

20 March 2017

Agenda Item: 11

REPORT OF THE ACTING SERVICE DIRECTOR, EDUCATION STANDARDS AND INCLUSION

SCHOOLS FORUM AND EDUCATION TRUST BOARD OFFICER GROUP REPORT

Purpose of the Report

1. To advise Members of the Committee on the legal status, composition and constitution of the Schools Forum and update Members on its work.
2. To advise Members of the Committee of the terms of reference, composition and recent work of the Education Trust Board.

Information and Advice

Schools Forum

3. The Government requires that each local authority (LA) maintains a Schools Forum to represent its schools' views on matters relating to the total Schools Budget. There are national regulations which govern the composition, constitution and procedures of Schools Forums. However, the responsibility for determining the local funding formula for schools and early years providers lies with the local authority.
4. Schools Forums are made up of representatives from schools and academies, but with some representation from other non-school organisations, such as nursery and post-16 education providers. Schools and academies representatives should be roughly proportionate to the number of pupils in each sector. In Nottinghamshire, the membership is reviewed annually to ensure that this proportional representation is maintained.
5. In Nottinghamshire, the current Forum membership is made up as follows:-

School and Academy membership (based on pupil population):

- 16 head teacher representatives - 1 maintained secondary school, 6 academies, 7 maintained primary schools, 1 maintained special schools, 1 academy special school
- 5 governor representatives – (minimum 1 maintained primary school, 1 maintained secondary school, 1 academy and 1 special).

Non-school membership:

- 2 PVI early years representatives
 - 2 Diocesan representatives – 1 Roman Catholic and 1 Church of England
 - 1 16-19 institution representative (non-school or academy)
 - 2 trade union representatives (1 teaching union & 1 non-teaching union).
6. The Forum is chaired by an annually elected member and is required to meet at least four times a year.
 7. The role of the Forum is to act as a consultative body on some issues and a decision making body on others.
 8. The Forum acts in a **consultative** role for:
 - changes to the local funding formula and operation of the minimum funding guarantee
 - changes to or new contracts affecting schools
 - arrangements for pupils with special educational needs, in pupil referral units and in early years provision.
 9. Members of the Forum have a responsibility to represent the interests of their peer group by whom they are elected, and can reasonably expect to be canvassed by schools and academies. Members are also expected to provide feedback to their peers.
 10. The Local Authority's role is to ensure that there are suitable arrangements in place for the organisation and administration of the Schools Forum to ensure that it is effective in its operation. Part of this is to ensure that Forum meetings are open to the public and papers are made available on a public website.
 11. The Forum is **responsible** for decisions on:
 - how much funding may be centrally retained within the Dedicated Schools Grant
 - any proposed carry forward of deficits on central spend from one year to the next
 - proposals to de-delegate funding from maintained primary and secondary schools
 - changes to the scheme of financial management.
 12. Following the annual consultation on the local funding formula for allocating the 2017/18 budget to schools and academies, it was decided to keep factors consistent with the 2016/17 formula.
 13. The Schools Forum has recently formed a sub-group to investigate the effects of the national funding formula on Nottinghamshire's schools and academies. The national funding formula will see budget allocations given directly by the Education Funding Agency to schools and academies from 2019/20. The sub-group is leading on the Schools Forum's response to the consultation on the proposed formula and looking at ways to manage the transition between the current local formula and the national funding formula.
 14. Stage one of the national funding formula consultation stated that:

“In advance of introducing the ‘hard formula’, we will carry out a review from first principles of the role, functions and membership of schools forums.”

Therefore, this leaves a degree of uncertainty over the future of the Schools Forum.

Education Trust Board

15. As Members will be aware, the Department regularly seeks the views of headteachers and governors through a range of consultation processes. These consultations vary from statutorily required consultation over such matters as a school’s closure, amalgamation or expansion, through to more informal processes such as e-mailing schools to seek their comments on proposed strategy or policy changes which affect them. Since the report to Members in February 2016, to date, the Education Trust Board has supported consultation and stakeholder feedback to matters such as the Council’s revised Schools Causing Concern Strategy and the emerging policy around full cost recovery for excluded pupils; the Trust Board has also played a key role in informing the ongoing development of key strategies in relation to strategic school place planning and the work of the Council’s services to support small schools.
16. Therefore, the Education Trust Board continues to fulfil an important role in involving headteachers and governors actively as the Department continues to evolve as a result of the on-going changing educational landscape as a result of national education policy. The defined purpose of the Board is:

