

NORTH LINCOLNSHIRE COUNCIL

CHILDREN, FAMILIES, LEARNING AND LEISURE CABINET MEMBER

RECONSTITUTION OF THE BRIDGE FEDERATION GOVERNING BODY

1. OBJECT AND KEY POINT IN THIS REPORT

- 1.1 To consider approving the instrument of government to allow the governing body of The Bridge Federation to be reconstituted to be effective from 1 September 2018.

2. BACKGROUND INFORMATION

- 2.1 At the full governing body meeting of The Bridge Federation held on 11 June 2018, the governors voted to reconstitute the governing body in line with the School Governance (Constitution) (England) Regulations 2012 and the School Governance (Constitution) (Amendment) Regulations 2014.
- 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 give the governing body more flexibility with their constitution and state that they 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 The constitution of each governing body is laid down in a document known as the instrument of government. A governing body 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 governing body 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 governing body and give reasons. If it is not possible for the local authority and the governing body 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.
- 2.6 Appendix 1 of this report sets out the constitution of the governing body in the form of an instrument of government, as requested by the governors of The Bridge Federation.

3. OPTIONS FOR CONSIDERATION

- 3.1 **Option 1:** To approve the new instrument of government for The Bridge Federation.
- 3.2 **Option 2:** Not to approve the new instrument of government for The Bridge Federation.

4. ANALYSIS OF OPTIONS

- 4.1 **Option 1:** The proposed instrument of government in Appendix 1, meets the requirements of relevant legislation.
 - 4.1.1 A comparison of the previous instrument of government and the proposed instrument of government is summarised below:

Table 1: Proposed changes in constitution

Previous Instrument of Government	Proposed Instrument of Government
2 Parent governors	2 Parent governors
1 Local authority governor	1 Local authority governor
1 Staff governor	1 Staff governor
1 Ex officio Head teacher	1 Ex officio Head teacher
14 Co-opted governors (to include two staff members)	11 Co-opted governors (to include two staff members)
Total = 19	Total = 16

4.1.2 The governing body operates effectively as a team, and have the skills required to enable governors to fulfil their three core strategic functions:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding the head teacher to account for the educational performance of the school and its pupils, and the performance management of staff;
- Overseeing the financial performance of the school and making sure its money is well spent.

4.1.3 Approving the instrument of government will allow for the revised structure of the governing body to be effective from 1 September 2018.

4.2 **Option 2**

4.2.1 If the instrument of government was not approved, the governing body would retain two co-opted positions ring-fenced for staff which reduces the flexibility to appoint to the governing body based on skills.

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 (Constitution) (England) Regulations 2012 and (Amendment) Regulations 2014 set 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.

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Background Papers used in the preparation of this report:

- 1 DfE Guidance, May 2014: The constitution of governing bodies of maintained schools. Statutory guidance for governing bodies of maintained schools and local authorities in England
- 2 DfE Guidance, October 2012, School Governance (Constitution) (England) (Amendment) Regulations 2014: Statutory guidance for governing bodies, local authorities, school leaders in England and governor organisations and other organisations with an interest
- 3 The School Governance (Constitution) (England) Regulations 2012 and The School Governance (Constitution & Federations) (England) (Amendment) Regulations 2014

INSTRUMENT OF GOVERNMENT
FOR THE SOUTH FERRIBY AND WINTERINGHAM PRIMARY
SCHOOLS' FEDERATION

- 1 The name of the federation is "The Bridge Federation"
- 2 The names and categories of the schools in the federation are:
 - South Ferriby Primary School (Community School)
 - Winteringham Primary School (Community School)
- 3 The name of the governing body is "The Bridge Federation Governing Body"
- 4 The governing body shall consist of the following:
 - 2 Parent governors (1 from each school)
 - 1 Staff governor
 - 1 Head Teacher
 - 1 Local Authority governor
 - 11 Co-opted governors (max.no. of staff is 4)
- 5 Total number of governors 16.
- 6 This Instrument of Government comes into effect on 1 September 2018.
- 7 This Instrument was made by order of North Lincolnshire Council Local Authority in July 2018.
- 8 A copy of the instrument must be supplied to every member of the governing body (and the head teacher if not a governor).