

WILTSHIRE COUNTY COUNCIL

EDUCATION COMMITTEE

Revised September 2000

Procedure for Appointing LEA Governors

Information for County Councillors and Governing Bodies

Vacancies:

1. When a vacancy or vacancies occur on a governing body, the Governor Support Team will write to the County Councillor(s) for the area served by the school asking for nomination(s).
2. Where there is more than one County Councillor for the School's catchment area, all must be informed and a joint appointment made. The County Councillor in whose electoral division the school is situated will be asked to take the lead in co-ordinating discussions, to try to produce agreed nomination(s).
3. The County Councillor co-ordinating the proposed nominations shall consult with the Chairman of Governors, (or with the Vice-Chairman if there is no Chair), and also take into account any representations made by County Councillors from outside the area served by the school.
4. If the nomination does not satisfy the needs of the governing body and/or the County Councillor rejects the person recommended by the governing body, either party shall inform the other of its reasons, in writing. If a resolution cannot be found through negotiation between the governing body and the Councillor(s), then a dispute will be declared – refer to point 8 below.
5. If a County Councillor entitled to make a nomination under this procedure has not done so within one month of a notification of a vacancy, the Governor Support Team shall consult the appropriate Group Leader, in order to identify a nominee. In the case of an Independent Councillor, where there is no such Group Leader, the Chairman of the Education Committee will be consulted.
6. If no nomination is made within a further 2 weeks, it shall be deemed that he/she does not wish to make a nomination and any person recommended by the governing body to the County Councillor and notified to the Governor Support Team shall automatically be appointed.
7. Where there is agreement on nominations, the Governor Support Team will approve the recommendation.

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8. A dispute will be declared if 6 weeks or more have elapsed since the notification of the vacancy to the Governor Support Team and the local County Councillors have not agreed or there is concern expressed by Councillors and/or the governing body of the school about a nomination/recommendation.
9. Disputes will be referred to a panel of the Education Committee which will have power to make a decision. The remit of this panel shall be to consider the suitability of the nominated/recommended persons and appoint whoever is most suitable to fill the vacancy, regardless of political affiliation.
10. A copy of appointment letters to governors will be sent to the nominating County Councillor/s.

Reviews:

The LEA to write to the County Councillor/s and the Chairman of Governors to review the appointment(s) three months before the completion of term of office.

Suggested criteria for LEA governor appointments:

- Ideally have a keen interest in education in particular and the community as a whole
- Ideally have the relevant skills to match the needs of the governing body
- Be able to get on with other people and work as part of a team
- Be open to new ideas and ready to learn
- Have spare time, especially in the evenings and weekends to attend meetings or read associated papers
- Have a desire to put something back in to the community

Disqualifications from membership of a governing body. Anyone who:

- Is under the age of 18 (there is no upper age limit)
- Is already a governor of 2 schools
- Is liable to be detained under the Mental Health Act 1983
- Is an undischarged bankrupt
- Is subject to a disqualification order under the Company Directors Disqualification Act 1986
- Has been convicted of certain criminal offences
- Has not attended full meetings of the Governing Body, for a continuous period of six months. The Authority will not re-appoint him/her to fill a vacancy on that governing body within a 12 month period.

Please note that in all cases in this procedure the Governor Support Team represents the Chief Education Officer.

APPOINTMENT OF SCHOOL GOVERNORS

(To be completed by those seeking to become **LEA** or **Co-opted** governors in maintained schools; an information pack about Wiltshire Schools and about the different categories of governor is available on request)

◆ Name: *Mr/Mrs/Miss/Ms/Rev/Dr (please delete) MR Initials D.M. PRESCOTT Surname

◆ Address: (inc. postcode) 62, STUDLAND PARK
WESTBURY
WILTSHIRE BA13 3HN

◆ Tel No: 01373 864800 Fax No:

Email:

◆ Occupation:

◆ No of children: 1 No of children of school age:

◆ Do/have any of the above children attend(ed) a Wiltshire maintained school? Yes ☐ No ☒

◆ Have you served on a governing body before? Yes ☐ No ☒

Please provide some information about yourself including your interests in the community and any skills, expertise or qualities you have that you feel would benefit a governing body:

◆ I would prefer to be: an LEA governor ☒ a co-opted governor ☐ either ☐

◆ If you have a preference for a particular school please indicate here:

BITHAM BROOK COUNTY PRIMARY

continued/.....

