Statutory policies for schools and academy trusts

Updated 3 August 2021

Contents
1. Introduction
2. Who this guidance is for
3. List of policies
4. Admission arrangements
5. Admissions appeals
6. Staffing and human resources
7. Capability of staff
8. Early years (EYFS) and safeguarding
9. Curriculum, assessment and education
10. Behaviour
11. Pupils
12. Governance
13. Parents' guidance

Print this page

All changes made to the page reflect previously announced requirements on schools. There are no new requirements or policies announced in this update.

1. Introduction

The following are required to hold each of these policies and other documents, and must meet the requirements that apply to their school or trust:

- school leaders in all schools
- governing bodies of maintained schools
- proprietors of academies and independent schools

Schools and trusts are not always required to hold a specific policy for each requirement. It is possible to meet a requirement by including the policy, unless stated otherwise.

The drafting of school policies can be delegated to any member of school staff, unless stated otherwise.

This document covers how often each policy must be reviewed. Where it doesn't, we recommend that you review the policy annually. Where there's a change to the law or circumstances, you will need to review your policies or documentation accordingly.

It also shows the level of approval required. Not all policies need the approval of the full governing body.

Throughout this guidance we use the term 'governing body' to represent both governing boards and trust boards.

There are instances where the guidance signposts states that policies and procedures should be in place, but that it is not the same as a legal requirement. Each person of linked guidance which is not statutory makes clear the nature of the requirement.

Where possible, model policies have been included within the relevant guidance. Organisations, such as your local authority, can provide free support and model policies which we suggest you consider.

2. Who this guidance is for

Each section sets out who the guidance applies to. Academies and free schools have greater freedoms than local authority-maintained schools in relation to school policies and other documents.

We have outlined arrangements applying to these schools in legislation or in their funding agreements. We may say between individual academies and free schools.

3. List of policies

The table below outlines for local authority-maintained schools and academies:

- each policy
- who it applies to
- the review period
- approval level

Policy	Local authority-maintained schools	Academies	Review cycle	Approval level
Admissions arrangements	Yes	Yes	Annually	Governing body, local authority (maintained schools)
Charging and remissions	Yes	Yes	Recommended - review annually	Governing body, local authority, governor or headteacher
Data protection	Yes	Yes	Recommended - review annually	Governing body, local authority, governor or headteacher
Protection of biometric information of children in schools and colleges	Yes	Yes	Recommended - review annually	Governing body
Register of pupils' attendance and school attendance policies	Yes	Yes	Live document	Governing body, individual governor or headteacher
School information published on a website	Yes	Yes	Live document	Governing body, individual governor or headteacher
School complaints	Yes	Yes	Recommended - review annually	Governing body, individual governor or headteacher
Capability of staff	Yes	Yes	Recommended - review annually	Governing body or individual governor
Early career teachers (ECTs)	Yes	Yes	Recommended - review annually	Governing body
Staff discipline, conduct and grievance (or procedures for addressing)	Yes	Yes	Recommended - review annually	TU for authority (maintained schools), governing body, proprietor, individual governor or headteacher
Single central record of recruitment and vetting checks	Yes	Yes	Live document	Individual governor or headteacher
Statement of procedures for dealing with allegations of abuse against staff	Yes	Yes	Recommended - review annually	Governing body, individual governor or headteacher
Teachers' pay	Yes	Yes	Annually	Governing body or local authority
Accessibility plan	Yes	Yes	Every 3 years	Governing body, individual governor or headteacher
Critical incident policy and procedures	Yes	Yes	Annually	Governing body or proprietor
Children with health needs who cannot attend school	Yes	Yes	Recommended - review annually	Governing body
Capability of staff	Yes	Yes	Recommended - review annually	Governing body, governor
Pay and performance management policies	Yes	Yes	Annually	Governing body
Equipment, Freedom of Information (FOI) policy	Yes	Yes	Annually	Governing body or delegate
Supplementary school weekly risk assessment	Yes	Yes	Annually	Governing body or proprietor
Supporting pupils with medical conditions	Yes	Yes	Recommended - review annually	Governing body, individual governor or headteacher
Sex and relationships education	Yes	Yes	Recommended - review every one or two years	Governing body, individual governor or headteacher
Behaviour in schools	Yes	Yes	Recommended - review annually	Governing body, governor, headteacher
Science and physical activity premium statement	Yes	Yes	Recommended - review annually	Governing body
School exclusions	Yes	Yes	Recommended - review annually	Governing body, individual governor, headteacher
Pupils and safety	Yes	Yes	Annually	Chairman
Food and nutrition	Yes	Yes	Recommended - review annually	Chairman
Premises management documents	Yes	Yes	Recommended - review annually	Governing body, individual governor or headteacher
Equality information and objectives (public sector equality duty) for schools in England	Yes	Yes	Every 4 years	Governing body, individual governor or headteacher
Governors' allowances (schools in England)	Yes	Yes	Recommended - review annually	Governing body, individual governor
Instrument of government	Yes	Yes	Recommended - review annually	Governing body
Statement of school's approach to fundraising and governance	Yes	Yes	Live document	Governing body or delegate approved subject to the local authority scheme
Careers guidance (duties of year 7 secondary schools and secondary schools with a sixth form)	Yes	Yes	Recommended - review annually	Governing body

4. Admission arrangements

These apply to:

- local authority-maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- voluntary-aided schools and foundation schools directly
- community and voluntary-controlled schools if the local authority formally delegates this responsibility

Arrangements must be determined annually. You must consult on any changes, and adopt them by 15 March if changes are required at least every 7 years.

The full governing body or a committee of the governing body must agree, where the school is its own admissions authority.

Statutory guidance to follow when carrying out duties relating to school admissions and school admission appeals:

- School admissions code
- School admissions appeals code

Statutory guidance on local authorities' duties to children born in the summer

- Summer born children school admissions

5. Administration and data

5.1 Charging and remissions

Applies to:

- local authority-maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools

This applies directly to academies and free schools via their funding agreements.

The governing body has to decide how often you review. We advise that governing bodies review this requirement annually.

The governing body can delegate approval to a committee of the governing body, an individual governor or the headteacher.

Non-statutory guidance on how to set out policies on charging for school activities and visits:

- Charging for school activities

5.2 Data protection

Applies to:

- local authority-maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state-funded
- sixth form colleges
- further education colleges with 16 to 19 provision
- pupil referral units (PRUs)
- non-maintained special schools
- non-maintained special schools

Under the Data Protection (Charges and Information) Regulations 2018, schools must register with the Information Commissioner's Office.

You must adhere to GDPR requirements. The DfE teaching blog includes articles with suggestions on how to ensure you are compliant.

We advise that governing bodies, an individual governor or headteacher review this requirement annually. Registration is annual.

Suggested privacy notices to issue to staff, parents and pupils about the collection of data:

- Data protection and privacy notices

5.3 Protection of biometric information of children in schools and colleges

This applies to:

- local authority-maintained schools, including maintained special schools
- academies including 16 to 19 academies
- free schools, including university technical colleges and studio schools
- independent schools, not state-funded
- sixth form colleges
- further education colleges with 16 to 19 provision
- pupil referral units (PRUs)
- non-maintained special schools
- further education institutions

We advise that governing bodies review this requirement annually.

Non-statutory guidance on the protection of biometric information of children in schools and colleges:

- Protection of biometric information of children in schools and colleges

5.4 Register of pupils' attendance to school and attendance

Applies to:

- local authority-maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state-funded
- pupil referral units (PRUs)
- non-maintained special schools
- non-maintained special schools

The register of attendance must be a live document. The governing body is free to decide how often it reviews the register of attendance, an individual governor or the headteacher. The register itself can be kept by appropriate school staff.

The attendance register must be a live document. The governing body is free to decide how often it reviews the register. The register itself can be kept by appropriate school staff.

