

Change to Schools Instruments of Government

1. Greenpark Primary School
2. Freshfield Primary School

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| Date of Issue: | 13 November 2024 |
| Date of Decision: | 21 November 2024 |
| Report to: | Cabinet Member - Children Schools and Families |
| Report of: | Interim Assistant Director - Education |
| Portfolio: | Children Schools and Families |
| Wards affected: | Park; Ravenmeols |
| Is this a key decision: | No |
| Included in Forward Plan: | No |
| Exempt/confidential report: | No |

Summary:

To seek approval to Changes to the Instruments of Government (IOG) of the following Schools:

1. Greenpark Primary School
2. Freshfield Primary School

Recommendation(s):

The Cabinet Member is requested to:

Agree to the changes to the Instrument of Governments (IOG) of the following Schools as detailed in this Report:

1. Green Park Primary School
2. Freshfield Primary School.

1. The Rationale and Evidence for the Recommendations

The Cabinet Member for Children Schools and Families has delegated authority to approve changes to a School's Instrument of Government (IOG). The establishment of a School's Governing Body and appointment of their Governors is regulated by the School Governance (Constitution) (England) Regulations 2012, which set out the arrangements for the Constitution of Governing Bodies for Maintained Schools in England. The Regulations provide for a Governing Body to be constituted under an Instrument of Government which sets out the Constitution and determines the composition and size of the Governing Body. Under the Regulations a Governing Body has to have a minimum size of seven members. School Governing Bodies can recommend amendments to their IOG to the Local Authority for approval.

All Instruments of Government must include: the name and category of School; the name of the Governing Body; the categories of Governor; the number of Governors in each category; the total number of Governors; the Term of Office of any category of Governor(if less than four years) and the date the Instrument of Government takes effect.

The Governing Body, or local authority, can review and vary the instrument of government at any time after it is made. In this event each party should let the other know what item in the Instrument of Government they wish to vary. Any change to an IOG has to be mutually agreed between, and approved by, both the Local Authority and Governing Body. Once an agreement has been reached, the Local Authority can vary the Instrument of Government. The varied Instrument of Government should record the date the variation takes effect.

Requests have been made for changes to the Governing Bodies of Green Park Primary and Freshfield Primary Schools:

1. Green Park Primary School

The Instrument of Government (IOG) for the Governing Body for Green Park Primary School, made originally by Sefton Local Authority in November 2014, determined that the Governing Body would consist of a total number of 10 Governors, made up of: 3 parent governors; 1 Local Authority Governor; 1 Staff Governor; 1 Headteacher; and 4 Co-opted Governors.

In September 2024, the Full Governing Body of Green Park Primary School considered and approved a proposed change to the School's Instrument of Government. The proposal reduces the number of Governors in the original IOG to 9 with a reduction in the number of Parent Governors from 3 to 2. The reduction in the number of Governors and Parent Governors in the proposal rationalises the number of Governors on the Board to a more workable size and reflects Membership changes in the Board over recent years.

Set out at Appendix 1 is the revised Draft Instrument of Government for Green Park Primary School reflecting this change.

2. Freshfield Primary School.

The Instrument of Government for the Governing Body for Freshfield Primary School originally made by Sefton Local Authority in November 2014 and amended in September 2020. The amended IOG set the size of the Governing Body at 10 Governors, made up of: 3 parent governors; 1 Local Authority Governor; 1 Staff Governor; 1 Headteacher and 4 Co-opted Governors.

Following a review of the Instrument of Government the Governing Board of Freshfield Primary School, at their Annual General Meeting in October, agreed that the Governing Board should be re-constituted, decreasing the number of Co-opted Governors from 4 to 3 and the size of the overall Governing Body to 9.

The change to the IOG, from 10 Governors to 9, reducing the number of the Co-opted's by 1 to 3, seems sensible and within the law, makes the Board more streamlined and reflects recent Membership changes.

Set out at Appendix 2 is the revised Draft Instrument of Government for Freshfield Park Primary School reflecting this change.

2. Financial Implications

There are no cost implications arising from this report.

3. Legal Implications

It is a statutory requirement for the Authority to approve changes to a School's Instrument of Government.

4. Corporate Risk Implications

There are no Corporate Risk Implications arising from this report.

5 Staffing HR Implications

There are Staffing/HR implications arising from this report.

Alternative Options Considered and Rejected

None

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| Equality Implications: |
| There are no equality implications. |
| Impact on Children and Young People: |
| The changes to the Instruments of Government of the Schools; Green Park Primary and Freshfield Primary, will not impact on the service provided to pupils at the Schools: |

Climate Emergency Implications:

This Cabinet Member Report does not include any Climate Change Implications, positive or negative and the recommendations within this report will therefore have a Neutral impact.

What consultations have taken place on the proposals and when?**(A) Internal Consultations**

The Executive Director of Corporate Services and Commercial (FD.7829/24) and the Chief Legal and Democratic Officer (LD 5929/24) have been consulted and any comments have been incorporated into the report.

(B) External Consultations - Not applicable.**Implementation Date for the Decision:**

Following the expiry of the “call-in” period for the Cabinet Member decision.

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Appendices:

The following appendices are attached to this report:

1. Green Park Primary School – Revised Instrument of Government
2. Freshfield Primary School – Revised Instrument of Government

Background Papers:

There are no background papers available for inspection.

**GREEN PARK PRIMARY SCHOOL
INSTRUMENT OF GOVERNMENT**

1. The name of the school is **Green Park Primary School**
2. The school is a **Community school**.
3. The name of the governing body is "**The governing body of Green Park Primary School.**"
4. The governing body shall consist of:
 - (a) **2** parent governors
 - (b) **1** Local Authority governor
 - (c) **1** staff governors
 - (d) **1** headteacher
 - (d) **4** co-opted governors
5. Total number of governors **9**
6. This instrument of government comes into effect on 1 December 2024.
7. This Instrument of Government was made by the order of Sefton Local Authority on xx November 2024
8. A copy of this instrument must be supplied to every member of the governing body (and headteacher if not a governor).

**FRESHFIELD PRIMARY SCHOOL
INSTRUMENT OF GOVERNMENT**

1. The name of the school is **Freshfield Primary School**
2. The school is a **Community school**.
3. The name of the governing body is "**The governing body of Freshfield Primary School.**"
4. The governing body shall consist of:
 - (a) **3** parent governors
 - (b) **1** Local Authority governor
 - (e) **1** staff governor
 - (f) **1** headteacher
 - (g) **3** co-opted governors
5. Total number of governors **9**
6. This instrument of government comes into effect on 1 December 2024.
7. This instrument of government was made by the order of Sefton Local Authority on xx November 2024.

8. Where the instrument of government has been varied, the date on which the variation takes effect: 1 December 2024.

A copy of the consolidated instrument must be supplied free of charge to every member and associate member of the governor body (and the headteacher if not a governor), as well as, where relevant, the trustees of any foundation, the appropriate diocesan authority and appropriate religious body.