

North Tyneside Council

Report to Cabinet

Date: 11 March 2013

ITEM 7(g)

Title: School Forum constitution

Portfolio(s): Children, Young People and Learning

Cabinet Member(s): Cllr David Lilly

Report from Directorate: Children, Young People and Learning

Report Author: Anthony Gollings, Financial Business Manager for Children, Young People and Learning

Tel: 643 8071

Wards affected: All

PART 1

1.1 Purpose:

The report covers the changes required to North Tyneside's Schools Forum constitution.

1.2 Recommendation(s):

It is recommended that Cabinet:

1. Agree to the proposed change in North Tyneside's Schools Forum constitution as detailed in Section 1.5 of this report; and,
2. Authorise the Strategic Director for Children, Young People and Learning to undertake necessary arrangements to elect representatives to the Schools Forum.

1.3 Forward plan:

Twenty eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 6 February 2013.

1.4 Council plan and policy framework:

The report is concerned with the Council Strategic Plan 2012-15 priorities:

1. Maintaining excellent education, training and employment opportunities, including apprenticeships and working in collaboration with partners.

1.5 Information:

- 1.5.1 The Schools Forum was established by virtue of Section 47A of The School Standards and Framework Act 1998 (as amended by the Education Act 2002) which required local authorities to constitute a schools forum. The Forum is operated in accordance with the Schools Forums (England) Regulations which are updated annually.

1.5.2 School Forum (England) Regulations 2012 require all Authorities to review their School Forum constitutions. The main changes outlined in the new regulations are as follow:

Participation

- In response to concerns that some forum meetings were too dominated by local authority representatives, the decision was made that local authority participation in forum meetings should be restricted to the elected members with responsibility for children's services, education or resources and the Director of Children's Services (or their representative), Chief Finance Officer (or their representative) or officers who are providing specific financial or technical advice to Schools Forum (but their participation must be limited to their specific agenda item).
- The Secretary of State will be able to appoint an observer (from the Education Funding Agency EFA) to attend schools forum meetings. The purpose of this is to support local decision-making through providing a national perspective, particularly where forum members consider this helpful or if there were concerns about the running of the forum.
- With regards to voting, the key change is with regard to the funding formulae. Only schools members (which includes mainstream schools, Academies, special schools and Pupil Referral Units (PRUs) and representatives of the Private, Voluntary and Independent (PVI) sector will be able to vote on the funding formulae.

Observation / Transparency

- Forum meetings should be held in public, like Council committees, and that papers and minutes should be published promptly on local authority websites.

Membership

- The requirement to have a minimum 15 members on the forum has been removed.
- The requirement that schools and Academies should have broadly proportionate representation according to pupil numbers in each category is maintained. There is concern that the composition of Schools Forums has not changed quickly enough to reflect the pace of academy conversions. Local authorities are required to ensure their Schools Forum is compliant with this requirement based on the pupil numbers in each category as of September 2012 and that this is updated as more conversions take place.
- Where there is at least one maintained secondary school in an authority, at least one schools' member must be a representative of a secondary school.
- Among the members representing maintained schools, at least one must be a representative of governing bodies and at least one must be a representative of headteachers. This is a requirement of the primary legislation but has not previously been made explicit in the regulations.
- Pupil Referral Units (PRUs) should have separate representation on forums, as they will have delegated budgets from April 2013.

Other

- Local authorities no longer have to consult forums on arrangements for free school meals and insurance, as these budgets will have to be delegated from April 2013.

1.5.3 A paper on the required revisions to the school funding constitution was shared with the Schools Forum on 21st November 2012 and 12th December 2012.

1.5.4 North Tyneside's Schools Forum noted the changes to the Regulations and in line with the Regulations agreed to a proposed change in the number and composition of School Forum members as shown in Table 1.

