

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER FOR CHILDREN and YOUNG PEOPLE

9 September 2014

Report of the Strategic Director for Children & Younger Adults

Authority for Approving Appointments and Nominations of Authority and Local Authority Governors to return to the Cabinet Member for Children and Young People

1. Purpose of Report

To request approval to return the function of approving appointments and nominations of Authority and Local Authority governors previously delegated to Local Area Committees to the Cabinet Member for Children and Young People.

2. Information and Analysis

This report relates to Derbyshire maintained schools. It also relates to academies which have decided to include a representative of the Local Authority on their governing body. This report does not apply to authority appointed members on Pupil Referral Unit management committees.

Authority for approving appointments and nominations was delegated by the Cabinet Member for Children and Young People to Local Area Committees on 1 October 2013. It is proposed to return the approval for this to the Cabinet Member for Children and Young People, similarly for the removal of the governor if required. The Appointment and Nomination Process, attached as Appendix A, remains unchanged except in this regard.

The reasons for this proposal are as follows:

- a) Local Area Committees meet quarterly and this is causing a backlog to the approval of appointments and nominations. Cabco meets on a monthly basis;
- b) There have been some occasions where the Local Area Committees have not been quorate and this has resulted in delays to the approval of appointments and nominations; and
- c) The Local Authority may appear to be inefficient if governor vacancies are not filled in a more timely fashion.

3. Financial Considerations

None

4. Legal Considerations

None

5. Property Considerations

None

6. Other Considerations

In preparing this report the relevance of the following factors has been considered: Prevention of Crime and Disorder, Equality of Opportunity, Personnel, Legal, Environmental, Health and Property considerations.

7. Background Papers

The School Governance (Constitution) (England) Regulations 2007;
The School Governance (Constitution) (England) Regulations 2012;

8. Officer's Recommendations

That the delegation of the function of approving Appointments and Nominations of Authority and Local Authority Governors revert to the Cabinet Member for Children and Young People as set out in this Report be approved, with effect from 17 September 2014.

DERBYSHIRE COUNTY COUNCIL

**PROPOSED AMENDED Process for the Appointment of Authority
Governors**

Note: any reference to “school” within this document also refers to academies unless clearly stated.

This process applies to “authority governors” appointed by the Authority to serve on governing bodies constituted under the School Governance (Constitution) (England) Regulations 2007 and to “local authority governors” nominated by the Authority to serve on governing bodies constituted under the School Governance (Constitution) (England) Regulations 2012.

This process relates to Derbyshire maintained schools. It also relates to Academies which have decided to include a representative of the Local Authority on their Governing Body. References to “authority governors” should be taken to include any school governor appointed or nominated by the Authority, and references to “appointments” include nominations under the 2012 Regulations. This process does not apply to Authority appointed members on Pupil Referral Unit (Support Centre) Management Committees.

Information for people who are considering volunteering as authority governors will be available on the Derbyshire County Council website, in leaflets available from County Council offices and from the Governor Support Service. Information packs will also be sent out by post or email on request. A person who is eligible to be a staff governor at a school cannot be an Authority governor at that school.

To ensure that Governing Bodies can operate effectively, it is essential that, where possible, they have a full complement of Governors representing a wide range of interests and who are committed to serving the school and its pupils. Local Authorities are also required to ensure that vacancies do not remain open for an unreasonable period of time. Where it is not possible to fill a vacancy, the Governor Support Service will continue to update Elected Members on a monthly basis with regard to current vacancies.

When making an application to be an Authority Governor, volunteers will be invited to complete a monitoring form to assist the Local Authority in ensuring it is meeting its duties in terms of equalities.

An exit questionnaire will be sent to all Authority Governors who resign from their role, to provide data on the reasons for resignation and general feedback on the quality of support provided by the Governor Support Service. This information can, over time, shape how the Service supports the needs of Governing Bodies in the future.

