



Department
for Education

Education and Skills Funding Agency (ESFA)

**Framework document between the
Department for Education and the Education
and Skills Funding Agency**

January 2023

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Definitions

“DfE” and “the sponsor department”	The Department for Education
“ESFA” and “the agency”	The Education and Skills Funding Agency
“the Accounting Officer”	The Education and Skills Funding Agency’s Accounting Officer who is the Chief Executive Officer of the agency
“the PAO”	The Department’s Principal Accounting Officer who is the Department’s Permanent Secretary
“the Secretary of State”	The Secretary of State for Education

Introduction and background

1. Purpose of document

- 1.1. This framework document (the “framework document”) has been agreed between the Department for Education (“DfE”) and the Education and Skills Funding Agency (“ESFA”) in accordance with HM Treasury's handbook Managing Public Money¹ (“MPM”) (as updated from time to time) and has been approved by HM Treasury.
- 1.2. The framework document sets out the broad governance framework within which ESFA and DfE operate. It sets out ESFA's core responsibilities; describes the governance and accountability framework that applies between DfE and ESFA 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 both parties agree to operate within its terms.
- 1.4. 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.
- 1.5. 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 the sponsor department. The latest date for review and updating of this document is January 2026.

2. Objectives

- 2.1. The Department for Education's mission is to support children, young people, and adults to realise their full potential. ESFA shares this objective with DfE as it ensures the successful delivery of funding for learners of all ages across England. To achieve this, ESFA and DfE will work together in recognition of each other's roles and areas of

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100067/0/MPM_Spring_21_with_annexes_080721.pdf

expertise, providing an effective environment for the agency to achieve its objectives through the promotion of partnership and trust and ensuring that it also supports the strategic aims and objective of DfE and wider government as a whole.

3. Classification

- 3.1. ESFA has been classified as a central government organisation by the Office for National Statistics (ONS)/HM Treasury Classifications Team.
- 3.2. It has been administratively classified by the Cabinet Office as an Executive Agency.

Purposes, duties, and priorities

4. Purposes

- 4.1. ESFA has been established by DfE as an Executive Agency. As an Executive Agency, it does not have a separate legal personality to DfE.
- 4.2. The purpose of ESFA is to deliver funding for learners of all ages across England. This includes:
 - delivering accurate, timely and efficient funding to education providers
 - ensuring public funds are properly spent to protect taxpayers' money and ensure value for money
 - utilising financial insight and expertise to advise, detect and prevent misuse of funds
 - building the financial capabilities across the education sector by providing practical informative guidance and support
 - working closely with the Regions group in DfE to operate proportionate regulation and oversight of the sector

5. Powers and duties

- 5.1. As an Executive Agency of DfE, ESFA acts on behalf of the Secretary of State in delivering its core functions. Under section 10 of the Education Act 1996, the Secretary of State has a general duty to promote the education of the people of England. ESFA enables the Secretary of State to comply with this duty by delivering the revenue funding for education and training for two to 19-year-olds (and high needs provision from 0 to 25), further education for those 19 years and older, and professional, technical and apprenticeship training.

6. Strategic Priorities

- 6.1. ESFA's strategic priorities form the foundation of its business planning activity. Within this process, the strategic priorities may be adjusted due to changes in ESFA's remit or to ministerial priorities. ESFA's strategic priorities are currently:

- Funding – delivering government funding policy to ensure education providers receive timely and accurate allocations.
- Improvement – supporting and improving the health, financial governance, and efficiency of providers in the education sector.
- Oversight – assuring the proper use of public funds and ensuring education providers are compliant with funding arrangements and legislation and can evidence robust financial governance.
- Provider and Partner Focus – enhancing the experience and end-to-end journey for education providers throughout all of their interactions with the ESFA.

6.2. ESFA will publish a summary of its business plan every year on gov.uk, capturing the agency's strategic priorities.

Governance and accountability

7. Governance and accountability

- 7.1. ESFA 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), ESFA should:
- comply with the principles and provisions of the Corporate Governance in Central Government Departments Code of Good Practice² (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 MPM
 - in line with MPM have regard to the relevant Functional Standards³ 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 Annex A of this framework document, as they apply to ALBs
- 7.3. In line with MPM Annex 3.1, ESFA shall provide an account of corporate governance in its annual governance statement including the Board's assessment of its compliance with the Code with explanations of any material departures. To the extent that ESFA does intend to materially depart from the Code, the sponsor should be notified in advance.

² <https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments-2017>

³ <https://www.gov.uk/government/collections/functional-standards>

Role of the department

8. The responsible Minister

- 8.1. The Secretary of State for Education and the Under Secretary for the School System are accountable to Parliament for all matters concerning ESFA.
- 8.2. The Ministers' powers and rights in respect of ESFA are set out below:

Appointments to the Board

- 8.3. The Chief Executive of ESFA is appointed by the PAO and the Secretary of State.
- 8.4. The Minister shall have the following appointment and approval rights in relation to ESFA's Board:
 - the chairperson and non-executive members are appointed by the Secretary of State for Education or responsible Minister as appropriate
 - although these appointments are not regulated public appointments, the process should comply where relevant with the Governance Code on Public Appointments
 - all such appointments should have regard to the principle that appointments should reflect the diversity of the society in which we live, and appointments should be made taking account of the need to appoint boards which include a balance of skills, experience, and backgrounds

Other Ministerial powers and responsibilities

- 8.5. The Minister is also responsible for:
 - the policy framework within which ESFA operates
 - matters regarding spending approvals, acquisitions, disposals, and joint ventures in line with delegations as set out in the delegation letter
 - 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 DfE.

