

AMBITIOUS PLYMOUTH

Co-opted representatives



Following discussions at the previous meeting of the Cooperative Scrutiny Board, regarding the recommendation of the appointment of co-opted representatives on the Ambitious Plymouth Panel, further information has been provided.

The minute below reflects the discussion and resolutions with regards to minute 3. Appointment of Co-opted Representatives at the Ambitious Plymouth scrutiny meeting on 1 July 2013.

The panel discussed the appointment of co-opted representatives onto the Ambitious Plymouth panel and those present commented as follows -

- (a) as well as working with the Plymouth Association of Governors the panel should work closer with schools to try and obtain increased levels of parent governor representation;*
- (b) further work should be undertaken on sourcing faith representation onto the panel, using organisations and bodies like SACRE to promote a more multi-cultured faith representation;*
- (c) the appointed co-opted representatives of the Children and Young People's Overview and Scrutiny Panel should be approached to become co-opted representatives on the Ambitious Plymouth panel;*

Agreed to recommend to the Cooperative Scrutiny Board that –

- (1) the Democratic Support Officer contact the relevant organisations in an attempt to obtain nominations to fill the vacant statutory co-opted representative positions for faith representatives and parent governors to be co-opted onto the Ambitious Plymouth panel;*
- (2) the Democratic Support Officer approach the Lead Officer of the Standing Advisory Council for Religious Education (SACRE) to ask for nominations from SACRE members to become co-opted representatives onto the Ambitious Plymouth panel;*
- (3) Mrs Edith Bayley, Parent Governor co-opted representative on the Children and Young People's Overview and Scrutiny Panel, is approached to take up a position as a Parent Governor co-opted representative on the Ambitious Plymouth Panel for the next 12 months;*
- (4) Alderman Pauline Purnell is approached to take up a position as a co-opted representative onto the Ambitious Plymouth Panel for the next 12 months;*

- (5) the UK Youth Parliament are approached to take up two separate positions as co-opted representatives onto the Ambitious Plymouth panel for the next 12 months.

For the purpose of clarity Table 1, below, identifies the co-opted representatives, their position and voting rights, the reason why the Ambitious Plymouth panel would like to appoint the co-opted representative and Table 2 summarises the statutory guidance that exists for the positions of statutory co-opted representatives.

Table 1.

	Co-opted representative	Position on the panel	Voting rights	Reason for appointment
1.	Edith Bayley	Statutory Co-opted representative (Parent Governor)	Can vote on education matters under discussion at panel meetings.	This is a statutory position as defined by the Parent Governor Representatives (England) Regulations 2001. *1
2.	Vacant Parent Governors (between 1 – 4 members)	Statutory Co-opted representative (Parent Governor)	Can vote on education matters under discussion at panel meetings.	These are statutory positions as defined by the Parent Governor Representatives (England) Regulations 2001. *1
3.	Vacant Faith representatives	Statutory Co-opted representative (Faith representative)	Can vote on education matters under discussion at panel meetings.	This is a statutory position as explained below in the 'Direction of the Secretary of State: Representation of Voluntary School Bodies'. *2
4.	SACRE representative (not Diocesan)	Co-opted representative	No voting rights.	The panel wished to promote a multi-faith representation, as the statutory faith positions are from only a Church of England or Roman Catholic background.
5.	Alderman Pauline Purnell	Co-opted representative	No voting rights.	The panel believe that Alderman Purnell offered value to the Children and Young People's Overview and Scrutiny Panel, where she was previously co-opted, and agreed to offer Alderman Purnell the opportunity to be co-opted on to the new scrutiny panel with responsibilities for children and young people.

6.	UK Youth Parliament (UKYP) (2 members)	Co-opted representative	No voting rights	The panel believe that the young people from the UKYP offered value to the Children and Young People's Overview and Scrutiny Panel, where they were previously co-opted, and agreed to offer the UKYP the opportunity to have two co-opted representatives on to the new scrutiny panel with responsibilities for children and young people.
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Table 2.

