

NORTH LINCOLNSHIRE COUNCIL

CHILDREN AND FAMILIES CABINET MEMBER

RECONSTITUTION OF THE BELTON WROOT 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 Belton Wroot Federation to be reconstituted to be effective from 1 December 2020.

2. BACKGROUND INFORMATION

- 2.1 At the full governing body meeting of The Belton Wroot Federation held on 20 October 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 Belton Wroot Federation.

3. OPTIONS FOR CONSIDERATION

3.1 **Option 1:** To approve the new instrument of government for The Belton Wroot Federation.

3.2 **Option 2:** Not to approve the new instrument of government for The Belton Wroot 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 Executive Headteacher	1	Ex officio Executive Headteacher
14	Co-opted governors (can include 6 staff members)	10	Co-opted governors (can include 4 staff members)
4	Foundation governors	4	Foundation governors
1	Temporary Ex officio	1	Temporary Ex officio
Total = 24		Total = 20	

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 4 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: Carmel McHale
Date: 22 October 2020

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 Belton All Saints Church of England Primary School and Wroot Travis Charity Church of England Primary School Federation

- 1 The name of the federation is "The Belton Wroot Federation"
- 2 The names and categories of the schools in the federation are:
 - Belton All Saints Church of England Primary School (Voluntary Controlled)
 - Wroot Travis Charity Church of England Primary School (Voluntary Controlled)
- 3 The name of the governing board is "The Belton Wroot Federated Governing Body"
- 4 The governing board shall consist of the following:
 - 2 Parent governors
 - 1 Staff governor
 - 1 Executive Head Teacher
 - 1 Local Authority governor
 - 10 Co-opted governors (max.no. of co-opted staff 4)
 - 1 Ex officio (currently designated a temporary position)
 - 4 Foundation
- 5 Total number of governors 20 (except any time when the head teacher has given notice that he/she chooses not to be a governor, when the total number of governors will be 19)
6. The foundation governors shall comprise: -
 - a. one ex officio foundation governor (temporary ex officio currently)
 - b. two foundation governors appointed by the Lincoln Diocesan Board of Education after consultation with Parochial Church Council of the parish in which Belton All Saints CofE Primary 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
 - c. two foundation governors appointed by the Lincoln Diocesan Board of Education after consultation with Parochial Church Council of the

parish in which Wroot Travis Charity Church of England Primary 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. 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 either school is situated or a team vicar with a special cure of souls for the area in which either school is situated)
8. The Archdeacon of the Archdeaconry in which the schools are situated after consultation with the Rural Dean of the Deanery in which the schools are 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 (7) 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.
9. 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.
10. Recognising their historic foundation, the schools will preserve and develop their religious character in accordance with the principles of the Church of England and in partnership with the Church at parish and diocesan level. The schools aim to serve their community by providing an education of the highest quality within the context of Christian belief and practice. This encourages an understanding of the meaning and significance of faith and promotes Christian values through the experience they offer to all pupils.
11. This instrument of government comes into effect on 1 December 2020
12. This instrument was made by order of North Lincolnshire Local Education Authority in November 2020
13. 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.