

**NORTH LINCOLNSHIRE COUNCIL**

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

**SCHOOL GOVERNORS - INSTRUMENT OF GOVERNMENT  
THE WINTERTON FEDERATION**

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

1.1 To consider approving the instrument of government for The Winterton Federation to be effective from 1 January 2018.

**2. BACKGROUND INFORMATION**

- 2.1 The governing boards of Winterton Church of England Infant School and Winterton Junior School agreed at a special meeting on 6 September 2018 to consider forming a hard federation of the two 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 3 December 2018 Winterton Church of England Infant School and Winterton Junior School governing boards considered the consultation responses and agreed to form a hard federation of the two schools from 1 January 2018.
- 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 and voluntary controlled 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 Winterton Church of England Infant School and Winterton Junior School.

### 3. OPTIONS FOR CONSIDERATION

3.1 **Option 1:** To approve the new instrument of government for The Winterton 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 Winterton 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 two schools
  - every person known to them to be a parent of a registered pupil at both schools (consultation drop in sessions were provided at both schools)
- 7.2 There were 111 responses received showing 74% 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 September 2018
- 3 The joint consultation document October 2018

**INSTRUMENT OF GOVERNMENT  
VOLUNTARY CONTROLLED SCHOOL / COMMUNITY SCHOOL**

- 1 The name of the schools are Winterton Church of England Infant School and Winterton Junior School.
- 2 The infant school is a voluntary controlled school and the junior school is a community school.
- 3 The name of the governing body is “The Winterton Federation”.
- 4 The governing body shall consist of:
  - (a) 2 x parent governors
  - (b) 1 x head teacher
  - (c) 1 x LA governor
  - (d) 1 x staff governor
  - (e) 12 x co-opted governors (can include 5 staff governors)
  - (f) 4 x foundation governors
- 5 Total number of governors is 21.
- 6 The foundation governors shall comprise:-
  - (a) one ex officio foundation governor
  - (b) three foundation governors appointed by the Lincoln Diocesan Board of Education after consultation with Parochial Church Council of the parish in which the school is situated, being people who are fit and willing to support the Anglican ethos, values and aims of the school and be a person of faith
- 7 (a) The holder of the following office shall be a foundation governor ex-officio:

Principal Officiating Minister (i.e. the incumbent or priest in charge of the parish in which the infant school is situated or a team vicar with a special cure of souls for the area in which the infant school is situated)
- (b) The Archdeacon of the Archdeaconry in which the infant school is situated after consultation with the Rural Dean of the Deanery in which

the infant school is situated 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 that ex-officio foundation governor is unable or unwilling to act as a foundation governor or has been removed from office under regulation 23(2) of the Regulations.

- 8 The Archdeacon of the Archdeaconry in which the infant school is situated, after consultation with the Rural Dean with oversight for the parish in which the infant school is situated is entitled to request the removal of any ex-officio foundation governor and appoint a substitute governor.
- 9 Recognising its historic foundation, the infant 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 infant 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 This Instrument of Government comes into effect 1 January 2019.
- 11 This Instrument was made by order of North Lincolnshire Council in December 2018.
- 12 A copy of the Instrument must be supplied to every member of the governing body (and the head teacher if not a governor).