

Chief Officer Confirmation of Report Submission		
Cabinet Member Confirmation of Briefing		
Report for: Mayor		<input type="checkbox"/>
Mayor and Cabinet		<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)		<input type="checkbox"/>
Executive Director		<input type="checkbox"/>
Information	<input type="checkbox"/>	<input type="checkbox"/>
Part 1	<input type="checkbox"/>	<input type="checkbox"/>
Part 2	<input type="checkbox"/>	<input type="checkbox"/>
Key Decision		<input type="checkbox"/>

Date of Meeting	11 th April 2012
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Title of Report	Variation to Instruments of Government – Trinity Church of England Secondary School and Chelwood Nursery School
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Originator of Report	Lineth Allen	Ext. 47993
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	√	
Legal Comments from the Head of Law	√	
Crime & Disorder Implications		√
Environmental Implications		√
Equality Implications/Impact Assessment (as appropriate)		√
Confirmed Adherence to Budget & Policy Framework		√
Risk Assessment Comments (as appropriate)		√
Reason for Urgency (as appropriate)		√

Signed:  Executive Member

Date: 28th March 2012

Signed:  Executive Director

Date: 28th March 2012

Control Record by Committee Support	
Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	VARIATION TO INSTRUMENTS OF GOVERNMENT – Trinity Church of England Secondary School and Chelwood Nursery School	
Key Decision	Yes	Item No.
Ward	All Wards	
Contributors	Executive Director for Children and Young People	
Class	Part 1	Date: 11 April 2012

1. Purpose

- 1.1 The report seeks variations to the Instruments of Government of the following schools:
Trinity Church of England Secondary School
Chelwood Nursery School

2. Policy Context

- 2.1 Raising educational attainment and improving facilities for young people through partnership working' is a community strategy priority. Governors are a major partner in raising attainment in schools. Every governing body has to have an instrument of government which details the number and category of governors.

3. Recommendations

- 3.1 To agree the following variation to the Instruments of Government:
- i) to change the name of the institution to Trinity Church of England School, Lewisham (The school is known as Trinity, Lewisham) i.e. to delete the word 'secondary' from the title (Appendix A)
 - ii) to change the Sponsor organisation in the Chelwood Instrument (Appendix B)

4. Background

- 4.1 The School Governance (Constitution) (England) Regulations 2007 sets out the composition of the governing body of the various categories of school. Under the regulations the governing body has a choice as to the number of governors The Regulations also detail the procedure for the making of the Instrument of Government.

4.2 The governing body or the local authority may review the Instrument of Government at any time after it is made. The governing body must prepare a draft of the Instrument of Government and submit it to the local authority. The local authority must consider whether the draft complies with all the statutory provisions.

4.3 **For voluntary aided schools** the number of governors must be no fewer than 10 and no more than 20, excluding sponsor governors. The governing body must comprise the following:

- Parent governors: at least one, but enough to make up at least one-third of the membership of the governing body when counted with foundation governors who are eligible for election or appointment as parent governors.
- Staff governors: at least two but no more than one-third, including the headteacher.
- LA governors: at least one but no more than one-tenth.
- Foundation governors: these must outnumber the other governors by two and at least a fifth must be eligible for election or appointment as parent governors.

The governing body may in addition appoint up to two sponsor governors. If the governing body appoints sponsor governors the person appointing the foundation governors may appoint an equal number of foundation governors to preserve their majority of two.

4.4 **For community schools** the number of governors must be no fewer than nine and no more than 20 excluding sponsor governors. The governing body must comprise the following:

Parent governors: at least one-third.

Staff governors: at least two but no more than one-third, including the head teacher.

LEA governors: one-fifth.

Community governors: at least one-fifth.

In addition the governing body may appoint one or two sponsor governors if the school is a primary school and up to four sponsor governors if it is a secondary school.

4.5 **Trinity School** The governing body is not at present seeking a change in the number of governors and their current instrument conforms to the above principles. The governing body is seeking a change to the name of the school.

4.6 The School Governance (Procedures) (England) (Amendment) Regulations 2007 stipulate that:

No decision to change the name of the school shall have effect unless
(a) it is specified as an item of business on the agenda for the meeting of the governing body (the required 7 days notice of the meeting has to have been given);
(b) all members of the governing body vote in favour of the change of name.

4.7 A meeting of the governing body of Trinity Church of England Secondary School was held on 4 January 2012. The statutory seven days notice of the meeting had been given. A proposal to change the name of the school was an agenda item, namely to delete 'secondary' from the name of the school. The governing body unanimously approved the change of name of the school to Trinity Church of England School, Lewisham - to be known as Trinity, Lewisham.

4.8 **Chelwood** - When the Governing Body was constituted on 1 September 2003, the governing body chose to have a sponsor governor. The sponsor entitled to nominate a person for appointment as a sponsor governor under Schedule 5 of the Regulations was Surestart. Due to the change in status of Surestart the organisation is unable to nominate a governor for appointment, so it is necessary to change the sponsor.

