



9 February 2015

Agenda Item: 10

**REPORT OF THE 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 maintain 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.
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, 5 academies, 7 maintained primary schools, 2 maintained special schools, 1 pupil referral unit
- 4 governor representatives – 2 maintained primary schools, 1 maintained secondary school and 1 academy.

Non-school membership:

- 2 PVI early years representatives
 - 2 Diocesan representatives – 1 Roman Catholic and 1 Church of England
 - 1 14-19 partnership representative
 - 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. The work of the Forum between the period April 2012 to March 2014 was primarily focused upon members and officers understanding, considering and modelling the impact of the changes required by Government to reconfigure the distribution of the available budget between schools, in line with a smaller number of simpler criteria. During this past year, the Forum has chosen to minimise possible changes for the financial year of 2015/16. The Forum had already planned that the significant changes agreed to bring the funding formula in line with Government requirements should be tapered over a period of three years. This tapering process will be completed by the adjustments made for the financial year 2015/16.
 13. The annual consultation with schools over the distribution of the budget did, however, raise again the issue of funding for small schools. Members may recall that one of the principles of the reconfiguration of the funding formula required by Government is that money should follow the child to a greater extent than had previously been the case. The

Department for Education (DfE) now requires that at least 83% of all the funding available to schools be distributed according to the numbers of pupils in each school. This has placed significant pressure upon the budgets of small primary schools. One of the possible adjustments for 2015/16 considered by the Forum was, therefore, to increase the lump sum for all primary schools (regulations allow the distribution of a lump sum unrelated to pupil numbers, provided that all schools within each phase are treated equally). This proposal was decisively rejected by the Forum because of the impact upon larger primary schools. A working group of headteachers has been established to consider how small primary schools can best respond to this funding challenge. Members will be offered a report from this group in May or June of this year.

14. Other work of the Forum has included that of a sub-group which has proposed, and had accepted, revisions to the special schools funding formula, which sits outside the formula for mainstream schools. This sub-group has also revised the process by which funding is distributed between special schools. The Forum has been instrumental in the past two years to the implementation of the social, emotional and behavioural difficulties (SEBD) review which has involved switching significant amounts of funding from the department's budget to schools, in return for the schools retaining more of their most challenging pupils, and sharing responsibility for such inclusion within partnership groups. In particular, the cost recovery mechanism, which was introduced to enable the Local Authority to reclaim from schools which permanently excluded pupils, beyond agreed numbers, has been extended to include primary schools, although at a rate of £5,000 less than that for secondary schools.

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 or merger, through to more informal processes such as e-mailing schools to seek their comments on proposed strategy or policy changes which affect them. The Education Trust Board fulfils an important aspect of this consultation process in that it seeks to involve headteachers and governors actively as the Department considers changes in aspects of its relationship with, and service to, schools. 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'.

16. The Education Trust Board comprises three headteacher phase boards, one each for primary, secondary and special schools, and a board to represent the views of school governors. In the case of the primary and secondary boards, each has a headteacher representative from the relevant phase with each of the seven districts of the County represented by a single headteacher. 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 Nottingham Association of Governors (NAGS). Each of the boards elects their chair. The boards are served by the 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.

17. Over the past 12 months the members of the Board have debated the changes made to the national curriculum, implemented from September 2014 and beyond. The views of headteachers on these changes have already been reported to members of this Committee. The extension of the implementation of the social, emotional and behavioural difficulties (SEBD) review, including the introduction of a cost recovery mechanism with which members of the Committee are now well familiar, into the primary phase was debated extensively by the primary board and this prepared effectively for the proposal to extend this approach into the primary phase to the School Forum. Another example of where Trust Board members guided innovation and strategy is the impact of the Board on the preparation of the Children Missing Education Strategy. Board Members have also, over the past year, received presentations upon and given their advice on such issues as the introduction of free school meals into Key Stage 1, the use of the Pupil Premium and the debate concerning the funding of small schools.
18. Members of the Governors' Trust Board received a presentation from the Service Director for Children's Social Care on child sexual exploitation (CSE) and debated how governing bodies could contribute to the detection and prevention of CSE. They also received a verbal report on the progress of the Trojan Horse Inquiry and discussed how governing bodies could best defend against extremism and promote British values, such as tolerance, respect for other cultures and religions and the value of democracy.

Other Options Considered

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

Reason/s for Recommendation/s

20. 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.
21. 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

22. 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

23. 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.

**John Slater,
Service Director, Education Standards and Inclusion**

For any enquiries about this report please contact:

John Slater
Service Director, Education Standards and Inclusion
T: 0115 9773589
E: john.slater@nottsc.gov.uk

Constitutional Comments

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

Financial Comments (SS 19/01/15)

25. 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.

School Funding: agreement of the local funding formula for 2014-15 – report to Policy Committee on 13 November 2013

<http://www.nottinghamshire.gov.uk/dms/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/3185/Committee/475/Default.aspx>

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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