PAO's specific accountabilities and responsibilities

- 9.2. The PAO of DfE designates the Chief Executive as ESFA's Accounting Officer (AO) and ensures that they are fully aware of their responsibilities. The PAO issues a letter appointing the AO, setting out their responsibilities and delegated authorities.
- 9.3. The respective responsibilities of the PAO and AOs for ALBs are set out in Chapter 3 of MPM.
- 9.4. The PAO is also responsible, usually via the sponsorship team, for advising the responsible Minister on:
- an appropriate framework of objectives and targets for ESFA in light of the sponsor department's wider strategic aims and priorities
 - an appropriate budget for ESFA in light of the sponsor department's overall public expenditure priorities
 - how well ESFA is achieving its strategic objectives and whether it is delivering value for money
 - the exercise of the Ministers' statutory responsibilities concerning ESFA as outlined above
- 9.5. The PAO via the sponsorship team is also responsible for ensuring arrangements are in place in order to:
- monitor ESFA's activities and performance
 - address significant matters arising in ESFA, 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 the sponsor department and ESFA's objectives and activities in line with the wider departmental risk assessment process
 - inform ESFA of relevant government policy in a timely manner
 - bring ministerial or departmental concerns about ESFA's activities to the full ESFA board, and, as appropriate to the departmental Board,

requiring explanations and assurances that appropriate action has been taken

10. The role of the Sponsorship Team

- 10.1. ESFA's Sponsorship Team (DfE) is the primary contact for the agency. The responsible senior civil servant for this relationship is DfE's Chief Operating Officer. They are the main source of advice to the responsible Minister on the discharge of their responsibilities in respect of the agency. They also support the PAO on their responsibilities toward ESFA.
- 10.2. Officials of the ESFA Sponsorship Team will operate in line with the Cabinet Office guidance on good sponsorship across a range of capabilities. The team will agree with ESFA how it will operate across these capabilities and regularly review.
- 10.3. The ESFA Sponsorship Team will liaise regularly with ESFA officials to review performance against plans, achievement against targets and expenditure against its DEL and AME allocations. The team will also take the opportunity to explain wider policy developments that might have an impact on ESFA.
- 10.4. The team will also put in place mechanisms for independent appraisal and annual evaluation of the performance of ESFA's Board Chair, taking into account the views of relevant stakeholders. The outcome of that evaluation should be made available to the responsible Minister

11. Resolution of disputes between the ESFA and department

- 11.1. Any disputes between DfE and ESFA will be resolved in as timely a manner as possible. DfE and ESFA will seek to resolve any disputes through local and informal processes 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 may 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. ESFA 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 ESFA, 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

ESFA governance structure

14. The Chief Executive

Responsibilities of the executive agency's Chief Executive as Accounting Officer

14.1. The Chief Executive as AO will run ESFA and 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 ESFA. In addition, they should ensure that ESFA as a whole is run on the basis of the standards, in terms of governance, decision-making and financial management, that are set out in Box 3.1 of MPM. These responsibilities include the below and those that are set in the AO appointment letter issued by the PAO of the sponsor department.

Responsibilities for accounting to Parliament and the public

14.2. Responsibilities to Parliament and the public include:

- signing the 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 ESFA in accordance with Parliamentary and Health Service Ombudsman's Principles of Good Complaint Handling are established and made widely known within ESFA and published on gov.uk
- acting in accordance with the terms of MPM and other instructions and guidance issued from time to time by the department, 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
 - the annual remit letter issued to the agency

- any delegation letter issued to the agency as set out in paragraph 18
- 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 PAO, when summoned before the PAC on ESFA's stewardship of public funds

Responsibilities to the Sponsor Department

14.3. Responsibilities to sponsor department include:

- establishing, in agreement with the sponsor department, ESFA's business plans in the light of the sponsor department's wider strategic aims and agreed priorities
- informing the sponsor department of progress in helping to achieve the sponsor department'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 the sponsor department; that the sponsor department 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 the sponsor department in a timely fashion

Responsibilities to the board

14.4. The Chief Executive is responsible for:

- advising the Board on the discharge of their responsibilities as set out in this document, any relevant legislation and in any other relevant instructions and guidance that may be issued from time to time
- advising the Board on ESFA's performance compared with its aims and objectives
- ensuring that financial considerations are taken fully into account by the Board at all stages in reaching and executing its decisions, and that financial appraisal techniques are followed

Managing conflicts

- 14.5. In executive agencies, final decisions, responsibility, and accountability rest with the Chief Executive as Accounting Officer. However, the expectation is that the Chief Executive will follow the advice of the Board.
- 14.6. If the Board, or its chairperson, is contemplating 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 AO should reject that course of action.
- 14.7. The Chief Executive must ensure that the Board have a full opportunity to discuss the rationale. The Chief Executive should confirm the rationale for not following the advice of the Board in writing to the Chair of the Board and the Principal Accounting Officer and copy that to the Treasury Officer of Accounts.
- 14.8. If the responsible Minister agrees with the proposed course of action of the Board, it may be appropriate for the Minister to direct the AO in the manner as set out in MPM paragraph 3.6.6 onwards.

