

**TITLE OF REPORT:**            **Nomination of Local Authority School Governors and Appointment of Academy Governors**

**REPORT OF:**                **Caroline O'Neill, Strategic Director Care, Wellbeing and Learning**

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### **Purpose of the Report**

1. Cabinet is asked to:
  - Nominate Local Authority Governors to schools seeking to retain their Local Authority governor in accordance with The School Governance (Constitution) (England) Regulations 2012.
  - Appoint a Local Authority governor in accordance with Article 51 (Articles of Association of Academies) to an academy seeking to retain their Local Authority governor.

### **Background**

2. Schools - The School Governance (Constitution) (England) Regulations 2012 ("Regulations") require all governing bodies to adopt a model for their size and membership. The Regulations prescribe which categories of governor must be represented and what the level of representation is for each. The Local Authority's nomination is subject to the approval of the governing body. If approved, the nominee is appointed by the governing body.
3. Academies - Academy Articles of Association (article 51) states the Local Authority may appoint a Local Authority governor to the Academy. The proposed appointee has Disclosure and Barring Service clearance for appointment in an academy.

### **Proposal**

4. It is proposed that Cabinet approves the nominations/appointment to schools/academy as shown in Appendix 1.

### **Recommendations**

5. It is recommended that Cabinet:
  - (i) Approves the five nominations and the appointment of Local Authority Governors as set out in Appendix 1; and
  - (ii) Notes that the Term of office in respect of Schools is determined by the school's Instrument of Government and for the Academy is determined by its Articles of Association.

For the following reason:

To ensure the School Governing Bodies and the Academy have full membership.

### Policy Context

#### 1. **Schools**

In accordance with The School Governance (Constitution) (England) Regulations, 2012, local authorities can nominate any eligible person as a Local Authority governor. Statutory guidance encourages local authorities to appoint high calibre governors with skills appropriate to the school's governance needs, who will uphold the school's ethos, and to nominate candidates irrespective of political affiliation or preferences. A person is disqualified as a Local Authority governor if they are eligible to be a Staff governor at the same school.

#### 2. **Academies**

Academy Articles of Association come into force in each individual academy on the date of incorporation under the Companies Act 2006 (amendments to articles may subsequently arise). In accordance with Article 51 the Local Authority may appoint the Local Authority governor.

### Consultation

3. The Cabinet Members for Children and Young People have been consulted.

### Alternative Options

4. The alternative option would be to make no nomination/appointment to the vacancies, leaving governing bodies under strength and less likely to demonstrate the correct configuration.

### Implications of Recommended Option

#### 5. **Resources:**

**a) Financial Implications** - The Strategic Director, Corporate Resources confirms there are no financial implications arising from this report.

**b) Human Resources Implications** - None

**c) Property Implications** - None

6. **Risk Management Implication** - None
7. **Equality and Diversity Implications** - None
8. **Crime and Disorder Implications** - None
9. **Health Implications** - None
10. **Sustainability Implications** - None
11. **Human Rights Implications** - None
12. **Area and Ward Implications** - None

### 13. Background Information

The School Governance (Constitution) (England) Regulations. Individual Academy Articles of Association.

### 14. Local Authority Governor Nominations / Academy Appointments

#### Schools

In accordance with the School Governance (Constitution) (England) Regulations 2012, the following Local Authority governors are nominated for a period of four years (as stipulated in the individual Instrument of Government) with effect from the date stated below:

School	Nomination	Date from
Ravensworth	Cllr Neil Weatherley	8 September 2017
Dryden & Hilltop Federation	Cllr David Bradford	12 September 2017
High Spen	Cllr Maria Hall	12 September 2017
Lobley Hill	Cllr Catherine Donovan	6 July 2017
Eslington and Furrowfield Federation	Cllr Angela Douglas	1 September 2017

#### Academies

In accordance with individual Academy Articles of Association the following Local Authority governor is nominated for appointment for a period of four years with effect from the date stated below:

Academy	Appointment	Date from
Whickham	Cllr David Bradford	12 September 2017