

Council – 12th January 2009

Schools Forum

1. Summary of report

This report seeks the Councils approval to the establishment of a Schools Forum under The Schools Forum (England) Regulations 2002 as amended by The Schools Forum Regulations 2005.

2. Recommendations

That a Schools Forum be established under The Schools Forum (England) Regulations 2002 as amended by The Schools Forum Regulations 2005.

3. Background information

- 3.1 The Schools Forum (England) Regulations 2002 required local education authorities to establish a schools forum for their area by 15th January 2003.
- 3.2 At the time the regulations were implemented, education services in Walsall, were controlled by Education Walsall (Serco), education services in Walsall having been taken out of the control of Walsall Council, following OFSTED inspections over the 2001/2002 period. Education Walsall set up a working group to consider the constitution of a schools forum and subsequently established a schools forum for Walsall. A copy of the constitution for the Schools Forum is attached as an **Appendix**. In consequence of the Schools Forum Regulations 2005, the membership of the forum was varied to include representation from private/voluntary/independent schools as well as observers to include the Director of Finance – City Academy, Black Country Learning and Skills Council, Pupil Referral Unit and Cabinet portfolio holder for Children's Services.
- 3.3 The current arrangement had been delivered solely by Serco since the inception of the intervention contract in December 2002. The Council invoked an extension of the contract for a further two years in July 2006.
- 3.4 Cabinet, at a meeting on 21st March 2007, was advised that by self sealing contract the current arrangements with Serco would end on 31 July 2008 and that the local authority had the opportunity to exercise its statutory role and seek the best commercial and professional support for schools, children and young people of Walsall, and the professional staff who work for them. Cabinet considered various options and agreed Option 4, to secure services by focussing on organisations with pre-qualified abilities and experience.

- 3.5 Having undertaken the necessary process, Council subsequently agreed to re-engage Serco for a period of 12 years to continue to provide education services to the borough of Walsall.
- 3.6 To regularise the situation, to ensure continuation of the Schools Forum in its current guise and to ensure compliance with the regulations, Walsall Council will need to establish a schools forum as the current education authority, notwithstanding the fact that the Council has chosen Serco to run education services on its behalf.
- 3.7 Section 43 of the Education Act 2002 requires local education authorities to establish a Schools Forum to represent governing bodies and head teachers of LEA maintained schools.
- 3.8 The Schools Forum (England) (Amendment) Regulations 2008, expanded the role of the Schools Forum to include powers to allow the LEA to increase the amount of central expenditure they are able to hold according to the regulations by approving:
- Changes to the central expenditure
 - Prudential borrowing
 - Premature retirement and redundancy costs
 - SEN transport
 - Combined budgets (Every child matters agenda)
 - Schools contingency funding

In addition to its decision making function, the Schools Forum acts in an advisory capacity and is consulted by the LEA on any issue relating to the Every Child Matters agenda.

- 3.9 In accordance with the Schools Forum (England) Regulations 2002 as amended in 2005, membership of Schools Forum consist of school members i.e. governors of maintained, nursery, primary, secondary and special schools; head teachers of schools in each group as well as governor/head teacher representatives of schools of a particular category e.g. voluntary aided, grammar, private, voluntary and independent and foundation schools. A representative of the City Academy, Black Country LSC, Pupil Referral Unit and Cabinet portfolio holder for Children's Services are invited to attend as observers.

The present membership comprises representatives as follows:

- Primary Head Teachers (4)
- Secondary Head Teachers (4)
- Special Schools (1)
- Nursery Schools (1)
- Early Years Development Childcare Partnership (1)
- Primary School Governors (4)
- Secondary School Governors (4)
- Special School Governor (1)
- Church of England Diocese
- Catholic Church Diocese

- Staff side association
- Private/voluntary independent schools
- Observers:
 - Director of Finance, City Academy
 - Black Country Learning and Skills Council
 - Pupil Referral Unit
 - Cabinet portfolio holder, Children's services

4. Resource considerations

- 4.1 **Financial:** None arising from the report. Local authorities must consult their Schools Forum about any proposed changes to the school budget formula previously agreed in relation to the factors and criteria taken into account and the methods, principles and rules adopted.
- 4.2 **Legal:** The local authority is obliged by statute to consult with Schools Forum on budget proposals.

