

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

TUESDAY 29 NOVEMBER 2016

REPORT BY THE DIRECTOR OF EDUCATION AND FAMILY SUPPORT

APPOINTMENT OF LOCAL AUTHORITY GOVERNORS

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval from Cabinet for the appointment of Local Authority (LA) governors to the school governing bodies listed in paragraph 4.1 and 4.2.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

- 2.1 The work of LA governors supports the raising of educational standards and the well-being of children, young people and their local communities. In particular, their work contributes to the corporate priority:

- Supporting a successful economy.

3. Background

- 3.1 In accordance with the council's '*Guidance on the appointment of local education authority governors*' approved by Cabinet on the 14th October 2008, an officer panel from the Education and Family Support Directorate met on Wednesday 2nd November 2016 to consider applications received for current and forthcoming vacancies of LA Governors on governing bodies (see paragraphs 4.1, 4.2 & Appendix A). The officer panel scrutinised all application forms.

4. Current situation / proposal

- 4.1 For the 5 schools below, the 5 applicants met the approved criteria for appointment as LA governors and there was no competition for any of the vacancies. Therefore, the recommended appointments are:

Cllr Jeff Tidesley MBE	Corneli Primary School
Cllr David White	Héronsbridge School
Mr Ben North	Nantymoel Primary School
Mr Stephen Harrett	Pen y Fai Church in Wales Primary School
Mr John Hughes	Plasnewydd Primary School

- 4.2 There was competition, however, for one vacancy at two schools. The officer panel scrutinised the applications received and recommended the following appointment:

NAME OF SCHOOL	APPLICANTS
Bryntirion Comprehensive In line with the Council's selection criteria, it was agreed to recommend Cllr Charles Smith based on him being an elected member, outside the local ward for the school.	Mr Robin Hughes Cllr Charles Smith Cllr David Alan Unwin

NAME OF SCHOOL	APPLICANTS
Tynyrheol Primary In line with the Council's selection criteria, it was agreed to recommend Cllr Marlene Thomas based on her being a local ward member for any part of the school's catchment area.	Mr Bleddyn John Parry Cllr Marlene Thomas

4.3 Subject to the above appointments being approved, there are still 27 vacancies that need to be filled (see Appendix A).

5. Effect upon Policy Framework and Procedure Rules

5.1 There is no effect upon the Policy Framework or Procedure rules.

6. Equality Impact Assessment

6.1 An assessment of the appointment of Local Authority governors shows that there are no equalities issues related to this report.

7. Financial Implications

7.1 There are no financial implications regarding this report.

8. Recommendation

8.1 Cabinet is recommended to approve the appointments listed in paragraphs 4.1 and 4.2.

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Background documents

- Bridgend County Borough Council's 'Guidance on the appointment of local education authority governors', that was approved by Cabinet on 14th October 2008.
- The Government of Maintained Schools (Wales) Regulations 2005.

List of LA Governor vacancies up until DECEMBER 2016

NAME OF SCHOOL	List of Current & Forthcoming Vacancies
ARCHBISHOP MCGRATH CATHOLIC HIGH SCHOOL	1
COLEG CYMUNEDOL Y DDERWEN	1
PORTHCAWL COMPREHENSIVE SCHOOL	1 (from November)
YGG LLANGYNWYD	1
ABERCERDIN PRIMARY SCHOOL	1
AFON Y FELIN	1
BETWS PRIMARY SCHOOL	1
BRYNCETHIN PRIMARY SCHOOL	1
CAERAU PRIMARY SCHOOL	1
CWMFELIN PRIMARY SCHOOL	1
FFALDAU PRIMARY SCHOOL	1
LITCHARD PRIMARY SCHOOL	1
LLANGYNWYD PRIMARY SCHOOL	1
MYNYDD CYNFFIG PRIMARY SCHOOL	2
NEWTON PRIMARY SCHOOL	2
NOTTAGE PRIMARY SCHOOL	1
OLDCASTLE PRIMARY SCHOOL	1
PENYBONT PRIMARY SCHOOL	1 (from November)
PIL PRIMARY SCHOOL	1
PLASNEWYDD PRIMARY SCHOOL	1
PORTHCAWL PRIMARY SCHOOL	1
ST MARY'S PRIMARY CATHOLIC SCHOOL	1
YSGOL GYNRADD GYMRAEG CWM GARW	1
YSGOL GYMRAEG BRO OGWR	2
TOTAL VACANCIES	27



GUIDANCE ON THE APPOINTMENT OF LOCAL EDUCATION AUTHORITY GOVERNORS

1. Role of Local Education Authority (LEA) Governors

- LEA Governors are representatives of the LEA and not delegates. This means that they cannot be directed by the LEA but they should represent the views of the LEA.
- An LEA Governor is expected to help the school improve and support the school's ethos and mission.
- An LEA Governor is expected to provide the school with the skills and experience that it needs.

2. Criteria for Identification of Candidates

An LEA Governor is expected to possess the following attributes:

- A commitment to raising the aspirations and achievement of young people
- Good communication skills and interpersonal skills
- An ability to respect confidentiality
- Tact, diplomacy and an open mind.
- A willingness to attend regularly meetings of the governing body
- An understanding and/or knowledge of the role of the LEA
- An interest in education and/or knowledge in this field
- A good knowledge of the area and community that the school serves
- An ability to absorb information
- An ability to work as part of a team
- A commitment to equal opportunities
- A willingness to undertake training

The LEA has produced a Code of Conduct for governors and governing bodies have been recommended to adopt the document as their own. When LEA governors have been appointed they would be expected to meet the standards of conduct set out in the Code of Conduct.

