
Report of Governor Support Service Children's Services

Report to Member Management Committee

Date: 25 October 2011

Subject: The process for the allocation of local authority governors

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

The vacancy rate for local authority governor seats remains at between 6% and 7%. There have been a number of changes since the protocol for the allocation of local authority seats to particular groups was agreed on Thursday 3 March 2005. There are also a number of academies in Leeds and other schools who will be changing category to become academies. There is currently no protocol for the placement of LA governors to academies. Information on the role of local authority governors as a representative of the local area rather than the authority is given in Appendix 1.

Recommendations

1. Members are asked to consider the current protocol for the appointment of LA governors to schools and whether it is still relevant and appropriate.
2. That the nomination of LA governors to academies be through the Member Management Committee.

1 Purpose of this report

- 1.1 To inform members of the current number of vacant local authority seats on governing bodies in Leeds
- 1.2 To inform members of the current arrangements for the allocation of local authority seats to particular political groups.

2. Background information

- 2.1 There are currently 46 local authority vacancies covering 25 of the 33 wards, which is 7.5% of the total local authority seats. The full breakdown is given in Appendix 2.
- 2.2 The current arrangement for the allocation of local authority seats was agreed at a meeting of the whips on 3 March 2005; the minutes of this meeting are in Appendix 3.

3. Main issues

- 3.1 The following procedure was agreed by Party Whips at a meeting on 3 March 2005. The minutes of this meeting are in Appendix 3.
 - The procedure for allocating LA governor seats is based on the prevailing political split of Council seats in individual wards. In split wards the number of seats allocated across the ward should reflect the correct political balance.
 - It is the responsibility of each political party to work towards ensuring schools within their wards have a full complement of LA governors.
 - Over a period of time this will result in a closer reflection of the overall make up of party political representation on the Council.
 - Governor Support Service (GSS) consult with the relevant nominated party member, i.e. Cllr Jane Dowson (Labour), Mrs Caroline Anderson (Conservative), Cllr Jamie Matthews (Liberal Democrat), Cllr Ann Blackburn (Green) and Cllr Thomas Leadley (Morley Independents) for nominations to LA seats in wards which the individual party has control.
 - When a vacancy arises in a ward, officers from GSS ask the controlling party to nominate a suitable candidate.
 - If an LA governor was originally nominated by a party other than the political party in control of that ward, the seat is passed to the controlling ward party when it becomes vacant.
 - When an LA seat has in place a member of a political party other than the one in control of the ward and the individual's term of office is coming to an end, GSS contact the governor three months prior to the end of their term to establish their interest in continuing as a LA governor.

- If the governor wishes to continue, GSS gather a profile of the governor concerned (i.e. attendance record, length of time on governing body and governing body offices held) and informs the ward party two months before the term ends.
- The decision to allow the above individual to be re-nominated as a LA governor or not rests with the ward party who will be at liberty to discuss the matter with the party who originally nominated the governor.
- Seats where two political parties have reached an agreement to allow the other party to occupy the seat are deemed to belong to the ward party.
- When a governor is not re-appointed, GSS write to the governor concerned explaining the reason and thanking them for their work and inviting them to become a governor at another school.
- In wards where there is no overall control by one party (i.e. split wards) LA governor representation will reflect the ward split. There are eleven split wards Burmantofts and Richmond Hill, Farnley and Wortley, Gipton & Harehills, Headingley, Horsforth, Hyde Park and Woodhouse, Moortown, Morley South, Rothwell, Roundhay and Temple Newsam.
- GSS keep an overview of LA governor representation in split wards to ensure that the split ward proportions are maintained.
- Where individual schools do not reflect the split ward proportions then GSS may compensate in other schools within the ward to ensure the ward as a whole reflects the split.
- There is also flexibility for parties to negotiate on individual seats amongst themselves. The relevant ward party Member will inform GSS of any deviation from the ward basis allocation.
- After a period of four month's all outstanding LA vacancies may be filled by GSS via the pool system.
- GSS have a pool of prospective governors who have completed an application form. The application forms are examined and approved by a panel of governors from Governors' Forum. Governors are allocated by GSS after consultation with the prospective governor. The governor is appointed for four years and at the end of this term the seat reverts back to the relevant ward party for consideration.
- The delegated decision for the appointment of LA governors to maintained schools is with the Deputy Director of Children's Services.

3.2 There is currently no protocol for the filling of LA seats on academies. To date the David Young Community Academy, Leeds West, South Leeds, Primrose and Leeds East Academies have had appointments made through the Member Management Committee. The statutory framework allows academy trusts to decide whether they have up to one local authority governor on the academy governing body. The model Articles of

Association, issued by the DfE, state in Article 46 (c) and Article 51 that “the LA may appoint the LA governor”. Therefore, where the local authority is approached it is a matter for the authority to decide who it wishes to appoint to the governing body of the academy. In summary, the local authority cannot insist on appointing to an academy however, where the academy trust decides that it wishes to have an LA governor it is for the authority to decide who it wishes to appoint. The Council may wish to delegate the function of nomination of LA governors to the Member Management Committee.

Corporate Considerations

3.2 Consultation and Engagement

3.2.1 Not applicable

3.3 Equality and Diversity / Cohesion and Integration

3.3.1 Not applicable

3.4 Council Policies and City Priorities

3.4.1 Not applicable

3.5 Resources and Value for Money

3.5.1 Not applicable

3.6 Legal Implications, Access to Information and Call In

3.6.1 Not applicable

3.7 Risk Management

3.7.1 Not applicable

Conclusions

3.8 The protocol for the appointment of LA governors currently works well. However, with the changes both politically and to the categories of schools within Leeds members may wish to consider whether the current protocol for the appointment of LA governors is still relevant and appropriate.

Recommendations

3.9 Members are asked to consider the current protocol for the appointment of LA governors to schools and whether it is still relevant and appropriate.

3.10 That the nomination of LA governors to academies be through the Member Management Committee.

Background documents

3.11 DfE Academy model Articles of Association.