

Co-Opted Members of the Children and Young People Committee (CCC) and the Children and Education Scrutiny Committee (PCC)

Diocesan representatives

Under the provisions of section 499 of the Education Act 1996 the Secretary of State issued Department for Education (DfE) Circular 19/99 (copy attached). This is a Direction with guidance which states that where a diocesan body appoints foundation governors of a voluntary school in a local authority area, the local authority committees dealing with education matters should include diocesan representatives as non-elected voting members.

DfE Circular 19/99 states that co-opted diocesan representatives will be entitled to vote on the following matters:

- i. matters which relate to schools maintained by the local education authority;
- ii. matters which relate to pupils who are educated in schools maintained by the local education authority, or who are educated by the local education authority otherwise than at school.

Diocesan representatives are allowed to vote on matters within the Committee's remit which affect how funds already earmarked for education are spent, such as the formula by which individual school budgets are calculated.

Diocesan representatives may not vote on:

- any decision which relates to setting the local authority's total education revenue or capital budget
- any matter which would require the council to raise council tax
- any matter in which the representative has a pecuniary interest or any matter in which the representative has some other personal interest rather than an interest related to their role as diocesan representative. This includes decisions with a direct impact on the school at which the representative is or was a governor or where the representative's children are taught (for example, whether that school or another school should be given priority for the replacement of temporary classrooms).

Parent Governor representatives (PCC only)

Under the provisions of the Local Government Act 2000 the Secretary of State may require an education overview and scrutiny committee or sub-committee to include one or more representatives of parent governors from the local authority's maintained schools, who have been elected in accordance with the regulations. In Peterborough, the Children and Education Scrutiny has the option of appointing up to two parent governor representatives for a term of three years.

Local authorities may allow co-opted members of an overview and scrutiny committee to vote at meetings in accordance with a scheme made by the local authority. Parent governor representatives appointed to the Children and Education Scrutiny Committee have the same voting rights as Diocesan representatives.

Arrangements

Officers will consider the reports submitted to the Cambridgeshire County Council Children and Young People Committee and the Peterborough City Council Children and Education Scrutiny Committee on a case by case basis to identify those decisions on which co-opted members and parent governor representatives will be eligible to vote.

Co-opted members will be advised in advance of the meeting about those reports on which they would not be eligible to vote. Any questions about voting rights should be raised in advance of the meeting with the Committee's Democratic Services Officer in order for these to be given due consideration.