To be appointed as an authority governor, a person must:

- Submit an application form and any further information requested
- Be nominated by an Elected Member of the Authority
- Have their appointment approved by the Cabinet Member for Children and Young People

The appointment process is as follows:

1. Any person who wishes to be nominated for appointment as an Authority Governor should complete the Derbyshire Governor Application Form, specifying whether they wish to be considered for a particular school or particular schools, or for any maintained school within the Authority's area. The applicant is invited to set out on the form what particular skills, experience, interests or expertise they can bring to the role.
2. The Governor Support Service will keep a list of persons who have returned a completed copy of the Derbyshire Governor Application Form.
3. The Governor Support Service will write to all serving Authority governors eligible to be considered for re-appointment approximately 3 months before their term of office ends, to ascertain whether they wish to seek re-appointment. Existing Authority governors who wish to be considered for re-appointment must complete a Derbyshire Governor Application Form and must be nominated by a current Elected Member of Derbyshire County Council.
4. The Governor Support Service will also prepare lists of current and anticipated vacancies for Authority governors in Derbyshire County Council maintained schools. Copies of these lists will be circulated to Elected Members once per month. Clerks to Governors are expected to notify the Authority of vacancies for authority governors as soon as they arise. Vacancies for authority governors notified by Academies will also be included on the vacancy lists.
5. For schools constituted under the School Governance (Constitution) (England) Regulations 2012, the LA nominates and the governing body appoints the local authority governor, based on criteria determined by the governing body. When a vacancy is identified for a Local Authority Governor on a governing body constituted under the School Governance (Constitution) (England) Regulations 2012, the Governor Support Service will write to the Governing Body (GB) via the Chair of Governors, to ask if they have any eligibility criteria for the potential nominee, and will send a list of suggested eligibility criteria to assist the GB.

If the GB has eligibility criteria, the Local Authority will send these to the potential nominee, and ask them to provide, in addition to the Derbyshire Governor Application Form, a statement (of up to 100 words) giving further details of their qualifications and experience with relevance to the GB eligibility criteria. The potential nominee will also be asked to confirm their consent to disclose their Application Form and additional statement to the GB.

6. Each time a vacancy arises, the Governor Support Service will notify the Elected Member for the area where the school is situated of any persons on the list of applicants who have expressed an interest in that school, or in an appointment as an Authority governor at any school in that area, and of any existing governors seeking re-appointment at that school.
7. The local Elected Member will decide whether to nominate any of the applicants whose forms have been sent for their consideration. The local Elected Member may, with the agreement of the applicant, choose to indicate on the Nomination Form that an applicant is nominated as being suitable for any school.
8. If an applicant is nominated by an Elected Member as being suitable for any school, the Governor Support Service will work in consultation with the applicant to identify a suitable vacancy.
9. Where an applicant wishes to be considered for a particular school, and they have been nominated by an Elected Member for that vacancy, their name will be put forward in a report to the Cabinet Member for Children and Young People.
10. Where the vacancy is for a school constituted under the School Governance (Constitution) (England) Regulations 2012, the Governor Support Service will first write to the Governing Body asking the Governing Body to confirm in writing their agreement to appoint the nominated Local Authority Governor if nomination is approved. Their name will then be put forward in a report to the Cabinet Member for Children and Young People.
11. In the event that more than one person has been nominated for appointment to the same Authority governor vacancy, the Cabinet Member for Children and Young People will consider the information provided in the Derbyshire Governor Application Forms and decide which nominee would be most suitable to fill that particular vacancy.
12. The Cabinet Member for Children and Young People may either:
 - a. reject the application, or

- b. approve an applicant's appointment or nomination (as applicable), subject to the satisfactory completion of a Declaration of Eligibility (DoE) by the approved governor. Following changes in the Protection of Freedoms Act 2012, there is no longer a statutory requirement for school governors to undergo a Disclosure and Barring Scheme check unless they will be carrying out regulated activity, which includes unsupervised work with children.
13. The subsequent process depends on the constitution of the Governing Body of the School or Academy:

A. For Appointments of Authority Governors to Governing Bodies constituted under The School Governance (Constitution) (England) Regulations 2007:

- The Governor Support Service will notify the Clerk to Governors once a potential governor has been identified, asking them to inform the Chair of Governors and the Headteacher.
- The Governor Support Service will provide a DoE form to the approved governor for completion which will be retained by the Clerk to Governors and a copy will be sent to the Local Authority.
- The Governor Support Service will send a letter of appointment to the successful applicant, with a copy to the Clerk to Governors, asking them to inform the Chair of Governors, and a copy email to the Headteacher. The copy to the Clerk to Governors will constitute written notice of appointment in accordance with the relevant Regulations.

