



Federations

Guidance for Governing Boards of Maintained Schools



Dear Governor

I hope you find this guidance helpful as you consider federation for your school. It is essential that governing boards understand the specific legal requirements of these arrangements. Alongside your named adviser I would encourage close cooperation with your local authority to ensure compliance with the relevant legislation. DfE guidance was updated in 2022 and can be accessed [here](#).

There are additional considerations for church schools in the Diocese of Leeds which this guidance aims to address. Please note that church schools cannot federate without the agreement of the Leeds Diocesan Board of Education (DBE). For this reason I advise that you engage with your named adviser from the outset.

Before seeking approval for federation, church schools are required to show that academisation has also been considered. This is because federation is a search for collaboration which benefits our schools and young people. One of the most successful ways schools work better together, receive mutual support and achieve economies of scale is through joining one of our partner multi-academy trusts (MATs). We have guidance on what due consideration looks like in practice. Your named adviser will be able to support you with this. Requests to federate without this will not be approved.

Whilst Church schools and community schools can federate, from this point forward such federations will only be approved in exceptional circumstances. This is to protect the historic and distinctive foundation of our schools. For the same reason, it will be a condition of approval that all federated governing bodies will commit to working with the Diocese annually through their service level agreement in all of the schools for the period the federation is in existence. This mirrors the requirements of academies within our partner MATs.

We look forward to working with you as you explore the best path for your school. Our team has extensive experience in helping schools collaborate, and we have worked successfully with many governing boards and headteachers as they have transitioned into new roles and positions. We are there for you too. Don't hesitate to get in contact if you have any questions.

With every blessing

A handwritten signature in black ink that reads "Simone" followed by a stylized flourish.

Simone Bennett
Director of Education

Federations Guidance: Summary of Key Messages

- Schools should begin all discussions from the outset with their local authority AND the Diocese of Leeds through their named adviser.
- The key driver for any collaboration between schools should be the benefits to children and young people.
- Federating requires a statutory process, boards should ensure compliance with relevant legislation.
- Federation statutorily requires the agreement of the Leeds Diocesan Board of Education (DBE).
- Church schools must give due consideration to academisation (as described in diocesan guidance) before seeking approval for any federation. This is a condition of approval.
- Church schools may only federate with a community school in exceptional circumstances, explored on a case-by-case basis.

Federations

A federation is where two or more schools come together under one governing board. The schools' governing bodies are disbanded and a new over-arching governing board is formed. This becomes the accountable board for all the schools, taking on the governance responsibilities for all of the schools within the federation. Each school in a federation remains a separate entity, receives its own delegated budget, and is inspected separately. An individual school can federate with an existing federation of schools, in this instance the process set out in this document is the same.

Formal Collaborations

A formal collaboration is a less permanent arrangement in which the governing bodies remain separate. Collaborations can come in many forms but most commonly involve a memorandum of understanding between schools and the establishment of a joint committee of governors from all schools to oversee the effectiveness of the partnership agreement. This arrangement is normally time-bound. Collaborations often include the sharing of a headteacher or school leadership team between schools. This arrangement can often be a useful means of trialling the possible benefits of closer working before moving towards a more permanent federation arrangement.

Interim arrangements

In some instances, schools have to react to a situation where they are temporarily without a headteacher. In such circumstances, the Diocese will work alongside the local authority to secure an interim solution which may involve the sharing of a headteacher with another school. This may also involve a time-bound memorandum of understanding. This is a form of collaboration but is treated differently as it is a reactive response to a need as opposed to a proactive strategic decision. Therefore the approval process is different. Nonetheless, such interim solutions should not take place without the involvement of the Diocese. If the interim arrangements include leaders

new to Church schools, there is requirement that they commit to working with the Diocese to receive support and training.

The possible benefits

The most important driver for any collaboration between schools should always be the bringing of benefits for children and young people.

They can help schools to:

1. Provide a broader curriculum and offer wider opportunities for pupils.
2. Provide opportunities for more strategic leadership and management models, such as an executive headteacher or other shared staff.
3. Improve opportunities for professional development of staff and support recruitment and retention.
4. Share and extend strengths and expertise among classroom and administrative staff.
5. Secure better value for money by pooling resources and expertise.
6. In a federation context, governance could be improved as the pool of possible governors increases. Recruitment and retention to a single governing board for a number of schools is most often easier.