(It is essential that you complete the following section):

◆ Please supply the details of two referees who would be prepared to support your application:

1. Name	<u>ELI MANASSEH</u>	Address	<u>122 OLDFIELD PARK</u> <u>WESTBURY BA13 3LN</u>
Tel	<u>(01373) 826754</u>		
2. Name	<u>CHRISTOPHER NEWBURY</u>	Address	<u>6, LEIGHTON GREEN</u> <u>WESTBURY BA13 3PN</u>
Tel	<u>(01373) 822508</u>		

IMPORTANT NOTES

A. Characteristics of a Governor. Ideally, you would:

- be able to get on with other people and work as part of a team
- be open to new ideas and ready to learn
- have spare time, especially in the evenings and weekends to attend meetings or read documents
- have a desire to put something back in to the community

B. Disqualifications from membership of a governing body. Anyone who:

- is under the age of 18 (there is no upper age limit)
- is already a governor of 2 schools
- is liable to be detained under the Mental Health Act 1983
- is an undischarged bankrupt
- is subject to a disqualification order under the Company Directors Disqualification Act 1986
- has been convicted of certain criminal offences
- has not attended full governing body meetings, for a continuous period of six months. The Authority will not re-appoint him/her to fill a vacancy on that governing body within a 12 month period

C. If there are more nominations than there are vacancies it may be necessary for the appointment to be referred to the Disputes Panel of the Education Committee. In this circumstance this form will become a public document available to the press and public (LEA governor appointments only).

To be completed by nominee: I declare that I have no criminal convictions and consent to a police check:

Signed D. Prescott Date 5/5/2000

FOR COUNTY COUNCILLOR'S USE ONLY

Name of County Councillor submitting nomination CHRISTOPHER NEWBURY

◆ I wish to nominate DAVID M. PRESCOTT to fill the LEA governor vacancy
on the governing body of BITHAM BROOK COUNTY PRIMARY school

◆ I confirm that I have consulted the governing body

Name of governor consulted JENNIFER CLEMENTS Date April 2000

NB This section must be completed in full. Incomplete forms will be returned for completion.

Signed Christopher Newbury Date 3 May 2000
(County Councillor)

This completed form should be sent to: **The Governor Support Team, Education & Libraries Department, County Hall, Bythesea Road, Trowbridge. BA14 8JB** Tel: 01225 713774 Fax: 01225 713869 Email: wiltsgovsupport@cableinet.co.uk

GOVERNING BODY, BITHAM BROOK PRIMARY SCHOOL

Mr David Marriott
Head of Governor Support
Wiltshire County Council
Education and Libraries Department
County Hall
Trowbridge
Wiltshire BA14 8JB

22nd September 2000

Dear Mr Marriott

The governors of Bitham Brook Primary School, in agreement with the Head Teacher, wish to appeal regarding the appointment of a new LEA governor to the governing body to replace Christopher Newbury.

The grounds for the appeal are that the proposed governor does not have the relevant skills to match the needs of the governing body.

There have been several recent changes to the governing body, through resignations for personal reasons, which have included the chairs of two sub-committees - finance and staffing. In addition, with the government's initiatives on literacy and numeracy being so important, it is unfortunate that the governor responsible for literacy is also responsible for mathematics and we need to rectify this situation to spread the load more equitably.

Consequently, to strengthen and maintain the effectiveness of the governing body, we would wish to see appointed a governor who is able to fulfil one or more of the skills areas in which we currently have a shortage. Our preferred choice, Judith Nicholls, would certainly be able to contribute strongly to literacy developments within the school. She is, as you are aware, a published poet, has visited many schools, including Bitham Brook, where she has worked with children and has the respect of many teachers.

It is the view of the whole governing body that the recommended appointee does not have the skills or experience in the areas in which we currently require them.

We are actively seeking to fill the other two skills areas as soon as possible, and certainly one further LEA appointment to address finance requirements may be the subject of a subsequent appeal.

Yours sincerely



Mrs Pam Williams
Clerk to the Governors
c/o Bitham Brook Primary School

Bitham Brook County Primary School, Westbury
Appointment of LEA governors

Comments submitted by Mr C. Newbury (local member)

Nomination of Mr D.M. Prescott

During the latter part of 1999 I was contacted by Mr David M. Prescott, of 62 Studland Park, Westbury. I did not know him personally, and since then I have spoken to him only in connection with this matter. Mr Prescott told me he had attended a 'potential governors' course, where an education officer had advised him to speak to me about becoming an LEA governor. He said he believed he had a useful contribution to make to a local school, and would be an enthusiastic governor. In interviewing him, I formed a favourable impression.

