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SCHOOLS FORUM

THURSDAY 19 JANUARY 2023

At 2.00 pm

by

Virtual Meeting - Online access, on RBWM YouTube

SUPPLEMENTARY AGENDA

Part I

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Report Title:	Schools Forum Membership Framework
Contains Confidential or Exempt Information	No – Part I
Cabinet Member:	Councillor Stuart Carroll - Deputy Chairman of Cabinet & Cabinet Member for Children's Services, Education, Health, Mental Health, & Transformation
Meeting and Date:	Schools Forum 19 January 2023
Responsible Officer(s):	Kevin McDaniel - Executive Director of People Services James Norris - Head of Finance Achieving for Children (RBWM)
Wards affected:	All

REPORT SUMMARY

This paper provides an update on the Schools Forum Membership.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Schools Forum notes the report and:

i) *is asked to discuss the contents, commenting on whether the proposed structure of members is appropriate to adequately represent all sectors.*

ii) *is asked to approve the current schedule of members and commit to proactively encouraging new applications to fill vacancies.*

REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
Schools Forum to note the contents of the report, commenting on the membership framework and providing suggestions to encourage recruitment to fil vacancies. **This is the recommended option.**	The proposed Membership Framework would provide appropriate representation for all sectors.
Continue with no changes. **This is not recommended.**	The current level of membership is insufficient.

2. KEY IMPLICATIONS

2.1 The key implications of this report are set out in Table 2.

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Schools Forum to note the contents of the report, commenting on the membership framework and providing suggestions to encourage recruitment to fil vacancies.	Schools Forum membership remains at current level which is (5) 33% of the maximum membership level.	Schools Forum membership is (9) 60% of the maximum membership level.	Schools Forum membership is (12) 80% of the maximum membership level.	Schools Forum membership is (15) 100% of maximum the membership level with a waiting list of future members.	May 2023

3. BACKGROUND

3.1 At the Schools Forum on the 26th July 2020 it was agreed that there should be 17 members consisting of 15 school members and 2 non school members. However, due to challenges in recruiting it is recommended that the number of members is reduced to 15 consisting of 13 school members and 2 non school members. The level of Membership will be reviewed in due course and reported to Schools Forum accordingly.

3.2 This paper has been written in accordance with the Schools Forum Operational and Good Practice Guide that can be found at the following link:

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

3.3 There are no direct financial implications of this report.

4. MEMBERSHIP

4.1 Schools Forum regulations provide a framework for the appointment of members.

4.2 Regulations stipulate that schools members and academies members must together, comprise at least two thirds of the membership of the forum.

4.3 Where the authority maintains the following types of school, they must be represented on the Schools Forum; Primary Schools, Secondary Schools, Special Schools, Nursery Schools and PRU's. At least one academies member must be a representative of mainstream academies.

4.4 The authority must appoint non-schools members to represent each of the local authority 16-19 partnerships and early years providers. The authority may also appoint other non-schools members to represent the interests of other bodies. In doing so, the authority must consider whether to seek nominations from the Church of England and Roman Catholic dioceses covering the area. Non-schools member may not exceed a third of the total Schools Forum membership.

4.5 There is no legislated maximum or minimum size of Schools Forum, but authorities should take into account various issues in deciding the actual size, including the need to have full representation for various types of school, and the authority's policy on representation of non-members. The local authority should keep Schools Forum to a reasonable size to ensure that it doesn't become unwieldy. Therefore, it is recommended that due to historical difficulties in recruiting Schools Forum Members the number of representatives is reviewed.

4.6 The current number of active RBWM Schools Forum members is 5, with the proposed number being 15, The proposed new blend of Schools Forum members are set out in table 3.

Table 3: Proposed Schools Forum Members

School / Non School	Sector	Type Of Member	Representative
School	Maintained Secondary	Headteacher	Chris Tomes (Acting chair)
School	Academy Primary	Headteacher	Isabel Cooke
School	Academy Secondary	Headteacher	Andrew Morrison
School	Maintained Nursery	Headteacher	Sarah Cottle
School	Maintained Special	Headteacher	Joolz Scarlett
Total	**5**		
School	Academy Primary	Headteacher	Vacant
School	Academy Primary	Governor	Vacant
School	Maintained Primary	Headteacher	Vacant
School	Maintained Primary	Governor	Vacant
School	Academy Secondary	Headteacher	Vacant
School	Academy Secondary	Governor	Vacant
School	Maintained Secondary	Governor	Vacant
School	Alternative Provision	Headteacher	Vacant
Non School	Non Schools Early Years	Non Schools	Vacant
Non School	Non Schools 16-19	Non Schools	Vacant
Total	**10**		

