



Teaching  
Regulation  
Agency

# **Framework Document: Teaching Regulation Agency**

**Executive agencies**

**September 2022**

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# Introduction and background

## 1. Purpose of document

- 1.1. This framework document has been agreed between the Department for Education (DfE) and the Teaching Regulation Agency (TRA) in accordance with HM Treasury's handbook [Managing Public Money](https://www.gov.uk/government/publications/managing-public-money)<sup>1</sup> and has been approved by HM Treasury.
- 1.2. The framework document sets out the broad governance framework within which TRA and DfE operate. It sets out TRA's core responsibilities; describes the governance and accountability framework that applies between the roles of DfE and TRA; and sets out how the day-to-day relationship works in practice, including in relation to governance and financial matters.
- 1.3. The document does not convey any legal powers or responsibilities, but all parties agree to operate within its terms.
- 1.4. References to TRA include all its subsidiaries and joint ventures that are classified to the public sector and central government for national accounts purposes. If TRA establishes a subsidiary or joint venture, there shall be a document setting out the arrangements between it and TRA agreed with DfE.
- 1.5. Copies of the document and any subsequent amendments have been placed in the Libraries of both Houses of Parliament and made available to members of the public on GOV.UK.
- 1.6. This framework document should be reviewed and updated at least every 3 years unless there are exceptional reasons that render this inappropriate that have been agreed with HM Treasury and the Principal Accounting Officer of DfE (DfE's Permanent Secretary). The latest date for review and updating of this document is June 2025.

## 2. Objectives

- 2.1. DfE and TRA share the common objective of regulating the teaching profession. To achieve this TRA and DfE will work together in recognition of each other's roles and areas of expertise, providing an effective environment for TRA to achieve its objectives. This is achieved through the promotion of

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<sup>1</sup> <https://www.gov.uk/government/publications/managing-public-money>

partnership and trust and ensuring that TRA also supports DfE's strategic aims and objective and wider government as a whole.

### **3. Classification**

- 3.1. TRA has been classified as a central government organisation by the ONS/HM Treasury Classifications team.
- 3.2. It has been administratively classified by the Cabinet Office as an executive agency.

# Purposes, aims and duties

## 4. Purposes

- 4.1. TRA has been established by DfE and as an executive agency, does not have a separate legal personality to DfE.
- 4.2. TRA's purpose is set out in Section 141B and 141C of the Education Act 2002. The purpose of TRA is to support employers, schools and headteachers with safeguarding responsibilities. It does this by taking action on receipt of allegations of serious teacher misconduct and by providing employers with the opportunity to complete pre-employment checks to ensure that they are employing teachers who are appropriately qualified for their role. TRA also acts on behalf of the Secretary of State as the competent authority for teaching in England, being responsible for awarding qualified teacher status (QTS) and maintaining records of teachers, trainee teachers and those who have taught but no longer do.
- 4.3. TRA is responsible for the recognition of the professional status of appropriately qualified teachers. This includes the award of QTS to fully qualified teachers from the EEA, Gibraltar, Switzerland, Australia, New Zealand, Canada, the USA and teachers trained and recognised within the United Kingdom.

### Teacher misconduct decisions

- 4.4. TRA must be allowed to make decisions, on behalf of the Secretary of State and operate at arm's length from DfE. This is because a specific ministerial viewpoint cannot be allowed to influence any particular decision to prohibit an individual from teaching. TRA will make decisions in accordance with the advice published by DfE. Where a decision taken on behalf of the Secretary of State leads to significant criticism from the Secretary of State, or Minister, TRA will work with the DfE policy team to review the advice. TRA is responsible for ensuring all guidance regarding the prohibition of teachers is kept up to date and relevant to governmental policy.

## 5. Powers and duties

- 5.1. TRA's powers and duties stem from [Section 141B and Section 141C of the Education Act 2002](#)<sup>2</sup>. The [Teachers' Disciplinary \(England\) Regulations](#)

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<sup>2</sup> <https://www.legislation.gov.uk/ukpga/2002/32/part/8/crossheading/teacher-misconduct-etc-england>

[2012](#)<sup>3</sup> set out the detailed provisions according to which the system should operate and the [Teacher Misconduct - Disciplinary Procedures for the teaching profession](#)<sup>4</sup> outline the procedures TRA adheres to in relation to regulating the teaching profession.

5.2. TRA's statutory duties and functions are to:

- prohibit individuals from the teaching profession in England (Section 141B of the Education Act 2002)
- hold a list of teachers who have been prohibited from teaching (Section 141C of the Education Act 2002)

## 6. Aims

6.1. On behalf of the Secretary of State, TRA will:

- act as the competent authority for teachers in England
- award QTS to teachers in England and appropriately qualified teachers from Northern Ireland, Scotland, Wales and overseas where legislation allows
- maintain a central record of qualified teachers
- consider allegations of serious teacher misconduct from receipt of referrals to carrying out formal investigations when required and convening panels to hear evidence. The panels are responsible for deciding whether the facts and the misconduct have been found proven and, if so whether to recommend that a prohibition order would be appropriate
- maintain public confidence in the profession and to assist schools to make effective decisions in relation to a teacher's suitability by making decisions following a panel recommendation on whether a teacher should be prohibited from teaching, and whether there should be a review period
- make decisions whether an interim prohibition order is appropriate whilst an investigation is taking place
- make decisions about whether to set aside a prohibition following a panel recommendation where a teacher has been given the right to apply to have a prohibition order set aside and they make such an application

6.2. In addition, TRA will:

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<sup>3</sup> <https://www.legislation.gov.uk/ukxi/2012/560/contents/made>

<sup>4</sup> <https://www.gov.uk/government/publications/teacher-misconduct-disciplinary-procedures>

- enable employers of teachers to undertake mandatory pre-employment checks by providing secure online access to the central record of qualified teachers and the list of teachers prohibited from teaching or holding a sanction from the Secretary of State
- respond to all teacher qualification helpdesk enquiries within the agreed service levels
- support the policy development for recognition of overseas trained teachers following the end of EU standstill arrangements
- support ministers and wider DfE policy with timely and accurate QTS and induction data, providing evidence to help make informed decisions



# Governance and accountability

## 7. Governance and accountability

- 7.1. TRA shall operate corporate governance arrangements that, so far as practicable and in the light of the other provisions of this framework document or as otherwise may be mutually agreed, accord with good corporate governance practice and applicable regulatory requirements and expectations.
- 7.2. In particular (but without limitation), TRA should:
- comply with the principles and provisions of the [corporate governance in central government departments code of good practice](#)<sup>5</sup> (as amended and updated from time to time) to the extent appropriate and in line with their statutory duties or specify and explain any non-compliance in its annual report
  - comply with Managing Public Money
  - in line Managing Public Money have regard to the relevant [Functional Standards](#)<sup>6</sup> as appropriate and in particular those concerning Finance, Commercial and Counter Fraud
  - take into account, the codes of good practice and guidance set out in Appendix A of this framework document, as they apply to arm's length bodies
- 7.3. In line with Managing Public Money Annex 3.1, TRA shall provide an account of corporate governance in its annual governance statement including the TRA Executive Board's assessment of its compliance with the Code with explanations of any material departures. To the extent that TRA does intend to materially depart from the Code, the sponsor should be notified in advance.
- 7.4. In line with Cabinet Office policy for the tailored reviews of public bodies, TRA underwent its first tailored review during the summer and autumn of 2019. The review identified a clear need for the functions of TRA to remain at arm's length from the core of DfE as an executive agency. The report was published in September 2020. TRA will be reviewed as part of the wider Public Bodies Review Programme, at a time determined by DfE's ministers

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<sup>5</sup> <https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments-2017>

<sup>6</sup> <https://www.gov.uk/government/collections/functional-standards>

and their Principal Accounting Officer. This will cover both the existing review programme and any future programme that supersedes it.

