

MAYOR AND CABINET			
Report Title	Local Authority Governor Appointments and Nominations		
Key Decision	No	Item No.	
Ward	Forest Hill, Whitefoot, Evelyn		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	14 January 2015

1. Summary

- 1.1 In May 2014, amendments to the School Governance (Constitution) (England) Regulations 2012 and the School Governance (Federations) (England) Regulations 2012 were made and laid before Parliament. The Department for Education (DfE) also published statutory guidance on the constitution of maintained schools which governing bodies and Local Authorities must have regard to.
- 1.2 The amendments require all governing bodies of maintained schools to be constituted under the 2012 Constitution Regulations or the 2012 Federation Regulations, as appropriate, by 1 September 2015.
- 1.3 The Constitution Regulations are the ones that determine the size and membership of governing bodies. We are currently working to two different sets of Regulations in maintained schools. Most governing bodies in Lewisham are still constituted under the 2007 Regulations and for these schools, up until they reconstitute, the Local Authority still appoints Local Authority governors.
- 1.4 Those governing bodies who have already reconstituted do not need to go through the reconstitution process but need to be mindful of the new skills based criteria when filling 'appointed' governor places and for the Local Authority governor position, the Local Authority would nominate a governor for "appointment" by the governing body if a Local Authority governor was not in place for transition to the newly constituted governing body,
- 1.5 Officers are currently working closely with all schools to manage the transition effectively within the timeframes.

- 1.6 This report is to request an appointment of a Local Authority governor to a school that has not yet reconstituted and the nomination of Local Authority governors for schools who are reconstituting.

2. Purpose

- 2.1 To consider and approve the appointment and nomination of the Local Authority governors detailed in paragraph 6 and 7 below respectively.

3. Recommendation/s

The Mayor is recommended to:

- 3.1 agree to appoint the person set out in paragraph 6 as a Local Authority governor;
- 3.2 note the information concerning the recommended new governor in Appendix 1.
- 3.3 agree to nominate the persons set out in paragraph 7 as Local Authority governors;
- 3.4 note the information concerning the recommended nominated governors in Appendix 2.

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. Governing bodies reconstituting under The School Governance (Constitution) (England) Regulations 2012 only allows for

one Local Authority governor. Free schools and Academies are exempt from this requirement.

- 5.2 A vacancy has arisen on the governing body of the schools listed below and a new appointment or nomination is required. Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The persons listed in paragraph 6 and 7, would serve the normal 4 years. Appendix 1 and 2 highlight the skills and experience that the individuals possess which will enable them to be effective members of a governing body.

6. Governor recommended for Appointment as Local Authority governor (for governing bodies still constituted under the School Governance (Constitution) (England) Regulations 2007.

Name	School	Re-appointment or New Appointment
Paula McDonald	Kelvin Grove	New Appointment

7. Governors recommended for Nomination as Local Authority governor (for governing bodies constituted under the School Governance (Constitution) (England) Regulations 2012.

Name	School	Nomination
Andrea Blower	St. John Baptist (Southend)	Yes
Julia Glyn-Pickett	Sir Francis Drake	Yes
Ms. Alice Cairns	Greenvale	Yes

8. Financial implications

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

9. Legal implications

- 9.1 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. Governing bodies reconstituting under The School Governance (Constitution) (England) Regulations 2012 only allows for one Local Authority governor. Academies are exempt from this requirement.
- 9.2 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.

9.3 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.

9.4 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.

9.5 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/>

9.6 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

9.7 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/>

10 Crime and Disorder Implications

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

11. Equalities Implications

- 11.1 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

12. Environmental Implications

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

13. Conclusion

- 13.1 The individuals detailed in Appendix 1 and 2 view 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 School Governance (Constitution) (England) Regulations 2007 made under it require every governing body to have at least one representative of the Local Authority as part of its membership. Governing bodies reconstituting under The School Governance (Constitution) (England) Regulations 2012 only require one Local Authority governor. Academies are exempt from this requirement. A vacancy has arisen on the governing body of the schools listed and an appointment or nomination is required.
- 13.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The persons listed in paragraph 6 and 7 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

LA Governor Appointments					APPENDIX 1
Name	School	Occupation	Residential Area	Précis of Suitability and Skills to be considered as a school governor	Governor Monitoring Information
Ms. Paula McDonald	Kelvin Grove	Senior Civil Servant	SE23	<p>Paula is passionate about the engagement of local communities in the running of local organisations and wants to contribute her experience in business management and governance as part of a governing team. She has considerable board level experience, including as a Non Executive Director for a hospital trust with lead responsibility for patient complaints and safeguarding children, and as a trustee for a young people's charity in the voluntary sector.</p> <p>She is a senior civil servant, working in the Efficiency and Reform Group of the Cabinet Office. Her early career was in the voluntary sector, setting up social and community enterprises including an after school club in her neighbourhood.</p>	Female Black Caribbean

LA Governor nominations					APPENDIX 2
Name	School	Occupation	Residential Area	Précis of Suitability and Skills to be considered as a school governor	Governor Monitoring Information
Ms. Julia Glyn-Pickett	Sir Francis Drake	Senior Programme Manager	SE6	Julia has been an active and committed member of the Governing Body since December 2010. She is a member of the Personnel Committee and is one of the Headteacher's governor appraisers. Julia designs and secures funding for media and communication projects that strengthen accountability and good governance. She also has a professional background in people and organisational development and has been a volunteer mentor for 17-19 year olds with the Social Mobility Foundation for the past 4 years. She is also the parent of a child at another Lewisham primary school.	Female White European
Ms. Andrea Blower	St John Baptist (Southend) C of E Primary	Civil Servant	DA7	Andrea has been a governor at St John Baptist for nearly 15 years (becoming Chair in 2005) and has assisted St John's on its journey to becoming an outstanding school. During the last Ofsted inspection leadership and management was considered outstanding as governors provide support and rigorous challenge to school leaders. Andrea continues to fulfil the role of critical friend and has also established a productive working relationship with the governors at St Mary's Lewisham to ensure both schools benefit from the current Partnership arrangement.	Female White British

LA Governor nominations					APPENDIX 2
Name	School	Occupation	Residential Area	Précis of Suitability and Skills to be considered as a school governor	Governor Monitoring Information
Ms. Alice Cairns	Greenvale	Journalist	SE23	<p>Alice has over ten years experience as a Lewisham governor including 8 years with Greenvale school. Alice has been chair of the finance committee for the last three years, and led the performance management for the current head teacher since she joined the governing body. She has also worked as a governor in another Lewisham school for six years, so has experience of other ways of working as a governing body.</p> <p>Her professional skills as a journalist allow her to challenge the school management team and interrogate their decision-making. She also brings an important outside perspective to the governing body, in particular how the governing body's work will be scrutinised by others.</p>	Female White British