4.7 The above blend provides the following representation as set out in table 4.

Table 4: Blend of proposed Schools Forum Members

Headteachers	Governors	Other	N/A	Total Number of Members
9	4	2	0	15

Primary	Secondary	Other	Special	Total Number of Members
6	5	3	1	15

Academy	Maintained	Other	N/A	Total Number of Members
6	6	3	0	15

4.8   If the authority maintains one or more special schools, then one member, who may be a head teacher (or their representative) or a governors shall be appointed from this group.

4.9   If the authority maintains one or more nursery schools, then one member, who may be a head teacher (or their representative) or a governor shall be appointed from this group.

4.10   If the authority maintains one or more pupil referral units, then one member who may be a head teacher (or their representative) or a governor shall be appointed from this group.

4.11   Schools Forum define a head teachers representative to be a senior member of school staff.

4.12   The remaining members shall be appointed to represent primary schools, secondary schools and academies.

4.13   If a recalculation causes the number of representatives of a group to reduce, the first step will be to seek voluntary resignation(s). If this fails to resolve the issue then the Head of Finance shall determine by lot which existing group representatives remain.

4.14   If a recalculation causes the number of representatives of a group to increase, then an appointment process shall take place to fill the additional place(s).

5. ELECTION OF MEMBERS

5.1   Schools members shall be appointed on the basis of the process agreed by the organisation in the authority representing head teachers for the head positions and governors for the governor positions. In the absence of an appropriate organisation the Head of Finance will determine the arrangements for electing the positions.

5.2   The appointment of members for Special schools, Nursery schools and Pupil referral units shall be arranged by the Head of Finance, in consultation with the head teachers and governors of those schools.

5.3   Academy members shall be elected by the proprietor bodies of the academies. In the absence of an election, the Head of Finance shall nominate representatives to be appointed by the council.

5.4   If, following any ballot or other nomination or election mechanism, there is equality of votes/nominations; the Head of Finance has authority to make those appointments.

5.5   If following any ballot or other nomination or elections mechanism, any one school has more than one governor representative; the Head of Finance has authority to make those selections.

6. DECLARATION OF INTERESTS AND CODE OF CONDUCT

6.1   Where a member of Schools Forum feels that they may have a personal or prejudicial interest in a matter which Schools Forum is considering they are asked to seek advice from the Head of Finance on an appropriate course of action.

6.2   Members of Schools Forum are required, as part of taking up their position, to complete a form indicating their interests and agreeing to observe the members' code of conduct. The code of conduct being a requirement agreed by the council's standards committee. Members should ensure that if circumstances change their ensure up-to-date declarations of interest are available.

7. MEMBER' TERM OF OFFICE

7.1   Members term of office will be for four years from the date of their appointment.

7.2   Councillors will be appointed annually by the council.

7.3   The Chair and Vice Chair of Schools Forum shall be appointed by the forum for a period of 12 months. Council members and council officers may not hold the office of Chair or Vice Chair.

7.4   Members may be re-nominated for subsequent terms of office.

7.5   Membership attendance will be reviewed at each Schools Forum. Should levels of attendance warrant the chair or vice chair will contact any absent members to ascertain the reasons for absence and if the member wishes to continue to serve as a member of Schools Forum.

8. RECORDING THE COMPOSITION OF SCHOOLS FORUM

8.1   Each local authority must make a written record of the composition of its schools forum detailing the numbers of schools members and by which group or sub-group they were elected, the number of academies members and the number of non-schools members, their terms of office, how they were chosen and whom they represent. This record should also indicate the term of office for schools and academies members. It would be helpful if this were published on the schools forum website so schools and wider stakeholders can easily find who their representatives are.

9. SUBSTITUTES

9.1 Any member of the Schools Forum may nominate a substitute to attend and vote at the meeting of Schools Forum in their absence. Such a nomination should be notified in writing to the chair of Schools Forum or the clerk to the meeting with apologies of absence.

9.2 Named substitutes are allowed providing they fall into the same group as the member they are standing in for. A substitute for a group member must be from the same group.

9.3 A substitute for a local authority member must also be a member of the local authority.

9.4 Where the Chair and Vice Chair of Schools Forum are absent from a meeting, the Schools Forum will appoint a chair for that meeting from the attendees.

