Havering
LONDON BOROUGH

GOVERNANCE COMMITTEE

REPORT

14 March 2012

Subject Heading:	**Appointment of Local Authority Governors to Schools, Pupil Referral Units and Academies**
CMT Lead:	Sue Butterworth, Group Director, Children's Services
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Policy context:	The need to put in place a procedure for the removal of LA appointed school governors.
Financial summary:	There are none associated with this report

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough   []
Excellence in education and learning   [✓]
Opportunities for all through economic, social and cultural activity   []
Value and enhance the life of every individual   []
High customer satisfaction and a stable council tax   []

SUMMARY

The Committee is requested to agree a procedure for the removal of a School Governor from a governing body where the need to do so arises.

RECOMMENDATIONS

That the proposed procedure be **noted** and **approved**.

REPORT DETAIL

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1. The LA Governor Appointment Panel deals with the appointment of LA governors after considering applications against set criteria and personal references.

2. LA appointed governors may be removed from office by the person who appointed them (Guide to the Law for School Governors Chapter 2 paragraph 27). The Guide only stipulates that the appointing person (Body) must give written notice to the clerk to the governing body and the governor in question, of the governor's removal. The removal of any LA governor is only considered as a last resort, after all reasonable steps have been taken to resolve issues.

3. There are no set procedures or criteria to guide the appointing body. Given this, the following guiding principles are proposed, to be applied by the LA Governor Appointment Panel should it be necessary to consider the removal of an LA appointed governor.

    (a) The LA Governor Appointment Panel will consider the removal of an LA governor if they are requested to do so by:

        i. any member of the governing body (including the Headteacher, where the Headteacher is a governor)

      or

        ii. the Group Director Children's Services

    Such a request should only be made after discussions have been held with the LA governor regarding the issues which are of cause of concern and an opportunity has been given for the LA governor to respond. The request should clearly state:
        • the reason for the request
        • the actions taken to try to resolve the issue(s).

    (b) The LA Governor Appointment Panel will agree to remove an LA governor if it can be demonstrated that:

        • All reasonable attempts have been made to resolve the issues

      and

        • The LA governor is failing to make any positive contribution to the work of the governing body in its three areas of responsibility:
            ▪ Setting the strategic direction of the school
            ▪ Acting as a critical friend
            ▪ Ensuring accountability

      or

- The work of the GB will be impeded by the LA governor remaining as a governor

or

- The LA governor has behaved in a way which has brought or could bring the LA into disrepute

or

- Any other substantial reason.

4. Any LA governor recommended for removal will have the right to make representation to the LA Governor Appointment Panel stating reasons why they feel they should continue as an LA governor.

5. An appeal against the decision of the LA Governor Appointment Panel may be made to a Hearings Panel of the Adjudication and Review Sub-Committee.

IMPLICATIONS AND RISKS

Financial implications and risks:

None are apparent

Legal implications and risks:

None are apparent

Human Resources implications and risks:

None are apparent

Equalities implications and risks:

None are apparent

BACKGROUND PAPERS

Guide to the Law for School Governors