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Welsh Government

## Consultation Document

**Proposals to introduce regulations  
to give Welsh local authorities the  
power to establish federations of  
maintained schools in Wales**

Date of issue: 17 January 2013

Action required: Responses by 14 March 2013

# Proposals to introduce regulations to give Welsh local authorities the power to establish federations of maintained schools in Wales

**Overview** This consultation document outlines the Welsh Government's policy proposals to give local authorities in Wales the power to establish federations of maintained schools.

**How to respond** Responses to this consultation should be e-mailed/posted to the address below to arrive by **14 March 2013** by the latest (please enter 'Governing Body Federation consultation' in the subject matter box).

**Further information and related documents** Large print, Braille and alternate language versions of this document are available on request.

The consultation documents can be accessed from the Welsh Government's website at [www.wales.gov.uk/consultations](http://www.wales.gov.uk/consultations)

The Federation of Maintained Schools and Miscellaneous Amendments Regulations (Wales) 2010  
[www.legislation.gov.uk/wsi/2010/638/contents/made](http://www.legislation.gov.uk/wsi/2010/638/contents/made)

*Guidance on the Federation process of maintained schools* (2012)  
[www.wales.gov.uk/topics/educationandskills/publications/guidance/federationprocessguide/?lang=en](http://www.wales.gov.uk/topics/educationandskills/publications/guidance/federationprocessguide/?lang=en)

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## **Data protection**

### **How the views and information you give us will be used**

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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## **Background**

1. The Education (Wales) Measure 2011 received Royal Assent on 10 May 2011. The Measure includes provisions to give local authorities a power to establish federations of maintained schools by following a process to be set out in regulations. This consultation is about the proposed content of those regulations, rather than about the established policy intent of extending the power to propose federations to local authorities. Governing bodies already have a process to follow in order to federate which is designed to be thorough, consultative and fair. Therefore, in order to foster synergy in the federation process, our intention is that the process local authorities will follow to federate maintained schools will largely, save for a few appropriate changes, replicate the process that governing bodies currently follow, as set out in the Federation of Maintained Schools and Miscellaneous Amendment (Wales) Regulations 2010 ('the 2010 federation regulations').

### **What is a federation?**

2. Under current law in the 2010 federation regulations, a federation is created when the governing bodies of between 2-5 schools decide to work together as a single entity. A commitment and willingness to do things differently for the added benefit of the pupils and their achievements and wellbeing is necessary for federation arrangements to be successful.

### **What are the characteristics and requirements of federation?**

3. Schools that federate, whether through the governing bodies themselves initiating the federation or through proposals put forward by local authorities, will keep their individual identity and remain in their communities. Federated schools will also be able to maintain their own delegated budget, name, character, school uniform and ethos, whilst being able to explore the advantages of sharing resources such as facilities, IT, staff, and school buildings. The new single governing body created through federation will have oversight and equal responsibility for all the schools in the federation. As such establishing a federation requires a high degree of trust between governors, schools and their communities. In order to make federations initiated by local authorities a success, local authorities will have to ensure the schools they identify to be federated understand and are committed to working together to realise the benefits that federation could bring.

### **Process under the Federation of Maintained Schools and Miscellaneous Amendment (Wales) Regulations 2010**

4. The Federation of Maintained Schools and Miscellaneous Amendment (Wales) Regulations 2010, which have been in force since April 2010, allow maintained schools in Wales to federate under a single governing body. The schools that wish to federate produce and publish a report, in many cases assisted and supported by the local authority, outlining the proposals for federation, the benefits for the schools and outcomes for learners. The governing bodies involved are then required to consult stakeholders including all staff in the schools in the proposed federation, all parents of registered pupils, all school staff unions, diocesan

authorities if relevant, and anyone else the governing bodies consider ought to be consulted.

5. Responses to the consultation are assessed and a decision is made as to whether the federation should proceed or not. The 2010 federation regulations also set out the detailed governing body memberships for the various federation models possible, which include federations consisting exclusively of schools of a single category as well as federations of mixed categories of school.

6. The size of a federated governing body in the 2010 federation regulations has to be between 15 and 25 governors, and minimum requirements for each category of governor apply. Over and above this minimum the governing body is free to decide how many governors it wants, up to the maximum size given. Once a federation is established the 2010 federation regulations also set out the framework as to how the governing body conducts its business. These parts of the 2010 federation regulations largely mirror the framework in place for non-federated schools' governing bodies as set out in the Government of Maintained Schools (Wales) Regulations 2005.

