

Title of meeting: Schools Forum

Date of meeting: 12th July 2017

Subject: School Forum Constitution

Report from: Alison Jeffery, Director of Children's Services

Report by: Richard Webb, Finance Manager for Children's Services

Wards affected: All Wards

Key decision: No

Full Council decision: No

1. Purpose of report

1.1 The purpose of this report is to seek Schools Forum approval of the revised constitution attached at Appendix 1. The amendments proposed within this report are intended to update the Schools Forum constitution, to ensure that there is appropriate representation; particularly with the increasing number of schools converting to Academy status within the city.

2. Recommendations

2.1 It is recommended that Schools Forum:

- a. approve the revised constitution attached at Appendix 1 to take effect from 13th July 2017; and
- b. note that with the increasing number of Academies within the city, the constitution will be reviewed at least annually to ensure appropriate representation on the Forum.

3. Background

3.1. The Schools Forums (England) Regulations 2012 (as amended), together with the '*Schools Forum: operational and good practice guide*' published by the Education Funding Agency¹, set out how the membership of Schools Forums should be constituted, the requirements relating to the meetings of the schools forum and their proceedings, as well as the financial issues on which forums must be consulted.

¹ <https://www.gov.uk/government/publications/schools-forums-operational-and-good-practice-guide-2015>

3.2. In October 2014, Schools Forum approved the current constitution. The proposals contained within this report, are intended to update the Schools Forum constitution in order to ensure that there is appropriate representation; particularly with the increasing number of schools converting to Academy status within the city.

4. Proposed Changes

4.1. The membership structure is required to be reviewed regularly to ensure appropriate representation is maintained; particularly where there is a change in the number of academies in the city.

4.2. Whilst there is no specified maximum or minimum size required for a Schools Forum, it is recommended that the membership should be kept to a reasonable size. Currently there are 25 membership positions and the changes proposed below will reduce the membership number by 3 to a total of 22.

School & Academy Members

4.3. The School and Academy members together must number at least two-thirds of the total membership of the Schools Forum and the balance between maintained primary, maintained secondary and academies must be broadly proportionate to the pupil numbers in each category.

4.4. Since the last constitution was approved by Schools Forum, there have been further Academy conversions within the city, bringing the total number of Academies at the 1st April 2017 to 26 (41% of all schools).

4.5. The table below summarises the pupil numbers across the categories, (based on the October 2016 census and for Special Schools the number of commissioned places as at April 2017) and shows that Academies now account for 47% of the pupil population in the city.

Category	Number on Roll* Maintained Schools	%	Number on Roll* Academies	%	Number on Roll Total	%
Primary	10,305	78	5,372	46	15,677	63
Secondary	2,774	21	5,893	51	8,667	35
Special	137	1	377	3	514	2
TOTAL	13,216	100	11,642	100	24,858	100
%	53%		47%		100%	

4.6. Although Academies now account for 47% of the total pupil population in the city, this differs by phase as shown below.

Category	% Pupils in Maintained Schools	% Pupils in Academies
Primary	66	34
Secondary	32	68
Special	27	73

4.7. It is therefore proposed to update the structure of the Schools Forum membership in respect of the 'School Members' and 'Academy Members', as shown below, in order to maintain proportionate representation; based on the pupil numbers in each category.

School Members:

Head teacher representative - nursery phase	0	(reduced by 1)
Head teacher representative - primary phase	3	
Head teacher representative - secondary phase	2	
Head teacher representative - special phase	1	

Governors:

- Nursery phase	0	(reduced by 1)
- Primary phase	2	
- Secondary phase	1	
- Special phase	0	(reduced by 1)

Total School Members **9**

Academy Members:

Primary Academy Proprietor	2	(increased by 1)
Secondary Academy Proprietor	4	(increased by 1)
Special Academy Proprietor	1	

Total Academy Members **7**

Total School & Academy Members **16**

4.8. It proposed that the number of Academy members is increased by 1 for both the primary and secondary phases, in order to reflect the increased number of Academies in both these phases. The maintained primary and secondary representatives will temporarily remain at their current membership numbers. However, when a vacancy does arise in the future within this group, it is proposed that their membership numbers will each be reduced by 1.

