

CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY PANEL

21 March 2013



Plymouth Schools Forum

Introduction

The Children and Young People Overview and Scrutiny Panel have asked for a briefing to outline the role of Schools Forum.

This paper sets out the national framework governing the role of schools forums and local context and operation of the Plymouth Schools Forum.

National Framework

It is a statutory requirement for all local authorities to have a schools forum and every local authority must ensure that its schools forum is constituted and operates in accordance with the Schools Forums (England) Regulations 2012.

Membership

The regulations provide a framework for the appointment of members to ensure that all forums have school members, academy members if there is at least one academy in the authority's area and non-school members. Schools and academy members together must number at least two-thirds of the total membership and the balance between primary, secondary and academy members must be broadly proportionate to the number of pupils in each category.

The role of Executive Elected Members

A Schools Forum needs to ensure that there are systems in place for executive members of the Council to be aware of its views on specific issues and, in particular, any decisions it takes in relation to the Schools Budget and individual budget shares.

Executive members with responsibility for education/children's services or resources of the authority are able to attend Schools Forum meetings. By doing so such elected members are able to contribute to the discussion and receive first-hand the views of the Schools Forum: it is clearly good practice for this to be the case and the regulations provide the right for executive members to attend and speak at Schools Forum meetings. However, there is no requirement for this to happen so at the very least there should be clear channels of communication between the Schools Forum and executive members.

Attendance of local authority officers at meetings

Only specific officers who can speak at meetings of the Schools Forum are eligible to attend. These officers are:-

- Director of Children's Services or their representative
- Chief Financial Officer or their representative

- Any person invited by Schools Forum to provide financial or technical advice
- Any person presenting a paper to Schools Forum but their ability to speak is limited to the paper that they are presenting.

Effective Schools Forums

Central to the effectiveness of a Schools Forum is the relationship between it and the Local Authority. The Local Authority has a significant influence on this: the support it provides; the resources it devotes and the weight it gives to the views of Schools Forums all contribute to the nature of the relationship. There are therefore a number of characteristics of this relationship that are particularly important:

Partnership

The work of the schools forum is most effective when there is genuine partnership between all members and the local authority. In practice this means having a shared understanding of the priorities, issues and concerns of schools, academies and the local authority. However, this also means being open and honest when there are tensions or disagreements over priorities. Overall there should be a shared commitment to working together on the agreed priorities and understanding of the contribution that can be made by each side to their achievement.

Effective Support

The local authority is the main source of support and guidance to a Schools Forum. It is vital therefore that the business of the Schools Forum is supported by the local authority in an efficient and professional manner. The management of meeting cycles, production of papers and the provision of good quality advice and guidance all contribute to the effectiveness of Schools Forums

Openness

It is important that a Schools Forum feels it is receiving open, honest and objective advice from its local authority. In the vast majority of cases this is the situation, but there will inevitably be some issues about which a local authority and its Schools Forum may disagree. This can cause tension but a Schools Forum should be able to feel that it is receiving all the information it needs to reach necessary decisions or informed views.

Responsiveness

Local authorities should as far as possible be responsive to requests from their Schools Forums and their members. These may include requests to discuss particular topics or issues as well as requests for information, data or other support. However, Schools Forums themselves should also be aware of the resource implications of their requests.

Strategic View

Schools Forums are most effective when they take a strategic view of the issues they are considering. While members of a Schools Forum are representatives of their specific sector or phase, they should be able to consider the needs of the whole of the educational community, rather using their position on a Schools Forum to advance their own sectional or specific interests. Schools Forum chairs have a particularly important role in ensuring that this is the case: they can influence the kinds of issues and topics discussed and should set the tone for the discussions at meetings. Equally, local authorities have a role in ensuring that all members of a Schools Forum are well briefed and able to participate fully in discussions.

