

Procedure for Authority Governor Appointments

Blackburn with Darwen Procedure for Authority Governor Appointments

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Any reference to "governor" should also be read to refer to management committee members of pupil referral units (PRU) unless clearly stated.

Foreword

Thank you for showing interest in becoming an authority governor and for volunteering to take on this important role that makes a difference to the lives of children, young people and the local community. As a past governor myself I know that being closely involved with a school is immensely rewarding and I very much hope that you will utilise the training that is available to support you to ask the right questions, at the right time, in the right way.

Good luck and thanks again.

A handwritten signature in black ink, appearing to read 'Julie Gunn', written in a cursive style.

Councillor Julie Gunn,
Assistant Executive Member for Children, Young People and Education
Chair, Governors' Task Group

1. INTRODUCTION – AUTHORITY GOVERNORS

Governing bodies are an integral part of school leadership and are drawn from the different stakeholders that are involved with schools. Governing bodies set the ethos of the school, they drive continuous improvement by supporting, challenging and holding to account the headteacher and other members of the school's leadership team. The role that governors undertake in our schools is crucial and their commitment and support that they give is greatly appreciated.

This procedural document covers authority governors in maintained schools. Schools may have other vacancies and a different protocol for applying. If you are interested in applying for other vacancies on governing bodies you are advised to contact the school direct.

2. PERSON SPECIFICATION/CRITERIA FOR APPOINTMENTS

Authority governors are representatives of the Local Authority. They are not delegates of the Local Authority and, as such, cannot be mandated to take any particular course of action or vote in a specific way at meetings. They are not chosen to represent any one political view. Authority governors are expected to act in an appropriate manner and not act in any way that might bring the reputation of the Council into disrepute. At all times the individual must act in the best interests of the school and wider community. Awareness and understanding of Council priorities and policies, however, will enable the governor to inform the debate and priorities at school level.

In addition to the above an effective **authority governor will:**

- support the aims of the school
- visit and get to know the school
- work in partnership with the Headteacher, senior leadership team and other governors to raise standards and improve outcomes for all children
- prepare for meetings by reading papers beforehand
- take responsibility for their own learning and development as a governor including attending training
- attend full governing body and relevant committee meetings promptly, regularly, and for the full time
- read briefings and newsletters for governors
- promote the interests of the school in the wider community
- be loyal to the decisions made by the governing body
- respect the confidentiality of governing body affairs

Please also see Appendix 1 Code of Conduct and Appendix 2 Standards in Public Life

3. THE APPOINTMENT PROCESS

The Governor Task Group

General

The responsibility for appointing authority governors rests with the governing body. The Task Group will have responsibility for recommending applicants and in doing so would normally have an understanding from the school of the skills that they would want from applicants nominated by the LA. The Task Group will consider the application and whether the individual meets the school's criteria. It will then decide whether to recommend the application to the governing body.

Should the governing body decide not to appoint the recommended applicant there is no appeal process involved

Membership of the Task Group consists of 3 elected members and would normally have representation from each of the main political parties in the Borough. It is Chaired by the lead member for Schools and Education. The Task Group will be serviced by the Governance and Liaison Manager who will have responsibility for monitoring authority governor vacancies and bringing forward applications to be considered.

Authority governors will be a mix of political appointments, where priority is given to ward members at the discretion of the Task Group, or, where these cannot be filled in this way, a non-political appointment will be made. In this case the applicant may be:-

- A person nominated by the governing body; or
- An employee of Blackburn with Darwen Council.¹
- An employee within a Blackburn with Darwen School. A school employee can only apply for an authority governor position in a different school to where they are currently employed.
- Any other suitable person who has expressed an interest in serving as a governor.

Persons nominated for authority governor positions should normally reside or work within the boundaries of Blackburn and Darwen.

You will be expected to have some or all of the following:

- An interest in/knowledge of education matters in general;
- knowledge of/empathy with the school and its community;
- a present/past association with the school;
- an ability to work as a member of a team with the school's interests uppermost;
- ability/flexibility to arrange your diaries so as to fit in with the Governing Body's meetings and ideally other school events.

The Council requires all applicants to complete the LA's application form (see appendix 3), and provide two references, one of whom should be from their current employer, if appropriate. The second reference should be a character reference and should not be from a member of their immediate family. The Governors' Task Group may in certain circumstances interview the candidate if this is felt appropriate.

