

NORTH LINCOLNSHIRE COUNCIL

**CHILDREN, FAMILIES AND CULTURE
CABINET MEMBER**

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

1. OBJECT AND KEY POINTS IN THIS REPORT

1.1 To consider approving the instrument of government to allow the governing bodies of Eastoft Church of England Primary School (Voluntary Aided) and Luddington and Garthorpe Primary School (Community) to form a federated governing body, to be effective from 1 July 2020.

2. BACKGROUND INFORMATION

- 2.1 The governing boards of Eastoft Church of England Primary School (Voluntary Aided) and Luddington and Garthorpe Primary School (Community) agreed at a special meeting on 24 February 2020 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 18 May 2020 Eastoft Church of England Primary School and Luddington and Garthorpe Primary School governing boards considered the consultation responses and agreed to form a hard federation of the two schools from 1 July 2020 in line with The School Governance (Federations) (England) Regulations 2012.
- 2.4 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 give the governing body more flexibility with their constitution and state that they 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 Voluntary Aided schools as follows:

- 2 parent governors (minimum)
- 1 Local Authority governor (maximum)
- 2 staff governor (maximum)
- 1 head teacher
- 9 foundation governors including 1 ex officio

2.5 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 Sheffield Diocese of Education and has been submitted to the local authority for approval in Appendix 1.

2.6 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 the 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.

2.7 Appendix 1 of this report sets out the constitution of the federated governing body in the form of an instrument of government, as requested by the governors of Riverside Federated Governing Body.

3. **OPTIONS FOR CONSIDERATION**

3.1 **Option 1:** To approve the new instrument of government for The Riverside Federation. This would allow the federation to commence on 1 July 2020 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 Riverside 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:** The proposed instrument of government in Appendix 1, meets the requirements of relevant legislation.

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 Sheffield Diocese.

4.1.1

Table 1: Proposed changes in constitution

Proposed Instrument of Government	
2	Parent governors
1	Local authority governor
2	Staff governor
1	Head teacher
9	Foundation
Total = 15	

4.1.2 Approving the instrument of government will allow for the revised structure of the governing body to be effective from 1 July 2020.

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. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 None

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 None

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 None

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 None

9. RECOMMENDATIONS

9.1 It is recommended that option 1 be implemented.

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Background Papers used in the preparation of this report –

The School Governance (Federations) (England) Regulations 2012
The joint consultation document February 2019
The minutes of the joint meetings 11 February 2020 and 18 May 2020

INSTRUMENT OF GOVERNMENT

For the Eastoft Church of England Primary School and Luddington and Garthorpe Primary School Federation

- 1 The name of the Federation is The Riverside Federation
- 2 The names and categories of the schools in the federation are:

Eastoft Church of England Primary School (Voluntary Aided)
Luddington and Garthorpe Primary School (Community)

Recognising its historic foundation, the Eastoft Church of England Primary 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.

- 3 The Board of Governors is The Riverside Federated Governing Body
- 4 The Board of Governors shall consist of:
 - (a) 9 foundation governors, (including ex officio),
 - (b) 2 parent governors;
 - (c) 1 local authority governor;
 - (d) 1 head teacher
 - (e) 2 staff governors;
- 6 Total number of governors 15.
- 7 The foundation governors of the school shall comprise:-
 - (a) One ex officio governor being, subject to paragraph (8), the principal officiating minister means:-
 - (i) if the school is for the time being situated in an ecclesiastical parish the rector or vicar of the parish, or in the case of a team ministry the team rector; or
 - (ii) if the ecclesiastical parish has no rector or vicar, the priest in charge thereof; or

- (iii) if the school is for the time being situated in a conventional district, the curate in charge.
 - (b) One appointed by the Diocesan Board of Education for Sheffield;
 - (c) Seven nominated by the Parochial Church Council for Eastoft and appointed by the Diocesan Board of Education, at least two of whom shall, at the time of their appointment, be eligible for appointment as parent governors.
- 8 If the principal officiating minister for the time being:
 - (a) elects not to be an ex officio governor, by notice in writing given to the clerk to the Board of Governors and to the Archdeacon of the Archdeaconry within which the School is situated; or
 - (b) is disqualified from acting as an ex officio governor; or if there is for the time being a vacancy of the benefice, then the said Archdeacon may, by notice in writing given to the clerk to the governing body and (except in the case of a vacancy) to the minister, specify a person to act as a substitute for the minister; and the person so specified shall be the ex officio governor (for the purposes of paragraph (7a)) for such period as the Archdeacon may from time to time specify.
- 9 The said Archdeacon may under regulation 23(2) of the Regulations, remove the Ex-officio foundation governor and appoint any substitute governor.
- 10 This instrument of government comes into effect on 1 July 2020
- 11 This instrument was made by order of North Lincolnshire Council in June 2020.
- 12 A copy of the instrument must be supplied to every member of the Board of Governors (and the head teacher if not a governor), any trustees and to the appropriate religious body.