

## Annex 1: Key facts

- There will be a single governing body with strategic oversight of all schools within the federation.
- Each school retains its name, category, budget and staff, and remains in its community.
- Each school can retain its headteacher if it wishes, although some federations may wish to share a headteacher. This might be particularly helpful for small schools.
- If an executive headteacher and deputy headteacher post is created to manage all of the schools in the federation, those posts do not have to be advertised nationally if one of the headteachers or deputy headteachers expresses an interest in the post ([see section 12 for further information](#)).
- Each school has its own Estyn inspection, though increasingly these are coordinated to happen at the same time for all schools within the federation to minimise stress and disruption. A shared judgement about leadership may also be made across the federation.
- The governing body of a federation can use budget, resources and staff across the federation to improve the educational outcomes for all learners. An audit trail must be kept and separate accounts produced for each school in the federation.
- The governing body of a federation cannot require existing staff to work across all schools within the federation, but new contracts may be negotiated. New staff can be appointed to work across schools in the federation.
- Models for the constitution and membership of a governing body of a federation are clearly set out in the Federation of Maintained Schools (Wales) Regulations 2014 and Annex 7.
- It is a statutory requirement to seek the views of stakeholders on federation proposals, whether the federation has been proposed by the respective school governing bodies or the local authority.
- Local authorities must allow the governing bodies and school councils of small schools 20 school days (excluding INSET days) to respond to proposals and cannot establish a federation until a period of at least 100 days has expired from the date they publish proposals.
- For federations of normal schools the federation date must be at least 125 days from the date proposals to federate are published for either a local authority- or governing body-led federation. The local authority must allow 6 weeks for the consultees to respond to proposals.
- Schools where the governing body is a charitable trust cannot federate with community schools (see Schedule 3, paragraph 9 of the Charities Act 2011).

## **Annex 2: Actions to be taken prior to federation**

In preparation for federation, governing bodies and local authorities should ensure:

- school aims and policies are in place in relation to the curriculum, learner admissions, learner discipline, additional learning needs (ALN), and pastoral care including welfare and behaviour
- the curriculum is being delivered and learners are striving to achieve success at the school
- decisions on the school's budget have been made
- sufficient staff have been appointed and HR policies are complied with
- good relations between the school and the community are being actively promoted
- parents and carers are being kept fully informed
- an annual report has been produced by the governors that summarises the steps taken to discharge their duties

This information should then be included in the proposal report that is prepared when seeking the views of stakeholders.

## **Annex 3: Suggested content of proposal seeking the views of stakeholders**

The following list provides the minimum suggested content governing bodies and local authorities should provide in a proposal to federate.

1. Proposal, stating the intention to federate under The Federation of Maintained Schools (Wales) Regulations 2014, the proposed name of the federation, and details of the process as set out in the regulations
2. Brief outline of the schools and their governing bodies and details of the drivers for change
3. Process for how stakeholders should submit their views, including the timescale for responses
4. Schools' aims and policies:
  - confirmation that the schools have a statement of aims and policies in relation to the curriculum, learner admissions, learner discipline, ALN, and pastoral care including welfare and behaviour
  - any significant gaps and areas for policy development
  - confirmation that the requirements of the Curriculum for Wales are being met, plus significant comments in relation to learner attainment and achievement based, for example, on teacher assessments and recent inspection reports
5. Details of how all the schools in the federation can work together to develop shared policies and a common purpose of improving outcomes for all learners
6. Details of how federating can enhance the offering for all the schools involved in the proposed federation, including how concerns may be addressed
7. Key matters in relation to the school budget including, for example, current financial situation/statement and learner number projections
8. Compliance with HR policies and any staffing issues as relevant and appropriate to this proposal
9. Scope for improving leadership and management structures and how vacancies may be filled
10. Composition of the governing body, defining the proposed numbers of governors in each category, in accordance with the regulations
11. Any significant items in relation to the condition of the building and premises that may need to be addressed in the future
12. Brief description on the nature and quality of relations between the school and the community
13. Confirmation that the governing body has discharged its duties in relation to the production of an annual report
14. Any other items and information that the school's governing body or local authority considers important to record prior to dissolution and the federation date

15. If a school is joining an existing federation, a brief statement confirming that all minutes and papers of the school's governing body will be made available to the governing body of the existing federation

Signed: ..... (Chair of governors)

Signed: ..... (Headteacher)

Signed: ..... (on behalf of the local authority)

Date: .....