B. For Nominations of Local Authority Governors, for Appointment to Governing Bodies constituted under the School Governance (Constitution) (England) Regulations 2012:

- Once the Cabinet Member for Children and Young People has approved an applicant for nomination, the Local Authority will write to the GB asking for confirmation of appointment and term of office.
- The Governor Support Service will provide a DoE form to the approved governor for completion which will be retained by the Clerk to Governors and a copy will be sent to the Local Authority.
- If the GB confirms the appointment, the Governor Support Service will send a letter of appointment to the successful applicant, with a copy to the Clerk to Governors, and a copy email to the Headteacher. The copy to the Clerk to Governors will constitute written notice of appointment in accordance with the relevant Regulations.

C. For Nominations of Local Authority Governors to Academies:

Where an Academy notifies the Local Authority of their decision to invite a Local Authority representative on to the Governing Body, persons who are interested in becoming the Local Authority representative on an Academy Governing Body should complete a Derbyshire Governor Application Form seeking nomination for appointment.

- Once the Cabinet Member for Children and Young People has approved an applicant for nomination, the Local Authority will write to the GB asking for confirmation of appointment and term of office.
- The Governor Support Service will provide a DoE form to the approved governor for completion which will be retained by the Clerk to Governors and a copy will be sent to the Local Authority.
- If the GB confirms the appointment, the Governor Support Service will send a letter of appointment to the successful applicant, with a copy to the Clerk to Governors, and a copy to the Headteacher. The copy to the Clerk to Governors will constitute written notice of appointment in accordance with the relevant Regulations.

Removal of an Authority Governor:

An Authority Governor may be removed from office by the Cabinet Member for Children and Young People.

DERBYSHIRE AUTHORITY GOVERNOR APPLICATION FORM

Appendix B

You must be nominated by a Derbyshire County Councillor (see overleaf)

Name:

Telephone: (Home)

Address:

Telephone: (Work /
Mobile)

Email address:

I am currently appointed as a governor and would like to apply for reappointment at:

or, I would like to serve as a governor in the area(s) and age phase(s) as indicated below:

Amber Valley	<input type="checkbox"/>	Special	<input type="checkbox"/>
Bolsover	<input type="checkbox"/>	Nursery (3-5 years)	<input type="checkbox"/>
Chesterfield	<input type="checkbox"/>	Infant (5-7 years)	<input type="checkbox"/>
Derbyshire Dales	<input type="checkbox"/>	Junior (7-11 years)	<input type="checkbox"/>
Erewash	<input type="checkbox"/>	Primary (5-11 years)	<input type="checkbox"/>
High Peak	<input type="checkbox"/>	Secondary (11+ years)	<input type="checkbox"/>
North East Derbyshire	<input type="checkbox"/>	Radius from Home	<input type="checkbox"/>
South Derbyshire	<input type="checkbox"/>		

My preferred school is:

Yes No

However, I would be willing to serve
elsewhere

<input type="checkbox"/>	<input type="checkbox"/>
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YOUR COMMITMENT AS A GOVERNOR

Governors are volunteers who attend meetings and work to further the school's development. As a new school governor you can receive a nationally designed induction programme covering roles and responsibilities. Governing Bodies report to parents on the school's achievements and respond to inspection recommendations.

The role of a School Governor is to contribute to the work of the Governing Body in raising standards of achievement for all pupils. This involves:

- Ensuring clarity of vision, ethos and strategic direction;
- Holding the headteacher to account for the educational performance of the school and its pupils; and
- Overseeing the financial performance of the school and making sure its money is well spent.

The individual Governor has a responsibility, working alongside other members of the Governing Body, to the staff and pupils of the school and the school's wider community.

