

<b>MAYOR AND CABINET</b>			
<b>Report Title</b>	Local Authority Governor Nominations		
<b>Key Decision</b>	No	Item No.	
<b>Ward</b>	Evelyn		
<b>Contributors</b>	Executive Director for Children and Young People Director of Law		
<b>Class</b>	Part 1		11 03 2020

## 1. Summary

- 1.1 This report is to request the nomination of a local authority governor for Clyde Early Childhood Centre.

## 2. Purpose

- 2.1 To consider and approve the nomination of Ms. Brooke Parkinson as the proposed local authority governor for Clyde Early Childhood Centre.

## 3. Recommendation/s

The Mayor and Cabinet is recommended to:

- 3.1 note the information concerning the recommended nominated governor in Appendix 1;
- 3.2 agree to nominate the person set out in paragraph 6 as local authority governor.

## 4. Policy Context

- 4.1 The report is consistent with the third priority identified in the 2018-2022 Corporate Strategy listed below.

“Giving children and young people the best start in life - Every child has access to an outstanding and inspiring education and is given the support they need to keep them safe, well and able to achieve their full potential.”

## 5. Background

- 5.1 Under Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2012, and section 24 of the Education Act 2002 every governing body is required to have at least one local authority governor 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 nominee has 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 school 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 individual set out in paragraph 6 would serve the normal 4 years if appointed. The governing body of the respective school would like to appoint her 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 individual possesses which will enable them to be an effective member of a governing body.

## 6. Candidate recommended for Nomination as local authority governor for governing bodies constituted under the School Governance (Constitution) (England) Regulations 2012.

Name	School
Ms. Brooke Parkinson	Clyde Early Childhood Centre

## 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) and section 24 of the Education Act 2002 and the School Governance ( Federations)

(England) Regulations 2012 requires every governing body of a maintained school to have one local authority governor as part of its membership.

### Equalities Legislation

- 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 ensure that all sections of the community are to be represented on school governing bodies. It is a priority under the Council's new Corporate Strategy to recruit more ethnic minority governors to better reflect our diverse borough. This priority informs the LA Strategic Review of Governance. An action plan has been prepared and a Strategic Review of Governance Working Party are overseeing its implementation.

## **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 School Governance (Constitution) (England) Regulations 2012 and section 24 of the Education Act 2002 require every governing body to have at least one local authority governor 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 –Schools Services, 2nd Floor, Laurence House, telephone 020 8314 7670

**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
Ms. Brooke Parkinson	Clyde Early Childhood Centre	Lecturer/mentor and assessor for Early Years Teacher Status (EYTS) / Post Graduate Certificate in Education (PGCE) students	SE16	<p>Ms. Parkinson became a parent governor at Clyde Early Childhood Centre in December 2018 but now that her son has transitioned to reception she would like to continue as a governor and the governing body wish her to be nominated as their local authority governor.</p> <p>During her career she has previously worked as an Early Years Practitioner for 8 years and then made the transition into teaching and lecturing in further and higher education on Early Years and Teacher Training courses at Southwark College and the University of Greenwich.</p> <p>She is highly aware of what constitutes outstanding early year's education and would like the opportunity to continue to raise standards and ensure children receive the highest quality education. She has a lot of experience of working with children, parents, students and other professionals.</p>	Female White British