



Children, Education and Safeguarding Committee

10 September 2019

Title	Local Authority School Governor nominations – update and review
Report of	Chairman of the Committee, Councillor David Longstaff
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A
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Summary

In September 2018, the Children, Education and Safeguarding Committee received a report on the process for nominating Local Authority governors to serve on the governing bodies of Barnet schools. The committee approved the proposed changes to the process and agreed there should be a review of the new process in twelve months' time.

This report describes the process that has operated since September 2018. Appendix A sets out the details of the decisions taken by the panel at the three meetings held in the school year 2018/19.

The report highlights the significant reduction in the percentage of local authority governor vacancies.

Recommendation

- 1. That the Committee note the information in Appendix A of this report on the nominations of local authority governors to Barnet Schools since September 2018 and agree that the current process should continue.**

1 WHY THIS REPORT IS NEEDED

- 1.1 Before September 2018, the former General Functions Committee had been responsible for making nominations of local authority governors to school governing bodies. At Annual Council in May 2018, Members agreed several changes to committee responsibilities including removing this function from the terms of the new Constitution & General Purposes Committee (which subsumed many of the functions of the former General Functions Committee). The Children, Education and Safeguarding Committee was given responsibility for 'Determining the arrangements for making nominations to the governing bodies of Local Authority administered schools.'
- 1.2 In September 2018, the Children, Education and Safeguarding Committee received a report on the process for nominating Local Authority governors to serve on the governing bodies of Barnet schools. The committee approved the proposed changes to the process and agreed there should be a review of the new process in twelve months' time.
- 1.3 The intention of the proposed changes was to improve the process for selecting and nominating local authority (LA) governors. It was agreed to delegate authority to nominate LA Governors to the Strategic Director for Children and Young People (the current post-title being the Executive Director, Children's Services), following recommendation made by a panel. The panel consists of one minority and one majority party Councillor and is supported by the Governor Services Manager from the Education and Skills Service. The Chair is the representative from the majority party (Cllr John Hart) and the representative from the minority party is Cllr Pauline Coakley Webb. There are two named reserves: Cllr Linda Freedman (Conservative) and Cllr Anne Hutton (Labour). If the two members disagree on a recommendation, the chair has a second or casting vote.
- 1.4 It was agreed that the panel would meet termly. The panel has met three times: on 11 December 2018, 26 March 2019 and 2 July 2019. Details of the decisions taken by the panel are shown in Appendix A.
- 1.5 The Panel is responsible for making recommendations on Local Authority Governor nominations as detailed below:

- The panel considers applications (via a completed application form), which is matched to details of the skills and additional eligibility criteria requested by the Governing Body.
- First preference is given to Ward Members who have put themselves forward. The panel considers whether the Ward Member has the requisite skills and, if required, requests further information from the individual.
- If no Ward Members or other Councillors put themselves forward or the Ward Member/other Councillor does not have the requisite skills, other candidates, who have applied independently to Governor Services, are assessed for suitability, based on their application form and Curriculum Vitae, together with any comments from the Chair of Governors regarding desirable skills and experience being sought. The panel considers whether the other candidates have the requisite skills and selects the best candidate based on merit.
- On the recommendation of the Panel, the Executive Director makes a decision to nominate to a vacancy. The decision to appoint lies with the individual Governing Body.

1.6 Nominations made by the Executive Director are reported via a Chief Officer Decision in the name of the Executive Director, Children's Services. Each nomination is then reported to the appropriate Clerk to the Governing Body, advising that the Governing Body should consider appointment of the nominee, and requiring the Clerk to report the Governing Body decision, with terms of office of the LA Governor as appropriate, for the Council's records.

1.7 One nomination by the Executive Director, following the recommendation of the panel at its meeting on 26 March 2019, was rejected by the Governing Body of the school concerned and the panel will be asked to recommend a new nomination.

1.8 On the three occasions when the panel met, the panel considered and made recommendations for nominations as follows:

- December 2018 – 22 vacancies considered; 15 recommendations made.
- March 2019 – 9 vacancies considered; 6 recommendations made.
- July 2019 – 12 vacancies considered; 5 recommendations made.

All recommendations made were agreed by the Executive Director and therefore the nominations were put forward to the relevant Governing Bodies.

