

## **NORTH LINCOLNSHIRE COUNCIL**

### **CHILDREN, FAMILIES AND CULTURE CABINET MEMBER**

## **RECONSTITUTION OF FREDERICK GOUGH SCHOOL**

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

- 1.1 To consider approving the instrument of government to allow the governing body of Frederick Gough School to be reconstituted to be effective from 12 November 2019.

### **2. BACKGROUND INFORMATION**

- 2.1 At the full governing body meeting of Frederick Gough School held on 26 February 2019, 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 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 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 Frederick Gough School.

**3. OPTIONS FOR CONSIDERATION**

- 3.1 **Option 1:** To approve the new instrument of government for Frederick Gough School.
- 3.2 **Option 2:** Not to approve the new instrument of government for Frederick Gough School.

**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**

<b>Previous Instrument of Government</b>	<b>Proposed Instrument of Government</b>
7 Parent governors	2 Parent governors
1 Local authority governor	1 Local authority governor
1 Staff governor	1 Staff governor

1	Ex officio Head teacher	1	Ex officio Head teacher
10	Co-opted governors (2 of which would staff members)	12	Co-opted governors (can include 3 staff members)
<b>Total = 20</b>		<b>Total = 17</b>	

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 and the number of parent governor position following the occurrence of natural vacancies and the inability to appoint parent governors.

4.1.4 Approving the instrument of government will allow for the revised structure of the governing body to be effective from 12 November 2019.

#### 4.2 **Option 2**

4.2.1 If the instrument of government was not approved, the governing body would retain the current number of parent positions meaning the governing body would run with 5 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.

DIRECTOR OF LEARNING, SKILLS AND CULTURE

Church Square House  
SCUNTHORPE  
North Lincolnshire  
DN15 6NL  
Author: Amy Altoft  
Date: 10 April 2019

**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  
COMMUNITY SCHOOLS**

- 1 The name of the school is Frederick Gough School
- 2 The school is a community school.
- 3 The name of the governing body is “the governing body of Frederick Gough School”.
- 4 The governing body shall consist of:
  - (a) 2 x parent governors;
  - (b) 1 x local authority governor;
  - (c) 1 x head teacher governor;
  - (d) 1 x staff governor;
  - (d) 12 x co-opted governors (of which 3 could be staff).
- 5 Total number of governors 17.
- 6 This Instrument of Government comes into effect in 12 November 2019
- 7 This Instrument was made by order of North Lincolnshire Local Authority in April 2019
- 8 A copy of the Instrument must be supplied to every member of the governing body (and the head teacher if not a governor).