

Removal Of Governor Nominated by Local Authority

All administrative tasks will be undertaken by the Governor Support and Development Team .

The School Governance (Constitution) (England) Regulations 2012 state that in these Regulations :

a “local authority governor” means a person who (a) is nominated by the local authority; and (b) is appointed as a governor by the governing body having, in the opinion of the governing body, met any eligibility criteria that they have set (Regulation 8)

Regulation 22 of The School Governance (Constitution) (England) Regulations 2012 gives Local Authorities the right to remove Governors they have appointed, by giving notice in writing to the Clerk to the Governing Body and also to the Governor to be removed.

There is no prescribed process for removal; this is a matter for local determination.

Removal of a Governor from office is a last resort. All nominated Governors must abide by the Nolan principles of public office and adhere to the requirements of the Model Code of Conduct for Governing Bodies.

The Governing Body is required to make a formal written proposal to the Governor Support and Development (GSD) Team Manager which is to be considered by a panel of members from the Corporate Governance Committee for the removal of the local authority Governor giving detailed reasons for the proposal.

The GSD team manager must share the proposal for the removal with the LA Governor concerned within 10 days of receiving the same. The LA Governor concerned can provide a written response to the GSD Team Manager within 10 days of the proposal being shared with him/her.

On receipt of the proposal and any response from the LA Governor concerned, a Panel of three elected members of the CGC (one from each main political group) will be convened (such an item would need to be considered by the Panel in private) within 14 days of the date the written response should be received from the Governor concerned to consider the removal proposal and the Governor concerned response.

An investigation may be commissioned by the Panel if it feels it has insufficient evidence on which to base its decision.

The decision of the Panel is final

Following the Panel:

(a) If the proposal is agreed, the GSD team manager will write to the Governor dismissing him or her from the Governing Body of the school/, setting out the reasons for the decision. The letter will be copied to the Clerk to the Governors.

(b) If the proposal is not agreed, the GSD team manager will write to the proposer and Governor concerned, setting out the reasons for the decision and advising, where appropriate, on a way forward to resolve any remaining difficulties.

Any governor who is removed from office may not be appointed to a governing body as a LA governor for a period of twelve months from removal. Should the governor concerned hold office on another governing body, that position would not necessarily be affected by his/her removal from the governing body the removal relates to; however, consideration would be given to this at the same time.

Queries

1. Should there be a further right of Appeal (Kent)
2. Should it set out consequences if removed
3. Should it offer mediation
4. Should it refer to an investigation to be completed by GSD team manager