

**AGENDA ITEM 7
ES/30/10**

Committee	Executive Scrutiny Committee	
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The appointment process for School Governors

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1. Purpose of report

The Executive Scrutiny are undertaking a review the process for appointing Authority Governors to Essex schools - previously known as Local Authority (LA) Governors – in so doing to ensure a robust and fair system for the appointment of Authority Governors that applies to all Essex schools.

This report lays out the existing policy, recent cases where concerns have arisen and possible proposals to be considered. Details of Authority Governor vacancies filled in 2009 is attached as Appendix 1.

2. Background

School governors are the largest volunteer force in the country and play an important part in raising school standards.

Local Authorities have a statutory responsibility to appoint Authority Governors, and the Law, as set out in The School Governance (Constitution) Regulations 2007, states that:

" LEAs can appoint any eligible person as an LEA governor. LEAs are encouraged to appoint high calibre governor candidates to schools that need most support and to appoint candidates irrespective of any political affiliation or preferences. LEAs may appoint minor authority representatives as LEA governors".

Authority Governors play a significant role in school improvement. Indeed, the **Code of Practice on LA School Relations** highlights that the LA should make appointments which have regard to:

'the skills and experience of which.... schools have the greatest need, and to candidates' support for the schools' ethos and mission'.

There are 8575 school governor positions in Essex schools. Of these **1233** are Authority Governors, with a current vacancy rate of 5%, which is better than our demographic neighbours (Kent 12.1%, Leicestershire 14.4%, Hampshire 6.4%, West Sussex 6.7%).

The majority of Authority Governor positions are in primary schools (692); only 166 are in secondary schools.

238 Authority Governor vacancies were filled in 2009 (see Appendix 1); of these 23 were nominated by Members (compared to 7 in 2008), 123 by school governing bodies (compared to 112 in 2008), and 92 were self nominated (compared to 72 in 2008). In 2009 4 Member nominations were for secondary schools.

The Authority Governor recruitment policy was last reviewed and approved by the Cabinet Member for Education in November 2004.

3. Current Process

In Essex, the Cabinet Member for Education and the 2012 Games has delegated responsibility for approving all new Authority Governor appointments.

The following order of priority determines a candidate's consideration for appointment:

1. Nomination by the local Member/s for the school*;
2. Nomination by any other Member;
3. Nomination by the governing body for the school;
4. Self Nomination, including candidates put forward by the School Governors' One Stop Shop (SGOSS), with whom Governor Services works in partnership to recruit school governors.

The local Member/s* is contacted in the first instance and given ten days within which to propose a suitable candidate for the vacancy. If no nomination is received from the local Member/s*, the remaining three criteria are applied in hierarchical order. References will then be taken up on the nominated candidate, prior to recommendation to the Cabinet Member for Education and the 2012 Games on a weekly Schedule.

If there are more nominations from the local Member/s* than there are vacancies, the final decision will be taken by the Cabinet Member for Education and the 2012 Games after application of the above prioritisation.

*The local Member/s is determined through reference to the Council's

Management Information System (MIS) and ReMember (formerly Members Local Link Alert (MLLA)). This defines the Member/s within whose constituency the school physically falls, with the information being driven by postcode, which is verified through consulting a constituency map.

The system, as revised in 2004, has worked effectively and it has enabled more Members to put forward nominations for Authority Governor. Over the past two years, we have reduced our Authority Governor vacancy rate to 5%, and enjoy a reputation as a best practice Authority for governor recruitment. Essex Governor Services recently received an award from Lord Hill, Parliamentary Under-Secretary of State for Schools, in recognition of its exceptional partnership work with School Governors' One Stop Shop (SGOSS) to supply high quality volunteers to help lead school improvement.

It takes from 4-8 weeks to complete the recruitment process. This includes liaising with the school, self-declaration checks and references and finally Cabinet Member approval. Responding quickly to potential governors helps them feel valued and appreciated and to lengthen the process runs a real risk of disengaging potential governors.

4. Recent Issues and Points of Concern

Two recent occasions, which have resulted in 'call-ins', have both been nominations for secondary schools, where the children are drawn from several constituencies:

Hylands School

The constituency boundary for this secondary school goes around the school, and large numbers of children from both constituencies attend the school. Since MLLA identified the school building as falling within the boundary of two constituencies, nominations for the Authority Governor vacancy were sought from both Members (Cllr John Aldridge and Cllr Jude Deakin in this instance).

The two Members provided different nominations; therefore, the final decision fell to the Cabinet Member for Education and the 2012 Games.

Colchester Academy

The Academy falls within one constituency, and the relevant Member put forward a nomination to Governor Services. Another local Councillor (Cllr Julie Young in this instance) argued that although the school does not fall within her ward, a large portion of pupils that go to the school live in her ward, and she wished to put herself forward for the vacancy.

The nomination from the Member within whose ward the school physically falls was put forward to the Cabinet Member as top priority.

5. Possible Proposals to be considered

A key concern mentioned in both 'call-ins' was a view that priority should be given to the Member from whose constituency the greatest number of children are drawn. This model has been considered, but creates its own problems. For example:

- in the case of Grammar Schools and Faith Schools, the pupils are drawn from all over the county and, in some cases, out of county as well.
- the attendance data will vary year on year. Establishing clearly and currently which Member has the primary responsibility in order to make an accurate determination would potentially extend the recruitment timescale;
- the school may not fall within the division of the Member with the greatest number of children who attend the school. This could add complexity to the appointment process;
- it must be remembered that some constituencies (Billericay & Burstead, Laindon Park and Fryerns, Pitsea, Wickford Crouch and Harlow West) are 2 Member divisions. This too would add complexity to the appointment process.

Another potential option for consideration is to define 'local Member' as the elected Member for the postcode of the school, rather than the Member in whose constituency the school is physically situated. The Member thus identified by this model may not necessarily be representative of the school community if the school straddles two or more constituencies. Since some constituencies are two Member divisions, there is still the possibility that more than one Member will be invited to recommend a candidate.

Where there is more than one nomination, or where Members do not put forward a nominee of their own but wish to express a view regarding the candidate/s put forward, Governor Services would advise the Cabinet Member for Education and the 2012 Games. The Cabinet Member for Education and the 2012 Games would consult with all parties involved before making the final decision.

Where there is more than one nomination, to assist the Cabinet Member for Education and the 2012 Games in making an informed decision, the headteacher and chair of the governing body could meet the proposed candidates and recommend a candidate to the Cabinet Member for Education and the 2012 Games for appointment. Their recommendation would be based on the skills and experience most needed by the school in order to supporting school improvement.

In cases where the local Member(s) have put forward no candidate of their own, the local Member(s) could meet the other proposed candidates and recommend a candidate to the Cabinet Member for Education and the 2012 Games for appointment. This would retain local Member involvement in the recruitment process. The recommendation would be based on the skills and experience most needed by the school in order to support school improvement.

Authority Governor vacancies filled 2009

Month	North East	South	Mid	West	Total filled	Member	GB	Self/SGOSS
January	10	9	7	7	33	2	19	12
February	2	3	3	3	11	1	3	7
March	5	11	6	6	28	4	15	9
April	5	3	3	1	12	0	7	5
May	1	3	3	7	14	1	6	7
June	0	14	5	1	20	3	9	8
July	7	4	4	6	21	3	9	9
August	6	5	8	5	24	2	15	7
Sept	3	2	5	4	14	1	5	8
Oct	3	12	2	7	24	3	11	10
Nov	2	5	6	3	16	2	9	5
Dec	6	6	3	6	21	1	15	5
Totals	50	77	55	56	238	23	123	92
% total AG								