



STATUTORY POLICIES FOR SCHOOLS GUIDANCE

As far as possible hyperlinks to DfE advice and regulations have been included. This guidance was correct at the time of publication, but changes in education legislation may render it out of date. Schools are advised to check www.education.gov.uk for updates, in particular for the latest versions of amended legislation and statutory guidance. The DfE has issued its own [departmental advice](#) concerning statutory policies for schools.

The legal references column is mainly applicable to maintained schools, but in many cases academies must also follow DfE statutory guidance; in addition academies must follow [The Education \(Independent School Standards\) Regulations 2014](#) and be aware of the specific requirements of their Funding Agreement.

The “Review” column indicates how frequently the policy must be reviewed: A = Annually; 3 – every 3 years etc; The “Website” column indicates whether the policy is required be on the school’s website.

VA = voluntary aided; FDN = foundation; ACAD = academy; GB = Governing Body.

Policy / Document	Legal Reference / DfE Guidance	SDBE Guidance	Comments	Schools	Review	Website
Accessibility Plan	Equality Act 2010 Schedule 10 Disability Discrimination (Prescribed Times and Periods for Accessibility Strategies and Plans for Schools) (England) Regulations 2005		Schools and LAs must plan for increasing access, improving the physical environment and improving written information for disabled pupils.	ALL	3	✓
Admission Policy	The School Standards and Framework Act 1998: Section 88C The School Admissions (Admission Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012	Admission and Appeals Guidelines - Oct 2012 Briefings: Revised DfE Admission Code - Jan 2015 / Deferred Entry, Summer Born	Admission policy must be clear, fair and unambiguous and VA, Foundation schools and academies must consult the SDBE prior to consulting others. Consultation required at least every 7 years or whenever a change is made. Clarification on parents’ right to defer their child’s place until the Summer term at the latest.	VA, FDN, ACAD	A	✓

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	School Admissions Code – December 2014 School Appeals Code – October 2012	Children and Education Out of Chronological Age Group – Jan 2015				
Behaviour Policy / Behaviour Principles Written Statement	Education & Inspections Act 2006: Section 88 The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 Exclusion from Maintained Schools, Academies and PRUs in England – Sep 2012	Briefing: Behaviour and Discipline in Schools - Sep 2013 Discipline and behaviour principles – Nov 2013	Governors must keep a written statement of general principles on behaviour and discipline. Headteacher determines the behaviour policy. Schools and academies must follow the DfE statutory guidance when considering exclusion and academies must comply with the Independent School Standards Regulations 2014	ALL	GB free to decide	✓
Central Record of Recruitment and Vetting Checks	The School Staffing (England) Regulations 2009 The Education (Independent School Standards) Regulations 2014		Document which logs all safe recruitment checks on staff currently employed	ALL	Live Document	
Charging & remissions policy	Education Act 1996: Sections 449-462 The Education (School Sessions and Charges and Remissions Policies) (Information) (England) Regulations 1999 Charging for School Activities - September 2014		Schools cannot charge for activities unless a charging and remissions policy is in place. Schools cannot charge for activities which take place during school hours, except individual or small group music tuition requested by parents.	All	GB free to decide	✓
Child Protection Policy	Keeping Children Safe in Education – March 2015	Factsheet 10: Governors with Co-ordinating Roles	GB must ensure that they exercise their functions with a view to safeguarding and promoting the welfare of children.	ALL	A	
Collective worship	The School Standards and Framework Act 1998 :Section 70, schedule 20	Factsheet 7: RE and Collective worship	GB responsible for ensuring act of collective worship takes place daily.	ALL	3	

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Community cohesion	Education and Inspections Act 2006: Section 38 Guidance on the Duty to Promote Community Cohesion 2007	Briefing: Duty to promote community cohesion - Sep 2007	GB has a duty to promote community cohesion and should review their policies to ensure that they comply with this duty.	VA, FDN		
Complaints procedure	VA, VC, FDN: Education Act 2002, section 29 ACAD: The Education (Independent Schools Standards) Regulations 2011 School Complaints Toolkit – August 2014	Complaints Policy and Procedure – Jan 2014	Governors must publish their complaints procedure. Schools should provide information to parents which is clear and accessible and has clear timescales.	ALL	GB free to decide	
Data Protection	The Data Protection Act 1998: Schedule 1 - Data Protection Principles Registration with the: Information Commissioner's Office		Pupils and staff have a right of access to personal information held by the school. Personal data must be obtained lawfully and used for specified purposes. Every school processing personal data must be registered with the Information Commissioner.	ALL	2 (registration with the ICO is annual)	
Early Years Foundation Stage (EYFS)	Early Learning Guidance for Providers – September 2014		A range of policies and procedures are required covering safeguarding and welfare.	ALL	See guidance	
Equality Schemes - Incorporating Race, Disability and Gender	Equality Act 2010 The Equality Act 2010 (Specific duties) Regulations 2011 Public Sector Equality Duty Guide – June 2011	Equality Policy Statement - Jun 2014	Schools are required to have an equality policy which covers its public sector duty with the aim of eliminating unlawful discrimination. NB: Schools must publish information annually on how they are meeting the aims of the general public sector equality duty.	ALL	4 (see NB)	

