

Item No. 3	Classification: Open	Date: 2 April 2007	Meeting Name: Overview and scrutiny committee
Report title:		Appointment of local authority governors to primary schools	
Ward(s) or groups affected:		All	
From:		Children's services and education scrutiny sub-committee (March 7 2007)	

RECOMMENDATIONS

1. That the overview and scrutiny committee is advised that the children's services and education scrutiny sub-committee has reviewed the appointment of local authority governors to primary schools by community councils and have made the following recommendations which officers have agreed to implement:

Recommendation 1

That the strategic director of children's services reviews the policy for appointing school governors to ensure that the process is clear for both applicants and councillors.

Recommendation 2

That the primary school governor appointments process be improved in the following ways:

- a) that officers seek information about the strengths and weaknesses of the school governing body from the Chair of the governing body, and take this information into account when selecting candidates to put up to community councils
- b) that when presenting their shortlist of candidates for a governing body vacancy, officers include a statement explaining why they thought the candidate was suitable and why they have put forward X number of candidates for the vacancy
- c) that when a candidate is put forward for reappointment, a monitoring statement about the attendance and involvement of the governor is provided by clerk of the governing body
- d) by making community councils aware they can request officers to attend meetings if there is a particular problem that needs to be dealt with.

Recommendation 3

That officers inform primary schools in the borough about how the local authority school governor process works.

Recommendation 4

That officers continue to actively encourage school governor applications from a diverse range of people.

Recommendation 5

That the children's services and education scrutiny sub-committee consults with community council members in one year's time to determine if a further review of the primary school governor appointments process is needed.

BACKGROUND INFORMATION

2. Community councils appoint local authority school governors to primary schools in their area. When a vacancy arises, officers from the governor development team select suitable candidates from their files of application forms. This shortlist of candidates is put to community councils, who then decide who to appoint to the vacancy.
3. In November 2006, the overview and scrutiny committee (OSC) reviewed a decision taken by the Borough & Bankside community council in respect of a local authority governor appointment.
4. Whilst OSC were satisfied that the original decision taken by the Borough & Bankside community council could be implemented, the committee remained concerned about a number of aspects of the governor appointment process.
5. The children's services and education scrutiny sub-committee was therefore asked to carry out a further review. Areas highlighted for consideration were:
 - the presence of officers from the school governor and legal teams when school governor appointments are considered at community council meetings
 - the advice provided by the education department around a candidate's suitability
 - putting in place a system for monitoring the performance of governors, and the criteria that should be applied when reappointing a governor
 - consistency between community councils in terms of the information provided and the approach taken to encouraging diversity as part of the appointment process
 - whether or not school governor decisions should continue to be taken by community councils, and if so, whether the candidate information could be made anonymous so the decision could be taken in public.
6. These issues were all taken into account during the children's services and education scrutiny sub-committee considerations at its formal meeting on March 7 2007.

KEY ISSUES FOR CONSIDERATION

Recommendations 1 and 2(a) to 1(d) - provision of information

7. Drawing on their own experiences at community council meetings, sub-committee members felt that there was a lack of information available to members when presented with candidates for a school governor vacancy.

8. In particular, the sub-committee thought community councils needed more information about the process by which candidates were put forward over others on the applicants register and what type of candidate could strengthen the skill set on the existing school governing board. Members were also unclear as to why some community councils were presented with only one candidate for a vacancy and others with a choice of candidates.
9. The sub-committee was advised about the process by which the governor development team judged which candidates to put forward to community councils from the wider applications register. The governor development team took a decision about who would be the best match for the role, taking account the following:
 - whether a candidate had declared a preference for a particular school
 - what they knew of the school (most – but not all - schools in the borough are clerked by an officer from the governor development team)
 - what schools themselves said (some proactively informed the school governor development team about what they were after).
10. The sub-committee discussed whether members should be involved in this shortlisting process. The conclusion reached was that this would be very time-consuming and that officers were best placed make judgements about which applicants to put forward. However, the community council, in considering the application, would provide the critical check on the process.
11. Members did think that more clarity should be introduced to the school governor appointments process, such as by making the appointments policy more explicit. Recommendation 1 asks the strategic director of children's services and education to ensure the process is clear for both applicants and councillors.
12. The sub-committee also considered the role of local authority governors as 'critical friends' of the school, and how the governor development team took the school's views into account during the short-listing processes. The sub-committee felt it would not be sensible to rely solely on the views of the school, but thought that information about the strengths and weaknesses of the governing body would be a useful part of the short-listing process. Officers advised that schools complete a Self-Evaluation Form (SEF) annually, and the SEF involved identifying the strengths and weaknesses of the governing body. The provision of such information is reflected in recommendation 2(a).
13. Members were also of the view that further improvements could be made to the school governor appointment process by making the short-list process more explicit. It was therefore agreed with officers that a statement should be provided to the community council explaining why they thought the candidate was a suitable match for the vacancy.
14. In conjunction with this, the sub-committee thought community councils should also be presented with a statement advising why officers had decided to put forward x number of candidates for the vacancy (recommendation 2b). It had transpired during discussion that the number of candidates put forward for a vacancy differed by community council because some community councils had requested to be presented with a choice of candidates.