15. The Board

Composition of the Board

- 15.1. ESFA will have a board in line with good standards of corporate governance, the guidance as set out in Annex A and any relevant legislation. The role of the Board shall be to advise and support ESFA in the delivery of its Business Plan 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 Board's terms of reference. Remuneration of the Board will be disclosed in line with the guidance in the Government Financial Reporting manual (FReM)⁴
- 15.2. ESFA's Board will consist of a chairperson (Lead Non-Executive Director) and Non-Executive Directors, together with the Chief Executive and a number of executive members that have a balance of

⁴ <https://www.gov.uk/government/collections/government-financial-reporting-manual-frem>

skills and experience appropriate to direct ESFA's business. For ESFA there should be members who have experience of its business, operational delivery, corporate services such as technology, communications, and performance management. This will include as an executive and voting board member, an appropriately qualified finance director as described in Annex 4.1 of MPM. The Board should include a number of independent non-executive members who hold the casting vote, to ensure that executive members are supported and constructively challenged in their role.

Board Committees

- 15.3. ESFA's Board has set up committees necessary to fulfil its functions. This includes an Audit and Risk Committee (ARC) and Executive Team (ET). ESFA's ARC is chaired by an independent and appropriately qualified non-executive member of the Board. The role of ESFA's ARC is to support the Board by providing independent scrutiny and challenge of the agency's arrangements for governance, risk management and internal control. ESFA's ARC advises the Chief Executive (as Accounting Officer) and the Board on the adequacy and effectiveness of these arrangements and on the reliability and integrity of assurances used to inform the Governance Statement. ESFA's ARC also advises the Chief Executive on the structure and presentation of ESFA's annual accounts.
- 15.4. ESFA's Executive Team (ET) has a core membership of all ESFA Directors, HR Business Partner, and the Finance and Corporate Services Deputy Directors. ET provides day-to-day executive leadership and management on behalf of the Board. Its purpose is to own the strategic performance and risk landscape to assist the Chief Executive in the discharge of their duties and ensure the efficient and effective management of the agency.
- 15.5. While the Board may make use of committees to assist its consideration of audit and risk, it retains responsibility for, and endorses, final decisions in these areas. The Chair should ensure that sufficient time is allowed at the board for committees to report on the nature and content of discussion, on recommendations, and on actions to be taken.
- 15.6. Where there is disagreement between the relevant committee and the Board, adequate time should be made available for discussion of the issue with a view to resolving the disagreement. Where any such disagreement cannot be resolved, the committee concerned should have the right to report the issue to the sponsor team, PAO, and

responsible Minister. They may also seek to ensure the disagreement or concern is reflected as part of the report on its activities in the annual report.

- 15.7. The Chair should ensure board committees are properly structured with appropriate terms of reference. The terms of each committee should set out its responsibilities and the authority delegated to it by the Board. The Chair should ensure that committee membership is periodically refreshed and that individual independent non-executive directors are not over-burdened when deciding the chairs and membership of committees.

Duties of the Board

15.8 ESFA's Board is specifically responsible for:

- establishing and taking forward the strategic aims and objectives of ESFA consistent with its overall strategic direction and within the policy and resources framework determined by the Secretary of State
- providing effective leadership of ESFA within a framework of prudent and effective controls which enables risk to be assessed and managed
- ensuring the financial and human resources within the allowance set by the sponsor department, are in place for ESFA to meet its objectives
- reviewing management performance
- ensuring that the Board receives and reviews regular financial and management information concerning the management of ESFA
- ensuring that it is kept informed of any changes which are likely to impact on the strategic direction of ESFA's Board 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 PAO 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 Board operates within the limits of any statutory authority and any delegated authority agreed

with the sponsor department, and in accordance with any other conditions relating to the use of public funds

- ensuring that in reaching decisions, the Board takes into account guidance issued by the sponsor department
- ensuring that as part of the above compliance they are familiar with:
 - this framework document,
 - any delegation letter issued to body as set out in paragraph 18
 - that 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 ESFA 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 independent audit committee to help the board to address key financial and other risks
- determining all such other things which the Board considers ancillary or conducive to the attainment or fulfilment by ESFA of its objectives

15.9. The Board should ensure that effective arrangements are in place to provide assurance on risk management, governance, and internal control.

15.10. The 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 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)⁵. The Board must set up an Audit and Risk Assurance Committee chaired by an independent and appropriately qualified non-executive member to provide independent advice and ensure that the department's Audit and Risk Assurance Committee are provided with routine assurances with escalation of any significant limitations or concerns. The Board is expected to assure itself of the

⁵ <https://www.gov.uk/government/publications/orange-book>

adequacy and effectiveness of the risk management framework and the operation of internal control.

