

## Cabinet Member for a Learning Powys

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For further information please contact

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10/05/2024

### 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 **16/05/2024** (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.	<b>INSTRUMENT OF GOVERNMENT - ST. MICHAEL'S CIW SCHOOL</b>
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(Pages 3 - 6)

2.	<b>INSTRUMENT OF GOVERNMENT - YSGOL CEDEWAIN</b>
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(Pages 7 - 10)

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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 –  
 St. Michael's CiW School

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**REPORT FOR:** Decision

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**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. St. Michael's Church in Wales School is a school with 87 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 St. Michael's Church in Wales School.
- 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 St. Michael's Church in Wales School to ensuring that the Instrument of Government is correctly constituted.

## **3. Advice**

3.1 It is proposed that the Instrument of Government for St. Michael's Church in Wales School is amended to ensure that it is correctly implemented.

## **4. Resource Implications**

4.1 There are no resources implications in approving the recommendation.

## **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 recommendation."

## **6. Data Protection**

6.1 There are no data protection implications within the proposal.

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

County Councillor B Breeze

## **8. Impact Assessment**

N/A

## **9. Recommendation**

It is proposed that the Instrument of Government for St. Michael's Church in Wales School be amended as set out in Appendix A of the report to ensure that the Mission Areas are correctly implemented.

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Head of Service:	Georgie Bevan, Head of Schools
Corporate Director:	Richard Jones, Director of Education

**INSTRUMENT OF GOVERNMENT**  
**ST MICHAEL'S CHURCH IN WALES**  
**VOLUNTARY AIDED PRIMARY SCHOOL**

**1. School**

The name of the school is St Michael's Church in Wales Voluntary Aided Primary School

**2. Category of School**

The school is a Voluntary Aided School

**3. Name of Governing Body**

The name of the Governing Body is **The Governing Body of St Michael's Church in Wales Primary School.**

**4. Composition of Governing Body**

The Governing body shall consist of:

- a) 1 parent governor
- b) 1 LEA 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 Statutory Education, on the recommendation of the Mission Area Conference of Cedewain. 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 Michaels and All Angels church;
- ii) In the event that the ex-officio foundation governors referred to in i) above are unable or unwilling to act as foundation governors, 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) 1 additional community governor (if applicable) to be appointed by the Governing Body, who is a minor authority governor to be nominated by Kerry community council. (If a school serves an area for which there are two or more community councils, the governing body may seek nominations from one or more of those councils.)

**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 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**

**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 Cedewain

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**REPORT FOR:** Decision

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**1. Purpose**

- 1.1 The governing body of Ysgol Cedewain at their meeting on the 6<sup>th</sup> December 2023 recommended to the Local Authority that the Instrument of Government be varied to incorporate the new school name Ysgol Robert Owen as per Regulation 35 (9)(a) of the Government of Maintained Schools (Wales) Regulations 2005 with the school being known as Ysgol Robert Owen as of the 6<sup>th</sup> December 2023..
- 1.2 The report is supported by the revised Instrument of Government, appendix A.

**2. Background**

- 2.1 At a meeting of the governing body held on the 6<sup>th</sup> December 2023 the governing body of Ysgol Cedewain agreed to amend the Instrument of Government to incorporate the new school Ysgol Robert Owen.

**3. Advice**

- 3.1 It is proposed that the Instrument of Government be amended to incorporate the new school name for Ysgol Robert Owen.

**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 recommendation.”

**6. Data Protection**

6.1 Should there be a change in name of the school then the name of the controller of personal data must be amended within the Register of data protection fee payers held by the Information Commissioner.

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

County Councillor K Healy - I am in support of this proposal  
County Councillor DM Selby - I am in support of this proposal. Robert Owen is an internationally acclaimed figure, celebrated in Newtown and this is a very suitable name change for the new school.

**8. Impact Assessment**

N/A

**8. Recommendation**

It is proposed that the Instrument of Government be amended to incorporate the new school name Ysgol Robert Owen as set out in Appendix A to the Report.

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Corporate Director:	Richard Jones, Director of Education



# Instrument of Government for Ysgol Robert Owen

## 1. SCHOOL

The name of the school is Ysgol Robert Owen.

## 2. CATEGORY OF SCHOOL

The school is a community special school.

## 3. NAME OF GOVERNING BODY

The name of the Governing Body is Ysgol Robert Owen  
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) 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

13 (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 12).

## 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 the xxxx 2023 for all other purposes.

## 7. DATE OF ORDER

This instrument was made by order of Powys Local Authority on xxxx 2023.

## 8. GOVERNING LEGISLATION

The Government of Maintained Schools (Wales) Regulations 2005.

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