**Statutory and Mandatory Policies Checklist**

**Academies and Free Schools**

**January 2024**

This checklist is based on the following guidance for schools:

* DfE statutory policies for schools (last update March 2022)

<https://www.gov.uk/government/publications/statutory-policies-for-schools-and-academy-trusts/statutory-policies-for-schools-and-academy-trusts>

* Keeping Children Safe in Education (September 20232)
* SEND Code of Practice
* EYFS Framework
* Data Protection Act 2018
* DfE Data Protection Toolkit for Schools April 2018
* Working Together to Improve School Attendance – DfE September 2022
* Emergency planning and response for education, childcare, and children’s social care setting – DfE August 2022
* Academy Trust Handbook
* Governance Handbook (October 2020)

The DfE recommends annual review for nearly all policies – however, the Trust/Governing Body can decide the review frequency in most cases.

| **Policy/document** | **Review frequency** | **Legal Level of approval**  | **Notes** | **Publish on school website?** | **Level of delegation agreed (to be determined and agreed by Trust/Governing Board)** |
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| Acceptance of gifts, hospitality, awards, prizes or benefits  | Determined by the board of trustees  | Determined by the board of trustees |  | **Yes** |  |
| Accounting  | Determined by the board of trustees | Board of trustees |  |  |  |
| Admissions arrangements | Annually | Board of trustees | Any changes must be consulted on and where no changes are made, consultation is required every 7 years. However, according to page 7 of the admissions code, you don’t need to consult in an increase to your PAN or changed to comply with the code.  | **Yes** |  |
| Accessibility Plan  | Every 3 years | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher | Legislation: Equality Act 2010: Schedule 10, Paragraph 3 and Disability Discrimination (prescribed Times and Periods for Accessibility Strategies and Plans for Schools) (England) Regulations, 2005. | **Yes** |  |
| Attendance | New statutory policy from September 2022– the DfE recommends annually | Not yet determined | Guidance within the DfE document: Working together to approve school attendance.ECC/EPHA model policy available on the EPHA website | **Yes** |  |
| Behaviour in schools | Determined by the headteacherDfE now recommends annually  | Headteacher | Legislation: Maintained schools - Education and Inspection Act 2006: Section 89. | **Yes** |  |
| Behaviour principles written statement | While this isn't a requirement, it's strongly advised by the DfE |  |  |  |  |
| Business Continuity Policy | Determined by Governing Board | Governing Board can delegate to a committee of the governing body, an individual governor or the headteacher |  |  |  |
| Capability of staff | DfE recommends annually  | Governing Body or an individual governor |  |  |  |
| Careers guidance: details of your careers programme and a provider access statement | DfE recommends annually | Governing Board |  |  |  |
| Charging and remissions  | Determined by Governing BoardDfE recommends annually | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher | Applies directly to academies and free schools via their funding agreements.  |  |  |
| Child Protection Policy and procedures  | Annually | Governing Board | Should be in line with local procedures (SET Procedures in Essex) | **Yes** |  |
| Children with health needs who cannot attend school  | DfE recommends annually | Governing Board |  | **Good practice** |  |
| Competitive tendering  | Determined by Governing Board | Determined by the board of trustees |  |  |  |
| Complaints ProceduresManaging serial and unreasonable complaints | Should be every 2 or 3 years. DfE now recommends annually. Not mandatory for academies, but DfE strongly advises that academies consider following the guidance.  | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher | https://www.gov.uk/government/publications/setting-up-an-academies-complaints-procedure Managing serial and unreasonable complaints is not a mandatory policy, but may be very helpful. Model policies on the EPHA website.  | **Yes** |  |
| Data Protection Policy | At least every 2 years | Determined by the board of trustees | Will need to be updated in line with GDPR. Your data protection policy should include information about e-safety and IT security, plus a policy for data breaches and acceptable use.Registration to ICO is annual | **Yes** |  |
| Early Career Teachers  | DfE recommends annually  | Governing Body  |  |  |  |
| Early Years Foundation Stage (EYFS) policies and procedures  | Varies | Determined by the board of trustees | Those delivering the EYFS are required to have policies and procedures on a range of issues covering safeguarding and welfare. These are set out in detail in the ‘Statutory framework for the Early Years Foundation Stage’. |  |  |
| Equality Information and objectives (public sector equality duty), statement for publication  | Equality information updated and published at least every yearEquality objectives at least every 4 years | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher |  | **Yes** |  |
| Emergency Plan  | Live document  | Not specified  | The DfE guidance – Emergency planning and response for education, childcare, and children’s social care setting (August 2022) says that all education, childcare and children’s social care settings should have emergency plans in place detailing what you would do and how you would respond if you needed to take any temporary actions in the event of an emergency. The aim of an emergency plan is to help you and your staff respond effectively to an emergency at the setting or on an education visit or outing while, where possible, continuing to prioritise and maximise face-to-face learning.  |  |  |
| Exclusions  | DfE recommends annually  | Governing Body can delegate to a committee of the governing body, an individual governor or the headteacher | Added by DfE in 2019 – may be part of Behaviour Policy | **Yes (if a separate policy)** |  |
