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Notice of a Meeting



Education Scrutiny Committee Thursday, 3 April 2014 at 10.00 am County Hall

Membership

Chairman - Councillor Mark Gray Deputy Chairman - Councillor Michael Waine

Councillors: Yvonne Constance Richard Langridge Gillian Sanders

Simon Hoare Sandy Lovatt Val Smith
John Howson Neil Owen Lawrie Stratford

Co-optees: Mr Chris Bevan Mrs Sue Matthew Mrs Liz Smith

By Invitation: Ian Jones Carole Thomson

Notes: Date of next meeting: 10 July 2014

What does this Committee review or scrutinise?

- a focus on the following key areas:
 - o work in relation to the education strategy, and including review of an annual report on progress;
 - o constructive challenge on performance issues highlighting issues where the Committee can support the improvement dialogue;
 - o reviewing the Council's education functions including early years, Special Education Needs and school place planning;
 - o reviewing the progress of, and any issues emanating from, the School Organisation Stakeholder Group with regard to admissions patterns and arrangements:
 - o reviewing issues raised by the Schools Forum.
- assists the Council in its role of championing good educational outcomes for Oxfordshire's children and young people;
- provides a challenge to schools and academies and to hold them to account for their academic performance;
- promotes jointed up working across organisations in the education sector within Oxfordshire.

How can I have my say?

We welcome the views of the community on any issues in relation to the responsibilities of this Committee. Members of the public may ask to speak on any item on the agenda or may suggest matters which they would like the Committee to look at. Requests to speak must be submitted to the Committee Officer below no later than 9 am on the working day before the date of the meeting.

For more information about this Committee please contact:

Chairman - Councillor Mark Gray

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Committee Officer - Andrea Newman Tel: (01865) 810283

Email: andrea.newman@oxfordshire.gov.uk

Peter G. Clark County Solicitor

ter G. Clark.

March 2014

About the County Council

The Oxfordshire County Council is made up of 63 councillors who are democratically elected every four years. The Council provides a range of services to Oxfordshire's 630.000 residents. These include:

schools social & health care libraries and museums

the fire service roads trading standards land use transport planning waste management

Each year the Council manages £0.9 billion of public money in providing these services. Most decisions are taken by a Cabinet of 10 Councillors, which makes decisions about service priorities and spending. Some decisions will now be delegated to individual members of the Cabinet.

About Scrutiny

Scrutiny is about:

- Providing a challenge to the Cabinet
- Examining how well the Cabinet and the Authority are performing
- Influencing the Cabinet on decisions that affect local people
- Helping the Cabinet to develop Council policies
- Representing the community in Council decision making
- Promoting joined up working across the authority's work and with partners

Scrutiny is NOT about:

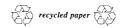
- Making day to day service decisions
- Investigating individual complaints.

What does this Committee do?

The Committee meets up to 6 times a year or more. It develops a work programme, which lists the issues it plans to investigate. These investigations can include whole committee investigations undertaken during the meeting, or reviews by a panel of members doing research and talking to lots of people outside of the meeting. Once an investigation is completed the Committee provides its advice to the Cabinet, the full Council or other scrutiny committees. Meetings are open to the public and all reports are available to the public unless exempt or confidential, when the items would be considered in closed session.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, giving as much notice as possible before the meeting

A hearing loop is available at County Hall.



AGENDA

- 1. Introduction and Welcome
- 2. Apologies for Absence and Temporary Appointments
- 3. Declarations of Interest see guidance note of the back page
- **4. Minutes** (Pages 1 14)

To approve the minutes of the meetings held on 4 and 6 February 2014 (**ESC4a** and **ESC4b**) and to receive information arising from them.

- 5. Petitions and Public Address
- 6. Strengthening the links with the Schools Forum (Pages 15 48)

10.10am

Carole Thomson, Chair of Schools Forum has been invited to talk about strengthening the relationship between scrutiny and schools forum **(ESC6)**.

7. Educational Attainment of Vulnerable Groups (Pages 49 - 54)

10.30am

Frances Craven, Deputy Direct for Education and Early Intervention, to present the attainment of vulnerable groups including Looked After Children (ESC7).

8. Ofsted Framework Select Committee Update

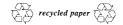
11.30am

The Chairman to update the committee.

9. Pupil Premium

11.40am

Frances Craven, Deputy Director for Education and Early Intervention, and Sue Bainbridge, Schools & Learning Manager, to give a presentation as to how Pupil



Premium is being used in schools in disadvantaged areas (**ESC9**). This will be supported by representatives of two primary schools.

10. Scrutiny Annual Report (Pages 55 - 58)

12.40pm

Councillor Mark Gray, Chairman of the Committee, to present the report (ESC10).

