



Federations

A guide for maintained school governing bodies

July 2023

Contents

Introduction	3
1. What is a federation?	3
Leadership	4
Governance	4
Budget	4
2. Why federate?	5
3. The process of federating	5
Discussion and preliminary consent	5
Drawing up a formal proposal	6
Formal consultation	6
Decision and implementation	7
4. Further governance considerations	8

Introduction

A federation is a formal structure between two or more local authority (LA) maintained schools, with one governing body that is accountable for all schools in the federation.

Forming or joining a federation can bring about benefits such as increased capacity, leading to improved outcomes.

The decision to federate rests with the governing body, who must follow the legal process set out in [School Governance \(Federations\) Regulations 2012](#).

This guide is for governing bodies and governance professionals. It draws on Department for Education (DfE) [guidance](#) to explain how federating works in practice and covers:

- what a federation is and how it operates
- potential reasons for federating
- the process of federating
- further governance considerations

Considering the alternative: joining a MAT

The DfE believes that the benefits of being in a federation (as well as other benefits) can be achieved by schools being part of a strong multi academy trust. Details are set out in the [Opportunity for all](#) White Paper published in 2022.

[Guidance](#) is also available from NGA to support schools considering ‘taking the next step’ to join or form a MAT.

1. What is a federation?

A federation is defined in law as two or more LA maintained schools (including nursery schools) operating under the governance of a single governing body, committed to improving outcomes for all children across the federation. Each federated school is treated as an individual school, meaning it:

- keeps its existing DfE category and does not gain, lose, or change its religious character through being part of a federation
- continues to have its admissions determined by the appropriate admission authority
- is inspected individually by Ofsted
- can still be subject to a [Directive Academy Order \(DAO\)](#)

While entering into a federation is a long-term commitment, it is not a permanent change to a school structure; it is possible for schools to leave a federation.

Leadership

Whilst retaining their own identity and admission arrangements, most federations choose to have an executive headteacher who is accountable to the federated governing body and with oversight across all schools in the federation, as well as headteachers in each school.

Governance

The governing bodies of the schools federating are dissolved at the point that the federation comes into being, at which point a federated governing body is formed under a new instrument of government.

The constitution of the federated governing body is set out in the [proposal for consultation](#) and must meet the following requirements:

- at least seven governors in total
- one local authority governor
- two parent governors and one staff governor from across the school(s) in the federation (new elections will need to be held for elected governor positions)
- the designated headteacher(s) or executive headteacher as per the leadership arrangements determined for the federation
- as many co-opted governors as considered necessary
- specific numbers of foundation or partnership governors required by foundation and voluntary school federations to comply with relevant regulations

These requirements demonstrate that those serving on the federated governing body, including parent representatives, are responsible for **all schools** within the federation. Therefore, the federated governing body should not be amalgamation of governing bodies of individual schools.

Budget

There are different ways of allocating the budget in a federation:

- individual schools are allocated their own budget by the LA
- the federation is allocated its own budget by the LA
- individual school budgets allocated by the LA are pooled and allocated across the federation with a clear audit trail

Those leading and governing the federation will need to consider the advantages, disadvantages and risks attached to the above options and seek advice from the LA.

2. Why federate?

The initiative to federate is likely to come from the headteacher, the governing body or another party, such as the LA or diocese. Common reasons to federate include:

- current or future headteacher vacancy
- budget pressures and the need to create financial sustainability
- school(s) vulnerable due to pupil progress and attainment
- a wider strategy to build capacity of schools in a locality

NGA believes that being part of a formal structure, like a federation or MAT, provides greater opportunity to:

- procure and share resources
- recruit and retain staff
- develop the curriculum
- embed efficiencies and improvement
- improve outcomes

Federation benefits: the evidence

A [report published by Ofsted](#) in 2011 highlighted improvements in achievement and behavior at schools that had federated, as well as the positive impact on staff retention and development, due to them having opportunities to gain experience in different types of school.

A [study](#) of the impact of school federation on student outcomes, commissioned by the National College of Teaching and Leadership, supports these findings, as does [research](#) carried out by NGA in 2014.

3. The process of federating

Discussion and preliminary consent

Where schools wish to federate, the regulations require each governing body to consider a report as a specified item on the agenda and give their preliminary consent.

This is an important stage in the process that allows governing bodies to discuss and question:

- the rationale for federating
- perceived advantages and disadvantages
- risks and mitigation
- impact on stakeholders, especially pupils

Conducting a SWOT (strengths, weaknesses, opportunities and threats) analysis can bring further clarity to the discussions and position them in the context of a school's future strategy. For more on this, refer to NGA's [guide](#) to Being Strategic.

Accessing good advice is also important. We recommend that governing bodies consult their governance professional (clerk) as well as the LA, diocese or other religious bodies as appropriate.

