Report of the Director of Learning, Skills and Culture

Decision to be taken:
With immediate effect
(31 January 2017)

NORTH LINCOLNSHIRE COUNCIL

CHILDREN, FAMILIES AND LEARNING
CABINET MEMBER

SCHOOL GOVERNORS - INSTRUMENT OF GOVERNMENT THE TRENTSIDE FEDERATION

1. OBJECT AND KEY POINTS IN THIS REPORT

1.1 To consider approving the instrument of government for The Trentside Federation to be effective from 1 February 2017.

1.2 An urgent decision is requested in order to meet the school governing boards agreed timetable for the commencement of the hard federation of the three schools.

2. BACKGROUND INFORMATION

2.1 The governing boards of Haxey Church of England Primary School and The Trentside Federation (St Martin's & West Butterwick Church of England Primary Schools) agreed at a special meeting on 14 September 2016 to consider forming a hard federation of the three schools.

2.2 A formal proposal was subsequently produced by the governing boards confirming the nature of the hard federation. This led to a statutory consultation being undertaken to seek stakeholders' views regarding the proposal.

2.3 On 15 December 2016 Haxey Church of England Primary School and The Trentside Federation (St Martin's & West Butterwick Church of England Primary Schools) governing boards considered the consultation responses and agreed to form a hard federation of the three schools from 1 February 2017.

2.4 In order for the federated governing board to be formed a new instrument of government is required confirming the constitution. A draft instrument of government has been developed by the governing board, in consultation with The Lincoln Diocese of Education and has been submitted to the local authority for approval in Appendix 1.

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 the board 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.

2.2 The regulations give the governing boards more flexibility with their constitution and state that governing 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.

2.3 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 Haxey Church of England Primary School and The Trentside Federation (St Martin's & West Butterwick Church of England Primary Schools).

3. OPTIONS FOR CONSIDERATION

3.1 **Option 1**: To approve the new instrument of government for The Trentside Federation. This would allow the federation to commence on 1 February 2017 and the instrument complies with statutory regulations and with the recommendations of the governing boards.

3.2 **Option 2**: Not to approve the new instrument of government for The Trentside Federation. This decision would go against the recommendations of the governing boards, and mean that the federation could not commence and the schools would continue as two separate boards.

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, sets out their requirements and has been developed by the governing boards in consultation with the Lincoln Diocese.

4.1.2 Approving the instrument of government will allow for the federation to comply with statutory regulations and for the federation to commence on 1 February 2017.

4.2 **Option 2**

4.2 1 If the new instrument of government was not approved alternative arrangements would need to be put in place which would delay the federation process.

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. The change of instrument is required by statutory legislation.

6.2 The School Governance (Federations) (England) Regulations 2012 sets out the framework for the schools proposing to federate 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

7.1 The governing boards published proposals for the federation and used a questionnaire to consult with the following stakeholder groups:

- the local authority
- all staff paid to work at the three schools
- every person known to them to be a parent of a registered pupil at all three schools (consultation drop in sessions were provided at all schools)

7.2 There were 60 questionnaires received showing 91% support for the hard federation.

8. RECOMMENDATIONS

8.1 It is recommended that option 1 be implemented.

DIRECTOR OF LEARNING, SKILLS AND CULTURE

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Date: 16 December 2016

Background Papers used in the preparation of this report:

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

Appendix 1

INSTRUMENT OF GOVERNMENT
VOLUNTARY AIDED AND VOLUNTARY CONTROLLED SCHOOLS
IN A FEDERATION

1. The name of the Federation is The Trentside Federation.

2 The names and categories of the schools in the federation are:
- St Martin's Church of England Primary School (voluntary aided)
- West Butterwick Church of England Primary School (voluntary controlled)
- Haxey Church of England Primary School (voluntary controlled)

3 The name of the governing board is "The governing board of The Trentside Federation".

4 The governing board shall consist of:

- The head teacher
- 1 staff governor
- 2 parent governors
- 3 foundation governors (subject to paragraph 6)
- 1 ex-officio foundation governor (subject to paragraph 6 & 7)
- 1 local authority governor
- 9 co-opted governors

Total number of governors 18.

6 The foundation governors shall comprise:

(a) one ex-officio foundation governor

(b) one foundation governor appointed by the Lincoln Diocesan Board of Education after consultation with Parochial Church Council, or if appropriate the VCC or DCC, of the parish in which West Butterwick school is situated, being a person who is fit and willing to support the Anglican ethos, values and aims of the school and be a person of faith

(c) one foundation governor appointed by the Lincoln Diocesan Board of Education after consultation with Parochial Church Council, or if appropriate the VCC or DCC, of the parish in which St Martin's school is situated, being a person who is fit and willing to support the Anglican ethos, values and aims of the school and be a person of faith

(d) one foundation governor appointed by the Lincoln Diocesan Board of Education after consultation with Parochial Church Council, or if appropriate the VCC or DCC, of the parish in which Haxey school is situated, being a person who is fit and willing to support the Anglican ethos, values and aims of the school and be a person of faith

(e) in the event that a Parochial Church Council is unable to fill their place then such vacant place can be filled by someone nominated by the other Parochial Church Councils.

7 The foundation governor ex-officio shall be the holder of one of the following offices by agreement between the office holders:

The Principal Officiating Minster (i.e. the incumbent or priest in charge of the parish in which Haxey school is situated or a team vicar with a special cure of souls for the area in which the school is situated)

The Principal Officiating Minster (i.e. the incumbent or priest in charge of the parish in which West Butterwick school is situated or a team vicar with a special cure of souls for the area in which the school is situated)

The Principal Officiating Minster (i.e. the incumbent or priest in charge of the parish in which St Martin's school is situated or a team vicar with a special cure of souls for the area in which the school is situated)

8 The Archdeacon of the Archdeaconry in which the schools are situated, after consultation with the Rural Dean with oversight for the parishes in which the schools are situated is entitled to request the removal of any ex-officio foundation governor and appoint a substitute governor.

9 Recognising its historic foundation, the school will preserve and develop its religious character in accordance with the principles of the Church of England and in partnership with the Church at parish and diocesan level. The school aims to serve its community by providing an education of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience it offers to all its pupils.

10 This instrument of government comes into effect on 1st February 2017.

11 This instrument was made by order of North Lincolnshire Local Authority in January 2017

12 A copy of this instrument must be supplied to every member of the governor board (and the head teacher if not a governor), any trustees and to the appropriate religious body.