



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **Education, Skills and Culture Cabinet Board**

**12<sup>th</sup> September, 2019**

### **Report of the Head of Transformation – Andrew Thomas**

#### **Matter for Decision**

#### **Appointment and Removal of LA Governor Representatives**

#### **Wards Affected:**

Cymmer, Glyncorrgw and Gwynfi.

#### **Purpose of the Report:**

To ask Members to adopt a new Instrument of Government for the governing body of 'The Federated Primary Schools of the Upper Afan Valley'. The report also seeks to appoint and remove one LA Governor from the existing governing body.

#### **Executive Summary:**

As a result of the closure of Cymer Afan Comprehensive School there is a need to reduce the size of the Governing Body of 'The Federated Primary Schools of the Upper Afan Valley'. As a consequence of this the number of LA Governor Representatives will reduce by one. Members are asked to consider the appointment/removal to this one position.

#### **Background:**

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 Education, Skills and Culture (Special) Cabinet Board.

### **Instrument of Government**

It is a legal requirement that every school must have in place an Instrument of Government. This document formally records the name of the school and the constitution of its governing body. The Instrument of Government must be formally created by the Local Authority.

As a result of the closure of Cymer Afan Comprehensive School on 31<sup>st</sup> August, 2019, it is necessary to amend the Instrument of Government and reduce the size of the Governing Body.

### **Criteria for appointing and removing LA Governor Representatives**

The Cabinet Board shall apply the following criteria in the priority set out below when considering appointments:

- a) Elected members representing wards in the catchment area of the relevant school or pupil referral unit.
- b) Other elected members of the LA.
- c) Persons who, in the opinion of the panel, would contribute to the well-being of the school or pupil referral unit.

In each of the above categories, where there are more candidates than vacancies, LA governor representatives shall be appointed on the basis of who, in the opinion of the Cabinet Board, will make the most significant contribution to the management of the relevant school or pupil referral unit.

The Cabinet Board shall apply the following criteria when considering removals.

Where there is an oversubscription of LA governor representatives on the governing body of the relevant school, or pupil referral unit,

then the Board will replace one of the current LA governor representatives with the newly elected member.

Priority for replacement will be: any former elected member(s) having lost or resigned their ward seat; followed by the shortest time served LA governor representative on that particular governing body.

The Cabinet Board shall take the steps necessary to remove LA governor representatives where, in the opinion of Cabinet Board, there is good reason.

**Financial Impacts:**

No implications.

**Integrated Impact Assessment:**

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (no.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016).

The first stage assessment has indicated that a more in-depth assessment is not required. A summary is included below.

This report focusses solely on the removal of one LA governor from the governing body of 'The Federated Primary Schools of the Upper Afan Valley' in order to comply with the amended constitution, along with the adoption of the Instrument of government (appendix 2) which amends the name of the governing body and reduces the constitution accordingly.

**Valleys Communities Impacts:**

No implications.

**Workforce Impacts:**

No implications.

**Legal Impacts:**

The contents of this report are in accordance with the Councils obligations set out in The Government of Maintained Schools (Wales) Regulations 2005.

**Risk Management Impacts:**

There are no risks associated with this report.

**Consultation:**

There is no requirement under the Constitution for external consultation on this item.

**Recommendations:**

- i) To adopt the Instrument of Government in Appendix 1 which amends the name of the Governing Body and reduced the constitution of the Governing Body accordingly.
- ii) That, in line with approved policy, Member consider the appointment/removal to the remaining seat on the Governing Body of The Federated Primary Schools of the Upper Afan Valley.

**Reasons for Proposed Decision:**

To enable the Authority to contribute to effective school governance through representation on school governing bodies.

**Implementation of Decision:**

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

**Appendices:**

1. Instrument of government for The Federated Primary Schools of the Upper Afan Valley.
2. Details of LA governors currently sitting on the governing body for the Federated Primary Schools of the Upper Afan Valley.

**List of Background Papers:**

The Government of Maintained Schools (Wales) Regulations 2005:

<http://www.legislation.gov.uk/wsi/2005/2914/contents/made>

## Impact Assessment – First Stage

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**INSTRUMENT OF GOVERNMENT  
FEDERATED SCHOOLS**

1. The name of the federation is:  
**THE FEDERATED PRIMARY SCHOOLS OF THE UPPER  
AFAN VALLEY**
2. The Federated schools are:  
**Cymer Afan Primary School, Croeserw Primary School,  
Glyncorrwg Primary School and Pen Afan Primary School**
3. All schools are community schools.
4. The name of the governing body is  
**The Governing Body of the Federated Primary Schools of  
the Upper Afan Valley.**
5. The governing body shall consist of:
  - (a) Four parent governors (one from each school);
  - (b) Four local authority governors;
  - (c) One teacher governor;
  - (d) One staff governor;
  - (e) Four community governors;
  - (f) Headteacher (except at any time when he/she has given written notice to the clerk to the federated governing body that he/she chooses not to be a governor).
6. Total number of governors: Fifteen (except at any time when the Headteacher has given notice as above that he/she

chooses not to be a governor, when the total number of governors will be fourteen).

7. This instrument of government comes into immediate effect.
8. This instrument was made by order of Neath Port Talbot Local Authority on 12<sup>th</sup> September, 2019.



**THE FEDERATED PRIMARY SCHOOLS OF THE UPPER AFAN VALLEY**

<b>Current LA Representatives</b>	<b>Term of office ends</b>	<b>Recommendation</b>
Cllr Nicola Davies	31/08/2021	N/A
Cllr Jane Jones	31/12/2022	N/A
Cllr Scott Jones	17/09/2021	N/A
<i>Mrs. Mairwen Goodridge</i>	<i>31/08/2021</i>	<i>Members to consider</i>
<i>Mrs. Barbara Trahar</i>	<i>31/08/2021</i>	<i>Members to consider</i>

<b>Local Member</b>	<b>Ward</b>	<b>School 1</b>	<b>School 2</b>
Cllr. Nicola Davies	Glyncorrgw	Federated GB of the UAV	-
Cllr. Jane Jones	Gwynfi	Federated GB of the UAV	-
Cllr. Scott Jones	Cymmer	Federated GB of the UAV	-

**Other Information**

Given the reduction in the number of LA Governor Representative to four; Members are asked to consider the appointment/removal of Mrs. Mairwen Goodridge and Mrs. Barbara Trahar.