You must have an interest in our children's future, be willing to contribute and make a difference, respect the need for confidentiality and be able to work as part of a team. You must act with integrity, objectivity and honesty and in the best interests of the school.

Together with the Headteacher, responsibilities of Governing Bodies include:

- Developing the school's strategic plan
- Determining aims, policies and priorities
- Setting targets
- Monitoring and evaluating
- Deciding the number of staff
- Overseeing the use of the school's budget
- Securing high levels of attendance and good standards of pupil behaviour

As a Derbyshire Local Authority/Authority Governor you should act in the interests of the school and the LA. This may require balancing short and long term issues, school and community issues.

The LA's commitment to you

We will:

- Keep you informed of local and national education policies and practices which will affect your school via www.derbyshire.gov.uk/governors
- Offer development training to help you carry out your duties
- Provide regular opportunities where Governors and the LA can exchange views and share information

There are laws controlling who may be appointed as a Governor and you will be asked to declare your eligibility (The School Governance (Constitution) (England) Regulations 2012, Schedule 4 sets out the qualification/disqualification criteria.

<http://www.legislation.gov.uk/uksi/2012/1034/schedule/4/made>

Please indicate by ticking the following box(es) which of the following skills/experience you may bring to the role of school governor:

Communication	<input type="checkbox"/>	Finance	<input type="checkbox"/>
Community	<input type="checkbox"/>	Legal	<input type="checkbox"/>
Data analysis	<input type="checkbox"/>	Personnel / HR	<input type="checkbox"/>
Education	<input type="checkbox"/>	Project Management	<input type="checkbox"/>
Finance	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Health & Safety / Premises	<input type="checkbox"/>	Teamwork	<input type="checkbox"/>

Why I am interested in being a school governor and what I can bring to the role:

(When completing this section, please include details of generic experience / knowledge / skills you have to offer. These could include professional expertise, community involvement, voluntary work etc)

Please continue on separate sheet if required.

I accept the commitments and recognise what is required of me as a Derbyshire Authority Governor.

Signed:

Date:

Please return to the Governor Support Service, County Hall, Matlock, Derbyshire DE4 3AG

NOMINATION

You must be nominated by a Derbyshire County Councillor (Governor Support can request nomination on your behalf on receipt of this form). If you have any queries, please ring the Derbyshire Governor Support Helpline on 01629 535769 or email: governor.support@derbyshire.gov.uk

NOMINATING COUNCILLOR

County Councillor

Councillor:

Division

Signed

Date

*This nomination is made for the preferred/current school

☐

*and / or any other school (by prior consultation with the applicant)

☐

**please tick*

MONITORING FORM

As we monitor our Governor Recruitment procedures, we should be grateful if you would complete the form below. Completion of this form is not compulsory.

Ethnicity

<input type="checkbox"/>	White British
<input type="checkbox"/>	White Irish
<input type="checkbox"/>	Other White Background
<input type="checkbox"/>	White + Black Caribbean
<input type="checkbox"/>	White + Black African
<input type="checkbox"/>	White + Asian
<input type="checkbox"/>	Other Mixed Background
<input type="checkbox"/>	Indian
<input type="checkbox"/>	Pakistani
<input type="checkbox"/>	Bangladeshi
<input type="checkbox"/>	Other Asian Background
<input type="checkbox"/>	Black Caribbean
<input type="checkbox"/>	Black African
<input type="checkbox"/>	Other Black Background
<input type="checkbox"/>	Chinese
<input type="checkbox"/>	Any Other or not known

Gender

<input type="checkbox"/>	Male
<input type="checkbox"/>	Female

Disability

Do you have a long term illness, health problem or disability that limits your day to day activities?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

Age

<input type="checkbox"/>	18 - 20
<input type="checkbox"/>	21 - 29
<input type="checkbox"/>	30 - 39
<input type="checkbox"/>	40 - 49
<input type="checkbox"/>	50 - 59
<input type="checkbox"/>	60+

Media Source

Please indicate where you saw an advert for Governor recruitment

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THANK YOU FOR COMPLETING THIS FORM

