

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2024 - 2025

**LOCAL EDUCATION AUTHORITY
GOVERNORS (APPOINTMENTS)
COMMITTEE**

DATE: 19 NOVEMBER 2024

**REPORT OF: DIRECTOR OF
EDUCATION AND INCLUSION
SERVICES IN DISCUSSION WITH
THE CABINET MEMBER FOR
EDUCATION, INCLUSION AND
WELSH LANGUAGE**

| Part | Item No. 3 |
|---|-------------------|
| POLICY FOR THE APPOINTMENT OF LOCAL AUTHORITY SCHOOL GOVERNORS | |

1. PURPOSE OF REPORT

To present Members with the new policy for the Appointment of Local Authority School Governors that was agreed by Cabinet on 19th September 2024.

2. RECOMMENDATIONS

Members are recommended to:

2.1 Note the content of the report.

3. REASONS FOR RECOMMENDATIONS

3.1 To advise Members of the approved change to policy, following consideration by Cabinet on the 19th September 2024.

3.2 The new policy will strengthen processes and ensures that procedures in relation to the appointment of Local Authority Governors in Rhondda Cynon Taf are robust.

4. BACKGROUND

4.1 The Governor Support Team undertakes the process of advertising all Local Authority governor vacancies on a termly basis.

4.2 There is currently an LA Governor Appointment Panel that is responsible for the appointment of LA Governors in Rhondda Cynon Taf. This Panel currently meets on a termly basis and consists of five Elected Members.

4.3 Following recent discussions in the Local Education Authority Appointments Panel, it was felt that there was a need to review the process for appointing Local Authority governors.

4.4 A revised policy was presented to Cabinet on the 19th September and a link to the report can be

found [here](#). Members of the Cabinet approved the revised changes presented.

4.5 The process relating to the appointment of Local Authority governors is outlined in the policy which is attached in Appendix 1.

4.6 The proposed policy also lists the relevant criteria for appointing Local Authority governors and the relevant application processes.

4.7 A report recently published by Estyn, May 2023, "School Governors: Acting as Critical Friends and the Impact of Governor Training" noted:

"Effective governing bodies provide confident, strategic leadership to their schools. They lead by example and set the tone for the school from the top. Most governors are enthusiastic and committed to their role. They work collaboratively with senior leaders and are supportive of their work".

The criteria listed in this policy will support the appointment of effective Local Authority governors

5. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

5.1 An Equality and Socio-Economic Impact Assessment is not required for the purpose of this report.

6. WELSH LANGUAGE IMPLICATIONS

6.1 A Welsh Language Impact Assessment is not required for the purpose of this report.

7. CONSULTATION / INVOLVEMENT

7.1 There is no consultation required as this is a policy to be considered in line with the constitution of the current Local Authority Appointments Panel.

8. FINANCIAL IMPLICATION(S)

8.1 There are no financial implications if the policy is implemented.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

9.1 There are no legal implications or legislation to be considered.

9.2 The Government of Maintained Schools (Wales) Regulations 2005 does not legislate how local authority governors are appointed. However, The Governors Guide to the Law, March 2024 states:

"Local Authority (LA) governors are appointed by the local authority. Local authorities can appoint any eligible person as an LA governor. For example, not all LA governors are councillors, they may include any person who is interested in supporting schools and whose appointment has the support of the authority."

10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELLBEING OF FUTURE GENERATIONS ACT

- 10.1 The proposal supports the core aims of RCTCBC's new Corporate Plan for the years 2024 to 2030, '[Working with our Communities](#)', and the four wellbeing objectives, which are:
- **People and Communities** – Supporting and empowering RCT residents and communities to live safe, healthy and fulfilling lives.
 - **Work and Business** – Helping to strengthen and grow RCT's economy.
 - **Nature and the Environment** – A green and clean RCT that improves and protects RCT's environment and nature.
 - **Culture, Heritage and Welsh Language** – Recognising and celebrating RCT's past, present and future.
- 10.2 There are links to RCTCBC's Education and Inclusion Services Strategic Plan for 2022 to 2025 and its mission: '*To deliver equity and excellence in Education and enhanced well-being for all*'. The proposal will also support delivery against the five strategic priorities, most notably:
- Strategic Priority 1: Delivering a highly skilled education workforce and excellent leadership at all levels.
 - Strategic Priority 2: Supporting educational settings to deliver a transformational curriculum, high quality teaching and learning and improved outcomes for all.
 - Strategic Priority 3: Ensuring equity and support for vulnerable learners and their families.
 - Strategic Priority 4: Enhancing the wellbeing of our learners and workforce.
 - Strategic Priority 5: Delivering 21st Century learning environments and innovative services for our learners and communities

11. STRATEGIC OR RELEVANT TO ELECTORAL WARDS

- 11.1 This is a strategic proposal relevant to all electoral wards as LA governors are appointed to all schools in Rhondda Cynon Taf.