16. The Chair's role and responsibilities

- 16.1. The Chair is responsible for leading the 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/appointment letter, any relevant statute governing ESFA, this document and the documents and guidance referred to within this document.
- 16.2. Communications between ESFA's Board and the responsible Minister should normally be through the Chair.
- 16.3. The Chair is bound by the Code of Conduct for Board Members of Public Bodies⁶, which covers conduct in the role and includes the Nolan Principles of Public Life⁷.
- 16.4. In addition, the Chair is responsible for:
 - monitoring and engaging with appropriate governance arrangements to ensure that ESFA's affairs are conducted with probity
 - ensuring that policies and actions support the responsible Minister's and where relevant other Ministers wider strategic policies and where appropriate, these policies and actions should be clearly communicated and disseminated throughout ESFA
- 16.5. The Chair has the following leadership responsibilities:
 - formulating the Board's strategy
 - ensuring that the Board, in reaching decisions, takes proper account of guidance provided by the responsible Minister or the sponsor department
 - promoting the efficient and effective use of staff and other resources

⁶ <https://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies>

⁷ <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

- delivering high standards of regularity and propriety
- representing the views of the board to the general public

16.6. The Chair also has an obligation to ensure that:

- the work of the Board and its members are reviewed and are working effectively including ongoing assessment of the performance of individual board members with a formal annual evaluation and more in-depth assessments of the performance of individual board members when being considered for re-appointment
- in conducting assessments that the view of relevant stakeholders including employees and the sponsorship team are sought and considered
- the Board has a balance of skills appropriate to directing ESFA's business, and that all directors including the Chair and Chief Executive continually update their skills, knowledge, and familiarity with ESFA to fulfil their role both on the Board and committees. This will include but not be limited to skills and training in relation to financial management and reporting requirements, risk management and the requirements of board membership within the public sector
- board members are fully briefed on terms of appointment, duties, rights, and responsibilities
- they, together with the other board members, receive appropriate training on financial management and reporting requirements and on any differences that may exist between private and public sector practice
- the responsible Minister is advised of ESFA's needs when board vacancies arise
- there is a Board Operating Framework in place setting out the role and responsibilities of the board consistent with the Government Code of Good Practice for Corporate Governance
- there is a code of practice for board members in place, consistent with the Cabinet Office Code of Conduct for Board Members of Public Bodies

17. Individual board members' responsibilities

17.1. Individual board members should:

- comply 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
- demonstrate adherence to the 12 Principles of Governance for all Public Body Non-Executive Directors as appropriate⁸
- not misuse information gained in the course of their public service for personal gain or for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations
- comply with the Board's rules on the acceptance of gifts and hospitality, and of business appointments
- act in good faith and in the best interests of ESFA
- ensure they are familiar with any applicable guidance on the role of public sector non-executive directors and boards that may be issued from time to time by the Cabinet Office, HM Treasury, or wider government

⁸ <https://www.gov.uk/government/publications/public-bodies-non-executive-director-principles/12-principles-of-governance-for-all-public-body-neds>

Management and financial responsibilities and controls

18. Delegated authorities

- 18.1. ESFA's delegated authorities are set out in the delegation letter attached to this framework document. This delegation letter may be updated and superseded by later versions which may be issued by the sponsor department in agreement with HM Treasury.
- 18.2. The AO may delegate delivery responsibility to a named senior civil servant but remains accountable and responsible for providing the PAO with assurance, through the AO's annual governance statement, of effective spend by the agency. A written scheme of delegation will record these delegations and be reviewed by DfE's Operations and Infrastructure group on a regular basis. ESFA will comply with DfE's delegated authority policy.
- 18.3. ESFA shall obtain the sponsor department'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 the ALB's annual budget as approved by the department
 - 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 the department
 - 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 MPM
- 18.4. Director(s) General from the sponsor department's groups responsible for each policy area under which work is delivered by ESFA, will also write to the AO to set out the delegated spending authority against specific programme and capital budgets.

19. Spending authority

19.1. Once the budget has been approved by the sponsor department, the responsible Minister's instructions, this document, HM Treasury delegation letters, ESFA shall have authority to incur expenditure approved in the budget without further reference to the sponsor department, on the following conditions:

- ESFA shall comply with the delegations set out in the delegation letter. These delegations shall not be altered without the prior agreement of DfE and as agreed by HM Treasury and Cabinet Office as appropriate
- ESFA shall comply with MPM regarding novel, contentious, or repercussive proposals
- inclusion of any planned and approved expenditure in the budget shall not remove the need to seek formal departmental approval where any proposed expenditure is outside the delegated limits or is for new schemes not previously agreed
- ESFA shall provide the sponsor department with such information about its operations, performance, individual projects, or other expenditure as the sponsor department may reasonably require

20. Banking and managing cash

- 20.1. ESFA must maximise the use of publicly procured banking services (accounts with central government commercial banks managed centrally by Government Banking).
- 20.2. ESFA 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 UK clearing bodies may be considered for this purpose.
- 20.3. Commercial accounts where approved should be operated in line with the principles as set out in MPM.
- 20.4. The AO is responsible for ensuring that ESFA has a banking policy as set out in MPM and ensuring that policy is complied with.
- 20.5. ESFA will provide short and long-term cash forecasts to DfE as per the MPM guidance. This will be supported by providing changes to the

forecast to the agreed deadlines to ensure DfE does not exceed the daily payment and monthly cash flow targets set by HM Treasury.

