

NORTH SOMERSET COUNCIL

**DECISION OF COUNCILLOR JAN BARBER
THE EXECUTIVE MEMBER FOR CHILDREN AND YOUNG PEOPLE
with advice from the
DIRECTOR, PEOPLE AND COMMUNITIES**



DECISION NO: P&C30

**SUBJECT: APPLICATION OF THE NORTH SOMERSET SEAL TO INSTRUMENTS
OF GOVERNMENT**

DECISION:

That the Executive Member formally authorises the continuation of the arrangement whereby Director of People and Communities (or her nominee) accepts and checks draft Instruments of Government from school governing bodies and is responsible for ensuring that the Instrument receives the Council's seal before the date of incorporation given in the instrument.

BACKGROUND:

The School Governance (Constitution)(England) Regulations 2012 (Statutory Instrument 2012 no.1034) set out the requirements relating to the constitution and membership of governing bodies in England.

Governing bodies of maintained schools are required to prepare a draft Instrument of Government, and send it to their Local Authority who will check that it complies with statutory regulations before sealing it. In the case of voluntary controlled, voluntary aided and trust schools, the check includes ensuring that the Instrument has been approved by the foundation governors, and, where relevant, any trustees and /or the appropriate religious body.

The Head of Legal and Democratic Services is empowered to seal any document authorised by the Council or by law.

In 1999, the Education Committee delegated the authorisation for requesting the sealing of Instruments to the Director of Education (now the Director of People and Communities) or her nominee.

It has been recommended that the Decision (no. CS40) taken by the Executive Member for Children and Young People in 2013 be updated to reflect current legislation.

REASONS:

- (1) The current arrangements continue to work well
and
(2) The need to ensure that a system is in place which meets the requirements of
Statutory Instrument 2012 no. 1034 in respect of the sealing of Instruments of
Government.

OTHER ALTERNATIVES CONSIDERED:

Not applicable.

FINANCIAL IMPLICATIONS:

No budgetary implications.

IMPLICATIONS FOR FUTURE YEARS:

No budgetary implications.

Signed:
Councillor Jan Barber
Executive Member for Children and Young People

Dated:

Confirmation of advice given:

Signed:
Sheila Smith
Director, People and Communities

Dated: