

30th November 2020

Agenda Item: 19

REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND SKILLS

SCHOOLS FORUM AND EDUCATION TRUST BOARD OFFICER GROUP REPORT

Purpose of the Report

1. To advise Committee on the legal status, composition and constitution of the Schools Forum and update Members on its work.
2. To advise Committee of the terms of reference, composition and recent work of the Education Trust Board.
3. The report also seeks approval for a further update report to be brought to the Committee on the work of the Schools Forum and Education Trust Board in 12 months and that this be included in the work programme.

Information

Schools Forum

4. 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.
5. Schools Forums are made up of representatives from schools and academies, but with some representation from other non-school organisations, such as Private Voluntary and Independent (PVI) sector and the Dioceses. 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.
6. In Nottinghamshire, the current Forum membership as of 1st September 2020 is made up as follows and further details are attached as **Appendix 1**:

School and Academy membership (based on pupil population):

- 5 maintained primary Head Teachers

- 1 maintained secondary Head Teacher
- 8 academy representatives
- 1 maintained special school Head Teacher
- 1 academy special school representative
- 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 FE representative from a Nottinghamshire College
- 2 Trade union representatives (1 teaching union & 1 non-teaching union).

Total membership: 28

As of 1st September 2020 there are 5 vacancies:

- 2 academy representatives
- 2 governor representatives
- 1 diocesan representative

7. Vacancies will be appointed to in line with the process determined by The Schools Forum Constitution.
8. The Forum is chaired by an annually elected member and is required to meet at least four times a year. Forum members are elected for a period of five years. Members can stand for a further period of five years at the end of their first term of office. Any member who has been a member for 10 years must stand down.
9. The Schools Forum has been chaired by Carlo Cuomo since September 2015 and he has served on the Schools Forum since June 2011 as the representative of the Roman Catholic Diocese. Having served as chair for the last five years he has resigned and on 17th September a new chair was appointed, James MacDonald, an academy representative.
10. The Forum acts as a consultative body on some issues and is a decision-making body on others. 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.
11. 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 through existing headteacher meetings and networks.
12. 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.

13. The Forum is **responsible** for decisions on:
 - movements of up to 0.5% from the schools block to other funding blocks
 - 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.
14. The Schools Forum continues to face significant challenges due to the budget pressures in the High Needs Block of the Dedicated Schools Grant which funds specialist services for pupils with Special Educational Needs & Disability (SEND). During the financial year 2019-2020, the High Needs Block ended with an overspend of £1.002m which was addressed through the Non-Individual School Budgets reserve. Whilst the High Needs Block received an increase of £11.833m for 2020-2021, the pressures remain and the current projected overspend is £2.3m.
15. The element of the high needs budget continuing to face the most significant pressure is that used to fund education for children in independent and non-maintained settings both within and out of Nottinghamshire as a result of parental preferences as expressed through the Education Health and Care Plan processes. Despite actions taken to minimise these costs, expenditure continues to increase year on year. Since 2018, the average cost of an INM placement has increased from £41,400 to £46,500 per annum. In addition, and as a result of increased permanent and short term exclusions, there has been a need to provide statutory education funded through the High Needs Block.
16. The Government announced a temporary amendment to the Schools Forum (England) Regulations 2012, which came into force for the period 18th June 2020 to 31st March 2021 to allow for School Forums to meet remotely while they are unable to meet physically in a room during the outbreak of coronavirus (Covid-19). This was the only amendment incorporated into the Nottinghamshire's School Forum Constitution. As of September 2020, one new academy, one new maintained special school, one new special academy and two new governor representatives have been appointed.

Education Trust Boards: Primary, Special and Governor Boards

17. 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 Committee in April 2019, the Education Trust Board has supported consultation and stakeholder feedback a range of matters.
18. Therefore, the Education Trust Board continues to fulfil an important role in involving headteachers and governors actively as the Department continues to evolve due to the on-going, changing educational landscape, as a result of national education policy. The continued 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’.

