

## MIDDLESBROUGH CHILDREN FAMILIES AND LEARNING

### Protocol for the Appointment, Re-Appointment of Authority Governors

#### 1. Background

- 1.1 The School governance (Constitution) (England) Regulating 2003, Regulation 6 states that the governing bodies of all categories of maintained schools have at least one governor appointed by the Local Authority. In some categories of school the Authority governors account for up to one-fifth of governing body membership.
- 1.2 New regulations (Statutory Instrument 1172) changes 'Local Education authority' to 'Local Authority' and Local Authority governors become 'Authority' governors.
- 1.3 Corporate Affairs Committee have delegated responsibility from Middlesbrough Council to consider any representations for appointment or re-appointment of governors.
- 1.4 Governor Development Service on behalf of the Executive Director for children Families and Learning consults with Corporate Affairs Committee on all matters relating to the appointment and removal of Authority governors.

Protocol 1 Appointing, Reappointing and Communicating with Authority governors.

#### 2. Process of Appointment

- 2.1 Nominations for Authority governor appointments are received from:
  - The school's governing body
  - The Local Member(s) for the school
  - Community and Ward Councillors
  - Referrals from governor Services e.g. One Stop governor Shop

Note: the Local Authority has due regard to the need to eliminate unlawful discrimination and promotes equal opportunity and good relations between persons of different racial and minority groups.

- 2.2 Middlesbrough Governor Development Service produce a regular (termly) schedule of nominations together with supporting references for each candidate.
- 2.3 The Recruitment and Retention Officer from within the Governor Support Service Team will be in attendance at the Corporate Affairs meeting when considering appointments to answer any queries.
- 2.4 The Recruitment and Retention Officer will also undertake face to face interviews with prospective governors to ensure they have a full understanding of the responsibilities required of them and to ascertain if they have any particular preference of schools.

- Where a single nomination is received for a vacancy at a particular school, nominations are approved or declined;
- Where there are multiple nominations for one vacancy at a particular school, the Corporate Affairs Committee will make the decision and convey this to the Governor Development Service;
- Where the candidate has not specified a particular school, the Recruitment and retention Officer may suggest a particular school but members of the Corporate Affairs Committee will receive a list of all Authority vacancies which are current at the time in case they wish to make a different recommendation.

### 3. Re-Appointment of Authority Governors

- 3.1 A report of those Authority governors due to expire within the end of each school term will be notified to the meeting of the Corporate Affairs Committee together with any recommendations or comments from the Recruitment and Retention Officer and/or the Chair of the Governing Body of the School/Headteacher on which those governors currently serve.
- 3.2 Candidates can be reappointed irrespective of any political affiliation or preference.
- 3.3 There is no automatic right to be re-appointed and this will be made transparent in all documentation to Authority governors at the time of appointment and/or re-appointment.
- 3.4 The Recruitment and Retention Officer will write to each Authority governor and invite them to indicate their willingness to stand for a further term of office.
- 3.5 Where governors are willing to stand for a further term of office, a further Criminal Records Bureau check will be undertaken and they will be reminded of the disqualification criteria that applies and of the relevant Code(s) of Conduct.
- 3.6 The Committee will consider the appropriateness of re-appointing the Authority governors and this will be conveyed to the Recruitment and Retention Officer in attendance at the meeting.
- 3.7 Upon satisfactory checks and acquiescence to the relevant Code(s) of Conduct a re-appointment confirmation letter will be sent by Governor Development Service on behalf of the Executive Director for Children Families and Learning.

### 4. Expectations of Authority governors

- 4.1 Authority governors are expected to commit to the principles set out in the Second Report of the Committee on Standards in Public Life (the Nolan committee 1996). These 'Seven Principles' are set out as part of the "Strategic Role of Governors" – Appendix 1.
- 4.2 Authority governors are expected to commit to the general "Code of Practice for Governors" and to the individual "Code of Conduct or Standing orders" which may have been adopted by the governing body to which they are appointed. An example is set out at Appendix 1.
- 4.3 Authority governors would be expected to attend any briefing sessions particularly targeted at Authority governors and attend appropriate training and development opportunities. Authority governors would be expected to support the aspirations of the LA, as they are communicated to them via briefings.

- 4.4 Authority governors would be expected to attend Induction Training for New Governors as well as any specific induction training targeted at Authority governors specifically.
- 4.5 Authority governors would be expected to draw to the attention of the Executive Director for Children Families and Learning any serious concerns about matters likely to impact adversely on the standards of achievement of the pupils or the capacity of the school to deliver the five national outcomes as set out within the 'Every Child Matters' agenda.
5. Disqualification Criteria
- 5.1 The Disqualification Criteria listed in the Guide to the Law for School Governors will apply to those seeking appointment as an Authority governor as it does to all other categories of governors.
- 5.2 A person is disqualified from appointment as an Authority governor if they are eligible to be a staff governor at the school.
- 5.3 Authority governors can be disqualified by the governing body for non-attendance at meetings, as prescribed in the Guide to the Law for School Governors i.e. "fails to attend the governing body meetings – without the consent of the governing body – for a continuous period of six months beginning with the date of the first meeting missed.
- 5.4 Prospective Authority governors will be required to sign a declaration to confirm that they are not subject to any of the disqualification criteria and to undergo pre-appointment checks as relevant, i.e. Enhanced CRB Disclosure. Refusal to undergo appropriate checks will automatically disqualify the applicant, as will a lack of co-operation from the prospective governor in producing the relevant identification documentation.
- 5.5 In the event that there is a disclosure made on a CRB certificate, the Executive Director for Children Families and Learning will be notified and where relevant they will make the decision whether to pursue the appointment or not.