

NORTH LINCOLNSHIRE COUNCIL

CHILDREN AND FAMILIES CABINET MEMBER

RECONSTITUTION OF THE TRENTSIDE FEDERATION

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To consider approving the instrument of government to allow the governing body of The Trentside Federation to be reconstituted to be effective from 1 December 2020.

2. BACKGROUND INFORMATION

- 2.1 At the full governing body meeting of The Trentside Federation held on 16 March 2020, the governors voted to reconstitute the governing body in line with the School Governance (Constitution) (England) Regulations 2012 and the School Governance (Constitution) (Amendment) Regulations 2014.
- 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 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 schools as follows:
- 2 parent governors
 - 1 Local Authority governor
 - 1 staff governor
 - 1 Headteacher
 - 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 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.
- 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 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.
- 2.6 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 The Trentside Federation.

3. OPTIONS FOR CONSIDERATION

- 3.1 **Option 1:** To approve the new instrument of government for The Trentside Federation.
- 3.2 **Option 2:** Not to approve the new instrument of government for The Trentside Federation.

4. ANALYSIS OF OPTIONS

- 4.1 **Option 1:** The proposed instrument of government in Appendix 1, meets the requirements of relevant legislation.
 - 4.1.1 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 Authority governor	1 Local Authority governor
1 Staff governor	1 Staff governor
1 Ex officio Headteacher	1 Ex officio Headteacher
1 Ex officio Foundation governor	1 Ex officio Foundation governor
3 Foundation governors	3 Foundation governors
9 Co-opted governors	5 Co-opted governors
Total = 18	Total = 14

4.1.2 The governing body operates effectively as a team, and have the skills required to enable governors to fulfil their three core strategic functions:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding the head teacher to account for the educational performance of the school and its pupils, and the performance management of staff;
- Overseeing the financial performance of the school and making sure its money is well spent.

4.1.3 The governing body discussed and agreed to reconstitute in order to decrease the size of the governing body following the occurrence of natural vacancies.

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

4.2 **Option 2**

4.2.1 If the instrument of government was not approved, the governing body would retain the current number of co-opted positions meaning the governing body would run with four vacancies.

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 –

- 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, School Governance (Constitution) (England) (Amendment) Regulations 2014: 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 and The School Governance (Constitution & Federations) (England) (Amendment) Regulations 2014

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

1. The name of the Federation is The Trentside Federation.
2. The names and categories of the schools in the federation are:
 - St Martin's Church of England Primary School (voluntary aided)
 - West Butterwick Church of England Primary School (voluntary controlled)
 - Haxey Church of England Primary School (voluntary controlled)
3. The name of the governing board is "The governing board of The Trentside Federation".
4. The governing board shall consist of:
 - 1 Headteacher
 - 1 staff governor
 - 2 parent governors
 - foundation governors (subject to paragraph 6)
 - 1 ex-officio foundation governor (subject to paragraph 6 & 7)
 - 1 local authority governor
 - co-opted governors
5. Total number of governors 14.
6. The foundation governors shall comprise:
 - (a) one ex-officio foundation governor
 - (b) one foundation governor appointed by the Lincoln Diocesan Board of Education after consultation with Parochial Church Council, or if appropriate the VCC or DCC, of the parish in which West Butterwick school is situated, being a person who is fit and willing to support the Anglican ethos, values and aims of the school and be a person of faith.
 - (c) one foundation governor appointed by the Lincoln Diocesan Board of Education after consultation with Parochial Church Council, or if appropriate the VCC or DCC, of the parish in which St Martin's school is situated, being a person who is fit and willing to support the Anglican ethos, values and aims of the school and be a person of faith.
 - (d) one foundation governor appointed by the Lincoln Diocesan Board of Education after consultation with Parochial Church Council, or if appropriate the VCC or DCC, of the parish in which Haxey school is situated, being a person who is fit and willing to support the Anglican ethos, values and aims of the school and be a person of faith.

(e) in the event that a Parochial Church Council is unable to fill their place then such vacant place can be filled by someone nominated by the other Parochial Church Councils.

7 The foundation governor ex-officio shall be the holder of one of the following offices by agreement between the office holders.

The Principal Officiating Minister (i.e. the incumbent or priest in charge of the parish in which Haxey school is situated or a team vicar with a special cure of souls for the area in which the school is situated).

The Principal Officiating Minister (i.e. the incumbent or priest in charge of the parish in which West Butterwick school is situated or a team vicar with a special cure of souls for the area in which the school is situated).

The Principal Officiating Minister (i.e. the incumbent or priest in charge of the parish in which St Martin's school is situated or a team vicar with a special cure of souls for the area in which the school is situated).

8 The Archdeacon of the Archdeaconry in which the schools are situated, after consultation with the Rural Dean with oversight for the parishes in which the schools are situated is entitled to request the removal of any ex-officio foundation governor and appoint a substitute governor.

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 This instrument of government comes into effect on 1 December 2020.

11 This instrument was made by order of North Lincolnshire Local Authority in November 2020..

12 A copy of this instrument must be supplied to every member of the governor board (and the head teacher if not a governor), any trustees and to the appropriate religious body.