12. CONCLUSION

- 12.1 This policy will ensure a fair and equitable appointment process for the Local Authority Governors Appointment Panel.
- 12.3 Appointments will be made in line with the policy and consideration of the application forms received.
- 12.4 The implementation of this policy will support the Local Authority Governors Appointment Panel to appoint effective and supportive Local Authority governors, which in turn will strengthen governance across our schools.

Other information: -

Relevant Scrutiny Committee

Education and Inclusion Services Scrutiny

Contact Officer

Non Morgan, Senior Manager for Governor Support and Emergency Planning



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

19th SEPTEMBER 2024

POLICY FOR THE APPOINTMENT OF LOCAL AUTHORITY SCHOOL GOVERNORS

REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES IN DISCUSSION WITH THE CABINET MEMBER FOR EDUCATION, INCLUSION AND WELSH LANGUAGE

Author: Non Morgan, Senior Manager for Governor Support and Emergency Planning

1. PURPOSE OF REPORT

The purpose of the report is to:

- 1.1 Present Members with the new proposed Policy for the Appointment of Local Authority School Governors.
- 1.2 Provide Members with the opportunity to review the content and process outlined in the proposed policy.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Consider the process outlined in the proposed policy.
- 2.2 Consider approving the adoption of the new proposed policy and its implementation from the autumn term 2024.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Following recent discussions in the Local Education Authority Appointments Panel, it was felt that there was a need to review the process for appointing Local Authority governors.
- 3.2. The new policy will strengthen processes and ensures that procedures in relation to the appointment of Local Authority Governors in Rhondda Cynon Taf are robust.

4. BACKGROUND

- 4.1 The Governor Support Team undertakes the process of advertising all Local Authority governor vacancies on a termly basis.
- 4.2 There is currently an LA Governor Appointment Panel that is responsible for the appointment of LA Governors in Rhondda Cynon Taf. This Panel currently meets on a termly basis and consists of five Elected Members.
- 4.3 The process relating to the appointment of Local Authority governors is outlined in the policy which is attached in Appendix 1.
- 4.4 The proposed policy also lists the relevant criteria for appointing Local Authority governors and the relevant application processes.
- 4.5 A report recently published by Estyn, May 2023, "School Governors: Acting as Critical Friends and the Impact of Governor Training" noted:

"Effective governing bodies provide confident, strategic leadership to their schools. They lead by example and set the tone for the school from the top. Most governors are enthusiastic and committed to their role. They work collaboratively with senior leaders and are supportive of their work".

The criteria listed in this policy will support the appointment of effective Local Authority governors.

5. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

- 5.1 An Equality and Socio-Economic Impact Assessment is not required for the purpose of this report.

6. WELSH LANGUAGE IMPLICATIONS

- 6.1 A Welsh Language Impact Assessment is not required for the purpose of this report.

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- 8.1 There are no financial implications if the policy is implemented.

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10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELLBEING OF FUTURE GENERATIONS ACT

10.1 The proposal supports the core aims of RCTCBC’s new Corporate Plan for the years 2024 to 2030, [‘Working with our Communities’](#), and the four wellbeing objectives, which are:

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10.2 There are links to RCTCBC’s Education and Inclusion Services Strategic Plan for 2022 to 2025 and its mission: *‘To deliver equity and excellence in Education and enhanced well-being for all’*. The proposal will also support delivery against the five strategic priorities, most notably:

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12.1 This policy will ensure a fair and equitable appointment process for the Local Authority Governors Appointment Panel.

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strengthen governance across our schools.

