



Report to: Schools Forum

Date of Meeting(s): 14th May 2015

Subject: Review of Wigan Schools Forum Constitution and Operational Procedures

Report of: Kirston Nelson - Assistant Director for Children and Families

Contact Officer: Frank Gore – Clerk to the Forum

Summary: To review and amend where necessary the current constitution of the Schools Forum and the related operating procedures.

Recommendation(s): For Schools Forum to determine as considered appropriate.

Implications:

*What are the **financial** implications?* n/a

*What are the **staffing** implications?* n/a

Risks: n/a

Please list any appendices:-

Appendix A - extract from the DfE Good Practice Guide on the decision making powers of the Forum.

1. INTRODUCTION

- 1.1 The Wigan Schools Forum is constituted and operates in accordance with the School Forums (England) Regulations 2012 and the DfE Operational and Good Practice Guidance 2013.
- 1.2 The Forum is asked to review the current Constitution and the operating arrangements to ensure they :
 - a. continue to reflect good practice
 - b. continue to serve the needs of schools, the wider education community and the Local Authority;
 - c. allow the Forum to work as a partnership to effectively manage the schools' budget and other schools' related funding
- 1.3 The report sets out the current arrangements and identifies areas for consideration.
- 1.4 Consideration of the report was deferred at the last meeting in order that additional information could be provided on pupil/student numbers. That information is now given in paragraph 2.1

2. THE SCHOOLS FORUM CONSTITUTION

2.1 The Current Position

The current constitution is as follows:

Schools Representation: (Total of 15)

- Nursery Sector representative – 1
- Primary School Headteacher Representatives – 6
- Primary School Governor Representative - 1
- Secondary School Headteacher Representatives – 3
- Secondary School Governor Representative - 1
- Special School Headteacher representatives - 1
- Academy School Headteacher representative (all sectors, including academies, Free Schools and UTC) – 1
- Pupil Referral Unit representative - 1

Non - Schools Representation: (Total of 3)

- Private, Voluntary and Independent (PVI) nursery providers - 1
- 16-19 Partnership (including FE Colleges and Sixth Form Colleges) - 1
- A recognised representative of the Headteacher; teacher associations or support unions (currently Wigan ATL) - 1

Nominated Observers: (Total of 5)

- Liverpool Catholic Archdiocese - 1
- NASUWT – 1
- NUT – 1
- UNISON 1
- Cabinet Member for Children and Young People

In respect of school representation, the latest data provided by the DfE shows the following (rounded to nearest 100):

Total number of pupils in **all** primary and secondary schools – 44,400
(Primary Sector 26,700 ; Secondary Sector 17,700)

Academies - Total number of pupils - 6,000
(Primary Academies - 1,700 ; Secondary Academies - 4,300)

Total number of pupils in Special Schools - 600

Aided Schools: Total number of pupils: 20,600
Aided Primary Schools - 14,700 ; Aided Secondary Schools - 5,900

FE and 6th Form Colleges – total students: 6,000

The above shows that :

- approx. 60% of pupils are in the primary sector and 40% in the secondary sector.
- 14% of pupils attend an academy.
- approx 46% of all pupils attend an aided school (approx. 55% of primary aged pupils and 33% of secondary aged children)
- primary school representation (8) equates to 1 member per 3,337 pupils;
- secondary school representation (4) equates to 1 member per 4,425 pupils;
- academy school representation equates to 1 member per 6,000 pupils

2.2 For Consideration

The schools representation on the Forum must number at least 2/3rds of the total membership (excluding observers). The balance between maintained primary, maintained secondary and academies must be broadly proportionate to the number of pupils in each category. Similarly the practice in Wigan has been to have representation that reflects the proportion of aided and maintained & voluntary controlled schools. The proportion of representation can be reviewed annually.

The Regulations state that the Forum must have representatives from the secondary sector;
special schools;
nursery schools; and
PRUs

There is no lower or upper limit on the number of members on the Forum. The Forum has discretion to appoint representatives of the respective Diocesan Boards of Education as non-school members.

