

NORTH LINCOLNSHIRE COUNCIL

**CHILDREN AND FAMILIES
CABINET MEMBER**

RECONSTITUTION OF THE WESTCLIFFE AND PRIORY LANE 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 Westcliffe and Priory Lane Federation to be reconstituted to be effective from 1 February 2021.

2. BACKGROUND INFORMATION

- 2.1 At the full governing body meeting of The Westcliffe and Priory Lane Federation held on 19 November 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 (minimum)
 - 1 Local Authority governor (maximum)
 - 1 staff governor (maximum)
 - 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 Westcliffe and Priory Lane Federation.

3. OPTIONS FOR CONSIDERATION

3.1 **Option 1:** To approve the new instrument of government for The Westcliffe and Priory Lane Federation

3.2 **Option 2:** Not to approve the new instrument of government for The Westcliffe and Priory Lane 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
2	Interim Headteachers	2	Interim Headteachers
11	Co-opted governors	8	Co-opted governors (can include 1 staff member)
Total = 17		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 February 2021

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

For the Westcliffe Primary School and Priory Lane Community School Federation

- 1 The name of the federation is "The Westcliffe and Priory Lane Federation"
- 2 The names and categories of the schools in the federation are:
 - Westcliffe Primary School
 - Priory Lane Community School
- 3 The name of the governing board is "The Westcliffe and Priory Lane Federated Governing Body"
- 4 The governing board shall consist of the following:
 - 2 Parent governors
 - 1 Staff governor
 - 2 Interim Headteachers
 - 1 Local Authority governor
 - 8 Co-opted governors (max.no. of co-opted staff 1)
- 5 Total number of governors 14 (except any time when one or both of the interim Headteachers have given notice that they choose not to be a governor, when the total number of governors will be 13 or 12)
6. This instrument of government comes into effect on 1 February 2021
7. This instrument was made by order of North Lincolnshire Local Education Authority in January 2021
8. A copy of the instrument must be supplied to every member of the governing body (and the head teacher if not a governor), and to the appropriate religious body.