

By: Alex King, Deputy Leader  
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To: County Council – 20 October 2011

Subject: Proposed Amendments to the Constitution

Classification: Unrestricted

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Summary: To recommend two amendments to the Constitution: firstly, to enable the Governor Appointments Panel to appoint and remove Authority Governors to the new Academies; and secondly, to approve the Terms of Reference of the Kent and Medway Joint Appointments Committee – Kent Police Authority, for incorporation into the Constitution

FOR DECISION

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### **Governors for Academies**

1. (1) The Governor Appointments Panel currently makes appointments or removals of Authority Governors to school governing bodies and to Management Committees of Pupil Referral Units.

(2) In 2010, the Government brought in legislation permitting Authority schools to become autonomous bodies (Academies). Technically, therefore, Academies qualify as Outside Bodies for the purposes of appointing representatives from the County Council.

(3) Should the Authority wish (when invited to do so) to make an appointment, it would currently fall to the Selection and Member Services Committee (via the Governor Appointments Panel) to decide whether to make an appointment. The Governor Appointments Panel was set up to free the Selection and Member Services Committee from carrying out this function for educational establishments. It is recommended that this function should be broadened to include Academies.

(4) At its meeting on 13 July 2011, the Selection and Member Services Committee agreed to recommend an amendment to the Constitution permitting the Governor Appointments Panel to make appointments to the Governing Bodies of Academies (and remove Authority appointed Academy governors).

### **Kent and Medway Joint Appointments Committee – Kent Police Authority**

(5) At its meeting on 14 June 2011, the Kent and Medway Joint Appointments Committee – Kent Police Authority approved the following Terms of Reference to reflect the formal role of the Joint Committee, to be recommended to each Council for adoption and incorporation into the Constitution:

**“The Joint Appointments Committee is appointed jointly by Kent County Council and Medway Council under paragraph 2(2) of Schedule 2 to the Police Act 1996 and The Police Authority Regulations 2008 to appoint the nine councillor members of the Kent Police Authority from amongst members of the two appointing councils, having due regard to the requirements on the Committee under The Police Authority (Community Engagement and Membership) Regulations 2008”.**

(6) At its meeting on 12 September 2011, the Selection and Member Services Committee agreed to recommend this amendment to the Constitution to the County Council.

### **Recommendations**

2. The County Council is recommended to approve:
  - (i) that the Terms of Reference of the Selection and Member Services Committee should be amended to enable the Governors Appointments Panel to appoint and remove Authority Governors to and from the Governing Body of Academies; and
  - (ii) the adoption of the Terms of Reference for the Kent and Medway Joint Appointments Committee – Kent Police Authority for incorporation into the Constitution.

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