

**Open Report on behalf of Andrew Crookham, Executive Director -  
Resources**

Report to:	<b>County Council</b>
Date:	<b>26 June 2020</b>
Subject:	<b>Appointment of Parent Governor Representative</b>

**Summary:**

To advise the Council of the election of a 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 Mrs Megan Rebecca Machin 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 authority 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 4 March 2020, the term of office of former PGR, Mrs Patricia Barnett ended.

On the 23 April 2020 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 7 May 2020, by which time the Council had received one nomination.

As there was only one vacancy and one nomination received there was no requirement to hold an election and Mrs Megan Rebecca Machin was therefore appointed to the position of PGR on 15 May 2020 until 14 May 2024.

**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 in accordance with relevant 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 PGR 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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