

Process for the appointment of local authority governors

A. Background and context

This process applies to local authority governors nominated by the Local Authority to serve on governing boards constituted under the School Governance (Constitution) (England) Regulations 2012 - <http://www.legislation.gov.uk/uksi/2012/1034/contents/made>.

This process relates to all Derbyshire maintained schools. It also relates to those academies which have decided to include a local authority governor on their governing board. Any reference to schools within this document also applies to these academies. Academies specify in their Articles of Association whether or not there is a position for a local authority governor on their governing board.

This process takes account of the statutory guidance on the constitution of governing bodies of maintained schools - <https://www.gov.uk/government/publications/constitution-of-governing-bodies-of-maintained-schools> (page 12) - which states the following:

“Local authority governors are nominated by the Local Authority but appointed by the governing board. The Local Authority can nominate any eligible person as a local authority governor, but it is for the governing body to decide whether their nominee has the skills to contribute to the effective governance and success of the school and meets any other eligibility criteria they have set. Local authorities should therefore make every effort to understand the governing body’s requirements and identify and nominate suitable candidates.

An individual eligible to be a staff governor at the school may not be appointed as a local authority governor”

This process also takes account of the Governance Handbook - <https://www.gov.uk/government/publications/governance-handbook> (pages 29 to 30) - which states the following:

“For local authority governor appointments, a board should make clear its eligibility criteria including its expectations of the credentials and skills prospective candidates should possess. Local authorities must then make every effort to understand the board’s requirements in order to identify and nominate suitable candidates. It is for the board to decide whether the local authority nominee meets any stated eligibility criteria and, if it chooses to reject the candidate on that basis, to explain their decision to the local authority.

Once appointed, local authority governors must govern in the interests of the school and not represent or advocate for the political or other interests of the local authority. It is unacceptable practice to link the right to nominate local authority governors to the local balance of political power.”

Information for people who are considering volunteering as local authority governors is available from the Governor Support Service, governor.support@derbyshire.gov.uk and on the Derbyshire County Council website - http://www.derbyshire.gov.uk/education/school_governors/default.asp.

To ensure that governing boards can operate efficiently, it is essential that where possible they have a full complement of governors who possess the skills and experience required for the governing board to be effective. The Local Authority will make every effort to ensure that local authority governor vacancies do not remain open for an unreasonable period of time. The Governor Support Service will update Elected Members on a monthly basis with regard to current vacancies and will welcome any suggestions they may have for potential nominees.

An exit questionnaire will be sent to local authority governors who resign from their role or do not apply for reappointment and the end of their term of office. This will provide feedback on the experience of being a local authority governor and the Governor Support Service is meeting the needs of governing boards.

B. The process

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

- Submit an application form and any further information requested
- Be nominated by the Local Authority
- Be appointed by the governing board

The appointment process, administered by the Governor Support Service, is as follows:

1. Any person who wishes to be nominated for appointment as a local authority governor must complete the local authority governor application form, available from the Governor Support Service, governor.support@derbyshire.gov.uk, and the Derbyshire County Council website - http://www.derbyshire.gov.uk/education/school_governors/default.asp. Applicants should specify their preferences for a particular school or school(s), schools in a specific location, and/or types of school. The applicant must also indicate what experiences, skills and other attributes they would bring to the role and explain why they are interested in being a local authority governor.
2. The Governor Support Service will acknowledge receipt of all local authority governor applications and keep a list of those persons who have returned a completed application.
3. The Governor Support Service will write to all serving local authority governors eligible to be considered for reappointment approximately three months before their term of office ends. Existing local authority governors who wish to be considered for reappointment must complete a local authority governor application form and follow the same application process as a potential new local authority governor.
4. The Governor Support Service will prepare lists of current and anticipated vacancies for local authority governors. Copies of these lists will be circulated to Elected Members once a month. Clerks to governors are expected to notify the Governor Support Service of vacancies for local authority governors as soon as they arise.
5. When the Governor Support Service is notified of a local authority governor vacancy, it will write to the governing board, via the chair of governors, to ask for the skills required from a potential nominee to contribute to the effective governance and success of the school. The Governor Support Service will send a list of skills to assist the governing board.

6. If the governing board is looking for specific skills, the Governor Support Service will forward the skills required to any applicants who have expressed an interest in that school or in any school in that area. The applicants will be invited to provide an additional statement (of up to 100 words) giving further information with respect to these skills to support their application. The applicants will also be asked to confirm their consent to disclose their application form and additional statement to the governing board.
7. The Governor Support Service will forward to the local Elected Member the application form(s), and any additional statement(s), together with the skills required by the governing board, if provided. The local Elected Member will decide whether to nominate any of the applicants to be the local authority governor at the specified school. If there is more than one applicant and the Elected Member is unable to decide who would be the most suitable for the vacancy, the Elected Member can nominate more than one.
8. The Governor Support Service will inform the governing board when an application has progressed to an Elected Member for nomination.
9. When an applicant has been nominated by an Elected Member for a vacancy, their nomination will be put forward in a report to the Cabinet Member for Children's Services for confirmation. In the event that there is more than one nominee, the Cabinet Member will consider the information provided by the nominees to decide who would be the most suitable to fill that particular vacancy.
10. Once the seven day call-in period for the Cabinet Member meeting has expired, the Governor Support Service will forward to the clerk to governors of the governing board the application form of the nominee.
11. The governing board will consider whether they wish to appoint the nominee, subject to completion of a declaration of eligibility form and an enhanced criminal record check. The governing board will inform the Governor Support Service of their decision.
12. If the governing board confirms the appointment of the nominee, the Governor Support Service will issue a letter of appointment to the newly appointed local authority governor, and provide a copy to the governing board.

C. Removal of a local authority governor

A local authority governor may be removed from office by the Cabinet Member for Children's Services.

Governor Support Service
Children's Services
Derbyshire County Council

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