

Cabinet Member for a Learning Powys



For further information please contact

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County Hall
Llandrindod Wells
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8 May 2024

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 **14 May 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 - YSGOL CWM BANWY YSGOL YR EGLWYS YNG NGHYMURU
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CYNGOR SIR POWYS COUNTY COUNCIL
PORTFOLIO HOLDER DELEGATED DECISION
By
COUNTY COUNCILLOR PETE ROBERTS
PORTFOLIO HOLDER FOR A LEARNING POWYS
MAY 2024

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

REPORT TITLE: Instrument of Government –
Ysgol Cwm Banwy Ysgol yr Eglwys yng Nghymru

REPORT FOR: Decision

1. Purpose

- 1.1 To consider the Instrument of Government following clarification from Welsh Government that the additional community governor is not included in the number of 'all other governors' used to calculate the number of foundation governors. Ysgol Cwm Banwy is a Voluntary Aided School with 42 pupils on role.

The current composition of the Instrument of Government is as outlined below: -

1 parent governor
1 LA governor
1 teacher governor
1 staff governor
8 foundation governors
1 additional community governor
the headteacher

The amended composition of the Instrument of Government would be

1 parent governor
1 LA governor
1 teacher governor
1 staff governor
7 foundation governors
1 additional community governor
the headteacher

- 1.2 The report contains a recommendation to ratify an amended Instrument of Government for Ysgol Cwm Banwy.
- 1.3 The report is supported by the revised Instrument of Government, appendix A.

2. Background

2.1 A review of the Instrument of Government has been undertaken by the Diocese of St. Asaph and the governing body of Ysgol Cwm Banwy to ensuring that the Instrument of Government is correctly constituted.

3. Advice

3.1 It is proposed that the Instrument of Government for Ysgol Cwm Banwy is amended to ensure that it is correctly implemented.

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 report.

5. Legal implications

5.1 Legal : The proposal 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 recommendadtion.”

6. Data Protection

6.1 There are no data protection implications within the proposal.

7. Comment from local member(s)

County Councillor Bryn Davies

8. Impact Assessment

N/A

9. Recommendation

It is proposed that the Instrument of Government for Ysgol Cwm Banwy be amended as set out in Appendix A of the report to ensure that the Mission Areas are correctly implemented.

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Corporate Director:	Richard Jones, Director of Education

INSTRUMENT OF GOVERNMENT

Ysgol Cwm Banwy Ysgol yr Eglwys yng Nghymru

1. School

The name of the school is **Ysgol Cwm Banwy Ysgol yr Eglwys yng Nghymru**

2. Category of School

The school is a Voluntary Aided School

3. Name of Governing Body

The name of the Governing Body is **Ysgol Cwm Banwy Ysgol yr Eglwys yng Nghymru** Governing Body.

4. Composition of Governing Body

The Governing Body shall consist of:-

- a) 1 parent governor
- b) 1 LA governor
- c) 1 teacher governor
- d) 1 staff governor
- e) the headteacher (except at any time when they have given written notice to the clerk to the governing body of the school that he/she chooses not to be a governor in accordance with regulation 26(1).
- f) 7 foundation governors including ex-officio Foundation Governor - two of whom must be parents of pupils at the school to be appointed by the Diocesan Board of Education, on the recommendation of the Mission Area Conference of Caereinion. Foundation Governors should be able to demonstrate an understanding and empathy with the community in which the school is situated.

Note:

- (i) The holder of the following office(s) shall be foundation governor ex-officio: the priest with responsibility for St Cadfan church, Llangadfan and/or St Erfyl Church, Llanerfyl;
- (ii) In the event that the ex-officio foundation governor(s) referred to in (i) above are unable or unwilling to act as foundation governor(s), or there is a vacancy in the office by virtue of which the governorship exists the Archdeacon of the Archdeaconry in which the school is situated shall appoint a foundation governor to act in the place of the foundation governor(s) whose governorship derives from the office named above.

- g) One community governor who is a minor authority governor being a representative of the community council

5. Total Number

Total number of governors is **13** except at any time when the head teacher has given notice that he/she chooses not to be a governor in accordance with regulation 26(1), when the total number of governors will be **11** to maintain the regulated balance of foundation governors to other categories as stipulated in regulation (19)1.

6. Ethos Statement

Recognising its historic foundation and in accordance with its Trust Deed the school will preserve and develop its religious character in accordance with the principles of the Church in Wales and in partnership with the Church at Mission Area and Diocesan level.

The school aims to serve its community by providing an education of the highest quality within the context of the highest quality within the context of Christian belief and practice. It encourages an understanding of the meaning and significance of faith, and promotes Christian values through the experience it offers to all its pupils.

7. Date of Order

This instrument was made by order of Powys County Council on the _____ and has immediate effect.

8. Governing Legislation

The Government of Maintained Schools (Wales) Regulation 2005.

Signed by:

_____ Date: _____
Head of Education – Powys County Council