

<b>MAYOR AND CABINET</b>		
<b>Report Title</b>	Variation to Instrument of Government – Crossways Academy	
<b>Key Decision</b>	No	Item No. 16
<b>Ward</b>	Telegraph Hill	
<b>Contributors</b>	Executive Director for Children & Young People	
<b>Class</b>	Open	Date: 15 July 2009

### 1. Purpose

The report seeks a variation to the instrument of government of Crossways Academy.

### 2. Recommendation

To agree the following variation to the Instrument of Government:

to change the name of the institution from Crossways Academy to Crossways Sixth Form.

### 3. Narrative

- 3.1** The School Governance (Constitution) (England) Regulations 2007 sets out the composition of the governing body of the various categories of school. The Regulations also detail the procedure for the making of the Instrument of Government.
- 3.2** 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.
- 3.3** Instruments of Government for community schools, maintained nursery school and community special schools must comprise the following:
- (a) one third or more parent governors;
  - (b) at least two but no more than one third staff governors;
  - (c) one fifth LEA governors; and
  - (d) one fifth or more community governors

The governing body may in addition appoint up to two sponsor governors (or in the case of secondary school up to four sponsor governors).

Unless otherwise stated in the Instrument the term of office for all governors (except ex officio governors) is four years.

**3.4** The governing body is not seeking a change in the number of governors and their present instrument conforms to the above principles.

**3.5** 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.

**3.6** A meeting of the governing body of the Crossways Academy was held on Thursday 26th March 2009. The statutory seven days notice of the meeting had been given. A proposal to change the name of the school was an agenda item. The governing body unanimously approved the change in name of the school to Crossways Sixth Form.

#### **4. Financial Implications**

There are no financial implications for the changes to the instruments of government of schools

#### **5. Legal Implications**

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.

#### **6. Crime and Disorder Implications**

There are no crime and disorder implications to this report.

#### **7. Equalities Implications**

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.

## **8. Environmental Implications**

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

## **9. Conclusion**

The school's decision to request a variation in its instrument has been constitutionally made. The change to being called 'Crossways Sixth Form' instead of Crossways Academy clarifies the nature of the institution and avoids confusion with the new category of schools known as Academies. There is no reason not to agree to the changes.

## **Background Documents and Originator**

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### **Background Documents:**

The School Governance (Constitution) (England) Regulations 2007

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

## INSTRUMENT OF GOVERNMENT: COMMUNITY SCHOOLS

1. The name of the school is **Crossways Sixth Form**
  2. The school is a **community school**.
  3. The name of the governing body is **The governing body of Crossways Sixth Form**
  4. The governing body shall consist of:
    - (a) **5** parent governors;
    - (b) **3** LEA governors;
    - (c) **2** staff governors;
    - (d) **5** community governors.
  5. Total number of governors **15**
  6. This instrument of government comes into effect: on **1 September 2009**
  7. This instrument was made by order of the London Borough of Lewisham Local Education Authority on **15 July 2009**
  8. A copy of the instrument must be supplied to every member of the governing body (and the head teacher if not a governor).
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