Non-statutory guidance on using pupil registers and attendance codes, as well as setting school hours and term dates:

- School attendance

5.5 School information published on a website

Applies to:

- local authority-maintained schools, including maintained special schools
- academies
- free schools, including university technical colleges and studio schools

This is a live document that must be updated as soon as possible after a change and at least annually.

The governing body is free to delegate approval to a committee of the governing body, an individual governor or the headteacher.

Details of the information to include on websites:

- What school publishing requirements should we publish online
- What academies, free schools and colleges should publish online

5.6 School complaints

Applies to local authority-maintained schools, including maintained special schools and maintained nursery schools.

We strongly advise academies to consider following the guidance.

Academies should have a written complaints procedure, which is available on request. Academies should be prepared to publish the course and make it available to anyone who requests it.

The governing body or the proprietor is free to decide how often you review. We advise that governing bodies review this requirement annually.

The governing body or the proprietor can delegate approval to a committee of the governing body, an individual governor or the headteacher.

Non-statutory guidance for schools on setting up and reviewing complaints procedures:

- School complaints procedures

Non-statutory guidance for academies on how create a complaints procedure:

- Setting up an academy complaints procedure

6. Staffing and human resources

6.1 Capability of staff

Applies to:

- local authority-maintained schools, including maintained special schools and maintained nursery schools
- academies
- pupil referral units (PRUs)
- independent schools, not state-funded
- free schools

We advise that governing bodies review this requirement annually.

The governing body of a local authority-maintained school or management committee can delegate approval to a committee of the governing body or an individual governor.

Academies can set their own terms for approval.

Statutory guidance for schools on appraisal and dismissal policies:

- Teacher appraisal and capability model policy

Non-statutory guidance for school staff relating regulation for all staff or local authority-maintained schools:

- Staffing and employment: advice for schools

6.2 Early career teachers (ECTs)

Applies to:

- local authority-maintained schools including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- pupil referral units (PRUs)
- independent schools, not state-funded
- sixth form colleges
- further education institutions

We advise that governing bodies review this requirement annually.

The governing body must ensure that the school is compliant.

Statutory guidance on inductions for early career teachers (ECTs):

- Induction for early career teachers (ECTs)

6.3 Staff discipline, conduct and grievance (procedures for addressing)

Applies to:

- local authority-maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state-funded
- sixth form colleges
- pupil referral units (PRUs)
- non-maintained special schools

For local authority-maintained schools, the governing body is free to decide how often you review. We advise that governing bodies review this requirement annually. All other establishments may want to include this policy but should refer to general employment law.

For local authority-maintained schools the governing body must not delegate approval to a committee of the governing body, an individual governor or headteacher.

For academies the governing body is free to delegate approval to a committee of the governing body, an individual governor or the headteacher.

Non-statutory guidance for managing staff and employment issues:

- Staffing and employment advice for schools

6.4 Single central record of recruitment and vetting checks

Applies to:

- local authority-maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state-funded
- sixth form colleges
- pupil referral units (PRUs)
- non-maintained special schools

For local authority-maintained schools, the governing body is free to decide how often you review. We advise that governing bodies review this requirement annually. All other establishments may want to include this policy but should refer to general employment law.

This applies to all schools, colleges and further education institutions where early years education is delivered. They are linked to safeguarding policies.

This is a live document covering staff currently approved. Schools should also maintain a single central record of pre-employment checks.

The governing body of a local authority-maintained school or a management committee of a PRU is generally free to delegate approval to:

- the headteacher
- a member of senior leadership
- a committee of the governing body/management committee
- one or more governors/members acting with the headteacher

Statutory guidance on employing staff who have been disqualified from providing childcare:

- Keeping children safe in education
- Disqualification under the childcare act 2006
- Keeping children safe in education

6.5 Statement of procedures for dealing with allegations of abuse against staff

Applies to:

- local authority-maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state-funded
- sixth form colleges
- further education colleges with 16 to 19 provision
- pupil referral units (PRUs)
- non-maintained special schools
- non-maintained special schools

The governing body is free to decide how often you review. We advise that governing bodies review this requirement annually.