DERBYSHIRE 'LOCAL AUTHORITY GOVERNOR' APPLICATION FORM

You must be nominated by a Derbyshire County Councillor (see overleaf)

Name:	<input type="text"/>	Telephone: (Home)	<input type="text"/>
Address:	<input type="text"/>	Telephone: (Work / Mobile)	<input type="text"/>
		Email address:	<input type="text"/>

I am currently nominated as a governor and would like to apply for re-nomination at:

or, I would like to serve as a governor in the area(s) and age phase(s) as indicated below:

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North East Derbyshire	<input type="checkbox"/>	Radius from Home		However, I would be willing to serve elsewhere	
South Derbyshire	<input type="checkbox"/>				
				Yes	No
				<input type="checkbox"/>	<input type="checkbox"/>

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- d) Ensuring clarity of vision, ethos and strategic direction;
- e) Holding the headteacher to account for the educational performance of the school and its pupils; and
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The individual Governor has a responsibility, working alongside other members of the Governing Body, to the staff and pupils of the school and the school's wider community.

You must have an interest in our children's future, be willing to contribute and make a difference, respect the need for confidentiality and be able to work as part of a team. You must act with integrity, objectivity and honesty and in the best interests of the school.

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Education	<input type="checkbox"/>	Project Management	<input type="checkbox"/>
Finance	<input type="checkbox"/>	Strategic Planning	<input type="checkbox"/>
Health & Safety / Premises	<input type="checkbox"/>	Teamwork	<input type="checkbox"/>

Why I am interested in being a school governor and what I can bring to the role:

(When completing this section, please include details of generic experience / knowledge / skills you have to offer. These could include professional expertise, community involvement, voluntary work etc)

Please continue on separate sheet if required.

Please indicate by ticking the following box if you agree to the above information being disclosed to the Governing Body of the school were you are applying to be a Local Authority/Authority governor ☐

I accept the commitments and recognise what is required of me as a Derbyshire Local Authority Governor.

Signed:

Date:

Please return to the Governor Support Service, County Hall, Matlock, Derbyshire DE4 3AG

NOMINATION

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NOMINATING COUNCILLOR

County Councillor

Councillor:

Division

Signed

*This nomination is for the preferred/current school

☐

*and / or any other school (by prior consultation with the applicant)

☐

**please tick*

MONITORING FORM

As we monitor our Governor Recruitment procedures, we should be grateful if you would complete the form below. Completion of this form is not compulsory.

Ethnicity

- | | |
|--------------------------|-------------------------|
| <input type="checkbox"/> | White British |
| <input type="checkbox"/> | White Irish |
| <input type="checkbox"/> | Other White Background |
| <input type="checkbox"/> | White + Black Caribbean |
| <input type="checkbox"/> | White + Black African |
| <input type="checkbox"/> | White + Asian |
| <input type="checkbox"/> | Other Mixed Background |
| <input type="checkbox"/> | Indian |
| <input type="checkbox"/> | Pakistani |
| <input type="checkbox"/> | Bangladeshi |
| <input type="checkbox"/> | Other Asian Background |
| <input type="checkbox"/> | Black Caribbean |
| <input type="checkbox"/> | Black African |
| <input type="checkbox"/> | Other Black Background |
| <input type="checkbox"/> | Chinese |
| <input type="checkbox"/> | Any Other or not known |

Gender

- | | |
|--------------------------|--------|
| <input type="checkbox"/> | Male |
| <input type="checkbox"/> | Female |

Disability

Do you have a long term illness, health problem or disability that limits your day to day activities?

- | | |
|--------------------------|-----|
| <input type="checkbox"/> | Yes |
| <input type="checkbox"/> | No |

Age

- | | |
|--------------------------|---------|
| <input type="checkbox"/> | 18 - 20 |
| <input type="checkbox"/> | 21 - 29 |
| <input type="checkbox"/> | 30 - 39 |
| <input type="checkbox"/> | 40 - 49 |
| <input type="checkbox"/> | 50 - 59 |
| <input type="checkbox"/> | 60+ |

Media Source

Please indicate where you saw an advert for Governor recruitment

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THANK YOU FOR COMPLETING THIS FORM