

Notes of Guidance for Governing Boards

For clerks and governors of maintained schools and best practice for academies

Appointment of Local Authority Governors

PROCESS FOR THE APPOINTMENT OF 'LOCAL AUTHORITY' GOVERNORS FOR MAINTAINED SCHOOLS

Relevant Legislation

The School Governance (Constitution) (England) Regulations 2012

The School Governance (Federation) (England) Regulations 2012

The 2012 regulations limit the number of LA governors to 1 and states that the LA should nominate but the Governing Body should appoint. Under these regulations the governing body may set eligibility criteria for the LA governor appointment.

The Governing Body could, for example, identify financial expertise or skills in analysing data to support them in their monitoring role e.g. with regard to disadvantaged and more able pupils. They may also seek to attract governors from industry or community organisations to support the school in developing partnerships.

The eligibility criteria for Local Authority Governors was reviewed and the following recommended by the cabinet at the cabinet meeting 13th December 2012. This should apply to all appointments made under the 2012 regulations where the governing body has not agreed its own criteria.

Essential:

- a) A desire to serve the local community
- b) Sufficient time to carry out the role
- c) An interest in Education in a community setting
- d) An ability to constructively challenge the school in order to secure improvement
- e) Having the skills necessary to deal with an increasing administrative load or be willing to develop these
- f) Having a collaborative approach and being a 'team player'
- g) A willingness to be involved in the life of the school
- h) A desire to support the school concerned

Desirable

- a) Existing Knowledge of and a commitment to the area
- b) Relevant managerial experience in finance, personnel or curriculum'

LA governor nomination and appointments process (new appointment):

1. Governor Services advises the clerk, Chair of Governors and Cllr of the impending vacancy
2. The Chair of Governors or nominated representative, contacts the Councillor to request a nomination and to share any eligibility criteria determined by the governing body
3. Councillor makes a nomination to the Chair of Governors or their nominated representative
4. The governing body will consider the nomination against any eligibility criteria and either ask for an alternative nomination (if in the opinion of the governing body the nominee does not meet the eligibility criteria) or agree the appointment.
5. Should a second nominee be rejected the School Improvement Adviser with responsibility for Governor Services will become involved in a mediating role.
6. The clerk to governors will notify Governor Services of the appointment of the new LA governor and provide details on form GS 1.

Any local authority/ authority governor may be removed from office by the Director of Children's Services in consultation with the Cabinet Member with Responsibility for Children and Families. The council must give written notice of the removal from office to the clerk to the governing body and to the local authority governor who is being removed.

Academy Local Authority appointments (if required) are made in compliance with the Articles of Association agreed between the DfE and the Academy. The articles allow for an LA governor on the governing body but this is not statutory. The appointment is made by the Local Authority through the Legal and Democratic Service and is consistent with the process to other third party institutions e.g. Colleges.

LA governor nomination and appointments process (re-appointment):

1. Governor Services advises the clerk, LA governor and Cllr of the impending vacancy and sends the governor a re-nomination application form.
2. Governor completes page 1 of the form and passes to the Chair of Governors (or Vice Chair if the governor is the Chair)
3. The Chair of Governors completes page 2 of the form and:
 - i. Discusses with governor
 - ii. Returns form with recommendations to Governor Services
 - iii. Contacts Councillor to discuss re-nomination or to request a new nomination making any criteria known to the Councillor
4. The governing body will consider the appointment and either appoint or seek an alternative nomination from the Councillor
5. If the re-appointment of the LA governor is agreed the clerk to governors will notify Governor Services and provide details on form GS 1.
6. In the event of not appointing reasons for rejection of the nomination should be sent to Governor Services

Email: governorservices@worcschildrenfirst.org.uk

Telephone: 01905 846400

Governor Services, Worcestershire Children First, County Hall, Spetchley Road, Worcester, WR5 2NP