

COUNCIL:

25 JANUARY 2018

**REPORT OF THE DIRECTOR GOVERNANCE & LEGAL
SERVICES**

**URGENT DECISIONS TAKEN – INSTRUMENT OF GOVERNMENT – THE
WESTERN LEARNING CAMPUS**

Reason for this Report

1. In accordance with the Director of Education's delegation under DEd1 in Section 4F and Council Constitution - Scrutiny Procedure Rule 13(a), this urgent decision certified by the Director of Education in relation to the making of an Instrument of Government under The Federation of Maintained Schools (Wales) Regulations 2014 for the Western Learning Campus is reported to Council for information.

Background and Issues

2. Section 20 of the Education Act 2002 states that for every maintained school there must be an instrument known as the instrument of government which determines the constitution of the governing body and other matters relating to the school.
3. Section 44 of The Federation of Maintained Schools (Wales) Regulations 2014 states that the governing bodies which are to form the federation must jointly prepare a draft instrument of government and submit it to the Local Authority. If the Local Authority is content that the draft complies with all the applicable provisions, the instrument of government is to be made by the Local Authority in the form of the draft.
4. A federation is a formal and legal agreement by which the schools involved work together in a formal partnership. There is a single Governing Body which has strategic oversight in all schools within the federation.
5. In November 2016, the Governing Bodies of Riverbank School, Ty Gwyn School and Woodlands High School began exploring federation and the process for establishing federations. Following this, a decision was made by the three individual governing bodies to consult on federation.
6. The three governing bodies developed consultation proposals to establish the Western Learning Campus and these were published on 8 May 2017. The proposals were circulated to a wide range of stakeholders and a

number of stakeholder consultation events were held. The closing date for responses to the consultation proposals was 16 June 2017. The proposal provided details of the vision for the federation and the benefits for the children and young people in the three schools. It also provided details of the benefits for all other stakeholders.

7. On 27 June 2017, the three governing bodies met jointly to consider the responses to the proposals and then individually agreed to proceed to federation and to establish the Western Learning Campus. In September 2016, a joint committee consisting of members of the three governing bodies was established to oversee development of the federation. The three governing bodies prepared a draft instrument of government for the new federated governing body of the Western Learning Campus.
8. The Local Authority is required to ensure that a federation of schools has an instrument of government in place on the federation date, which must be at least 125 days from the date proposals for federation are published. The three governing bodies have agreed that the federation date will be on 8 January 2018 and the draft instrument of government should be made immediately. Any delay in implementation of the decision could seriously prejudice the Council and/or the public. It is therefore recommended that the decision be taken on an urgent basis.

Legal Implications

9. There are no direct legal implications arising from this report. Legal implications were considered and included as part of the Officer Decision process.

Financial Implications

10. There are no direct financial implications arising from this report.

RECOMMENDATION

That Council receives the report for information.

Davina Fiore
DIRECTOR GOVERNANCE & LEGAL SERVICES
19 January 2018

The following Background Papers have been taken into account

Instrument of Government – Western Learning Campus