The current practice is to allow representatives to nominate substitute representatives to attend and vote on their behalf. Those substitutes may be Headteachers from that sector/locality or be a senior member of staff from the school concerned.

2.3 Recommendation:

The Forum is asked to:

- (1) confirm it wishes to maintain the current constitution and the balance of representation;
- (2) continue the current arrangements for the nomination of substitutes and their authority to participate and vote at meetings.
- (3) agree that the balance of school representation (primary/secondary/academy and aided/maintained and vc schools) be reviewed bi-annually.

3. ELECTION AND NOMINATION OF REPRESENTATIVES:

3.1 The Current Position

Schools Representation:

- The nursery school representative is nominated by the nursery schools
- The six primary school representatives are currently nominated by the Association of Primary Headteachers (having regard to a geographical spread across the Borough and the proportion of aided/maintained and vc schools);
- The 3 secondary school representatives are currently nominated by the Wigan Association of Secondary Headteachers;
- The special school representative is currently nominated by the Wigan Special School Headteachers Group;
- The academy representative is nominated by the academy sector Headteachers
- The PRU representative is nominated by the LA.
- The two Governor representatives are nominated by the Governors Forum.

Non - Schools Representation:

The professional association representative is nominated by the LA following discussions with the respective associations.

The PVI representative is nominated by the LA following expressions of interest from PVI providers.

The 16-19 representative is nominated by the FE Colleges and Sixth Form Colleges.

3.2 For Consideration

The Forum is asked if it wishes to continue the present arrangements for the nomination of representatives.

4. TERMS OF OFFICE:

4.1 The Current Position

Schools Representatives:

The current practice is for the nominating bodies to review their nominations on an annual basis at their summer term meetings, in readiness for the meeting of the Forum in September each year. There are no restrictions on the length of the term of office a representative might serve.

Non-Schools Representatives:

The LA may review its nominees on an annual basis. There are no restrictions on the length of the terms of office those nominees may serve.

All members must cease to be members if he/she resigns or no longer holds the office by which he/she became eligible for election.

4.2 For Consideration

The Forum is asked if it wishes to continue with the current arrangements or to introduce alternative arrangements relating to the nomination/election of representatives and /or the introduction of a fixed term length of service (which may or may not allow for re-election thereafter).

5. APPOINTMENT OF CHAIR OF THE FORUM:

5.1 The Current Position

The Chair is elected from amongst the voting members of the Forum. Nominees are proposed and seconded and voting is by show of hands. The term of office is for one year, commencing from the first meeting of the new academic year. There is no restriction on the length of time a member may be appointed to the position of Chair.

5.2 For Consideration

The Forum is asked if it wishes to continue with the current arrangements.

6. ESTABLISHING A QUORUM:

6.1 The Current Position

The Regulations state that a meeting is only quorate if 40% of the total membership (excluding vacancies and observers) is in attendance. An inquorate meeting can proceed but cannot legally make decisions on any matter that is for determination by the Forum. However it could respond to an LA consultation and give its views.

6.2 Recommendation

That the Forum notes the above.

7. PROCEDURES TO BE ADOPTED AT MEETINGS OF THE FORUM

7.1 Voting

The Regulations require that all decisions of the Forum are properly minuted. Decisions are by a majority vote of those present. Where there is an equal number of votes the Chair will have the casting vote.

Voting on the schools funding formula is limited to the schools representatives. Voting on de-delegation of services is limited to the specific phase of education (e.g. primary/secondary). See Appendix A attached.

7.2 Public Access to Meetings and Reports etc.

a. The Current Position

The Regulations require that all meetings of the Forum are open to the public and that papers (agendas, minutes and reports) are also made available. The Good Practice Guidance suggests that these papers should be available to members and the public at least 7 days prior to the meeting and that minutes should be made available as soon as possible after the meeting. The Regulations make no provision for exclusion of the public from meetings during consideration of reports that contain confidential information.

Copies of agendas and minutes are currently made available to the public via the Council's Schools Forum website. However because of the confidential nature of many of the items discussed at the Forum it has not been past practice to make those reports available to the public.