19. 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. Whilst the secondary board ceased in April 2015 as attendance at these meetings had declined, partnership working with secondary headteachers has continued through the secondary senior leader briefings although these have been interrupted by the pandemic. Formal partnership with the Teaching School Alliances continues to ensure the views of secondary partners are heard and continue to inform policy and partnership work with the secondary sector.
20. The Special School Trust Board continues to meet and is chaired on rotation by one of the 11 special school headteachers. 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).
21. The boards are served by the Service Director for Education, Learning and Skills or by one of the Group Managers for the Education, Learning and Skills Service area. Other officers attend as required, according to the agreed agendas. Trust members and officers put forward items for the agenda, with the final version being approved by the chairs. Ed Seely, Headteacher of Edgewood Primary School and member of the primary trust board, represents the collective trust boards on the Children and Families Alliance and fulfils the role of vice chair of the Alliance. **Appendix 2** presents an overview of membership of the Education Trust phase boards.
22. Over the past year, members of the primary phase board have engaged with the following agendas since March 2019:
 - GDPR/Information Governance
 - Reduced timetable collection arrangements and last part-time timetable report
 - Children Missing Education county wide data and dashboard
 - Children Missing Education and Elective Home Education Policy Consultations
 - Statutory Consultation Processes for Education, Health and Care Assessments
 - Consultation around the draft SEND Policy
 - Support to Schools Service (StSS) Staffing Structure proposals
 - Update on enhanced provision and special schools’ hub pilots
 - LA updates including identifying a representative head teacher to sit on the Improving Educational Opportunities for All Performance Board
 - Understanding behaviour in schools
 - Childcare Sufficiency
 - Children’s Services Ofsted Report
 - Developing strengths-based practices; involvement of the wider schools’ workforce
 - Pupil Place Planning
 - Proposed holiday pattern for 2020-21 and 2021-22 feedback from schools
 - School Admissions challenges

23. Whilst the Primary Trust Board meeting for the Summer term 2020 was postponed due to Covid, the LA held two extraordinary Primary Trust Board meetings in partnership with the Primary School Behaviour and Attendance Partnership (SBAP) Leads to discuss the emerging challenges around ensuring continuity of care for pupils during the pandemic, supporting school staff, developing risk assessments, meeting the needs of vulnerable pupils, and defining how the LA could most appropriately target the support available.
24. During this period, members of the special school phase board, which is incorporated into three of the six special school headteacher meetings, have engaged with the following agenda items since March 2019:
- Statutory consultation processes for Education Health and Care Plans placement requests
 - Supporting positive mental health in Nottinghamshire Schools
 - Understanding behaviour in schools
 - Identification of SEND primary needs of the Special Schools' cohort
 - Additional places in Special Schools
 - The Education Improvement Adviser for SEND's role
 - Update on SEND Policy and consultation process
 - Administration of medicines
 - Partnership working with Health
 - Self-Evaluation Framework/school improvement
 - Developing home learning opportunities
 - Special School Hubs
 - NCC sensory services
25. Since the last report to Members in April 2019, the governors phase board has continued to meet termly and engaged with the following:
- School Safe Alert Notification Protocol
 - CYP Emotional Mental Health & Wellbeing Pathways
 - Closing the Gap strategy refresh/Economic Development
 - Reduced timetable collection arrangements and last part-time timetable report
 - Children Missing Education dashboard
 - Statutory Consultation Processes for Education Health and Care Assessments and Plans
 - Draft SEND Policy
 - Update on Support to Schools Service/Education, Learning and Skills Staffing Structure
 - Update on enhanced provision and special schools' hub pilots
 - Understanding behaviour in schools
 - Childcare Sufficiency
 - SEND Policy and Consultation
 - Children Missing Education and Elective Home Education Consultation
 - Update on Nottinghamshire County Council response to the Coronavirus and recovery
 - Update on SEND Policy
 - Pupil Place Planning update.

Other Options Considered

26. No other options have been considered.

Reason/s for Recommendation/s

27. 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.
28. The Education Trust Board provides the Department with a formal process to consult with publicly funded schools throughout the academic year. This ensures that any policy or strategy developed by the Department are informed by the views of key stakeholders.

Statutory and Policy Implications

29. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment 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

30. The operation of the Schools Forum is financed by a ring-fenced budget held within the centrally retained element of the Dedicated Schools Grant.

RECOMMENDATION/S

- 1) That Committee agrees to receive a further update report on the work of the Schools Forum and Education Trust Board in 12 months and that this be included in the work programme.

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Constitutional Comments (LW 13/11/20)

31. Children & Young People's Committee is the appropriate body to consider the content of the report.

Financial Comments (SAS 14/11/20)

32. The operation of the Schools Forum is financed by a ring-fenced budget held within the centrally retained element of the Dedicated Schools Grant.
33. 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.

The Schools Forums (England) Regulations 2012

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

Nottinghamshire School Forum meetings page

<http://www.nottinghamshire.gov.uk/education/information-for-schools/schools-forum/schools-forum-meetings>

[Schools and Early Years funding – agreement of the local funding formula for 2019/2020: report to Policy Committee on 13th February 2019.](#)

[Schools Forum and Education Trust Board officer group report – report to Children and Young People’s Committee on 29th April 2019](#)

Electoral Division(s) and Member(s) Affected

All.

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