



CABINET - 11TH SEPTEMBER 2012

SUBJECT: LOCAL AUTHORITY REPRESENTATION ON A SCHOOL GOVERNING BODY

REPORT BY: CORPORATE DIRECTOR EDUCATION & LIFELONG LEARNING

1. PURPOSE OF REPORT

1.1 The purpose of this report is to outline to members the options available (following the change in political control of the Council) to review Local Authority Representation on Governing Bodies.

2. SUMMARY

2.1 In 1999 Cabinet agreed a policy relating to the appointment of Local Authority (LA) governors.

2.2 The policy, to be implemented following a significant change in the political composition of the Local Authority.

2.3 In 1999 and 2004 the controlling group agreed to review the position of all governors representing the LA.

2.4 In 2008, the decision was taken not to review but allow changes to come into effect as individual terms of office come to an end.

3. LINKS TO STRATEGY

3.1 Links to the Authority's strategy for school improvement and raising standards.

4. THE REPORT

4.1 The four-year term of office of 180 governors who represent the LA has now come to an end. There are also a number of newly elected members who may wish to serve as School Governors.

4.2 As the Council is now governed by a new political party, Cabinet, in line with policy agreed in 1999, are required to determine how they would wish officers to proceed with forthcoming elections of LA governors.

4.3 The Policy agreed by Cabinet in 1999 provided the following options for consideration:-

1. To carry out a full review of Local Authority appointments.
2. Allow due process to be followed and changes to be effective as individual terms of office come to an end.

4.4 A further option for consideration would be to review Local Authority appointments for positions currently held by former Councillors (those who lost their seat in the 2012 May elections).

4.5 Whilst there is no legal requirement for Cabinet to refer the matter to Council, the previous Cabinet decision determined that recommendations from Cabinet would be forwarded to Council for approval. To expedite the process it would seem appropriate that the final decision rests with Cabinet.

5. EQUALITIES IMPLICATIONS

5.1 There are no equalities implications.

6. FINANCIAL IMPLICATIONS

6.1 Administrative costs involved in the management of the review.

7. PERSONNEL IMPLICATIONS

7.1 There are no personnel implications

8. CONSULTATIONS

8.1 The comments of consultees are reflected in the report.

9. RECOMMENDATIONS

9.1 It is recommended that, in relation to the Local Authority nominations on school Governing Bodies:-

- Cabinet review the positions currently held by former Councillors (those who lost their seat in 2012 May election).
- The process as agreed in 1999 be amended so that the final decision rests with Cabinet.

10. REASONS FOR THE RECOMMENDATIONS

10.1.1 This option, whilst supporting the appointment of new governors, will minimise disruption to the effective management of the school, thus contributing positively to the raising of standards.

10.1.2 Appointments could be made in a short time scale to enable full Local Authority representation on Governing Bodies for forthcoming Annual General Meetings.

10.1.3 The change in the decision making process to a Cabinet only decision will expedite any future reviews of Local Authority appointments ensuring that appointments can be made in a timely fashion.

11. STATUTORY POWER

- 11.1
- (i) The School Standards and Framework Act 1998
 - (ii) The Code of Practice on relationships between Local Education Authorities and Schools 1999.
 - (iii) The Case R v Warwickshire County Council ex parte Dill-Russell and another (1990)

Author: Sandra Aspinall, Corporate Director – Education & Lifelong Learning
Consultees: Cabinet Member for Education & Lifelong Learning
Manager, Governor Support and Development Officer
Head of Legal Services and Monitoring Officer
Corporate Management Team

Background Papers: None