

**NORTH LINCOLNSHIRE COUNCIL**

**PEOPLE CABINET MEMBER**

**RECONSTITUTION OF  
THE GRANGE PRIMARY SCHOOL BOARD OF GOVERNORS**

**1. OBJECT AND KEY POINT IN THIS REPORT**

- 1.1 To consider approving an amendment to the instrument of government of The Grange Primary School.

**2. BACKGROUND INFORMATION**

- 2.1 At the full board of governors meeting of The Grange Primary School held on 15 October 2014, the governors resolved to vary the Instrument of Government introduced on 1 September 2014 under the School Governance (Constitution) (England) Regulations 2012<sup>1</sup>.
- 2.2 The above regulations set out the options available to schools in terms of the overall number of governors, the categories of governor and the guiding principles for the constitution. The regulations also require all maintained schools to reconstitute their board of governors by 1 September 2015.
- 2.3 The constitution of each board of governors is laid down in a document known as the instrument of government. A board of governors may at any time request changes to their constitution, in accordance with the regulations, by varying their instrument of government.
- 2.4 Where changes are proposed, a maintained school's board of governors must prepare a draft instrument of government and submit it to the local authority for approval.
- 2.5 If the local authority is not content with the draft instrument of government it must advise the board of governors and give reasons. If it is not possible for the local authority and board of governors to agree on a revised draft the local authority will produce a final draft for the school as they think fit, having regard to the category of school to which the school belongs.

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<sup>1</sup> Where governors chose to reconstitute their board of governors after 1 September 2014, they must also have reference to School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014. The guidance supporting this legislation, describes 11 main points that boards of governors must consider prior to reconstitution.

- 2.6 A comparison of the previous instrument of government and the proposed instrument of government is summarised below:

**Table 1: Proposed changes in constitution**

<b>Previous Instrument of Government</b>	<b>Proposed Instrument of Government</b>
2 Parent governors	2 Parent governors
1 Local Authority governor	1 Local Authority governor
1 Staff governor	1 Staff governor
1 Head teacher	1 Head teacher
7 Co-opted governors to include a maximum of one staff member	7 Co-opted governors to include a maximum of two staff members
<b>Total = 12</b>	<b>Total = 12</b>

- 2.7 The 2012 regulations give the board of governors more flexibility with their constitution and state that boards should be no bigger than they need to be to carry out their statutory duties. The regulations stipulate the categories and number of governors for maintained schools as follows:

- 2 parent governors (minimum)
- 1 Local Authority governor (maximum)
- 1 staff governor (maximum)
- 1 head teacher
- As many co-opted governors as necessary to fulfil the skills requirements. Up to a maximum of one third of governors can be staff members.

- 2.8 Appendix 1 of this report sets out the constitution of the board of governors in the form of an instrument of government, as requested by the governors of The Grange Primary School.

### **3. OPTIONS FOR CONSIDERATION**

- 3.1 **Option 1:** To approve the variation to the instrument of government for The Grange Primary School
- 3.2 **Option 2:** Not to approve the variation to the instrument of government for The Grange Primary School.

### **4. ANALYSIS OF OPTIONS**

#### **4.1 Option 1:**

- 4.1.1 The proposed instrument of government, shown in appendix 1, meets the requirements of relevant legislation. The proposed instrument allows for the board of governors to appoint 2 staff members to co-opted positions ensuring the effective governance of the school.
- 4.1.2 Approving the instrument of government will allow for the revised structure of the board of governors to be put in place from 1 March 2015.
- 4.1.3 The board of governors will remain at 12 governors and no governor will be displaced.

#### **4.2 Option 2**

- 4.2.1 If the variation of the instrument of government was not approved then the school would revert to the previous instrument introduced on 1 September 2014.

### **5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

- 5.1 None

### **6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT**

- 6.1 An integrated impact assessment has not been undertaken in respect of this decision.
- 6.2 The School Governance (Constitution) (England) Regulations 2012 sets out the framework for the constitution of boards of governors and the process of making instruments of government. The instrument of government proposed in appendix 1 of this report complies with those regulations.

### **7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

- 7.1 None

## 8. RECOMMENDATIONS

8.1 It is recommended that option 1 be implemented.

### DIRECTOR OF PEOPLE

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#### **Background Papers used in the preparation of this report:**

DfE Guidance, May 2014: The constitution of boards of governors of maintained schools, Statutory guidance for boards of governors of maintained schools and local authorities in England

DfE Guidance, October 2012, The School Governance Constitution Regulations 2012: Statutory guidance for boards of governors, local authorities, school leaders in England and governor organisations and other organisations with an interest

The School Governance (Constitution) (England) Regulations 2012

## INSTRUMENT OF GOVERNMENT COMMUNITY SCHOOLS

- 1 The name of the school is The Grange Primary School.
- 2 The school is a community school.
- 3 The name of the governing body is the governing body of The Grange Primary School.
- 4 The governing body shall consist of:
  - 2 x parent governors
  - 1 x local authority governor
  - 1 x staff governor
  - 1 x head teacher
  - 7 x co-opted governors (to include a maximum of two staff members)
- 5 Total number of governors 12
- 6 This Instrument of Government comes into effect 1 March 2015
- 7 This Instrument was made by order of North Lincolnshire Local Authority in January 2015.
- 8 A copy of the Instrument must be supplied to every member of the governing body (and the head teacher if not a governor).