4.9 At a meeting of the governing body held on 7 February 2012 governors resolved:

- that the new sponsor should be Chelwood House for Families Trust as the Trust fulfils the criteria in the Regulations
- to increase the number of sponsor governors to 2
- to request that the Local Authority amend the Instrument of Government with effect from 1 May

5. Financial Implications

5.1 Any costs associated with changes to, for example, signage and stationery at Trinity School will be met from the budget of that school.

6. Legal Implications

6.1 Each school must have an Instrument of Government detailing the name of the school, the type of school and the membership of the governing body. The category of governor and the number in each category is specified in the Regulations. The governing body can review the Instrument of Government at any time. When the governing body requests a change in the Instrument the Local Authority must

ensure that the new Instrument conforms to the principles laid out in the Regulations and must make the new instrument.

7. Crime and Disorder Implications

7.1 There are no crime and disorder implications to this report.

8. Equalities Implications

8.1 The Instrument of Government of the school details the composition of the governing body. Legislation ensures that the Instrument of Government reflects the various stakeholder groups: parents, staff, the local authority, the community and in the case of church schools, the church.

9. Environmental Implications

9.1 There are no environmental implications in the making of an Instrument of Government.

10. Conclusion

10.1 **Trinity:** The school's decision to request a variation in its Instrument, i.e. to change the name to Trinity Church of England School has been constitutionally made.

10.2 **Chelwood Nursery School** - The school's decision to change the sponsor organisation is occasioned by the change of status of the original sponsor Surestart.

10.3 Both schools have followed the correct procedures for the changes being requested so the instruments can be made.

Background Documents and Originator

Originator: Lineth Allen, Acting Team Leader, Governors' Services (CYP)

Telephone: 020 8314 7993.

Background Documents:

The School Governance (Constitution) (England) Regulations 2007

The School Governance (Procedures) (England) (Amendment) Regulations 2007



**INSTRUMENT OF GOVERNMENT
CHURCH OF ENGLAND VOLUNTARY AIDED SECONDARY SCHOOLS**

- 1 The name of the School is **Trinity Church of England School, Lewisham** (to be known as **Trinity, Lewisham**).
- 2 The School is a voluntary aided school.
- 3 The name of the Governing Body is **The Governing Body of Trinity Church of England School, Lewisham**.
- 4 The Governing Body shall consist of:
 - (a) **3** parent governors;
 - (b) **1** LA governor;
 - (c) **4** staff governors, comprising:
 - (i) the headteacher (except at any time when the headteacher has given notice that s/he chooses not to be a governor);
 - (ii) **2** teachers;
 - (iii) **1** support staff;
 - (d) **10** foundation governors of whom **3** shall, at the time of their appointment, be eligible for election or appointment as parent governors.
- 5 The total number of governors is **18**.
- 6 The foundation governors in 4(d) above shall comprise:
 - (a) **2** appointed by the Southwark Diocesan Board of Education;
 - (b) **5** appointed by the Parochial Church Council of The Good Shepherd with St Peter, Lee;
 - (c) **1** appointed by the Parochial Church Council of St Margaret's Lee;
 - (d) **2** appointed by East Lewisham Deanery Synod;

Three of those appointed in (a) to (d) above shall be parents of registered pupils at the school.
- 7 (a) The holder of the following office shall be a foundation governor ex-officio:

The principal officiating minister of the ecclesiastical parish of The Good Shepherd with St Peter, Lee

(b) The Archdeacon of Lewisham shall be entitled to appoint a foundation governor to act in place of the ex-officio foundation governor whose governorship derives from the office named in (a) above, in the event that the ex-officio foundation governor is unable or unwilling to act as a foundation governor, or there is a vacancy in the office by virtue of which his/her governorship exists, or has been removed from office under regulation 23 (2).

8 The Archdeacon of Lewisham shall be entitled to request the governing body to remove the ex-officio governor referred to in 7(a) above and appoint any substitute governor.

9 The School has a trust.

10 Ethos statement

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.

11 This Instrument of Government comes into effect on **25 April 2012**

12 This instrument was made by order of the London Borough of Lewisham on **11 April 2012**

13. A copy of the instrument must be supplied to every member of the governing body.

INSTRUMENT OF GOVERNMENT: MAINTAINED NURSERY SCHOOLS

1. The name of the school is **Chelwood Nursery School**
2. The school is a **maintained nursery school**.
3. The name of the governing body is **The governing body of Chelwood Nursery School**
4. The governing body shall consist of:
 - (a) **4** parent governors;
 - (b) **2** LA governors;
 - (c) **3** staff governors
 - (d) **3** community governors
 - (e) **2** sponsor governor
5. Total number of governors **14**
6. The sponsor entitled to nominate persons for appointment as sponsor governors under Schedule 5 of the Regulations is Chelwood House for Families Trust.
7. The term of office of parent governors is **2** years.
8. This instrument of government comes into effect: on **1 May 2012**.
9. This instrument was made by order of the London Borough of Lewisham Local Education Authority on **11 April 2012**

A copy of the instrument must be supplied to every member of the governing body.