21. Shared Services

21.1. DfE is responsible for delivering a range of high quality and timely shared services to ESFA to support the delivery of the objectives agreed and captured in this framework document. Any disputes between DfE and ESFA on shared services will be resolved through local and informal processes in the first instance. If this is not possible, the formal process agreed between DfE and ESFA should be used to resolve the issue.

21.2. The services provided are in the below areas:

Communications and press office

21.3. DfE will provide the following communications services for ESFA; reactive press office support, the department wide annual communications strategy setting the DfE communications priorities for the year (which ESFA's level communication strategy needs to have regard to), communications insight where relevant, correspondence, and call handling for public enquiries. DfE also sets the principles and framework for gridding and communications planning process and represents ESFA's business in the Number 10 gridding process.

21.4. ESFA will continue to be responsible for the management and delivery of corporate communications and activity where it is specific to the agency.

Digital, data and Technology (including digital security)

21.5. ESFA's DDaT functions transferred to DfE's Operations and Infrastructure Group on 1 April 2022, following the 2021/22 independent review of the agency. These functions will continue to deliver the same digital, data and technological services to ESFA but as part of a single DDaT operating model.

21.6. Teams providing business critical functions to support funding delivery have been embedded back into ESFA. The embedded teams will continue to work on their existing digital and data services as they currently do. This will include a range of funding services, data collections and data science services, end-user data services, and Provider Market Oversight services.

21.7. DDaT will provide cyber and information security services to ESFA; it views DfE and ESFA Digital services in a joined-up way. This includes ensuring all services undergo DfE's security governance process. Security risks identified will be the responsibility of service owners, all of whom are now within the sponsor department, as such it is the responsibility of DfE to mitigate and/or remediate accordingly. Where ESFA services run on key DfE platforms and continue to do so, they will fall within scope of DfE's cyber consideration and ongoing improvement activities.

21.8. From a technology perspective, DDaT will continue to offer a corporate end user IT shared service to ESFA in the same way as is offered to all of DfE's Executive Agencies and some of its other ALBs. This is the same service provided to DfE staff and for which the accommodation of additional demand achieves mutual benefit and economies of scale. In keeping with the principle of shared services, any requirement for additional or bespoke services for the ESFA will require prior agreement and assessment to determine overall impact and cost. The strategic direction of the shared services will be determined by the DfE Deputy Director, End User Compute & Operational Services and will follow DDaT governance. Services include:

- desktop / workstation equipment in office locations
- devices and peripherals (charger, case, headsets)
- meeting room video conferencing (Videoconferencing and telephony)
- unified communications services (Chat, telephony, conferencing)
- O365 productivity suite
- telephony (mobile phones, fixed telephony, soft phones)
- printing
- user accounts
- connectivity
- user support

21.9. DfE will continue to work iteratively with the agency to concretely define the set of services across digital, data and technology provided by the embedded teams and wider DDaT.

Data protection

21.10. DfE is the Data Controller for ESFA. The DfE Data Protection Officer (DPO) is ESFA's DPO and is responsible for registration with the Information Commissioner's Office (ICO). The DfE Office of the Data Protection Officer (ODPO) supports DfE's compliance with Data Protection law; this includes ESFA.

21.11. ESFA is required to comply with Data Protection law and central DfE data protection policy set by ODPO; this includes completing, reviewing, and updating DfE's Record of Processing Activity (RoPA) and completing Data Protection Impact Assessments (DPIAs).

21.12. ODPO provide and deliver data protection advice, guidance, and training centrally, including to ESFA. ESFA is required to report all security incidents centrally to DfE using the security incident form. This includes personal data breaches.

21.13. ODPO will determine whether the ICO need to be notified of a personal data breach and will notify the ICO of a personal data breach on behalf of ESFA if required.

Estates and Security

21.14. For departmental office sites, DfE will deliver estates and facilities management services to ESFA and will also manage those elements of the facilities management service which are provided by third parties. Services will include (note that the availability of some services vary site-by-site):

- health and safety management
- sustainability – including monitoring and publication of Government Greening Commitments
- cleaning
- security guardforce
- helpdesk
- building maintenance
- statutory compliance, including water management
- reprographics

- mail delivery and distribution
- catering services
- business continuity planning as detailed in DfE Business Continuity Policy

Procurement

21.15. ESFA 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.

21.16. ESFA shall establish its procurement policies and document these in a Procurement Policy and Procedures Manual. These processes and policies should align with those of the sponsor department.

21.17. In procurement cases where ESFA is likely to exceed its delegated authority limit, procurement strategy approval for the specific planned purchase must be sought from the Sponsorship Team in DfE.