I made enquiries about Mr Prescott, speaking to people who knew him. These included Mr K. B. Miller, a governor of Bitham Brook School, and Mr E.F. Manasseh, chairman of the Westbury Youth and Community Service Committee. Those I spoke to said David Prescott was a respected member of the local community, putting valuable efforts into voluntary organizations such as the St John Ambulance Brigade. He had First Aid qualifications to a high level (an area in which Bitham Brook School needs more expertise). He had had disappointments, but had always remained cheerful. He was "an Indian, not a chief". Nothing was said against him. I saw him then (as I do now) as a wholly suitable person to serve as a school governor, as is his ambition.

Mr Prescott lives in the Bitham Brook catchment area. While there was then a shortage of vacancies for LEA governorships, his name was the only one on my 'waiting list'.

Mr Miller has since resigned from the governing body in protest at the objection to Mr Prescott. He points out that, apart from himself and the Chairman, only one other governor of the school has met Mr Prescott.

I telephoned Mrs Clements on 12 March. I said I wished to resign from the governing body and gave her David Prescott's name and address as a possible replacement. I said his name had come to me after he had attended a 'potential governors' course, and my enquiries had shown he was well thought of. Mrs Clements said she had not heard of Mr Prescott, but would contact him and let me have some comments as soon as possible.

In a letter dated 14 April, Mrs Clements told me she had met David Prescott at the school. She indicated that she did not consider him to be "of an exceptional nature". She said she wished to "continue to explore other possibilities, and if we can find another suitable candidate will forward name and details for your consideration". (I expected the governing body to provide an alternative name, but it did not do so by the deadline for nominations.)

I tried without success to telephone Mrs Clements to get clarification of her views. I was told by another governor that Mrs Clements's opinion of David Prescott was that he was "not of a high intellectual standard". (I reported this comment to Mrs Clements in a letter, and she made no reply, so I imagine it summarises her original view fairly accurately.)

I gave careful consideration to the result of this consultation. I concluded that Mr Prescott had very much the same educational background as Mrs Clements herself. Even if he proved not to be an intellectual giant, any governing body would have a range of academic ability on it, representing the wider community. I looked at the Education Committee's

“Suggested criteria for LEA governor appointments” and found Mr Prescott met all of them. His name was the only one I had, and I nominated him for the place I had previously held myself.

After the deadline for nominations had passed, Mrs Clements did put forward another possible governor, Mrs Judith Nicholls, and for a period of some months no appointment was made, due to indications by the chairman and clerk that an appeal might be needed. I worked towards resolving the dispute and said I would be happy to nominate Mrs Nicholls for a future vacancy.

On 23 August, I received notification that an appeal had been requested in writing by Mrs Clements. I tried a number of times to telephone her. On 26 August, after failing to reach her, I spoke to the vice-chairman of governors. He said the appeal did not relate to Mr Prescott’s suitability, and it should be clear from Mrs Clements’s letter that the governors were not opposing this individual. The appeal related only to “whether or not the procedures have been correctly followed”. That letter (of 15 August) was later withdrawn, and in the letter of 22 September which is before members this position was reversed.

Subsequent nomination of Mrs Judith Nicholls for another vacancy

Mrs Nicholls was suggested to me by Mrs Clements in a letter of 12 May 2000. She wrote that she would be a valuable asset to the governing body and to the school community. I did not know Mrs Nicholls, although I had heard of her as a local writer. I began to make enquiries and found she was well thought of.

I replied to Mrs Clements by letter on 15 May, confirming that I was happy to consider nominating Mrs Nicholls as an LEA governor. I asked Mrs Clements to let me have a current yellow application form signed by Mrs Nicholls, a requirement of the new process. This form reached me by post on 29 May 2000. It gave useful information confirming Mrs Nicholls’s suitability to serve as an LEA governor.

Governor Support notified me by a letter dated 3 July 2000 of a Review of LEA Governors at Bitham Brook School, relating to a place which had been held by Mr J. Caldwell. I wrote to the chairman of governors (copying my letter to Governor Support) to consult her on the possibility of nominating Mrs Nicholls for this vacancy. I also copied the letter to Mrs Nicholls, to be sure she was willing to be nominated at this review.