The LEA recognises that individual governors are bound by the corporate responsibilities of the governing body. The LEA may provide its representative governors with information from time to time but this will not replace the LEA's duty to communicate and consult with governing bodies (as required by the Welsh Assembly Government's Code of Practice on LEA - School Relations).

3. The Appointment Process

The Directorate will take a pro-active role in identifying existing and potential LEA governor vacancies and will endeavour to make appointments as soon as possible. In the first instance, where a vacancy for an LEA governor arises at a school:

- the local ward member(s) of the County Borough Council will be invited to declare an interest in being appointed at the school;
- where no ward member declares an interest, the vacancy will be open to other elected members;
- should the vacancy still exist, then nominations from elected members, headteachers and governing bodies will be considered. The LEA will also advertise locally to seek nominations from interested persons who wish to be considered for the position as an LEA governor;
- all candidates including local ward members will be required to complete an application form which is to be returned to the Governor Support Unit. Recommendations for appointment will be based on the information provided on the application form;
- application forms will be considered by an officer panel made up of the Corporate Director – Children, Head of Service and Group Manager for Learner Support Services, or their representatives. The panel will meet to consider applications on a regular basis as determined by the vacancy situation;
- the officer panel will make recommendations to Cabinet for approval of applicants who possess the most appropriate skills and/or experience. Where more than one application is received for the position, the panel will use the following criteria as tiebreakers (listed in descending order of priority):
 - Local ward member for any part of the school's catchment area;
 - Elected member, outside the local ward for the school;
 - Community Councillors - Secondary and Special Schools only (please see footnote below¹);
 - Current and/or previous experience as a governor based on (in priority order):
 - attendance record at governing body meetings in the previous two years;
 - attendance record at governor training events;
 - relevance of the phase of education;
 - Experience and/or relevant knowledge of educational issues;
 - A knowledge and understanding of the role and functions of the LEA.

¹ NOTE The Government of Maintained Schools (Wales) Regulations 2005 already provides for the governing bodies of any community, voluntary or foundation primary school and maintained nursery school's to include one community governor nominated by the community council, therefore these schools have not been included in the above criteria.

The LEA is committed to ensuring that all applications received are regarded equitably and given due consideration regardless of gender, age, race, ethnic origin, sexual orientation or disability.

Once appointed, each applicant will be notified in writing and the LEA will provide its representative governor with information and support. LEA governors would be expected to comply with the Code of Conduct for School Governors that has been issued and recommended for adoption by individual governing bodies.

Re-appointment of Governors

Where there has been no significant change in circumstances. LEA governors applying for re-appointment may request their original application form to be re-considered. This request must be stated on an additional form where personal details will be included on the form and an extra section will be added so that any changes that have occurred over the past four years can be added.

Special Cases

The School Standards & Framework Act 1998 gives local authorities powers of intervention in schools causing concern. One of those powers is the appointment of additional LEA governors to strengthen the school's capacity to deal with the areas of concern. In all cases, such additional governors need to bring particular skills or experience to the governing body and these will vary depending on the weaknesses apparent in the particular school in question. There is also likely to be some urgency about the appointments. Because of these factors, the usual appointment process is not a suitable mechanism for appointing additional LEA governors to support schools causing concern. To enable the Council to respond rapidly and appropriately in cases where there are significant concerns about a school (including those which are identified by Estyn as requiring special measures), the power to appoint additional governors is to be delegated to both the Cabinet Member for Children and Young People and the Corporate Director - Children.

4. Removal of LEA Governors

- Only the Cabinet has the authority to dismiss an LEA governor but only after appropriate procedures have been followed. These procedures will ensure the individual is subject to the rules of natural justice and advice on the dismissal of a governor will be provided to the Cabinet by the Corporate Director- Children.
- Should any concerns arise during a governor's term of office, the Group Manager for Learner Support Services will act as an intermediary in an attempt to resolve the matter. Should removal be thought to be necessary, the governor will be invited to a meeting of the officer panel to hear the concerns and to be given the opportunity to respond. Following the meeting the officer panel will make a recommendation to Cabinet on the issue of removal, and the individual governor and the Chair of Governors will be informed in writing of the Cabinet's decision.
- Such cases of removal might involve, but may not be limited to, any of the following:
 - Conduct or bias that is clearly not in the best interest of the school;

- Serious failure to co-operate with the LEA, governors or the governing body as a whole;
- An irretrievable breakdown in relationship between the LEA governor and the governing body;
- Failure to attend governing body meetings;
- Failure to meet the standard of behaviour set out in the Code of Conduct for School Governors.

Any LEA governor who is removed from office may not be appointed to a governing body as an LEA governor for a period of twelve months from removal. Should the governor concerned hold office on another governing body, that position would not be affected.

For further information please contact the Learner Support, Education and Family Support Directorate, Bridgend County Borough Council, Civic Office, Angel Street, Bridgend CF31 4WB Tel: 01656 642637