Information on the schedule of meetings is provided on the website, together with information on the current constitution and membership

The Regulations do not confer on members of the public the right to speak at meetings of the Forum; however the Chair has discretion to allow that if he/she believes it would be beneficial and helpful to members.

b. Considerations

The Forum is asked to consider the arrangements to be adopted to allow reports, where appropriate, to be made available to the public prior to the meeting and where reports of a confidential nature are to be considered, the means by which they will be excluded from the public domain. The following is suggested:

- future agendas should clearly show which reports the author believes contain confidential information;
- those reports should explain why the report is considered to be confidential and not appropriate for wider circulation; these reports would not be placed on the website prior to the meeting;
- the Forum will be asked to formally confirm at the start of the meeting those reports it believes should be considered to be “confidential”
- following the meeting any report that was not deemed to be confidential but was agreed by the Forum to be so would be removed from the website; any report that the author believed was confidential but was not considered to be so by the Forum would be placed on the website for public view.
- the Forum is asked to determine if it wishes to exclude members of the public during consideration of confidential reports; there is no specific provision for this in the current Regulations.

c. Recommendation

The Forum is asked to adopt the procedures suggested at (b) above and determine any other working arrangements that it believes will promote transparency and openness in its work whilst respecting the confidential nature of some items discussed.

7.3 Attendance of Local Authority (LA) Officers at Forum Meetings

a. The Current Position

The Regulations state that no officer of the LA can be a member of the Forum; and that only the following officers can attend and speak at meetings:

- The Director of Children’s Services – or their representative.
- The Chief Financial Officer – or their representative.
- Any officer invited by the Forum to provide advice
- Any officer presenting a report (attendance limited to that item only)
- The Clerk

b. Recommendation

The Forum is asked to confirm the attendance of the above.

7.4 Frequency and Schedule of Meetings

a. The Current Position

There is a requirement that a minimum of 4 meetings of the Schools Forum are held each year. It is recommended that a schedule of meetings is agreed for the year and is made available to the public via the website.

Additional meetings can be convened, together with any meetings of an appointed Working Group. Membership of a Working Group is at the discretion of the Forum and there are no Regulations governing the convening of those meetings.

The Wigan Forum presently meets twice each school term, meetings running from September to July. It has been the practice to agree at the last meeting of the year a schedule of meetings for the following year.

b. Recommendation

The Forum is asked to agree to the current cycle of meetings and the arrangements for the setting of the schedule of meetings for the following year.

7.5 Urgent Business

a. The Current Position

Business is conducted through the agreed schedule of meetings; those meetings include an opportunity to raise an item of "Urgent Business". Where there is a need, an urgent meeting may be called at the discretion of the Chair. Alternatively the views of members may be sought (most usually by e-mail) to a specific proposal by a set date. The responses made and any subsequent action taken is then reported to the next meeting for information or confirmation.

b. Recommendation

The Forum is asked to continue to adopt the above arrangements.

8 COMMUNICATING DECISIONS OF THE FORUM

a. The Current Position

The Good Practice Guide places great emphasis on the importance of members of the Forum and the LA effectively communicating with all stakeholders the debates and decisions of the Forum. The DfE suggests options such as members reporting back to their "groups"; an annual report on the work of the Forum; a brief e-mail to schools, early years providers and

others on the decisions made (with links to the papers placed on the website); and a Schools Forum newsletter.

In Wigan it has been past practice for the minutes of the Forum to be placed on the Forum website after they have been approved at the subsequent meeting of the Forum. This is no longer seen as good practice and Forums are urged to place the minutes of meetings on the website as soon as possible after the meeting. Representatives currently report back to their respective groups or nominating bodies. The Chair will from time to time attend meetings of the nominating groups e.g. the primary and secondary Headteacher Groups to report to them and “take soundings”. In addition the Chair also reports on the work of the Forum in the termly edition of the Governors Forum newsletter.

b. Recommendation

The Forum is asked to consider if it wishes to amend its current communication arrangements, including the placing of the draft minutes on the website as soon as possible after the meeting.

CONCLUSIONS

Schools Forum to determine any proposed variations to the constitution and operational arrangements as it considers appropriate