

NORTH LINCOLNSHIRE COUNCIL

PEOPLE CABINET MEMBER

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

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider approving the instrument of government for The Berkeley Federation to be effective from 1 January 2015.

2. BACKGROUND INFORMATION

- 2.1 Berkeley Junior School and Berkeley Infant School at their summer term meetings on 16 June 2014 and 23 June 2014 respectively agreed to consider forming a hard federation of the two schools.
- 2.2 A formal proposal was subsequently produced by the governing bodies' confirming the nature of the hard federation. This led to a statutory consultation being undertaken to seek stakeholders' views regarding the proposal.
- 2.2 On 18 November 2014 the governors, at a meeting of the joint board of governors, considered the analysis of responses to the federation consultation and agreed to form a hard federation to commence with effect from 1 January 2015.
- 2.3 In order for the governing body to be formed a new instrument of government is required confirming the constitution of the new board. A draft instrument of government has been developed by the boards of governors and has been submitted it to the local authority for approval in Appendix 1.
- 2.4 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.
- 2.5 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. The regulations

stipulate the categories and number of governors for community 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.

2.6 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 governing bodies.

3. OPTIONS FOR CONSIDERATION

3.1 **Option 1:** To approve the new instrument of government for The Berkley Federation. This would ensure that the instrument complied with the recommendations of the two boards of governors.

3.2 **Option 2:** Not to approve the new instrument of government for The Berkley Federation. This decision would go against the recommendations of the two boards of governors for the new federation.

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 and has been developed by both boards of governors, setting out their requirements.

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 January 2015.

4.1.3 No governors will be displaced by the process as the proposed instrument of government is the same size as the existing governing bodies combined.

4.2 Option 2

4.2.1 If the new instrument of government was not approved The Berkeley Federation could not start on 1 January 2015 and the boards of governors of Berkeley Infant School and Berkeley Junior School would continue as two separate bodies.

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 boards of governors 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 two schools
- every person known to them to be a parent of a registered pupil at either school (consultation drop in sessions were provided at both schools)

7.2 There were fifteen questionnaires received showing 100% support for the hard federation.

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

- 2 The joint governing bodies federation proposal 2014
- 3 The joint governing bodies consultation document 2014

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) 20 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 26.
- 6 This Instrument of Government comes into effect on 1 January 2015.
- 7 This Instrument was made by order of North Lincolnshire Local Authority in November 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).