

How to Amend an Instrument of Government

The Instrument of Government (IoG) is a maintained school's legal governing document and sets out the constitution and composition of the local governing board. It includes the school's category and legal name. For church schools it also includes details of foundation appointing bodies.

For Church of England schools, the creation or revision of an IoG is a three-stage legal process involving the local GB, the Diocesan Board of Education (DBE) and the local authority (LA). The DBE's formal approval is needed before an IoG can be issued.

The DBE guides this process and it is essential to contact them before any draft is agreed locally by governors. They will check your draft, ensuring it is aligned to statutory regulations, DBE policy, and local parish structures. If there are any queries, they will discuss these with you to make sure that the IoG meets local needs. They will send the agreed draft to the LA on your behalf, for the LA to issue the legal copy.

When does an IoG need to be amended?

Governing boards may need to amend their existing IoG for various reasons including:

- A change to statutory composition regulations
- Any reconstitution of the GB to meet local needs
- A change to the school's legal name
- A change of category
- If the school enters into a formal federation arrangement, or where an existing federation structure is changed
- For Church of England schools, updates to content arising from a parochial reorganisation, a change of foundation appointing body, or a change of trustee

What is the process?

1. *Contact the DBE on officeDBE@derby.anglican.org*

Let us know you would like to amend your IoG before you begin the process. We will work with you to ensure your draft is aligned to statutory regulations for church schools and any DBE requirements, as well as suiting local needs.

2. *Governors locally agree the prepared draft*

This happens at a meeting of the full governing body and must be included on the notified agenda. Minutes need to clearly record the decision. The consent of foundation governors and trustees must also be obtained. You then confirm to us the date of the meeting at which the draft was agreed.

3. *Governors submit the draft to the DBE*

The DBE check draft before formal approval.

4. *Draft submitted to local authority*

Once approved, the DBE submit the draft to the LA on your behalf.

5. *LA issues sealed copy to you, with a copy to DBE.*

6. *Chair of Governors ensures circulation to full governing body*

The clerk should be given a copy and all governors are entitled to receive a copy.

Amending an IoG can be a complex process for church schools; we are very happy to advise on any questions that arise.

For all enquiries about your IoG, please contact the DBE on officeDBE@derby.anglican.org