

## KENT COUNTY COUNCIL

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### GOVERNOR APPOINTMENTS PANEL

MINUTES of a meeting of the Governor Appointments Panel held in Room Swale 3, Sessions House, County Hall, Maidstone on Wednesday, 16 November 2011.

PRESENT: Mr D L Brazier (Chairman), Ms S J Carey, Mr R J Parry, Mr R Tolputt and Mr D S Daley

OFFICERS: Mr M Doole (Area Education Officer Thanet & Dover), Mr M Waterworth (Solicitor) and Mr G Mills (Democratic Services)

#### EXEMPT ITEMS

##### (Open Access to Minutes)

*(Members resolved under Section 100A of the Local Government Act 1972 that the public be excluded from the meeting for the following business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1,2 and 5 of Part 1 of Schedule 12A of the Act.)*

#### **14. Proposed removal of an Authority Governor**

*(Item B1)*

(1) This report provided a summary of the reasons why the Governor Appointments Panel was being asked to consider a request by the Corporate Director for Education, Learning and Skills to remove Mr Graeme Sergeant as an Authority Governor at Teynham Parochial CE Primary School.

(2) RESOLVED that the report be noted.

#### **15. Proposal to remove a Local Authority Governor from the Governing Body of Teynham Parochial CE Primary School**

*(Item B2)*

(1) This report summarised the chronology of events in relation to the proposed removal of a Local Authority Governor at Teynham Parochial CE Primary School and recommended the removal of the Governor from the Governing Body with immediate effect.

(2) The Area Education Officer highlighted the key elements of his report which provided Members with the background to this matter and the events leading up to him writing his letter of 1 July 2011 to Mr Sergeant.

(3) However, it subsequently came to light that the letter of 1 July to Mr Sergeant was based around a procedural misunderstanding in that it was believed Mr Sergeant could, in the circumstances, be removed as a Governor by the Chairman of the Governor Appointments Panel as an emergency measure; that is, between meetings.

In reviewing the circumstances the County Council's Deputy Monitoring Officer reached the view that greater certainty would be desirable in order to ensure that any decision was taken with due authority. Therefore, in order to remove any uncertainty, the Governor Appointments Panel should consider the matter.

(4) In addition to the reports referred to above, Members of the Panel also had before them the literature used by Mr Sergeant at the Swale District Council elections held in May 2010.

(5) Before the commencement of Member discussion, the Chairman said that when originally approached by the Area Education Officer on this matter, he had agreed that Mr Sergeant should be removed but that he had done so on the basis of an oral briefing and without having looked at the election material. The Chairman said this was something he should have done and he now regretted the fact that he had not.

(6) During the course of discussion, Members of the Panel asked a range of questions around the circumstances of Mr Sergeant's appointment as a governor. During the course of this discussion Members noted the following:-

(a) whilst the Chairman of the Governors of Teynham Parochial CE Primary School had raised concerns with the Diocesan Director of Education, the matter had not at any time been referred to a meeting of the School's Governing Body;

(b) the Solicitor advised the Panel on the powers available to remove a governor and also advised on the process that would be followed if the matter should go to an appeal.

(c) there was a Code covering the role of Governors; but it did not go into any detail around such matters which were now before the Panel; and

(d) a suggestion by the Area Education Officer that, if Members were so minded, the matter before them could be adjourned in order to allow the Governing Body of Teynham CE Parochial Primary School the opportunity to consider whether it wished to express a view.

(7) At the conclusion of discussion the Chairman said that the matter before the Panel was whether the election campaign material published by Mr Sergeant was considered to be at odds with the promotion of good community cohesion, and whether on that basis Mr Sergeant should be removed as an Authority Governor of Teynham Parochial CE Primary School. On being asked to vote on this matter the Panel agreed unanimously that Mr Sergeant should not be removed as a governor.

(8) RESOLVED that Mr G Sergeant be not removed as an Authority Governor of Teynham Parochial CE Primary School.