

How to: find and use key sources for governance

Checklist of sources for different settings

The table below contains a non-exhaustive list of some key sources of rules and guidance relevant for governance in different school settings. It shows the types of school organisation for which the source is relevant, the type of source it is and whether it must or should be followed or whether it's advisable or helpful. In some cases, there are sources that are themselves just collections of links to other MUST, SHOULD, ADVISABLE and HELPFUL sources and in these cases, we have categorised these as ALL. You can use this list in lots of different ways to create your own list or electronic library containing generic sources as well as sources specific to your schools and trusts like constitutional documents.

Source name	Type	MUST/ SHOULD/ ADVISABLE/ HELPFUL	Maintained Community School	Maintained Voluntary Aided School	Maintained Voluntary controlled	Maintained Foundation school	Maintained school federation	Multi Academy Trust (MAT)	Single Academy Trust (SAT)	Purpose
Instrument of government for your school	Constitution	MUST	Y	Y	Y	Y	Y			Legal document establishing the composition of your governing body.
Academy trust governance guide	Non statutory guidance	ALL	Y	Y	Y	Y	Y	Y	Y	Essential guidance on board responsibilities and competencies needed to be effective.
Maintained schools governance guide	Non statutory guidance	ALL	Y	Y	Y	Y	Y	Y	Y	Essential guidance on board responsibilities and competencies needed to be effective.
NGA skills audit	Guidance	HELPFUL	Y	Y	Y	Y	Y	Y	Y	A tool to determine gaps in expertise and development needs.

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Exclusion from maintained schools, academies and pupil referral units	Statutory guidance	MUST	Y	Y	Y	Y	Y	Y	Y	Essential guidance on pupil suspension and permanent exclusion.
Articles of association	Constitution	MUST						Y	Y	Legal document establishing board membership and rules for operating your trust.
Scheme of delegation	Constitution	MUST						Y	Y	Legal document defining responsibility and accountability in a MAT.
Committee terms of reference	Constitution	MUST	Y	Y	Y	Y	Y	Y	Y	Legal document stating the authorised scope of a committee's activity.
NGA Being strategic	Guidance	HELPFUL	Y	Y	Y	Y	Y	Y	Y	Advice for creating, monitoring and reviewing strategy
Companies Act 2006	Statute	MUST						Y	Y	The primary source of UK company law applicable to academies
Academy trust handbook	Other	MUST						Y	Y	Mandatory framework of effective financial management and other controls
Memorandum of Understanding	Other	MUST		Possibly	Possibly	Possibly		Possibly	Possibly	Formal agreements between DfE and the Church of England and the Catholic Church

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Memorandum of Understanding	Other	MUST		Possibly	Possibly	Possibly		Possibly	Possibly	Formal agreements between DfE and the Church of England and the Catholic Church
Governance in federations - GOV.UK (www.gov.uk)	Non statutory guidance	SHOULD					Y			Details the governance arrangements and statutory context for federations.
Charity Commission guidance - GOV.UK (www.gov.uk)	Non statutory guidance	SHOULD						Y	Y	Procedures and guidance applicable to academies
The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013	Non statutory guidance	SHOULD	Y	Y	Y	Y	Y			Guidance to help governing bodies understand their obligations and duties.
Academy trusts: governance - GOV.UK (www.gov.uk)	Guidance	ALL						Y	Y	Collection of source links for those governing in trusts.
What academies free schools and colleges must publish online	Non statutory guidance	MUST						Y	Y	Statement of what academies must publish on their websites.
What maintained schools must publish online	Non statutory guidance	MUST	Y	Y	Y	Y	Y			Statement of what maintained schools must publish on their websites.