The governing body is free to delegate approval to a committee of the governing body, an individual governor or the headteacher.

Statutory guidance on safeguarding children and safer recruitment:

- Disqualification under the childcare act 2006
- Keeping children safe in education

6.6 Teachers' pay

Applies to:

- local authority-maintained schools, including maintained special schools.

Academies and free schools have greater freedoms than maintained schools.

Schools must follow the statutory guidance when making pay award decisions and implementing pay.

Statutory guidance on teachers' pay:

- Teachers' pay and conditions

The governing body or local authority will need to approve.

> Statutory guidance on pay and conditions for teachers:
>
> - Teachers' pay and conditions

7. Pupil wellbeing and safeguarding

7.1 Accessibility plan

Applies to:

- local authority maintained schools, including maintained special schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state funded
- sixth form colleges
- pupil referral units (PRUs)
- non-maintained special schools

Review every 3 years.

The governing body is free to delegate approval to a committee of the governing body, an individual governor or the headteacher.

> Non-statutory guidance on accessibility plans to help schools fulfil their duties under the act is included in:
>
> - Equality act 2010 advice for schools

7.2 Child protection policy and procedures

Applies to:

- local authority maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state funded
- sixth form colleges
- pupil referral units (PRUs)
- non-maintained special schools
- non-maintained nursery schools

We advise that governing bodies review and update annually as a minimum.

The governing body or proprietor should approve.

The policy should also be available publicly on the school or college website or elsewhere.

> Statutory guidance on safeguarding children and safer recruitment:
>
> - Keeping children safe in education

7.3 Children with health needs who cannot attend school

Applies to:

- local authority maintained schools, including maintained special schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state funded
- where a child is not on the roll of a school

We advise that governing bodies review this requirement annually.

The governing body must approve.

> Statutory guidance on education for children with health needs who cannot attend school:
>
> - Education for children with health needs who cannot attend school

7.4 Designated teacher for looked-after and previously looked-after children

Applies to:

- local authority maintained schools, including maintained special schools and maintained nursery schools
- academies

We advise that governing bodies review this requirement annually.

The governing body must approve.

> Statutory guidance on designated teachers for looked-after and previously looked-after children:
>
> - Designated teacher for looked-after and previously looked-after children

7.5 Early years foundation stage (EYFS)

Applies to:

- local authority maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state funded
- pupil referral units (PRUs)
- non-maintained special schools
- non-maintained nursery schools

Those attending the EYFS are required to have policies and procedures on a range of safeguarding and welfare matters.

Schools are not required to have separate policies (to cover EYFS requirements where they are already met through an existing policy).

An EYFS profile assessment is required for each child during the academic year they reach the age of 5 (for most children this is the reception year in primary school).

Nursery settings caring for children under 3 must complete a summary check when a child's aged 2.

Review frequency varies, details are in the statutory guidance.

> Statutory guidance on what policies you are required to have on a range of issues covering safeguarding and welfare:
>
> - Statutory framework for the Early Years Foundation Stage.

The governing body can determine approval.

7.6 Special educational needs and disability

Applies to:

- local authority maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state funded

You should update the SEN information report annually and any changes to the information occurring during the year should be updated as soon as possible.

The full governing body or proprietor must approve.

> Statutory guidance on the special educational needs and disability (SEND) code of practice: 0 to 25 years and guidance:
>
> - The 0 to 25 special educational needs and disability code of practice

7.7 Supporting pupils with medical conditions

Applies to:

- local authority maintained schools, including maintained special schools
- academies, including 16 to 19 academies
- pupil referral units (PRUs)

The governing body, proprietor and management committee is free to decide how often they review this policy, but should be regularly reviewed and readily accessible to parents and school staff.