| First Aid | DfE now recommends annually  | Determined by the employer | Schools are not required to have a specific first aid policy, but DfE provides non-statutory advice that can be followed.  |  |  |
| Freedom of Information publication scheme | Determined by Governing Board | Determined by the board of trustees |  | **Yes** |  |
| Governors’ allowances/expenses (schemes for paying) | Determined by Governing Board | Governing Board can delegate to a committee of the governing body, an individual governor or the headteacher | This isn’t a requirement, but the DfE now strongly advises academies to have this policy, so this may be new to you. |  |  |
| Governors’ code of conduct  | Determined by Governing Board | Determined by the board of trustees | Best practice rather than statutory |  |  |
| Health and Safety | Determined by Governing Board, proprietor or LA | Determined by the employer | Schools are not required to have a specific health and safety policy, but DfE provides non-statutory advice that can be followed. |  |  |
| Investment  | Determined by Governing Board | Determined by the board of trustees |  |  |  |
| Minutes and papers considered at meeting of the Governing Body and its committees | Not applicable –continuous  | Full Governing Board or committees as applicable  |  |  |  |
| PE/Sports Premium | Annually | Not applicable | To help plan, monitor and report on the impact of your spending, partners in the physical education and school sport sector have developed a template. The template can be accessed through the [Association for PE](https://www.afpe.org.uk/physical-education/advice-on-sport-premium/) and [Youth Sport Trust](https://www.youthsporttrust.org/resources/primary-pe-sport-premium) websites. | **Yes** |  |
| Premises management documents  | Live documents/recommended reviewed at least annually  | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher |  |  |  |
| Privacy notices for staff; pupils/parents; governors/trustees | Not applicable | School  | Publish on school website May also be called fair processing noticeshttps://www.gov.uk/government/publications/data-protection-and-privacy-privacy-notices | **Yes** |  |
| Protection of biometric information of children in schools and colleges | Recommended annually | Governing Body  | May simply state that you don’t keep this (if applicable) – statement could be in Data Protection Policy. | **Yes** |  |
| Publication scheme for schools  | Not applicable | School  | Publish ICO document on school website  | **Yes** |  |
| Pupil Premium Statement | Annually  | Not applicable | All schools that receive pupil premium funding must publish a pupil premium strategy statement each year by 31 December. In the strategy statement you must explain how your pupil premium and recovery premium is being spent and the outcomes that are being achieved for pupils. You must use the DfE template to produce your statement. This can be found alongside completed examples and guidance on the pupil premium guidance page. <https://www.gov.uk/government/publications/pupil-premium> | **Yes** |  |
| Records Management Policy  | Determined by Governing Body | Determined by Governing Body | Publish on school website | **Yes** | This should include a data retention schedule (or reference to the Information Management Toolkit for Schools |
| Register of business interests  | Determined by Governing Board | Determined by Governing Board |  | **Yes** |  |
| Register of pupils’ admissions to school  | Live document  | Proprietor can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher |  |  |  |
| Register of pupils’ attendance  | Live document  | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher |  |  |  |
| Risk assessment  | Determined by Governing Board | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher |  |  |  |
| School information published on school website  | Must be updated as soon as possible after a change and at least annually | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher | Legislation: The School Information (England) (Amendment) Regulations 2012: SI 2012/1124 | **Yes** |  |
| School uniform | Determined by Governing Board | Governing Board  | The policy is not a statutory requirement, but schools must have a policy or an “approach” in line with the DfE statutory guidance on the cost of school uniform. <https://www.gov.uk/government/publications/cost-of-school-uniforms/cost-of-school-uniforms>[School uniforms - GOV.UK](https://www.gov.uk/government/publications/school-uniform/school-uniforms)  | **Yes** |  |
| Sex and relationships education  | Recommended annually | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher | Schools must follow the new statutory guidance from April 2021 on:* Relationships education
* Relationships and sex education
* Health education
 | **Good practice** |  |
| Single Central Record of recruitment and vetting checks | Live document | Governing Board can delegate to a committee of the governing body, an individual governor or the headteacher |  |  |  |
| Special Educational Needs (SEN) information report and SEN policy  | The information report should be updated annually and any changes made to information during the school year should be updated as soon as possible. Review date of policy determined by the governing board | Board of trustees |  | **Yes** |  |
| Staff discipline, conduct and grievance  | Determined by Governing BoardDfE now recommends annually  | Governing Board can delegate to a committee of the governing board, local governing body, an individual governor or the headteacher |  |  |  |
| Statement of procedures for dealing with allegations of abuse against staff | Determined by Governing Board | Determined by Governing Board |  |  |  |
| Supporting pupils with medical conditions  | Determined by Governing Board or proprietor DfE recommends annually | Proprietor  |  | **Good practice** |  |
| Teachers’ Pay | Annual  | Governing Board | Only mandatory if the academy uses the School Teachers’ Pay and Conditions  |  |  |
| Whistleblowing procedures  | Determined by Governing Board | Governing Board can delegate to a committee of the governing board, local governing body or an individual governor  |  |  |  |