Other Information:-

Relevant Scrutiny Committee

Education and Inclusion Services Scrutiny

Contact Officer

Non Morgan, Senior Manager for Governor Support and Emergency Planning

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

19th SEPTEMBER 2024

**REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES IN DISCUSSION
WITH THE CABINET MEMBER FOR EDUCATION, INCLUSION AND WELSH LANGUAGE**

Item: POLICY FOR THE APPOINTMENT OF LOCAL AUTHORITY SCHOOL GOVERNORS

Background Papers:

none

Officer to contact:

Non Morgan, Senior Manager for Governor Support and Emergency Planning



CYFLAWNI **TEGWCH** A **RHAGORIAETH**
 MEWN **ADDYSG** A **GWELL LLES** I BAWB
EQUITY AND **EXCELLENCE** IN **EDUCATION**
 AND **ENHANCED WELLBEING** FOR ALL

Rhondda Cynon Taf County Borough Council

Education and Inclusion Services

Policy for the Appointment of Local Authority School Governors

1. Local Authority Governors

Local Authority (LA) governors are appointed by the local authority. LAs can appoint any eligible person as an LA governor which includes elected members and any person who is interested in supporting schools, whose appointment has the support of the LA.

Rhondda Cynon Taf County Borough Council (RCTCBC) has a Local Authority Appointment Committee, which considers all matters relating to the appointment and removal of LA governors.

LA governors cannot be mandated by the LA to take any particular approach. They may represent the LA view, but in all cases the interests of the school are paramount and all governors must abide by the governing body's rules and code of conduct.

2. Membership and Terms of Reference of the RCTCBC LA Governor Appointment Committee for the Appointment of LA Governors

The LA Governor Appointment Committee should comprise of five Elected Members.

The Senior Manager for Governor Support and Emergency Planning will be invited to attend Committee meetings in an advisory capacity (i.e. without voting rights). The Senior Manager for Governor Support and Emergency Planning will brief the Committee outlining the nature of individual school's strengths and any challenges in schools, where LA governor vacancies exist.

The LA Governor Appointment Committee will be responsible for making decisions regarding the appointment and removal of LA governors in line with the approved criteria contained within the application form and listed below.

3. Criteria for the Appointment of LA Governors

The Committee shall apply the following criteria when considering appointments. In applying these criteria, the Committee should consider the appointment of local elected members and the applicants experience, skills, expertise and potential contribution to the school of all applicants. Factors for consideration include: -

- Experience as an effective school governor, assessed in terms of the possession of relevant skills, knowledge and experiences including skills that match the specific challenges of any individual school.
- The contribution made during their term(s) of office and regular attendance at governing body meetings.
- A genuine desire to help improve standards in education within the school in partnership with the headteacher and the rest of the governing body.
- A knowledge of and an interest in the community in which the school is situated.
- A knowledge of education issues and reforms.
- A commitment to regular attendance at full governing body meetings as well as meetings of any committees of the governing body to which they are elected.
- A commitment to attend governor training courses to update their skills and knowledge to enhance their ability and effectiveness as a governor.

Please note that County Borough Elected Members can stipulate which school governing bodies they wish to sit on and their choice will take priority over non-elected LA governors.

4. Criteria for the Removal of LA Governors

The Committee can remove LA governors as the appointing authority, but this power must be used reasonably. Any queries relating to the removal of LA governors should be referred to the Governor Support Service within the Education and Inclusion Services Directorate in the first instance.

Disqualification of LA governors, or indeed any governors, is dealt with in Schedule 6 of The Education (School Government) (Wales) Regulations 1999. Again, any queries relating to such matters should be referred to the Governor Support Service as referenced above.

The Government of Maintained Schools (Wales) Regulations 2005 Part 4 par 27.

In the case of any such removals or disqualifications, the LA governors concerned will be contacted and informed accordingly.

5. Declaration of Interests

In accordance with Council Code of Conduct, members of the LA Governor Appointment Committee should not preside over governor appointments to schools where they are also members of the governing body. Any member(s) of the Committee that declare an interest need to withdraw during the consideration of any appointment(s).

6. Operational Procedures

All existing LA governors whose terms of office are due to cease will be contacted by the Governor Support Unit well beforehand, and at least 10 working days prior to the end of their tenure to ascertain whether they wish to be re-nominated or not. A completed form must be returned to the Governor Support Unit by the published closing date.

Late applications will not be considered in the interests of fairness to all those who submit their applications by the published closing date. However, if no nominations are received for schools, then an extension can be provided at the discretion of the Chairperson of the Committee.

All resignations or retirements of LA governors should be brought to the attention of the Governor Support Service as soon as possible in order that these vacancies can be advertised.

7. Advertisements for LA Governors

Details of LA Governor vacancies including the names of schools with vacancies will be circulated termly to all Members of the Council, all Chairpersons of RCTCBC schools and placed on the Council's website. Members of the Council will also receive a supply of application forms each time an advert for LA governors is circulated. The closing date for applications will be published in the circular.

The LA Governor Appointment Committee will take into consideration any skillset or experience gaps. The decision of the LA Governor Appointment Committee will be final on all matters relating to LA governor appointments.