Challenge and Scrutiny

Schools Forums may be asked to agree to proposals from their local authority that will have an effect on all schools and Academies in the local area. The extent to which Schools Forums can scrutinise and challenge such proposals is an important aspect of their effectiveness. Many local authorities and Schools Forums pride themselves on the collegiate nature of their relationship and the consensus by which they operate: others may be less concerned about this. Whatever the

nature of the relationship, however, there will be instances where it is incumbent on a Schools Forum to challenge and scrutinise a local authority's decisions, proposals or existing arrangements. Effective local authorities and Schools Forums manage this well and while agreement can often be reached under relatively informal circumstances, it is vital that there are formal procedures in place to ensure that any decisions the Schools Forum makes are reached in an appropriate and transparent manner.

Schools Forum Powers

The Local Authority and Schools Forum powers are defined by regulation and are set out in Annex A.

Plymouth Schools Forum

Membership

Chair – John Stephens (Headteacher - Goosewell Primary School)

Vice Chair – Wendy Brett (Principal – Sir John Hunt Community College)

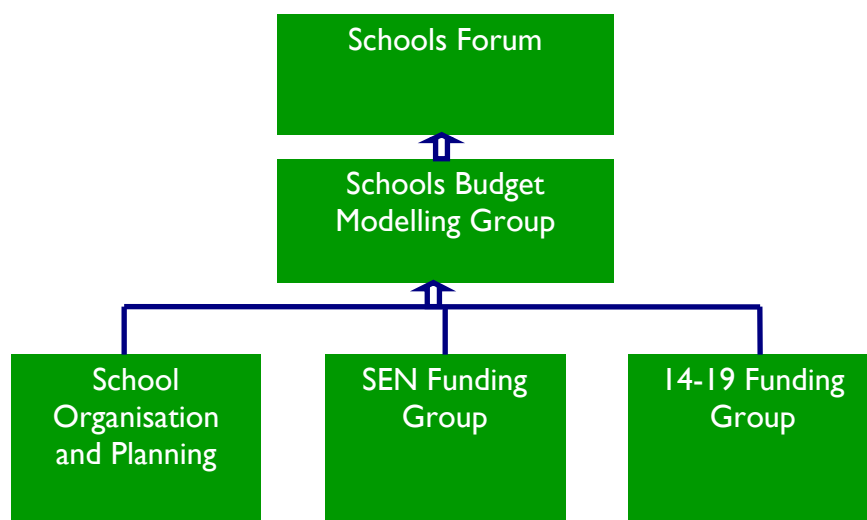
Clerk – Jayne Gorton (Senior Education Officer)

The full constitution and terms of reference is shown in Annex B. Note – the constitution and terms of reference has not been updated to reflect the 2012 regulations due to the absence of the Clerk. The regulations have been discussed at Schools Forum and will not have a material impact on the constitution or terms of reference.

Working Groups

In order to manage the detailed work and fully engage with members regarding key business issues a number of working have been established and report back to the full Schools Forum.

The chart below shows the current structure of the Schools Forum and working groups:



Each working group will operate according to the terms of reference and business plan agreed by the Schools Forum.

Effectiveness of the Plymouth Schools Forum

The Plymouth Schools Forum in the main operates effectively and the Local Authority has a good working relationship with the Schools Forum. There is good evidence that the members seek to represent the views of all schools and appreciate the range of issues across the different school phases i.e. nursery, primary, secondary and special. Examples of how this relationship has supported both local and national priorities recently include:

1. Transforming support for Special Educational Needs (SEN) pupils
2. Implementation of national school funding reform
3. Stabilising the Schools Budget
4. Investing in strategic opportunities to support priorities such as Plymouth Teaching Schools Alliance to support school improvement and the Excellence Cluster to support early intervention and prevention
5. Accelerating the capital programme through prudential borrowing

Direction of travel

Given the challenges the Local Authority is facing regarding reducing resources and changing responsibilities there is an opportunity to work strategically with Schools Forum to shape the educational landscape for the City. The Schools Forum will be a critical partner in ensuring the cities priorities for children are delivered effectively.

