

## ANNEXE A:

### Draft Procedure for the Appointment of Authority Governors

### Cheshire East Council

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#### **Appointment Panel Membership:**

The panel will consist of seven elected members (5 Conservative, 1 Labour and 1 Liberal Democrat) including the Portfolio Holder for Children and Young People's Services or nominee, and an officer, or officers, from The Governance and Liaison Service (acting in an advisory capacity only). The proportionality of the panel is as agreed by the Council for membership of its committees and may be amended from time to time. The members of the panel will be as agreed annually by the full Council.

#### **Meetings:**

To be held at least once every school term or additionally as agreed by the panel or by the Chair.

#### **Terms of Reference:**

1. To consider and determine the selection of Authority Governors to all educational establishments, where governors are appointed by Cheshire East Council, including maintained schools, colleges, academies and free schools in order that appointments can be made in accordance with the agreed criteria.
2. To monitor vacancy rates of Authority Governors, based on information provided by the Governance and Liaison Service, with a view to ensuring that vacancies are filled within one school term.
3. To note the appointment of additional governors and any urgent appointment to schools in the Cheshire East Improving Outcomes Programme (IOP) (formerly the 'Schools Causing Concern' programme).
4. To consider and, where appropriate, agree, terminating appointments of Authority Governors where the governor has clearly breached confidentiality or brought the school/college or the Local Authority into disrepute, or otherwise failed to fulfil the role according to the code of conduct. This is in addition to situations where governors are automatically disqualified under Schedule 6 of the School Governance (Constitution) (England) Regulations 2007 (see below).

#### **Appointment Procedure for vacancies in establishments not identified as part of Cheshire East's Improving Outcomes Programme (IOP) or otherwise agreed to be urgent by the Chair of the Panel and the Portfolio Holder:**

1. The Governor Services Officer (GSO) will contact the clerk to governors to request any specific information that may assist the appointment process and any nomination the governing body wishes to make to the next meeting of the panel.
2. The GSO will inform the local members and supply any relevant information, with a copy of the Authority Governor application form, enabling them to make a nomination to the next meeting of the panel.
3. Authority Governors reaching the end of their terms of office will be approached as to whether they wish to be considered for reappointment.
4. All applicants must complete the Authority Governor application form and agree to comply with the code of conduct (enclosed). Electronic applications will be accepted with accompanying emails accepted in lieu of a signature.

5. The GSO will provide the panel with details of applications received for appointment as Authority Governors and details of Authority Governors nearing the end of their term of office who have indicated a wish to be re-appointed, together with recommendations for appointments to posts at specified establishments. This information will be provided prior to the meeting, but the panel may agree to accept late applications, up to and including those tabled at the meeting.
6. Where there is more than one application for a vacancy, all applications will be given equal consideration by the panel and a decision will be made in line with agreed procedure.
7. At the meeting the Panel will select individuals for appointment in line with the Criteria for the Appointment of Authority Governors in effect for Cheshire East Council at the time.
8. Where the termination of a governor's appointment is being considered a report will be made by the GSO. This report will be made available to the individual in advance of the meeting and the individual will have the opportunity to make a response in writing for the Panel to consider, but the Panel's decision would be final.
9. Where a governor is automatically disqualified from being a governor under the statutory criteria, members of the Panel will be informed.
10. The GSO will send appointment letters with copies to the Headteacher, Chair of Governors and Clerk to the Governing Body.
11. The GSO will retain a record of the meeting.

**Appointment Procedure for Establishments identified as part of Cheshire East's IOP, or otherwise agreed to be Urgent by the Chair of the Panel and the Portfolio Holder**

1. Nominations may be put by officers from the Governance and Liaison Service to the Chair of the Panel and the Portfolio Holder, between meetings of the panel, where the appointments are to establishments identified as part of the Improving Outcomes Programme or otherwise deemed to be urgent;
2. All potential appointees must have completed the Authority Governor application form and signed the code of conduct (enclosed);
3. Where such appointments are agreed by both the Chair of the Panel and the Portfolio Holder (or by either the Chair or the Portfolio Holder where the other is unavailable) these appointments will be confirmed with immediate effect and then reported to the next meeting of the panel.
4. Where the Chair of the Panel and the Portfolio Holder are not in agreement in relation to an urgent appointment an additional, urgent meeting of the panel will be called.