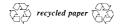
11. Forward Plan and Committee Business (Pages 59 - 60)

12.50pm

An opportunity to discuss and prioritise future topics for the Committee, potential approaches to its work and to discuss the schedule for future meetings (**ESC11**).

CLOSE OF MEETING

1.00pm



Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that "You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" or "You must not place yourself in situations where your honesty and integrity may be questioned.....".

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes "any employment, office, trade, profession or vocation carried on for profit or gain".), **Sponsorship**, **Contracts**, **Land**, **Licences**, **Corporate Tenancies**, **Securities**.

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members' conduct guidelines. http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/ or contact Rachel Dunn on (01865) 815279 or rachel.dunn@oxfordshire.gov.uk for a hard copy of the document.





ESC4a

EDUCATION SCRUTINY COMMITTEE

MINUTES of the meeting held on Tuesday, 4 February 2014 commencing at 9.30 am and finishing at 12.20 pm

Present:

Voting Members: Councillor Mark Gray – in the Chair

Councillor David Bartholomew Councillor Yvonne Constance Councillor Simon Hoare Councillor John Howson Councillor Richard Langridge

Councillor Neil Owen
Councillor Gill Sanders
Councillor Lawrie Stratford

Councillor Liz Brighouse OBE (In place of Councillor Val

Smith)

Councillor David Wilmshurst (In place of Councillor

Michael Waine)

Other Members in Attendance:

Councillor Purse (for Agenda Item 4)

By Invitation:

Officers: Jim Leivers, Director For Children's Services; Roy

Leach, School Organisation & Planning Manager; Neil Darlington, Service Manager (Children, Education &

Families)

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports are attached to the signed Minutes.

1/14 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS (Agenda No. 1)

Apologies were received on behalf of Councillor Val Smith (Councillor Brighouse substituting) and Councillor Michael Waine (Councillor Wilmshurst substituting).

Following the resignation of Councillor Newton the Chairman welcomed Councillor Stratford to the meeting on his appointment to the Committee.

2/14 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 3)

The following requests to address the meeting had been agreed:

Sue Moon - Oxfordshire School Bus Action Group (OSBAG)
Angus Wilkinson - OSBAG
Chris Fyfe - OSBAG
Councillor Anne Purse, local Councillor
John Cochrane, Member of the Public
Dr Annabel Kay, Head Teacher – The Warriner School
Mr James Pilgrim, Deputy Head Teacher – Burford School

Sue Moon, OSBAG, asked that the Committee when listening to the presentations today to consider whether you are convinced that the savings are genuine beyond any reasonable doubt. She asked this in view of the real damage she felt that the proposals could do if voted through. She also asked Members to consider why they became involved in local politics and if it was to serve the local community. She understood the financial challenges but asked Members to consider the broader picture and if in any doubt to pause and look at other options and pilots already in place elsewhere. Responding to questions she highlighted that partnerships had been identified as a powerful tool for raising attainment. Transition was vital and again evidence suggested it worked best when it worked simplest with one to one one or long standing cluster relationships.

Mr Wilkinson, OSBAG, speaking as a parent and governor stated that the proposals had no educational advantage but did carry educational risks. There were a lot of unknowns with the risk of some schools being unable to deal with the capacity of children wishing to go there. Other schools would lose pupils with the effect this would have on their budgets. It would be hard for schools to plan with the unknowns. He added that he believed there were errors of fact in the financial proposal such as buses being cut in Kennington but no consequent additional cost where additional service might be required.

Responding to questions from Councillor Brighouse he explained that the educational disadvantage was around aspects of the particular partnerships schools had developed. In response to further questions from Members he acknowledged that he had no empirical evidence of the disadvantage caused. However he commented that the move away from current provision was very new and by few County Councils and queried how Members could equally be certain that there was no risk to education.

Chris Fyfe, OSBAG, referred to a sensitivity analysis he had carried out and presented his findings in chart form for members' information. He stated that a small change in parent's behaviour would have a large impact on the savings to be made. Chris Fyfe responded to a questions from members and indicated that the lower saving figure of the model did not represent the worst case in terms of savings to be made. He had not looked at the impact of safe routes and took no specific account of alternatives modes of transport. He had looked at demand and the effect on savings only.

Councillor Purse, speaking as a local Councillor, referred to the particular difficulties faced by the villages in her Division who currently sent children to Wheatley Park Secondary School. Alternative nearer schools are in Oxford and some of these schools are always oversubscribed. Parents would never know what places were likely to be available. Often the schools were nearer by fractions of a mile and yet the journey times would be far greater with the impact on travel costs. She recognised the need for savings and asked that the proposals only be enacted where there were real savings. She asked for a sensible application of the proposals and where it did not make financial sense not to do it. During questions Councillor Purse suggested that in practicable terms it was about looking at the cost when new contracts were let to see that it provided savings.

