

Schools Funding Forum 25<sup>th</sup> September 2019

*Extract from the ESFA's 2020-21 operational guidance*

## **RESPONSIBILITIES HELD FOR MAINTAINED SCHOOLS ONLY**

### **Statutory and regulatory duties**

- Functions of LA related to best value and provision of advice to governing bodies in procuring goods and services (Sch 2, 57)
- Budgeting and accounting functions relating to maintained schools (Sch 2, 74)
- Authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Sch 2, 58)
- Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Sch 2, 59)
- Internal audit and other tasks related to the authority's chief finance officer's responsibilities under Section 151 of LGA 1972 for maintained schools (Sch 2, 60)
- Functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Sch 2, 61)
- Investigations of employees or potential employees, with or without remuneration to work at or for schools under the direct management of the headteacher or governing body (Sch 2, 62)
- Functions related to local government pensions and administration of teachers' pensions in relation to staff working at maintained schools under the direct management of the headteacher or governing body (Sch 2, 63)
- Retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Sch 2, 76)
- HR duties, including: advice to schools on the management of staff, pay alterations, conditions of service and composition or organisation of staff (Sch 2, 64); determination of conditions of service for non-teaching staff (Sch 2, 65); appointment or dismissal of employee functions (Sch 2, 66)
- Consultation costs relating to staffing (Sch 2, 67)
- Compliance with duties under Health and Safety at Work Act (Sch 2, 68)
- Provision of information to or at the request of the Crown relating to schools (Sch 2, 69)
- School companies (Sch 2, 70)
- Functions under the Equality Act 2010 (Sch 2, 71)
- Establish and maintaining computer systems, including data storage (Sch 2, 72)
- Appointment of governors and payment of governor expenses (Sch 2, 73)

**Education welfare**

- Inspection of attendance registers (Sch 2, 79)

**Asset management**

- General landlord duties for all maintained schools (Sch 2, 77a & b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have:

- appropriate facilities for pupils and staff (including medical and accommodation)
  - the ability to sustain appropriate loads
  - reasonable weather resistance
  - safe escape routes
  - appropriate acoustic levels
  - lighting, heating and ventilation which meets the required standards
  - adequate water supplies and drainage
  - playing fields of the appropriate standards
- General health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc. Act 1974)
- Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012)

**Central support services**

- Clothing grants (Sch 2, 53)
- Provision of tuition in music, or on other music-related activities (Sch 2, 54)
- Visual, creative and performing arts (Sch 2, 55)
- Outdoor education centres (but not centres mainly for the provision of organised games, swimming or athletics) (Sch 2, 56)

**Premature retirement and redundancy**

- Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 2, 78)

**Monitoring national curriculum assessment**

- Monitoring of National Curriculum assessments (Sch 2, 75)