5. Citizen impact

In addition to its decision making function the Schools Forum acts in an advisory capacity and is consulted by the LEA on any issue relating to the Every Child Matters agenda.

6. Community safety

None arising from the report.

7. Environmental impact

None arising from the report.

8. Performance and risk management issues

- 8.1 **Risk management** Risk management is embedded in the Council's budget preparation.
- 8.2 **Performance management** – Schools to which budgets are devolved have specific targets with regard to the education of pupils. Governing bodies would also have a responsibility.

9. Equality implications

The number of registered pupils at schools are taken into account when funding formulae is drawn up.

10. Consultation

The 2002 Education Act required local education authorities to establish a Schools Forum to represent governing bodies and head teachers of local education authority maintained schools.

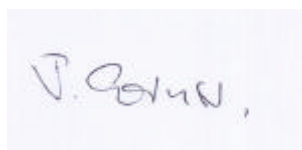
Background papers

All published – Schools Forum (Amendment) Regulations 2005

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Signed:

A rectangular box containing a handwritten signature in blue ink that reads "J. Garner,".

Date: 2nd January 2009

WALSALL SCHOOLS FORUM CONSTITUTION

Introduction

Section 43 of the 2002 Education Act, requires Local Education Authorities to establish a Schools Forum to represent governing bodies and head teachers of local education authority maintained schools. As a result of the Schools Forum (England) (Amendment) Regulations 2005, the role of Schools Forums has been expanded to include powers to allow their Local Education Authority to increase the amount of central expenditure they are able to hold according to the regulations by approving:-

- Changes to the Central Expenditure Limited;
- Prudential borrowing;
- Premature retirement and redundancy costs;
- SEN transport;
- Combined budgets (Every Child Matters agenda);
- Schools' contingency funding.

Role of the Schools Forum

In addition to its decision making function as set out in the introduction the Schools Forum acts in an advisory capacity and is consulted by the LEA on:-

- Any issue relating to the Every Child Matters agenda

Membership of the Schools Forum

Membership of the Schools Forum is specified within the Schools Forum regulations 2005. Within these guidelines, the LEA has determined the membership as shown below:-

Schools Members

4 primary head teachers to be appointed through the primary forum;

4 secondary head teachers to be appointed through the secondary forum;

1 special school head teacher to be appointed through primary forum;

1 nursery head teacher;

1 Early Years Development Child Care partnership rep;

4 primary governors;

4 secondary governors;

1 special school governor.

(Nominated substitutes to formally take part in meetings in their absence)

Non-School Members

1 Church of England diocesan representative;

1 Catholic diocesan representative;

Observers

1 City Academy representative (non-voting);

1 LSC representative (non-voting);

1 Pupil Referral Unit rep (non-voting);

Cabinet Portfolio holder for Children's Services

LEA Representation

Any elected member who does not hold an executive role within the authority or officer of the authority who is not a member of the Forum may attend meetings of the Forum and shall be entitled to speak at such meetings.

Observers

The authority may also ask other observers to attend Schools Forum meetings, (these might include expert advisors on relevant issues). It can also invite any other body to do so, this would be in addition to the non-voting observers indicated.

Substitutes

Only formally nominated named substitutes can take part in meetings when the main member is unavailable.

Voting

All members of the Forum are voting members with the exception of co-opted members, the LSC representative, City Academy representative, pupil referral unit representative and the Cabinet Portfolio holder for children's services.

Each member will have one vote, and in the event of a tied vote, the Chairman may exercise a casting vote.

Period of Office

The period of office for head teachers and governors will run for four years from 1 April 2006 (for re-elected Members this to be a new term of office). Any vacancies arising during this period, will be appointed for the remainder of that term of office.

Members shall cease to be members if they cease to be representative of the organisation appointing them.

The period of office to be staggered to maintain continuity of experienced Forum Members.

