

MAYOR AND CABINET			
Report Title	Local Authority Governor Nominations		
Key Decision	No	Item No.	
Ward	Lewisham Central, Evelyn, Forest Hill		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	9 December 2015

1. Summary

- 1.1 In May 2014, amendments to the School Governance (Constitution) (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. The most recent version of this Guidance was issued in August 2015.
- 1.2 The Constitution Regulations 2012 determine the size and membership of governing bodies. Previously the Local Authority was able to appoint Local Authority governors to governing bodies, however amendments to the Regulations now permit a Local Authority only to nominate such a person, it will be a matter for the governing body to appoint. For the Local Authority governor position, the Local Authority would nominate a governor for "appointment" by the governing body.

2. Purpose

- 2.1 This report seeks approval of the nomination of the Local Authority governors detailed in paragraph 6 below.

3. Recommendation/s

The Mayor is recommended to:

- 3.1 agree to nominate the persons set out in paragraph 6 as Local Authority governors;
- 3.2 note the information concerning the recommended nominated governors 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 Under Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2007, every governing body is required to have one representative of the Local Authority as part of its membership. Governing bodies reconstituted 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 The Constitution Regulations 2012 and associated statutory Guidance highlight the importance of governors having the appropriate skills to contribute to the effective governance and success of the school.
- 5.3 The suggested nominees have the requisite skills and experience required to be effective in their role as a Local Authority nominated governor.
- 5.4 A Local Authority governor vacancy will arise on the governing body of the schools listed in paragraph 6. Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The individuals set out in paragraph 6 would serve the normal 4 years if appointed and are currently the Local Authority appointed governors. The governing body of each school would like to appoint them to the role of Local Authority governor at the next governing body meeting and thus a nomination is required to enable this to happen.
- 5.5 Appendix 1 highlights the skills and experience that the individuals possess which will enable them to be effective members of a governing body. The governing body of each school supports the nomination of the candidates.

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

Name	School
Tom Mutton	St. Mary's CE Primary
Karen Denyer	St. Joseph's RC Primary
Abigail Knipe	Horniman Primary School

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 the School Governance (Constitution) (England) Regulations 2012(as amended) requires every governing body of a maintained school to have one representative of the Local Authority as part of its membership.

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 individuals detailed in Appendix 1 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 will arise on the governing body of the schools listed in paragraph 6 and a nomination 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 persons 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 767

LA Governor nominations					APPENDIX 1
Name	School	Occupation	Residential Area	Précis of Suitability and Skills to be considered as a school governor	Governor Monitoring Information
Tom Mutton	St. Mary's CE Primary	Central Banker	SE14	<p>Mr. Mutton is Head of International Policy and Strategy at the Bank of England. He has strong financial skills and significant experience on formulating strategy and working with regulation.</p> <p>Mr. Mutton also has experience in project management, HR and employment issues. The school would value his skills on the governing body</p>	Male White
Karen Denyer	St. Joseph's RC Primary	Programme Support Officer	DA7	<p>Miss. Denyer works for the Local Government Association (LGA). She is responsible for maintaining and managing the finances for the team she supports. She has been a resident of Lewisham for 32 years and would like to give something back to the local community. The governing body would welcome her finance skills and commitment to making a positive difference to the life chances of children at the school.</p>	Female White

LA Governor nominations					APPENDIX 1
Name	School	Occupation	Residential Area	Précis of Suitability and Skills to be considered as a school governor	Governor Monitoring Information
Abigail Knipe	Horniman Primary School	Partnership Analyst	SE26	<p>Ms. Knipe has been a governor at Horniman Primary School for four years, in which time she has largely been involved in the Pay Committee, Headteacher Performance Review and other HR responsibilities. During this time she has also acted as link governor for literacy.</p> <p>She holds a broad professional understanding of UK education sector policy, having worked as a voluntary sector project manager, funder, and fundraiser with a focus on education and young people for seven years. In these roles she held budgetary and people management responsibilities, and worked closely with a range of committees, steering groups and boards. The governing body wish to have her nominated as the LA governor, for appointment by them.</p>	Female White