

Committee(s)	Dated:
Education Board Policy and Resources Committee	3 March 2016 17 March 2016
Subject: Officers of the City Corporation as governors at City schools	Public
Report of: Director of Community and Children's Services	For Decision

Summary

The Education Board is responsible for the oversight and monitoring of the City of London Corporation's sponsorship of its academies, including the appointment (or nomination) of governors. It is the City Corporation's usual practice to nominate or appoint to those positions (as relevant) elected Members or suitably qualified individuals from outside the organisation, whose skills and experience (and where appropriate independence from the City Corporation) are sought on the relevant school's governing body.

It is important that the City Corporation is able to identify sufficient individuals who have the experience and a variety of skills to become governors and thereby to support City associated schools, in particular the growing number of sole-sponsored academies which will be run by the expanded multi-academy trust, the City of London Academies Trust (the MAT).

It is therefore proposed that Officers of the City Corporation, with the appropriate experience and skills, should be eligible voluntarily to apply to fill appropriate governor vacancies on the MAT local governing bodies (LGBs) - both where the rights of nomination lie with the City Corporation (except where the appointee is required to be an elected Member of the Court of Common Council) or otherwise where there is a suitable vacancy which the MAT LGB is looking to fill. It is not proposed that Officers fill vacancies on the governing bodies of the City's co-sponsored academies (The City Academy, Hackney or the City of London Academy, Islington) where governors are also the directors and trustees of the relevant charitable company. It is intended that this activity would fall within the scope of the City Corporation's Employee Volunteering Programme.

Recommendation(s)

It is recommended that the Education Board resolves, subject to the concurrence of the Policy and Resources Committee, that:

- i. Officers of the City of London Corporation, with the appropriate experience and skills, should be eligible to be nominated or appointed to fill appropriate governor vacancies on the City of London Academies Trust local governing

bodies where the vacancy does not require the appointee to be an elected Member of the Court of Common Council.

Main Report

Background

1. The Education Board is responsible for leading on the City of London Corporation's Education Strategy, including considering how the City Corporation can better support the delivery of education provision and outcomes. The Board has responsibility for the general oversight and monitoring of the City Corporation's sponsorship of its academies, including the nomination or appointment of governors where those rights lie with the City Corporation. The Board is also responsible for recommending to the Court of Common Council candidates where nomination or appointment rights to a school governing body are granted to the City of London Corporation and which are not within the remit of any other committee.
2. It is the City Corporation's usual practice to nominate or appoint to those positions (as relevant) elected Members or suitably qualified individuals from outside the organisation, whose skills and experience (and where appropriate independence from the City Corporation) are sought on the relevant school's governing body.

Current Position

3. At the date of writing, there are three independent schools, four sponsored academies, and one maintained school within the City Corporation's immediate education portfolio; these are referred to internally as 'the City schools'. The Board is aware that:
 - a. the City Corporation is also approved as sole-sponsor to undertake activity in the 'pre-opening phase' of two new free schools which will be run by the expanded multi-academy trust, the City of London Academies Trust (the MAT); and
 - b. it is intended that four further applications will be submitted this month.
4. In addition, the City Corporation is represented by governors on the Boards of King Edward's School, Witley, Christ's Hospital School, and a number of other schools and educational bodies, including Emanuel School and Central Foundation Boys School.
5. While the appointment process for each school or educational body varies, and will be dependent upon the relationship between the City Corporation and the relevant school, the City Corporation will usually exercise its rights by nominating or appointing elected Members of the Court of Common Council as governors (and in some cases as directors and trustees). In certain cases the City Corporation may also nominate or appoint external candidates who have appropriate skills, experience and, where relevant, independence from the City Corporation.

