

## Decision Record – Cabinet Portfolio Holders

### Cabinet Portfolios Holder taking decision

Cllr Heather Timms – Child Safeguarding, Early Intervention & Schools  
Cllr David Wright – Finance, Governance & IT

Date of Decision: (NOT BEFORE 22 July 2011)

22 JULY 2011

*DL*

*cllr wright*

*HT*

### Decision taken

**AGREED**

**Approval given for the following Instrument of Government for the new Catholic voluntary Aided Primary School and Nursery in Rugby, known as St Marie's Catholic Primary School and Nursery, opening in September 2011.**

### INSTRUMENT OF GOVERNMENT :

#### CATHOLIC VOLUNTARY AIDED SCHOOLS

1. The name of the school is **St. Marie's Catholic Primary School and Nursery.**
2. The school is a Voluntary Aided school.
3. The name of the governing body is The Governing Body of St. Marie's Catholic Primary School and Nursery.
4. The school is founded by and is part of the Catholic Church. The school is to be conducted as a Catholic School in accordance with the Latin Rite Canon Law and the teachings of the Catholic Church, and in accordance with the Trust Deed of the Archdiocese of Birmingham and in particular:
  - a. Religious education is to be in accordance with the teachings, doctrines, discipline, general and particular norms of the Catholic Church.
  - b. Religious worship is to be in accordance with the rites, practices, discipline and liturgical norms of the Catholic Church.
  - c. At all times the school is to serve as a witness to the Catholic Faith in Our Lord Jesus Christ.
5. The school operates under the provisions of the Trust Deed of the Archdiocese of Birmingham.
6. The governing body shall consist of :

- 7 Foundation governors, of whom 3 shall, at the time of their appointment, be eligible for election or appointment as parent governors;**
- 1 parent governor;**
- 1 LA governor;**
- 3 staff governors.**

7. The total number of governors will be 12.
8. Foundation governors are appointed by the Archbishop of Birmingham (or any other person exercising Ordinary jurisdiction on his behalf) through the Director of Schools of the Diocesan Schools Commission.
9. The Archbishop of Birmingham or any other person exercising Ordinary jurisdiction on his behalf (through the Director of Schools of the Diocesan Schools Commission), may remove foundation governors at any time during their period of office.
10. Date instrument drafted by the governing body: 10th May 2011.
11. Date draft instrument approved by the foundation governors: 10th May 2011.
12. Date draft instrument approved by Trustees: 20th May 2011.
13. This Instrument comes into effect on 1<sup>st</sup> September 2011.
14. This Instrument was made by order of Warwickshire Local Authority on .....July 2011.
15. A copy of this Instrument must be supplied to every member of the governing body (and the Headteacher if not a governor), the Trustees of the Archdiocese of Birmingham and to the Archbishop through the office of the Director of Schools of the Diocesan Schools Commission.

**Reasons for Decision**

A new primary and nursery school is due to open in Rugby in September 2011. The School Governance (New Schools) (England) Regulations 2007 require the Local Authority to ensure that an Instrument of Government has been made for a new school in accordance with regulations 29 to 31 of The School Governance (Constitution)(England) Regulations 2007 before the school opening date.

After consultation with the temporary governing body for the new St. Marie's Catholic Primary School and Nursery in Rugby, opening in September 2011, a draft Instrument of Government for the new school has been prepared in accordance with the above regulations. This has been approved by the Director of the Diocesan Schools Commission on behalf of the Trustees of the Archdiocese of Birmingham.

**Background Information/ factors considered in arriving at these decisions - (set out below or attach officer report):**

<b>Background Financial and Legal Implications</b>	
As set out above	
Report Author:	Mary Aitken, School Governance & Support Officer
Head of Service:	Greta Needham
Strategic Director:	David Carter and Marion Davis
Portfolio Holders:	Cllr David Wright and Cllr Heather Timms

**Checklist**

**Urgent matter: yes/no\***

No

**Confidential or Exempt (state category of exempt information)**

No

**Is the decision contrary to the budget and policy framework**

No

**List of Reports considered** [please attach or forward a copy]

**As attached**

**List of Background Papers** *[please include directorate contact names and numbers for access to background papers]*

**None**

**Any members and officers consulted or informed and any comments given.**

**Local Members: Cllrs Vereker, Wright, Watson**

**For information: CYP&F Chair, Vice- Chair and Spokes: Cllrs Tandy, Ross, Balaam and Robbins.**

**Legal: Victoria Gould – ‘no comments’.**