Election of Chair and Vice-Chair

The Chair and Vice-Chair will be elected annually at the first autumn term meeting of the Forum for a period of 12 months.

Election and Appointment of School Members

The election of primary school and special school representatives be undertaken by the primary forum and the appointment of secondary school representatives be undertaken by the secondary forum.

The election of governor representatives shall be undertaken by a ballot of all governors, the ballot to take place once a year if necessary during the summer term and vacancies arising mid term to be filled from identified substitutes.

Election and Appointment of Non-School Members

The relevant Diocesan organisation shall nominate representatives to the non-school members group for a term of office of 4 years and shall nominate named substitutes.

Conduct of Meetings

The Forum will meet a minimum of five times a year, with two meetings in the spring, one meeting in the summer and two meetings in the autumn.

In the event of additional meetings proving necessary, the Clerk in consultation with the Chair or in his absence the Vice-Chair be authorised to make the necessary arrangements.

Urgency Sub-Committee

- An Urgency Sub-Committee of five Members (quorum 3) be established comprising:-
 - 2 Head Teachers
 - 3 Governors
 - Plus Chairman (ex-officio)
- To meet to discuss matters of urgency; urgency correspondence will be circulated to all Members and decisions taken by the Sub-Committee will be e-mailed/sent to all members and reported to the next meeting of Schools Forum;
- The Urgency Sub-Committee will comprise the first five applicable Members available to attend a meeting when contacted by telephone.

Any decisions would be referred to the next meeting of the Forum for information.

Working Groups

The Forum can establish Working Groups of members to discuss specific issues and to produce draft advice and decisions for the Forum to consider.

Quorum

The Forum will be quorate only when 40% of the total membership is present (excluding any observers) and excluding vacancies.

An inquorate meeting can proceed but cannot legally take decisions. It can respond to the Authority on consultation and give views to the Authority.

Public Access

Meetings of the Schools Forum will be held in public and its agendas, minutes and papers will be available on the Council's Committee Management and Information System and Education Walsall website.

Attendance of Portfolio Holder

The relevant Portfolio holder will be invited to meetings as an Observer with the right to speak.

Attendance of Senior Staff

Senior members of staff with resource responsibilities as well as the Director of Education/Childrens Services will be entitled to attend meetings with the right to speak.

Administration

Administration arrangements for Schools Forum will be provided by the Council's Constitutional Services section and will provide a link between the Forum, the Chair and the Local Authority. The role of the Clerk will include:-

- Provide the route by which Schools Forum members can access further information and co-ordinate communications to Schools Forum members outside the formal meeting cycle;
- Respond to queries about the business of the Forum from head teachers, governors and others who were not on the Schools Forum themselves (this could be directing people to the web site);
- Ensuring contact details of all members are up-to-date;
- Maintain the list of members on the Forum and advise on membership issues in general;
- Assist with the co-ordination of the nomination/election processes run by constituent groups;
- Ensure the Schools Forum web site was kept up-to-date;
- Monitor on a regular basis in conjunction with Education Walsall the DfES, Schools Forum web sites and general schools funding site on teachernet web site and make available any relevant DfES information to Schools Forum members;
- Provide advice in relation to the operation of the Schools Forums local constitution;
- Organise, operate and record any voting activity of the Schools Forum in line with the provisions of its local constitution;
- Produce notes of each meeting as soon as possible after the meeting to enable members and other to see the outcome of any discussions and decisions/votes taken.

Forward Plan

Schools Forum to decide at its first meeting whether it will introduce and maintain a forward plan of items for future meetings.

Annual Report

An annual report on the proceedings of the Schools Forum together with a summary of the accounts will be submitted annually for the June meeting of Schools Forum.

Resources of Schools Forum

The cost of a Schools Forum will fall within the retained budget portion of the schools budget of local authorities, the average cost being £10,000 per annum.

Members Expenses

Members will be able to claim expenses for the cost of:-

Supply cover, travel expenses, loss of earnings and child care costs.

Existing Council Procedures

These will be utilised for claiming such expenses.

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