



Report of the Monitoring Officer

Council – 10 September 2020

Interim Designation of the Statutory Education Director

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| Purpose: | For Council to designate the Head of Achievement and Partnership as the Statutory Director of Education on an interim basis. |
| Policy Framework: | Council Constitution Articles 12.2, 12.3 and 12.11. |
| Consultation: | Presiding Member, Finance, Legal. |
| Recommendation(s): | It is recommended that: 1) Helen Morgan-Rees, Head of Achievement and Partnership Service is designated as the Council's Statutory Director of Education on an interim basis. This will be initially for a period of three months and will have effect whilst the current Statutory Director of Education Nick Williams is on sickness absence. 2) Delegated authority is given to the Chief Executive in consultation with the Cabinet Member for Education Improvement, Learning and Skills to extend the period of three months if Nick Williams continues to be on sickness absence. |
| Report Author: | Tracey Meredith |
| Finance Officer: | Ben Smith |
| Legal Officer: | Stephanie Williams |
| Access to Services Officer: | N/A |

1. Statutory Education Director

- 1.1 The post of Chief Education Officer is a designated Statutory post under s532 of the Education Act 1996. This imposes a duty on the Council to appoint an Officer as its Chief Education Officer. In Swansea the Director of Education holds this Statutory function.

- 1.2 Nick Williams the current Statutory Education Director is currently on long-term sickness leave. Therefore, in the interim to comply with Statute this post needs to be designated.
- 1.3 It is proposed that Helen Morgan-Rees Head of Achievement and Partnership Service is designated Statutory Education Director for an initial period of three months.
- 1.4 Should this period need to be extended, the Chief Executive in consultation with the Cabinet Member for Education Improvement, Learning and Skills is given delegated authority to extend the period.
- 1.5 Should Nick Williams be well enough to resume his full duties prior to the expiry of the three month period (or any subsequent extension) the role will revert to him at that time without the need for a further report.

2. Equality and Engagement Implications

- 2.1 There are no equality or engagement implications associated with this report.

3. Financial Implications

- 3.1 Interim remuneration will be commensurately set in line with the Council's extant pay policy and any cost met from the contingency fund.

4. Legal Implications

- 4.1 Section 532 of the Education Act 1996 specifies that there is a duty on a Local Authority to appoint a fit person to be the Chief Education Officer of the authority. This duty in Swansea is held by the Director of Education. This is a Statutory post whose responsibilities are outlined in Article 12.2 and 12.11 of the Council's Constitution. Article 12.3.1 specifies that Council will designate the post.

Background Papers: None.

Appendices: None.