Recommendation

1. The panel note the Schools Forum legal framework and recognise how it interacts with the Local Authority.

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Annex A

Local Authority and Schools Forum Powers

	Function	Local Authority	Forum	DfE Role
1	Formula Change (including redistributions)	Proposes and decides	Must be consulted. [Voting restricted to schools members plus PVI members]	None
2	Contracts	Propose at least one month prior to invitation to tender, the terms of any proposed contract	Gives a view	None
3	Financial Issues relating to: - arrangements for pupils with special educational needs; - arrangements for use of pupil referral units and the; - education of children otherwise than at school; - arrangements for early years provision; - administration arrangements for the allocation of central government grants.	Consult annually	Gives a view and informs the governing bodies of all consultations carried out in lines 1, 2 & 3	None
4	Minimum funding guarantee	Proposes any exclusions from MFG for application to DfE	Gives a view	Approval
5	De-delegation for mainstream schools for: contingencies administration of free school meals insurance licences/subscriptions staff costs - supply cover support for minority ethnic pupils/underachieving groups behaviour support services library and museum services	Will propose	Primary and secondary school member representatives will decide for their phase.	Will adjudicate where Forum does not agree LA proposal
6	Central spend on: funding for significant pre-16 pupil growth equal pay back-pay places in independent schools for non-SEN pupils early years expenditure	Proposes	Decides	Adjudicates where Forum does not agree LA proposal
7	Central spend on: admissions servicing of schools forum carbon reduction commitment capital expenditure funded from revenue contribution to combined budgets schools budget centrally funded termination of employment costs schools budget funded prudential borrowing costs	Proposes up to the value committed in 2012/13 and where expenditure has already been committed	Decides for each line	Adjudicates where Forum does not agree LA proposal
8	Carry forward a deficit on central expenditure to the next year to be funded from the schools budget	Proposes	Decides	Adjudicates where Forum does not agree LA proposal

	Function	Local Authority	Forum	DfE Role
9	Scheme of financial management changes	Proposes and consults GB and Head of every School	Approves	Adjudicates where Forum does not agree LA proposal
10	Membership : length of office of members	Decides	None (but good practice would suggest that they gave a view)	None
11	Membership: appointment of Schools and Academies Members	Appoints those elected by members of the relevant sub groups. Facilitates election where required and appoints member if there is a tie or the election does not take place by a date set by the LA	None	None
12	Membership: Non Schools Members	Seeks nominations from the relevant bodies then appoints	None (but good practice would suggest that they gave a view)	None
13	Voting Procedures	None	Determine voting procedures	None
14	Chair of Forum	Facilitates	Elects <i>(may not be an elected member of the council or officer)</i>	None

PLYMOUTH SCHOOLS FORUM

CONSTITUTION AND TERMS OF REFERENCE

Plymouth Local Authority and its partners in the provision of education within the City of Plymouth establish the Plymouth Schools Forum: Schools Consultative Group, pursuant to the Schools Forums (England) Regulations 2002, amendment regulations in 2004, 2005 and 2008 and the Schools Forum (England) Regulations 2010.

1. Membership

The members of the Group will be drawn from:

Nursery Sector	-	1 Headteacher
Primary Sector	-	5 Headteachers
	-	2 Governors
Secondary Sector	-	5 Headteachers
	-	2 Governors
Special Sector	-	1 Headteacher
	-	1 Governor
Academy (Old Style)	-	1 Principal/Governor
Non School	-	1 Teacher Union
	-	1 Non - teaching Union
	-	3 Elected Members (2 from ruling group/1 from opposition)
	-	1 All Children First
	-	2 Diocesan Authorities
	-	1 Early Years (PVI sector)
	-	1 14- 19 Representative

2. Election and appointment of Schools Members

Schools Members will be appointed so as to ensure that all sectors of education in Plymouth are represented on the Forum.

Schools Members will be appointed by the LA following nomination from the relevant sector organisation recognised by the LA (i.e. Plymouth Association of Secondary Headteachers, Plymouth Association of Primary Headteachers, Special Headteachers of Plymouth and Plymouth Association of Governors,

Schools Members will hold office for four years from the date of appointment by the LA.

