

## GOVERNORS' STATUTORY RESPONSIBILITIES

*Note that many of these responsibilities are delegated to the Headteacher and the fulfilment of others can result from proposals by the Headteacher*

### GENERAL

1. **Authority.** Parliament has given a range of duties and powers to governing bodies under the Education Acts. Additionally:
  - a. The School as a company and governors as company directors are subject to the Companies Act and,
  - b. As Trustees, governors have responsibilities under Charity Law.
2. **General Responsibility.** The Governing Body has a general responsibility for the conduct of the school with a view to promoting high standards of educational achievement. Comprehensive guidance is contained in the [Governance Guide](#) issued by the Department for Education.
3. **Governor's Conduct.** Governors should act 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.
4. **Strategic Role.** The Governing Body should work closely with the Headteacher and exercise its powers to fulfil a largely strategic role in running the school. Taking into consideration the results of the Ofsted inspection and any advice from appropriate advisors, it should establish a strategic framework by:
  - a. Setting Aims and Objectives for the School.
  - b. Adopting policies for achieving those aims and objectives.
  - c. Setting targets for achieving those aims and objectives.
5. **Company Responsibilities.**
  - a. Agree the Annual Report and Accounts.
  - b. Agree the Annual Return to Companies House.
  - c. Act within their powers.
  - d. Promote the success of the company.
  - e. Exercise independent judgement.
  - f. Exercise reasonable care, skill and diligence.
  - g. Avoid conflicts of interest.
  - h. Not accept benefits from third parties.

- i. Declare interest in proposed transactions or arrangements.
- j. As an employer, the trust has a range of wider obligations including such matters as employment law and health and safety.

6. **Delegation.** Many Governing Body duties are delegated to the Headteacher or to committees and the duties below should be read in conjunction with the Scheme of Delegation.

## SUMMARY OF MAIN RESPONSIBILITIES

7. **Corporate.** The Members and governors (as Directors) have corporate responsibility for ensuring that the Academy Trust complies with any statutory or administrative requirements for the use of public funds. Other important responsibilities of board members include:

- a. Ensuring that high standards of corporate governance are observed at all times.
- b. Establishing the overall strategic direction of the organisation within the policy and resources framework agreed with the responsible Minister.
- c. Ensuring that the Board operates within the limits of its statutory authority and any delegated authority agreed with its sponsor department, and in accordance with any other conditions relating to the use of public funds.
- d. Ensuring that, in reaching decisions, the Board considers any guidance issued by the sponsor department.
- e. Ensuring that risks to the Academy Trust are identified, quantified and managed appropriately.
- f. Formulating a strategy for implementing the *Code of Practice on Access to Government Information* (ie open government which implies being open with the reasons for decisions etc) including prompt responses to public requests for information, and meeting other requirements for openness and responsiveness.
- g. Ensuring that the Board has specific responsibility for sustainable development and operates within the framework of the Sustainable Development Strategy.
- h. Ensuring that the Board operates sound environmental policies in its operations and takes account of the *Government Model Improvement Programme for Greening*. (ie seeking to improve environmental performance).

8. **Charity.** As trustees, governors have responsibility for compliance with the Acts that govern the operation of charities.

9. **Complaints.** Governors are to agree and publicise a procedure for dealing with complaints.

10. **Equality.** Governors are to ensure that the school policies comply with the Equality Act.

11. **Drugs Misuse.** Governors are to agree a policy on preventing drugs misuse.

12. **Curriculum.** Governors are to:

- a. Oversee the School's Curriculum Model and ensure that the Curriculum as specified in the Funding Agreement is implemented and that religious education and collective worship are provided in line with the School's original trust deed and the current governing documents.
- b. Preside over a complaints' procedure dealing with the curriculum and the staff.

13. **Budget.** Governors agree the school budget and any revisions, consider out-turn against the budget and take any appropriate action.

14. **School Premises and Capital Investment.** Governors provide for the maintenance of the buildings, perimeter walls, fixtures and fittings and other capital items and control who uses the school premises.

15. **Staffing.** The Company (of which the governors are directors) is the employer of school staff. In particular, they are to:

- a. Decide on the number and grades of staff to be employed.
- b. Appoint staff. (Delegated to the Headteacher except for the Headteacher, Deputy Heads and Bursar).
- c. Dismiss staff (including for redundancy).
- d. Agree rules and grievance procedures governing staff discipline.
- e. Hear appeals against dismissals under locally agreed discipline and grievance procedures.
- f. Establish a written appraisal policy.
- g. Be satisfied that the School is able to provide the monitoring and support necessary to enable Newly Qualified Teachers to meet the requirements for the satisfactory completion of the induction period.
- h. Agree pay policies.
- i. Review annually the Headteacher's performance with advice from external advisors where appropriate.

16. **Ofsted Inspections.** For Ofsted inspections, governors are to:

- a. Notify parents, the Wiltshire Council and Salisbury Diocesan Board of Education (SDBE) of the inspection, including sending the Ofsted questionnaire and letter to parents.
- b. Promulgate the Ofsted Report to parents and make available to anyone on request.
- c. Agree the Action Plan, if appropriate, following an inspection.

17. **Admissions.** Governors are to agree the Admissions Policy after consultation with local schools, the SDBE and Wiltshire Council.

18. **Discipline.** Governors are to:

- a. Write a statement of principles to guide the Head in determining the measures that make up the school's behaviour policy. In drafting the Statement, there should be consultation with staff parents and pupils and note taken of the Secretary of State's guidance.
- b. Review the Headteacher's decisions on exclusions in specific circumstances.

19. **Other Policies.** Governors are to agree the following statutory policies/documents and other policies considered necessary:

Accessibility Plan  
Allegation of Abuse against Staff (part of Staff Discipline Procedure)  
Behaviour  
Charging & Remissions  
Child Protection  
Data Protection  
Equality incl Objectives  
Freedom of Information.  
Health & Safety  
Home School Liaison  
Medical Conditions.  
Pay & Allowances  
Sex Education  
Statement of Educational Needs & disabilities (SEND)  
Staff Discipline.

20. **Self-Management of the Governing Body.**

- a. The governing body regulates its own affairs according to the Funding Agreement and agreed standing orders, including meeting at least three times each year, appointing (with the consent of the SDBE) co-opted governors, establishing committees and working parties as necessary, deciding on what functions should be delegated (within the Law) and electing a chair and vice-chair.
- b. It arranges induction training for new governors and other training for governors as appropriate to their roles.