

Open Report on behalf of David Coleman, Monitoring Officer

Report to:	County Council
Date:	14 December 2018
Subject:	Appointment of Parent Governor Representative

Summary:

To advise the Council of the election of a second Parent Governor Representative to sit on the Children and Young People Scrutiny Committee and the Overview and Scrutiny Management Board.

Recommendation(s):

That the election of Miss Alexandra Eloise Inkley Sayer as Parent Governor Representative on the Children and Young People Scrutiny Committee and the Overview and Scrutiny Management Board be noted.

1. Background

All local authorities are required by the Parent Governor Representatives (England) Regulations 2001 to include Parent Governor Representatives (PGRs) on their overview and scrutiny committees dealing with education matters. PGRs represent all parents whose children attend a local maintained school, or are in some form of education provided by the local authority.

By law, there must be at least two and not more than five PGRs on each overview and scrutiny committee dealing with education. In Lincolnshire there are two PGRS on each such committee.

On 3 January 2018, the Council received a resignation from former Parent Governor Representative Dr E van der Zee.

On 14 February 2018 the Council wrote to all parent governors serving on governing bodies of all Lincolnshire County Council maintained schools, inviting them to stand for election as a PGR on the Children and Young People Scrutiny Committee and the Overview and Scrutiny Management Board.

The deadline for nominations was 2 March 2018. Unfortunately no nominations were received.

Paragraph 4 (7) of the Parent Governor Representatives (England) Regulations 2001 advise that when a vacancy remains unfilled that the local authority should seek election again within one year of the original vacancy having arisen and then at six monthly intervals thereafter until the vacancy is filled.

On 3 October 2018 the Council wrote again to all parent governors serving on the governing bodies of all Lincolnshire County Council maintained schools, inviting them to stand for election as a PGR on the Children and Young People Scrutiny Committee and the Overview and Scrutiny Management Board.

The deadline for nominations was 19 October 2018, by which time the Council had received two nominations.

As only one vacancy was being sought, all parent governors serving on the governing bodies of all Lincolnshire County Council maintained schools were issued with a ballot paper, which asked them to vote for their preferred candidate and return their completed ballot paper by close of poll on 31 October 2018. On Friday 2 November 2018 an election count took place, which resulted in Miss Alexandra Eloise Inkley Sayer being elected to the position of Parent Governor Representative from 2 November 2018 until 1 November 2022.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The appointment has been made by way of ballot in accordance with Regulations and has been open to all candidates regardless of protected characteristic.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The JSNA and JHWS have been taken into account but there are not considered to be any implications arising from the Report.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

The section 17 matters have been taken into account but there are not considered to be any implications arising from the Report.

3. Conclusion

The Report invites the Council to note the outcome of an election to identify a replacement Parent Governor Representative on the Council's Children and Young People Scrutiny Committee and the Overview and Scrutiny Management Board.

4. Legal Comments:

The Council must appoint at least two but not more than five parent governor representatives to each of their overview and scrutiny committees and sub-committees the functions of which relate wholly or partly to the Council's education functions.

The Report notifies the Council of its compliance with that requirement.

5. Resource Comments:

There are no material financial implications arising from acceptance of the recommendation in this report.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

n/a

c) Scrutiny Comments

n/a

d) Have Risks and Impact Analysis been carried out?

n/a

e) Risks and Impact Analysis

n/a

7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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