

**NORTH LINCOLNSHIRE COUNCIL**

**CHILDREN'S SERVICES  
CABINET MEMBER**

**SCHOOL GOVERNORS – INSTRUMENT OF GOVERNMENT  
THE BERKELEY FEDERATION**

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

- 1.1 To consider approving an amended instrument of government with effect from 1 September 2015 for The Berkeley Federation.

**2. BACKGROUND INFORMATION**

- 2.1 A new instrument of government came into effect for The Berkeley Federation on 1 January 2015.
- 2.2 In order that no governors were displaced by the federation process the board of governors of Berkeley Infant School and Berkeley Junior School requested the total membership of the federated board, as outlined in the new instrument of government, be 26 governors; 20 of whom would be co-opted governors.
- 2.2 At the federated board's summer term meeting held on 22 June 2015 it was reported that there were five co-opted vacancies due to:
- 2 x co-opted governors failing to meet the deadline for accepting their appointments
  - 1 x co-opted governor (former infant staff governor) having been appointed as acting head teacher of Berkeley Infant School
  - 1 x co-opted governor position identified for a governor who was actually elected as a parent governor
  - 1 x co-opted governor position identified for a governor representing staff of Berkeley Junior School who was actually elected as a staff governor.

Governors agreed for these positions to be removed from the instrument of government.

- 2.3 The regulations give the governing bodies more flexibility with their constitution and state that governing bodies should be no bigger than they need to be to carry out their statutory duties.

- 2.4 Appendix 1 of this report sets out the constitution of the board in the form of a revised instrument of government, as requested by the board of governors.

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

- 3.1 **Option 1:** To approve the revised instrument of government (see Appendix 1). This would ensure that the instrument complied with the recommendation of the board of governors.
- 3.2 **Option 2:** Not approve the revised instrument of government. This decision would go against the recommendation of the board of governors.

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

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

- 4.1.1 The revised instrument of government, shown in Appendix 1, meets the requirements of relevant legislation.
- 4.1.2 The governing body will be reduced to 21 which is considered to be a more effective size for governance of the school.
- 4.1.3 Approving the revised instrument of government will remove the five co-opted governor vacancies from the constitution.

#### **4.2 Option 2**

- 4.2.1 If the revised instrument of government was not approved The Berkeley Federation will continue to operate with five co-opted governor vacancies.

### **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.

### **7. RECOMMENDATIONS**

- 7.1 It is recommended that option 1 be implemented.

DIRECTOR OF PEOPLE

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Date: 27 July 2015

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

- 1 The School Governance (Federations) (England) Regulations 2012.

## INSTRUMENT OF GOVERNMENT

### THE BERKELEY FEDERATION

- 1 The name of the federation is "The Berkeley Federation".
- 2 The names and categories of the schools in the federation are:
  - Berkeley Infant School (Community School)
  - Berkeley Junior School (Community School)
- 3 The name of the governing body is "The governing body of The Berkeley Federation".
- 4 The governing body shall consist of:
  - (a) 2 x parent governors (1 from each school);
  - (b) 1 x local authority governor;
  - (c) 2 x head teachers;
  - (d) 1 x staff governor;
  - (e) 15 x co-opted governors (3 of whom will be members of staff in order to ensure, wherever possible, an equal balance of teacher and support staff representation from both schools).
- 5 Total number of governors 21.
- 6 This Instrument of Government comes into effect on 1 September 2015.
- 7 This Instrument was made by order of North Lincolnshire Council in August 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).