# Role of the department

## 8. The responsible Minister

- 8.1. The Secretary of State for Education is accountable to Parliament for all matters concerning TRA.
- 8.2. The Minister's powers and rights in respect of TRA, as set out in [The Teachers' Disciplinary \(England\) Regulations 2012](http://www.legislation.gov.uk/uksi/2012/560/contents/made)<sup>7</sup> and as amended by [The Teachers' Disciplinary \(Amendment\) \(England\) Regulations 2014](http://www.legislation.gov.uk/uksi/2014/1685/contents/made)<sup>8</sup>, are:
- acting as the competent authority for teaching in England
  - operating the regulatory system for teacher misconduct

### Appointment of the Chief Executive

- 8.3. The Chief Executive of TRA is appointed by the responsible Minister. This appointment is subject to the Public Appointments Order in Council and as such must comply with the Governance Code on Public Appointments.

### Other Ministerial powers and responsibilities

- 8.4. The Minister is also responsible for:
- the policy framework within which TRA operates
  - setting the performance framework within which TRA will operate including approving TRA's Corporate Plan
  - matters regarding spending approvals, acquisitions, disposals, and joint ventures in line with delegations as set out in the delegation letter
  - public appointments of independent professional conduct panellists in line with the Governance Code on Public Appointments
  - such other matters as may be appropriate and proportionate

## 9. The Principal Accounting Officer

- 9.1. The Principal Accounting Officer (PAO) is the Permanent Secretary of the DfE.

### Principal Accounting Officer's specific accountabilities and responsibilities

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<sup>7</sup> <http://www.legislation.gov.uk/uksi/2012/560/contents/made>

<sup>8</sup> <http://www.legislation.gov.uk/uksi/2014/1685/contents/made>

- 9.2. The Principal Accounting Officer of DfE designates the Chief Executive as TRA's Accounting Officer (AO) and ensures that they are fully aware of their responsibilities. The Principal Accounting Officer has issued a letter appointing the Accounting Officer, setting out their responsibilities and delegated authorities.
- 9.3. The respective responsibilities of the Principal Accounting Officer and Accounting Officers for arm's length bodies (ALBs) are set out in Chapter 3 of Managing Public Money.
- 9.4. The Principal Accounting Officer is also responsible, usually via the sponsorship team, for advising the responsible Minister on:
- an appropriate framework of objectives and targets for TRA in light of DfE's wider strategic aims and priorities
  - an appropriate budget for TRA in light of DfE's overall public expenditure priorities
  - how well TRA is achieving its strategic objectives and whether it is delivering value for money
  - the exercise of the Minister's statutory responsibilities concerning TRA
- 9.5. The Principal Accounting Officer, via the sponsorship team, is also responsible for ensuring arrangements are in place to:
- monitor TRA's activities and performance
  - address significant problems in TRA, making such interventions as are judged necessary
  - periodically, and at such frequency as is proportionate to the level of risk, carry out an assessment of the risks both to DfE's and TRA's objectives and activities in line with the wider DfE risk assessment process
  - inform TRA of relevant government policy in a timely manner
  - bring ministerial or DfE concerns about the activities of TRA to the TRA Strategic Performance Review, and, as appropriate to the DfE Board, requiring explanations and assurances that appropriate action has been taken

## **10. The role of the sponsorship team**

- 10.1. The Schools Group in DfE is the primary contact for TRA. The responsible senior civil servant for this relationship is the Director for School System and Teaching Regulation Directorate. They are the main source of advice to the responsible Minister on the discharge of their responsibilities in respect of TRA. They also support the Principal Accounting Officer on their responsibilities towards TRA.

10.2. Officials of the Schools Group in DfE will liaise regularly with TRA officials to review performance against plans, achievement against targets and expenditure against its DEL and AME allocations. The Schools Group will also take the opportunity to explain wider policy developments that might have an impact on TRA.

10.3. The senior sponsor will:

- act as the senior point of liaison between TRA, DfE, and ministers
- be the main source of advice to ministers on the discharge of their responsibilities in respect of TRA
- support and advise the Principal Accounting Officer on their responsibilities towards TRA
- ensure that, where reasonably possible, TRA's Chief Executive has advance notice of wider government announcements on schools
- aid the flow of information and nurture relationships, facilitating TRA's relationships with officials in other government departments where required
- work collaboratively with TRA's Chief Executive to facilitate the smooth operation of the arrangements set out in this framework document
- ensure requests for approval of expenditure are dealt with promptly and proportionately, and that DfE approval is not unreasonably delayed or withheld for any reason, except where the Secretary of State for Education reasonably considers that the proposed expenditure may not represent value for money

10.4. In addition to routine and policy contact between DfE and TRA, meetings will take place between:

- the senior sponsor and TRA's Chief Executive at the Quarterly Strategic Performance Review (SPR) meetings. These meetings will be chaired by the senior sponsor. The purpose of these meetings will be for the senior sponsor to review the performance of TRA, including risks and issues which may need escalating to the Performance and Risk Committee (PRC), or the Audit and Risk Committee (ARC). It will also be an opportunity for the senior sponsor to provide scrutiny and challenge regarding the performance of TRA. A senior civil servant from outside of TRA and the sponsor's Directorate and representatives from DfE's Delivery Unit will also attend the SPRs to provide independent scrutiny and challenge
- the senior sponsor and TRA's Chief Executive on a monthly basis. These meetings will enable the Chief Executive to review TRA's performance with the senior sponsor
- meeting between the Minister and the Chief Executive on an annual basis

- 10.5. The Director General for the Schools Group will be kept informed regarding the performance of TRA at monthly bilateral meetings with the senior sponsor.

## **11. Resolution of disputes between DfE and TRA**

- 11.1. Any disputes between DfE and TRA will be resolved in as timely a manner as possible. DfE and TRA will seek to resolve any disputes through an informal process in the first instance. If this is not possible, then a formal process, overseen by the senior sponsor, will be used to resolve the issue. Failing this, the senior sponsor will inform the Director General for the Schools Group to oversee the dispute. They may then choose to ask the Permanent Secretary to nominate a non-executive member of DfE's Board to review the dispute, mediate with both sides and reach an outcome, in consultation with the Secretary of State.

## **12. Freedom of information requests**

- 12.1. Where a request for information is received by either party under the Freedom of Information Act 2000, or the Data Protection Act 1998 or 2018, the party receiving the request will consult with the other party prior to any disclosure of information that may affect the other party's responsibilities.

