragraph 12 of Schedule 16 and paragraph 13 of Schedule 17 to the 1998 Act.
- ⁸ The selection panel is appointed in accordance with paragraph 6 of Schedule 16 or paragraph 7 of Schedule 17 to the 1998 Act.
- ⁹ See paragraphs 10 to 16 of Schedule 16 and paragraphs 11 to 16 of Schedule 17 to the 1998 Act.
- ¹⁰ See paragraph 19 of Schedule 16 and paragraph 19 of Schedule 17 to the 1998 Act. Also paragraph 43.2 of the School Teachers Pay and Conditions Document 1999.
- ¹¹ See paragraph 20 of Schedule 16 and paragraph 20 of Schedule 17 to the 1998 Act.
- ¹² See paragraph 17 of Schedule 16 and paragraph 17 of Schedule 17 to the 1998 Act.
- ¹³ See paragraph 11 of Schedule 16 and paragraph 12 of Schedule 17 to the 1998 Act
- ¹⁴ See section 2 of the Teachers' Pay and Conditions Act 1991, and Orders made under that section.
- ¹⁵ See paragraphs 43.3.6 and 7 of the School Teachers' Pay and Conditions Document 1999.
- ¹⁶ See paragraph 22 of Schedule 16 and paragraph 21 of Schedule 17 to the 1998 Act.
- ¹⁷ See paragraph 25 of Schedule 16 and paragraph 24 of Schedule 17 to the 1998 Act.
- ¹⁸ See section 57 of the 1998 Act.
- ¹⁹ See paragraph 24 of Schedule 16 and paragraph 23 of Schedule 17 to the 1998 Act.
- ²⁰ See paragraph 24(3) of Schedule 16 and paragraph 23(3) of Schedule 17 to the 1998 Act.
- ²¹ See section 43.3.1 of the School Teachers Pay and Conditions Document 1999.
- ²² See section 43.7 of the School Teachers Pay and Conditions Document 1999.
- ²³ See section 351 of the Education Act 1996.
- ²⁴ See section 357 of the Education Act 1996.
- ²⁵ See regulation 8 of the Education (School Government) (Terms of Reference) (England) Regulations 2000.
- ²⁶ See section 404 of the Education Act 1996.
- ²⁷ See regulation 9 of the Education (School Government) (Terms of Reference) (England) Regulations 2000.
- ²⁸ See the Education (School Teacher Appraisal) (England) Regulations 2000.
- ²⁹ See regulation 9 of the Education (School Government) (Terms of Reference) (England) Regulations 2000.
- ³⁰ See the Education (School Teacher Appraisal) (England) Regulations 2000.
- ³¹ See the Education(School Performance Targets) (England) Regulations 1998.
- ³² See sections 64 to 68 of the 1998 Act and the Education (Exclusion from School) (Prescribed Periods) (Amendment) (England) Regulations 2000.
- ³³ See regulation 42(3) of the Education (School Government) Regulations 1999.
- ³⁴ See sections 88 to 90 of the 1998 Act.
- ³⁵ See Schedule 27 to the Education Act 1996 and the Education (Maintained Special Schools) (England) Regulations 1999.
- ³⁶ See section 69 of the 1998 Act.
- ³⁷ See section 70 (1) (2) of and Schedule 20 to the 1998 Act.
- ³⁸ See section 40 of and Schedule 13 to the 1998 Act. Also the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1992 No.2051.
- ³⁹ See Schedule 13 of the 1998 Act and the Education (School Premises) Regulations 1999.
- ⁴⁰ See sections 520 and 536 of the Education Act 1996 and the National Health Act 1977.
- ⁴¹ See section 512 of the Education Act 1996 and the Education (Transfer of Functions Concerning School Lunches etc) (England) (No.2) Order 1999 SI 2164.