

MAYOR AND CABINET			
<b>Report Title</b>	Local Authority Governor Nominations		
<b>Key Decision</b>	No	Item No.	
<b>Ward</b>	Blackheath, Downham, Rushey Green, Catford South, Sydenham		
<b>Contributors</b>	Executive Director for Children and Young People Head of Law		
<b>Class</b>	Part 1	Date:	9 November 2016

## 1. Summary

- 1.1 In May 2014, amendments to the School Governance (Constitution) (England) Regulations 2012 (The Constitution 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 September 2016.
- 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, with it being a matter for the governing body to appoint. For the Local Authority governor position, the Local Authority nominates a governor for “appointment” by the governing body.
- 1.3 This report is to request the nomination of a Local Authority governor for the schools listed in paragraph 6 below.

## 2. Purpose

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

## 3. Recommendation

The Mayor is recommended to:

- 3.1 agree to nominate the persons set out in paragraph 6 as a Local Authority governor;

- 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 2012, every governing body is required to have at least 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 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. The governing body of the schools 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 an effective member of a governing body.

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

Name	School
Janet Willis	All Saints' Church of England Primary
Michelle Fenniche	New Woodlands
Rhian Douglas	Rathfern Primary
Mel Church	Sandhurst Infants and Nursery
Jane Clark	St Margaret's Lee Church of England Primary
Roger Lewis	St Michael's Church of England Primary

**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 public sector equality duty (the equality duty or the duty). It covers the following 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 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 8.3 above.
- 8.5 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 8.6 The Equality and Human Rights Commission has 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:  
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
- <https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 8.7 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [The essential guide to the public sector equality duty](#)
  - [Meeting the equality duty in policy and decision-making](#)
  - [Engagement and the equality duty: A guide for public authorities](#)
  - [Objectives and the equality duty. A guide for public authorities](#)
  - [Equality Information and the Equality Duty: A Guide for Public Authorities](#)
- 8.8 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:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

## **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 2012 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.
- 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, Service Manager – School Services, 3<sup>rd</sup> 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
Janet Willis	All Saints' Church of England Primary	Retired	SE3	Janet has served as the local authority governor for over 15 years. She is currently the Chair of the Staffing committee and the Pay committee. Janet is a very active member of the Board and brings a wealth of knowledge and experience. There are no concerns about her commitment, attendance of ability to continue to serve the school in the best interest of the pupils, staff and wider community.	Female White / British
Michelle Fenniche	New Woodlands	Executive Headteacher	DA3	Michelle Fenniche is Executive Headteacher at Oakbridge Federation which comprises Forster Park Primary School and Rangefield Primary School. Michelle has a range of skills to contribute which include financial planning and premises skills. During previous headships she has also built successful teams and raised expectations and aspirations. As a previous Director of Primaries for a Multi Academy Trust, Michelle sat on a number of governing bodies to enhance, support and challenge the schools and the governing bodies. Michelle has also worked and supported Leadership teams including governors for 40 schools in Essex Local Authority. Michelle has always worked in collaboration with other schools in the community and feels that there is a duty to ensure that children across the wider community are receiving the best possible education, which is her reason for wanting to become an local authority governor for a school within the local community. New Woodlands governing body would benefit from having Michelle as a governor.	Female White / British

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
Rhian Douglas	Rathfern Primary	Education Manager	SE6	<p>Rhian has served as a governor at Rathfern Primary School for 4 years, during which time the school was rated as 'outstanding' by Ofsted. Over this time, Rhian has served on the Finance Sub-Committee, made recommendations for changes to the composition of the governing body in line with the statutory guidance, been a link governor for Staff Development and Structure and the Safeguarding link governor.</p> <p>Rhian has worked in Education Administration for over a decade and understands the complex landscape. She is a passionate advocate of the importance of a meeting the needs of the highest attainer's within state sector education.</p>	Female / White British
Mel Church	Sandhurst Infant and Nursery	Teacher	SE6	<p>Mrs. Church has been a long standing member of the local community and governor for Sandhurst Infant and Nursery School. Mrs. Church has a strong knowledge for early year's education which is a valuable addition to the governing body and provides additional knowledge, challenge and review of the schools performance.</p>	Female / Black British

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	
Jane Clark	St Margaret's Lee Church of England Primary	Teacher	SE13	<p>Jane has served as the local authority governor for over 7 years. Jane is currently the Chair of the curriculum committee.</p> <p>Jane is a very active member of the Board and brings a wealth of knowledge and experience. She is committed to training to expand her own knowledge.</p> <p>There are no concerns about her commitment, attendance or ability to continue to serve the school in the best interest of the pupils, staff and wider community.</p>	Female. Ethnicity not declared.	
Roger Lewis	St Michael's Church of England Primary	Writer	SE8	<p>Roger has previously worked as an Associate Director with a banking institution. He has an interest in education from a policy perspective and has extensive private sector experience and also substantial involvement in the third sector organisations, including educational charities such as IntoUniversity and Teach First. Roger is also a part time tutor in a FE college and recently completed a Master's in Education Policy at Kings College.</p>	Male White British	