¹ Please note that senior officers of BwD Council should not normally be elected Chair of the Governing Body.

The Task Group will wherever possible match the candidates' skills and experience with the vacancy that exists. In some instances where a number of applications are received for the same vacancy the form will be shared with the school for comments. If the applicant does not want details to be shared with the school they are asked to indicate on the application form (Appendix 3)

4. EQUALITY AND DIVERSITY

The Council is fully committed to equality, and valuing diversity, within the whole schools' workforce and this is extended fully to the appointment of governors.

The Council's goal is to ensure that these commitments, reinforced by its values, are embedded in day-to-day working practices.

The Council will provide equality of opportunity and will not tolerate discrimination on grounds of gender, gender identity, marital status, sexual orientation, race, colour, nationality, religion, age, disability – or any other grounds.

The Council will demonstrate its commitment by aiming to build a schools' workforce which reflects its customer base, within the diverse communities in which it works, with the aim of having parity of representation across the schools' workforce including governors.

5. TIME COMMITMENT

The Council expects all authority governors to attend full governing body meetings and committee meetings each term. The Task Group will be responsible for monitoring the attendance of authority governors and where attendance is poor take appropriate action which could be a reminder to the governor of their responsibilities, or if attendance does not improve removal from the governing body.

School governors are entitled to 'reasonable time off' for public duties. This can either be paid or unpaid and whilst 'reasonable' is not defined if you are in work you should contact your employer to negotiate time needed and whether this will be paid.

6. SUPPORT YOU CAN EXPECT FROM THE LOCAL AUTHORITY

The Council provides support through training and other resources for members of governing bodies. Access to the following is available:

- Advice and guidance from the Governance and Liaison Team.
- Induction training – all governors are expected to undertake induction training within the first 6 months of their appointment, as a minimum requirement,
- A comprehensive, high quality training and development programme aimed at supporting improvements in leadership, management and governance; all training is free of charge to the individual governor subject to the school purchasing the LA's Service level Agreement for training.

7. TERM OF OFFICE

The appointment as an authority governor is for a term of four years unless the school's Instrument of Government has specified a lesser period of time. The individual may resign at any time by giving written notice to the clerk to the governing body. The applicant is disqualified from holding office if she/he fails to attend 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. Removal of governors in respect of non-attendance at governing body meetings would be dealt with by the governing body in accordance with Schedule 4 Regulation 9 (2) of the School Governance (Constitution) (England) Regulations 2012.

8. REMOVAL OF AUTHORITY GOVERNOR

Although the removal of authority governors from office is infrequent, it is important that applicants are aware that there are procedures in place in order that such circumstances can be addressed consistently, should the need arise. It is expected that these procedures would be used, for example, where there is evidence that the governor concerned has seriously or persistently breached their Governing Body's Code of Conduct, or there are significant other issues such as those detailed below.

Removal of an authority governor from office will only be used as a last resort after seeking to resolve any difficulties or disputes in a constructive way. Before the Council begins a formal process of removal, LA Officers will offer some form of conciliation, if appropriate, to seek to resolve the situation. Where there is no effective remedy, then the governor may be considered for removal from office.

9. REQUESTS FOR REMOVAL AND DECISION ON GROUNDS FOR REMOVAL

All requests to remove an authority governor from office would in the first instance be referred to the Director of Children's Services and Education who will consider the grounds for removal. The Director will then make a recommendation to the Chair of the LA Governors' Task Group on whether there are grounds for removal and he/she will take a decision. If the Chair of the LA Governors' Task Group decides that there are no grounds for removal, he/she will write to the proposer and if appropriate, the governor concerned, setting out the reasons for the decision and advising, where appropriate, on a way forward to resolve any remaining difficulties.

If the Chair of the LA Governors' Task Group decides that there may be grounds for removal, he/she will write to the governor concerned setting out the reasons why the matter has been referred for decision by the LA Governors' Task Group and invite the governor to make written representation.

10. GROUNDS FOR REMOVAL

Reasons for the removal from office may involve, but may not be limited to, any of the following:

- Conduct that is inconsistent with the ethos or religious character and has or is likely to bring the school, the governing body or their office as a governor, or the LA into disrepute.
- Serious failure to co-operate with the LA, governors or the governing body as a whole.
 - Irretrievable breakdown in relationship between the governor and the governing body and/or local authority.