10. VOTING PROCEDURES

10.1 The Schools Forum, within the constraints of its constitution, published legislation and guidance and the need to act fairly, may determine the procedures its adopts to reach decisions. Each voting member has a single vote which is normally expressed via a show of hands. In the event of there being an equality of votes, the chair or acting chair may use their casting vote to break the deadlock.

10.2 Only schools members or their substitutes; which encompasses maintained schools, academies, maintained special schools and PRUs and Maintained Nursery schools and PVI members are able to vote on funding formula proposals.

11. OTHER ATTENDEES AT A SCHOOLS FORUM MEETIING

11.1 Schools Forum meetings are required to be open to the public. Papers, agendas and minutes must be publicly available well in advance of each meeting Members of the public may not contribute to a Schools Forum meeting.

11.2 Other attendees who are permitted to contribute to a Schools Forum meeting;
- An observer appointed by the Secretary of State
- The Chief Finance Officer
- The Director of Children's Services
- Officers providing financial & technical advice to Schools Forum
- The Executive Member for Children's services
- Presenters (restricted to the paper they are representing)
- The Executive Member with responsibility for resources

12. FREQUENCY OF MEETINGS

12.1 Regulations require that Schools Forum meet a minimum of four times each year. The forum should meet with enough frequency to allow it to be consulted and make decisions and for their views to be taken into consideration.

13. QUORUM

13.1 For Schools Forum to make decisions 40% of the total membership (excluding any vacancies) must be in attendance. At the start of each meeting the chair or acting chair will provide the minimum number of members required to for quorum and if this level has been achieved for the meeting.

13.2 Where a meeting is inquorate, the meeting may continue but no formal decisions may be taken; election of a chair or decisions relating to funding conferred by regulations.

13.3 If one or more groups is not represented this does not affect the decision making powers of Schools Forum if it is quorate unless a vote by group is required affecting the un-represented group. This will then need to be dealt with at a subsequent meeting or via emergency procedures.

14. EMERGENCY MEETING

14.1 In exceptional circumstances, it may be necessary for a decision or formal view to be required by the Schools Forum before the next scheduled meeting. In these circumstances efforts should be made to arrange an unscheduled meeting of the forum.

14.2 Where it is not possible to arrange an unscheduled meeting of Schools Forum or where the attendance at such a meeting is likely to be inquorate or when available time is insufficient, in conjunction with the chair contact members by either post or email and seek a decision or view from members. A record will be kept of all responses and the matter will formally be listed on the agenda of the next scheduled Schools Forum meeting.

14.3   This facility may be used where a group was un-represented at a meeting and a decision is required prior to the next scheduled meeting. In this circumstance only the group effected would be contacted.

15. LEGAL IMPLICATIONS

15.1   This report complies with the DfE statutory operational guidance 2022/23.

16. RISK MANAGEMENT

16.1   The risks and their control are set out in table 5.

Table 5: Impact of risk and mitigation

Risk	Level of uncontrolled risk	Controls	Level of controlled risk
Poor financial management resulting in lack of accuracy and reliance upon reported position	LOW	Robust financial management within services to enable effective and timely reporting	LOW

17. POTENTIAL IMPACTS

17.1   Equalities. Equality Impact Assessments are published on the council's website. It has been assessed that there are no Equality Impact risks arising from this report.

17.2   Climate change/sustainability. There are no climate change/ sustainability risks arising from this report.

17.3   Data Protection/GDPR. There are no data protection/ GDPR risks arising from this report.

18. CONSULTATION

18.1   Financial reporting including the Dedicated Schools Grant is regularly provided to RBWM Commissioners and the Achieving for Children Board.

19. APPENDICES

19.1   This report is supported by the following appendix:

- Appendix A – Equality Impact Assessment

20. BACKGROUND DOCUMENTS

20.1 This report is supported by the following background document:
https://www.gov.uk/government/publications/schools-forums-operational-and-good-practice-guide-2015

21. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
Mandatory:	*Statutory Officers (or deputies)*		
Adele Taylor	Executive Director of Resources/S151 Officer	12-01-23	16-01-23
Emma Duncan	Director of Law, Strategy & Public Health/ Monitoring Officer	12-01-23	
Deputies:			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	12-01-23	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	12-01-23	
Vacant	Head of Governance (Deputy Monitoring Officer)	12-01-23	
Mandatory:	*Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract*		
Lyn Hitchinson	Procurement Manager	12-01-23	
Mandatory:	*Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA*		
Emma Young	Data Protection Officer	12-01-23	
Mandatory:	*Equalities Officer – to advise on EQiA, or agree an EQiA is not required*		
Ellen McManus-Fry	Equalities & Engagement Officer	12-01-23	
Other consultees:			
Directors (where relevant)			
Tony Reeves	Interim Chief Executive	12-01-23	
Andrew Durrant	Executive Director of Place	12-01-23	
Kevin McDaniel	Executive Director of People Services	12-01-23	

Confirmation relevant Cabinet Member(s) consulted	Cabinet Member for Children's Services, Education, Health, Mental Health, & Transformation	Yes

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
For information & decision making	No	No

Report Author: James Norris, Head of Finance AFC (RBWM), 07824478100

APPENDIX A - EQUALITY IMPACT ASSESSMENT

Essential information

Items to be assessed: (please mark 'x')

Strategy		Policy		Plan		Project		Service/Procedure	x

Responsible officer	James Norris	Service area	Finance	Directorate	Children's (Achieving for Children)

Stage 1: EqIA Screening (mandatory)	Date created: 12-01-23	Stage 2 : Full assessment (if applicable)	N/A

Approved by Head of Service / Overseeing group/body / Project Sponsor:
"I am satisfied that an equality impact has been undertaken adequately."

Signed by (print): Kevin McDaniel

Dated: 12-01-23

Guidance notes
What is an EqIA and why do we need to do it?
The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:
- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqIAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups. All completed EqIA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.
What are the "protected characteristics" under the law?
The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.
What's the process for conducting an EqIA?
The process for conducting an EqIA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency
RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement
Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

Stage 1: Screening (Mandatory)

1.1 What is the overall aim of your proposed strategy/policy/project etc and what are its key objectives?
The overall aim of the report is to provide the Schools Forum with an update on the Schools Forum Membership framework.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics? Consider each of the protected characteristics in turn and identify whether your proposal is Relevant or Not Relevant to that characteristic. If Relevant, please assess the level of impact as either High / Medium / Low and whether the impact is Positive (i.e. contributes to promoting equality or improving relations within an equality group) or Negative (i.e. could disadvantage them). Please document your evidence for each assessment you make, including a justification of why you may have identified the proposal as "Not Relevant".

Protected characteristics	Relevance	Level	Positive/negative	Evidence
Age	Yes	Low	Positive	There is nothing in the report which is considered to materially impact on this protected characteristic.
Disability	Yes	Low	Positive	There is nothing in the report which is considered to materially impact on this protected characteristic.
Gender re-assignment	No	N/A	N/A	There is nothing in the report which is considered to impact on this protected characteristic.
Marriage/civil partnership	No	N/A	N/A	There is nothing in the report which is considered to impact on this protected characteristic.
Pregnancy and maternity	No	N/A	N/A	There is nothing in the report which is considered to impact on this protected characteristic.
Race	No	N/A	N/A	There is nothing in the report which is considered to impact on this protected characteristic.
Religion and belief	No	N/A	N/A	There is nothing in the report which is considered to impact on this protected characteristic.
Sex	No	N/A	N/A	There is nothing in the report which is considered to impact on this protected characteristic.
Sexual orientation	No	N/A	N/A	There is nothing in the report which is considered to impact on this protected characteristic.

Outcome, action and public reporting

Screening Assessment Outcome	Yes / No / Not at this stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	None	James Norris	Regular review of the Membership Framework. Next review scheduled for the summer 2024.
Does the strategy, policy, plan etc require amendment to have a positive impact?	No	None	James Norris	Regular review of the Membership Framework. Next review scheduled for the summer 2024.

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered "No" or "Not at this Stage" to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

Stage 2 : Full assessment

2.1 : Scope and define

2.1.1   Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? List the groups who the work is targeting/aimed at.

2.1.2   Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? *List those groups who the work is targeting/aimed at.*

2.2 : Information gathering/evidence

2.2.1 What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

2.2.2   What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

Eliminate discrimination, harassment, victimisation

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

Advance equality of opportunity

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

Foster good relations

Protected Characteristic	Advancing the Equality Duty : Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Negative impact : Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic.
Age					
Disability					
Gender reassignment					
Marriage and civil partnership					
Pregnancy and maternity					
Race					
Religion and belief					
Sex					
Sexual orientation					

2.4   Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts? If so please summarise any updates.
These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

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