

MAYOR AND CABINET			
Report Title	Local Authority Governor Appointment		
Key Decision	No	Item No.	
Ward	Brockley		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	16 July 2014

1. Summary

- 1.1 The report sets out details of a nominee for appointment as a Local Authority governor.

2. Purpose

- 2.1 To consider and approve the appointment of the Local Authority governor detailed in paragraph 6 below.

3. Recommendation/s

The Mayor is recommended to:

- 3.1 agree to appoint Philip Ratcliff as Local Authority governor to St. Stephens CE Primary School.
- 3.2 note the information concerning the recommended governor in Appendix 1.

4. Policy Context

- 4.1 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children. The main purpose of a governing body is to account for the achievement of children and young people in their schools.
- 4.2 The appointment of governors supports the broad priorities within Lewisham's Sustainable Community strategy, in particular those of being "ambitious and achieving" and "empowered and responsible". Governors

help inspire our young people to achieve their full potential and they also promote volunteering which allows them to be involved in their local area.

- 4.3 Two specific corporate priorities that are relevant pertain to “community leadership and empowerment” and “young people’s achievement and involvement”.

5. Background

- 5.1 Every governing body, under Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2007, is required to have at least one representative of the Local Authority as part of its membership. Free schools and Academies are exempt from this requirement. A vacancy has arisen on the governing body of the educational establishment listed and a new appointment is required.
- 5.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The person listed in paragraph 6 would serve the normal 4 years.

6. Governor recommended for Appointment as Local Authority governor.

Name	School	New appointment
Philip Ratcliff	St. Stephens CE Primary	Yes

7. Financial implications

- 7.1 There are no financial implications arising from this report.

8. Legal implications

- 8.1 Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2007 require every governing body to have at least one representative of the Local Authority as part of its membership. Academies are exempt from this requirement.
- 8.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

- 8.4 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 8.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 8.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision-making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 8.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

9 Crime and Disorder Implications

- 9.1 There are no specific crime and disorder implications arising from this report.

10. Equalities Implications

- 10.1 Lewisham Council's policy is to encourage all sections of the community to be represented as Local Authority governors. In particular, we would encourage further representation from the black community and minority groups including disabled people, who are currently under-represented as governors. The numbers of governors in these groups is kept under review

11. Environmental Implications

- 11.1 There are no specific environmental implications arising from this report.

12. Conclusion

- 12.1 The individual detailed in Appendix 1 views being a governor as a way of utilising their skills and experience to make a difference to the lives of children and young people in Lewisham schools. Section 19 of the Education Act 2002 and Regulations made under it require every governing body to have at least one representative of the Local Authority as part of its membership. Academies are exempt from this requirement. A vacancy has arisen on the governing body of the educational establishment listed and a new appointment is required.
- 12.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The nominee listed in paragraph 6 would serve the normal 4 years.

Background Documents

There are no background papers.

If there are any queries arising from this report, please contact Suhaib Saeed, Strategic Lead Governors' Services and School Leadership, Governors' Services, 3rd Floor, Laurence House, telephone 020 8314 7670

New LA Governor Appointments and Re-appointments**APPENDIX 1**

Name	School	Occupation	Residential Area	Précis of Suitability to be considered as a school governor	Governor Monitoring Information
Philip Ratcliff	St Stephens CE Primary School	Organisational Development Consultant	SE4	Philip is currently serving as Chair of Governors at St. Stephens in a parent governor capacity and his term of office ends on the 31 August 2014. The governing body are keen to retain his skills and experience on the governing body. He has skills in leadership and management development, organisation culture, ICT learning and project management. He is also a skilled coach and facilitator.	Male White British