* ₁	<p>The relevant paragraphs of the Parent Governor Representatives (England) Regulations 2001 states:</p> <p>Requirement for education overview and scrutiny committees to include parent governor representatives:</p> <p>3. A local education authority shall appoint at least two but not more than five parent governor representatives to each of their education overview and scrutiny committees and sub-committees.</p> <p>Voting rights of parent governor representatives</p> <p>10. A parent governor representative shall be entitled to vote at a meeting of an education overview and scrutiny committee of which he is a member on any questions –</p> <p>(a) which relates to any education functions which are the responsibility of the authority concerned executive, and</p> <p>(b) which falls to be considered at the meeting</p>
* ₂	<p>DIRECTION OF THE SECRETARY OF STATE: REPRESENTATION OF VOLUNTARY SCHOOL BODIES</p> <p>In exercise of the powers conferred by section 499 of the <i>Education Act 1996</i>, the Secretary of State for Education and Employment hereby directs as follows.</p> <p>(1) This direction shall have effect from 1 November 1999 and revokes the direction of July 1994 which was annexed to Circular 19/94, insofar as that direction applied to England.</p> <p>(2) In this direction—</p> <p>“diocesan body” means a Church of England Diocesan Board of Education, the Bishop of a Roman Catholic Diocese, a Roman Catholic Diocesan Schools Commission or its equivalent.</p> <p>(3) This direction applies in relation to any committee appointed by a local authority in accordance with section 102 of the <i>Local Government Act 1972 (as amended by the Local Government Act 2000 and the Localism Act 2011)</i> wholly or partly for the purpose of discharging any of the authority's functions with respect to education which are conferred on the authority in its capacity as a local education authority, and to any committee so appointed by two or more such authorities for the purpose of discharging any of those authorities' functions with respect to education, and in the latter case references below to the authority and the area of the authority shall be read as references to all the authorities which appointed the committee and to the combined areas of all the authorities.</p>

- (4) Where a diocesan body appoints foundation governors of a voluntary school in the area of a local education authority, the authority shall, subject to paragraphs (6) and (7) below, appoint to any committee referred to in paragraph (3) above a representative of that diocesan body as a non-elected voting member.
- (5) (a) Subject to sub-paragraph (b), a member of a committee appointed under paragraph (4) shall be entitled to vote on any of the following matters—
- (i) matters which relate to schools maintained by the local education authority;
 - (ii) matters which relate to pupils who are educated in schools maintained by the local education authority, or who are educated by the local education authority otherwise than at school.
- (b) A member of a committee appointed under paragraph (4) shall not be entitled to vote on the determination of the local education authority's total revenue expenditure on education or the determination of its capital expenditure on education.
- (6) Where there is more than one diocesan body of a particular religious denomination in the authority's area the authority may appoint one person as the representative of all such bodies.
- (7) The authority need not appoint a representative of a diocesan body to a committee referred to in paragraph (3) above if the decisions of that committee are subject to scrutiny by another committee which itself has such representation.
- (8) This direction applies in relation to any sub-committee which is appointed by a committee of the authority wholly or partly for the purpose referred to in paragraph (3) above, as it applies in relation to such a committee; and in such a case references herein to the authority and any committee appointed by the authority shall unless the context otherwise requires be read as references to the body which appointed the sub-committee and any such sub-committee.

The following was a circular sent around to Democratic Services departments in February 2013:

Operation of the governing body: Diocesan representation on LA education committees

Updated: 07 February 2013

Department circular 19/99 contained a direction that local authority (LA) committees dealing with education should include diocesan representatives as non-elected voting members of those committees.

The direction contained in this circular is still current and is attached. The reference to section 102 of the Local Government Act 1972 in paragraph 3 of the direction needs to be read as section 102 of the Local Government Act 1972 as amended by the Local Government Act 2000 and the Localism Act 2011.

The direction applies both to LAs that operate overview and scrutiny committee arrangements, and to those that have reverted to a traditional committee structure under the Localism Act.

Diocesan board representatives are therefore entitled to speak and vote on education matters being considered by these committees.

3. In light of the information contained in Tables 1 and 2, the Ambitious Plymouth recommended the resolutions contained as (1) to (5) in the minute referred to at the beginning of this report to the Cooperative Scrutiny Board.