The governing body can approve for local authority maintained schools, proprietors of academies, and management committees for PRUs.

> Statutory guidance about the support that pupils with medical conditions should receive:
>
> - Supporting pupils at school with medical conditions

8. Relationship and sex education

Applies to:

- local authority maintained schools, including maintained special schools
- pupil referral units (PRUs)

The governing body is free to decide how often you review. We advise that governing bodies review this requirement annually.

The governing body can delegate approval to a committee of the governing body, an individual governor or the headteacher.

> Statutory guidance on relationship and sex education:
>
> - Relationship and sex education

Schools must follow the new statutory guidance from September 2020 on:

- relationships education
- relationships and sex education
- health education

> Statutory guidance on relationships, sex and health education for schools to follow from September 2020:
>
> - Relationships education, relationships and sex education (RSE) and health education

9. Behaviour

9.1 Behaviour in schools

Applies to:

- local authority maintained schools, including maintained special schools
- academies
- free schools, including university technical colleges and studio schools
- pupil referral units (PRUs)
- non-maintained special schools

The headteacher is free to decide how often you review. We advise that governing bodies review this requirement annually.

The headteacher is free to delegate approval.

> Statutory guidance on school behaviour and attendance:
>
> - Behaviour and discipline in schools, guide for governing bodies

9.2 Behaviour principles written statement

Applies to:

- local authority maintained schools, including maintained special schools
- academies
- free schools, including university technical colleges and studio schools
- pupil referral units (PRUs)
- non-maintained special schools

Academies and free schools have greater freedoms than maintained schools. Although this requirement is not mandatory for academies we strongly advise academies to consider following the guidance.

The governing body is free to decide how often you review. We advise that governing bodies review this requirement annually.

The full governing body or a committee of the governing body must approve.

> Statutory guidance on creating a behaviour policy:
>
> - Behaviour and discipline in schools, guide for governing bodies

Independent schools must ensure:

- a written behaviour policy is drawn up that sets out the sanctions to be adopted in the event of pupil misbehaviour
- the policy is implemented effectively
- a record is kept of the sanctions imposed upon pupils for serious misbehaviour

9.3 School exclusion

Applies to:

- local authority maintained schools, including maintained special schools
- academies
- sixth form colleges
- pupil referral units (PRUs)

We advise that governing bodies review this requirement annually.

The governing body can delegate approval to a committee of the governing body, an individual governor or the headteacher.

> Statutory guidance on the exclusion of pupils:
>
> - School exclusion

10. Facilities

10.1 Health and safety

Applies to:

- local authority maintained schools, including maintained special schools and maintained nursery schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state funded
- sixth form colleges
- pupil referral units (PRUs)
- non-maintained special schools

Schools are not required to have a specific, first aid policy, but we provide non-statutory advice you can follow

We advise that governing bodies review this requirement annually.

> Non-statutory guidance on health and safety covering activities:
>
> - Health and safety advice for schools

10.2 First aid in schools

Applies to:

- local authority maintained schools, including maintained special schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state funded
- sixth form colleges
- pupil referral units (PRUs)
- non-maintained special schools

Schools are not required to have a specific, first aid policy, but we provide non-statutory advice you can follow

We advise that governing bodies review this requirement annually.

> Non-statutory guidance on first aid provision:
>
> - First aid in schools

10.3 Premises management documents

Applies to:

- local authority maintained schools, including maintained special schools
- academies
- free schools, including university technical colleges and studio schools
- independent schools, not state funded
- sixth form colleges
- pupil referral units (PRUs)
- non-maintained special schools

There are many aspects of school premises that require safe management and maintenance. We provide a list of non-statutory guidance covering. These sets out how for maintaining school buildings should make sure that the policies, procedures and the condition of the estate are compliant with appropriate regulation, including health and safety.

Independent schools, academies and free schools have sole responsibility.

For local authority maintained schools, both local authorities and schools have responsibilities and should review this guidance together.