The possible challenges

Governors may find challenges in:

1. Leadership workload with multiple events and tasks. Careful management is required and a clear, delegated structure needs to be put in place.
2. Managing parental expectations, be clear and honest that some things may change.
3. Bringing differing school cultures, staff teams and communities together.
4. Resistance to change.
5. Transport issues – both travel expenses between sites and also safe and secure transport for pupils, which might necessitate additional insurance cover.
6. In a federation context, creating a governing board where all members place the good of the federation above individual schools needs careful thought.

The headteacher in a federation

Schools in a federation often share a headteacher, but it is not required. Similarly, schools can share a headteacher without being in a federation. From our experience, federations work best with a clear leadership structure. Schools should be wary simply having a headteacher manage multiple schools. These multi-school headship roles can create excessive workload, including multiple improvement plans, meetings, and events. This model can be unsustainable. A more effective approach is to appoint an executive headteacher with a strategic role, supported by a leadership team that handles the daily management of each school and assists the executive headteacher.

School budgets

Each school in the federation remains a separate entity and is funded according to the funding formula. Financial modelling is important when considering a federation, large savings can be an incentive but are not often the reality of a federation. The cost savings when sharing a headteacher are normally made up by the increased costs of building leadership and teaching capacity as outlined above. Church schools should make the most of their local authority in ensuring robust financial modelling before decision-making.

Questions to consider

Inform your named adviser from the Diocese and local authority, they will be able to assist you in finding out more, assessing potential partners and will help to ensure that you have carefully considered the proposal and the impact it will have on your school and its Church of England foundation.

Boards considering federation should give some thought to the following questions:

1. What are we hoping to achieve by entering a formal partnership arrangement?
2. Are our considerations/proposals in line with the Diocesan position?
3. What are the likely financial benefits and costs? *Detailed financial modelling is essential*
4. What benefits or risks could federation bring to our pupils, parents and staff?
5. How will it impact on standards?
6. Would the decision to enter a formal partnership arrangement impact negatively on our more vulnerable pupils or any particular group of pupils?
7. How could working with other schools help us prepare for an uncertain future i.e. by strengthening our position if we are unable to appoint a headteacher?
8. How could we engage the whole school community when entering into federation arrangements?
9. Is there anyone likely to object to a decision to enter into a partnership arrangement and how will we manage this?
10. If considering executive headship, how could we ensure that the school is in a position to thrive in the headteacher's regular absence i.e. by developing other levels of leadership?
11. How do we ensure that the individual strengths and ethos within our school are safeguarded whilst also benefiting from closer links with other schools?
12. What strengths and qualities do we have that we can share with other schools? How can we make other schools in our area aware of what we have to offer to a federation arrangement?
13. How will we monitor the impact of the federation?
14. What happens if the partnership isn't working for our school?
15. Do we have enough information? - What further advice do we need?

The process of becoming a federation

The decision to enter into a federation is made separately by each of the governing boards proposing to federate. Before they can make this decision, church schools must get the permission of the Diocese and then the governing boards must undertake statutory consultation with interested parties and publish their proposals under Section 24 of the Education Act 2002, and in accordance with The School Governance (Federations) (England) Regulations 2012.

In essence, it is a five-stage process (see the flow diagram in Appendix 1):

1. Exploring options
2. Deciding whether to proceed
3. Consulting publicly
4. Making the final decision
5. Implementing the outcome

Foundation governors in a federation context

The whole governing board is responsible for ensuring the school remains effective as a church school. This applies even if a new federated governing board is formed with community schools involved. Foundation governors have a special duty to protect and strengthen the school's religious character and ensure it follows its trust deed.

The DBE will only consider proposals for church schools to join or establish a federation, which includes the following minimum places for foundation governance:

Federations which include a voluntary aided Church of England school

Proposals for any federation involving a voluntary aided school must reflect the usual voluntary aided majority on the federated governing board i.e. that the foundation governors will outnumber all other governors by two.

Federations which include Church of England schools but no voluntary aided school

Proposals for a federation not involving a voluntary aided school must mirror the regulations for a voluntary controlled school. Therefore there must be a minimum of two foundation governors but no more than a quarter. The DBE reserves the right to specify what this proportion will be within the regulation boundaries.

Other considerations for federations involving voluntary aided schools

Under the School Standards and Framework Act 1998, voluntary aided schools can give preference to candidates who demonstrate a commitment to the religious ethos of the school when hiring for leadership or teaching positions, particularly those that involve teaching religious education.

