

**NORTH LINCOLNSHIRE COUNCIL**

**CHILDREN, FAMILIES, LEARNING AND LEISURE  
CABINET MEMBER**

**SCHOOL GOVERNORS - INSTRUMENT OF GOVERNMENT  
THE HUMBER ESTUARY FEDERATION**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To consider approving the instrument of government for The Humber Estuary Federation to be effective from 1 January 2019.

**2. BACKGROUND INFORMATION**

- 2.1 The governing boards of New Holland Church of England/Methodist Primary School and The Goxhill & East Halton Schools Federation agreed at a special meeting on 16 July 2018 to consider forming a hard federation of the three schools.
- 2.2 A formal proposal was subsequently produced by the governing boards confirming the nature of the hard federation. This led to a statutory consultation being undertaken to seek stakeholders' views regarding the proposal.
- 2.3 On 27 November 2018 New Holland Church of England/Methodist Primary School and The Goxhill & East Halton Schools Federation governing boards considered the consultation responses and agreed to form a hard federation of the three schools from 1 January 2019.
- 2.4 In order for the federated governing board to be formed a new instrument of government is required confirming the constitution. A draft instrument of government has been developed by the governing board, in consultation with The Lincoln Diocese of Education and has been submitted to the local authority for approval in Appendix 1.
- 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.
- 2.2 The regulations give the governing boards more flexibility with their constitution and state that governing boards 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 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 governors New Holland Church of England/Methodist Primary School and The Goxhill & East Halton Schools Federation.

### 3. OPTIONS FOR CONSIDERATION

3.1 **Option 1:** To approve the new instrument of government for The Humber Estuary Federation. This would allow the federation to commence on 1 January 2019 and the instrument complies with statutory regulations and with the recommendations of the governing boards.

3.2 **Option 2:** Not to approve the new instrument of government for The Humber Estuary Federation. This decision would go against the recommendations of the governing boards, and mean that the federation could not commence and the schools would continue as two separate boards.

### 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, sets out their requirements and has been developed by the governing boards in consultation with the Lincoln Diocese.

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 2019.

#### 4.2 Option 2

4.2.1 If the new instrument of government was not approved alternative arrangements would need to be put in place which would delay the federation process.

## **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 governing boards 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 three schools
- every person known to them to be a parent of a registered pupil at all three schools (consultation drop in sessions were provided at all schools)

7.2 There were 60 response received showing 52% support for the hard federation.

## **8. RECOMMENDATIONS**

8.1 It is recommended that option 1 be implemented.

**DIRECTOR OF LEARNING, SKILLS AND CULTURE**

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### **Background Papers used in the preparation of this report:**

- 1 The School Governance (Federations) (England) Regulations 2012.
- 2 The joint federation proposal July 2018
- 3 The joint consultation document September 2018

## Appendix 1

### INSTRUMENT OF GOVERNMENT VOLUNTARY AIDED AND VOLUNTARY CONTROLLED SCHOOLS IN A FEDERATION

- 1 The name of the federation is "The Humber Estuary Federation"
2. The names and categories of the schools in the federation are:
  - Goxhill Primary School (Community School)
  - East Halton Primary School (Community School)
  - New Holland CE/Methodist Primary School (Voluntary Controlled)
3. The name of the governing body is "The governing body of The Humber Estuary Federation"
4. The governing body shall consist of the following:
  - 2 Parent governors
  - 1 Staff governor
  - 1 Head Teacher
  - 1 Local Authority governor
  - 15 Co-opted governors (max.no. from staff is 6; (Goxhill x2, East Halton x2, New Holland x2).  
In the event that either school is unable to satisfy the criterion then the place can be filled by someone meeting the criterion from the other schools
  - 4 Foundation Governors

Total number of governors 24
5. The foundation governors shall comprise:-
  - (a) one ex officio foundation governor appointed by the Lincoln Diocesan Board of Education (principal officiating minister)
  - (b) one ex officio foundation governor appointed by the Barton on Humber Methodist Circuit.
  - (c) Two foundation governors appointed by the Diocese of Lincoln Board of Education (after consultation with Barrow on Humber Parochial Church Council) and Barton on Humber Methodist Circuit.
6. The holder of the following office shall be a foundation governor ex officio:
  - (a) **Vicar of the Benefice of Barrow and Goxhill**
  - (b) **Superintendent Minister of the Barton on Humber and Brigg Methodist Circuit**

- (a) **The Archdeacon of Stow and Lindsey after consultation with the Rural Dean of Yarborough** shall 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 that ex officio foundation governor is unable or unwilling to act as a foundation governor, or there is a vacancy in the office by virtue of which his governorship exists, or he has been removed from office under regulation 23(2) of the regulations.
- (b) **The Superintendent of the Barton on Humber Methodist Circuit** shall appoint a foundation governor to act in the place of the ex officio foundation governor whose governorship derives from the office named in (b) above, in the event that that ex officio foundation governor is unable or unwilling to act as a foundation governor, or there is a vacancy in the office by virtue of which his governorship exists, or he has been removed from office under regulation 23(2) of the regulations.

7 **The Archdeacon of Stow and Lindsey** after consultation with the Rural Dean of Yarborough may request the removal of the ex-officio foundation governor named in 7(a) and appoint any substitute governor.

**The Barton on Humber Methodist Circuit** may request the removal of the ex-officio foundation governor named in 7(b) and appoint any substitute governor.

8 Recognising its historic foundation, New Holland CE/Methodist Primary School will preserve and develop its religious character in accordance with the principles of the Church of England and the Methodist Church and in partnership with the Churches at parish, diocesan and circuit 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.

9 This Instrument of Government comes into effect on 1 January 2019

10 This Instrument was made by order of North Lincolnshire Council Local Authority on 3 December 2018

11 A copy of the instrument must be supplied to every member of the governing body (and the head teacher if not a governor).