1.9 Where recommendations for nomination were deferred, this was because the panel did not believe it had anyone suitable to nominate. This happened at all three meetings of the panel in respect of three schools.

1.10 Nonetheless, the percentage of LA governor vacancies fell from 24% before the panel first met in December 2018 to 7% after the meeting. It then fell to 3% after the March panel and was 7% again after the July panel.

2 REASONS FOR RECOMMENDATIONS

2.1 The change to the procedure for nominating local authority governors agreed by the committee in September 2018 was intended:

- to improve the selection of appropriately skilled governors to enhance schools' governance, by introducing more rigorous selection, informed by local knowledge of each school's context and skills required.
- to contribute to good oversight and management of schools for the benefit of children and young people.
- to ensure that the process reflects the new legislative requirements.
- to reduce delay in appointments.

The change appears to have met these objectives.

3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The nominations process could be undertaken by a committee. Previous experience has found this practice to be lengthy and to result in delays in making nominations. The revised arrangements have streamlined the process, whilst retaining Member involvement and oversight.

4 POST DECISION IMPLEMENTATION

- 4.1 The nomination process agreed by the committee in September 2019 will continue to be implemented. Recommendations made by the Panel and decisions taken by the Executive Director will continue to be reported via a Chief Officer Decision.

5 IMPLICATIONS OF DECISION

Corporate Priorities and Performance

- 5.1 The quality of the education offer in Barnet is at the heart of Barnet's continuing success as a place where people want to live, work and study. It plays a crucial part in making Barnet a popular and desirable place with many families attracted to the area by the good reputation of Barnet's schools.
- 5.2 Excellent educational outcomes and ensuring children and young people are equipped to meet the needs of employers are key to delivering the Council's strategic objectives set out in its Corporate Plan, Barnet 2024, based on the core principles of fairness, responsibility and opportunity 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.
- 5.3 The London Borough of Barnet's Education Strategy 2017-2020 sets out that good leadership and governance is a key driver to the achievement of the improvement of schools and educational outcomes.

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

- 5.4 The work to drive the delivery of the council's contribution to the Education Strategy is delivered from within existing resources of the Education and Skills service, which is delivered in partnership with Cambridge Education.

Legal and Constitutional References

- 5.5 The School Governance (Constitution)(England) Regulations 2012 came into force on 1 September 2012, amendments came into force on 1 September 2014 and further amendments came into force on 1 September 2015. The Constitution of Governing Bodies of Maintained Schools 2017 contains statutory guidance for governing bodies of maintained schools and local authorities.
- 5.6 Under the Council's Constitution, Article 7 (Committees, Forums and Partnerships), the terms of reference of the Children, Education and Safeguarding Committee includes responsibility for 'determining the arrangements for making nominations to the governing bodies of Local Authority administered schools.'

Risk Management

- 5.7 The risk of not responding to the increased focus being placed on Governing Bodies within the Ofsted Inspection Framework is a risk to the council and the local community in terms of failing to maintain the quality of education in Barnet.
- 5.8 If responsibility for the nominations process were to be transferred back to a committee, there is a risk of delay in decision-making, leading to governing bodies carrying vacancies for a significant period of time which could impact on the effectiveness of the governing bodies and their ability to discharge their duties.

Equalities and Diversity

- 5.9 The competency framework for governors states that governors should be mindful of their responsibilities under equalities legislation, recognising and encouraging diversity and inclusion. By ensuring that governors have the requisite skills to undertake the role, the process in place for nominating LA governors should ensure an improved form of school governance in terms of compliance with equalities legislation.

Corporate Parenting Principles

- 5.10 Governing bodies are responsible for holding the headteacher to account. This includes assurance that the designated teacher for looked after children is properly supported and challenged to undertake this role. By ensuring that governors have the requisite skills to undertake the role of governor, this should ensure an improved form of school governance in terms of schools' complying with duties towards looked after children.

Consultation and Engagement

5.11 Nominations have been made to a number of maintained schools. Schools have not given any negative feedback on the new process for nominating governors.

6 BACKGROUND PAPERS

Children, Education, Libraries and Safeguarding Committee, 12th September 2018:
Item 9 - Report on 'Proposed change to the Local Authority School Governor Appointments Process'.

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=697&MId=9467&Ver=4>