

## CABINET ITEM COVERING SHEET PROFORMA

### **AGENDA ITEM**

### **REPORT TO CABINET**

**30 AUGUST 2007**

### **REPORT OF CORPORATE MANAGEMENT TEAM**

## **CABINET DECISION**

**Children and Young People – Lead Cabinet Member – Councillor Cunningham**

### **PROPOSED CLOSURE OF ROSEWORTH AND REDROOK PRIMARY SCHOOLS – ESTABLISHMENT OF A TEMPORARY GOVERNING BODY FOR THE NEW PRIMARY SCHOOL**

1. Summary

This report details the need to establish a temporary school governing body for the proposed new community primary school in Roseworth.

2. RECOMMENDATIONS

- Members are asked to establish a temporary governing body with a total membership of 15 governorships.
- The two outgoing Governing Bodies of Roseworth and Redbrook schools be empowered to appoint six parent and two Staff governors between themselves.
- Members appoint Mr N Anderson, Mrs J Shave and Mrs D Crinson to the temporary Governing Body as Community Governors.
- Members delegate authority to the Cabinet Member and Corporate Director for Children, Education and Social Care to appoint to any vacancies arising from declined appointments.

3. Reasons for the Recommendations/Decision(s)

Under the terms of Section 34 of the Education Act 2002 and in line with the requirements of the School Governance (New Schools) (England) Regulations 2007, local authorities must establish a temporary governing body where a new school is to be established which the authority intends to maintain.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.**

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MANAGEMENT TEAM**

**CABINET DECISION**

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ESTABLISHMENT OF A TEMPORARY GOVERNING BODY FOR THE NEW PRIMARY  
SCHOOL**

**SUMMARY**

This report details the need to establish a temporary school governing body for the proposed new primary school in Roseworth.

**RECOMMENDATIONS**

- Members are asked to establish a temporary governing body with a total membership of 15 governorships.
- The two outgoing Governing Bodies of Roseworth and Redbrook schools be empowered to appoint six parent and two Staff governors between themselves.
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**DETAIL**

1. On 5 January and 20 April 2006 Members considered reports on proposals to cease to maintain Redbrook Primary School and Roseworth Primary School and to establish a new primary school on the Roseworth site on 1 September 2008.
2. No objections were received in response to the Statutory Notice published on 2 May 2006, and the proposal was approved on 28 July 2006 under delegated powers by the Corporate Director for Children, Education and Social Care and the Lead Cabinet Member for Children and Young People (decision number 739).
3. As a result there is now the need to establish a temporary governing body to oversee the opening of the new school.
4. The temporary governing body would have a total membership of 15, comprising of 6 Parent, 3 Staff, 3 LA and 3 Community Governorships.

5. The Local Authority shall appoint the LA and Community Governors. The LA appointments will be dealt with in accordance with the procedure for the appointment of school governors approved as Minute 84 of the Cabinet (11 May 2000).
6. It is proposed that Mr N Anderson, Mrs J Shave and Mrs D Crinson who are all currently or have previously served as Governors on either Roseworth or Redbrook School Governing Bodies fill the community governorships.
7. Where a temporary governing body is established due to the closure of two existing schools, the local authority must allow some or all of the temporary Parent and Staff Governors to be appointed by the outgoing governing bodies of the schools that are to close.
8. It is therefore proposed that all of the parent and two of the staff governorships be filled by the outgoing governing bodies and the remaining staff governorship be reserved for the Headteacher designate.
9. Finally, if for whatever reasons any of these appointments are subsequently declined, there will be a need to ensure that the resulting vacancies are filled as soon as possible. It is, therefore, proposed that delegated authority be given to the Cabinet Member and Corporate Director accordingly.

## **FINANCIAL AND LEGAL IMPLICATIONS**

### **Financial**

None

### **Legal**

This proposal falls under Section 34 of the Education Act 2002 and in line with the requirements of the School Governance (New Schools) (England) Regulations 2007

## **RISK ASSESSMENT**

A risk assessment has been carried out. The proposal is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## **COMMUNITY STRATEGY IMPLICATIONS**

### **Environment**

No implications

### **Community Safety and Well-Being**

No implications

### **Health**

No implications

### **Economic Regeneration**

No implications

### **Education and Lifelong Learning**

The proposal has been put forward with the aim of supporting improved delivery of the curriculum and pastoral care for pupils, and increased efficiency in the management of the schools.

### **Arts and Culture**

No implications

## **CONSULTATION INCLUDING WARD COUNCILLORS**

As contained in the reports dated 5 January and 20 April 2006.

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### Background Papers

School Organisation Plan 2003-08 available on the Council website.

Cabinet reports dated 5 January 2006 and 20 April 2006.

### Ward(s) and Ward Councillors:

Roseworth: Coun. Mrs B Inman, Coun. J Beall

### Property

The school would occupy a new purpose built building.