

SCHOOLS FORUM – 13 FEBRUARY 2014

Title of paper:	Revised Membership and Constitution for Nottingham City Schools Forum
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Summary	
<p>The Schools Forum membership and constitution need to be refreshed in light of new guidance issued by the Education Funding Agency in October 2013, to reflect the change in the proportion of maintained schools and academies and other local changes, to reduce the size of the Schools Forum to facilitate more effective decision making and to provide clarity to decision making processes.</p> <p>This report outlines the proposals for the changes for discussion by the Forum prior to agreement of changes by the Forum in April 2014 for implementation from September 2014. All comments on the changes need to be emailed to Laura Wilson, Clerk to the Schools Forum (laura.wilson@nottinghamcity.gov.uk) by 28 February 2014.</p>	
Recommendation(s):	
1	To consider the proposals for changes to the membership of the Schools Forum from September 2014 as detailed in paragraph 2.3 of the report.
2	To consider the proposals for a revised constitution, including revised proposals for election of members for implementation from September 2014 as detailed in Appendix 1 to the report.
3	To consider a revised meeting cycle from September 2014 as detailed in paragraph 2.5 of the report.

1. REASONS FOR RECOMMENDATIONS

- 1.1 The Education Funding Agency (EFA) issued new guidance to local authorities and members of Schools Forums in October 2013. This provides clear guidance on membership and decision making to be incorporated in Schools Forum constitutions.
- 1.2 In order to improve efficient and effective discussion and decision making it is proposed to reduce the membership of the Schools Forum from 33 to 18 members.
- 1.3 As advised by the EFA guidance, it is proposed to establish the new schools membership so that it is broadly proportionate to pupil numbers in different categories.

- 1.4 To reflect a change in the number of members and that it is no longer possible to manage elections using Education Improvement Partnerships (EIPs) it is necessary to establish new election procedures.
- 1.5 To ensure clarity on decision making, it is proposed that the section on voting in the constitution is strengthened.
- 1.6 A new meeting cycle is proposed that is more appropriate to the level of business to be dealt with by the Schools Forum.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 In October 2013 the Education Funding Agency (EFA) issued new operational and good practice guidance for local authorities and members of Schools Forums. This guidance clarifies the structure of Schools Forums and decision making powers of the local authority and the Schools Forum according to the Schools Forum (England) Regulations 2012.
- 2.2 The current Schools Forum has a membership of 33. The guidance notes that while there is no maximum or minimum size specified for Schools Forums, local authorities “will wish to take various issues into account in deciding the actual size, including the need to have full representation for various types of school, and the local authority’s policy on representation of non-schools members. However, care should be taken to keep the Schools Forum to a reasonable size to ensure that it does not become too unwieldy.” (page 12)
- 2.3 It is therefore, proposed that the Schools Forum membership is reduced to 18 members to improve efficient and effective decision making, taking account of the requirement in the Regulations that ‘Schools and academies members together must number at least two-thirds of the total membership of the Schools Forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category....’ as follows:

Schools Members

Maintained Primary Schools	5 (3 headteachers / 2 governors)
Maintained Secondary Schools	1 (1 headteacher with a governor as substitute)
Academies	6 (3 secondary / 3 primary)
Special Schools	1 (headteacher or governor)
The Nottingham Nursery	1 (headteacher or governor)
Pupil Referral Unit (PRU)	1 (headteacher or governor)

Non school members

Early Years PVI*	1 representative
16-19	1 representative (from the FE colleges which serve the city)
Collective Trades Unions	1 representative (normally from Unison, GMB, NASUWT, NUT, ATL and ASCL)

* Private, Voluntary, Independent

While there is no requirement for academies members to represent different phases, it is proposed that they do so in proportion to pupil numbers in each phase (primary and secondary).

Calculations have been based on the School Census October 2013.

2.4 A proposed revised constitution can be found at Appendix 1 to this report. A copy of the current constitution is included at Appendix 2 for comparison. Changes have been made to include the following:

- a) the changed membership as outlined in paragraph 2.3 above;
- b) an annual refresh of the constitution, including consideration of membership, (in line with the EFA guidance);
- c) proposals for revised election procedures (now presented as an appendix to the proposed constitution) to reflect the discontinuation of Education Improvement Partnerships (EIPs);
- d) strengthened voting arrangements to reflect clarification in the EFA guidance.

In line with the Council's Accessible Information Policy it is proposed that the constitution is refreshed in plain English.

2.5 The current regulations (Schools Forum (England) Regulations 2012) require the Forum to meet at least 4 times a year. In practice, the Forum has met more frequently than this. It is proposed to meet 6 times per year as this more appropriately reflects the Forum's pattern of business.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 To keep the current constitution: not a practical option in the light of the new EFA guidance.
- 3.2 To keep the current level of membership: this would keep the Forum unwieldy and make discussion and decision making less efficient and effective.
- 3.3 To keep the current membership while updating the constitution: this would not reflect the EFA guidance to keep schools membership broadly proportionate to pupil numbers in different categories.

4. OUTCOMES/DELIVERABLES

- 4.1 The recommendations in this report aim to contribute to efficient, effective and lawful decision making by the Schools Forum.

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 5.1 There are no direct financial implications or value for money issues arising from this report.

6. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

- 6.1 The risk of having a constitution which is not in line with the EFA guidance and which is not clear on decision making is to expose the Forum to unlawful decision making.

7. OBSERVATIONS OF THE DIRECTOR OF FAMILY COMMUNITY TEAMS

7.1 None.

8. HR ISSUES

8.1 None.

9. EQUALITY IMPACT ASSESSMENT

9.1 An equality impact assessment is not needed as the report does not relate to new or changing policies or functions.

10. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

10.1 None.

11. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

11.1 Schools Forums: operational and good practice guide for local authorities and members of Schools Forums, October 2013, Education Funding Agency
<https://www.gov.uk/government/publications/schools-forums-operational-and-good-practice-guide-2013>