



## York Diocesan Board of Education

### Maintained school Instruments of Government Guidance – Foundation governance representation requirements and model paragraphs

This document contains:

- Guidance on the requirements for foundation representation on Governing Bodies in CE schools in the Diocese; and
- Standard wording for paragraphs pertaining to CE schools for inclusion in Instruments of Government.

It should be read in conjunction with the DBE's Reconstitution Guidance which can be found [here](#).

Please email [education.governance@yorkdiocese.org](mailto:education.governance@yorkdiocese.org) for further guidance or with any requests for consent to change an Instrument of Government.

#### Foundation governor representation requirements

These requirements must be reflected in any proposed Instrument of Government:

- In a Voluntary Aided (VA) school, there must be such number of foundation governors as outnumber all other governors by two. In practice, this will mean that there must be a minimum of twelve governors on your governing body, and at least seven foundation governors.
- In a Voluntary Controlled (VC) school or a Foundation school, the number of foundation governors must fall between maximum and minimum limits: a minimum of two and a maximum of 25% of the total number of all governors. Due to the maximum and minimum requirements, a VC school governing body will need to include at least eight members.
- For federated governing bodies which include a VA school, the requirements for a VA school will apply. Otherwise, the requirements for a VC/Foundation school will apply.
- On every governing body there should be an "ex officio" foundation governor position for "the principal officiating minister" of the parish linked to the school(s). If no ex officio foundation governor is appointed, the Archdeacon is entitled to appoint a substitute governor, called a "temporary ex officio foundation governor."
- Additional foundation governors should (with very limited exceptions) be appointed by the Diocesan Board of Education, following consultation with the local Parochial Church Council (PCC) or – where this is provided in the current instrument - other (generally Church linked) individuals/bodies.

## Standard wording for Instruments of Government

Any proposed Instrument of Government should include the following paragraphs. Notes are provided to assist schools in tailoring the paragraphs to the particular context.

*(paragraph numbers are indicative only)*

6. Foundation governors are appointed by the York Diocesan Board of Education, after consultation with the Parochial Church Council of the parish in which the school is situated.<sup>1</sup>
7. (a) The holder of the following office shall be a foundation governor ex officio: The Principal Officiating Minister of the parish in which the school is situated.<sup>2</sup>  
  
(b) The Archdeacon of *[York/Cleveland/the East Riding]* shall be entitled to appoint a foundation governor to act in the place of the ex officio foundation governor whose governorship derives from the office named in (a) above, in the event that the ex officio foundation governor is unable or unwilling to act as a foundation governor, or where there is a vacancy in the office by virtue of which their governorship exists.
8. The Archdeacon of *[York/Cleveland/the East Riding]* is entitled to request the removal of any ex officio foundation governor and to appoint a substitute governor.
9. *[Where the school has a trust deed referenced in their current Instrument, insert details as stated]*
10. The ethos of the School is as follows:  
  
"Recognising its historic foundation, the school will preserve and develop its religious character in accordance with the principles of the Church and in partnership with the Church at parish and diocesan level.  
  
The school aims to serve its community by providing 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 all its pupils."
13. A copy of the Instrument must be supplied to every member of the governing body (and the headteacher if not a governor), any trustees and to the appropriate religious body.

<sup>1</sup>Please note:

- For a few schools there may be other bodies named here, so these will need to be considered on a case-by-case basis. Please refer to the existing Instrument of Government in the first instance.
- Depending on the number of foundation governors provided for in an Instrument of Government, this wording may not be applicable where two or more Church of England schools are in federated arrangements e.g. if there are two foundation governors and the principal officiating ministers of multiple parishes in different Benefices will be entitled to take up foundation governor roles.

<sup>2</sup>Please note: In federated arrangements, this may need to be amended to provide for the appointment of multiple ex officio positions.