## Annex 4: Preparation of report on responses received from stakeholders to proposals for federations

This report should include the names of the schools and:

- the date of the publication of the proposal, the date for return of responses and the length of the period for stakeholders to submit a response
- the date of the meeting to consider and analyse responses to the proposal
- a record of those present at the meeting to consider/analyse the responses

### Number of responses received

Persons/organisation	Number of responses
Local authority	
Governing body or governors	
School staff	
Parents and carers	
Trade unions	
Diocesan authorities or other religious bodies	
Foundation governors, trustees or other persons eligible to appoint foundation governors	
Other persons/organisations	
<b>Total</b>	

## **Summary of comments received**

This section should summarise:

- significant comments in support of the proposal
- issues of concern and comments against the proposal
- the balance of views expressed overall

Where no responses have been received this should be stated. However, a comment indicating the reason why there have been no responses should also be included, if this is known.

## **Annex 5: Federations – standards, well-being and school improvement**

In considering federation, governing bodies and local authorities should give first priority to how federating their schools can support learners' progress and development and improve their standards of achievement.

### **Key benefits**

Effective federations can:

- drive school improvement
- provide children and young people with a wider range of educational options and experiences
- benefit learners by bringing them together to be taught within a narrow age band
- organise a wider range of out-of-school activities for their learners
- broaden children and young people's social experiences
- offer children and young people access to a wider range of materials, equipment and facilities
- develop common policies and schemes of work, and promote consistency and continuity in learning, teaching and assessment across the federated schools
- avoid duplication of effort
- use staff expertise across all schools within the federation
- provide opportunities for staff professional development
- create a clearer focus on strategic leadership and management

## Annex 6: Federations – risk and risk management

Risk: Establishing the federation	Control measures to mitigate risk
<p>Not all consultees are aware of proposals and that their views were being sought</p>	<ul style="list-style-type: none"> <li>• All parents and carers, staff, school staff unions, governors, foundation governors and trustees (where applicable), local authorities, diocesan authority and others in the school community will be sent letters and a summary copy of the proposal to federate, together with a link to the local authority's or schools' website where the full proposal can be seen</li> <li>• An FAQ briefing can be sent to stakeholders and posted on the relevant websites</li> <li>• Stakeholders will be invited to attend meetings where they will be able to raise any questions or concerns</li> </ul>
<p>Communication not strong enough during period of change leading to uncertainty</p>	<ul style="list-style-type: none"> <li>• Governing bodies or local authorities establish a federation strategic team or working group to ensure that all staff are aware of how the federation would affect them and keep parents and carers, staff and learners aware of benefits and opportunities</li> <li>• Extensive contact with stakeholders and whole school community is</li> </ul>



	<p>established giving explanation and examples of the benefits that can be achieved so that all feel ownership and understand the positive outcomes</p>
<p>Staff and families at the schools do not buy into the new arrangements.</p>	<ul style="list-style-type: none"> <li>• Open discussion about the benefits that may have already been established through any informal collaboration. Prepare an information and/or FAQ leaflet for parents, carers and families. Clear explanation and examples given about future benefits, for example improved opportunities for staff leading to improved retention and recruitment; benefits of collaborative working for staff and children</li> <li>• For most federations the membership of a federated governing body may have equal representation from schools in regard to parent governors to ensure the needs of schools are fairly met and there is transparency of decision making at governing body meetings and careful recording of decisions on use of resources, including budgets and staff</li> </ul>

Lack of trust between schools because of a concern that a school would be a 'loser' in the arrangement	<ul style="list-style-type: none"> <li>• Senior staff work closely with parents, carers and families and staff in other schools in the federation</li> <li>• An executive headteacher should distribute their time fairly between the schools in the federation</li> <li>• Executive headteacher and local authority works closely with governors</li> </ul>
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<b>Risk: After the federation is established</b>	<b>Control measures to mitigate risk</b>
Senior management team is spread too thinly across both schools	<ul style="list-style-type: none"> <li>• Federation working group give clearly defined roles for senior staff</li> <li>• Create a structure for senior staff working across the federation to ensure capacity to respond to all eventualities</li> <li>• Clear systems and expectations need to be in place from the outset to allay concerns</li> <li>• Clear planning in place to ensure that the best use is made of staff time where staff are moving regularly between schools</li> </ul>
Lack of a sense of shared identity between the schools	<ul style="list-style-type: none"> <li>• The proposed structure would provide strong leadership with clearly defined objectives and roles for schools and</li> </ul>