11. REMOVAL DECISION

The Governors' Task Group will meet and make a decision on the matter following receipt of the written representations from both parties. If necessary, both parties may be called to a meeting to give an account of their representation.

12. AFTER THE REMOVAL DECISION

If a decision to remove is made, the Chair of the LA Governor Task Group will write to the governor dismissing him or her from the Governing Body of the School and setting out the reasons for the decision. A copy of the letter will be copied to the clerk to the Governing Body.

Any governor who is removed from office may not be appointed to a governing body as a LA governor for a period of twelve months from removal. Should the governor concerned hold office on another governing body, that position would not necessarily be affected by his/her removal from the governing body the removal relates to; however, consideration would be given to this at the same time.

13. QUALIFICATIONS AND DISQUALIFICATIONS

A full list of qualifications and disqualifications is included in the School Governance (Constitution) (England) Regulations 2012. Please see further eligibility qualifications and ensure that you sign the declaration on the application form at Appendix 3.

The LA provided all governing bodies with a model Code of Conduct to consider for adoption. This sets out the broad principles by which the Governing Body and individual governors will operate. The Code is reproduced below to outline the responsibilities and practices of the Governing Body. LA governors are required to accept these principles and those described in Appendix 2 as part of their commitment to the role.

CODE OF CONDUCT FOR THE GOVERNING BODY General

- 1 We have responsibility for determining, monitoring and keeping under review the broad policies, plans and procedures within which the school operates.
- 2 We recognise that the head teacher is responsible for the day to day management in school and that governors have a more strategic role to set the school's vision and values, to agree plans and policies and to monitor and evaluate performance.
- 3 We accept that all governors have equal status, and that our overriding focus will be the welfare of the school as a whole.
- 4 We recognise that we have no legal authority to act individually, except when the governing body has given us delegated authority to do so.
- 5 We have a duty to act fairly and without prejudice, and in so far as we have responsibility for staff, we will fulfil all the legal expectations as, or on behalf of, the employer.
- 6 We will encourage open government and shall be seen to be doing so.
- 7 We will consider carefully, how our decisions may affect other schools.
- 8 We will work in partnership with the LA to satisfy our obligations to the school. This includes making a representative (usually the chair or vice chair) available for termly briefing sessions from the Director.

Commitment

- 1 We acknowledge that accepting office as a governor involves commitment of significant amounts of time and energy.
- 2 We will each involve ourselves actively in the work of the governing body, attend regularly and accept our fair share of responsibilities, including service on committees or working groups.
- 3 We will get to know the school well and respond to opportunities to involve ourselves in school activities.
- 4 We will consider seriously our individual and collective needs for training and development.

Relationships

- 1 We recognise that good governance involves effective teamwork and we will make every effort to work as a team.
- 2 We will seek to develop effective working relationships with our head teacher, staff, parents, the LA, other relevant agencies and the community.

Confidentiality

- 1 We will observe confidentiality regarding proceedings of the governing body in meetings and from our visits to school as governors.
- 2 We will observe complete confidentiality when required or asked to do so by the governing body, especially regarding matters concerning individual staff or students.
- 3 We will exercise the greatest prudence if a discussion of a potentially contentious issue affecting the school arises outside the governing body.

Conduct

- 1 We will encourage the open expression of views at meetings, but accept collective responsibility for all decisions made by the governing body or its delegated agents. This means we will not speak out against decisions, in public or private, outside the governing body.
- 2 We will only speak or act on behalf of the governing body when we have been specifically authorised to do so. In making or responding to criticism or complaints affecting the school we will follow the procedures established by the governing body.
- 3 Our visits to school will be undertaken within the framework established by the governing body, in agreement with the head teacher and staff.
- 4 In discharging our duties we will always be mindful of our responsibility to maintain and develop the ethos and reputation of our school.

Conflict of interest

- 1 We will record any pecuniary interest that we have in connection with the governing body's business in the Register of Business Interests.
- 2 We will declare any personal or pecuniary interest in a matter under discussion at a meeting and offer to leave the meeting for the appropriate length of time.

Suspension

- 1 If the need arises to use the sanction of suspending a governor, we will do so by following the Procedures Regulations so as to ensure a fair and objective process.