21.18. Goods, services, and works should be acquired by competition. Proposals to grant fund, let single-tender, direct awards or restricted contracts shall be limited and exceptional, and a quarterly report explaining those exceptions should be sent to DfE's commercial team. All ESFA procurements will be subject to approvals through DfE's governance structure.

21.19. Procurement of works, equipment, goods, and services shall be based on, a full option appraisal and value for money (VfM), i.e., the optimum combination and whole life costs and quality (fitness for purpose). Where the requirement falls within scope and remit of the sponsor department's commercial operating model, the procurement shall be undertaken by the sponsor department's commercial function on behalf of ESFA.

21.20. ESFA shall:

- engage fully with the sponsor department's commercial function operational model, governance requirements and commit to the specified accountabilities and responsibilities
- align and comply with the sponsor department's commercial delegation model including contract signatory

- engage fully with sponsor department and government wide procurement initiatives that seek to achieve VfM from collaborative projects
- comply with all relevant Procurement Policy Notes issued by Cabinet Office including the Commercial Continuous Improvement Assessment Framework
- co-operate fully with initiatives to improve the availability of procurement data to facilitate the achievement of VfM

21.21. ESFA shall comply with the sponsor department's guidance on the application of IR35 when undertaking any procurement related to hiring temporary resources, or buying managed services, consultancy, legal, research, and other professional services. The sponsor departments default position is that all requirements are inside of IR35.

21.22. ESFA shall comply with the commercial⁹ and grants standards¹⁰. These standards apply to the planning, delivery, and management of government commercial activity, including management of grants in all departments and ALBs, regardless of the commercial approach used and form part of a suite of functional standards that set expectations for management within government.

Cabinet Office Controls

21.23. Cabinet Office introduced Efficiency Controls in 2010. The Controls apply to the department, and ESFA as an ALB of the department. Cabinet Office efficiency controls help the sponsor department and its ALBs to reduce unnecessary spend. They aim to:

- save money;
- encourage a smarter, cross-government approach to spend; and
- implement specific government policies

21.24. ESFA shall comply with efficiency controls as detailed in its delegated authority letter. Detailed guidance on CO controls is available [here](#).

⁹ <https://www.gov.uk/government/publications/commercial-operating-standards-for-government>

¹⁰ <https://www.gov.uk/government/publications/grants-standards>

Human Resources

- 21.25. DfE will be responsible for the delivery of HR services to ESFA, including the provision of payroll and data systems. This also includes providing advice and guidance on matters such as training and development, performance management, casework, and recruitment/brokerage advice. In addition, ESFA's senior leadership team will be supported by a dedicated HR Business Partner on strategic workforce planning.
- 21.26. On behalf of ESFA, DfE also currently manages elements of the HR service provided by third parties.
- 21.27. ESFA should hold their own People Plan that demonstrates how they will respond to corporate HR strategies and initiatives as set by DfE and any other agency-specific people-related matters as required.

Legal Services

- 21.28. The Government Legal Department, through the DfE's department's Legal Advisors' Office (LAO) will provide ESFA with high quality legal services to enable it to operate effectively within the law, achieve best legal outcomes and minimise legal risk. These services involve legal advice on operational issues, enhancing the legal awareness of staff and supporting the procurement, management, and quality assurance of external legal services. The LAO and ESFA will work in partnership to maximise the value for money of legal services.

Finance

- 21.29. DfE will provide some professional financial services to ESFA. This finance support will include banking and cash management, payment services, debt management, financial systems management, standing data services, and advice on fraud, financial governance, and tax. In addition, the department will produce ESFA's annual accounts and consolidate them into DfE's group accounts and the Whole of Government Accounts return.

22. Risk management

- 22.1. ESFA shall ensure that the risks that it faces are dealt with in an appropriate manner, in accordance with the sponsor department's risk management framework, relevant aspects of best practice in corporate governance, and develop a risk management strategy, in accordance

with the Treasury guidance Management of Risk: Principles and Concepts¹¹.

23. Counter fraud and theft

- 23.1. ESFA should adopt and implement policies and practices to safeguard itself against fraud and theft.
- 23.2. ESFA 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 MPM Annex 4.9 and the Counter Fraud Functional Standard¹². 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.
- 23.3. ESFA should keep records of and prepare and forward to DfE an annual report on fraud and theft suffered by the agency and notify the sponsor department of any unusual or major incidents as soon as possible. ESFA 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 agreed government definitions as set out in Counter Fraud Functional Standard.