## Role Description

### Cheshire East Authority Governor

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#### ***Purpose of Post***

The role of a governor is to contribute to the work of the Governing Body in raising standards and maximising outcomes for all pupils. This involves providing a strategic view for the establishment, acting as a critical friend and ensuring accountability.

The individual governor has a responsibility, working alongside other members of the Governing Body, to the staff and pupils/students of the establishment and the wider community. Authority Governors are appointed by the Local Authority (LA) and are expected to discharge their duties giving due consideration to relevant LA's policies, however they are not mandated by the LA.

#### **Responsibilities include:**

- developing the strategic plan for the establishment;
- determining aims, policies and priorities of the establishment;
- setting statutory and non statutory targets;
- monitoring and evaluating the work of the establishment;
- appointment of staff and ensuring the implementation of a range of personnel procedures;
- management of the budget;
- securing high levels of attendance and good standards of pupil behaviour;
- ensuring that all children in the establishments have access to a broad and balanced curriculum which is suitable to age, aptitude and ability, which prepares them for adult life;
- ensuring the health and safety of pupils and staff.

#### **Tasks include:**

- to get to know the establishment: its needs, strengths and areas for development;
- to attend meetings (full governing body, committees and working groups);
- to work as a member of a team;
- to speak, act and vote in the best interests of the establishment;
- to respect all Governing Body decisions and to support them in public;
- to act within the framework of the policies of the Governing Body and legal requirements;
- to commit to training and development opportunities;

## Criteria for the Appointment of Authority Governors

### Cheshire East Council

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Authority Governors will be appointed to establishments within Cheshire East by the Authority Governor Appointments Panel, in accordance with the following criteria, as evidenced in the Authority Governor application form:

Criteria	Essential / Desirable
<ul style="list-style-type: none"> <li>• Displaying support for the main strategic aims of the Service for Children and Families in Cheshire East with regard to achieving the best outcomes for children.</li> <li>• Displaying an interest and/or involvement in children's education.</li> <li>• Willingness to attend/undertake training and governor briefing sessions.</li> <li>• A commitment to attending meetings and contributing to the work of the governing body, including membership of a committee.</li> <li>• Involvement in the establishment's community through local groups such as voluntary groups, churches or work in the community.</li> <li>• Connection with local business/Council partners.</li> <li>• Interest in and/or links with the establishment such as ex-parent, voluntary helper, ex-employee at the establishment.</li> </ul>	<p>E</p> <p>E E E</p> <p>D</p> <p>D D</p>
<p><b>Disqualification Criteria</b></p> <ul style="list-style-type: none"> <li>• Any Authority Governor who has been disqualified through non-attendance will not normally be re-appointed;</li> <li>• Anyone who is disqualified by virtue of Regulation 21 (Schedule 6) of the School Governance (Constitution) (England) Regulations 2007 cannot be appointed as a governor in any school (see below);</li> <li>• A person is disqualified from appointment as an Authority Governor if s/he is eligible to be a Staff Governor of the school.</li> </ul>	

