

WILTSHIRE COUNCIL

**COUNCIL
9 NOVEMBER 2010**

COUNCILLORS' QUESTIONS

**FROM COUNCILLOR RICKY ROGERS
SALISBURY BEMERTON HEATH DIVISION**

**TO COUNCILLOR LIONEL GRUNDY
CABINET MEMBER FOR CHILDREN'S SERVICES**

Question

Appointment of Local Authority School Governors

Why was the long established protocol of local members leading the appointment of local authority school governors to schools in their communities not followed in the appointment of the local authority governor to Salisbury Sarum Academy.

How many of the appointed governors to Salisbury Sarum Academy come from the Bemerton Community?

Response

Academies have an Academy trust which is responsible for the land and assets of an academy and is directly responsible for appointing the governing body. It is possible for the members of the Trust Body and the governing body to be the same.

Academy governing bodies are not subject to the same Governance Regulations (constitution, procedures, staffing) as maintained schools. The make-up of an academy governing body is determined by its Articles of Association and the majority of the governing body is appointed by the Academy Trust

The governing body is subject to the trust body which will have the power to seek amendments to the composition of the governing body by seeking amendments to the Articles of Association.

The governors for Sarum Academy were appointed by the trust following nominations. The LA as a sponsor has one governor, the councillor for Lower Bemerton.

In seeking an LA nomination for the governing body the Council's lead officer for the Sarum Academy project tabled a request for a nomination at the LA

Academy Board in June 2010. This request was taken forward by the Director of Children's Services for consideration by me as the Cabinet member and the Leader of the Council. The subsequent nomination of the member for Lower Bemerton was supplied to the lead officer and in turn was forwarded to the Academy Trust and accepted.

I have attached details on the appointment of governors for your information.

GOVERNORS

45. The number of Governors shall be not less than three but (unless otherwise determined by ordinary resolution) shall not be subject to any maximum.
46. Subject to Articles 48-49 and 64, the Academy Trust shall have the following Governors:
 - a. up to 3 Sponsor Governors, appointed under Article 50 ;
 - b. 1 LA governor if appointed under Article 51 ;
 - c. 1 parent governor appointed under Articles 53-58;
 - d. up to 2 Governors appointed by Bryanston School;
 - e. up to 2 Governors appointed by Bath Spa University;
 - f. 1 staff governor, appointed from among the staff at the Academy;
 - g. the Principal;
 - h. any Additional Governors, if appointed under Article 62 ; and
 - i. any Further Governors, if appointed under Article 63 .
47. The Academy Trust may also have any co-opted Governor appointed under Article 59.
48. The first Governors shall be those persons named in the statement delivered pursuant to sections 9 and 12 of the Companies Act 2006.
49. Future Governors shall be appointed or elected, as the case may be, under these Articles. Where it is not possible for such a Governor to be appointed or elected due to the fact that an Academy has not yet been established or the Principal has not been appointed, then the relevant Article or part thereof shall not apply.

APPOINTMENT OF GOVERNORS

50. The Principal Sponsor shall appoint the Sponsor Governors and may appoint himself as a Sponsor Governor. Bryanston School may appoint up to two

Governors. Bath Spa University may appoint up to two Governors.

51. The LA may appoint the LA governor.
52. The Principal shall be treated for all purposes as being an ex officio Governor.
- 52A. The staff governor shall be elected by the teachers and such other staff as shall be employed by the Academy Trust at the time of the election from amongst their number.
- 52B. The Governing Body shall make all necessary arrangements for and determine all other matters relating to any election of the staff governor. Any election of the staff governor which is contested shall be held by secret ballot.
- 52C. Where a vacancy for the staff governor is required to be filled by election the Governing Body shall take such steps as are reasonably practical to secure that all teachers and other staff employed by the Academy Trust at that time are informed of the vacancy and that it is required to be filled by election, informed that they are entitled to stand as a candidate and vote at the election and given an opportunity to do so.
53. Subject to Article 57, the Parent Governor(s) shall be elected by parents of registered pupils at the Academy. A Parent Governor must be a parent of a pupil at the Academy at the time when he is elected.