

**OVERVIEW AND SCRUTINY COMMISSION
17 JULY 2008**

**TEACHER, PARENT GOVERNOR AND OTHER REPRESENTATIVES ON THE SOCIAL
CARE AND LEARNING OVERVIEW AND SCRUTINY PANEL
(Assistant Chief Executive and Director of Corporate Services)**

1 INTRODUCTION

- 1.1 Following the restructure of the Council's Departments, the corresponding restructure of the Overview and Scrutiny (O&S) Panels and the need to formalise the arrangements for Parent Governor Representatives (PGRs), the Social Care and Learning O&S Panel has reviewed the appointment of teacher representatives and PGRs to the Panel. The O&S Commission is invited to consider the Panel's resulting recommendations.

2 SUGGESTED ACTION

- 2.1 It is recommended to the Overview and Scrutiny Commission that:

- i) in addition to the statutory requirement of two parent governor and two Diocesan representatives, two teachers (one primary and one secondary) and two social care representatives be appointed to the Social Care and Learning Overview and Scrutiny Panel;
- ii) teacher, social care and Church representatives be appointed initially for a three year term to coincide with the life of this Council, and thereafter from May 2011 for a four year term;
- iii) in the event that teacher, social care and Church representatives do not complete their term of office, their successor be appointed to complete the remainder of the original term of office;
- iv) social care representatives be sought in consultation with the new Bracknell Forest Local Involvement Network (LINKs);
- v) nominees for teacher representation be sought by writing to head teachers formally inviting nominations;
- vi) it is not necessary to consult the Teachers Association and other organisations over the change to the arrangement whereby teacher representation is sought;
- vii) it is not necessary for the teacher representatives to be restricted to current teachers only;
- viii) current arrangements for parent governor representatives be formalised by allocating places for two parent governor representatives on the Panel, one primary school and one secondary school parent governor, with a term of office of four years each;

- ix) if it is not possible to appoint a parent governor from each category (primary/secondary), two parent governors be appointed from any category;
- x) in the event that these parent governor representatives do not complete their term of office, their successor be appointed to complete a normal full term of four years;
- xi) general information about the role of representatives on the Social Care and Learning Overview and Scrutiny Panel be provided on a website accessed by teachers and governors.

3 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 3.1 Schedule 1 to the Local Government Act 2000 requires the Council to appoint to an Overview and Scrutiny Committee, or sub-committee having Education within its remit, two representatives (one each) nominated by the Church of England and Roman Catholic dioceses, respectively. In addition, the Parent Governor Representative (England) Regulations 2001 require between two and five parent governor representatives to be appointed, such representatives to be elected in accordance with the regulations.

Borough Treasurer

- 3.2 Co-optees appointed by the Council are eligible to claim travel allowance for in-Borough approved duties and travel and subsistence allowance for out-of-Borough approved duties in accordance with the Council's Allowances Scheme. It is anticipated that the cost to the Council of the additional co-optees will be negligible and can be met from within existing budgets. The financial implications of appointing these representatives will include the cost of any elections required, which will include officer time. In addition, once representatives are appointed they will be eligible to claim travel expenses when attending meetings.

Equalities Impact Assessment

- 3.3 None.

Strategic Risk Management Issues

- 3.4 None.

4 SUPPORTING INFORMATION

- 4.1 At its meeting held on 2 July 2008, the Social Care and Learning Overview and Scrutiny (O&S) Panel reviewed the appointment of teacher and Parent Governor representatives (PGRs) to the Panel to decide on the type and number of externally drawn appointments to be made. The relevant extract of the minutes of that meeting is attached at Appendix 1 to this report.

Teacher Representatives

- 4.2 When Bracknell Forest became a unitary authority in 1998, it assumed the custom and practice of the former Berkshire County Council of inviting nominations for teacher representatives to sit on its then Education Committee in a non-voting capacity for an unlimited term of office. Whilst there is no statutory requirement to do this, it does give teachers an opportunity to express their views on educational matters. Further to the introduction of the new Executive / overview and scrutiny governance arrangements in 2001, it was deemed appropriate for these teacher representatives to sit on the overview and scrutiny body dealing with education, which is currently this Panel. Difficulties in attracting nominations to the three teacher representative places have been experienced and there have been two vacancies since January 2005.
- 4.3 As the remit of the Social Care and Learning O&S Panel now includes both children's and adults' social care in addition to education, it is considered appropriate to amend the externally drawn membership of the Panel. It is considered inappropriate for the Panel's membership to include three teacher representatives but none from social care, particularly as there is a statutory obligation for two church representatives (one Church of England and one Roman Catholic) and two PGR representative members to be included within the membership of the Panel with a remit relating to education only. Accordingly, the Panel recommends that two teacher representatives (one primary and one secondary) be sought through inviting formal nominations from head teachers and two social care representatives be sought via the new Bracknell Forest Local Involvement Network, the successor to the Patient and Public Involvement Forum.

Parent Governor Representatives (PGRs)

- 4.4 Under the Parent Governor Representatives (England) Regulations 2001, PGRs are appointed to O&S committees dealing wholly or partly with education functions.
- 4.5 The representatives are elected by fellow parent governors and have voting rights relating to any education functions which are the responsibility of Bracknell Forest Borough Council's Executive.
- 4.6 Legislation stipulates that local education authorities operating executive arrangements must appoint at least two and not more than five PGRs to each O&S committee and sub-committee whose functions relate wholly or partly to any education functions. Parent governors appointed to the Panel will also be appointed to the O&S Commission and can participate and vote on any items relating to education that the Commission considers.
- 4.7 The role of a PGR is to:
- act as an apolitical voice for parents in the area; representing to the local education authority the main education issues which concern parents of pupils maintained by the Authority;
 - liaise with other PGRs at their own Authority;
 - attend and contribute to the meetings of the committees to which they are appointed;
 - establish good relations with other members and officers;
 - feedback to parents the Authority's discussions of, and decisions on, education;
 - abide by the Council's rules on committee procedure; and

- act with due propriety according to standards laid down for conduct in local government.
- 4.8 The Panel considered the number of PGRs, their category and tenure and is recommending that current arrangements for PGRs are formalised by allocating places for two PGRs on the Panel, one primary school and one secondary, with a term of office of four years each. Parent governors will be contacted in July 2008 and invited to nominate candidates to fill the current vacancies that exist on the Council's O&S bodies and the School Admissions Forum. A report will be submitted to the Commission at the conclusion of the election process, to seek formal appointment of PGRs on scrutiny bodies.

Background Papers

Education Transition Committee agenda and minutes, Local Government Act 2000 and Parent Governor Representative Regulations.

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