7. In summary, the 2010 federation regulations cover the following issues:

- Establishing or joining a federation
- Categories of governors
- Election and appointment of governors
- Qualifications and tenure of office
- Instruments of Government
- Appointment functions and removal of governors
- Meetings and proceedings of governing bodies
- Committees
- Restrictions on persons taking part in proceedings of the governing body
- Information and funding
- Process for leaving a federation, and
- Dissolution of federations

## **Where we are now and proposed next steps**

8. The powers contained in the Education Measure 2011 for making regulations covering federation of maintained schools replace those contained in Sections 24 and 25 of the Education Act 2002. Now that the law provides that the Welsh Minister may make regulations that allow local authorities to propose federations, our intention is to revoke the existing 2010 federation regulations and replace them with a new set of federation regulations which will cover both governing body- and local authority-initiated federations. These new regulations will largely replicate the

existing 2010 regulations in respect of governing body-initiated federations, and because we consider that the process set out is sound and fair, we anticipate extending these provisions and processes to cover the actions local authorities will have to follow to make their own federation proposals.

9. However, since the 2010 federation regulations were made we have identified some changes which we wish to make and so propose to make some small amendments to the regulations, which are set out in this consultation document.

10. The Education Measure 2011 also allows the Welsh Ministers to make an Order defining a small school in Wales, for the purposes of making proposals for federation. Once such an Order has been made, local authorities would be able to federate such small schools after consultation with the governing bodies, in place of carrying out the much wider consultation which ordinary federations require. Other changes we propose are that the consultation period for federation proposals in relation to small schools would be four weeks and the federation would take effect not less than 100 days from the date proposals were published rather than the 165 days provided in relation to other federations. The Welsh Government's view is that providing a streamlined process which reduces the burden on local authorities and allows them to federate small schools more quickly is both proportionate and in the interest of such schools (where their continuance is necessary for local reasons).

11. The Welsh Government has issued comprehensive guidance on the federation process in Circular 070/2012 'Guidance on the Federation Process of Maintained Schools' which can be found on our website at <http://wales.gov.uk/topics/educationandskills/publications/guidance/federationprocessguide/?skip=1&lang=en>. It includes guidance on the benefits of federation, the disadvantages of federation, a step by step guide to the federation process, the roles of governors and the local authority, and a Q&A section. Many of the principles will be common to all federations, regardless of proposer, but we will consider whether the guidance needs to be refreshed to take account of the details of these new provisions.

## **Why are we giving local authorities the power to federate schools?**

12. Federation is a new way of working for governing bodies as it requires a commitment to work together to achieve the best for pupils in all the federated schools. Until recently schools generally worked in isolation with governing bodies making decisions on what was best for the pupils in their school. Now the education landscape is changing and schools and other education establishments are being asked to work together collaboratively to save resources whilst at the same time continuing to share good practice and raise standards. So far, governing bodies have approached federation with some caution and progress has been slow, although more schools are beginning to explore what federation can offer them.

14. The Minister for Education and Skills is committed to the federation agenda as it has the potential to improve school performance and raise standards of attainment by offering schools the opportunity to develop and share good practice and to access and share resources. A further key benefit is that schools have added security, using the resource efficiencies unlocked by federation to deliver more efficiently and so

remain in their community serving the pupils and parents. The Minister's vision is, therefore, for as many schools as possible to take advantage of the opportunities and benefits which collaboration generally, and federation specifically, can offer. The Minister considered that giving local authorities the power to federate an unlimited number of schools would result in federation being more widespread, especially as local authorities are best placed, given their overarching view of education development in their areas, to see federation in its full strategic context. They are able to see options and opportunities which individual schools and governing bodies may not. Local authorities would need to obtain the consent of the diocesan authority before considering federating a school with a religious character.

## **Implications for local authorities and schools**

13. Local authorities will want to engage with this consultation to understand and potentially inform the development of the regulations which will set out the process they will have to follow to federate schools. They will also need to begin considering how they can use federation as a strategic tool to drive improved outcomes and deliver resource efficiencies in their areas. Finally, they will need to put themselves in a position to be able to satisfy the consultation and other requirements as set out in the federation process that governing bodies are currently required to follow, including preparing a report and consulting stakeholders of all the schools involved. For schools – who will likewise want to be able to understand and inform the development of the regulations - it will mean that if local authorities identify your school to become part of a federation, schools and the school community will have the option to make representations against federation but ultimately it will be for the local authority to determine whether the federation goes ahead. However, local authorities will not be able to propose federation of voluntary aided schools unless they have first sought the consent of the relevant diocesan authority.

