

Changes that reduce the burden on maintained school governors

This document summarises the duties and regulations that apply to governing bodies in maintained schools that have either been removed or simplified since 2010, or will soon be removed or simplified.

Removals and simplifications that have already been made

School admissions

We have removed the requirement on LAs to establish an admission forum for their area. This means that governing bodies no longer have to comply with a request made by an admission forum, which includes providing prescribed information and revising arrangements.

Governing bodies no longer have to advertise for new admission appeals panel members every three years and are subjected to a simpler set of admissions criteria and procedures.

Attendance

Governing bodies are no longer required to set annual attendance targets.

Behaviour

Many governing body duties in relation to exclusion remain unchanged. We have, however, introduced a new system of independent review panels to provide a fair and accessible process for reviewing a governing body's decision to uphold a permanent exclusion. Under the new system, panels can no longer direct a governing body to reinstate a pupil. The statutory guidance that governing bodies must have regard to has been simplified to support them in carrying out their duties.

Complaints

The reduced scope of Local Government Ombudsman means that they no longer have the power to investigate complaints about the internal management of schools and therefore governing bodies do not have to comply with their directions. (Except where their duty to investigate complaints related to local authority provision of SEN Service remains).

Curriculum

Schools do not have to follow the ICT programmes of study for academic years 2012/13 and 2013/14.

Governing bodies are no longer required to provide a work related learning entitlement for Key Stage 4 pupils.

Guidance on the curriculum has been simplified and reduced.

Governing bodies no longer have to produce a curriculum policy, but they do have to publish online information on their curriculum.

Governing bodies no longer have to provide education and training support services, like Connexions personal advisers, access to pupils and facilities for those involved in providing education or support services.

Further duties around careers provision have been simplified; by removing the requirements to provide a programme of careers education, to cooperate with careers advisers and to provide up-to-date reference materials; and replacing these with a single duty focussed on ensuring pupils have access to independent and impartial careers guidance.

School Profile

Governing bodies no longer have to prepare and publish a school profile.

Intervention

Governing bodies are no longer obliged to work with a School Improvement Partner (SIP), because the duty on local authorities to appoint a SIP to all the schools they maintain has been repealed.

Safeguarding

Governing bodies are no longer subjected to providing information to list 99 but now operate under Safeguarding Vulnerable Groups Act 2006, which is more efficient and less burdensome. (There is a single L99 case remaining and when it concludes the legislation (s142 Education Act) will be repealed).

Staffing and workforce

Following abolition of the GTC, schools no longer have to provide them with information.

Following the abolition of the GTC constitution and membership, governing bodies are no longer subject to the demands and procedures of the GTCE.

Governing bodies are no longer required to deduct relevant fee from teachers' wages in relation to GTCE.

Governing bodies can now consider whether to refer cases of serious misconduct to the new National College for Teaching and Learning. Employers will no longer have to refer any cases of incompetence and will only be expected to refer cases of misconduct that are so serious that they warrant consideration of a ban from the profession.

Governing bodies are no longer required to follow the 'Code of Practice on Workforce Matters in Public Sector Service Contracts' (otherwise known as the 'Two-tier Code') in any contract that involved the transfer of staff.

School day/sessions

Governing bodies no longer have to consult on changes to the school day.

School performance

Governing bodies are no longer required set education performance targets and to submit these targets to the local authority.

Early years

The new Early Years Foundation Stage framework reduces bureaucracy for professionals, simplifying the statutory assessment of children's development at age five. It also simplifies the learning and development requirements by reducing the number of early learning goals from 69 to 17.

Premises

Governing bodies are now subject to a clear set of regulations applied to all maintained schools. This provides clarity about the requirements for school premises, is deregulatory, and removes bureaucracy and unnecessary guidance.

Information

Schools no longer have a duty to publish a school prospectus. Regulations instead now prescribe information that they must make available on their websites.

What we intend to remove or simplify

Behaviour

We plan to remove the requirement for governing bodies to produce a written statement of general behaviour principles. The headteacher currently has to have regard to this when determining the behaviour policy. Governing bodies would be required to ensure that the headteacher determines the behaviour policy.

Inspection

We plan to remove the requirement for governing bodies to provide parents and others with reports relating to the inspection process. This will save them the administrative task of printing and distributing reports to parents and would reducing printing costs. Websites are the main mechanism to publish reports.

For GBs the process for notifying parents of an inspection outcome will be simplified.

Home-School Agreements

We plan to remove the requirement for governing bodies to adopt a home school agreement. This would remove an administrative burden on the governing bodies of maintained schools.

Early Years

If the relevant amendment is made law as part of the Children and Families Bill, Governing bodies would in future (from a date to be specified) no longer have to consult before offering community services or facilities, including wrap around care. They would also no longer need to follow guidance about how they make this offer. This should make it easier for schools to offer wrap around care.

Governance

We will soon lay new simplified regulations on the roles, procedures and allowance of governing bodies (The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013). This will give governing bodies in maintained schools more freedom to determine how they operate, bringing their freedoms in to line with academies. We plan to review regulations on school collaboration in the light of these changes.

Charging

We plan to remove the requirement for governing bodies to meet certain requirements to publish their charging policy and make hard copies available at the school.

School organisation

Ministers are currently considering where changes might be made to the existing legislative and policy requirements for making significant changes to schools. The aim is for schools to be more in charge of their own decisions about size and offer and to be able to respond to what parents want locally without being unduly restricted by process.

May 2013