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Freedom of Information Publication Scheme	Freedom of Information Act 2000: Section 19 Information schools should make available		All schools must have an approved published scheme in place listing the types of information available to the public from the school. Academies are required to publish a scheme.	ALL	GB free to decide	
Governors' Allowances	The Education (Governors' Allowances) (England) Regulations 2013 Governors Handbook: Page 110 – January 2015	Briefing: Governors' Allowances -Apr 2004	Where governors agree to pay expenses there must be a policy in place. Governors cannot pay for loss of earnings, but may include, childcare, photocopying, travel etc.	VA, FDN	GB free to decide	
Health & Safety Policy	The Health and Safety at Work Act 1974: Sections 2 (3), 3 and 4 The Management of Health and Safety at Work Regulations 1999		The GB must have a health and safety policy (and risk assessment) in place for all staff and pupils. Procedures must be in place for reporting and investigating accidents.	ALL	GB free to decide	
Home-School Agreement	School Standards and Framework Act 1998: Sections 110-111 Home-School Agreement Guidance – July 2013	SDBE Model Home-School Agreement – Jan 2014	The home-school agreement has no legal standing, but explains the school's aims & values and the respective roles of the school, parents & expectations of pupils. It should be drawn up in consultation with parents.	ALL	GB free to decide	
Instrument of Government	The School Governance (Constitution) (England) Regulations 2012	Reconstitution of Governing Bodies – Jul 2014	States the constitution and composition of the governing body of maintained schools.	VA, FDN	GB free to decide	
Premises Management Document	Compliance Monitoring in Council Buildings Report Asbestos Management in Schools – March 2015		Many aspects of school premises require safe management and maintenance such as asbestos, fire safety and statutory testing.	ALL	See Report	

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Prevent Duty	Counter-Terrorism and Security Act 2015 The Prevent Duty	SDBE model policy – June 2015	There is a statutory duty on governing bodies to have due regard to the need to prevent pupils being drawn into terrorism. The statutory guidance explains the implications for schools.	ALL		
Register of Business Interests of Headteachers and Governors	The School Finance (England) Regulations 2012 regulation 26 and Schedule 5 (15) Academies Financial Handbook – August 2014		There is no clear definition of what constitutes a business interest. Governors should register any trade or profession along with any direct interest in any company providing goods or services in which they or a member of their family may have an involvement. LAs provide pro-formas.	ALL	A	✓
Register of Governors' Details and Interests	Constitution of Governing Bodies of Maintained Schools 2015		Governors' terms of office, category and other such details must be published on the school's website, along with any links to other educational establishments and any relationships of governors to staff either familial or marital.	VA, FDN	Live Document	✓
Register of Pupil's Admission to School	The Education (Pupil Registration) (England) Regulations 2006 The Education (Pupil Registration) (England) (Amendment) Regulations 2011		GB responsible for ensuring that an admission register is kept.	ALL	Live Document	
Register of Pupil's Attendance	The Education (Pupil Registration) (England) Regulations 2006 The Education (Pupil Registration) (England) (Amendment) Regulations 2011	Briefing: Pupil Registration Regulations – Sep 2006	GB responsible for ensuring that an attendance register is kept at the start of each school session (am and pm). Register must distinguish between authorised and unauthorised absence.	ALL	Live Document	
Sex Education	The Education Act 1996: Sections 403-404	SDBE policy statement - Nov 2012	Primary schools must consider whether or not to provide sex education and record decision. Secondary schools must provide sex education	All	GB free to decide	

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	Sex and Relationship Education Guidance – September 2000		and keep policy under review. Academies must have regard to the DfE guidance.			
Special Educational Needs Policy	The Children and Families Act 2014: Section 69 The Special Educational Needs and Disability Regulations 2014 SEND Code of Practice: 0 to 25 Years – May 2015	Briefing: SEND Code of Practice: The Main Changes - May 2014	Governors of maintained schools should, with the headteacher, decide the school's policy and approach to meeting pupils' special needs.	All	A – SEN Report should be updated annually	✓
Supporting Pupils with Medical Conditions	Children and Families Act 2014: Section 100 Supporting Pupils at School with Medical Conditions – September 2014			ALL	GB free to decide	
STAFFING						
Allegations of abuse against staff	Allegations of Abuse Against Teaching and Non-Teaching Staff – March 2012		This policy is linked to safeguarding. Maintained schools may access advice from their LA.	ALL	GB free to decide	
Pay Policy	Education Act 2002: Section 122 2014 School Teachers' Pay and Conditions Document	Model pay policy SDBE Briefing: School Teachers Pay and Conditions Document 2012	Schools have a statutory duty to have a pay policy in place which sets out the basis on which they determine teachers' pay and establishes an appeals procedure. It should include details of how any discretion over pay awards will be applied and how leave arrangements are managed.	VA, FDN	A	
Personnel procedures	For maintained schools: School Staffing (England) Amendment Regulations 2012	Capability, Grievance and Discipline, Managing Staff Sickness	VA and Foundation school and academy governors are the employer and must have a full range of personnel policies in place.	ALL	GB free to decide	

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	Managing Staff Employment in Schools – April 2013	absence, Redundancy Procedures – Jun 2015				
Teacher Appraisal Policy	The Education (School Teachers' Appraisal) (England) Regulations 2012 The Education (School Teachers) (Qualification and Appraisal) (Miscellaneous Amendments) (England) Regulations 2012 The Education (School Teacher's Appraisal) (England) (Amendment) Regulations 2012	Model teacher appraisal policy – Jun 2015	<p>Policy must be in place to implement teacher appraisal. GB must appoint 2 or 3 governors to be responsible for carrying out headteacher's performance review. If 3 governors are appointed, 2 must be foundation governors.</p> <p>External Adviser will advise governors.</p>	VA, FDN	GB free to decide	

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