## **Scope of consultation**

14. The purpose of this consultation is not to consider whether local authorities should have this power, as that is already in place as a result of provisions in the Education (Wales) Measure 2011, but to seek views on our policy proposals for implementing the powers in the Measure and for introducing some minor amendments to the existing federation regulations.



## Consultation proposals

15. The following paragraphs deal with specific points on which the Welsh Government is consulting and include changes that affect a federation initiated by governing bodies under the current 2010 federation regulations as well as federations proposed in the future by local authorities.

### Constitution of the governing body of a federation for governing body and local authority proposed federations

16. Under new proposals and regulations arising from the 2011 Education Measure local authorities will be able to federate an unlimited number of schools. Under current law in the 2010 federation regulations there is a limit of between 2 and 5 schools that can federate, where federation is initiated by school governing bodies. In order to align the federation process for both governing body and local authority federations, our proposal is that the limit of 2-5 schools in the 2010 regulations is removed so that both schools and local authorities will be able to form federations with an unlimited number of schools.

17. The 2010 federation regulations also set out the size of a federated governing body, which is between 15 and 25 governors, and sets out the ratios of representation for the different categories of governors in different federation configurations. Our intention is to retain the minimum and maximum number of governors 15-25, but to amend the ratios of governor membership which governing bodies would be required to have. For community, community special, voluntary controlled, foundation and maintained nurseries, the revised required minimum ratios will allow some flexibility to increase the numbers of governors in any category in order to reach the required minimum number of 15. There will be further flexibility to increase the numbers of governors in any category,

18. There will be less flexibility for voluntary aided schools as there is a need to maintain a majority of foundation governors. The revised ratios for governor membership of voluntary aided schools set out in this consultation, exceed the minimum requirements of 15 governors but does give some scope and flexibility if the decision is to have a governing body with the maximum 25 governors. In calculating the numbers of governors for a federation involving voluntary aided schools the key changes are that headteachers, additional community governors and sponsor governors are to be included when calculating the number of foundation governors, in order to contain the membership to a maximum of 25 governors.

19. Other changes for all categories of schools are that the teacher and staff governors have been merged into one category and that the number of sponsor governors has been reduced from two to one. Our revised proposals for governing body membership of a federation with an unlimited number of schools are listed below.

20. For **community, community special and maintained nursery schools** there would be

- i) at least 3 parent governors;
- ii) at least 3 headteachers (where there are 3 or more head teachers) or at least one headteacher where only two schools federate or it is decided that there will only be a single headteacher.
- iii) at least 2 teacher/staff governors but no more than 4 – note that these two categories have now been combined into one;
- iv) at least 2 local authority governors but no more than 4
- v) at least 2 community governors but no more than 4;
- vi) 1 additional community governor if required (if primary schools in the federation are situated in community council districts)
- vii) 1 sponsor governor if wanted.

21. If the federation includes a community special school one of the community governors is to be replaced by a representative governor. The minimum ratios of governors listed above do not reach the overall minimum numbers of governors required which is 15, and allows governing bodies some flexibility to determine additional governors in whatever category they choose provided the maximum of 25 is not exceeded.

22. For **foundation schools and voluntary controlled schools**, the ratios above will apply but those schools will also be required to have at least five foundation governors (or partnership governors if a foundation school has no foundation). Where ratios allow, governing bodies may choose to have more governors in any category provided the overall maximum numbers of 25 governors is not exceeded. Membership would be as follows:

- i) at least 3 parent governors;
- ii) at least 3 headteachers (where there are 3 or more headteachers) or at least one headteacher where two schools are federating or it is decided there will be only one headteacher;
- iii) at least 2 teacher/staff governors but no more than 4 – note that these two categories have now been combined into one;
- iv) at least 2 local authority governors but no more than 4
- v) at least 2 community governors but no more than 4;
- vi) at least 2 but no more than 5 foundation governors (or partnership governors if a foundation school has no foundation)
- viii) 1 additional community governor if required (if primary schools in the federation are situated in community council districts)
- viii) 1 sponsor governor if wanted.

