

Wards Affected: See Paragraph 2.5 of the report

DELEGATED DECISION

22 APRIL 2014

APPOINTMENT OF LOCAL AUTHORITY REPRESENTATIVE GOVERNORS

Decision taker: Councillor Dransfield, Cabinet Member for Children's Services and Lifelong Learning

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Executive Summary:

To appoint Local Authority Representative Governors to school governing bodies constituted under the School Governance (Constitution) (England) Regulations 2007.

To nominate Local Authority Representative Governors to school governing bodies constituted under the School Governance (Constitution) (England) Regulations 2012.

To nominate Local Authority Representative Governors to academy governing bodies as appropriate.

1. Recommendation

- 1.1 That the public and press be excluded from the meeting by virtue of Paragraph 1 (Potential Office Holder with the Authority) of Part 1 of Schedule 12A of the Local Government Act 1972, during consideration of the **Annexes** to this report.
- 1.2 That the appointment or nomination of Local Authority Representative Governors be approved (**Annexes A and B**).

2. Issues

- 2.1 The Local Authority's statutory duty to appoint representative governors is limited to the governing bodies of maintained schools constituted under School Governance (Constitution) (England) Regulations 2007.
- 2.2 There is no requirement to make appointments to school governing bodies constituted under School Governance (Constitution) (England) Regulations 2012.

For governing bodies constituted under these regulations, the Local Authority is asked to nominate a person who would then be appointed by the governing body having, in the opinion of the governing body, met any eligibility criteria set by the governors.
- 2.3 There is no requirement to make nominations to academy governing bodies unless requested by the governing body or academy trust.
- 2.4 To ensure that governing bodies can operate effectively, it is essential that, where possible, they have a full complement of governors representing a wide range of interests and are committed to serving the school and its pupils. This is emphasised within the Appointment and Dismissal Procedure for Local Authority

Governors, which sets out the selection criteria. Local authorities are also required to ensure that vacancies do not remain open for an unreasonable period.

2.5 Governor nominations will be considered for the following schools:

(a) Pepper Hill and Stanton Federation (Stantonbury Ward) (**Annex A**)

(b) Greenleys First School (Wolverton Ward) (**Annex B**)

3. **Alternative Options**

3.1 The only alternative option is not to appoint Local Authority Representative Governors to the identified vacancies. However, as already stated, local authorities are required to ensure that vacancies do not remain open for an unreasonable period.

4. **Implications**

4.1 Policy

None.

4.2 Resources and Risk

None.

N	Capital	N	Revenue	N	Accommodation
N	IT	N	Medium Term Plan	N	Asset Management

4.3 Carbon and Energy Management

None.

4.4 Legal

The legal requirement for the appointment of LA representative governors is stipulated in the School Standards and Framework Act 1998, as amended by the Education Act 2002.

Every governing body , under section 19 of the Education Act 2002 , regulation 13 of the School Governance (Constitution) (England) Regulations 2012 and regulation 6 of the School Governance (Constitution)(England) Regulations 2007, is required to have at least one representative of the Local Authority as part of its membership. Free Schools and Academies are exempt from this requirement.

4.5 Other Implications

None.

N	Equalities / Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers: School Standards and Framework Act 1998, as amended by the Education Act 2002.
School Governance (Constitution) (England) Regulations 2007
School Governance (Constitution) (England) Regulations 2012
Procedure for the Appointment and Dismissal of Local Authority Governors
Articles of Association for Academies