24. Staff

Broad responsibilities for staff

- 24.1. Within the arrangements approved by the responsible Minister, DfE policies and the Treasury, ESFA 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

¹¹ http://www.hm-treasury.gov.uk/orange_book.htm

¹² <https://www.gov.uk/government/publications/government-functional-standard-govs-013-counter-fraud>

- the level and structure of its staffing, and staff numbers, are appropriate to its functions and the requirements of economy, efficiency and effectiveness, and grading decisions are consistent with the sponsor department (using the principles of the Job Evaluation and Grading System, JEGS)
- the performance of its staff at all levels is satisfactorily appraised. ESFA follows DfE's performance measurement systems which are reviewed from time to time
- it promotes an inclusive approach to talent management ensuring all staff have regular and meaningful performance management and talent conversations and identifies any relevant actions
- its staff are encouraged to acquire the appropriate professional, management, and other expertise necessary to achieve the agency's objectives
- proper consultation with staff takes place on key issues affecting them
- it follows DfE's grievance and disciplinary procedures which are in place
- it follows DfE's whistle-blowing procedures which are consistent with the Public Interest Disclosure Act are in place

Staff costs

- 24.2. Subject to its delegated authorities, ESFA 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

- 24.3. ESFA's staff are subject to the same levels of remuneration and terms and conditions of service (including pensions) as the sponsor department. ESFA is included in the sponsor department's pay remit. ESFA has no delegated power to amend these terms and conditions.
- 24.4. Any payments made shall be made in accordance with the Civil Service Management Code¹³ and the annual Civil Service Pay Remit Guidance,

¹³ <https://www.gov.uk/government/publications/civil-servants-terms-and-conditions>

except where prior approval has been given by DfE to vary such rates and, where necessary, Treasury and Cabinet Office.

- 24.5. ESFA shall follow the sponsor's department's HR Handbook which covers staff terms and conditions of service and other non-contractual HR policies.
- 24.6. ESFA shall abide by public sector pay controls, including the relevant approvals process dependent on the organisations classification as detailed in the Senior Pay Guidance¹⁴ and the Public Sector Pay and Terms Guidance¹⁵.
- 24.7. ESFA shall follow the sponsor department's Travel and Expenses Policy guidance. Only receipted actual costs (within policy limits), which are necessary and additional to normal daily expenditure may be reimbursed.

Pensions, redundancy, and compensation

- 24.8. Compensation scheme rules and pension scheme rules should reflect legislative and HM Treasury guidance requirements regarding exit payments.
- 24.9. ESFA staff shall normally be eligible for a pension provided by the Principal Civil Service Pension Scheme (PCSPS). Staff may opt out of the occupational pension scheme provided but that employers' contribution to any personal pension arrangement, including stakeholder pension, shall normally be limited to the national insurance rebate level.
- 24.10. Any proposal by ESFA to move from the existing pension arrangements, or to pay any redundancy or compensation for loss of office, requires the prior approval of the sponsor department and potentially Cabinet Office and Treasury. Proposals on severance must comply with the rules in chapter 4 of MPM.

Severance Payments

- 24.11. Any proposal by ESFA to make a severance payment must comply with the rules in Chapter 4 of HM Treasury MPM and Cabinet Office guidance on severance payments. Any proposal for special severance

¹⁴ <https://www.gov.uk/government/publications/senior-civil-service-pay-and-reward>

¹⁵ <https://www.gov.uk/government/publications/public-sector-pay-and-terms-guidance-note>

payment (i.e., non-contractual) must be submitted to the sponsor department HM Treasury first, for written approval before making payment.

WITHDRAWN

Business plans, financial reporting, and management information

25. Business plans

25.1. By 1 April each year, ESFA shall submit annually to the sponsor department, its business plan for the year ahead. This plan shall include key 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 the sponsor department. The plan shall demonstrate how ESFA contributes to the achievement of the sponsor department's medium-term plan and priorities and aligned performance metrics and milestones. Subject to any commercial considerations, a summary of the business plan should be published by ESFA on gov.uk and separately be made available to staff.

26. Budgeting procedures

26.1. Each year, in the light of decisions by the sponsor department on the updated draft corporate plan, DfE will send to ESFA:

- a formal statement of the annual budgetary and spending provision allocated by the sponsor department in the light of competing priorities across the sponsor department and of any forecast income approved by the sponsor department
- a statement of any planned change in policies affecting ESFA

26.2. The approved annual business plan will take account both of approved funding provision 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 departmental funding and/or other income over the year. These elements form part of the approved business plan for the year in question.

27. Annual report and accounts

27.1. ESFA's Board must publish an audited Annual report and accounts of its activities for the financial year in line with HMT deadlines (ideally pre-summer recess but no later than the statutory deadline of 31 January). A draft of the report should be submitted to the sponsor department two weeks before the proposed publication date. The

accounts should be prepared in accordance with the relevant statutes and specific accounts direction issued by the sponsor department as well as the Treasury's Financial Reporting Manual (FReM).

27.2. The annual report must:

- cover any corporate or joint ventures under its control
- comply with the FReM and in particular have regard to the illustrative statements for an Executive Agency¹⁶
- outline main activities and performance during the previous financial year and set out in summary form forward plans.

27.3. The annual accounts of academy trusts will be consolidated in a separate Sector Annual Report and Accounts (SARA), which DfE is responsible for producing. These are produced annually and laid in agreement with HMT guidelines.

27.4. Information on performance against key financial targets is included within the annual 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.

28. Reporting performance to the department

28.1. ESFA 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.

28.2. ESFA shall inform the sponsor department 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 achievement of key objectives regularly. Internally, ESFA shall continue to report financial performance on a monthly basis.