## **13. Reporting on legal risk and litigation**

- 13.1. TRA shall provide a quarterly update to the sponsor on the existence of any active litigation and any threatened or reasonably anticipated litigation. The parties acknowledge the importance of ensuring that legal risks are communicated appropriately to the sponsor in a timely manner.
- 13.2. In respect of each substantial piece of litigation involving TRA, the parties will agree a litigation protocol which will include specific provisions to ensure appropriate and timely reporting on the status of the litigation and the protection of legally privileged information transmitted to the sponsor to facilitate this. Until such time as a protocol is agreed, the parties will ensure that:
- material developments in the litigation are communicated to the sponsor in an appropriate and timely manner
  - legally privileged documents and information are clearly marked as such
  - individual employees handling the legally privileged documents are familiar with principles to which they must adhere to protect legal privilege
  - circulation of privileged information within government occurs only as necessary

# TRA governance structure

## 14. The Chief Executive

### Responsibilities of the TRA's Chief Executive as Accounting Officer

- 14.1. The Chief Executive as Accounting Officer is personally responsible for safeguarding the public funds for which they have charge; for ensuring propriety, regularity, value for money and feasibility in the handling of those public funds; and for the day-to-day operations and management of TRA. In addition, they should ensure that TRA as a whole is run on the basis of the standards, in terms of governance, decision-making and financial management, which are set out in Box 3.1 of Managing Public Money. These responsibilities are set in the Accounting Officer appointment letter issued by the Principal Accounting Officer of DfE.

### Responsibilities for accounting to Parliament and the public

- 14.2. Responsibilities to Parliament and the public include:
- signing TRA's accounts and ensuring that proper records are kept relating to the accounts, and that the accounts are properly prepared and presented in accordance with any directions issued by the Secretary of State
  - preparing and signing a governance statement covering corporate governance, risk management and oversight of any local responsibilities, for inclusion in the annual report and accounts
  - ensuring that effective procedures for handling complaints about TRA, in accordance with Parliamentary and Health Service Ombudsman's Principles of Good Complaint Handling, are established and made widely known within TRA and published on GOV.UK
  - acting in accordance with the terms of Managing Public Money and other instructions and guidance issued from time to time by DfE, the Treasury and the Cabinet Office
  - ensuring that, as part of the above compliance, they are familiar with and act in accordance with:
    - any governing legislation
    - this framework document
    - any delegation letter issued to body
    - any elements of any settlement letter issued to DfE that is relevant to the operation of TRA
    - any separate settlement letter that is issued to TRA from DfE
  - ensuring they have appropriate internal mechanisms for monitoring, governance and external reporting regarding non-compliance with any conditions arising from the above documents

- giving evidence, normally with the Principal Accounting Officer, when summoned before the PAC on TRA's stewardship of public funds

## **Responsibilities to DfE**

### **14.3. Responsibilities to DfE include:**

- establishing, in agreement with DfE, TRA's corporate and business plans in the light of DfE's wider strategic aims and agreed priorities
- informing DfE of progress in helping to achieve DfE's policy objectives and in demonstrating how resources are being used to achieve those objectives
- ensuring that timely forecasts and monitoring information on performance and finance are provided to DfE; that DfE is notified promptly if over or under spends are likely and that corrective action is taken; and that any significant problems whether financial or otherwise, and whether detected by internal audit or by other means, are notified to DfE in a timely fashion

## **Responsibilities to the TRA Executive Board**

### **14.4. The Chief Executive is responsible for:**

- leading the TRA Executive Board in the delivery of its responsibilities. Such responsibility should be exercised in the light of their duties and responsibilities as set out in their contract of employment and appointment letter, any relevant statute governing TRA, this document and the documents and guidance referred to within this document
- advising the TRA Executive Board on the discharge of TRA's responsibilities as set out in this document and in any other relevant instructions and guidance that may be issued from time to time
- formulating the TRA Executive Board's strategy
- ensuring that financial considerations are taken fully into account by the TRA Executive Board at all stages in reaching and executing its decisions, and that financial appraisal techniques are followed
- ensuring, including by monitoring and engaging with appropriate governance arrangements, that TRA's affairs are conducted with probity
- ensuring the TRA Executive Board, in reaching decisions, takes proper account of guidance provided by the responsible Minister or DfE
- ensuring policies and actions support the responsible Minister's wider strategic policies and, where appropriate, these policies and actions should be clearly communicated and disseminated throughout TRA
- promoting the efficient and effective use of staff and other resources
- delivering high standards of regularity and propriety

### **14.5. Communications between TRA's Executive Board and the responsible Minister should normally be through the Chief Executive.**



14.6. The Chief Executive also has an obligation to ensure that:

- the TRA Executive Board is collectively responsible for supporting the Chief Executive in effectively running the agency. The executive board should have an appropriate balance of skills, experience, and knowledge to carry out this role
- TRA Executive Board members are fully briefed on terms of appointment, duties, rights and responsibilities
- there are terms of reference in place setting out the role and responsibilities of the TRA Executive Board consistent with the Government Code of Good Practice for Corporate Governance

## **Managing conflicts**

14.7. In executive agencies, final decisions, responsibility and accountability rest with the Chief Executive as Accounting Officer.

14.8. Where there is a course of action involving a transaction which the Chief Executive considers would infringe upon the requirements of propriety or regularity or does not represent prudent or economical administration, efficiency or effectiveness, is of questionable feasibility, or is unethical the Chief Executive in their role as Accounting Officer should reject that course of action.

14.9. If the responsible Minister agrees with the course of action, it may be appropriate for the Minister to direct the Accounting Officer in the manner as set out in Managing Public Money 3.6.6 onwards.

## **15. TRA's Executive Board**

### **Composition of TRA Executive Board**

15.1. TRA will have an Executive Board in line with good standards of Corporate Governance, the guidance as set out in Annex A and any relevant legislation. Due to the size and scale of TRA, TRA has an Executive Board instead of a Management Board. The role of the TRA Executive Board shall be to run TRA, and deliver the objectives, in accordance with the purposes as set out above, their regulatory, common law duties and their responsibilities under this framework document. Detailed responsibilities of the Board shall be set out in the TRA Executive Board terms of reference. Remuneration of the Board will be disclosed in line with the guidance in the [Government Financial](#)

[Reporting manual \(FReM\)](#)<sup>9</sup>. The TRA Executive Board reports to the senior sponsor at the Strategic Performance Review as outlined in section 10.4.

- 15.2. The TRA Executive Board will consist of the Chief Executive and TRA's senior management team, who have a balance of skills and experience appropriate to directing TRA's business. Wider DfE representation and advice is provided by DfE's finance business partner, HR business partner and school safeguarding policy team.