Removal

- 1 We recognise that removing a governor from office is a last resort, and that it is the appointing bodies which have the power to remove those they appoint.
- 2 If the need arises to use the sanction of removing a governor, we will do so by following the Constitution Regulations so as to ensure a fair and objective process.

STANDARDS IN PUBLIC LIFE

A governor of a school is a holder of public office and in carrying out the roles and responsibilities should abide by the seven principles of public life, as recommended by the Nolan Committee's report "Standards in Public Life".

The principles, in summary, are:

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

APPLICATION TO BECOME A LOCAL AUTHORITY GOVERNOR IN A SCHOOL IN BLACKBURN WITH DARWEN

If you are serving/have served on a school governing body, please indicate below:-

Governing Body:

Date:

Special Needs and Disabilities

Blackburn with Darwen welcomes applications from people with disabilities and will take into account any special requirements that disabled and sensory applicants may have during the recruitment process.

Do you have any special requirements in relation to this application process? (please tick)

Yes	
No	

My special requirements are:

Please complete below (normally in a maximum of 100 words each section) how you feel you meet the criterion in each section. Please refer to section 1 'Introduction – Authority Governors. Brief notes/bullet points are preferable.

Name:	Desired Ward or Neighbourhood:
Home address/Telephone Number:	Preferred school or type of school: (Nursery, Primary, Secondary, Special:
A. Interest	
B. Commitment	
C. Expertise	
D. Experience	

Additional information. Please append below any additional information you may wish to submit.
(In most instances this should not be essential; however you may wish to elaborate on some particular relevant areas or perhaps clarify something.)

Declaration:

Eligibility – circumstances in which a person is not eligible to be a governor are given below. **I confirm I am eligible to be a governor**

I declare that I am not disqualified from serving as a school governor and that:

A governor must be aged 18 or over at the time of his or her election or appointment and cannot be a registered pupil at the school. A person cannot hold more than one governorship at the same school. **I have failed** to attend the governing body meetings – without the consent of the governing body – for a continuous periods of six months, beginning with the date of the first meeting missed (not applicable to ex officio governors);

- **I am not** the subject of a bankruptcy restrictions order or an interim order;
- **I have not** had my estate sequestrated and the sequestration has not been discharged, annulled or reduced;
- **I am not** subject to: i) a disqualification order or disqualification undertaking under the Company Directors Act 1986 ii) a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989 iii) a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002 iv) an order made under Section 492(2)(b) of the Insolvency Act 1986 (failure to pay under a County Court administration order);
- **I have not** been removed from the office of a charity trustee or trustee for a charity by an order made by the Charity Commissioners or the High Court on the grounds of any misconduct or mismanagement or, under section 34 of the Charities and Trustee Investment (Scotland) Act 2005, from being concerned in the management or control of anybody;
- **I am not** included in the list of people considered by the Secretary of State as unsuitable to work with children.
- **I am not** disqualified from working with children or subject to a direction under Section 142 of the Education Act 2002
- **I am not** disqualified from registration for child minding or providing day care **I am not** disqualified from registration under Part 3 of the Childcare Act 2006

Criminal Convictions

I have not received a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine) in the five years before becoming a governor or since becoming a governor **I have not** received a prison sentence of two-and-a-half years or more in the 20 years before becoming a governor **I have not**, at any time, received a prison sentence of five years or more **I have not** been fined for causing a nuisance or disturbance on school premises during the five years prior to or since appointment or election as a governor

Data Protection Act

In accordance with the Act, you should be aware that the personal details submitted with this application form, will be used only for selection purposes. Information may be shared with schools as part of this recruitment process. If you do not agree to your details being shared with schools please indicate **I am happy for my details to be passed to schools as part of this process should this be necessary? (Please tick)**

Yes	
No	

In making this application, I confirm that I have read and understood this procedural document for authority governors (above), and agree that I am bound by the conditions set out in this document. I also state that to the best of my knowledge I am not disqualified from being a school governor.

Signed:

Dated:

Please attach 2 references in support of your application. One should be from your current employer or previous employer if appropriate (and is required if you are an employee of Blackburn with Darwen Council) and one reference should be a character reference from someone who is not a member of your immediate family. References cannot be submitted by members of the Governors' task Group. Please return your completed application with references to:

Governance and Liaison Team
Schools and Education Department
10 Duke Street Blackburn BB2 1DH