

### **30. Procedure for the Suspension of a School's Delegated Budgets**

#### **Preamble**

The Scheme for Financing Schools allows the local authority to suspend the schools right to a delegated budget. These Financial Regulations reflect the reasons and the formal framework if the local authority were to consider and decide on the suspension of the Governing Body's right to a delegated budget.

#### **Regulations**

- 30.1. Where a Governing Body is responsible for a substantial or persistent failure to comply with any requirements applicable under the Scheme for delegated budgets, or is considered not to be managing the budget share at their disposal in a satisfactory manner, the local authority, through the Director Childrens Services<sup>1</sup> may suspend the Governing Body's right to a delegated budget, giving at least one month's notice<sup>2</sup> of the intention to do so, or, if by reason of gross incompetence or mismanagement, at such earlier date as the Director Childrens Services may determine, provided that the Director Childrens Services shall notify the Secretary of State without delay, giving reasons for the action taken.
- 30.2. The Director Childrens Services shall, in giving such notice to the Governing Body, specify the grounds for the suspension and provide a copy to the Headteacher. Thereafter, the Director Childrens Services shall review, before the commencement of each subsequent financial year, the suspension and shall provide an opportunity for the Governing Body and the Headteacher to make representations, which the Director Childrens Services will consider<sup>3</sup>.
- 30.3. The Director Childrens Services shall, after such annual reviews, give written notification to the Governing Body and Headteacher regarding the decision reached either to continue or to remove the suspension, giving their reasons to the Governing Body for the decision. In the event of a decision to readmit the school to the Scheme, revocation of the suspension shall take effect from the beginning of the next financial year.
- 30.4. A Governing Body in respect of which the Director Childrens Services has imposed a suspension of delegated powers, or where it has decided not to

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<sup>1</sup> In consultation with other OCC Director(s) where appropriate

<sup>2</sup> Notice will be given in writing.

<sup>3</sup> Where appropriate, may be preceded by a period where the local bank account facility is withdrawn (Section A32, paragraph 2.4.)

repeal a suspension under this scheme for delegated budgets, shall be entitled to appeal to the Secretary of State<sup>4</sup>.

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<sup>4</sup> Procedure is outlined in the [Scheme for Financing Schools](#).