### **Duties of the TRA Executive Board**

- 15.3. The TRA Executive Board is specifically responsible for:

- establishing and taking forward the strategic aims and objectives of TRA consistent with its overall strategic direction and within the policy and resources framework determined by the Secretary of State
- providing effective leadership of TRA within a framework of prudent and effective controls which enables risk to be assessed and managed
- ensuring the financial and human resources are in place for TRA to meet its objectives
- reviewing management performance
- ensuring that the TRA Executive Board receives and reviews regular financial and management information concerning the management of TRA
- ensuring that it is kept informed of any changes which are likely to impact on the strategic direction of TRA or on the attainability of its targets, and determining the steps needed to deal with such changes and where appropriate bringing such matters to the attention of the responsible Minister and Principal Accounting Officer via the executive team, sponsorship team or directly
- ensuring that any statutory or administrative requirements for the use of public funds are complied with; that the TRA Executive Board operates within the limits of its statutory authority and any delegated authority agreed with DfE, and in accordance with any other conditions relating to the use of public funds
- ensuring that, in reaching decisions, the TRA Executive Board takes into account guidance issued by DfE
- ensuring that as part of the above compliance they are familiar with:
  - this framework document
  - any delegation letter issued to TRA as set out in paragraph 17

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<sup>9</sup> <https://www.gov.uk/government/collections/government-financial-reporting-manual-frem>

- any elements of any settlement letter issued to DfE that is relevant to the operation of TRA
  - any separate settlement letter that is issued to TRA from DfE
  - ensuring they have appropriate internal mechanisms for the monitoring, governance and external reporting regarding any conditions arising from the above documents and ensure that the Chief Executive and TRA as a whole act in accordance with their obligations under the above documents
  - demonstrating high standards of corporate governance at all times, including by using the DfE Audit and Risk Committee to help the TRA Executive Board to address key financial and other risks
  - determining all such other things which the TRA Executive Board considers ancillary or conducive to the attainment or fulfilment by the TRA of its objectives
  - complying at all times with the Code of Conduct for Board Members of Public Bodies, which covers conduct in the role and includes the Nolan Principles of Public Life as well as rules relating to the use of public funds and to conflicts of interest
- 15.4. The TRA Executive Board should ensure that effective arrangements are in place to provide assurance on risk management, governance and internal control.
- 15.5. The TRA Executive Board should make a strategic choice about the style, shape and quality of risk management and should lead the assessment and management of opportunity and risk. The TRA Executive Board should ensure that effective arrangements are in place to provide assurance over the design and operation of risk management, governance and internal control in line with the [Management of Risk – Principles and Concepts \(The Orange Book\)](https://www.gov.uk/government/publications/orange-book)<sup>10</sup>. The TRA Executive Board must ensure that DfE's Audit and Risk Assurance Committee are provided with routine assurances with escalation of any significant limitations or concerns. The TRA Executive Board is expected to assure itself of the adequacy and effectiveness of the risk management framework and the operation of internal control

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<sup>10</sup> <https://www.gov.uk/government/publications/orange-book>

# Management and financial responsibilities and controls

## 16. Delegated authorities

- 16.1. TRA's delegated authorities are set out in the delegation letter (in Annex B of this framework document). This delegation letter may be updated and superseded by later versions which may be issued by DfE in agreement with HM Treasury.
- 16.2. In line with Managing Public Money Annex 2.2 these delegations will be reviewed on an annual basis.
- 16.3. TRA shall obtain DfE's, and where appropriate HM Treasury's, prior written approval before:
- entering into any undertaking to incur any expenditure that falls outside the delegations, or which is not provided for in TRA's annual budget as approved by DfE
  - incurring expenditure for any purpose that is or might be considered novel or contentious, or which has or could have significant future cost implications
  - making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by DfE
  - making any change of policy or practice which has wider financial implications that might prove repercussive, or which might significantly affect the future level of resources required
  - carrying out policies that go against the principles, rules, guidance and advice in Managing Public Money

## 17. Spending authority

- 17.1. Once the budget has been approved by DfE, and subject to any restrictions imposed by statute, the responsible Minister's instructions or this document, TRA shall have authority to incur expenditure approved in the budget without further reference to DfE, on the conditions that:
- TRA shall comply with the delegations set out in the delegation letter and these delegations shall not be altered without the prior agreement of DfE and as agreed by HM Treasury and Cabinet Office as appropriate
  - TRA shall comply with Managing Public Money regarding novel, contentious or repercussive proposals
  - inclusion of any planned and approved expenditure in the budget shall not remove the need to seek formal DfE approval where any proposed expenditure is outside the delegated limits or is for new schemes not previously agreed

- TRA shall provide DfE with such information about its operations, performance, individual projects or other expenditure as DfE may reasonably require

## **18. Banking and managing cash**

- 18.1. TRA must maximise the use of publicly procured banking services (accounts with central government commercial banks managed centrally by Government Banking).
- 18.2. TRA should only hold money outside Government Banking Service accounts where a good business case can be made for doing so and HM Treasury consent is required for each account to be established. Only commercial banks which are members of relevant UK clearing bodies may be considered for this purpose.
- 18.3. Commercial accounts where approved should be operated in line with the principles as set out in Managing Public Money.
- 18.4. The Accounting Officer is responsible for ensuring TRA has a banking policy as set out in Managing Public Money and ensuring that policy is complied with.

## **19. Procurement**

- 19.1. TRA shall ensure that its procurement policies are aligned with and comply with any relevant UK or other international procurement rules and in particular the Public Contracts Regulations 2015.
- 19.2. TRA shall establish its procurement policies and document these in a Procurement Policy and Procedures Manual.
- 19.3. In procurement cases where TRA is likely to exceed its delegated authority limit, procurement strategy approval for the specific planned purchase must be sought from DfE's sponsor team.
- 19.4. Goods, services, and works should be acquired by competition. Proposals to let single-tender or restricted contracts shall be limited and exceptional, and a quarterly report explaining those exceptions should be sent to DfE.
- 19.5. Procurement by TRA of works, equipment, goods, and services shall be based on, a full option appraisal and value for money (VfM), ie the optimum combination and whole life costs and quality (fitness for purpose).
- 19.6. TRA shall:

- engage fully with DfE and government wide procurement initiatives that seek to achieve VfM from collaborative projects
  - comply with all relevant Procurement Policy Notes issued by Cabinet Office
  - co-operate fully with initiatives to improve the availability of procurement data to facilitate the achievement of VfM
- 19.7. TRA shall comply with the [commercial](#)<sup>11</sup> and [grants standards](#)<sup>12</sup>. These standards apply to the planning, delivery, and management of government commercial activity, including management of grants in all departments and ALBs, regardless of commercial approach used and form part of a suite of functional standards that set expectations for management within government.

## 20. Risk management

- 20.1. TRA shall ensure that the risks that it faces are dealt with in an appropriate manner, in accordance with relevant aspects of best practice in corporate governance, and develop a risk management strategy in accordance with the HM Treasury guidance [Management of Risk Principles and Concepts](#)<sup>13</sup>.

## 21. Counter fraud and theft

- 21.1. TRA should adopt and implement policies and practices to safeguard itself against fraud and theft.
- 21.2. TRA should act in line with guidance as issued by the Counter Fraud Function and in compliance with the procedures and considerations as set in in Managing Public Money Annex 4.9 and the [Counter Fraud Functional Standard](#)<sup>14</sup>. It should also take all reasonable steps to appraise the financial standing of any firm or other body with which it intends to enter a contract or to provide grant or grant-in-aid.
- 21.3. TRA should keep records of and prepare and forward to DfE an annual report on fraud and theft suffered by TRA and notify DfE of any unusual or major incidents as soon as possible. TRA should also report detected loss from fraud, bribery, corruption and error, alongside associated recoveries and prevented losses, to the counter fraud centre of expertise in line with the

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<sup>11</sup> <https://www.gov.uk/government/publications/commercial-operating-standards-for-government>

<sup>12</sup> <https://www.gov.uk/government/publications/grants-standards>

<sup>13</sup> [http://www.hm-treasury.gov.uk/orange\\_book.htm](http://www.hm-treasury.gov.uk/orange_book.htm)

<sup>14</sup> <https://www.gov.uk/government/publications/government-functional-standard-govs-013-counter-fraud>

agreed government definitions as set out in Counter Fraud Functional Standard.

