



General Functions Committee

20 March 2017

Title	Nomination of Local Authority Representatives on School Governing Bodies
Report of	Head of Governance
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A - List of LA Vacancies on School Governing Bodies
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Summary

The Committee is asked to nominate representatives in respect of local authority governor vacancies on the school governing bodies listed in Appendix A.

Recommendation

1. That the General Functions Committee nominates representatives in respect of local authority governor vacancies on the school governing bodies listed in Appendix A.

1. WHY THIS REPORT IS NEEDED

- 1.1 The Committee has a responsibility to recommend appointments to vacancies in respect of local authority governors on school governing bodies. This assists each school's governing body to be fully constituted and exercise its duties in an efficient and effective manner.

2. REASONS FOR RECOMMENDATION

- 2.1 All state maintained primary, secondary and special schools are accountable to their governing bodies, which in turn are accountable to parents and the wider community. The General Functions Committee (or Full Council where an urgent decision is required) nominates candidates for appointment to local authority governor vacancies.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None

4. POST DECISION IMPLEMENTATION

- 4.1 The Head of Governance in the Assurance Group of the local authority will notify the governing body of the nomination made. It is for the governing body to decide whether the local authority nominee meets any stated eligibility criteria and, if it chooses to reject the candidate on that basis, the Committee will invite the governing body to explain their reasons for refusal to the local authority via the Head of Governance.
- 4.2 General Functions Committee minutes (23 June 2015) state that where a governing body chooses to reject a candidate because they do not meet any stated eligibility criteria, it should (be invited to) explain its decision to the Head of Governance who will inform the General Functions Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 To ensure that the council has robust governance arrangements that enable the delivery of its objectives as set out in the Corporate Plan, its decision making structures will be kept under review to provide effective opportunities for resident participation and engagement.
- 5.1.2 Through the timely execution of its functions, the Committee can assist school governing bodies to fulfil their duties and contribute to the corporate priorities to make sure Barnet is a place:
- of opportunity, where people can further their quality of life
 - where people are helped to help themselves, recognising that prevention is better than cure
 - where responsibility is shared, fairly
 - where services are delivered efficiently to get value for money for the taxpayer.

5.2 **Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 None in the context of this report.

5.3 **Social Value**

5.3.1 The Public Services (Social Value) Act 2013 is not directly applicable in the context of this report.

5.4 **Legal and Constitutional References**

5.4.1 Responsibility for nominating local authority representatives to school governing bodies is attributed to the General Functions Committee in accordance with Annex A to Responsibility for Functions. Section 1.8 of Responsibility for Functions, Functions of Full Council provides that Full Council can make appointments to school governing bodies where an urgent decision is required:

[Section 15 London Borough of Barnet Constitution - Responsibility for Functions](#)

5.4.2 All governing bodies of maintained schools are required to be constituted under either the:

[School Governance \(Constitution\) \(England\) Regulations 2012 \(as amended\)¹](#)

[School Governance \(Federations\) \(England\) Regulations 2012 \(as amended\)²](#)

4.3.3 In these Regulations “local authority governor” means a person who:

- (a) is nominated by the local authority; and
- (b) is appointed as a governor by the governing body having, in the opinion of the governing body, the skills required to contribute to the effective governance and success of the school and having met any additional eligibility criteria set by the governing body.

5.4.3 The governing body must not be smaller than seven members, and must include (subject to the requirements regarding foundation governors in qualifying foundation schools and voluntary aided schools):

- at least two parent governors;
- the headteacher (unless the headteacher resigns as a governor);
- one staff governor;
- one, and only one, local authority governor; and
- the governing body may appoint as many additional co-opted governors as they consider necessary subject to conditions in the regulations.

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

¹ [The School Governance \(Constitution and Federations\) \(England\) \(Amendment\) Regulations 2014](#)

² [The School Governance \(Constitution and Federations\) \(England\) \(Amendment\) Regulations 2014](#)

5.5 Risk Management

5.5.1 None in the context of this report.

5.6 Equalities and Diversity

The Committee is advised that the 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- advance equality of opportunity between people from different groups; and
- foster good relations between people from different groups.

5.6.1 All sectors of the community are eligible for nomination to the vacancies. It is expected that all political parties will promote equalities and diversity when making nominations to vacancies.

5.6.2 In delivering this Corporate Plan, the Council's priorities and the actions it takes to deliver them will reflect our Strategic Equalities Objective which is that citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer.

5.7 Consultation and Engagement

5.7.1 Not applicable.

5.8 Insight

5.8.1 Insight data has not been used to inform the decision required.

6. BACKGROUND PAPERS

6.1 The Constitution of Governing Bodies of Maintained Schools March 2015 being statutory guidance for governing bodies of maintained schools and local authorities in England published by the Department for Education:

[The Constitution of Governing Bodies of Maintained Schools Statutory Guidance.pdf](#)

The Governors' Handbook published by the Department for Education:
[Governors' Handbook.pdf](#)