We advise that governing bodies review this requirement annually.

The governing body can delegate approval to a committee of the governing body, an individual governor or the headteacher.

> Non-statutory advice on the operations, processes and documents that schools, academies and multi-academy trusts should consider when managing their estates:
>
> - Good estate management for schools
>
> Additional non-statutory advice:
>
> - Asbestos management in schools
>
> Non-statutory guidance:
>
> - Fire safety risk assessment for educational premises.
>
> Non-statutory guidance to help schools and local authorities understand their obligations in relation to the School Premises Regulations 2012:
>
> - Standards for school premises
>
> Non-statutory guidance to help schools manage emergencies and risks:
>
> - Emergency and risk management

11. Governance

11.1 Equality information and objectives (public sector equality duty) statement for publication

Applies to:

- local authority maintained schools, including maintained special schools
- academies
- free schools, including university technical colleges and studio schools
- pupil referral units (PRUs)
- local authorities on behalf of PRUs

Under specific duties, governing bodies, local authorities and proprietors are required to publish information to show how they have met the public sector equality duty information. They need to demonstrate how they are meeting the aims of the general public sector equality duty.

The governing body can delegate approval to a committee of the governing body, an individual governor or the headteacher.

11.2 Governors' allowances (schemes for paying)

Applies to:

- local authority maintained schools, including maintained special schools

Academies and free schools have greater freedoms than maintained schools. Although this requirement is not mandatory for academies we strongly advise academies to consider following the guidance.

For local authority maintained schools with a delegated budget the governing body is free to decide how often you review schemes for paying governors' allowances. We advise that governing bodies review this requirement annually.

The governing body can delegate approval to a committee of the governing body, an individual governor or the headteacher.

Where schools do not have a delegated budget, the local authority may pay allowances and expenses at a rate determined by them.

11.3 Instrument of government

Applies to:

- local authority maintained schools, including maintained special schools
- academies

The governing body is free to decide how often you review. We advise that governing bodies review this requirement annually.

> Non-statutory guidance on the roles and duties of governing bodies, and advice on the skills, knowledge and behaviours they need to be effective:
>
> - Governance handbook
>
> Statutory guidance setting out the arrangements for the constitution of governing bodies of all local authority maintained schools:
>
> - Constitution of governing bodies of maintained schools

11.4 Register of business interests of headteachers and governors

Applies to:

- local authority maintained schools, including maintained special schools and maintained nursery schools
- academies

This is a site document that should be updated as soon as possible after a change.

The governing body can delegate approval subject to the local authority scheme.

> Statutory guidance for local authorities on producing and amending school financing schemes:
>
> - Schemes for financing schools
>
> Statutory guidance setting out the arrangements for the constitution of governing bodies of all local authority maintained schools:
>
> - Constitution of governing bodies of maintained schools

12. Careers guidance

Applies to:

- local authority maintained schools
- academies
- free schools, including university technical colleges and studio schools
- voluntary aided schools, and foundation schools
- community and voluntary controlled schools
- pupil referral units (PRUs)

You must publish details of your careers programme for young people and their parents. You must also establish a statement setting out your arrangements for provider access.

> Statutory guidance for schools on providing careers guidance:
>
> - Careers guidance and access for education and training providers

Coronavirus (COVID-19)

Coronavirus (COVID-19): guidance and support

Brexit

Check what you need to do

Services and information

Benefits

Births, deaths, marriages and care

Business and self-employed

Childcare and parenting

Citizenship and living in the UK

Crime, justice and the law

Disabled people

Driving and transport

Education and learning

Employing people

Environment and countryside

Housing and local services

Money and tax

Passports, travel and living abroad

Visas and immigration

Working, jobs and pensions

Departments and policy

How government works

Departments

Worldwide

Services

Guidance and regulation

News and communications

Research and statistics

Policy papers and consultations

Transparency and freedom of information releases

OGL All content is available under the Open Government Licence v3.0, except where otherwise stated

© Crown copyright