

## York Diocesan Board of Education



### Outline process for Foundation Local Governor appointments in Multi-Academy Trusts (MAT)

January 2020

#### The requirements

1. Every academy must have an agreed Local Governing Body (**LGB**) composition, which will set out the number of Foundation Governors and how they should be appointed. The composition of the LGB should be agreed with the York Diocesan Board of Education (**YDBE**) at the time of conversion to an academy, and the YDBE's approval should be obtained to any changes in the composition. The agreed composition can be found on our website at: <https://dioceseofyork.org.uk/schools-and-youth/schools-education-homepage/our-schools/>.
2. The usual position will be that:
  - a. The Incumbent (usually the vicar) is a Foundation Local Governor ex officio – and where the Incumbent is unable or unwilling to act as a Foundation Local Governor, or has been removed, or where there is a vacancy in the office, the Archdeacon will be entitled to make a substitute appointment;
  - b. The YDBE appoints all other Foundation Local Governors after consultation with the Parochial Church Council (**PCC**) of the parish in which the academy is situated;<sup>1</sup>
3. The number of Foundation Local Governors a school has will depend on whether it was a Voluntary Aided, Voluntary Controlled or Foundation school prior to conversion to an academy.
4. Foundation Local Governors are usually appointed for four year terms (including temporary ex officio foundation local governors). This does not apply to the ex officio position: the ex officio will continue in post until a new Incumbent is appointed who is able and willing to act (or the existing Incumbent becomes in a position to take on the ex officio role) or the ex officio/temporary ex officio is removed.

#### Our process

5. We keep a list of Foundation Local Governors in a database, including their terms of office and term of office expiry dates. This allows us to track when vacancies arise.
6. Where we are aware of an upcoming vacancy (whether due to our monitoring or as a result of being notified of a resignation) and which it is the responsibility of the YDBE to fill, we write to the PCC/other consultee body named in the agreed LGB composition seeking a recommendation of an individual to fulfil the vacant role. (In the case of a temporary ex officio Foundation Local Governor we usually ask the Incumbent/PCC to provide a recommendation for a temporary ex officio and that recommendation is then put to the Archdeacon.)
7. In the rare instances where no consultee body is included in the agreed LGB composition, we will generally write to the LGB to seek a recommendation. In such cases, we would ask that the LGB consults with local Church bodies (e.g. those who were consulted on Foundation Governor appointments prior to the school becoming an academy) and others as it deems appropriate before providing its recommendation.

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<sup>1</sup> There may be slight variances e.g. for historical reasons.

8. We will notify the academy that a recommendation is being sought and encourage the recommending individual/body to liaise with them to ensure that the recommendation that is put forward is appropriate in the particular context e.g. there may be particular skills gaps on the LGB.
9. The recommendation may be for a new appointment or a recommendation that an individual whose term is expiring continues for another term.
10. We will aim to notify vacancies six months before they arise and provide guidance on the role of a Foundation Local Governor. We ask that the recommending individual/body makes a recommendation using our standard Recommendation Form, in light of the guidance we provide on the role. The Recommendation Form can be found here – <https://dioceseofyork.org.uk/schools-and-youth/schools-education-homepage/governors/multiacademy-trusts/>.
11. Recommendations for YDBE appointments are provided to the Diocesan Director of Education for approval on behalf of the YDBE. Referrals may be made to the YDBE's Schools Committee, which is responsible for overseeing Foundation Governor appointments on behalf of the YDBE, where the Diocesan Director of Education deems this appropriate. The Schools Committee receives a regular report containing details of the Foundation Local Governor appointments that have been made to assist it with its oversight role.
12. Where an appointment has been approved on behalf of the YDBE, we will:
  - a. Write to the individual concerned, confirming the appointment (which will be expressed to be conditional on them undergoing background and eligibility checks in accordance with the academy/MAT's guidelines and criteria) and including information on the role; and
  - b. Inform the academy and any other body with which we have consulted on the appointment.
13. Where an appointment is not approved, we will notify the academy and discuss how feedback may best be given to the individual and relevant stakeholders.