

Removal Of Local Authority Nominated Governors

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.

All requests to remove an authority governor from office would in the first instance be referred to the Director of Children and Families Service who will consider the grounds for removal.

The Director will then make a recommendation to the Chair of the Corporate Governance Committee on whether there are grounds for removal and he/she will take a decision. If the Chair of the Corporate Governance Committee decides that there are no grounds for removal, he/she will write to the proposer and if appropriate, the governor concerned, setting out the reasons for the decision and advising, where appropriate, on a way forward to resolve any remaining difficulties.

If the Chair of the Corporate Governance Committee decides that there may be grounds for removal, he/she will write to the governor concerned setting out the reasons why the matter has been referred for decision by the Corporate Governance Committee and invite the governor to make written representation.

The Corporate Governance Committee will meet and make a decision on the matter following receipt of the written representations from both parties. Such an item would need to be considered by the Committee in private. If necessary, both parties may be called to a meeting to give an account of their representation.

If a decision to remove is made, the Chair of Corporate Governance Committee will write to the governor dismissing him or her from the Governing Body of the School and setting out the reasons for the decision. A copy of the letter will be copied to the clerk to the Governing Body.

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.