‘To provide a forum that enables schools to be active participants in guiding innovation and strategy and in shaping service delivery to raise attainment and achievement of children and young people in Nottinghamshire’.
17. The Education Trust Board comprises two headteacher phase boards, one for primary, and special schools, and a board to represent the views of school governors. Since April 2015, the secondary board has ceased as attendance at these meetings had declined. Partnership working with secondary headteachers has continued however, and the termly headteacher briefings and yearly conference, along with the formal partnership work with Teaching School Alliances, has ensured that the views of secondary partners are heard and have continued to inform policy and partnership work with secondary schools.
18. As there are only 11 special schools, it was the preference of the headteachers that each of them should be on their board. In the case of the governors board, each district of the Council has a governor representative, as well as there being an equal number of representatives nominated by the Nottinghamshire Association of Governors (NAGS).
19. Each of the boards elects their chair. The boards are served by the Acting Service Director for Education Standards and Inclusion, with other officers attending as required, according to the agreed agendas. Both members and officers may put forward items for the agenda, with the final version being approved by the chairs. The Chairs of Trust Boards elect one of their members to represent education on the Children’s Board of the Local Authority. Currently, this role is taken by the Chair of the Primary Education Trust Board. **Appendix 1** presents an overview of membership of the Education Trust phase boards.

20. Over the past year, members of the primary phase board have engaged with the following agendas:
- Consultations around Fair Funding and High Needs Funding
 - Small Schools Strategy
 - Place Planning Strategy opening of new schools
 - the Council's Special Educational Needs & Disability (SEND) Review Consultation
 - White Paper update
 - Statutory Guidance for Schools Causing Concern (SCC) Guidance for Local Authorities and Regional Schools Commissioners - March 2016
 - Statutory Guidance for Local Authorities on Children Missing Education - September 2016
 - Zero interest energy-saving loans to schools
 - Primary school PANs (Planned Admission Numbers) and net capacity – primary headteacher session FAQ discussion
 - Strategies to further raise attainment and progress at Key Stage 2
 - Full cost recovery in relation to pupils excluded from primary schools
 - Developing a shared view of inclusion in a changing educational landscape.
21. During this period, members of the special school phase board, which is incorporated into 3 of the 6 special school headteacher meetings, have engaged with the following agendas:
- the Council's SEND Review
 - Governance, including academy and federation arrangements and structures
 - Tracking Pupil Progress
 - Special School budgets and moderation of pupil needs
 - Integrated Children's Disability Service
 - Changes to children's specialist health services
 - Preparation for adulthood
 - Special school admissions
 - Changes to Ofsted.
22. Since the last report to Members in February 2016, the governors phase board has continued to meet termly and engaged with the following:
- Consultations around Fair Funding and High Needs Funding
 - the Council's consultation in relation to Nottinghamshire Multi-Agency Transition Protocol for children with SEND transitioning from children's to adults services
 - Small Schools Strategy
 - Changes to accountability and assessment levels from EYFS – KS5
 - Statutory Guidance for Local Authorities September 2016 – Children Missing Education
 - Statutory Guidance for Schools Causing Concern (SCC) Guidance for Local Authorities and Regional Schools Commissioners - March 2016
 - the Council's Schools Causing Concern Strategy Consultation (Autumn 2016).

Other Options Considered

23. None. The Schools Forums (England) Regulations 2012 govern the composition, constitution and procedures for Schools Forums.

Reason/s for Recommendation/s

24. The Council is legally required to maintain a Schools Forum for the purposes outlined in the report. The report advises Members of how the Forum is set up and the key features of its work.
25. The information on the Education Trust Board advises the Committee of a particular feature of the Department's work which influences and develops the relationship of the Council with schools.

Statutory and Policy Implications

26. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

27. The operation of the Schools Forum is financed by a ring fenced budget held within the centrally retained element of the Schools Budget.

RECOMMENDATION/S

That:

- 1) the legal status, composition, constitution and recent work of the Schools Forum be noted.
- 2) the purpose, composition and recent work of the Education Trust Board be noted.

**Marion Clay,
Acting Service Director, Education Standards and Inclusion**

For any enquiries about this report please contact:

Marion Clay
Acting Service Director, Education Standards and Inclusion
T: 0115 9773589
E: marion.clay@nottsc.gov.uk

Constitutional Comments

28. As this report is for noting only, no Constitutional Comments are required.

Financial Comments (SS 27/02/17)

29. There are no financial implications arising directly from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Schools causing concern: Intervening in failing, underperforming and coasting schools:
Guidance for local authorities and RSCs March 2016

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510080/schools-causing-concern-guidance.pdf

Children Missing Education: Statutory Guidance for Local Authorities (September 2016)

<https://www.gov.uk/government/publications/children-missing-education>

The Schools Forums (England) Regulations 2012

<http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefunding/schoolsforums/a00213728/schools-forums-england-regs-2012>

Electoral Division(s) and Member(s) Affected

All.

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