## 22. TRA staff

### Broad responsibilities for staff

- 22.1. Within the arrangements approved by the responsible Minister and HM Treasury, TRA will have responsibility for the recruitment, retention and motivation of its staff. The broad responsibilities toward its staff are to ensure that:
- the rules for recruitment and management of staff create an inclusive culture in which diversity is fully valued; appointment and advancement is based on merit; there is no discrimination against employees with protected characteristics under the Equality Act 2010
  - the level and structure of its staffing, including grading and staff numbers, are appropriate to its functions and the requirements of economy, efficiency and effectiveness
  - the performance of its staff at all levels is satisfactorily appraised and TRA performance measurement systems are reviewed from time to time
  - its staff are encouraged to acquire the appropriate professional, management and other expertise necessary to achieve TRA's objectives
  - proper consultation with staff takes place on issues affecting them
  - adequate grievance and disciplinary procedures are in place
  - whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place
  - a code of conduct for staff is in place based on the Cabinet Office's Model Code for Staff of Executive Non-departmental Public Bodies<sup>15</sup>

### Staff costs

- 22.2. Subject to its delegated authorities, TRA shall ensure that the creation of any additional posts does not incur forward commitments that will exceed its ability to pay for them.

### Pay and conditions of service

- 22.3. TRA staff are subject to levels of remuneration and terms and conditions of service (including pensions) within the general pay structure approved by DfE

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<sup>15</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/690948/Public\\_Bodies\\_-\\_a\\_guide\\_for\\_departments\\_-\\_chapter\\_5.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690948/Public_Bodies_-_a_guide_for_departments_-_chapter_5.pdf)

and HM Treasury. TRA has no delegated power to amend these terms and conditions.

- 22.4. If civil service terms and conditions of service apply to the rates of pay and non-pay allowances paid to the staff and to any other party entitled to payment in respect of travel expenses or other allowances, payment shall be made in accordance with the [Civil Service Management Code](#)<sup>16</sup> and the annual Civil Service Pay Remit Guidance, except where prior approval has been given by DfE to vary such rates.
- 22.5. Staff terms and conditions should be set out in an Employee Handbook, which should be provided to TRA by DfE together with subsequent amendments.
- 22.6. TRA shall abide by public sector pay controls, including the relevant approvals process dependent on the organisations classification as detailed in the [Senior Pay guidance](#)<sup>17</sup> and the [public sector pay and terms guidance](#)<sup>18</sup>.
- 22.7. TRA shall operate a performance-related pay scheme that shall form part of the annual aggregate pay budget approved by DfE or the general pay structure approved by DfE and HM Treasury whichever is applicable, where relevant with due regard to the Senior Pay guidance.
- 22.8. The travel expenses of TRA Executive Board members shall be tied to the rates allowed to senior staff of TRA or DfE rates whichever is applicable. Reasonable actual costs shall be reimbursed.

### **Pensions, redundancy and compensation**

- 22.9. Compensation scheme rules and pension scheme rules should reflect legislative and HM Treasury guidance requirements regarding exit payments.
- 22.10. TRA staff shall normally be eligible for a pension provided by Civil Service Pensions (CPS). Staff may opt out of the occupational pension scheme provided by TRA, but that employers' contribution to any personal pension arrangement, including stakeholder pension shall normally be limited to the national insurance rebate level.
- 22.11. Any proposal by TRA to move from the existing pension arrangements, or to pay any redundancy or compensation for loss of office, requires the prior

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<sup>16</sup> <https://www.gov.uk/government/publications/civil-servants-terms-and-conditions>

<sup>17</sup> <https://www.gov.uk/government/publications/senior-civil-service-pay-and-reward>

<sup>18</sup> <https://www.gov.uk/government/publications/public-sector-pay-and-terms-guidance-note>



approval of DfE. Proposals on severance must comply with the rules in chapter 4 of Managing Public Money

### **Severance payments**

- 22.12. Any proposal by TRA to make a severance payment must comply with the rules in Chapter 4 of HM Treasury Managing Public Money and Cabinet Office guidance on severance payments and be in line with financial and spending controls detailed in their delegation letter. Any proposal for special severance payment (ie non-contractual) must be submitted to DfE first, for written approval before making payment.

# Business plans, financial reporting and management information

## 23. Corporate and business plans

- 23.1. TRA shall submit a draft of the corporate plan covering 3 years ahead to DfE. TRA shall agree with DfE the issues to be addressed in the plan and the timetable for its preparation. The corporate plan shall reflect TRA's statutory and other duties and, within those duties, the priorities set from time to time by the responsible Minister (including decisions taken on policy and resources in the light of wider public expenditure decisions). The plan shall demonstrate how TRA contributes to the achievement of DfE's medium-term plan and priorities for schools and aligned performance metrics and milestones.
- 23.2. The first year of the corporate plan, amplified as necessary, shall form the business plan. The business plan shall be updated to include targets and milestones for the year immediately ahead and shall be linked to budgeting information so that resources allocated to achieve specific objectives can readily be identified by DfE. Subject to any commercial considerations, the corporate plan should be published by TRA on GOV.UK and separately be made available to staff.
- 23.3. The business plan will include:
- objectives and associated performance targets for the forward years, and the strategy for achieving those objectives
  - non-financial performance targets
  - a review of performance in the preceding financial year, together with comparable outturns for the previous 2 years, and an estimate of performance in the current year
  - alternative scenarios and an assessment of the risk factors that may significantly affect the execution of the plan but that cannot be accurately forecast
  - other matters as agreed between DfE and TRA

## 24. Budgeting procedures

- 24.1. Each year, in the light of decisions by DfE on the updated draft corporate plan, DfE will send to TRA by the start of the financial year:
- a formal statement of the annual budgetary provision allocated by DfE in the light of competing priorities across DfE and of any forecast income approved by DfE
  - a statement of any planned change in policies affecting TRA

- 24.2. The approved corporate plan will take account both of approved funding provision where this applies and any forecast receipts. It will include a budget of estimated payments and receipts together with a profile of expected expenditure and of draw-down of any DfE funding or other income over the year. These elements form part of the approved business plan for the year in question.

## 25. Annual report and accounts

- 25.1. TRA must publish an annual report of its activities together with its audited accounts after the end of each financial year. TRA shall provide DfE its finalised audited accounts by an agreed date each year in order for the accounts to be consolidated within DfE's. A draft of the report should be submitted to DfE 2 weeks before the proposed publication date. The accounts should be prepared in accordance with the relevant statutes and specific accounts direction issued by DfE as well as HM Treasury's Financial Reporting Manual (FReM).
- 25.2. The annual report and accounts must:
- cover any corporate, subsidiary or joint ventures under its control
  - comply with the FReM and in particular have regard to the [illustrative statements for an NDPB](#)<sup>19</sup>
  - outline main activities and performance during the previous financial year and set out in summary form forward plans
- 25.3. Information on performance against financial targets is included within the audit report and subject to the auditor's consistency opinion. The report and accounts shall be laid in Parliament and made available on GOV.UK, in accordance with the guidance in the FReM.