4.9. The Special Governor post has been vacant for some time and the proposed removal of this post will not affect the existing membership.

4.10. School Members can include representatives of Nursery Schools, where there are any such schools in the Authority's area. As the Brambles Nursery School closed on the 31 March 2017, there are now no specific Nursery Schools within Portsmouth. As a consequence, it is

necessary to remove the Nursery representatives from the School Members category. These posts are currently vacant. The Early Years Representative will continue to represent all Early Years (Nursery) settings and providers on the Forum.

4.11. If the changes proposed above are agreed, then the split between maintained and Academy representatives in total will be 56% and 44%, respectively. However, by phase, the membership ratio more closely reflects the proportionality of their pupil numbers, as shown in the table below.

Category	School Members %	Academy Members %
Primary	71	29
Secondary	42	57

4.12. The summary below shows how the schools will be represented in total by phase (both maintained and Academy).

Primary Members	7
Secondary Members	7
Special Members	2
Total Members	16

4.13. A maintained school member must stand down from membership of Schools Forum if their school converts to Academy status, as the member will no longer occupy the office by which he or she became eligible for election.

Non-School Members

4.14. In addition to the above changes, it is also proposed that the Anglican and Roman Catholic Diocese posts be removed from the 'Non-School Members' category; as both of these posts have been vacant for some time.

4.15. The Director of Children's Services has written to both Diocese to inform them of this proposal and has highlighted that should they wish to be involved with the Forum in the future, we would welcome appropriate nominations for representatives for future vacant Maintained School or Academy posts, depending on the status of the Diocese schools at the time.

Other amendments

4.16. Other minor amendments have been made to the constitution attached at Appendix 1 in order to provide clarity, such the status of the meeting if the membership is not quorate. In addition, the Department for

Education's latest publication clarifying the powers and responsibilities has been included within the constitution and replaces the previous version.

4.17. The voting procedures have been updated to reflect the change to the Regulations that specify that only the school members of the schools forum who are representatives of primary schools, secondary schools, special schools (including pupil referral units) may vote to decide whether or not to authorise the redetermination of the schools budget shares by removal of the expenditure referred to in Part 7 Schedule 2 (items to be removed from maintained schools budget shares) of The School and Early Years Finance Regulations.

4.18. Lastly, the election of the chair and vice chair has been amended from annually to every two years.

5. Reasons for recommendations

5.1 The changes proposed within this paper are required to ensure that operation of the Schools Forum in Portsmouth is compliant with the relevant regulations and good practice guidance issued by the Department for Education.

5.2 In particular it is necessary to regularly review the Schools Forum membership to ensure that it appropriate representation is made, particularly where there is a change in the number of Academies in the city.

6. Equality impact assessment (EIA)

6.1 This report does not require an Equality impact Assessment as the proposals contained within this report do not have any impact upon a particular equalities group and seek to ensure that there is appropriate representation from both maintained schools and Academies within the city, as well as by phase (i.e. primary and secondary). The proposals also seek to ensure that the Forum operates in accordance with both the statutory requirements as well as good practice guidance issued by the Department for Education.

7. Legal comments

7.1 The proposed revised constitution reflects the requirements of the Schools Forums (England) Regulations 2012 (as amended).

8. Finance comments

8.1 There are no financial implications contained within this report.

Signed by: Alison Jeffery, Director of Children, Families and Education

Appendices:

1. Schools Forum Constitution (*including the powers and responsibilities of the Forum*)

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
The Schools Forums (England) Regulations 2012 (as amended)	www.legislation.gov.uk
Schools Forums: operational and good practice guide	https://www.gov.uk/government/publications/schools-forums-operational-and-good-practice-guide-2015

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: