

By: Director of Governance and Law

To: Governor Appointments Panel – 7 October 2011

Subject: ARRANGEMENTS FOR AN APPEAL AGAINST REMOVAL OF AN AUTHORITY GOVERNOR

Classification: Unrestricted

Summary: To consider arrangements for an appeal against removal of an Authority Governor and to nominate a Member of the Panel to fulfil the chairmanship role in respect of this matter.

FOR DECISION

Introduction

(1) An appeal has been received from a Mr Graeme Sergeant against a decision taken by the Corporate Director of Education, Learning and Skills, in consultation with the Chairman of this Panel, to remove him from his position as a Local Authority Governor at Teynham Parochial CE School. The appeal is now scheduled to be considered by the Panel on Friday, 2 December 2011.

Chairmanship

(2) As Mr Brazier has been consulted in relation to the original decision to remove Mr Sergeant, he can have no role in considering the appeal. It should therefore fall to the Vice-Chairman of the Panel to chair the meeting for that item and also to provide Member input into the process for considering the appeal. As the Panel does not have an elected Vice-Chairman, Mr Brazier nominated Mr Roland Tolputt to fulfil this function in Mr Sergeant's case. This nomination was reported to the Panel on 7 July. The Officers involved in processing this appeal have consulted him on procedural matters.

(3) The Panel now has the opportunity to formally appoint a Chairman for the appeal and is accordingly invited to do so.

Procedure

(4) The method of procedure agreed by Officers and Mr Tolputt up to this point is that both Mr Sergeant and the Authority should present the statements upon which they wish to rely by Friday, 11 November 2011. These bundles will then be exchanged for rebuttal purposes by Wednesday, 23 November 2011. Publication will be on Thursday, 24 November. No decision has yet been taken as to whether this matter will be considered as an Open or Exempt item of business.

(5) Mr Tolputt has agreed that Mr Sergeant will be permitted to address the Panel. However, he has not at this stage agreed to his request to be able to cross-examine any witnesses from outside the Authority.

(6) The report to the Panel will consist of an introduction, including a proposed procedure for consideration of the appeal; the appeal from Mr Sergeant and the grounds for removal advanced by the Authority. These will include any rebuttals received.

Officer Support

(7) Mr Andrew Tait from Democratic Services will be the clerk to the Panel. Mr David Burrin from Legal Services will advise the Panel on the legal aspects of the process.

Recommendations

Members are invited to nominate a designated Chairman for the consideration of Mr Sergeant's appeal

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Background Documents
None.