

REVIEW AND CONCLUSION OF COMMITTEE REPRESENTATION ARRANGEMENTS

Report By: Head of Legal and Democratic Services

Wards Affected

None.

Purpose

1. To note the statutory co-opted membership on the Committee and consider whether to co-opt a wider representation.

Background

2. The Council's constitution permits scrutiny committees to co-opt persons who are not members of the Council to assist them in their work. The Committee may also invite partners, services users, experts, etc, to attend to give information, usually for specific agenda items. At previous meetings of the Committee namely 3 October and 16 December 2005, the Committee considered and noted or agreed various terms of reference for the co-opted members. Consideration of any wider representation was deferred for the new Committee to consider following the 2007 elections.

Current Statutory Membership and Term

3. **Diocesan Members** – it is a requirement that the Committee formally co-opt Diocesan representatives to serve on the Committee as voting members. Where the remit of the Committee goes wider than matters of education, as in the case of this Committee, church and parent governor representatives are entitled to vote only on any matter relating to education, whether in respect of schools or wider educational issues. They may in addition speak on any other matters within the remit of the Committee.
4. Diocesan members are appointed by the respective diocese and there is no statutory term of office. However, in accordance with this Committee's resolution dated 3rd October 2005, following the local election the Head of Legal and Democratic Services has written to the diocese for confirmation of their nomination or re-nomination.
5. The current members are:
 - Church of England – new nomination awaited.
 - Roman Catholic Church – Mr J. D Griffin was re-nominated by the Diocese.
6. **Parent Governor Members** - The School Standards and Framework Act 1998 and the Education (Parent Governor Representatives) Regulations 1999 require education authorities to have parent governor representatives as full members on Scrutiny Committees with voting rights. As in the case of Church representatives they are restricted to voting on educational matters only. They may in addition speak on any other matters within the remit of the Committee.

Further information on the subject of this report is available from Paul James,
Democratic Services Officer, on 01432 260460.

7. The Regulations with regard to Parent Governors set out that the term of office shall be "of such duration as the authority shall determine, being a period not less than two years nor greater than four years". Cabinet in Sept 1999 decided that "representatives take up their role from the start of the new Council in May 2000". It was agreed that "the term of office should be coincident with that of the Council, with any vacancy filled on the basis of completing the remaining period of office". The Council decided that 3 Parent Governor representatives be appointed.
8. The term of office for the current parent governors expired in May 2007 and accordingly the appointment process – self-nomination followed by election if more than one for each representative sector is received – has been undertaken. The following governors have been elected:
 - Primary school sector – Mr R I Stevenson – to serve to May 2011 unless ineligible.
 - Secondary school sector – vacant as no nomination was received.
 - Special school sector – Mr A Wood – to serve to May 2011 unless ineligible.
9. Further action will be taken to fill the vacancy in the Secondary school sector.

Non-voting Co-opted Representatives and Term

10. Following the change in Councillor membership on the Committee and recognising the wider terms of reference from 'education' to 'Children's Services' it is considered an opportune time for the Committee to review the number and range of co-opted members appointed to advise the Committee.
11. Cabinet on 18 December 2003 considered the implications of the Local Government Act 2003 and decided not to confer voting rights on non-statutory co-opted members.
12. The following is a list of the non-voting co-opted members and their term of office serving the previous Committee:
13. **Headteacher representatives** – the former Education Scrutiny Committee in July 2003 agreed that the Associations of Headteachers nominate 1 secondary and 1 primary headteacher to serve as non-voting co-opted representatives on the committee. It also agreed that the term of office should be at the relevant Association's discretion. To ensure a consistent approach the current practice is that the Head of Legal and Democratic Services writes to the Associations prior to council elections to invite the Association to reconsider or reconfirm their nomination.
14. If it is the wish of the Committee to continue with headteacher representation then following the meeting the Head of Legal and Democratic Services will seek such nomination from the Associations.
15. **Teacher representatives** – These were appointed following secret ballot by teachers in their respective sectors. Three appointments were made representing: Primary, Secondary and Special schools. Following difficulty in appointing a representative for the special school sector the eligibility for this sector was widened to include SENCOs (Special Educational Needs Co-ordinators), SEN teachers in primary and secondary schools and headteachers of special schools.

16. The term of office for non-voting co-opted teacher representatives was set to expire at May 2007 elections and thereafter run concurrently with the Council's electoral cycle.
17. If it is the wish of the committee to continue with teacher representation in this form then following the meeting the Head of Legal and Democratic Services will initiate the nomination and election process.
18. **Foster Care representative** – in the interest of widening the co-opted membership at its meeting on 16th December 2005 the Committee invited one nominated representative from the foster care sector to serve on the Committee. No nomination has so far been forthcoming.
19. **Voluntary and Community sector representative** – in October 2006 the Committee considered a request to appoint a representative from 'The Alliance' as representative for the voluntary and community sector. The Committee agreed the appointment on the basis that a formal review of co-option was likely to take place following the May 2007 elections.

Representing the Wider Remit

20. Should the Committee decide to appoint non-voting co-opted representatives to represent the wider remit of the Committee then they will need to consider the following issues:
 - What sector(s) are to be invited to be represented and how many representatives are to be invited from that sector(s)?
 - It is suggested that, wherever possible, the Committee should ensure that the co-opted member(s) is representative of the sector. Wherever possible the local Association be requested to nominate representative(s). If that is not possible then a ballot be held from those registered with the Council in that sector(s).
 - What term of office will they serve for? – It is suggested that for consistency, subject to the representative continuing to represent that sector, they serve in accordance with the Council's electoral cycle. Subject to obtaining the Chairman's and Vice-Chairman's advice, any casual vacancy may then be filled to complete the remainder of that term.

An alternative to co-opting representatives

21. As reported earlier the Committee may also invite partners, service users, experts, etc, to attend to give information on specific issues. Based on the Committee work programme the Director, in consultation with the Chairman and Vice-Chairman, should be able to identify issues that may require wider expertise. In such instances the Director will arrange for an appropriate level of advice to be available to the Committee depending on the issue under debate. This may be in addition to relevant members of staff being in attendance.

RECOMMENDATION

THAT;

- (a) **the Committee note the arrangements for the co-option of statutory members (Diocesan and Parent Governor).**

Further information on the subject of this report is available from Paul James,
Democratic Services Officer, on 01432 260460.

- (b) the Committee consider the position of the representatives for:
- i. Headteacher,
 - ii. Teacher,
 - iii. Foster Care,
 - iv. Voluntary and Community.
- (c) The Committee consider whether wider representation is needed from other sectors and if thought appropriate to consider the number.

BACKGROUND PAPERS

- None.