The LA Governor Appointment Committee will meet on a termly basis taking into account the end of term of office for governors up to the end of the next end of school term date e.g., summer term meeting will include vacancies up to and including 31st December. This way vacancies will be considered soon after they become known, and it will avoid the situation where schools are without their full complement of LA governors for long periods of time therefore increasing the burden on the remaining members of the governing body.

8. Police Clearance

Currently there is no legal requirement for school governors to be subject to police clearance prior to them taking up their appointments. Therefore LAs, diocesan offices and schools do not have to apply to the Disclosure and Barring Service (DBS) for DBS checks for school governors (formerly known as CRB checks).

However, the *Government of Maintained Schools (Wales) Regulations (2005) (Schedule 5, Regulation 12)* includes a provision covering disqualification of governors from holding office if they refuse a request from the governing body to undergo a DBS check.

9. Application Form to Become or Continue as an LA Governor

Anyone who expresses an interest in becoming a LA governor or continuing to be an LA governor will be invited to complete the appropriate application form. The applicant must provide clear reasons why they are particularly interested in a vacancy together with details of the skills, knowledge and expertise that they could bring to the role.

Anyone who has not completed an application form should not be appointed or re-appointed as an LA governor. Governors should be chosen on the basis of the contribution which they can bring to a school in terms of their skills and experience. The application form is the fairest

method of collating all necessary information and for ensuring that decisions are made in an informed manner when making LA governor appointments. Late applications will not be considered in the interests of fairness to all those interested applicants who submit their applications by the published closing date. However, if there are no nominations received for individual schools then the Committee can allow some discretion in this regard.

In preparation for each meeting of the LA Governor Appointment Committee the Governor Support Unit will prepare a report detailing all current vacancies to be considered including the following information, wherever possible:-

- name of the school;
- number of vacancies;
- date of vacancy/vacancies;
- name of applicant(s);
- a completed application form.

The agenda, application forms and grid reference of schools and applicants for Committee meetings will only be circulated to Committee Members. This is consistent with procedures for other appointment Committees of the Council and the application forms, containing potentially sensitive information about candidates would be circulated as Part II items.

Minutes of Committee meetings will be reported, but the application forms themselves would remain exempt from public inspection. Only Committee Members are entitled to attend meetings of the Committee. There is no entitlement for other Members of the Council to attend meetings of the Committee.

Once the LA Governor Appointment Committee has met to consider the appointment of LA Governors, the Governor Support Unit will write to all the appointees to notify them of their appointments or reappointments. Similarly the Governor Support Unit will also contact the Headteacher and Chairperson with details of appointees.

LA governor applicants who are not appointed will be contacted by the Governor Support Service and informed accordingly.

10. Appointment of Temporary Governors

This LA Governor Appointment Committee will appoint all temporary governors, with the exception of community governors, including temporary LA governors, temporary parent governors, temporary teacher and staff governors.

Temporary Community Governors will be appointed by the above appointed persons. The temporary governors will be selected from those governors who were members of the governing bodies of the schools affected when the decision to create a new school was made, i.e. the date Cabinet agreed the proposal, together with the elected members that serve the catchment area of the school.

Any queries relating to the procedure for the appointment or removal of LA governors should be referred to the Governor Support Service in the Education and Inclusion Services Directorate on 01443 281162 (direct line) or via email at: governor.support@rctcbc.gov.uk.

**Rhondda Cynon Taf County Borough Council
Education and Inclusion Services**



Application for Appointment as a Local Authority Governor

Section 1 – Personal Details

Surname: _____ **Title:** _____ **Forename(s):** _____

Address: _____ **Post Code:** _____

Date of Birth: _____ **Email:** _____

Home Telephone: _____ **Mobile No:** _____

I wish to apply to be considered for appointment as a Local Authority Governor on one/two school(s).

Please list **in order of preference** the school(s) you would wish to serve as a Local Authority Governor, and to which you believe you would be able to make a contribution with your knowledge and interest of the local community.

Name of School

1. _____ 2. _____

Section 2 – Selection Criteria

The Council is required to publish criteria, which are to be used for the identification and appointment of LA Governors.

These criteria are:

- Experience as an effective school governor measured in terms of possession of relevant skills, knowledge and experience including skills that match the challenges of the individual school.
- The contribution made during their term(s) of office and regular attendance.
- A genuine desire to help improve standards of education within the school in partnership with the headteacher and the rest of the governing body.
- A knowledge of and an interest in the community in which the school is situated.
- A knowledge of current education issues.
- A commitment to regular attendance at full governing body meetings as well as meetings of any committees of the governing body to which they are elected.
- A commitment to attend governor training courses to update their skills and knowledge to enhance their ability and effectiveness as a governor.