	<p>senior staff at all schools in the federation</p> <ul style="list-style-type: none"> <li>• Plans for school staff and learners to work closely together and learners to visit other schools in the federation to benefit from an extended curriculum</li> <li>• Parents, carers and families involved in events at all schools</li> </ul>
<p>Resource sharing not properly managed or budget insufficient</p>	<ul style="list-style-type: none"> <li>• The envisaged structure for financial responsibility should be fully documented at the outset of the federation</li> <li>• Need to create a strategic financial planning tool to include overview of finance systems and procedures</li> <li>• Clear audit trail kept for all budgetary planning and decisions</li> <li>• Strategic decision making across school budgets would provide greater flexibility to respond to changing circumstances</li> <li>• Staffing costs could be shared across budgets</li> <li>• Governing body to review budgets at regular intervals</li> </ul>
<p>The time of the governing body is stretched through overseeing more than one school</p>	<ul style="list-style-type: none"> <li>• Governing body should have clearly defined objectives and roles from the outset and consider setting up joint committees to oversee the federation process</li> </ul>

	<ul style="list-style-type: none"><li>• Local authority to work closely with the governing body in governing body-led federations, offering appropriate support, advice and training</li><li>• Well-prepared and structured agendas and meetings</li></ul>
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## Annex 7: Proposed composition of governing bodies of a federation of up to 6 schools taken from the Federation of Maintained Schools (Wales) Regulations 2014

The instrument of government for a federation must specify the size of the membership of the governing body of the federation being no fewer than 15 and no more than 27 governors in accordance with Regulation 25 of the Federation of Maintained Schools (Wales) Regulations 2014.

<b>Federation comprising only community, community special and maintained nursery schools</b>	<b>Federation comprising only foundation schools</b>
<p>(a) for each federated school at least one but no more than 2 parent governors elected or appointed to represent the interests of parents and carers of registered learners at that school</p> <p>(b) at least one but no more than 2 teacher governors</p> <p>(c) at least one but no more than 2 staff governors</p> <p>(d) at least 2 but no more than 4 local authority governors</p> <p>(e) at least 2 but no more than 4 community governors, one of which will be replaced by a representative governor where the federation contains at least one community special school</p> <p>(f) the head or acting head of the federation, if one is appointed, or the headteacher or acting headteacher of each school in the federation unless those persons resign as a governor</p> <p>For any primary or nursery school in a federation that is situated in a community council area, the governing body must also include a community governor in addition to those listed above</p>	<p>(a) for each federated school at least one but no more than 2 parent governors elected or appointed to represent the interests of parents and carers of registered learners at that school</p> <p>(b) at least one but no more than 2 teacher governors</p> <p>(c) at least one but no more than 2 staff governors</p> <p>(d) at least 2 but no more than 4 local authority governors</p> <p>(e) at least 2 but no more than 4 community governors</p> <p>(f) at least 2 but no more than 5 foundation governors (or partnership governors, as appropriate in respect of any school without a foundation)</p> <p>(g) the head or acting head of the federation if one is appointed, or the headteacher or acting headteacher of each school in the federation unless those persons resign as a governor</p>

<p>The governing body may in addition:</p> <ul style="list-style-type: none"> <li>(a) appoint one sponsor governor, and</li> <li>(b) appoint up to 2 associate learner governors where the federation contains secondary schools (these associate governors are not included when calculating the number of governors to meet the minimum and maximum numbers)</li> </ul>	<p>For any primary or nursery school in a federation that is situated in a community council area, the governing body must include a community governor in addition to those listed above</p> <p>The governing body may in addition:</p> <ul style="list-style-type: none"> <li>(a) appoint one sponsor governor, and</li> <li>(b) appoint up to 2 associate learner governors where the federation contains secondary schools (these associate governors are not included when calculating the number of governors to meet the minimum and maximum numbers)</li> </ul>
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<b>Federation comprising voluntary controlled schools</b>	<b>Federation comprising voluntary aided schools only</b>
<p>(a) for each federated school at least one but no more than 2 parent governor to be elected or appointed to represent the interests of parents and carers of registered learners at that school</p> <p>(b) at least one but no more than 2 teacher governors</p> <p>(c) at least one but no more than 2 staff governors</p> <p>(d) at least 2 but no more than 4 local authority governors</p> <p>(e) at least 2 but no more than 4 community governors</p> <p>(f) at least 2 but no more than 5 foundation governors</p> <p>(g) the head or acting head of the federation, if one is appointed, or the headteacher or acting headteacher of each school in the federation unless those persons resign as a governor</p>	<p>(a) at least one parent governor elected or appointed to represent the interests of all parents and carers of registered learners at all the schools in the federation</p> <p>(b) at least one but no more than 2 teacher governors</p> <p>(c) at least one but no more than 2 staff governors</p> <p>(d) at least one but no more than 2 local authority governors</p> <p>(e) the head of the acting head of the federation if one is appointed, or the headteacher or acting headteacher of every school in the federation unless those persons resign as a governor</p> <p>(f) one additional community governor where the federation includes a primary school or schools situated within a community council area</p> <p>(g) the persons who are entitled to appoint foundation governors may appoint such numbers of foundation governors as outnumber all the other governors listed in (a) to (f) by one provided the maximum of 27 governors is not exceeded.</p>

For any primary or nursery school in a federation which is situated in a community council area, the governing body must include an additional community governor in addition to those listed above.

The governing body may in addition:

- (a) appoint one sponsor governor
- (b) appoint up to 2 associate learner governors where the federation contains secondary schools (these associate governors are not included when calculating the number of governors to meet the minimum and maximum numbers)

The governing body may in addition appoint up to 2 associate learner governors where the federation contains secondary schools. These associate governors are not included when calculating the number of governors to meet the minimum and maximum numbers, or when calculating the number of foundation governors as they do not have a vote.



<p><b>Federation comprising voluntary-controlled and voluntary-aided schools</b></p>	
<p>(a) at least one parent governor elected or appointed to represent the interests of all the parents and carers of registered learners at all the schools in the federation</p> <p>(b) at least one but no more than 2 teacher governors</p> <p>(c) at least one but no more than 2 staff governors</p> <p>(d) at least one but no more than 2 local authority governors</p> <p>(e) at least one but no more than 2 community governors</p> <p>(f) one additional community governor for any primary school in the federation falling within a community council area</p> <p>(g) the head or acting head of the federation if one is appointed, or the headteacher or acting headteacher of each school in the federation unless those persons resign as a governor</p> <p>(h) the persons who are entitled to appoint foundation governors may appoint such number of foundation governors as are required to outnumber the total governors in (a) to (g) by no more than one, provided the maximum of 27 governors is not exceeded</p> <p>The governing body may in addition appoint up to 2 associate learner governors where the federation contains secondary schools. These associate governors are not included when calculating the number of governors to meet the minimum and maximum numbers, or when calculating the number of foundation governors required as they do not have a vote.</p>	

## Annex 8: Suggested instrument of government for federated maintained schools

[Note that in accordance with Regulations 42 and 46 of the Federation of Maintained Schools (Wales) Regulations 2014 copies of the instrument of government for all federations must be sent to Welsh Ministers at the [Legislation and Governance Branch](#), Welsh Government, Cathays Park, Cardiff CF10 3NQ]

### Example

The name of the federation is: .....

The names and categories of the schools in the federation are:

Name	Category
1. [Enter school name]	[Enter school category]
2. [Enter school name]	[Enter school category]
3.	

The name of the governing body is.....

The governing body shall consist of the following, depending on the number and categories of schools in the federation.

Category of governor	No. in each category
Parent governors  Name of school and number per school	
Headteachers	

Staff governors Teacher governors	
Local authority governors	
Community governors Additional community governors (where a primary school in a federation is situated in a community council area)	
Foundation governor Partnership governor Representative governor Sponsor governor	

The total number of governors appointed in accordance with Part 4 of the Federation of Maintained Schools (Wales) Regulations 2014:.....  
[sponsor governors and additional community governors should be included in this number].

Federations which include community special schools must have a representative governor to replace a community governor. The body entitled to nominate a representative governor is:.....

The sponsors entitled to nominate persons for appointment as sponsor governors under Schedule 5 of the Federation of Maintained Schools (Wales) Regulations 2014 are: .....

The name of any foundation body or person entitled to appoint foundation governors. [If this is more than one person, set out the basis on which appointments are made]:.....

[Where applicable]:

The holder of the following office shall be an ex-officio governor [name of office]. The foundation body or person named above 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 above.

The name of any person entitled to request the removal of any ex-officio foundation governor and to appoint any substitute governor:.....

Where a federated school is a foundation or voluntary school that has a religious character, a description of the ethos of the school:.....