Members thought that this request was related to confusion about the short-listing process and that provided this information was made available, more flexibility could be introduced around the number of applicants put forward to a community council.

15. The sub-committee also believed that, in cases of candidates put forward for reappointment, a statement should be provided with monitoring information known by the clerk of governors. This could include, for example, the candidate's attendance record and their contribution to the governing body. Recommendation 2(c) addresses this.
16. With the implementation of recommendations 2(b) and 2(c), members felt that there was no need to require government development team officers to attend all community council meetings where appointments were being made. However, the sub-committee were told that officers would attend meetings where a particular problem came up that needed additional advice. The sub-committee felt that this option needed to be relayed to community councils. Thus recommendation 2(d) was agreed.

Recommendation 3 - informing schools about the appointments process

17. In light of the improvements suggested in recommendation 2, particularly recommendation 2(a) seeking information from the Chair of governors about the strengths and weaknesses of the governing body, the sub-committee thought it sensible to advise the primary schools in the borough about how the community council's local authority school governor appointment process would work.

Recommendation 4 – diversity of applicants

18. A consideration at the November 2006 overview and scrutiny meeting was around whether or not people could be appointed based on how they represent the ethnic diversity of the school population. The senior lawyer advised that equalities legislation applied to school governor appointments. Therefore the appointment process must be objective and people should not be selected on the basis of their characteristics (unless they were disabled, in which case, if they met the minimum criteria for the role they would automatically be short-listed).
19. The council could, however, look carefully to see if there was an under-representation of what would be expected in terms governing bodies. If so, steps could be taken to actively promote and provide training in order to encourage under-represented groups to apply for school governor placements.
20. Officers advised us that steps were being taken to do this. Recommendation 4 encourages officers to continue to do this.

Recommendation 5 - monitoring the changes

21. The assistant director of schools and early years achievement and the head of the governor development team, both of whom were involved in the discussions, confirmed they were happy proceed with implementing the recommendations.

22. Recommendation 5 suggests that the children's services and education scrutiny consult with community council members in a year's time to determine if these process changes are working satisfactorily and whether any further review is needed.

Other considerations

23. A further issue raised as part of the review was around the timing of school governor appointments by community councils. Due to the confidential nature of the applicant information, the community council needed to move into closed session to consider appointments. The timing of this was complicated because members of the public were often keen to liaise with Members during intervals and after the meeting.
24. One option considered by the sub-committee was to consider school governor appointments at planning meetings, at which legal officers would be present to provide additional advice if necessary. However this option was discounted because some community councils did not meet that often, which could delay the making of an appointments and leave schools with vacancies.
25. The sub-committee have not made a recommendation around this issue, though the general view was that it would be sensible to make the school governor appointments before the main community council meeting, or alternatively to schedule an additional meeting purely for the purpose of school governor appointments.

COMMUNITY IMPACT STATEMENT

26. The provision of additional information will enable the community councils to feel more confident about making school governor appointment decisions. Though local authority governors only make-up a minority of governors on a school governing body, appointing the best person for the role will help with effective governance and the success of a school.

RESOURCE IMPLICATIONS

27. There are no direct resource implications associated with these changes to the process, apart from any costs associated with informing primary schools about the process for community council school governor appointments.
28. The recommendations do not change the process by which the governor development team makes a judgement about who is the best match for a school, but makes the process more explicit and transparent to community councils to assist in their decision-making.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

The strategic director of children's services and education

29. The Department welcomes the review of the appointment of local authority governors to primary schools and broadly supports the children's services and education scrutiny sub-committee's recommendations.

30. Effective governance makes a real difference to schools and to the communities they serve. Local authority governors are not mandated in their contributions, but nonetheless help ensure the composition of the governing body reflects the expectations and needs of the local community, and has a wide cross-section of expertise available to it. Becoming a school governor remains one of the very best ways individuals can serve their community. To reflect the importance of this role, there is a detailed induction programme and regular opportunities for personal and professional development and school governors make-up the largest single volunteering group in the country.

Background Papers	Held At	Contact
Minutes of the overview and scrutiny committee meeting, November 6 2006	Scrutiny Team Room 3.16 Town Hall	Carina Kane Scrutiny Project Manager
Minutes and agenda reports of the children's services and education scrutiny sub-committee, March 7 2007	Peckham Road London	Tel: 020 7525 4393

Audit trail

Lead Officer	Shelley Burke, head of overview & scrutiny	
Report Author	Carina Kane, scrutiny project manager	
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Strategic director of children's services and education	Yes	Yes
Director of legal and democratic services	Yes	Yes