



# Walsall Council

## Walsall Children's Services

|                               |  |
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| <b>Report to:</b>             | Schools Forum  |
| <b>Date:</b>                  | 14 June 2011   |
| <b>Subject:</b>               | Review of the Schools Forum Membership   |
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| <b>Purpose of the report:</b> | To review the membership of the Schools Forum to better reflect the range of school governance arrangements in Walsall.  |
| <b>Recommendation:</b>        | The Schools Forum endorse the LA's revised constitution for the Schools Forum in compliance with the Schools Forums (England) Regulations 2010.  |

## **1. Introduction**

- 1.1** The Academies Act 2010 is rapidly changing the governance status of a significant number of schools. As of 10 May 2011, 1,070 schools have applied to convert to Academy status of which 647 have been approved by the Department. The DfE state that approximately one third of all secondary schools are now involved in the Academy programme.
- 1.2** Despite the high number of schools involved in these early stages of the process, the DfE reported at a recent school funding conference that academy numbers are expected to peak at around 1,400 by the end of the current spending review. This will leave the vast majority of schools being maintained by their local authority.
- 1.3** There are major changes to the national system for funding schools currently under consideration by the government with the potential to have a significant impact at both local authority and individual school level. It is therefore critical to ensure that the Walsall Schools Forum has the correct representation in terms of statutory requirements and balance to properly reflect the views of all schools within the borough.

## **2. Schools Forum (England) Regulations 2010**

- 2.1** The last amendment to the Schools Forum Regulations came into force on 1 April 2010, requiring all local authorities by 1 September 2010 to,
- have at least one Academy member, where appropriate
  - review the number of academy representatives as the number of academies increases on the basis of broad proportionality
  - have a local agreement to require academies to pay the local authority if a pupil is excluded, including any local 'top-up' amounts under 'hard to place or managed moves' protocols
  - have at least one non-school member in respect of the early years, private, voluntary and independent (PVI) sector
  - have a non-school number representing the 14-19 partnership
- 2.2** Walsall has complied with all of the above requirements as detailed below:
- A Basi            14-19 Partnership member
  - A Bowater      Academy Member
  - J Morgan        Early Years PVI member

The three existing academies, Grace, Shelfield and Walsall were contacted regarding arrangements for funding to follow excluded pupils. At that time, the DfE advised that all new academies would have this requirement included within their funding agreement.

- 2.3** The regulations now stipulate that the following general rules be applied to the constitution of all Schools Forums:

- A Schools Forum must have a minimum of 15 members
- School members (including academies) must comprise at least two-thirds of the total membership
- Primary Schools, Secondary Schools and Academy membership should be proportionally represented based on the total number of registered pupils
- Have at least one Special school member to represent the Special School sector
- Have at least one Nursery School member to represent the Nursery School sector
- Have at least one Academy School member to represent the Academy sector
- Have at least one Early Years PVI sector representative
- Have at least one 14-19 Partnership representative
- Other non-school members that must be considered for Forum membership are the Diocese Board of Education for any diocese, any part of which is in the borough, the Bishop of any Roman Catholic Diocese, any part of which is in the borough and representative of any other appropriate faith groups

2.4 Within each category of schools there are groups and sub-groups each of which are responsible for selecting their own Forum members. For example the primary group can be split into headteacher and governor members, if appropriate it could then be broken down into for example community and voluntary aided schools.

2.5 However, the regulations currently treat the Academy sector as a single group for Forum membership. The Academy representatives must be elected to the Schools Forum by the governing bodies of the Academies in the authority's area.

2.6 The following section of the report includes a proposed Forum membership that is compliant with the latest regulations, and is broadly representative of the known/and anticipated school landscape in Walsall.

### 3. Proposed Forum Membership

3.1 The table below details the current pupil numbers and Forum membership across the primary, secondary and known/anticipated academy sectors, as at January 2011, excluding post 16 pupils, as their funding is not within the remit of the Schools Forum. It should be noted for clarification that although local authorities do not directly fund academies, their YPLA funding allocations are currently derived from the local authority delegated budget share formulae, and will be affected by decisions taken in consultation with the Schools Forum.

| Jan 2011 Census | Maintained Primary | Maintained Secondary | Academies (see appendix 1) | Total |
|-----------------|--------------------|----------------------|----------------------------|-------|
|                 |                    |                      |                            |       |

| Jan 2011 Census            | Maintained Primary | Maintained Secondary | Academies (see appendix 1) | Total  |
|----------------------------|--------------------|----------------------|----------------------------|--------|
| Pupil Numbers              | 23,566             | 7,182                | 10,166                     | 40,914 |
| % Pupil Population         | 58%                | 18%                  | 24%                        | 100%   |
| Current Membership (Total) | 8                  | 8                    | 1                          | 17     |
| Potential Membership       | 10                 | 3                    | 4                          | 17     |

- 3.2 Following a meeting of the Secondary Heads Forum on 7 March 2011, where the constitution and membership of the Schools Forum was discussed, four specific viewpoints were sent to the Schools Forum for consideration. The table below details the issues raised by the Secondary Headteachers and a local authority response to each point.

