

NORTH LINCOLNSHIRE COUNCIL

PEOPLE SERVICE CABINET MEMBER

**RECONSTITUTION OF
LUDDINGTON AND GARTHORPE PRIMARY SCHOOL
SCHOOLGOVERNING BODY**

1. OBJECT AND KEY POINT IN THIS REPORT

- 1.1 To consider approving the instrument of government to allow the governing body of Luddington and Garthorpe Primary School to be reconstituted.

2. BACKGROUND INFORMATION

- 2.1 At the full governing body meeting of Luddington and Garthorpe Primary School, held on 26 June 2014, the governors voted to reconstitute the governing body. The governing body was previously reconstituted on 1 January 2013 and therefore it already meets the requirements of the School Governance (Constitution) (England) Regulations 2012¹.
- 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 governing body by 1 September 2015
- 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.

¹ Where governors chose to reconstitute their governing body after 1 September 2014, they must also have reference to School Governance (Constitution and Federations) (England) (Amendment) Regulations 2014. The guidance supporting this legislation, describes 11 main points that governing bodies must consider prior to reconstitution.

- 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 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 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 education authority governor	1 Local authority governor
1 Staff governor	1 Staff governor
1 Head teacher	1 Head teacher
7 Co-opted governors	4 Co-opted governors
Total = 12	Total = 9

- 2.7 The 2012 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.
- 2.8 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 Luddington and Garthorpe Primary School.

3. **OPTIONS FOR CONSIDERATION**

- 3.1 **Option 1:** To approve the new instrument of government for Luddington and Garthorpe Primary School.
- 3.2 **Option 2:** Not to approve the new instrument of government for Luddington and Garthorpe 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 governing body for the primary school to be put in place on 1 September 2014.

4.1.3 The governing body will be reduced from 12 governors to 9 governors. No governor will be displaced, as there are currently only 7 serving governors.

4.1.4 The LEA (local education authority) governor will be moved across to the local authority position

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 sets out the framework for the constitution of governing bodies 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

INSTRUMENT OF GOVERNMENT COMMUNITY SCHOOLS

- 1 The name of the school is Luddington and Garthorpe Primary School.
- 2 The school is a community school.
- 3 The name of the governing body is “the governing body of Luddington and Garthorpe Primary School”.
- 4 The governing body shall consist of:
 - (a) 1 x head teacher
 - (b) 1 x staff governor
 - (c) 2 x parent governors
 - (d) 1 x local authority governor
 - (e) 4 x co-opted governors (to include one staff member)
- 5 Total number of governors 9.
- 6 This Instrument of Government comes into effect 1 September 2014.
- 7 This Instrument was made by order of North Lincolnshire Local Authority on August 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).