¹⁶ <https://www.gov.uk/government/publications/government-financial-reporting-manual-2020-21>. ¹⁷ <https://www.gov.uk/government/publications/public-sector-internal-audit-standards>

- 28.3. ESFA's performance shall be formally reviewed by the sponsor department quarterly, through Quarterly Performance Meetings, chaired by the Senior Sponsor.
- 28.4. The responsible Minister will meet the Chief Executive Officer and Senior Sponsor at least quarterly and meet the Board and Chair once a year.
- 28.5. The PAO will meet the Chief Executive at least once a year.

29. Information sharing

- 29.1. DfE has the right of access to all ESFA records and personnel for any purpose including, for example, sponsorship audits and operational investigations.
- 29.2. ESFA shall provide the sponsor department with such information about its operations, performance, individual projects, or other expenditure as the sponsor department may reasonably require.
- 29.3. The sponsor department and HM Treasury may request the sharing of data held by ESFA 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.
- 29.4. As a minimum, ESFA shall provide the sponsor department with information monthly that will enable the sponsor department satisfactorily to monitor:
- ESFA'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

30. Internal audit

30.1. ESFA shall:

- operate under the sponsor department's arrangements with GIAA for internal audit
- agree the number of audit days at ESFA's Audit and Risk Committee
- ensure that any arrangements for internal audit are in accordance with the Public Sector Internal Audit Standards (PSIAS) as adopted by HM Treasury¹⁷.
- maintain an audit committee of its board in accordance with the Code of Good Practice for Corporate Governance and the Audit and Risk Assurance Committee Handbook
- forward the audit strategy, periodic audit plans and annual audit report, including ESFA's Head of Internal Audit opinion on risk management, control, and governance as soon as possible to the sponsor department
- keep records of and prepare and forward to the sponsor department an annual report on fraud and theft suffered by ESFA and notify the sponsor department of any unusual or major incidents as soon as possible
- share with the sponsor department 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 the sponsor department's responsibilities in relation to financial systems within ESFA

¹⁷ <https://www.gov.uk/government/publications/public-sector-internal-audit-standards>

31. External audit

31.1. The Comptroller & 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.

31.2. The C&AG:

- will consult the sponsor department and ESFA on whom – the National Audit Office or a commercial auditor – shall undertake the audit(s) on his behalf, though the final decision rests with the C&AG
- 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 ESFA
- will share with the sponsor department 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 the sponsor department's responsibilities in relation to financial systems within ESFA
- 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

31.3. The C&AG may carry out examinations into the economy, efficiency, and effectiveness with which ESFA 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, ESFA 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

32. Review of ESFA's status

- 32.1. ESFA was reviewed as part of the Public Bodies programme in 2021/2022 and has undergone changes to its remit and size as a result. ESFA can expect to be reviewed again as part of this programme at a time determined by the sponsor department's ministers and their PAO.

33. Arrangements in the event that ESFA is wound up

- 33.1. The sponsor department shall put in place arrangements to ensure the orderly winding up of ESFA. In particular it should ensure that the assets and liabilities of ESFA 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 the sponsor department.) To this end, the department shall:

- have regard to Cabinet Office guidance on winding up of ALBs¹⁸
- ensure that procedures are in place in ESFA 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 ESFA'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 his 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 AO should sign the closing accounts. In the event that the sponsor department inherits the role,

¹⁸https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690952/Public_Bodies_-_a_guide_for_departments_-_chapter_10.pdf

responsibilities, assets and liabilities, the sponsor department's AO should sign

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

WITHDRAWN

Other matters

34. Machinery of Government

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

35. Procedure for public complaints

- 35.1. ESFA has established, and published on gov.uk, a procedure to investigate and deal with complaints from providers and members of the public, including students, about ESFA's actions. This is in accordance with [Parliamentary and Health Service Ombudsman's Principles of Good Complaint Handling](#).

36. Subsidiary Companies

- 36.1. ESFA is an Executive Agency (EA) and as such is not a separate legal personality from DfE.
- 36.2. As ESFA is not a separate legal entity, it cannot set up subsidiary companies.

37. Better Regulation, Consultation, and Impact Assessments

- 37.1. ESFA shall follow the Government's commitment to efficient and effective regulation. Where possible and certainly whenever necessary, ESFA shall follow the Consultation Principles and comply with the Government's Better Regulation agenda and the Regulator's Code. Where necessary the agency 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.

Annex A: Guidance

ESFA 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
- Relevant Dear Accounting Officer (DAO) letters:
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 Accounting Officer's Survival Guide
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/486677/AOs_survival_guide_Dec_2015_.pdf
- 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 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
- 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
- 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
- Civil Service pay guidance (updated annually):
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 Equalities Act 2010: www.gov.uk/guidance/equality-act-2010-guidance

General

- Freedom of Information Act guidance and instructions:
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 [the ALB].
- Guidance from the Public Bodies team in Cabinet Office:
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
- The Government Digital Service:
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 and
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

Signed



Date 9 November 2022

Susan Acland-Hood

Permanent Secretary, Department for
Education

Signed



Date 10 November 2022

David Withey

Chief Executive, Education and Skills
Funding Agency

Signed



Date 06 January 2023

Baroness Barran MBE

Parliamentary Under Secretary of State
Department for Education



Department
for Education

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