

NORTH LINCOLNSHIRE COUNCIL

PEOPLE CABINET MEMBER

**SCHOOL GOVERNORS – INSTRUMENT OF GOVERNMENT FOR THE SAINT
PETER AND SAINT PAUL CHURCH OF ENGLAND PRIMARY SCHOOL**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider approving the Instrument of Government to be effective from 1 September 2012, for Saint Peter and Saint Paul Church of England Primary School.

2. BACKGROUND INFORMATION

- 2.2 In January 2010 the Lincoln Diocesan Board of Education won a school competition to run a new primary school. The new school will be located on the Lakeside residential development area in Scunthorpe and is scheduled to open in September 2012.
- 2.3 The school has been named Saint Peter and Saint Paul Church of England Primary School and will open as a 'foundation school with a foundation'.
- 2.4 A temporary governing body has been in place since September 2010. The temporary governing body has responsibility for all key decision in relation to setting up of the school (eg finance, policy, admissions and staffing). The LA has overall responsibility for the design and build of the school.
- 2.5 The proposed Instrument of Government, put forward by the temporary governing body, is provided in Appendix A.

3. OPTIONS FOR CONSIDERATION

- 3.1 **Option 1:** To approve the new Instrument of Government for St Peter and St Paul C of E Primary School.
- 3.2 **Option 2:** Not to approve the Instrument of Government for St Peter and St Paul C of E Primary School.

4. ANALYSIS OF OPTIONS

4.1 Option 1:

4.1.1 The proposed Instrument of Government has been recommended by the temporary governing body.

4.1.2 Approving the Instrument of Government will allow the new governing body structure to be put in place on 1 September 2012. Thereafter work can be undertaken to fully establish /appoint the governing body by 1 November 2012

4.1.3 All schools must have a permanent governing body. Therefore a new Instrument of Government is required in order for the governing body to fulfil its the legal duties and functions of a foundation school governing body.

4.2 Option 2

4.2.1 If the Instrument of Government was not approved for the new school the governing body could not be formed and therefore could not carry out the legal duties and required functions of a foundation school governing body.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

None

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Statutory

6.1.1 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.

6.1.2 The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007.

6.1.3 The School Governance (Constitution) (England) Regulations 2012 - which makes the reconstitution of a governing body mandatory whenever an instrument is revised

7. OUTCOMES OF CONSULTATION

7.1 The Instrument of Government has been formally proposed by the temporary governing body.

8. RECOMMENDATIONS

- 8.1 It is recommended that the Instrument of Government is approved and implemented from 1 September 2012.

DIRECTOR OF PEOPLE

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Background Papers used in the preparation of this report:

Children's Services Cabinet Member, 30th April 2009: Lakeside – Proposed New School

APPENDIX A

INSTRUMENT OF GOVERNMENT

SAINT PETER AND SAINT PAUL CHURCH OF ENGLAND PRIMARY SCHOOL

1. The name of the school is Saint Peter and Saint Paul Church of England Primary School.
2. The school is a foundation primary school.
3. The name of the governing body is "The governing body of Saint Peter and Saint Paul Church of England Primary School"
4. The governing body shall consist of:
 - a) 2 parent governors
 - b) 2 co-opted governors
 - c) 1 Authority governor
 - d) 1 staff governor
 - e) The Headteacher as ex officio staff governor;
 - f) 1 ex officio foundation governor;
 - g) 8 foundation governors of whom 3 shall, at the time of their appointment, be eligible for election or appointment as parent governors.
5. Total number of governors 16
6. Lincoln Diocesan Board of Education is entitled to appoint one ex-officio foundation governor.
7.
 - a) The holder of the following office shall be a foundation ex officio:
The Priest-in-Charge of Bottesford with Ashby
 - b) the Archdeacon of Stow and Lindsey, after consultation with the Rural Dean of Manlake, shall be entitled to appoint a foundation governor to act in the place of the ex-officio foundation governor whose governorship derives from the office named in a) above, in

the event that the ex officio foundation governor is unable or unwilling to act as a foundation governor, or has been removed from the office under Regulation 23(2) of the Constitution Regulations

8. a) The Archdeacon of Stow and Lindsey is entitled to request the removal of the ex-officio governor and to appoint, after consultation with the Rural Dean of Manlake, a Foundation governor to act in the place of the ex-officio governor.
- b) Lincoln Diocesan Board of Education is entitled to appoint three foundation governors being members of the Church of England.
- c) Bottesford with Ashby Church Council is entitled to appoint five foundation governors being members of the Church of England, three of whom shall at the time of appointment be a parent of a registered pupil at the school.

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. The Instrument of Government comes into effect for the purposes of its constitution on 1st September 2012 (“the effective date”)
11. The Instrument of Government becomes fully operational from 1 November 2012 (“the incorporation date”)
12. The instrument was made by order of the North Lincolnshire Local Authority on the date given at the foot of this instrument.
13. A copy of this Instrument must be supplied to every member of the governing body (and the Headteacher if not a governor) and the Trustees of the Lincoln Diocesan Trust and Board of Finance Limited.

Made by order of North Lincolnshire Council Local Authority.

Date of Issue of Instrument