The LA may end the membership of the Forum of any Schools Member who ceases to hold the office by which he or she became eligible for appointment to the Forum.

3. Elections and appointment of non-school members

Non-Schools Members will be appointed from nominees put forward by the various representative bodies.

Non-Schools Members will hold office for four years from the date of appointment by the LA.

The LA may end the membership of the Forum of any Non-School Member who ceases to hold the office by which he or she became eligible for appointment to the Forum.

A number of specified groups will be invited to nominate a representative to be a member of the group and to take full part in discussions, but will not be given voting rights.

The groups are:

- Plymouth All Children First
- Early Years (PVI Sector)
- 14 – 19 Representative
- The Exeter Diocesan (CE) Board of Education
- The Plymouth Diocesan (RC) Board of Education

4. Observers

Observers will be appointed at the discretion of the Forum.

5. Appoint of Chair and Vice Chair

The Forum will appoint, at its first meeting after August, a Chair and Vice Chair, from its Voting Members for a two year appointment.

The Forum may not elect as Chair any member of the forum who is an elected member or Officer of the authority.

6. Meetings and proceedings of the schools forum

The schools forum must meet at least four times a year and are quorate if at least two fifth (40%) of the total membership is present at a meeting. If the Forum is inquorate it may continue to meet but the LA is relieved of the obligation to take into account the views of the Forum whilst inquorate.

Any elected member of the authority who is not a member of the forum may attend and speak at meetings of the forum at the request of the forum.

The proceedings are not invalidated by:

- (a) any vacancy among their number;
- (b) any defect in the election or appointment of any member; or
- (c) any defect in the election of the chair.

The authority must make arrangements to enable substitutes to attend and vote at meetings of the forum on behalf of schools members, Academies and non-schools members in consultation with members of the forum.

The Forum will, from time to time, establish working groups.

The members of the Forum will report back to their organisations discussions and consultations conducted by the Group.

7. Conduct of meetings

The meetings will not be held in public and particularly sensitive items will be discussed under Part 2.

Members will be required to make declarations of interest relating to any potential personal gain.

Members should seek to represent the views of their sector/area of work and not their individual establishment.

The principle of collective responsibility for decisions made by the Forum will apply.

Members will recognise the importance of confidentiality when discussing sensitive information.

The seven principles of public life will apply to Members (i.e. Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, and Leadership).

8. Consultation on Contracts

The authority must consult the schools forum on the terms of any proposed contract for supplies or services (being a contract paid or to be paid out of the authority's schools budget where the estimated value of the proposed contract is not less than the threshold which applies to the authority for that proposed contract pursuant to regulation 8 of the Public Contracts Regulations 2006 (13) at least one month prior to the issue of invitations to tender.

9. Consultation on financial issues

The authority must consult the schools forum annually in respect of the authority's functions relating to the schools budget, in connection with the following:

- (a) arrangements for the education of pupils with special educational needs;
- (b) arrangements for the use of pupil referral units and the education of children otherwise than at school;
- (c) arrangements for early years provision;
- (d) arrangements for free school meals;
- (e) administrative arrangements for the allocation of central government grants paid to schools via the authority

The authority may consult the forum on such matters concerning the funding of schools as they see fit.

10. Consultations

The schools forum must inform school governing bodies of schools maintained by the authority of any consultation carried out by the authority under paragraphs 6 and 7 above.

11. Administration

The LA will supply a Clerk to the Forum who will be responsible for:

- maintaining the membership record and keeping schools advised (as required by the Regulations)
- preparing agendas and reports as appropriate
- convening meetings
- writing and disseminating the minutes

- Papers will be emailed to all members 7 days prior to the meeting
- Minutes will be emailed to members 10 days after the meeting

12. Schools Forum Expenses

The authority must pay the expenses of the schools forum and charge those expenses to the schools budget.

13. Members' Expenses

The authority must reimburse all reasonable expenses of members in connection with their attendance at meetings of the forum and charge those expenses to the schools budget.

The Plymouth Schools Forum: established on 11 December 2002

Constitution Revised – 27 September 2010.