

DECISION-MAKER:	CABINET MEMBER FOR CHILDREN'S SERVICES AND LEARNING
SUBJECT:	APPOINTMENT OF LOCAL AUTHORITY GOVERNORS
DATE OF DECISION:	13 FEBRUARY 2012
REPORT OF:	ASSISTANT DIRECTOR OF CHILDREN'S SERVICES AND LEARNING
STATEMENT OF CONFIDENTIALITY	
None.	

BRIEF SUMMARY

To consider the selection and appointment of Local Authority governors across maintained and non maintained schools in Southampton.

RECOMMENDATIONS:

- (i) To support the appointment of Local Authority governors to governing bodies of all schools in Southampton.
- (ii) To agree a code of practice for the appointment of Local Authority governors and to approve a procedure for removal of LA governors as set out in appendix 1 and 2 to the report.

REASONS FOR REPORT RECOMMENDATIONS

1. Current arrangements for the appointment of Local Authority (LA) governors do not take account of the different types of schools now in place, including Foundation and Academy schools.
2. Currently there is no process to follow for the removal of a LA appointed governor.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Not Applicable.

DETAIL (Including consultation carried out)

4. The arrangements for appointing LA governors were last reviewed in 1999 post Local Government Reorganisation (LGR). At that time the constitution for all governing bodies for all categories of schools included an LA governor. (School Standards and Framework Act 1998).
5. Maintained schools (including Foundation Trust and Voluntary schools), consider their Governing Bodies (GB) constitution according to a framework set out in School Governance (Constitution) (England) Regulations 2007 – the "Constitution Regulations" as amended.
6. Under current legislation there is a requirement for the above schools to include an LA governor in GB constitutions. There is no such requirement for Academies although Academy Trust members can choose to include an LA governor in the constitution if they wish to do so.
7. This report seeks to re-affirm the appointment process of LA governors to maintained schools *and* to recommend that the Council asks that all non maintained schools (Academies) consider the inclusion of an LA governor in

GB constitutions / Academy Trust arrangements. The rationale for this is that irrespective of the type of school the city council has a duty to ensure that all children in the city receive a high standard of education and are appropriately safeguarded. All LA governors will be CRB checked. This applies to all schools. In supporting the principle of an LA governor in every school this will provide another vehicle for the Council to engage and communicate with partners across a range of differing organisations.

8. Having a formal process in place to appoint LA Governors will also assist Members in participating in Council decisions without the need to declare pecuniary interests (just personal interests as Council appointees) under current standards and decision making arrangements and will allow them to participate in decision making that they would otherwise be required to take no part in as a result of an unofficial appointment or acting in a private capacity at law.
9. As a result of appointing LA governors to all types of schools in the city it may be appropriate to facilitate meetings if required, for LA governors, to share information and updates between all partners.
10. The report seeks the approval of the code of practice for appointment of LA governors in Southampton, including appointment of LA governors to non maintained schools where requested to do so. See Appendix 1.
11. The report also seeks the support and agreement to a procedure for removal of an LA governor as no such guidance currently exists in Southampton. See Appendix 2.

RESOURCE IMPLICATIONS

Capital/Revenue

12. Not applicable.

Property/Other

13. Not applicable.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

14. As set out in the body of the report.

Other Legal Implications:

15. In exercising the Council's functions, including the appointment of LA governors and the selection process to be followed for such, the Council must have regard to the provisions of the Equalities Act 2010.

POLICY FRAMEWORK IMPLICATIONS

16. The proposals in this report are consistent with the Council's Policy framework, in particularly the aims and objectives of the Children & Young Peoples Plan and City Strategy.

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KEY DECISION Yes

WARDS/COMMUNITIES AFFECTED:	ALL
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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members' Rooms and can be accessed on-line

Appendices

1.	Code of Practice for Appointment of Authority Governors in Southampton 1A Flowchart for Appointments
2.	Procedures for Removal of Authority Governors

Documents In Members' Rooms

1.	None
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Integrated Impact Assessment

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	No
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Other Background Documents

Integrated Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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