Governors of voluntary aided schools are advised to check with their HR support service to explore how employment legislation would apply in any new federated context.

Retaining the distinctiveness of your church school

When schools federate, because the schools remain individual schools, much will remain the same. In relation to church schools this means:

- The Church of England school will remain a Church of England designated school and will continue as a voluntary controlled, voluntary aided or foundation school (as the case may be). The Instrument of Government for the federated governing board must reflect this and must include an appropriately worded ethos statement.
- Religious education should continue to be taught as appropriate for a Church of England school of the relevant status. (Note it may be that this requires different syllabuses to be taught in different schools in the federation).
- The daily act of collective worship must continue to be provided in accordance with the trust deed/Anglican tradition.
- The school will continue to be inspected in the same manner under the SIAMS and Ofsted frameworks.
- The federated governing board would still need to find the usual 10% capital contribution in the case of capital works to a voluntary aided school.
- The admissions authority will not change (save that, in the case of a voluntary aided or foundation school, the relevant admissions authority will become the federated governing board)
- In a voluntary aided school, the governors are the employer and they also have the right to use Christian commitment as part of their criteria when employing school leaders. Proposed federations that include voluntary aided schools should include discussions with their HR professionals on this matter.
- The ownership of site and buildings will not change.

Appendix 1: Flowchart summarising the process of federation for church schools

Church school governing boards seeking greater collaboration will give due consideration to academsiation as required by the Diocesan Academy Strategy. If boards decide against this they may consider federation as an option. This will be explored alongside the Diocese and Local Authority who may be able to suggest possible partner schools.

Governing boards of prospective partner schools separately agree to explore federation. They create a joint working party to consider the impact on church school distinctiveness, leadership arrangements, curriculum, school performance, finance, property, staffing and governance. They produce a written proposal. Each individual board meets to consider the written proposal. It must be an agenda item at a full board meeting for which at least 7 days' notice is given.

Church school governing boards wishing to federate must request approval to proceed from Leeds Diocesan Board of Education (DBE). **Approval to proceed must be given in writing before proceeding further.**

Draft consultation documents are drawn up and agreed in conjunction with the local authority and diocese. This includes a proposed date for the federation to begin (federation date).

The statutory consultation process takes place for a minimum of six weeks. The regulations specify who should be consulted. Consultation meetings take place for example with parents and staff. Any necessary TUPE consultation process is carried out (NB in a Voluntary Aided and Foundation school, the employer will change from the single governing board to the federated governing board).

Both boards meet to consider the consultation responses. Each board considers their individual board position and make final decision on whether they wish to proceed to federate. This must be an agenda item at a full board meeting where at least seven days' notice has been given. Notification of the decisions made should be in accordance with regulations.

A new federation Instrument of Government is drawn up alongside the local authority and Diocese. A list of governors that wish to transfer onto the new board is drawn up, a skills audit takes place and any necessary new appointments are made. Each board prepares a transfer of functions report for the purpose of assisting the new federated board. All minutes and papers are made available to the new board. On the federation date, each individual board is dissolved and the new board incorporated, having their first meeting.

The role of the Diocese in the process

- The named adviser should be informed at the earliest opportunity regarding any discussions about school organisation.
- If available, the named adviser may attend the joint working party to explore federation please ensure that they are invited.
- Diocesan approval to proceed must be sought before any consultation takes place.
- The diocese should have an input into the draft consultation document.
- The formal consultation documents should follow regulations and also be sent to the Diocese of Leeds, foundation governors, the Parochial Church Council (PCC), any other person or board included in the appointment of your foundation governors and site trustees.
- The federated board's Instrument of Government will need to be approved by the Diocese prior to the federation coming into being. **NB The final consent to the federation by the DBE is indicated by our formal approval of the Instrument of Government and of any additional formal documentation.**
- A final copy of the 'made' Instrument of Government should be sent to the Diocese alongside details and contact details of membership of the new governing board.
- Check that the federation schools have bought into the service level agreement as set out in the conditions of approval.

Useful References:

[Federations: guidance on the governance processes](#) –DFE 2022

[Rural Schools: Embracing Change](#)- Church of England

[Governance in Federations](#) – National College of Teaching and Learning

[School Partnerships and Cooperation](#) – House of Commons Education Select Committee Report

[Information on Federations](#) - National Governors Association (NGA),

[Sustainable Improvement in Multi-School Groups](#) – DFE

[The School Governance \(Federations\) \(England\) Regulations 2012](#)



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