## 26. Reporting performance to DfE

- 26.1. TRA shall operate management, information and accounting systems that enable it to review in a timely and effective manner its financial and non-financial performance against the budgets and targets set out in the corporate and business plans.
- 26.2. TRA shall inform DfE of any changes that make achievement of objectives more or less difficult. It shall report financial and non-financial performance, including performance in helping to deliver Ministers' policies, and the

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<sup>19</sup> <https://www.gov.uk/government/publications/government-financial-reporting-manual-2020-21>

achievement of objectives regularly at the quarterly Strategic Performance Review meetings.

- 26.3. TRA's performance shall be formally reviewed by DfE quarterly at the strategic performance review.
- 26.4. The responsible Minister will meet the Chief Executive once a year.
- 26.5. The Principal Accounting officer will meet the Chief Executive at least once a year.

## **27. Information sharing**

- 27.1. DfE has the right of access to all TRA records and personnel for any purpose including, for example, sponsorship audits and operational investigations.
- 27.2. TRA shall provide DfE with such information about its operations, performance, individual projects or other expenditure as DfE may reasonably require.
- 27.3. DfE and HM Treasury may request the sharing of data held by TRA in such a manner as set out in central guidance except insofar as it is prohibited by law. This may include requiring the appointment of a senior official to be responsible for the data sharing relationship.
- 27.4. As a minimum, TRA shall provide DfE with information monthly that will enable DfE satisfactorily to monitor:
  - TRA's cash management
  - forecast outturn by resource headings
  - other data required for the Online System for Central Accounting and Reporting (OSCAR)
  - data as required in respect of its compliance with any Cabinet Office Controls pipelines or required in order to meet any condition as set out in any settlement letter

# Audit

## 28. Internal audit

28.1. TRA shall:

- ensure that DfE's internal audit team have complete access to all relevant records
- ensure that any arrangements for internal audit are in accordance with the [Public Sector Internal Audit Standards \(PSIAS\)](#)<sup>20</sup> as adopted by HM Treasury
- forward the audit strategy, periodic audit plans and annual audit report, including TRA's opinion on risk management, control and governance as soon as possible to DfE
- keep records of and prepare and forward to DfE an annual report on fraud and theft suffered by TRA and notify DfE of any unusual or major incidents as soon as possible.
- share with DfE information identified during the audit process and the Annual Audit Opinion Report (together with any other outputs) at the end of the audit, in particular on issues impacting on DfE's responsibilities in relation to financial systems within TRA
- be represented by a DfE senior sponsor on the DfE's Audit and Risk Committee. The DfE's Audit and Risk Committee makes recommendations to the TRA's Accounting Officer and advises the Principal Accounting Officer and the DfE's Board on the adequacy and effectiveness of governance, risk management and internal controls and on the reliability and integrity of assurances used to inform the Governance Statement

## 29. External audit

29.1. The Comptroller and Auditor General (C&AG) passes the audited accounts to the Secretary of State who will lay the accounts together with the C&AG's report before parliament.

29.2. The C&AG:

- will consult DfE and TRA on whom – the National Audit Office (NAO) or a commercial auditor – shall undertake the audits on their behalf, though the final decision rests with the C&AG

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<sup>20</sup> <https://www.gov.uk/government/publications/public-sector-internal-audit-standards>

- has a statutory right of access to relevant documents, including by virtue of section 25(8) of the Government Resources and Accounts Act 2000, held by another party in receipt of payments or grants from TRA
- will share with DfE information identified during the audit process and the audit report (together with any other outputs) at the end of the audit, in particular on issues impacting on DfE's responsibilities in relation to financial systems within TRA
- will consider requests from departments and other relevant bodies to provide Regulatory Compliance Reports and other similar reports at the commencement of the audit. Consistent with the C&AG's independent status, the provision of such reports is entirely at the C&AG's discretion

29.3. The C&AG may carry out examinations into the economy, efficiency and effectiveness with which TRA has used its resources in discharging its functions. For the purpose of these examinations the C&AG has statutory access to documents as provided for under section 8 of the National Audit Act 1983. In addition, TRA shall provide, in conditions to grants and contracts, for the C&AG to exercise such access to documents held by grant recipients and contractors and sub-contractors as may be required for these examinations; and shall use its best endeavours to secure access for the C&AG to any other documents required by the C&AG which are held by other bodies.

# Review and winding up arrangements

## 30. Review of TRA's status

- 30.1. TRA will be reviewed as part of the wider Public Bodies Review Programme, at a time determined by the department's ministers and their Principal Accounting Officer.

## 31. Arrangements in the event that TRA is wound up

- 31.1. DfE shall put in place arrangements to ensure the orderly winding up of TRA. In particular it should ensure that the assets and liabilities of TRA are passed to any successor organisation and accounted for properly. In the event that there is no successor organisation, the assets and liabilities should revert to DfE. To this end, DfE shall:

- have regard to Cabinet Office [guidance on winding up of ALBs](#)<sup>21</sup>.
- ensure that procedures are in place in TRA to gain independent assurance on key transactions, financial commitments, cash flows and other information needed to handle the wind-up effectively and to maintain the momentum of work inherited by any residuary body
- specify the basis for the valuation and accounting treatment of TRA's assets and liabilities
- ensure that arrangements are in place to prepare closing accounts and pass to the C&AG for external audit, and that, for non-Crown bodies funds are in place to pay for such audits. It shall be for the C&AG to lay the final accounts in Parliament, together with their report on the accounts
- arrange for the most appropriate person to sign the closing accounts. In the event that another ALB takes on the role, responsibilities, assets and liabilities, the succeeding ALB Accounting Officer should sign the closing accounts. In the event that DfE inherits the role, responsibilities, assets and liabilities, DfE's Accounting Officer should sign

- 31.2. TRA shall provide DfE with full details of all agreements where TRA or its successors have a right to share in the financial gains of developers. It should also pass to DfE details of any other forms of claw-back due to TRA.

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<sup>21</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/690952/Public\\_Bodies\\_-\\_a\\_guide\\_for\\_departments\\_-\\_chapter\\_10.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690952/Public_Bodies_-_a_guide_for_departments_-_chapter_10.pdf)

## Other Matters

### 32. Machinery of Government

- 32.1. If a Machinery of Government change results in TRA being sponsored by a new department before the framework document is due for review, DfE will notify TRA of the relevant relationship changes. The provisions of this document will continue to have effect until it is replaced, unless otherwise stated by the new sponsor department.

### 33. Procedure for public complaints

- 33.1. TRA has established, and published on its website, a procedure to investigate and deal with complaints from providers and members of the public, including students, about the TRA's actions. This shall be in accordance with Parliamentary and Health Service Ombudsman's [Principles of Good Complaint Handling](#)<sup>22</sup>.

### 34. Better regulation, consultation, and impact assessments

- 34.1. TRA shall follow the Government's commitment to efficient and effective regulation. Where possible and certainly whenever necessary TRA shall follow the [Consultation Principles](#)<sup>23</sup> and comply with the Government's Better Regulation agenda and the Regulator's Code. Where necessary TRA shall produce Impact Assessments on any proposal that imposes or reduces costs on businesses, community, and voluntary bodies. Impact Assessments and any related material should be produced in accordance with statutory guidance produced by the Better Regulation Executive.