23. For **voluntary aided schools** the membership would be:

- i) At least 3 parent governors

- ii) At least 3 headteachers (where there are 3 or more head teachers) or at least one headteacher where two school are federating or it is decided there will be only one headteacher
- iii) 1 teacher/staff governor - note these two categories have merged into a single category;
- iv) 1 local authority governor;
- v) 1 additional community governor if required if a primary school is situated in a community council area;
- vi) 1 sponsor governor if wanted
- vii) such numbers of foundation governors as are required to preserve a majority of no more than two when totalling the governors listed at (i) – (v) .

24. Voluntary aided schools that are not required to have an additional community governor or do not wish to have a sponsor governor may increase the numbers of governors in any other category listed in (i) to (iv) provided that the overall number of governors including foundation governors does not exceed.

25. In a **mixed federation comprising of community, voluntary controlled or foundation** schools the membership would be:

- i) at least 3 parents;
- ii) at least 3 headteachers(where there are 3 or more head teachers) or at least one headteacher where two school federate or it is decided there will be only one headteacher;
- iii) at least 2 but no more than 4 teacher/staff governors;
- iv) at least 2 but no more that 4 local authority governors;
- v) at least 2 but no more than 4 community governors, if a community special school is included in the federation one of the community governors must be replaced with a representative governor;
- vi) 1 additional community governor if required for primary schools situated in community council areas;
- vii) At least two but no more than 5 foundation governors or partnership governors if the foundation school has no foundation;
- viii) 1 sponsor governor if wanted.

26. In a **mixed federation comprising of at least one voluntary aided school** the minimum membership would be:

- i) 3 parents
- ii) 3 headteachers (where there are 3 or more head teachers) or at least one headteacher where two schools are federating or it is decided that there will be only one headteacher;
- iii) 1 teacher/staff governor;
- iv) 1 local authority governor;
- v) 2 community governors;
- vi) 1 additional community governor if required;
- vii) 1 partnership governor;
- viii) such foundation governors to outnumber the total of (i) to (vii) by 1.

In this configuration there is no scope to have a sponsor governor. There would be some small flexibility to have a small increase in the number of other categories of governors if the partnership or additional community governor was not required, provided the maximum number of 25 is not exceeded..

27. All federations which contain one or more primary schools situated in one or more community council areas must also have one additional community governor on the federated governing body. All federations which contain one or more secondary schools will continue to be required to arrange for up to two associate pupil governors to sit on their governing body. However these governors do not count towards the overall total of governors as they do not have voting rights.

28. The Tables at Annex A show the differences in the membership of a federated governing body set out in the 2010 federation regulations for between 2 and 5 schools federating, and the suggested revised membership for an unlimited number of schools federating.

**Q1 Do you agree with our proposal to allow an unlimited number of schools to federate? If not what upper limit of schools would you suggest?**

**Q2 Do you agree to the proposed changes to the ratio membership of a federated governing body for an unlimited number of schools? If not why not?**

### **Appointment of headteachers and deputy headteachers for all federations**

29. Under the current 2010 federation regulations all vacant posts for headteacher and deputy headteacher appointments have to be advertised in accordance with the Staffing of Maintained Schools (Wales) Regulations 2006. These regulations were amended in 2009 by the Staffing of Maintained Schools (Wales) Amendment Regulations 2009 which allowed governing bodies not to advertise these posts where schools in question are subject to school re-organisation proposals.

30. Given that federation could lead to some rationalisation of headteacher and deputy headteacher posts we consider that this flexibility should be available to schools that are federating.

31. We also propose that vacancies in such posts which arise in a school leaving a federation, or arise in the schools remaining in a federation because a school or schools has left a federation, may be filled without advertisement from amongst other headteachers or deputy headteachers in the federation if the governing body of the federation or the school that is leaving the federation (respectively) wish. To support the process described in this section we further wish to allow the appointment panels in such circumstances to have representatives of all the federating schools.

