

NORTH LINCOLNSHIRE COUNCIL

PEOPLE SERVICE CABINET MEMBER

**RECONSTITUTION OF
SOUTH FERRIBY PRIMARY SCHOOL BOARD OF GOVERNORS**

1. OBJECT AND KEY POINT IN THIS REPORT

- 1.1 To consider approving the instrument of government to allow the board of governors of South Ferriby Primary School to be reconstituted.

2. BACKGROUND INFORMATION

- 2.1 At the full board of governors' meeting of South Ferriby Primary School, held on 29 September 2014, the governors voted to reconstitute the board to bring it in line with the School Governance (Constitution) (England) Regulations 2012.
- 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 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.
- 2.6 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
4 Parent governors	2 Parent governors
2 Local Education Authority governors	1 Local Authority governor
3 Staff governors (inc head teacher)	1 Staff governor
2 Community governors	1 Head teacher
	6 Co-opted governors
Total = 11	Total = 11

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.

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 board of South Ferriby Primary School.

3. **OPTIONS FOR CONSIDERATION**

3.1 **Option 1:** To approve the new instrument of government for South Ferriby Primary School

3.2 **Option 2:** Not to approve the new instrument of government for South Ferriby 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.

4.1.2 Approving the instrument of government will allow for the revised structure of the board of governors for the primary school to be put in place on 1 November 2014.

4.1.3 The board of governors will remain the same size to enable the governing body to function effectively and have a diverse range of skills.

4.1.4 With effect from the 1 November, existing governors will transfer to the appropriate category as per the new instrument of government. One LEA governor stood down so a vote was not needed. Hence, the remaining LEA (local education authority) governor will be moved across to the local authority position.

4.1.5 Governors will continue to serve on the governing body until their term of office ceases. Thereafter, the relevant appointments process will be followed in order to fill vacant positions.

4.2 Option 2

4.2.1 If the instrument of government was not approved for the primary school, then an alternative structure would have to be put in place prior to 1 September 2015.

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 The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014 set out the framework for the constitution of board 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:

- 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, The School Governance Constitution Regulations 2012: 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 and Federations) (England) (Amendment) Regulations 2014

INSTRUMENT OF GOVERNMENT COMMUNITY SCHOOLS

- 1 The name of the school is South Ferriby Primary School.
- 2 The school is a community school.
- 3 The name of the governing body is “the governing body of South Ferriby Primary School”.
- 4 The governing body shall consist of:
 - (a) 2 x parent governors;
 - (b) 1 x LA governor;
 - (c) 1 x ex officio head teacher
 - (c) 1 x staff governor;
 - (d) 6 x co-opted governors (may include 1 staff member);
- 5 Total number of governors 11
- 6 This Instrument of Government comes into effect on 1 November 2014.
- 7 This Instrument was made by order of North Lincolnshire Local Education Authority in October 2014.
- 8 A copy of the Instrument must be supplied to every member of the governing body (and the head teacher if not a governor).