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<sup>22</sup> <https://www.ombudsman.org.uk/about-us/our-principles/principles-good-complaint-handling>

<sup>23</sup> <https://www.gov.uk/government/publications/consultation-principles-guidance>



# Annex A: Guidance

TRA shall comply with the following guidance, documents and instructions:

## Corporate governance

- This framework document
- Corporate governance code for central government departments (relevant to arm's length bodies) and supporting guidance:  
<https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments-2017>
- Code of conduct for Board members of Public Bodies:  
<https://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies>
- Code of practice for partnerships between departments and arm's length bodies: <https://www.gov.uk/government/publications/partnerships-with-arms-length-bodies-code-of-good-practice#:~:text=This%20code%20of%20good%20practice,partnership%20approach%20to%20shaping%20relationships>.

## Financial management and reporting

- Managing Public Money (MPM):  
<https://www.gov.uk/government/publications/managing-public-money>
- Government Financial Reporting Manual (FReM):  
[www.gov.uk/government/collections/government-financial-reporting-manual-frem](http://www.gov.uk/government/collections/government-financial-reporting-manual-frem)
- Relevant Dear Accounting Officer (DAO) letters:  
[www.gov.uk/government/collections/dao-letters](http://www.gov.uk/government/collections/dao-letters)
- Relevant guidance and instructions issued by the Treasury in respect of Whole of Government Accounts:  
<https://www.gov.uk/government/collections/whole-of-government-accounts>
- The most recent letter setting out the delegated authorities, issued by the parent department

## Management of risk

- Management of Risk: [www.gov.uk/government/publications/orange-book](http://www.gov.uk/government/publications/orange-book) and <https://www.gov.uk/government/publications/management-of-risk-in-government-framework>
- Public Sector Internal Audit Standards: [www.gov.uk/government/publications/public-sector-internal-audit-standards](http://www.gov.uk/government/publications/public-sector-internal-audit-standards)
- HM Treasury approval processes for Major Projects above delegated limits: <https://www.gov.uk/government/publications/treasury-approvals-process-for-programmes-and-projects>
- The Government cyber-security strategy and cyber security guidance: <https://www.gov.uk/government/publications/national-cyber-strategy-2022/national-cyber-security-strategy-2022> and <https://www.gov.uk/government/collections/cyber-security-guidance-for-business>

## Commercial management

- Procurement Policy Notes: <https://www.gov.uk/government/collections/procurement-policy-notes>
- Cabinet Office spending controls: <https://www.gov.uk/government/collections/cabinet-office-controls>
- Transparency in supply chains - a practical guide: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1040283/Transparency in Supply Chains A Practical Guide 2017 final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1040283/Transparency_in_Supply_Chains_A_Practical_Guide_2017_final.pdf)

## Public appointments

The following are relevant where public bodies participate in public appointments processes.

- Guidance from the Commissioner for Public Appointments: <https://publicappointmentscommissioner.independent.gov.uk/>
- Governance Code on Public Appointments: [www.gov.uk/government/publications/governance-code-for-public-appointments](http://www.gov.uk/government/publications/governance-code-for-public-appointments)

- Procurement Policy Note 08/15 – Tax Arrangements of Public Appointees: <https://www.gov.uk/government/publications/procurement-policy-note-0815-tax-arrangements-of-appointees>

## Staff and remuneration

- HM Treasury guidance on senior pay and reward: [www.gov.uk/government/publications/senior-civil-service-pay-and-reward](http://www.gov.uk/government/publications/senior-civil-service-pay-and-reward)
- Civil Service pay guidance (updated annually): [www.gov.uk/government/collections/civil-service-pay-guidance](http://www.gov.uk/government/collections/civil-service-pay-guidance)
- Public sector pay and terms: <https://www.gov.uk/government/publications/public-sector-pay-and-terms-guidance-note>
- Whistleblowing Guidance and Code of Practice: <https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>
- The Equality Act 2010: [www.gov.uk/guidance/equality-act-2010-guidance](http://www.gov.uk/guidance/equality-act-2010-guidance)

## General

- Freedom of Information Act guidance and instructions: [www.legislation.gov.uk/ukpga/2000/36/contents](http://www.legislation.gov.uk/ukpga/2000/36/contents) and <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>
- The Parliamentary and Health Service Ombudsman's Principles of Good Administration: <https://www.ombudsman.org.uk/about-us/our-principles>
- Other relevant instructions and guidance issued by the central departments (Cabinet Office and HM Treasury)
- Recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and are relevant to TRA
- Guidance from the Public Bodies team in Cabinet Office: [www.gov.uk/government/publications/public-bodies-information-and-guidance](http://www.gov.uk/government/publications/public-bodies-information-and-guidance).
- The Civil Service diversity and inclusion strategy (outlines the ambition, to which arm's length Bodies can contribute): <https://www.gov.uk/government/publications/civil-service-diversity-and-inclusion-strategy-2022-to-2025>

- Guidance produced by the Infrastructure and Projects Authority (IPA) on management of major projects:  
[www.gov.uk/government/organisations/infrastructure-and-projects-authority](http://www.gov.uk/government/organisations/infrastructure-and-projects-authority)
- The Government Digital Service:  
[www.gov.uk/government/organisations/government-digital-service](http://www.gov.uk/government/organisations/government-digital-service)
- The Government Fraud, Error, Debt and Grant Efficiency function:  
[www.gov.uk/government/collections/fraud-error-debt-and-grants-function](http://www.gov.uk/government/collections/fraud-error-debt-and-grants-function)  
and [www.gov.uk/government/publications/grants-standards](http://www.gov.uk/government/publications/grants-standards)
- Code of Practice for Official Statistics:  
<https://code.statisticsauthority.gov.uk/#:~:text=The%20Code%20of%20Practice%20for%20Statistics%20sets%20the,produced%20by%20people%20and%20organisations%20that%20are%20trustworthy>
- Accounting Officer System Statements (AOSS are produced by departments with input from ALBs):  
[www.gov.uk/government/publications/accounting-officer-system-statements](http://www.gov.uk/government/publications/accounting-officer-system-statements)

## Annex B: Delegated authority letter



Mela Watts, Director

Schools Group, School System  
and Teaching Regulation Directorate  
Department for Education

Date: April 22

Dear Alan Meyrick

### Re: Delegation of authorities

This letter formally sets out the authorities I am delegating to you in your role as Chief Executive of The Teaching Regulation Agency (TRA). It enables you to commit resources and incur expenditure in order to deliver your Agency priorities and objectives as set out at a high level in our [Single Departmental Plan](#).

By accepting these delegations, you take full accountability for making sure all resources under your control are managed within the rules of [Managing Public Money](#), that is, with regularity, propriety, value for money and feasibility, and in an economic, efficient and effective manner. The department has control processes relating to all the authorities delegated to you, which you must comply with at all times. You must maintain a record of assurance by completing the department's [Assurance Framework Record](#).

You should contact your finance business partners and/or commercial business partner respectively for advice on any finance or procurement / Cabinet Office requirements and for advice on committing resources in future years before budgets are allocated.

