

TO: HEAD OF LEGAL SERVICES

FROM: Director of Education, Leisure & Lifelong Learning

DECISION MAKING DURING MAY 2017

In accordance with the resolution of Council and Cabinet on 15th March, 2017, any matter which would normally require determination by Cabinet or Cabinet Boards; or any other Committee or Sub Committee of the Council, and which, in the view of the Chief Executive or a Corporate Director or Head of Service necessitates a decision to be taken during the period of 4th May, 2017 (the date of the Election) and the 31st May, 2017 (date of a Special Council Meeting), then such Officer(s), in respect of matters within their Service functions, shall have delegated power to take a decision and to authorise any action on the matters in question, in consultation with the appropriate three Members below. This delegation will not include any determination of Planning Applications normally determined by the Planning Committee, unless deemed urgent by the Head of Planning in the context of statutory timescales; nor will it include decisions on any planning matters deemed to be "controversial" in the view of the Head of Planning. Any planning applications dealt with under this delegation will be determined by the Head of Planning. All decisions taken must comply with the normal reporting format, including compliance statement and reason for decision, except that implementation shall be with immediate effect without any call-in requirement. All decisions will be reported back to Members.

SUBJECT: Removal and Appointment of LA Governor Representative at Llangiwig Primary School

REPORT AND REASON FOR ACTION:

(attach supporting report if appropriate. All executive matters require a Compliance Statement to be attached to this form)

The Authority has previously determined that appointments and removals of LA Governors will be made by CYPE (Special) Cabinet Board. An urgent need has arisen to remove and appoint a replacement LA Governor at Llangiwig Primary School to enable the governing body fulfil its statutory responsibility to hear an appeal against dismissal of the (former) Headteacher of the school. Due to the involvement of existing governors at earlier stages of the process there is a shortage of governors who are able to hear the appeal impartially. The governing body and both individuals named below are fully supportive of this recommendation. The reason for the urgent action is as a result of the appeal being heard early June.

OFFICER'S RESOLUTION:

The attached report seeks to remove Martin Evans as an LA Governor, appoint Michael Hutin in his place and then reverse the appointment following conclusion of the appeal hearing.

nb This matter is / is not a private exempt item, If private – exempt Para No.....* (*delete/insert)*

Signed: Alex Evans
Director/Head of Service

Date: 12.5.17

MEMBER CONSULTATION (Three signatories required as below - Committee Section to contact Members)

With three Members as follows:

- (A) From 4th May to 17th May – the current Mayor or Deputy Mayor and two other Members from different Political Groups (including one from any Majority Group);
- (B) From 17th May to 31st May - the newly elected Leader or Deputy Leader (or in their absence the newly elected Mayor or Deputy Mayor) and two other Members from different Political Groups (including one from any Majority Group).

Mayor: S. M. Penny (or Deputy Mayor)

Date: 15.05.2017

OR
Leader: (of Deputy Leader)

Date:

Member of L.A. South Group Cllr [Signature]

Date: 15/5/2017

Member of INDEPENDENT Group Cllr STEVE HUNT

Date: 15/05/2017

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Children, Young People and Education Cabinet Board

(SPECIAL)

12th May, 2017

Report of the Head of Transformation – Andrew Thomas

Matter for Decision

Wards Affected:

Pontardawe.

Title

REMOVAL AND APPOINTMENT OF LA GOVERNOR
REPRESENTATIVE AT LLANGIWG PRIMARY SCHOOL

Purpose of the Report

To remove and appoint an LA governor representative to governing body of Llangiwg Primary School to allow the governing body to conclude its statutory obligation of hearing a disciplinary appeal.

Background

The governing body of Llangiwg Primary School is currently in the process of managing a disciplinary appeal hearing in relation to a member of staff. Due to the involvement of existing governors at earlier stages of the process and the undesirability of using governors that work at the school, there is a shortage of governors on the governing body who are able to sit on the Staff Disciplinary Appeals Committee impartially. This report, therefore, seeks to temporarily remove one

existing LA governor, appoint a replacement for the purpose of the appeal and then reverse the appointment to the current position after the appeal.

The governing body of Llangiwg Primary School is also undertaking a similar exercise to remove and appoint two Community Governors.

Governing bodies are made up of various categories of governor under existing legislation of The Government of Maintained Schools (Wales) Regulations 2005. One of those categories is LA governor representative. This Authority has determined that appointments and removals of LA governor representatives will be made by the Children, Young People and Education (Special) Cabinet Board.

Financial Impact

There is no financial impact associated with this proposal.

Equality Impact Assessment

Having considered the Council's screening assessment guidance produced to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010 it has been determined that the proposal within this report does not require an equalities impact assessment.

Workforce Impacts

There are no direct workforce or staffing issues in relation to this report.

Legal Impacts

The recommendations contained within this report are in accordance with the Council's obligations set out in The Government of Maintained Schools (Wales) Regulations 2005.

Risk Management

Failure to appoint a sufficient numbers of impartial governors will prevent the governing body undertaking its statutory duty of holding a disciplinary appeal hearing.

Consultation

There is no requirement under the Constitution for external consultation on this item, however, the proposal has been discussed with the existing LA governor representative who is in full agreement.

Recommendations

- (i) Mr. Martin Evans is removed as the current LA governor representative at Llangiwg Primary School on 6th June, 2017;
- (ii) Mr. Michael Hutin is appointed as an LA governor representative at Llangiwg Primary School on 7th June, 2017;
- (iii) Mr. Michael Hutin is removed as the LA governor representative on 10th June, 2017;
- (iv) Mr. Martin Evans is appointed as an LA governor representative on 11th June, 2017.

Reasons for Proposed Decision

To enable the governing body of Llangiwg Primary School undertake its statutory duty of holding a disciplinary appeal hearing.

Implementation of Decision

The decision is proposed for implementation after the three day call in period.

Appendices

None.

List of Background Papers

Education, leisure and lifelong learning policy in relation to the appointment and removal of LA governor representatives.

Officer Contact

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