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POLICY AND PERFORMANCE CO-ORDINATING COMMITTEE

Wednesday, 5 February 2014

Present: Councillor S Foulkes (in the Chair)

Councillors A Hodson J Stapleton
A Brighouse D Elderton
P Doughty L Fraser
D Elderton A Sykes
P Glasman W Clements (in
M McLaughlin place of S Williams)
B Mooney D Realey (in place
D Roberts of S Whittingham)
J Salter (in place of
RL Abbey)

36 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R Abbey, S Whittingham and S Williams.

37 **CODE OF CONDUCT - DECLARATIONS OF INTEREST RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS) REGULATIONS 2012, INCLUDING PARTY WHIP DECLARATIONS**

No declarations of interest were received.

38 **MEMBERSHIP OF THE COMMITTEE**

The School Standards and Framework Act 1998 for parent governors and the Education Act 1996 for Diocesan Representatives confirmed that each Local Authority must appoint at least two (and not more than five) parent governor representatives and two Diocesan representatives to each Committee or Sub-Committee dealing with educational matters. These co-opted Members must have full voting rights in relation to any decisions concerning education and school matters.

The Council, at its Annual Meeting on 20 May 2013, had appointed two Parent Governor representatives and two Diocesan representatives (as statutory co-optees) to the Policy and Performance Committee – Families and Wellbeing, the Committee responsible for the scrutiny of educational matters and these statutory co-optees were entitled to participate and vote on such matters.

The Chair reported that, during the last review of the Council's Constitution, an attempt had been made to streamline the Scrutiny Call-in procedure by this Committee being made responsible for hearing all call-ins. Unfortunately, in doing this the fact that the Committee would need to deal with call-ins relating to educational matters had been unintentionally overlooked.

Two Cabinet decisions relating to educational matters had been called in as follows:

- Minute No. 129 – Report Seeking Approval to Consult on the Closure of the Lyndale School; and
- Minute No. 140 – Proposals for Changes to School Top Up Payments for Students with High Needs.

As both call-ins related to educational matters, the Committee would not be able to consider these call-ins until its Membership had been increased to include the School Governor and Diocesan representatives referred to above. They had to be afforded the opportunity to participate and vote in respect of each call-in. It was noted that only the Council was able to extend the membership of its Committees.

The Head of Legal and Member Services then responded to a number of questions about witnesses called to provide evidence and sending in written evidence if they were unable to attend. It was noted that there was nothing specific about this included in the Council's Constitution. The evidence presented to the Committee was at the Chair's discretion. It was dependent on the information provided and the value the Chair put on it. The point was well made that if a witness did not attend but instead provided written evidence, there was no opportunity to ask questions on his or her written submission.

The Chair informed that if, because of exceptional circumstances, a witness was unable to attend the reconvened meeting of the Committee he would discuss whether to accept written evidence with the Head of Legal and Member Services.

RESOLVED: That

- (1) the Committee notes the two call-in notices received;**
- (2) the meeting be adjourned until 6pm on Thursday, 27 February 2014;**
- (3) it be recommended that the Council extends the Membership of the Policy and Co-ordinating Committee to include;**

- (a) two Parent Governor representatives; and**
 - (b) a representative of each of the appropriate Diocesan Authorities with voting rights, for the purpose of dealing with educational matters.**
- (4) in order to meet legal requirements when considering educational matters the Council be recommended to co-opt onto the Policy and Performance Co-ordinating Committee:**
 - (a) the following two Parent Governor Representatives, elected to sit on the Council's scrutiny committees that deal with education (with voting rights, in respect of educational matters only)**
 - Mrs H Shoebridge (until 28 October 2015); and**
 - Mrs Nicola Smith (until 8 February 2017)**
 - and;**
 - (b) the following two Diocesan Authority representatives (with voting right in respect of educational matters only)**
 - Damien Cunningham (representing the Roman Catholic Diocese of Shrewsbury); and**
 - a representative of the Church of England Diocese of Chester (currently a nomination has not yet been made).**

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