6. The number of governor appointments for which the City Corporation is responsible has increased over time as the City Corporation has taken on responsibility as sponsor for additional academy schools, and with the additional applications noted above, these numbers are expected to increase. It is therefore important that the City Corporation is able to identify for appointment or nomination sufficient governors who have necessary experience and a variety of skills; and to support schools associated with the City to do so as well, in particular the growing number of sole-sponsored academies which will be run by the expanded multi-academy trust, the MAT.
7. At a Members' Breakfast Briefing on 23 September 2015, the Director of Community and Children's Services noted that the Education Unit holds a list of external candidates with relevant skills and experience who are interested in serving as a City Corporation appointed governor. The Director suggested that Officers of the City Corporation should be eligible to apply to become a City Corporation appointed governor where the appointee is not required to be a Member of the Court of Common Council. Members in attendance at the briefing supported this proposal in principle.

Proposals

8. It is proposed that Officers of the City Corporation should be eligible to apply to become a City Corporation nominated governor to serve on a MAT LGB where the appointee is not required to be a Member of the Court of Common Council.
9. It is not proposed that Officers be eligible to fill vacancies on the governing bodies of the City's co-sponsored academies (The City Academy, Hackney or the City of London Academy, Islington) where governors are also the directors and trustees of the relevant charitable company.
10. In implementing this proposal an Officer would be permitted voluntarily to put themselves forward to fill a vacancy on a MAT LGB (subject to having the necessary skills and experience) whether it is a vacancy which is open to the City Corporation's nomination or otherwise another vacancy which the MAT LGB is seeking to fill.
11. As is the case currently with external candidates nominated by the City Corporation, an Officer nominated by the City (or otherwise appointed by the MAT LGB) would be appointed as a governor in a personal capacity and would not represent the interests of the City Corporation on that LGB. This will not affect the obligations the Officer has to the City Corporation as an employee which extend to their behaviour and activities outside their employment (for example not to bring the City Corporation into disrepute, not to disclose confidential information, etc).
12. Conflicts of interest which might arise in the Officer sitting on that LGB would need to be managed in accordance with the MAT and/or LGB's own conflicts of interest policies and procedures. To the extent that a conflict arises in the Officer's employment at the City, those conflicts will be managed in accordance with the City Corporation's own Employee Code of Conduct and Employment Policies, which may prevent the Officer, due to the nature of their employment at

the City, being eligible to apply to serve on a MAT LGB. The City's Employee Code of Conduct provides at paragraph 41 –

Employees must declare to their Chief Officer, any financial or non-financial interests that could bring about conflict with the City Corporation's interests. This may include membership of outside bodies in a personal capacity. In such cases employees should be mindful not to place themselves in a situation where their involvement or working contribution could compromise their continuing professional duty to the interests of the City Corporation.

13. Officers will not be compelled to take on a role of governor as part of their employment under these proposals. There may be rare cases where an employee is asked to become a governor of a City associated school as part of their employment (e.g. when setting up an interim governing body for a new academy school at pre-opening stage), but these circumstances fall outside the scope of this proposal.
14. It is intended that Officers would voluntarily submit applications consistent with the City Corporation's governor appointment process agreed by the Education Board, and those applications would be assessed against the agreed skills criteria.
15. The Economic Development Office is responsible for the City Corporation's Employee Volunteering Programme and it is recommended that this proposal is incorporated within the existing programme.
16. As the appointments would be in a personal capacity and not as a representative of the City Corporation officers would be covered by the MAT's own insurance and indemnity arrangements in undertaking that role, not by those of the City Corporation.
17. The Town Clerk, the Comptroller and City Solicitor, the Chamberlain and the Director of Human Resources have all been consulted in preparing this report.

Conclusion

18. The City Corporation has the right to nominate or appoint governors to governing bodies of a number of schools and educational bodies. The number of external appointments is likely to increase as the MAT sponsored by the City Corporation takes on responsibility for additional academy schools. It is therefore proposed that Officers of the City Corporation with the appropriate experience and skills, should normally be eligible to apply voluntarily to fill appropriate governor vacancies on the MAT LGBs.

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