Table 1: Proposed amendment to North Tyneside’s Schools Forum

| | Current | | | | Proposed | | | |
|---|-----------|------------------------|-----------|----------|-----------|------------------------|-----------|----------|
| | No | As % of school members | HT | Gov | No | As % of school members | HT | Gov |
| School members | | | | | | | | |
| Primary | 9 | 39.1% | 6 | 3 | 9 | 45.0% | 6 | 3 |
| Secondary | 7 | 30.4% | 5 | 2 | 7 | 35.0% | 5 | 2 |
| Special | 3 | 13.0% | 2 | 1 | 1 | 5.0% | 1 | |
| Academies | 0 | 0% | | | 1 | 5.0% | 1 | |
| Nursery | 2 | 8.7% | 1 | 1 | 1 | 5.0% | 1 | |
| PRU | 1 | 4.3% | 1 | | 1 | 5.0% | 1 | |
| Bursar | 1 | 4.3% | | | 0 | No longer eligible | | |
| Total School members | 23 | | 15 | 7 | 20 | | 15 | 5 |
| Non School | | | | | | | | |
| 14-19 Partnership | 1 | | | | 1 | | | |
| Early years providers from the Private/ Voluntary/ Independent sector | 1 | | | | 1 | | | |
| Church of England | 1 | | | | 1 | | | |
| RC Diocese | 1 | | | | 1 | | | |
| School imp partner - Primary | 1 | | | | 0 | No longer eligible | | |
| School imp partner - Secondary | 1 | | | | 0 | No longer eligible | | |
| Total non school members | 6 | | | | 4 | | | |
| Total members | 29 | | | | 24 | | | |

1.5.5 In proposing this representation the Forum noted:

- a) The proposal broadly maintains the current balance of HT to Governors
- b) The proposal maintains membership for the two faith groups – although this is something that is not mandatory.
- c) That if there was increased representation for special schools and/or Academies then the overall number of school members at the Schools Forum would become cumbersome (at circa 35 members) as the other groups would also need to increase to maintain the balanced representation required.
- d) Although they will not have an official place on the Forum, there will be a standing invitation to both a school bursar and a trades’ union representative in order for them to be able to offer additional support and advice to the Forum.
- e) The Regulations allow for substitutes to attend and vote at meetings of the Forum on behalf of school members.

1.5.6 Subject to Cabinet’s approval, the Schools Forum Constitution will be updated and shared with the Schools Forum. Once adopted current Forum members will be slotted in to the new membership. Should this not be possible the respective group will need to determine their representation. Schools members must be elected to the Schools Forum by the members of the relevant group, or sub-group, in the authority’s area.

1.6 Decision options:

Cabinet could:

1. Determine not to agree to the proposals from the Schools Forum regarding Schools Forum Constitution and agree an alternative Constitution provided it complies with the 2012 Regulations; or
2. Agree to change the Schools Forum Constitution with immediate effect in line with the proposals outlined in Section 1.5 of this report.

Option 2 is the preferred option.

1.7 Reasons for recommended option:

The proposed Schools Forum Constitution is compliant with all current relevant legislation and has been established following consultation with North Tyneside's Schools Forum.

1.8 Appendices:

None

1.9 Contact officers:

Anthony Gollings - Financial Business Manager supporting Children, Young People and Learning, tel. 8071
Mark Longstaff - Head of Commissioning and Resources, Children, Young People and Learning, tel. 8089

1.10 Background information:

The following background papers and research reports have been used in the compilation of this report and are available for inspection at the offices of the author.

[Schools Forums \(England\) Regulations 2012](http://www.education.gov.uk/a00213728/schools-forums-england-regs-2012)

www.education.gov.uk/a00213728/schools-forums-england-regs-2012

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

Changes outlined in this report relate to the constitution of the Schools Forum and have no direct financial implications.

2.2 Legal

The Schools Forum was established by virtue of Section 47A of The School Standards and Framework Act 1998 (as amended by the Education Act 2002) which required local authorities to constitute a schools forum. The Forum is operated in accordance with the Schools Forums (England) Regulations which are updated annually, and most recently 2012.

2.3 Consultation/community engagement

2.3.1 Internal consultation has been undertaken with the Cabinet Member for Children, Young People and Learning and the Strategic Director for Children, Young People and Learning.

2.3.2 Consultation with the School Forum was undertaken on 12 December 2012 and is outlined in section 1.5 of this report.

2.4 Human rights

There are no issues arising.

2.5 Equalities and diversity

There are no issues arising.

2.6 Risk management

There are no issues arising.

2.7 Crime and disorder

There are no issues arising.

2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

PART 3 - SIGN OFF

- Chief Executive X
- Strategic Director(s) X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Strategy Manager Policy & Partnerships X