

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Children, Young People and Education Cabinet Board

2 June, 2016

Report of the Head of Transformation – Andrew Thomas

Matter for Decision

Wards Affected:

Neath East

GOVERNANCE ARRANGEMENTS FOR THE NEW PRIMARY SCHOOL REPLACING MELIN INFANT AND MELIN JUNIOR SCHOOLS.

Purpose of the Report

1. To comply with Regulations surrounding the opening of a new school, Members are asked to formally agree:
 - i) The creation of an Instrument of Government which will establish a permanent Governing Body;
 - ii) To approve a permanent name for the new primary school.

Background

2. Members will be aware that from 1st September, 2016 a new primary school will come into existence replacing Melin Infant and

Melin Junior Schools. The new primary school will make use of the existing sites and buildings.

3. Prior to the new school becoming operational Cabinet Members agreed in January, 2016 the creation of a temporary Governing Body to oversee the business of the new school.
4. Regulations state that a permanent Governing Body must be established and in place on a date agreed by the Local Authority, known as the “incorporation date”. This incorporation date is contained within the Instrument of Government and cannot be effected any later than the last day of the first term.
5. To allow time for the process of elections and appointment of governors during the early part of the autumn term, it is proposed the incorporation date will be 1st November, 2016. Until this date, the temporary governing body will continue in its current form when their role and function will then come to an end.
6. It is a legal requirement that every school must have in place an Instrument of Government. In addition to recording the incorporation date, this document also formally records the name of the school and the constitution of its governing body. The Instrument of Government must be formally created by the Local Authority.
7. Governors of the temporary Governing Body have proposed to the Authority that the name of the new school be “Melin Primary School”. Consultation regarding the name has taken place with the Head of Planning and Senior Management Team of the Education Directorate where there have been no objections from either.

Financial Impact

8. There is no financial impact associated with this proposal.

Equality Impact Assessment

9. Having considered the Council's screening assessment guidance produced to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010 it has been determined that the proposal within this report does not require an equalities impact assessment.

Workforce Impacts

10. There are no workforce or staffing issues directly associated with this proposal although the permanent governing body will have responsibility for the employment of staff at the school.

Legal Impacts

11. The recommendations contained within this report are in accordance with the Councils obligations set out in The New Maintained Schools (Wales) Regulations 2005.

Risk Management

12. Should the recommendation to create the permanent governing body not be approved then the Council will be in breach of its statutory obligation. Should the recommendation to name the school not be approved then an alternative name will be sought and reported back to Members at a future meeting.

Consultation

13. There is no requirement under the Constitution for external consultation on either of the recommendations within this report, however, a consultation exercise has taken place with members of the temporary governing body regarding the name; likewise, internal consultation has taken place with the Head of Planning and Education Senior Management Team.

Recommendations

14. i) That the Instrument of Government (attached as Appendix A) be approved with the incorporation date of 1st November, 2016 creating a permanent Governing Body;
ii) The name of the school will be Melin Primary School.

Reasons for Proposed Decision

15. To comply with legislative requirements for the establishment of a new school.

Implementation of Decision

16. The decision is proposed for implementation after the three day call in period.

Appendices

17. Instrument of Government at Appendix A.

List of Background Papers

18. Cabinet Report 14th January, 2016:

<https://democracy.npt.gov.uk/ieListDocuments.aspx?CId=132&MId=5948&Ver=4>

The New Maintained Schools (Wales) Regulations 2005:

<http://www.legislation.gov.uk/wsi/2005/2912/contents/made>

Officer Contact

19. John Burge, Principal Schools Governance Officer

Tel: 763599

Email: j.burge@npt.gov.uk

Appendix A

INSTRUMENT OF GOVERNMENT - COMMUNITY SCHOOLS

1. The name of the school is:
Melin Primary School
2. The school is a community school.
3. The name of the governing body is:
Melin Primary School
4. The governing body shall consist of:
 - (a) Four parent governors;
 - (b) Three local authority governors;
 - (c) One teacher governors;
 - (d) One staff governor;
 - (e) Three community governors;
 - (f) One community minor authority representative;
 - (g) Headteacher (except at any time when he/she has given written notice to the clerk to the governing body that he/she chooses not to be a governor).
5. Total number of governors: fourteen (except at any time when the Headteacher has given notice as above that he/she chooses not to be a governor, when the total number of governors will be thirteen).
6. This instrument of government comes into effect on 1st November, 2016.
7. This instrument was made by order of Neath Port Talbot Local Authority on 2nd June, 2016.