


<p style="text-align: center;">Non-Executive Report of the:</p> <p style="text-align: center;"><b>General Purposes Committee</b></p> <p style="text-align: center;"><b>9 December 2015</b></p>	
<p><b>Report of:</b> Interim Corporate Director for Children's Services</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>LOCAL AUTHORITY GOVERNOR APPOINTMENTS</b></p>	

## 1. SUMMARY

- 1.1. This report sets out for Members the details of applicants who have expressed an interest in being appointed to local authority school governor positions at Tower Hamlets schools.

## 2. RECOMMENDATION

That the Committee –

- 2.1. Consider the applications for appointment as detailed in the report.
- 2.2. Agree to nominate persons to the position that is available for a local authority governor at the schools listed in the report.

## 3. BACKGROUND - LA Appointed Governors

- 3.1 To improve the efficiency for appointing local authority governors to school vacancies, the General Purposes Committee at a meeting held on Wednesday 15 February 2006 made the decision to delegate authority to the Corporate Director to appoint and revoke the appointment of local authority governors, except where there was a dispute about an appointment or there was more than one applicant for a post in which case the Committee would decide the appointment.
- 3.2 At a meeting on 29 November 2011, the Council resolved to amend the constitution and the terms of reference of the General Purposes Committee were amended. The committee is now responsible for the appointment and revocation of local authority school governors.
- 3.3 The School Governance (Constitution) (England) Regulations 2012 set a new process for the appointment of local authority governors to maintained schools. This applies to governing bodies instituted under instruments of government

taking effect on or after 1 September 2012, or the instrument of government is varied following a review. Under the new process, the local authority nominates a person to fill the position of local authority governor. It is for the governing body to appoint that person if the governing body considers the person meets any eligibility criteria that it has set. All the governing bodies in this report have Instruments of Government that come under the School Governance Constitution Regulations 2012.

- 3.4 The applications for appointment and re-appointment as local authority governors are attached as appendices to this report.  
Appendices 1 – 6 : Governor application forms EXEMPT under the Access To Information Schedule 12A of the Local Government Access to Information Act 1972 (“the 1972 Act”). EXEMPT INFORMATION under PART 1 - 1. Information relating to any individual.

#### **4. APPLICATIONS**

##### **Applications to be nominated for re-appointment – 2012 School Governance (Constitution) Regulations**

- 4.1 Juliana Iwobi has applied to continue serving as the LA governor at Columbia School. The governing body has discussed the skills sets needed would wish to reappoint Ms Iwobi because of her extensive experience in HR, in schools and the excellent commitment that she has demonstrated throughout her time as governor to the school. She undertakes her additional link role of Safeguarding Governor at Columbia diligently and regularly. Her application is attached at Appendix 1.
- 4.2 Paul Bargery has been a local authority governor at Langdon Park School since 2002 and has applied to be nominated for re-appointment. The application is supported by the governing body and is attached at Appendix 2.
- 4.3 Joy Everest has been a governor at Marion Richardson School for 27 years and Chair of Governors for 20 years. She has applied to be considered for a further term of office. She attended every meeting of the governing body last year. The Head’s comments are awaited and will be reported. Ms Everest’s application is provided at Appendix 3.
- 4.4 Nicholas Paul MBE is the Chair of Governors at Cayley School where he is completing a four-year term of office as the local authority governor. He has applied to continue to serve on the governing body. The application is supported by the governors. His form is at Appendix 4.

#### **5. Applications to be nominated**

- 5.1 Caroline Rani has applied to be a governor at Bishop Challoner School. A former pupil and care leaver, she lives locally and is keen to contribute to her former school. The Chair and Vice Chair have advised that they would

welcome this appointment. As a former pupil Ms Rani is aware of the aims and ethos of the school, and could be a role model for current pupils. Her application is attached at Appendix 5.

- 5.2 Adam Atkinson, the vicar of St Peter's church in Bethnal Green, has applied to be nominated for the LA governor vacancy at Oaklands School. The Chair and Head, on behalf of the governing body, have advised that his application is supported and it is hoped that he will join the governing body in the near future. The application form is attached at Appendix 6.

## **6. THE APPOINTMENTS**

- 6.1 Information about all the candidates is included on their application forms, which are attached as appendices.
- 6.2 A summary of the Powers and Duties of School Governors and the School Governor Person Specification are attached at Appendices 9 and 10.

