

Cabinet Member for a Learning Powys



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9/01/2024

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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 **15 January 2024** (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.

1.	INSTRUMENT OF GOVERNMENT - BRYNHAFREN CP SCHOOL
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CYNGOR SIR POWYS COUNTY COUNCIL
PORTFOLIO HOLDER DELEGATED DECISION
by
COUNTY COUNCILLOR PETE ROBERTS
PORTFOLIO HOLDER FOR A LEARNING POWYS
JANUARY 2024

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

REPORT TITLE: Instrument of Government – Brynhafren CP School

REPORT FOR: Decision

1. Purpose

- 1.1 To consider the Instrument of Government following a decision by the governing body of Brynhafren CP School on the 13th December 2023 to adopt an amended Instrument of Government. The current number of pupils on roll is 32.
- 1.2 The report contains a recommendation to ratify an amended Instrument of Government for Brynhafren CP School.
- 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 Brynhafren CP School is as outlined below: -

3 parent governors
2 LA governors
1 teacher governor
0 staff governor
2 community governors
1 additional community governor (appointed by Bausley with Criggion Community 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 Bausley with Criggion Community Council)
The headteacher

3. Advice

3.1 It is proposed that the Instrument of Government for Brynhafren CP School is amended.

4. Resource Implications

4.1. There are no resources implications in approving the recommendation.

5. Legal implications

5.1 Legal: The recommendation can be supported 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 support the recommendation."

6. Data Protection

6.1 The proposal does not involve the processing of personal data, and the Data Protection Officer notes the content of the report.

7. Comment from local member(s)

7.1 County Councillor County Councillor L Roberts - The changes recommend make absolute sense in that they will enable the school to maintain its existing governing body a time when an Estyn inspection is imminent, while also providing new members who are able to participate in committee work.

8. Impact Assessment

8.1 N/A

9. Recommendation

It is proposed that the Instrument of Government for Brynhafren CP School be amended.

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DELEGATED DECISION NEW REPORT TEMPLATE VERSION 3

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Instrument of Government for Brynhafren C.P. School



1. SCHOOL

The name of the school is Brynhafren C.P. School.

2. CATEGORY OF SCHOOL

The school is a community school.

3. NAME OF GOVERNING BODY

The name of the Governing Body is Brynhafren C.P. School
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 Bausley with Criggion 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 **XXX** for all other purposes.

7. DATE OF ORDER

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

8. GOVERNING LEGISLATION

The Government of Maintained Schools (Wales) Regulations 2005.

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