

CABINET

Date of Meeting	Tuesday, 20 th June 2023
Report Subject	Revisions to the Procedure for the Appointment of Local Authority Governors in Schools
Cabinet Member	Cabinet Member for Education, Welsh Language, Culture and Leisure
Report Author	Chief Officer (Education and Youth)
Type of Report	Operational

EXECUTIVE SUMMARY

Current council policy provides that the Elected Member(s) of the electoral Ward where a school is located can nominate a person(s) to be a Local Authority (LA) Governor. The policy, however, only provides for nomination. The statutory duty to accept or decline the nomination is a decision of the governing body.

The Government of Maintained Schools (Wales) Regulations 2005 (the Regulations) prescribe how 'stakeholder' groups are elected or appointed to governing bodies and provide the discretion for a local authority to determine its own process for confirming LA governors to its governing bodies.

The Cabinet Member for Education, Welsh Language, Culture and Leisure and the Chief Officer subsequently authorise the appointments through the Council's delegated powers having first been assured that the eligibility criteria to be a governor under the regulations has been met.

RECOMMENDATIONS

1	Cabinet to approve the proposed revisions at 1.04.
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REPORT DETAILS

1.00	EXPLAINING THE BACKGROUND TO THE PROPOSED REVISIONS
1.01	<p>The Government of Maintained Schools (Wales) Regulations 2005 (the Regulations) prescribe how ‘stakeholder’ groups are elected or appointed to governing bodies and provide the discretion for a local authority to determine its own process for confirming LA governors to its governing bodies.</p> <p>The Cabinet Member for Education, Welsh Language, Culture and Leisure and the Chief Officer subsequently authorise the appointments through the Council’s delegated powers having first been assured that the eligibility criteria to be a governor under the regulations has been met.</p> <p>The Regulations determine the number of LA governors in school according to the size and type of school. There are currently 216 Local Authority governor positions in Flintshire schools and, like all governors, they are appointed for a four-year term of office. Any agreed revisions to procedure will therefore phase in upon expiry of terms of office.</p> <p>The Regulations do not assign any specific requirements or responsibilities to being an LA governor only that they are nominated by the Authority.</p> <p>The current Council policy predates the 2005 school governance regulations and is therefore timely for review.</p>
1.02	<p>The regulations do not assign any specific requirements or responsibilities to being an LA governor only that they are nominated by the Authority. However, the following generic attributes may be considered when choosing nominations:</p> <ul style="list-style-type: none">• The nominee possesses skills and/or experience which the governing body has identified in their self-evaluation/skills analysis• Demonstrates a commitment to raising standards in the school to ensure the best possible education for its pupils.• An understanding of the concept of value for money for funding from the public purse.• Able to demonstrate they can give the requisite time commitment.• Able to demonstrate sufficient local connection with the school.• Any previous experience as a school governor
1.03	<p><u>Key drivers of the appointment review:</u></p> <p>Wales Government’s Schools Improvement and Accountability Framework introduced in June 2022, provides for a school’s standard self-evaluation cycle to include strategic vision and leadership capacity across the whole school including the governing body. A governing body therefore should use the principles and approach to self-evaluation to evaluate their own effectiveness, strengths and areas for improvement including their skills and experience.</p>

	<p>School governance in Wales is based on the ‘stakeholder model’. Governing bodies need a broad mix of people from all walks of life and backgrounds who can bring different viewpoints, experiences, skills, and fresh ideas – the all-important ‘outside’ perspective. This is key to being an effective governing body.</p> <p>The governing body does have a say in stating what skills/knowledge and experience it requires through a regular skills audit to identify such gaps. This is already the regulatory process for appointing Community Governors.</p> <p>The number of LA governors on a governing body range from 1 to 5 governors. This means that many Elected Members are required to identify multiple nominees to sit as an LA governor. Most Elected members currently sit as an LA Governor. It is not always easy to find volunteers who can commit the time to be a school governor, and this leads to vacancies existing on a governing body for some time. Whilst this is evident in all categories of governors it is particularly acute where LA governors represent the second largest stakeholder group on a governing body.</p> <p>Historically, an additional process existed whereby the views of a neighbouring Ward Member(s) was sought where statutory pupil returns showed 75% of pupils registered at the school came from outside the Ward in which the school was situated. This is not an objective process and is one which adds no value to the nomination process. Indeed, it has become an unnecessary, non-value, administrative step given that the views of neighbouring ward members are not required to be considered by a school governing body. Further, there is no correlation between the nominee and their skills and a pupil’s home address. It is the skills offered by the individual that are the key factor in ensuring accountability to the school’s stakeholders.</p>
1.04	<p>Summary of revisions:</p> <ol style="list-style-type: none"> 1. That the current procedure which requires Elected Members to find and nominate persons to LA governor positions is removed 2. That it is replaced with an automatic consideration for that Elected Member to be nominated as an LA Governor to a vacancy in a school in their Ward should they wish (subject to the regulatory requirement that no governor can be a governor at more than two schools and subject to acceptance by the governing body) 3. That in all other positions the Governing Body is asked to nominate to their LA governor positions based on their own identified skills and experience needs in membership. This nomination can include Elected Members (subject to the regulatory requirement that no governor can be a governor at more than two schools) 4. That governing bodies must duly notify the Chief Officer, Education and Youth of their candidates as approved by the Governing Body. 5. That the Chief Officer, Education and Youth under delegated powers, duly confirms the appointment subject to the regulatory checks on the eligibility criteria to be a governor.

2.00	RESOURCE IMPLICATIONS
2.01	None identified.

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT	
3.01	No risks identified arising from this report.	
3.02	Well-being Goals Impact	
	Prosperous Wales	No impact.
	Resilient Wales	No impact
	Healthier Wales	No impact
	More equal Wales	Positive –School governance in Wales is based on the ‘stakeholder model’. Governing bodies therefore need a broad mix of people from all walks of life and backgrounds who can bring different viewpoints, experiences, skills, and fresh ideas – the all-important ‘outside’ perspective.
	Cohesive Wales	No Impact
	Vibrant Wales	No impact
	Globally responsible Wales	No impact

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	Consultation on the proposed revisions with Flintshire governing bodies and Elected Members of the Council.

5.00	APPENDICES
5.01	Attached survey summary on consultation to revisions with Governing bodies and Elected Members, shows 84% agree with the proposals.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	The Government of Maintained Schools Regulations (Wales) 2005 .

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Kim Brookes, Senior Manager Business Support, Education & Youth Portfolio Telephone: 01352 704025 E-mail: kim.brookes@flintshire.gov.uk