

Notes of Guidance for Governing Boards

**For clerks and governors of maintained schools and best practice
for academies**

Appointment of Local Authority Governors

**PROCESS FOR THE APPOINTMENT OF THE 'LOCAL AUTHORITY' GOVERNOR FOR
MAINTAINED SCHOOLS**

Relevant Legislation

The School Governance (Constitution) (England) Regulations 2012
The School Governance (Federation) (England) Regulations 2012

LA governor eligibility criteria

The 2012 regulations limit the number of LA governors to 1 and states that the LA should nominate but the Governing Board should appoint. Under these regulations the governing board may set eligibility criteria for the LA governor appointment.

The Governing Board could, for example, identify financial expertise or skills in analysing data to support them in their monitoring role e.g. with regard to disadvantaged and more able pupils. They may also seek to attract governors from industry or community organisations to support the school in developing partnerships.

The Eligibility criteria for Local Authority Governors was reviewed and the following recommended by the cabinet at the cabinet meeting 13th December 2012. This should apply to all appointments made under the 2012 regulations where the governing board has not agreed its own criteria.

Essential:

- a) A desire to serve the local community
- b) Sufficient time to carry out the role
- c) An interest in Education in a community setting
- d) An ability to constructively challenge the school in order to secure improvement
- e) Having the skills necessary to deal with an increasing administrative load or be willing to develop these
- f) Having a collaborative approach and being a 'team player'
- g) A willingness to be involved in the life of the school
- h) A desire to support the school concerned

Desirable:

- i) Existing Knowledge of and a commitment to the area
- j) Relevant managerial experience in finance, personnel or curriculum

LA governor nomination and appointments process (new appointment):

1. Governor Services may advise the clerk, Chair of Governors and Cllr of the impending vacancy
2. The Chair of Governors or nominated representative, contacts the Councillor to request a nomination and to share any eligibility criteria determined by the governing board
3. Councillor makes a nomination to the Chair of Governors or their nominated representative using the Councillor Nomination form to be returned to clerk to governors.

4. The governing board will consider the nomination against any eligibility criteria and either ask for an alternative nomination (if in the opinion of the governing board the nominee does not meet the eligibility criteria) or agree the appointment. Alternatively, the governing board can provide the local Councillor with a candidate they feel meets their eligibility criteria and they would like the Councillor to support the nomination of.

5. Should both parties fail to agree on a suitable LA governor appointment, then the officer with the responsibility for Governor Services will become involved in a mediating role.

6. The clerk to governors will notify Governor Services of the appointment of the new LA governor and provide details on form GS1 along with the completed Councillor Nomination form.

Any local authority/ authority governor may be removed from office by the Director of Children's Services in consultation with the Cabinet Member with Responsibility for Children and Families. The council must give written notice of the removal from office to the clerk to the governing board and to the local authority governor who is being removed.

Academy Local Authority appointments (if required) are made in compliance with the **Articles of Association** agreed between the DfE and the Academy. The articles allow for an LA governor on the governing board, but this is not statutory. The appointment is made by the Local Authority through the Legal and Democratic Service and is consistent with the process to other third-party institutions e.g. Colleges.

LA governor nomination and appointments process (re-appointment):

1. Governor Services may advise the clerk, LA governor and Cllr of the impending end of term of office
2. Clerk to Governors
 - Discusses with continuation of service with governor
 - Contacts Councillor to discuss re-nomination or to request a new nomination making any criteria known to the Councillor – Councillor Nomination form to be completed and returned to clerk to governors
3. The governing board will consider the re-appointment/ new appointment and either appoint or seek an alternative nomination from the Councillor
4. If the re-appointment of the LA governor is agreed the clerk to governors will notify Governor Services and provide details on form GS1 along with completed Councillor Nomination form.
5. In the event of not appointing reasons for rejection of the nomination should be sent to Governor Services

N.B.

Please note that if your school has joint local councillors, with shared responsibility for the division, then you must communicate with both councillors and request a signed supporting nomination form from both, in order to proceed with the LA governor appointment or re-appointment.

Annex A

LOCAL AUTHORITY GOVERNOR - NOMINATION FORM

School Name:	
Nominee – including full name, address and contact numbers:	
Nominee title:	
Nominee forename:	
Nominee surname:	
Address:	
Postcode:	
Telephone:	
Email:	
<p>SUPPORTING INFORMATION</p> <p>It is important that this part is completed in as much detail as possible to secure agreement for the appointment.</p>	<p>Relevant background of nominee:</p> <p>1. This person is known to me personally (tick box) <input type="checkbox"/></p> <p>2. This person is NOT known to me personally but has been recommended by:</p>

Name of Councillor

Signed

Date

Please return your completed form to the clerk to governors of the school so that they can proceed with the appointment process accordingly if agreed by the governing board.