

COUNCIL:

22 OCTOBER 2020

REPORT OF DIRECTOR GOVERNANCE & LEGAL SERVICES

APPOINTMENT OF LOCAL AUTHORITY GOVERNORS TO SCHOOL GOVERNING BODIES

Reason for this Report

1. To appoint Local Authority School Governors to fill vacancies.

Background

2. Section 19 of the Education Act 2002 makes provision for the governing bodies of maintained schools to include Local Authority appointed governors, with further detail contained in the Government of Maintained Schools (Wales) Regulations 2005. When Local Authority school governor vacancies arise, either by appointees reaching the end of their term of office or resigning, it is the statutory duty of the Council to fill the vacancies as soon as possible.
3. The Local Authority Governor Panel was constituted at the Annual Council in May 2015 to advise the Council on appointments and removal of governors to those places allocated to the Local Authority.

Issues

4. The Local Authority Governor Panel met on 19 October 2020 to consider new applications to fill current vacancies. The recommendations of the panel, in respect of new appointments are contained in Appendix 1 to this report.

Reasons for Recommendations

5. To ensure that the Council fulfils its statutory functions in respect of the appointment of Local Authority governors for maintained schools.

Legal Implications

6. As noted in paragraph 2 of the report, the Council is required, pursuant to the Education Act 2002, section 19 and regulations made there under, to appoint local authority governors to the governing bodies of maintained schools, in accordance with those statutory provisions. Appointments are for a fixed term of 4 years from the date of the appointment and governors may be re-appointed for a further 4 year term.

7. Appointments to outside bodies are a local choice function, which is reserved under the Council's Constitution to full Council. Accordingly, the appointment of Local Authority governors to governing bodies requires the approval of full Council.
8. In response to the COVID-19 pandemic, the Welsh Government has issued the Local Authorities (Coronavirus)(Meetings)(Wales) Regulations 2020, which came into force on 22nd April 2020. These regulations temporarily relax the rules relating to local authority meetings in order to minimise risks to public health. For appointments made by Council, the Regulations provide that the terms of office of all appointees who were in office when the Regulations came into force (on 22nd April 2020) shall automatically be extended until a new appointment is made, which may be at any time before 1st May 2021.
9. The Regulations therefore remove the requirement for appointments to be made for local authority governors whose terms of office are due to expire on or after 22nd April 2020, until 1st May 2021. This means that re-appointments (or new appointments) may be deferred until 1st May 2021 if current governors are content to remain in office. However, the Council may decide to re-appoint governors for a further 4 year term.
10. Members will note that this report recommends the appointments of local authority governors, as set out in Appendix 1, for a 4 year term of office.

Financial Implications

11. There are no financial implications arising from this report.

Recommendation

12. That, in accordance with the recommendations of the Local Authority Governor Panel, the Council approves the new appointments of Local Authority governors to the school governing bodies as set out in the Council Amendment Sheet, each for a term of 4 years from the date of the appointment.

Davina Fiore
Director Governance & Legal Services
16 October 2020

The following Background Documents have been taken into account: N/A