## **8. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

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

## **8. LEGAL COMMENTS**

- 8.1 Section 19 of the Education Act 2002 requires each maintained school to have a governing body, which is a body corporate constituted in accordance with the Regulations. Each maintained school is required to have an instrument of government, which specifies the membership of the governing body. Regulations require a governing body to include person appointed as a local authority governor and for a number of associated matters.
- 8.2 Paragraph 3.3 confirms that all the governing bodies in this report have Instruments of Government that fall within the School Governance (Constitution) (England) Regulations 2012 ("the 2012 Regulations"). In any event, all governing bodies are required to be constituted under these regulations no later than 01 September 2015.
- 8.3 Statutory Guidance was issued in May 2014 (to which governing bodies and Local Authorities must have regard) regarding the constitution of governing bodies of maintained schools.
- 8.4 The 2012 Regulations detail the composition of the governing body and the appointment of governors, including local authority governors. The 2012 Regulations provide that there can be only one local authority nominated governor. A local authority governor is a person who is nominated by the local authority and is appointed by the governing body after being satisfied that the person meets any eligibility criteria set by the governing body. It is for the governing body to decide whether the Local Authority nominee has the

skills to contribute to the effective governance and success of the school and meets any eligibility criteria they have set. If the governing body has set eligibility criteria, then these should be notified at the meeting, so the Committee can consider them before making a nomination.

8.5 Schedule 4 to the 2012 Regulations set out the circumstances in which a person is qualified or disqualified from holding or continuing in office as a governor, details of which are as follows –

- A person who is a registered pupil at a school is disqualified from holding office as a governor of the school.
- A person must be aged 18 or over at the date of appointment to be qualified to be a governor.
- A person cannot hold more than one governor post at the same school at the same time.
- A governor who fails to attend meetings for six months without the consent of the governing body becomes disqualified from continuing to hold office.
- A person is disqualified from holding or continuing in office if: (1) his or her estate is sequestered (under bankruptcy) or the person is subject to a bankruptcy restrictions order or an interim order; (2) he or she is, broadly speaking, disqualified from being a company director; (3) he or she has been removed from office as trustee of a charity; (4) he or she has a criminal conviction of a specified kind within a specified time period; (5) he or she is subject to a specified prohibition or restriction on employment, such as being barred from 'regulated activity' relating to children under the Safeguarding of Vulnerable Groups Act 2006; or (6) he or she refuses to apply for a criminal records certificate when requested to do so by the clerk to the governing body.
- A person is disqualified from appointment as a local authority governor if he or she is eligible to be a staff governor.

8.6 Once appointed, a governor will hold office for a fixed period of four years from the date of appointment, except in a limited number of circumstances. This does not prevent a governor from being elected for a further term. A governor may resign, be removed or be disqualified from holding office in the circumstances specified in the relevant Regulations.

8.7 In determining whether to appoint an authority governor, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. The Committee will wish to be satisfied that the process of selection is fair, open and consistent with furtherance of these equality objectives.

8.8 The Council's Constitution gives the General Purposes Committee responsibility for appointment of local authority school governors.

## **9. ONE TOWER HAMLETS IMPLICATIONS**

- 9.1. Local Authority Governors are drawn from all sectors of the community. There is a mechanism in place to ensure, as far as possible, that the composition of governing bodies reflects the makeup of the school and wider community.

## **10. RISK MANAGMENT**

- 10.1. Governors have a crucial strategic role in promoting school improvement and supporting headteachers and staff in their work. Their statutory responsibilities and duties require a range of skills. There is a risk that the local authority will not be able to meet governing body requirements for particular skills. The LA engages in a number of activities to ensure a range of applications from the community and local business.

## **11. EFFICIENCY STATEMENT**

If a nominee does not have suitable skills, the governing body may decide not to appoint. Delays in appointing can result in difficulties for a school when there are insufficient governors to undertake the work of the governing body.

## **12. SUSTAINABLE ACTION FOR A GREENER ENVIONMENT**

- 12.1. There are no SAGE implications arising from this report.

## **12. CRIME AND DISORDER**

There are no crime and disorder implications.

## **13. APPENDICES**

1. Appendices 1 - 7 Governor application forms EXEMPT  
Exempt information as defined in section 100I Schedule 12A of the Local Government Act 1972 ("the 1972 Act"). The information falls within paragraph 1 of Schedule 12A - Information relating to an individual.

2. Appendix 8 Powers and duties of school governors  
3. Appendix 9 School governor person specification

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### **LOCAL GOVERNMENT ACT, 1972 (AS AMENDED) SECTION 100D LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

Brief description of "background paper"

Name and telephone number of holder

There are no background papers which need to be listed for this report.