

Scrutiny Committee report



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Children and Young People Scrutiny Committee Co-opted Members

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Exempt / confidential / not for publication	No
Council Plan reference	N/A
Wards affected	All wards

Executive summary

The purpose of this report is for the Committee to review the co-opted membership on the Children and Young People Scrutiny Committee.

Recommendations

It is recommended that:

1. The Committee notes the current arrangements for the appointment of statutory co-opted Members to the committee.
2. The Committee considers the option to set up to a four year term for church and parent governor representatives.
3. The Committee considers the option to include nominations from parent governors from Academies.

Background

Councils responsible for education functions are required to appoint certain co-optees to the relevant scrutiny committee. These are two diocesan representatives (one Church of England and one Catholic) and between two and five parent governor representatives (from maintained schools). These co-optees have voting rights on education matters and are treated as opposition councillors for the purpose of political proportionality

As agreed annually by Council, the Children and Young People Scrutiny Committee has provision for the appointment of the following co-opted members with voting rights:

1. 1 representative of the Oxford Diocesan Board of Education (***Vacant***)
2. 1 representative of the Northampton Diocesan School Commission (***Vacant***)
3. 1 representative of parent governors in secondary schools (***Vacant – May 2020***)
4. 1 representative of parent governors in secondary schools (***Vacant***)
5. 1 representative of parent governors in special schools (***Vacant***)

Neither Diocesan has appointed a representative to the Committee for a number of years. To ensure a religious representation into the scrutiny of education matters the Committee agreed to co-opt a member of the Milton Keynes Standing Advisory Council on Religious Education.

Church Representatives

Paragraph 7 of Schedule A1, of the Local Government Act 2000 makes provision for overview and scrutiny committees to have church representatives on them. If the Council maintains one or more Church of England or Roman Catholic Schools then the relevant diocese must nominate a representative to the committee. Both the Oxford Diocesan Board of Education and the Northampton Diocesan School Commission have been asked to put forward a nomination for their representative. Information about their nominees will be provided at the meeting.

There is no term of office for church representatives. It is considered that it would be good practice to seek confirmation from the nominating bodies for their representatives every four years. This would align the term of office with elected councillors and the proposed change to the term of office for parent governor representatives.

Parent Governor Representatives

The Parent Governor Representatives (England) Regulations 2001 state that the Council shall appoint at least two, but not more than five, parent governor representatives from maintained schools to any overview and scrutiny committee that has functions which relate wholly or partly to any education functions which are the responsibility of the Council's executive.

The role was introduced to ensure that parents of children have an apolitical voice on local education matters and can hold the Council to account on decisions relating to education and scrutinise and review education policies. It is important to note that, although elected by parent governors, the role is to represent all parents with children attending local schools.

Milton Keynes Council includes provision for three parent governor representatives on the Committee, drawn from primary, secondary and special schools. The Secondary representative position has been vacant for a number of years and with only two maintained secondary schools in the borough there are only a limited number of parent governors eligible to stand. The Special School position has been vacant since May 2019 and the Primary position is due for re-election from May 2020.

The term of office for parent governor representatives is currently two years. However, it is considered appropriate to align this term with the other members of the Committee and to extend it to a maximum of four years and no less than two years.

Academy Representation

The Parent Governor Representatives (England) Regulations 2001 was enacted prior to the academisation programme of schools across England. Amongst the criteria for being elected as a parent governor is the requirement that they represent a maintained school. Therefore, as more schools have converted to academies the pool of potential parent governors has reduced.

In Milton Keynes, twenty two out of ninety primary schools and thirteen out of fifteen secondary schools are academies. Only selecting parent governor representatives from maintained schools is therefore not representative of the whole school system.

There are only a few examples where other councils have included either a representative from the academy sector or opened nominations to all parent governors whether from maintained or academy schools. They include:

1. Central Bedfordshire – the constitution makes provision for the Children’s Services Overview and Scrutiny Committee to co-opt one representative from the Academy Trusts within the local authority area, to attend meetings and vote on matters relating to education. The power used to appoint an academy representative as a co-opted member was Section 9FA(4) of the Local Government Act 2000 which provides that an overview and scrutiny committee of a local authority may include persons who are not members of the authority.
2. Knowsley Metropolitan Borough Council
3. City of Westminster - In view of the desire to maintain links to academies and free schools the Council expanded the qualification for election to Parent Governors of Academies and Free Schools as well as those maintained schools in Westminster. The Council granted co-optees voting rights according to the provisions of Schedule 1A of the Local Government Act 2000.

Note: The co-optees will not have voting rights by right.

It is proposed that if the Committee choose to proceed with the appointment of co-opted parent governor representatives from academy schools, nominations would be sought from the governing bodies of academies utilising the same process that is in operation for the appointment of the parent governor representatives from maintained schools.

Appointing an academy representative would allow for wider representation rather than restricting participation on educational issues to just the representative from the maintained schools sector and allow for a wider level of engagement.