Potential governors are therefore asked to answer the following questions, which will be considered when appointments are being made.

Only information contained in this form will be considered when appointments are made.

2.1 Governor Training

2.1.1 The Welsh Government introduced compulsory governor training from 1st September 2013. Newly appointed governors must now undertake an Induction training session and a session on Understanding Data within one year from the date of their appointment. Are you prepared to attend these sessions and to commit to undertake other courses to regularly update your knowledge and skills to enhance your effectiveness as a governor?

(Please tick the appropriate box) Yes No

2.2 Experience of Governorship

2.2.1 Are you currently a school governor?
If **yes**, at which school(s)

Yes No

1.

2.

2.2.2 Have you previously served as a school governor?
If **yes**, at which school(s)

Yes No

1.

2.

If you answered yes to question 1 or 2 above, please answer the following questions:

2.2.3 Did you attend meetings of the governing body and its committees regularly (at least $\frac{2}{3}$ of meetings which you could have attended)?

Yes No

2.2.4 Did you attend any governor training courses?

Yes No

2.3 Commitment to Attend Meetings

2.3.1 Do you believe that you will be able to attend meetings of the governing body – and any committees to which you may be appointed – (minimum of 6 meetings per year)?

Yes No

2.4 Knowledge and Interest of the Local Community

2.4.1 Please indicate your knowledge and interests of the local community of the school that you are applying to become a member of the governing body.

2.5 Raising Standards of Education

2.5.1 Would you be prepared as governor to promote the raising of education standards at any school to which you may be appointed? Yes No

2.6 Skills and Experience

2.6.1 What particular skills and experience do you have to help you in your role as governor?

2.7 Commitment to Voluntary Activities

2.7.1 Could you detail below any experience you have which would help you in your role as governor? For example this may include any involvement you have had with a voluntary organisation, e.g. Parent Teacher Association, Girl Guides, Boy Scouts, Boys and Girls Clubs, St John Ambulance, etc., or life skills/employment experience.

Section 3 – Disqualification from Service as a School Governor

Appointment as a governor is subject to certain regulations, which disqualify persons from becoming governors. Those **not** eligible to serve in this capacity are:-

- a person aged under 18;
- any person who is already a governor of two maintained schools, except as an additional governor of a school in special measures, or as a member of a temporary governing body;
- a governor who without the consent of the governing body has failed to attend a meeting of the governing body for a period of six months from the date of the last meeting he/she attended;
- anyone who has been adjudged a bankrupt until he/she has been discharged;
- anyone who is disqualified under the Company Directors Disqualification Act 1986, or who has failed to make payments required by a county court administration order under the Insolvency Act 1986;
- a person who has been removed from office in a charity by order of the Charity Commission or the High Court, because of mismanagement or misconduct for which he/she was responsible;

- a person who is:
 - (a) subject to a direction issued by the Secretary of State under s142 of the Education Act 2002, including a direction given that he/she is included on the list of persons considered unsuitable to work with children under s1 of the Protection of Children Act 1999;
 - (b) disqualified from working with children under the Protection of Children Act 1999 or is subject to a direction under s142 of the 2002 Act, or s28 and 29 of the Criminal Justice and Court Services Act 2000.
- any person with a criminal conviction who:
 - (a) within the last five years has received without option of a fine, a prison sentence of not less than three months;
 - (b) within the last twenty years has received a sentence of not less than two and a half years;
 - (c) at any time has received a sentence of not less than five years, or
 - (d) has been convicted for making a nuisance on the premises of a maintained school under s547 of the Education Act 1996;
- any person who has been declared unsuitable to be the proprietor of or teacher in an independent school under s470 or s471 of the Education Act 1996;
- a person who refuses to apply for a criminal record certificate under s113 of the Police Act 1997 after having been requested to do so by the governing body.

I also confirm that if my circumstances change in any way which disqualifies me from continuing to be eligible to serve as a school governor, I will immediately notify the Headteacher, Chair of Governors and the Head of the LA's Governor Support Service of that fact.

Are any of the above criteria applicable to you?

Yes No

(If you answer yes to this question, you cannot be considered for appointment as a governor.)

Section 4 – Declaration

I confirm that the information provided is correct.

Signed: _____ **Date:** _____