



## Report of the Monitoring Officer

Council - 24 January 2019

### Interim Designation of the Statutory Education Director

<b>Purpose:</b>	For Council to designate the Head of the Vulnerable Learner Service as the Statutory Director of Education on an interim basis.
<b>Policy Framework:</b>	Council Constitution Articles 12.2, 12.3 and 12.11.
<b>Consultation:</b>	Presiding Member, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) Mark Sheridan Head of the Vulnerable Learner Service is designated as the Council's Statutory Director of Education on an interim basis. This will be initially be for a period of three months 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 necessary.
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<b>Finance Officer:</b>	Ben Smith
<b>Legal Officer:</b>	Stephanie Williams
<b>Access to Services Officer:</b>	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 Mark Sheridan Head of the Vulnerable Learner 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.

## **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.