### **Q3 Do you support this flexibility in the appointment of headteacher and deputy headteacher posts?**

### **Other changes to be included in the proposed new federation regulations which affect federations initiated by both governing bodies and local authorities**

32. We propose to introduce further changes which will affect schools that are federated either through a governing body or local authority led initiative, as follows:

- i) A school subject to Welsh Ministers' or local authority intervention may only enter or leave a federation with the agreement of the Welsh Ministers or the local authority;
- ii) Proposals to federate may be published electronically but must be made available for inspection in hard copy at the schools which are included in the federation proposals;
- iii) Pupils and School Councils at the schools concerned should be included in the list of consultees to be consulted about federation proposals. We consider that governing bodies will discharge their responsibilities if a member of the governing body (possibly the headteacher) explains the proposals to the school council. Any pupil must be allowed to see a copy of the full proposal if requested. For local authority-proposed federations a representative of the local authority should be available to talk to the school council if requested
- iv) Consultation with parents and staff - our view is the duty to consult will be discharged by the governing body providing a summary of the proposal, although a full copy of the proposals must be available at the school on request. For local authority-proposed federations a representative of the local authority should be available to talk to the school council if requested
- v) Where a governing body initiates a federation proposal they must complete the process, the local authority cannot do so. However a local authority may propose that another federation or school or schools join that federation, and implement this change.

- vi) A local authority may propose the dissolution of a federation or for one or more schools to leave a federation provided the federated governing body agrees.

**Q4 Do you agree with the amendments suggested in paragraphs 32 (i) – (vi) above?**

### **Proposals specific to local authority initiated federations – sections 11, 12, 13 and 14 of the Measure**

33. The following are a list of proposed provisions which relate to federations proposed by local authorities:

#### ***1) Authority proposals and consultation***

- a) The same period between a proposal being made and coming into effect i.e. 125 days, should apply as for governing body proposals.
- b) The proposal is to contain the same information as a governing body proposal (set out in Regulation 6(2) of the 2010 federation regulations.
- c) If a federation is proposed by a local authority it may be implemented by that authority or (if they agree) by the governing bodies, or by a person given the local authority's function to propose/implement federation such as a joint committee established by the relevant education bodies.
- d) In addition to statutory consultees, an authority must provide a copy of a proposal to anyone who asks.
- e) In the case of consulting with parents, a local authority may discharge its duty to consult by informing parents of the existence of the proposal and providing (i) a weblink to the proposal and (ii) providing for the school to hold a copy of the proposal for parents to inspect at the school.
- f) In the case of consulting with pupils, a local authority may discharge its duty to consult by doing all of the following: (i) making a local authority officer available to speak to the school council about the proposal if requested to do so (ii) providing a summary of the proposals to all pupils and a weblink to the full proposal (iii) arranging for the school to hold a copy of the proposal for any pupil who asks for it to inspect at the school.
- g) After consultation but before implementing a federation, whether as proposed or modified following consultation, where applicable a local authority must obtain the consent of a Diocesan Authority, foundation or, in the case of a school maintained by another authority, that other authority as provided for in section 11(8) of the Education (Wales) Measure 2011.

- h) The governing bodies subject to a local authority proposal may choose not to advertise any vacant head teacher and deputy head teacher positions if there are suitable persons amongst the staff of the schools federating.

**Q 5 Do you agree with the proposals in paragraph 33, section 1 (a-h) above?**

**2) *Schools leaving a federation and dissolution of local authority implemented federations***

- a) A school may only leave a local authority implemented federation, or a governing body dissolve a whole local authority-implemented federation, if the local authority agrees to a written request to that effect, or if the local authority makes the proposal itself. (The same provisions should apply as in regulation 76 onwards of the 2010 federation regulations – with the local authority being substituted for a governing body as appropriate).
- b) If the governing body agrees, a local authority may propose the dissolution of a governing body-proposed and implemented federation or the LA with GB agreement may propose that one or more schools leave such a federation.

**Q. 6 Do you agree the process for schools leaving a federation in 2 (a) and (b) above?**

**3) *Composition and constitution of local authority implemented federations***

- a) The same membership will apply to both local authority-proposed and governing body-proposed and implemented federations as set out in paragraphs 20 – 27 of this consultation document.

**4) *Small school orders (Section 15 of the Measure)***

34. The Measure allows Welsh Ministers to make an Order defining a small school in Wales. The purpose of doing this would be to allow local authorities to undertake a streamlined consultation with the governing bodies and school councils of those small schools about their federation proposals rather than consulting all stakeholders.

35. Our proposals are to make one order setting the registered number of pupils which would constitute a small school, and that a small school is determined to be one with 100 pupils or less whatever the type of school. This number is aligned to the number of pupils set out in the Government of Maintained Schools (Wales) Regulations 2005 which is the requirement for a smaller governing body.

