**Statutory and Mandatory Policies Checklist**

**Maintained Schools**

**April 2023**

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 2022)
* 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 Governing Board)** |
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| Admissions arrangements | Annually | Full Governing Body or, where school is an admissions authority, a committee | Any changes must be consulted on and where no changes are made, consultation is required every 7 years.  As the school’s governing body determines your admissions, you must publish your school’s admission arrangements by 15th March each year. You must keep them on your website for the whole of the offer year (the school year in which offers for places are made).  *Community schools and voluntary-controlled schools* If the local authority decides your admissions, you must tell parents to contact the local authority to find out about your admission arrangements. | **Yes** |  |
| Accessibility Plan | Every 3 years | Governing Body can delegate to a committee of the 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 Principles written statement | Determined by Governing Body  DfE recommends annually | Full governing body or a committee of the governing body. |  | **Yes** |  |
| Behaviour Policy | Determined by the headteacher  DfE now recommends annually | Headteacher | Legislation: Maintained schools - Education and Inspection Act 2006: Section 89. | **Yes** |  |
| Business Continuity Policy | Determined by Governing Body | Governing Body can delegate to a committee of the governing body, an individual governor or the headteacher | May be covered by Critical Incident Management Plan |  |  |
| Capability of staff | Determined by Governing Body – DfE now recommends annually | Governing Body can delegate to a committee of the governing body or an individual governor |  |  |  |
| Careers Guidance | DfE recommends annually | Governing Body | Secondary schools: details of careers programme and a provider access statement |  |  |
| Charging and remissions | Determined by Governing Body  DfE recommends annually | Governing Body can delegate to a committee of the governing body, an individual governor or the headteacher |  |  |  |
| Child Protection Policy and procedures | Annual | Governing Body | Should be in line with local procedures (SET Procedures in Essex) | **Yes** |  |
| Children with health needs who cannot attend school | DfE recommends annually | Governing Body |  | **Good practice** |  |
| Complaints Procedures  Managing serial and unreasonable complaints | Should be every 2 or 3 years (DfE guidance for maintained schools January 2019)  DfE now recommends annually | Governing Body can delegate to a committee of the governing body, an individual governor or the headteacher | DfE model complaints policy updated January 2021  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 | Governing body | 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 | **Yes** |  |
| Data Retention Schedule |  |  | See Records Management Policy |  |  |
| Early Career Teachers | DfE recommends annually | Governing Body |  |  |  |
| Early Years Foundation Stage (EYFS) policies and procedures | Varies | Determined by the Governing Body | 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’. |  |  |
| 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. |  |  |
| Equality Information and objectives (public sector equality duty) | Equality information updated and published at least every year  Equality objectives at least every 4 years | Governing Body can delegate to a committee of the governing body, an individual governor or the headteacher |  | **Yes** |  |
| 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)** |  |
| Financial Regulations and Scheme of Delegation | Annually | Governing Body can delegate to a committee of the governing body | Essex Finance expects GB to ratify |  |  |
| First Aid | Determined by Governing Board  DfE now recommends annually | Determined by 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 Body | Determined by the Governing Body |  | **Yes** |  |
| Governors’ allowances/expenses (schemes for paying) | Determined by Governing Body | Governing Body can delegate to a committee of the governing body, an individual governor or the headteacher |  |  |  |
| Governors’ code of conduct | Determined by Governing Body | Determined by the Governing Body | Best practice rather than statutory |  |  |
| Health and Safety | Determined by Governing Body 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. |  |  |
| Instrument of Government | Determined by Governing Body | Full Governing Body |  |  |  |
| Minutes and papers considered at meeting of the Governing Body and its committees | Not applicable | Full Governing Body 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 | Governing Body can delegate to a committee of the 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 notices  https://www.gov.uk/government/publications/data-protection-and-privacy-privacy-notices | **Yes** | May also be called fair processing notices |
| 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 of governors (including headteacher and staff with a financial responsibility) | Determined by Governing Body | Determined by Governing Body |  | **Yes** |  |
| Register of pupils’ admissions to school | Live document | Governing Body can delegate to a committee of the governing body, an individual governor or the headteacher |  |  |  |
| Register of pupils’ attendance | Live document | Governing Body can delegate to a committee of the 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 Body can delegate to a committee of the 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 Body | Governing Body | 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 Body can delegate to a committee of the governing body or an individual governor | 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 Body 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 Body  DfE now recommends annually | Full governing body |  |  |  |
| Statement of procedures for dealing with allegations of abuse against staff | Determined by Governing Body | Determined by Governing Body |  |  |  |
| Supporting pupils with medical conditions | Determined by Governing Body  DfE recommends annually | Full governing body |  | **Good practice** |  |
| Teacher appraisal (performance management) | Determined by Governing Body |  | Annual approval if using Essex HR model |  |  |
| Teachers’ pay | Annual | Governing Body |  |  |  |
| Whistleblowing procedures | Determined by Governing Body | Governing Body can delegate to a committee of the governing body or an individual governor | Best practice rather than statutory |  |  |