

## Cabinet Member for a Learning Powys

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### **NOTICE OF INTENDED PORTFOLIO HOLDER DELEGATED DECISION**

The Portfolio Holder has received the following report for a decision to be taken under delegated authority. The decision will be taken on **18 November 2022** (i.e. 3 clear days after the date of this note). The decision will be published on the Council's website but will not be implemented until 5 clear days after the date of publication of the decision) to comply with the call-in process set out in Rule 7.35 of the Constitution.

<b>1.</b>	<b>INSTRUMENT OF GOVERNMENT - YSGOL Y MYNYDD DU</b>
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<b>2.</b>	<b>APPOINTMENT OF GOVERNORS</b>
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## CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE  
December 2022

**REPORT AUTHOR:** County Councillor Pete Roberts  
Portfolio Holder for a Learning Powys

**REPORT TITLE:** Instrument of Government – Ysgol y Mynydd Du

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**REPORT FOR:** Decision / Discussion / Information

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**1. Purpose**

- 1.1 To consider the Instrument of Government following a decision by the governing body of Ysgol y Mynydd Du on the 25<sup>th</sup> May 2022 to adopt an amended Instrument of Government.
- 1.2 The report contains a recommendation to ratify an amended Instrument of Government for Ysgol y Mynydd Du.
- 1.3 The report is supported by the revised Instrument of Government, appendix A.

**2. Background**

- 2.1 The Government of Maintained Schools (Wales) Regulations 2005 required all school governing bodies to review and adopt revised Instrument of Government (Instruments of Government are the legal documents that detail the composition of a school governing body).

The current composition of the Instrument of Governor for Ysgol y Mynydd Du is as outlined below: -

- 4 parent governors
- 3 LA governors
- 1 teacher governor
- 1 staff governor
- 3 community governors
- 1 additional community governor (appointed by Bronllys Community Council and Talgarth Town Council)
- The headteacher

The amended Instrument of Government would be -

4 parent governors  
3 LA governors  
1 teacher governor  
1 staff governor  
3 community governors  
1 additional community governor (appointed by Bronllys Community Council, Talgarth Town Council and Gwernyfed Community Council)  
The headteacher

The Instrument of Government would not increase but would allow for Gwernyfed Community Council to put forward a nomination for additional community governor.

- 2.2 The governing body of Ysgol y Mynydd Du have recommended the change as this would reflect the communities of those pupils who attend the school as numbers have increased since the school opened in 2018.

**3. Advice**

- 3.1 It is proposed that the governing body of Ysgol y Mynydd Du is changed to allow for Gwernyfed Community Council to put forward a nomination for additional community governor.

**4. Resource Implications**

- 4.1. There are no resources implications in approving the recommendation.
- 4.2. The Head of Finance (Section 151 Officer) notes the content of the report.

**5. Legal implications**

- 5.1 Legal: the recommendations can be accepted from a legal point of view
- 5.2 The Head of Legal Services and the Monitoring Officer has commented as follows: "I note the legal comment and have nothing to add to the report".

**6. Data Protection**

- 6.1 There are no data protection implications within the proposal

**7. Comment from local member(s)**

County Councillor TJ Colbert – No comment received

County Councillor WD Powell - – I am delighted to support Gwernyfed Community Council in playing a full part in the governance of their local school.

## **8. Impact Assessment**

8.1 N/A

## **9. Recommendation**

It is proposed that the governing body of Ysgol y Mynydd Du increase its composition from 10 governors to 11 governors as per The Government of Maintained Schools (Wales) Regulations 2005.

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Head of Service:	Georgie Bevan, Head of Schools
Corporate Director:	Lynette Lovell, Director of Education

**CABINET REPORT NEW TEMPLATE VERSION 3**

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# Instrument of Government for Ysgol y Mynydd Du



## 1. SCHOOL

The name of the school is Ysgol y Mynydd Du.

## 2. CATEGORY OF SCHOOL

The school is a community school.

## 3. NAME OF GOVERNING BODY

The name of the governing body is Ysgol y Mynydd Du governing body.

## 4. COMPOSITION OF GOVERNING BODY

The governing body shall consist of:

- a) 4 parent governors
- b) 3 LA governors
- c) 1 teacher governor
- d) 1 staff governor
- e) 3 community governors
- f) 1 additional community governor - *appointed by Bronllys Community Council, Talgarth Town Council and Gwernyfed Community Council*
- g) the headteacher (except at any time when he/she has given written notice to the clerk to the governing body of the school that he/she chooses not to be a governor).

## 5. TOTAL NUMBER

14 (except any time when the headteacher has given notice that he/she chooses not to be a governor, when the total number of governors will be 13).

## 6. DATE OF IMPLEMENTATION

Pursuant to regulation 37 of the Government of Maintained Schools (Wales) Regulations 2005, this instrument of government comes into effect:

- (i) on the date of making for the purpose of reconstituting the governing body;
- (ii) on XXXX for all other purposes.

## 7. DATE OF ORDER

This instrument was made by order of Powys Local Education Authority on XXXX.

## 8. GOVERNING LEGISLATION

The Government of Maintained Schools (Wales) Regulations 2005.

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**Appointment of Local Authority (LA)**

**Governors to School Governing Bodies**

**09.11.2022**

In accordance with the Authority's policy regarding the appointment of Local Authority representative governors to school governing bodies, the following persons have been recommended for appointment to serve as L.A. Governors with immediate effect (see table below).

<b>Name of Recommended person to serve as LA Governor</b>	<b>School</b>
Clancy Brett	Ysgol Penmaes
County Councillor William Lloyd	Gwernyfed High School
Loretta Maddox	Llangynidr C. P. School
Eleanor Davies	Brecon High School
Kelly Healey	Maesyrhandir C. P. School
Hilary Lomas	Leighton C. P. School

**Signed: P Roberts**  
**(Cabinet Member for a Learning Powys)**

**Dated: 9<sup>th</sup> November 2022**

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