If you are unsure of what you can or cannot do in terms of the delegations set out in this letter, please contact the [Financial Governance Team](#) (FGT). Additional guidance is also available in the [delegated authority handbook](#).

### Allocated budget

Details of your allocated budget can be found in the [Resource Allocation Model \(RAM\)](#). Any changes in your allocated budget will be communicated to you in a timely manner as set out below. I expect you to manage within these budgets.

### Authorities delegated to you

Budget / Financial authority – the authority to make decisions, commit resources and incur expenditure within your allocated budget. As an Accountable Budget Holder, you are responsible for ensuring compliance with internal controls and external approval from HM Treasury and Cabinet Office as appropriate. Your Delegated Financial Authority level (DFA) (to authorise a single transaction, net of VAT) is set out in the [delegation controls matrix](#).

You are required to forecast the cost of your activities against the budget as part of the monthly finance reporting process. You will be measured against your forecast as set out in

your personal objectives, and the Leadership Team will regularly review in-year forecasting performance.

If there are any changes to your allocated budget throughout the year, the RAM will be updated by Central Strategic Finance following budget movement windows and you will be informed of the change. You must keep all communications/record of changes to show a clear audit trail. I will only reissue your delegation letter if any there are any material and/or significant changes in your required delegated authorities.

**Commercial authority** – Delegated Commercial Authority (DCA) - this is the authority to sign, vary or extend any contracts or grants on behalf of the Secretary of State, entering the department into a commercial agreement with a third party provider. DCA limits are separate from your DFA. Your DCA is set out in the [delegation controls matrix](#).

You do have the authority to manage and approve spend of your allocated budget on commercial activity that you consider necessary to achieve your outcomes and objectives.

You are required to ensure that all commercial activity is carried out in accordance with the [Commercial Delegation and Governance guidance](#), procurement regulations<sup>[1]</sup>, [Cabinet Office Efficiency Controls](#) and the [department's commercial processes and standards](#). You must commission commercial expertise at the earliest opportunity to ensure robust commercial planning and compliance with relevant spending controls and reporting requirements. You must ensure that all commercial arrangements ensure delivery of the department's priorities and objectives.

**Senior Responsible Owner (SRO)** – the Major Projects Directorate will issue a separate letter to you setting out your accountabilities and responsibilities as a designated SRO of one of the department's major projects. Your budget for delivering your SRO responsibilities is included within the budgets set out in the RAM. Guidance on the role and accountability of SRO is available [here](#).

### **Further controls around expenditure of budgets**

Accountable budgets holders must operate within their delegated authority, these include a number of spending controls.

**Investment Committee** – any agreed or new expenditure which meets the department's thresholds for internal approval will require clearance by the Investment Committee before resources can be committed and expenditure incurred. Further guidance on the committee including the current thresholds can be accessed [here](#).

**Agreed Expenditure** – expenditure on projects or programmes that have been agreed as part of the Spending Review or subsequent fiscal events are subject to restrictions on who may authorise expenditure on the department's finance systems. The DFA limits that the department has assigned to each grade are set out in the Delegation Matrix [here](#). Your finance and/or commercial business partner can advise further regarding the limits on your ability to authorise expenditure on the finance systems.

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<sup>[1]</sup> [The Public Contracts Regulations 2015](#)

*Cost Conscious Culture* – I expect you to support and encourage those around to maximize opportunities following insightful information on cost drivers to make this department even more efficient.

*New Expenditure* – expenditure on new projects or programmes, or expenditure beyond your agreed budget and / or the Spending Review period are subject to additional controls.

*Financial Strategy Unit (FSU) clearance* - FSU clearance is required for new proposals above the *de minimis* levels set out in the Delegation Matrix. FSU clearance is also required for any proposal that cannot be funded from existing budgets, regardless of value. Your finance business partner or FSU account manager can provide further guidance.

*HM Treasury Delegation Limits* - HM Treasury impose spending limits on the department in respect of all new expenditure. These are detailed in the HM Treasury Delegation Limits letter, which can be found [here](#) and which is summarised in the [Delegation Matrix](#). You only have the authority to make decisions, commit resources and incur expenditure up to the limits set out for each category of expenditure. Business Cases requesting HM Treasury approval for expenditure outside delegated limits must have Investment Committee approval. The limits do not apply to expenditure that has already been agreed as part of the Spending Review or subsequent fiscal events.

*Cabinet Office Efficiency Controls* - the Cabinet Office introduced efficiency controls across Government in 2010. The department has a [full guide](#) to ensure compliance with those controls that apply to the department, its executive agencies and arm's length bodies. The full detail of all Cabinet Office thresholds can be found [here](#), and a summary of the categories and associated limits are set out in the Delegation Matrix.

## **Further delegation**

*Delegating responsibility to grades below SCS* - responsibility for the day-to-day management and delivery of activity associated with these authorities may be delegated to grades below SCS using the Responsible Officer template that can be accessed in the [delegated authority handbook](#), but *accountability* always remains with you. You must keep a record of all such delegations in the Record of Delegated Responsibilities that can be found at section 3.2.2 in the [delegated authority handbook](#).

*Temporary or one-off delegated authority* - any request for a temporary or one-off delegation to civil servants or non-permanent staff must be referred to the Strategic and Operations Finance Directors for consideration/clearance, before seeking formal sign-off by me as Principal Accounting Officer. Please use the relevant template available in the [Delegated Authority Handbook](#). You must keep a record of all such delegations in the Record of Delegated Authorities at **Annex A** or at section 3.2.1 of the [delegated authority handbook](#).

*Record of delegations* – completing the Record of Delegated Authorities at **Annex A** is the start of ensuring that all delegations down through your group/agency are fully reflected for accountability and audit trail purposes. You must review the delegations recorded in **Annex A** throughout the year to make sure that they are up to date and comply with the requirements set out in this letter. You should ensure that you link the budget delegations to the framework for authorising expenditure via the department's finance systems.

You should also ensure your business area maintains a Record of Delegated Responsibilities for any delegations to grades below SCS. Your finance business partners and/or commercial business partners will work with you to embed that process.

### **Financial capability**

The department has strengthened its financial management capability and, as such, I expect all senior civil servants and those with financial responsibility to complete training to become a budget licence holder. This training was rolled out by Finance Group during 2021-22 for existing budget holders. Sessions for new starters will be held regularly in the future. Going forward, I expect all staff with delegated financial authority to hold this licence. To give effect to the authorities that I have delegated to you, please acknowledge your acceptance by returning a signed copy.

I am copying this email to your finance business partners; commercial business partners; Strategic and Operations Finance Directors; FPRE, FSU and FGT.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mela Watts', with a stylized, cursive script.

**Mela Watts, Director, School System and Teaching Regulation Directorate**

**(electronic signature)**

---

Acknowledged/signed by:

A faint, handwritten signature in grey ink, appearing to read 'Alan Meyrick', with a stylized, cursive script.

**Alan Meyrick, Chief Executive of The Teaching Regulation Agency (TRA)**





Signed.....

**Alan Meyrick - Chief Executive, Teaching Regulation Agency**

Date: 24 August 2022

(on behalf of TRA)



Signed.....

**Susan Acland-Hood - Permanent Secretary at the Department for Education**

Date: 6 September 2022

(on behalf of DfE)



Teaching  
Regulation  
Agency

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