| Secondary Headteacher Views  | LA's Response   |
|--|---|
| As an important voice on the Schools Forum, the group should be able to propose its own representatives to the Forum.  | Each group represented on the Schools Forum has always been responsible for electing its own Forum members, and this will continue to be the case.  |
| A close eye needs to be kept on the weight of representation in these times of change to ensure that all schools of all types have their views fully and fairly represented. | The representation on a Schools Forum should be broadly proportional to the number of pupils on roll across each school member sector. The latest Schools Forum Regulations recognise that as the schools market diversifies that Forum representation should be reviewed. Following the recent increase in academies within the borough the local authority has prepared this report on Forum membership for discussion. |
| The group has confidence in the current school member who represents them at present to continue to do so in a fair and equitable manner, irrespective of the                | The regulations require Academy representatives to be elected by the governing bodies of all academy schools. However, as the majority of Academies in Walsall are secondary  |

| Secondary Headteacher Views  | LA's Response  |
|--|--|
| schools status (Academy conversion)  | <p>schools, and the funding decisions will apply equally to both sectors, in the majority of instances, then there is no reason why secondary academy and secondary maintained School Forum members cannot continue to represent the whole secondary sector.</p> <p>However, the Academy schools will need to organise an election to select their own members. Continued representation by experienced Forum members from all groups would be beneficial to the local authority as we move into more financially challenging times ahead.</p> |
| The Forum should allow the present Secondary Headteacher members to continue to represent them on the Forum. | The Regulations require each relevant group to elect its own members to the Schools Forum. The Secondary Headteachers Forum and the governing bodies of all Walsall Academies must continue to elect their own members, the Local Authority has no powers of intervention in this matter.  |

- 3.3 After considering the revised school governance structure in Walsall, it is proposed that a new proportional Schools Forum membership is implemented with effect from the 27 September 2011, as detailed below, and that this be reviewed on a **bi-annual basis**

|                             | School Forum Members | Type of member                 |
|-----------------------------|----------------------|--------------------------------|
| Primary Sector              | 10                   | 5 Headteachers and 5 Governors |
| Secondary Sector            | 3                    | 2 Headteachers and 1 Governor  |
| Academies                   | 4                    | 2 Headteachers and 2 Governors |
| Special Sector              | 2                    | 1 Headteacher and 1 Governor   |
| Nursery Sector              | 1                    | 1 Headteacher                  |
| PVI Sector                  | 1                    |                                |
| 14-19 Partnership           | 1                    |                                |
| C of E Diocese              | 1                    |                                |
| Catholic Diocese            | 1                    |                                |
| Staff Side Associations Rep | 1                    |                                |

|                      | School Forum Members | Type of member |
|----------------------|----------------------|----------------|
| Pupil Referral Units | 1                    | 1 Head of PRU  |
| Total                | 26                   |                |

3.4 It is proposed that an additional representative is added to the Schools Forum membership to represent Pupil Referral Units, as they will receive their own delegated budget from 1 April 2012. This representative can also be the advocate for all children who are not in mainstream or maintained special schools.

3.5 Until elections have taken place the current Schools Forum membership will be maintained.

#### 4. Election to the new Forum Constitution

4.1 All maintained schools confirm their Schools Forum membership on an annual basis, and this will continue at the start of each academic year.

4.2 Governor representatives to the Schools Forum are elected through a formally organised election process. The new constitution, vacancies and the expiry of current terms of office will create the following governor vacancies for September 2011:

- Primary 3
- Secondary 1
- Academies 1
- Special 1

The local authority will undertake an election process to fill these vacancies at the earliest opportunity.

4.3 The four new academy representatives should be elected by the governing bodies of all academies within the borough. The local authority would be willing to facilitate this election process, as there is no separate network in place across the academy sector.

#### 5. Summary and Recommendations

5.1 This is a lengthy and complex report, but it is imperative that the Schools Forum has the full facts when taking important decisions regarding its future composition.

5.2 The local authority is responsible for establishing the constitution of its Schools Forum. However, Walsall Schools Forum is an important and participative

partner in all matters relating to the funding of local schools and in order for this good working relationship to continue, the Forum must be supportive of the proposals within this report.

- 5.3** The Schools Forum is recommended to support the revised Schools Forum membership detailed in paragraph 3.3 of this report.

## Appendix 1

Academies included within the determination of the pupil numbers detailed in Table 1.

|                  |                        |
|------------------|------------------------|
| Secondary Sector | Pupils Numbers January |
|------------------|------------------------|

|  |                                    |
|--|------------------------------------|
|  | <b>2011</b>                        |
| Shelfield Community Academy                      | 1,159                              |
| Grace Academy Darlaston                          | 765                                |
| Shire Oak Academy                                | 1,215                              |
| Barr Beacon                                      | 1,264                              |
| Queen Mary's Grammar                             | 480                                |
| Queen Mary's High                                | 479                                |
| Joseph Leckie                                    | 815                                |
| Blue Coat CE                                     | 642                                |
| Willenhall                                       | 1,349                              |
| <b>Total</b>                                     | <b>8,168</b>                       |
| <b>Primary Sector</b>                            | <b>Pupils Numbers January 2011</b> |
| Park Hall Infant Academy                         | 301.2                              |
| Ryders Hayes Academy                             | 442.2                              |
| <b>Total</b>                                     | <b>743.4</b>                       |
| <b>All Age</b>                                   | <b>Pupils Numbers January 2011</b> |
| Frank F Harrison                                 | 853                                |
| Hatherton  | 401.2                              |
| <b>Total</b>                                     | <b>1,254.2</b>                     |
| <b>Total potential Academy pupils in 2011-12</b> | <b>10,165.6</b>                    |