**Q7 Do you agree the numbers of pupils that define a small school?**

36. As regards the federation process for 'small schools' we also propose that local authorities carry out a consultation with the governing bodies of the schools involved. This is in place of the much wider consultation involving the whole school community which is required for the federation of larger sized schools.

37. A further consideration is that the overall consultation period is reduced to four weeks and that such proposals may have a federation implementation date of only 100 days from the date federation proposals are published instead of the 165 days currently prescribed in relation to federation of larger schools.

**Q8 Do you agree the consultation proposals to be carried out by a local authority in respect of a small school federation?**

**Ministerial powers of direction for schools causing concern (section 16 Measure / s18B SSFA 1998)**

38. Welsh Ministers have a new power in the 2011 Education Measure to direct a governing body or local authority to federate where Welsh Ministers are satisfied that:

- the standards of performance of pupils at the school are unacceptably low and are likely to remain so, unless their powers of direction are exercised; or
- that there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice such standards of performance; or
- that the safety of pupils or staff of the school is threatened: or
- that the governing body has failed to secure that the headteacher of the school complies with such a provision.

Before issuing a written direction Welsh Ministers would have to consult stakeholders, but once a direction was issued it must be complied with. Further details on the how this process would operate would be included in guidance.



## Annex

The following table shows the current membership of a federated governing body in the first column, with between 2-5 schools as set out in the 2010 federation regulations , in respect of **community, community special, voluntary controlled, foundation and maintained nurseries**. The second column shows the revised proposed membership for these schools based on an unlimited number of schools federating

<b>Governing body Membership of a federation of 2-5 schools with a governing body of 15-25 governors</b>	<b>Proposed Membership of a federated governing body in the new federation regulations with an unlimited number of schools federating</b>
Parent governors - At least one elected or appointed from every school in the federation	Parent governors – at least three
Headteacher - of every school although some federations may elect to have one headteacher	Headteacher - at least three (where there are 3 or more head teachers) or at least one where two schools federate or it is decided there will only be one headteacher.
Teacher governor – at least one but no more than two	Teacher and staff governors merged into one category – at least 2 but no more than 4
Staff governors – at least one but no more than two	See above
LA governors – at least two but could be more	LA governors – at least two but no more than 4
Community governors – at least two. A community special school would replace one of the community governors with a representative governor	Community governors – at least two but no more than 4 A community special school would replace one of the community governors with a representative governor
Sponsor governor – up to two if wanted	Sponsor governors – one if wanted
Additional Community governor – one if needed to represent all the primary schools situated in a community council area or areas	Additional Community governor – one if needed to represent all the primary schools situated in a community council area or areas

Foundation governors for voluntary controlled and foundation schools only – at least two (where a foundation school has no foundation the foundation governors are replaced with partnership governors)	Foundation governors for voluntary controlled and foundation schools only - at least two but no more than five (where a foundation school has no foundation the foundation governors are replaced with partnership governors)
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If a federation does not include a primary school situated in a community council area or the federation does not wish to have sponsor governors, the membership of any of the other categories of governors may be increased so long as the minimum number of 15 is achieved and the maximum number is not exceeded.

Secondary schools in a federation must also allow for associate pupil governors but these do not count towards the core governors as they do not have a vote. Consequently there may be one associate pupil governor from every school in the federation.

### **Voluntary aided schools**

The following table shows the membership of a federation of voluntary aided schools. The first column sets out the membership based on 2-5 schools federating as set out in the existing 2010 federation regulations. The second column shows the proposed membership of a federated governing body with an unlimited number of voluntary aided schools federating.

<b>Membership set out in the 2010 federation regulations based on a federation of 2-5 schools with a membership of 15-25 governors</b>	<b>Proposed membership based on an unlimited number of schools federating with between 15 and 25 governors</b>
Parent governor – at least one elected or appointed from every school in the federation *	Parent governor – at least three elected or appointed
Headteacher – one from every school but some federations may elect to have a single headteacher	Headteacher - at least three (where there are 3 or more head teachers) or at least one where two schools federate or it is decided there will only be one headteacher.
Teacher governor – at least one but no more than two *	Teacher and staff governor merged into one category – one
Staff governor – at least one but no more than two *	See above
LA – at least two *	LA governor – one
Sponsor governors – up to two if wanted	Sponsor governor - one if wanted

Additional community governors - one to represent all primary schools situated in a community council area	Additional community governor – one if needed to represent all primary schools if they are situated in a community council area
Foundation Governors – such numbers that will outnumber the total of all the governors marked with an asterisk by two	Foundation governors – to outnumber the total of all the above listed governors by two

A major change in the governing body membership in the proposed federation regulations is that the total number of foundation governors is calculated by adding all the other governors together. This does not give much flexibility but does allow for the majority of foundation governors to remain.