## **Grounds for Disqualification from Membership of a Governing Body**

**(Schedule 6 of the School Governance (Constitution) (England) Regulations 2007)**

**You may not serve as a School Governor if you:**

- Are aged under 18 years at the time of appointment;
- Already hold a governor position at the same establishment;
- Are detained under the Mental Health Act 1983;
- Fail to attend the governing body meetings for six months continuously, beginning with the date of the first meeting you fail to attend, without the consent of the governing body. This provision does not apply to the ex-officio governors;
- Have been disqualified for failure to attend meetings as a governor in any school during the previous twelve months;
- Are bankrupt, i.e. your estate has been sequestrated and the sequestration has not been discharged, annulled or reduced or you are the subject of a bankruptcy restrictions order or interim order;
- Are subject to a disqualification order under the Company Directors Disqualification Act 1986 or to an order made under section 429 (2) of the Insolvency Act 1986 (failure to pay under county court administration);
- Have been removed from the office of charity trustee or trustee for a charity by the Charity Commissioners or High Court on grounds of any misconduct or mismanagement, or under section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 from being concerned in the management or control of any body;
- Are included in the Independent Safeguarding Authority's list of teachers or workers prohibited from working with children or young people;
- Are disqualified from working with children;
- Are disqualified from being an independent school proprietor, teacher or employee by the Secretary of State;
- Have been sentenced to 3 months or more in prison (without the option of a fine) in the 5 years before applying to become governor;
- Have been sentenced to two and a half years or more in prison in the 20 years before applying to become governor (paragraph 10(3) of Schedule 6);
- Have at any time received a prison sentence of 5 years or more;
- Have been fined for causing a nuisance or disturbance on school premises during the 5 years prior or since applying to become a governor or being appointed as a governor;
- Have refused to an application being made to the Criminal Records Bureau for a criminal record certificate, or refuse such a request at any point.

# AUTHORITY GOVERNOR APPLICATION FORM FOR CHESHIRE EAST COUNCIL



NAME OF ESTABLISHMENT APPLIED FOR: \_\_\_\_\_

OR

I AM WILLING TO BE APPOINTED TO ANY ESTABLISHMENT: ☐ (PLEASE TICK)

Please indicate the source of this nomination / how you found out about being a governor in Cheshire East.		Elected Member (please include name)	
School Governors' One Stop Shop (SGOSS)		Cheshire East Website	
School/College (please specify)		Other (please include brief details)	
Title:	Surname:	Other names:	
Date of birth:	Occupation:	Male	Female
Home address:		Work address:	
Tel:		Tel:	
Email:		Email:	
Mobile:		Can we contact you at work? YES/NO	
Have you been a governor before or are you currently a governor? If yes, please give details:			

Please outline your reasons for showing an interest in becoming a governor – including details of personal qualities, experience or skills (attach an additional sheet if required):

If you are not applying to a specific establishment please indicate any area you would prefer or the distance you are prepared to travel:

If you are not applying to a specific establishment please indicate whether you have a preference for establishments with a particular religious ethos

Catholic Schools ☐ Church of England Schools ☐

Other (please specify) \_\_\_\_\_

Please give details of any particular provision you would require eg wheelchair access:

## **Code of Conduct Cheshire East Authority Governors**

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### **Authority Governors should:**

- Act in the best interests of the pupils/students at the establishment having considered the views and advice of the Local Authority. Governors may need to balance long and short term issues, establishment and community issues.
- Work as a member of a team at all times and be loyal to collective decisions made by the governing body.
- Recognise that all governors have the same rights and responsibilities unless particular responsibilities are conferred on them by the full governing body.
- Understand that no governor can act alone except in exceptional circumstances prescribed in the regulations – the power of the governing body rests in it acting as a single body.

### **All governors must:**

- Respect confidentiality.
- Listen to and respect the views of others.
- Express their own views clearly and succinctly.
- Take their fair share of work/positions of responsibility.
- Know, understand and work within the prescribed regulatory framework.
- Report any evidence of fraud, corruption or misconduct to an appropriate person or authority.
- Respect any code of conduct agreed by the governing body.

### **In addition Authority Governors are expected to:**

- Prepare for meetings by reading papers beforehand.
- Take responsibility for their own learning and development as a governor, including attending training.
- Attend meetings promptly, regularly, and for the full time.
- Read any briefings specifically for Local Authority governors.
- Familiarise themselves with Local Authority policy and guidance and, where necessary, be able to explain this to other governors on the governing body.

### **Cheshire East Authority Governor Declaration**

I confirm that I am not disqualified by any of the above regulations and therefore I am eligible to serve on governing bodies within Cheshire East Council. I have read the code of conduct and I am willing to abide by it. I also give my permission for Cheshire East Council to make arrangements with me to make a Criminal Records Bureau (CRB) check, and to check my details against the Independent Safeguarding Authority's Barred List or any such list that replaces this in the future.

Signed: \_\_\_\_\_

Print name: \_\_\_\_\_

Date: \_\_\_\_\_

**If you are appointed to an Authority Governor position, your appointment will be for four years.**