Where the proposal is for the governing body to join an **existing federation**, the governing body of that federation must consider whether to give preliminary consent or reject the proposal.

Drawing up a formal proposal

Once the governing body has given their formal preliminary consent to federating, they are required to enter the formal proposal and consultation stage, alongside the governing body(s) of the schools they wish to federate with.

DfE guidance recommends that a joint working group is established to plan and manage the formal consultation process and keep all parties informed of progress. The role of the working group is to establish the vision for the federation and draw up a formal proposal for consultation. In doing so they will determine matters relating to leadership and governance, budget and resources, employment and human resources.

A template [formal proposal document](#) is available on the NGA Knowledge Centre.

DfE guidance also recommends that the working group engages stakeholders when drawing up the proposal for consultation. Involving staff, professional associations, the local authority and the relevant religious authority at the earliest opportunity helps to achieve 'buy in' and clarify the reasons for federating and the expected outcomes.

Visit our Knowledge Centre for more on [effective stakeholder engagement](#).

The formal proposal for consultation needs to be considered and agreed separately by each governing body as a specified item of business. This is a precursor to a formal consultation.

Formal consultation

Having agreed it, the governing body of each school federating should publish the proposal for consultation on their school website and send it to:

- all headteachers and staff
- all parents and carers
- the LA
- the diocese or other religious body, if appropriate
- the foundation governors and trustees of any trust relating to the school within the proposed federation which has a foundation

The governing body is also required to send a copy of the proposal to consultation to SchoolFederation.NOTIFICATIONS@education.gov.uk within seven days of it being published.

The proposal should include the address and the date (not less than 6 weeks after publication, taking school closure into account), by which written responses to the consultation must be returned to the appropriate governing body.

The guidance states that the governing body should organise events during the consultation period to explain the vision for the federation and answer questions from interested parties. Separate meetings should be held with the professional associations representing staff.

Decision and implementation

Following the close of the consultation period, the governing bodies of the schools wishing to federate must jointly consider any responses and decide if they want to proceed.

If all the governing bodies wish to proceed with federation (as set out in the proposal or with appropriate modifications), then they must give notice to the LA and the Secretary of State (see email address above).

If one or more governing body decides they do not wish to proceed, then the process effectively ends and must start again for those governing bodies who still wish to pursue federation.

Implementing a decision to federate requires extensive preparation and there are tasks that need completing before the federation is incorporated. These include but are not restricted to:

- preparing an instrument of government, establishing a governing body for the federation and arranging governance professional support
- drawing up the agenda for the first governing body meeting
- preparing inventories of the assets
- reviewing financial projections
- summarising high level priorities for the federation
- ensuring that work on staff contracts is completed

It is a good idea for the joint working group to remain in place and co-ordinate these tasks to bring about a smooth transition.

Prior to the federation date, the existing governing bodies are required to prepare a report (paragraph summary) explaining how governors have discharged their former responsibilities, as well as providing all minutes and papers to the federation's governing body

On the federation date, the existing governing bodies are dissolved and the governing body of the new federation is incorporated. All land and property held by the schools' governing bodies before the federation date transfers to the federated governing body.

4. Further governance considerations

Fundamentally, the requirements for governing a federation are the same as governing a single school: it remains a strategic activity that is based around three core functions.

However, ensuring that schools in the federation share a common set of goals and values, and are supported according to their different needs provides a challenge for those governing.

It is important to embed the principle of federated governance at an early stage. One way of doing this is to **hold a strategy day** involving the governing body, executive leader and headteachers of schools in the federation, as an opportunity to gain a holistic view and instill a 'one organisation' mentality. This can be embedded further through staff and governor CPD.

Sufficient capacity will be needed to govern across schools to cover strategic priorities and meet statutory responsibilities at scale. These include, but are not restricted to, admissions, complaints, grievances, exclusions and pay. Consideration will need to be given to:

- committee structures
- reporting arrangements
- link governor roles and school visits
- routine board business

The federated governing body might want to consider delegating significant levels of responsibility to school-based committees that perform a similar role to a local governing body or academy committee in a MAT. This model can provide a framework for executive oversight and reporting at full governing body level, which is underpinned by committee reporting and a chairs' committee. With effective implementation, this can make federation governance more sustainable.

We recommend that the governing body of the federation consult and engage their governance professional when designing and reviewing governance structures and routine business. It may also be beneficial to gain an outside perspective and expert support. NGA's team of knowledgeable and experienced [governance consultants](#) can help.

NGA is the national membership association for governors, trustees and governance professionals in England's state schools and trusts.

We empower those in school and trust governance with valuable resources, expert support and e-learning. Together, we're raising standards and shaping stronger governance to ensure every pupil can thrive today – and tomorrow.

nga.org.uk