If a federation of voluntary aided schools does not include a primary school situated in a community council area or the federation does not wish to have sponsor governors, the membership of any of the other categories of governors may be increased so long as the minimum number of 15 is achieved and the maximum number of 25 is not exceeded.

Secondary schools in a federation must allow for associate pupil governors but these do not count towards the core governors as they do not have a vote. Consequently there may be one associate pupil governor from every school in the federation.

**Proposed membership of a mixed federation including community, community special, voluntary controlled, maintained nurseries and foundations schools**

<b>Membership set out in the 2010 federation regulations based on a federation of 2-5 schools with a membership of 15-25 governors</b>	<b>Proposed membership based on an unlimited number of schools federating with between 15 and 25 governors</b>
Parent governors - one elected or appointed for every school in the federation	Parent governors – at least three
Headteacher – from every school in the federation unless the decision is to have only one head	Headteacher – at least three (where there are 3 or more head teachers) or at least one where two schools federate or it is decided there will only be one headteacher.
Teacher governors – at least one but no more than two	Teacher and staff governor merged into one at least two but no more than four
Staff governors – at least one but no more than two	See above
Local authority – at least two	Local authority - at least two but no more than four
Community governors – at least two but a community special school may replace one of these with a representative governor	Community governors - at least two but no more than four but a community special school may replace one of these with a representative governor
Foundation governor – at least one if the federation includes a voluntary controlled school or at least two if the federation contains only a foundation school or a combination of voluntary controlled and foundation schools. A foundation school with no foundation may replace one of the foundation governors with a representative governor	Foundation Governor – at least two but no more than five. A foundation school with no foundation may replace one of the foundation governors with a representative governor
Sponsor governor – up to two	Sponsor governor – one if wanted
Additional community governor - one if needed to represent the interests of all primary schools situated in a community council area	Additional community governor - one if needed to represent all primary schools situated in a community council area

If a mixed federation of these schools does not include a primary school situated in a community council area or the federation does not wish to have sponsor governors, the membership of any of the other categories of governors may be increased so long as the minimum number of 15 is achieved and the maximum number of 25 is not exceeded.

Secondary schools in a federation must allow for associate pupil governors but these do not count towards the core governors as they do not have a vote. Consequently there may be one associate pupil governor from every school in the federation

**Proposed membership of a mixed federation of all categories of schools including a voluntary aided school**

<b>Membership set out in the 2010 federation regulations based on a federation of 2-5 schools with a membership of 15-25 governors</b>	<b>Proposed membership based on an unlimited number of schools federating with between 15 and 25 governors</b>
Parent governor – one elected or appointed from every school	Parent governor – three elected or appointed
Headteacher – from every school unless the decision is to have only one headteacher	Headteacher – three (where there are 3 or more head teachers) or at least one where two schools federate or it is decided there will only be one headteacher.
Teacher governor – at least one but no more than two	Teacher and staff governor merged – one
Staff governor – at least one but no more than two	See above
Local authority governor – at least two	Local authority – one
Community governor – at least two but if the federation includes a community special a school one of these governors is replaced with a representative governor	Community governor – two but if the federation includes a community special a school one of these governors is replaced with a representative governor
Sponsor governors – up to two	Sponsor governor – none
Additional community governor - one to represent all primary schools situated in a community council area	Additional community governor - - if needed one to represent all primary schools situated in a community council area
Foundation governors – at least two or two partnership governors for foundation school without a foundation	Partnership governor for foundation schools without a foundation - one
	Foundation governors - to out number the total of the governors listed above by one

If the federation does not include a primary school in a community council area or a foundation school and the additional community and partnership governors are not required, the numbers of governors in any other category may be increased provided the majority of foundation governors is maintained by one and the membership does not exceed 25 governors.

Secondary schools in a federation must allow for associate pupil governors but these do not count towards the core governors as they do not have a vote. Consequently there may be one associate pupil governor from every school in the federation.