The term of office for foundation governors where this is less than 4 years

This instrument comes into effect on:.....

This instrument was made by order of [insert name] local authority on:.....

A copy of the instrument must be supplied to every member of the governing body (and the headteachers of all schools in the federation if not a governor), any trustee and to the appropriate religious body if applicable, and Welsh Ministers.

The instrument must comply with any trust relating to a federated school.

## Annex 9: Services provided by the local authority during the federation process

Area	Role and activity
Planning of school places	<ul style="list-style-type: none"> <li>• Provide a strategic view on school organisation, including federation, across the authority and plan the use of resources to support that strategic view.</li> <li>• Ensure any review will encompass the effects of learner numbers and surplus spaces as well as any proposed amalgamations and school closures.</li> </ul>
School improvement services	<ul style="list-style-type: none"> <li>• Provide advice and support in developing a clear focus on school and learner improvement as part of the reporting stages in the federation process.</li> <li>• Be available for meetings with the headteachers and governing bodies to ensure that school improvement is a key component of federation.</li> <li>• Assist governing bodies in looking at school curriculum organisation across the federation.</li> </ul>
Governor support	<ul style="list-style-type: none"> <li>• Ensure governor support officers in each local authority are aware of provisions in the Federation of Maintained Schools (Wales) Regulations 2014 and the Education (Wales) Measure 2011.</li> <li>• Be the first line of communication with any groups of governors considering federation.</li> <li>• Act as a coordinator for the proposed federation to ensure all the activities of the authority are available at the appropriate time.</li> <li>• Provide ongoing support and training for a governing body, recognising the additional responsibilities undertaken by governors.</li> </ul>
Data services	<ul style="list-style-type: none"> <li>• Ensure local authority-held data on schools is brought together in an easily understood composite document.</li> <li>• Ensure that data includes learner attainment, school profiles, resources including staff numbers and school condition survey.</li> <li>• Share data across schools.</li> </ul>

Human resources	<ul style="list-style-type: none"> <li>• Governors will need help to understand the personnel policies and implications for their schools.</li> <li>• HR will need to provide advice and support on any proposed changes to the individual structures and staff organisation within the federation.</li> </ul>
Finance	<ul style="list-style-type: none"> <li>• Make arrangements to ensure that the accounts of each school within the federation are kept separate while enabling the resources to be pooled if the governing body requires it. Local authorities should review and keep up to date their funding formula as well as provide 3-year budgets.</li> <li>• Consider whether federation has additional costs and whether changes in the formula should reflect those costs.</li> </ul>
Property services	<ul style="list-style-type: none"> <li>• The local authority should keep an up-to-date condition survey of the federated schools' respective premises together with any planned works needed and/or proposed.</li> </ul>
Legal services	<ul style="list-style-type: none"> <li>• Check that the process and documentation meet statutory requirements.</li> <li>• Provide assistance in drafting the instrument of government.</li> </ul>
Translation services	<ul style="list-style-type: none"> <li>• The governing body may need access to translation facilities.</li> </ul>

## **Annex 10: Sharing governors**

In accordance with Schedule 5 of the Government of Maintained Schools (Wales) Regulations 2005, a person is allowed to be a governor at 2 schools. This arrangement could help community schools and schools with a charitable trust to support closer working by 'sharing governors'. For example, if a parent or carer has a child in a community nursery school, where a majority of the learners transfer to a faith-based voluntary-aided primary school, and that parent or carer also has a child in the faith-based primary school, that parent or carer could stand for election to be a parent governor on both governing bodies.

Also, the voluntary-aided school is likely to have foundation governors representing the interests of the local church parishes and community. It may be possible that these governors could be appointed as community governors on the community school governing body. Similarly, the local authority could appoint the same local authority governors to both schools.

Elected teacher or staff governors can only be a governor in that capacity on the governing body of the school where they are employed. However, in the example we have used, if these teachers and members of staff were teacher and staff governors in the faith school and also parents or carers that had children in the community nursery school, they could stand for election as parent governors in the community school and vice versa.

Using governors in the way described above would give them a strategic oversight of both schools and enable the governing bodies to develop a consistent approach to governance, policies and school improvement. Being able to work together closely would allow the governors to use resources to establish a cohesive strategy for learning and curriculum opportunities to deliver better outcomes for the learners of both schools.

Putting these arrangements in place could be quite complex and governing bodies and local authorities are advised to discuss how they could be achieved. Discussions between the governing bodies seeking agreement to such arrangements is also vital.