

Southampton City Council Procedures for Removal of Authority Governors

Authority governors hold no greater or lesser responsibility or power than any other governor type. They are bound by the same disqualification regulations as set out in the **Guide to the Law for School Governors**.

Supporting information

Whilst the legislation and statutory guidance specifies circumstances in which an individual is disqualified from holding office or continuing in office as a governor, they do not specify the circumstances which could lead to the removal of an LA appointed governor. The School Governance (Constitution) (England) Regulations 2003 state the following:

Removal of LEA and foundation governors

23.—(1) Any LEA governor or foundation governor may be removed from office by the person who appointed him, who must give written notice thereof to the clerk to the governing body and to the governor so removed

The decision to appoint and remove Authority governors rests with the Executive Director of Children's Services.

If there appears to be "*good reason*" to remove the Authority governor initially the Governance & Leadership Adviser (**GLA**) or an alternative officer will normally discuss the issues informally with the governor concerned, with the aim of resolving the issues and providing advice and support.

"*Good reason*" may include but not be limited to, any of the following:

- irretrievable breakdown in the relationship between the governor and the governing body
- conduct or bias that is inconsistent with the school's ethos or religious character and has or is likely to bring the school, the governing body or their office of governor, or the LA into disrepute
- serious failure to co-operate with the LA, governors, or governing body as a whole

If the issues cannot be satisfactorily settled as above, and it appears there is "*good reason*" to remove the Authority governor the process to remove the governor shall be:

- The Director of Children's Services will inform the governor in question and the chair of the governing body, in writing, of the full reasons why the removal is proposed, inviting them to make representations regarding the proposal;
- The Director of Children's Services will decide whether or not to remove the governor, and will then notify the governor, and the chair and the clerk of the governing body of his decision, with written reasons, and in the event of a decision for removal indicating the governor's right of appeal within 14 days receipt of the decision;

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- The LA Governors' Appointment Panel will consider any appeals against the decision of the Director of Children's Services to remove the governor;
- The appeal shall be dealt with by written representations;
- Within 7 days of this meeting the governor, the chair and the clerk to the governing body, will be notified in writing of the decision.
- The decision of the Governors' Panel shall be final and binding on all parties.

Southampton City Council expects all governors, including LA governors to act in accordance with the Nolan Principles of Public Life as detailed below:

The Seven Principles of Public Life

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

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Leadership

Holders of public office should promote and support these principles by leadership and example.

These principles apply to all aspects of public life. The Committee has set them out here for the benefit of all who serve the public in any way.