Having had no reply to my letter, verbally or in writing, I telephoned Governor Support on 2 August. They had also heard nothing from Mrs Clements, and confirmed that my nomination needed to be received by the following day. I then sent in the form I had.

On 25 August, I spoke to the vice-chairman of governors. He told me Mrs Clements had received my letter to consult her about the later vacancy and had shown it to him; she had felt no response was needed, and he had seen no need to contact me himself. The nomination of Mrs Nicholls for the later vacancy has not been objected to by the school’s governing body, and an appointment should thus be imminent. I gather it is being delayed only to enable Mrs Clements to put Mrs Nichols forward for the earlier vacancy, and I doubt whether this is in accordance with the adopted procedure.

Christopher Newbury
10 October 2000

**GOVERNING BODY, BITHAM BROOK PRIMARY SCHOOL
ARUNDELL CLOSE, WESTBURY, WILTSHIRE BA13 3UA**

Director of Corporate Services
FAO Marie Todd
County Hall
Trowbridge
Wiltshire
BA14 8JB



10th January 2001

Dear Sir

***Additional information for Governors' appointments sub-committee
re: David Prescott***

The name of David Prescott was given to the governors of Bitham Brook Primary School by Councillor Newbury, as a replacement for himself, on the governing body. As, at the time, neither Councillor Newbury nor the school or governors knew anything about David Prescott, we arranged an informal discussion, at the school, for myself, Peter Biggs the Vice Chair and Elspeth Parry the Head Teacher, at 7 pm on Monday 3rd April 2000.

The purpose of the meeting was to see if Mr Prescott had the kind of skills that we currently needed in our governing body and to judge whether he would be able to fit into a fairly well established team. Knowing that Mr Prescott had attended a potential governors course, we asked him what kinds of things the course had covered and were somewhat concerned when he was unable to tell us anything coherent about the course. It also became obvious that we would have to be careful to pose straightforward, simple questions to enable Mr Prescott to respond effectively. When asked what children might do during a school day, he replied 'Reading, writing and sums' and was not able to suggest any other activities.

As the discussion progressed, we found it increasingly difficult to frame questions that Mr Prescott was able to answer in such a way as to assure us that he had understood them or to give us the information we were seeking. A question about what he might be able to bring to the governing body, to help us support the school, received the response that he could attend meetings and had helped with the scouts. We began to have concerns about possible conversations with parents, which most governors of primary schools get involved in, and some of which are slightly intimidating and need sensitive and appropriate handling.

The discussion lasted about 20 minutes and Mr Prescott left to walk home. We decided that as communication with him was difficult and he did not have the skills we were currently seeking, as a governing body, that he would not be a suitable nominee.

Yours sincerely

J Clements

Mrs Jennifer Clements
Chair of Governors



122 Oldfield Park,
Westbury,
Wiltshire. BA13 3LN.

30 November 2000.

Your ref.MCT/E906.1

For the attention of Peter Smith,
Director of Corporate Services,
Wiltshire County Council.

Dear Mr. Smith,

Re: David Prescott. Appointment of School Governor.

I have known David Prescott for over fifteen years, mainly through my involvement with Westbury United Football Club. I am a former Chairman of the club and at present I am a Westbury Town Councilor, Chair of Westbury Youth and Community Centre committee and a Governor of Westbury Junior School.

Firstly I will address the questions that you have asked. He works for Blue Circle Cement Westbury Works, and is unmarried with no children.

I have known David Prescott mainly through Westbury United. His first appearance at Meadow lane was with fellow members of the Red Cross, they handled all the first aid for players and spectators at the ground. In the last ten years he has been solely responsible for the treatment of players' injuries sustained on the pitch. Some of these injuries have been horrendous and players have had to be sent to hospital, here Mr. Prescott has received many compliments from ambulance staff and doctors at the RUH for the way these injuries have been dressed.

The club also has a bar and is a member of Westbury Licensed Premises Association, David has helped organise first aid courses for fellow pub landlords.

David is an active member of the Westbury Scout organisation and has helped at the local Beaver group for over five years. He is also a fund-raiser and collector for the Royal National Lifeboat Institution.

He does this as an unpaid volunteer, and as recognition for all his efforts over the last fifteen years he was elected to the committee of Westbury United.

David is always ready to give that precious commodity, his time, to help in any activity which is for the public good and I feel this is his greatest asset.

Yours sincerely

E. Manasseh

E. Manasseh.