



Cadmus policy and procedures for leaving a federation (defederation)

1. PART 1: Scope of this Policy

- 1.1. This policy covers requests to leave a school federation under the school governance (federations) (England) regulations 2012. It covers the procedures in relation to what the Cadmus governing board and the individual school board are required to do to de-federate from one another.
- 1.2. A **school federation**^[a] is a group of schools in [England and Wales](#) which, as defined in the [Education Act 2002](#), operate under a [statutory](#) shared [governing body](#) (a **hard federation** or **hard governance federation**)

2. PART 2: General Approach

2.1. If a school decides to leave the Cadmus family of schools (it's a hard federation) This means it defederates [The School Governance \(Federations\) \(England\) Regulations 2012](#) must be followed.

2.2 A written request to leave a federation must be sent to the governance professional (clerk) or chair of the governing body of the federation. It must be signed by one of the following:

- 2 or more governors
- the parents of at least one-fifth of the registered pupils at the school requesting to leave
- at least two-fifths of staff who are paid to work at the school requesting to leave
- the local authority
- the trustees of any trust relating to that school (if relevant)
- a body entitled to appoint foundation governors to the governing body of the federation (if relevant)

2.3 The governing body of the federation must give notice of the request to:

- all relevant local authorities, within one week of the request
- the headteacher/executive headteacher of the federation or the headteacher at each federated school, within one week of the request
- staff paid to work at the school requesting to leave
- every parent of a registered pupil at the school requesting to leave
- the trustees of any trust relating to the school requesting to leave, where the school is a foundation or voluntary school with a religious foundation



- the appropriate diocesan authority, in the case of a Church of England or Roman Catholic Church schools, and for all other such schools, the appropriate religious authority
- anyone else the governing body of the federation considers appropriate – for example, the parents and staff of the other school(s) in the federation and/or professional associations

2.4 Not less than 14 days after giving notice of the request, the federation's governing body must consider the request and all responses received and decide whether the:

- school should leave the federation and the date of leaving
- federation should be dissolved and the date of dissolution
- school should not leave the federation

Part 3: The decision to leave

3.1 Cadmus governors will consider all three options but have agreed as a memorandum of understanding that if a school fulfils all the requirements to defederate that we will not prevent them from leaving the federation.

3.2 This decision must be made at a governing body meeting, as a specified item on the agenda.

3.3 Once the decision to leave has been triggered there will be a formal notice period of at least two terms concluded no sooner than August 31st

3.4 The governing body must notify the group of people listed above about their decision within one week. If it is decided the school should leave the federation, the Secretary of State must be notified within one week of the decision by email to SchoolFederation.NOTIFICATIONS@education.gov.uk.

3.5 The governing body of the federation must review the instrument of government and may need to consider elections to fill staff or parent roles which were previously filled by staff or parents from the defederating schools.

3.6 [The School Governance \(Federations\) \(England\) Regulations 2012](#) provides further information on the process including what to do with budgets and the transfer of properties, rights and liabilities.



Part 4: When a federated school is discontinued

4.1 If a school in a federation is closing (discontinued), follow the specific steps in the [School Governance \(Federations\) \(England\) Regulations 2012](#).

4.2 If there are at least 2 schools left in the federation, the governing body of the federation:

- must review the instrument of government before the discontinuance date
- may need to consider elections to fill staff or parent roles which were previously filled by staff or parents from the discontinued school

4.3 If only one school is left, the federation will dissolve as set out in the [School Governance \(Federations\) \(England\) Regulations 2012](#) and [Dissolving a federation](#).

Part 5: Dissolving a federation

5.1 The dissolution of a federation happens if the governing body of the federation decides to dissolve the federation, so that the individual schools become separate maintained schools. This includes where a school has made the decision to leave a federation or is discontinued, where they are one of only 2 schools.

5.2 The schools may also join or form a multi-academy trust (MAT).

5.3 The governing body of the federation must give notice of the decision and of the date of dissolution within one week to:

- the Secretary of State
- all relevant local authorities
- the headteacher or executive headteacher of the federation or the headteacher of each federated school (where appointed)
- staff paid to work at the federation or a federated school
- every parent and carer of a registered pupil at a federated school
- the trustees of any trust relating to the relevant school, where the relevant school is a foundation or voluntary school with a religious foundation
- the appropriate diocesan authority, in the case of a Church of England or Roman Catholic Church schools and for all other such schools, the appropriate religious authority
- anyone else the governing body considers appropriate, for example, the parents and staff of the other schools in the federation and/or professional associations



Part 6: Setting up a temporary governing body when a federation dissolves

6.1 If a school has made the decision to leave a federation, where it is one of only 2 schools, or where a federation is to be dissolved and a notice of dissolution has been received, the local authority must:

- set up a temporary governing body for each school in accordance with Parts 3 and 4 of the [New Schools Regulations](#)
- issue a new instrument of government for each school

6.2 On the dissolution date:

- the temporary governing body of each school is incorporated as the governing body of each de-federated school on the date the federation dissolves
- all land or property which, immediately before the date of dissolution, was held by the governing body of the federation for the purposes of each de-federated school, transfers to the new governing body of each de-federated school
- all rights and liabilities existing immediately before the date of dissolution which were acquired or incurred by the governing body of the federation for the purposes of each de-federated school transfer to the new governing body of each de-federated school