John Cochrane stated that given the Council had a legal duty to provide free home to school transport, in part supported by specific government grants, the charge levied should only be the marginal extra cost of the transport ie. The full cost of providing the transport less the full cost of transport per pupil for those provided with free transport to all Oxfordshire schools. He added that to charge the full cost was unfair and inequitable. It was the duty of the Committee to consider the validity and consequence of the savings. There was nothing on the effect of academies. His modified suggestions would reduce the risk of schools closing or having reduced budgets.

Dr Annabel Kay, Head Teacher, The Warriner School, accepted the need to make savings and acknowledged the time put into the deliberations but stated that parental choice would be affected for those who were unable to afford transport and unable to find alternative means of transport. The effect on the Warriner School would be disproportionate. The school had a large and spread out catchment and was close to Banbury. She asked that catchments be reviewed rather than going for the easy option of nearest school only. Responding to a question about the Schools relationship with feeder schools Dr Kay replied that they worked closely with feeder schools and would continue to do so.

Mr Pilgrim, Head Teacher, Burford School, referred to the additional staff to be appointed to deal with the appeals and queried whether the cost included on-costs. He assumed that this cost had been built into the expected savings.

3/14 HOME TO SCHOOL TRANSPORT POLICY - CONSULTATION RESULTS (Agenda No. 4)

Jim Leivers, Director for Children's Services, Roy Leach, School Organisation and Planning Manager and Neil Darlington attended for this item. Jim Leivers set the proposals in the overall context of the Directorate's and the County Council's financial position. Incredibly tough decisions were needed. Savings had to be made here or elsewhere. The changes were the result of necessity not desire. He stressed that the current position was not sustainable with the rise in academies that set their own catchment areas. This would leave the Council exposed to financial risk in the future. Roy Leach in presenting the proposals emphasised that no-one currently receiving transport would be affected by the proposals. He explained the concept of split

villages and that such proposals had to be applied across the County. He gave examples of the level at which a split village could be defined ranging from 15 – 25%.

During detailed questioning and discussion the following points were raised:

- Concern was raised over the potential of a blank cheque being made available to academies in terms of transport and the view was expressed that Option A1 removed this risk, although it was unclear whether Option A2 did the same.
- 2. Members felt it was important to go to nearest school and supported the extension of this to the nearest school in Oxfordshire
- 3. There was concern about the split villages, as the percentages in future years might change and this would make it complicated.
- 4. Members in supporting the proposal relating to split villages commented that it would enable children from the same village to attend the same school, but may make the issue unnecessarily complex.
- 5. Some Members commented that the case for Option A2 was emotional, and the issue was not one of splitting villages, but of providing free transport.
- 6. The statutory walking distance of 2 miles did not appear to be "rural-proof" and there may be difficulties in walking an 8-year-old 2 miles in winter across fields and bridle-ways.
- 7. It was emphasised that Option A2 may prove cheaper, as there was no need to transport in 2 directions
- 8. It was noted that split villages only spoke about the rural aspects and this had not been explored for the towns.
- 9. Some felt that for simplicity the policy should only use nearest school.
- 10. Would it be worthwhile to hold off until the new Department for Education guidance comes out.
- 11. There was concern about the links to the policy and the admissions team given the budgets will be in Environment & Economy.
- 12. Schools had a wide discretion for spending on improving education outcomes and transport would be no different.
- 13. There was concern about the amount parents would have to pay and the problem if parents had to pay this up front. It was noted that the payment is currently payable in three instalments, but officers were considering 12 monthly instalments.
- 14. There was some concern about the consultation not including extended transport options. It was suggested that the Council consider a more proactive role in the Big Society approach to school transport including alternative arrangements.
- 15. There was concern about the unknown risks, such as free schools, and housing growth but it was accepted that the policy could not be hostage to these.
- 16. Members generally felt that changes were fair, logical and reasonable to put forward and protections were proposed to support the split villages
- 17. Members welcomed that there was no change to children currently receiving transport to school
- 18. There was recognition that even if the exact figure was in dispute it was accepted that whatever the final figure is the Council would be making savings
- 19. Concern was expressed that nothing had changed since the last consultation and the new guidance was not available to guide us.
- 20. It was suggested that most savings could be made by looking at the taxi budget

- 21. It was noted that safe travel routes had not been explored.
- 22. The costs for educational rather than vocational may affect the choice of children staying on in education
- 23. There was a suggestion that the concessionary charges was an arbitrary figure; children choosing to use these seats should be charged what they cost
- 24. A Member disagreed with any increase in Post 16 since the educational age has been increased. It was suggested that Council lobby the government to fund this since they changed the rules
- 25. The committee supported further work to be undertaken, including safe routes, admissions policies, and the taxi budget. The study of alternative transport arrangements and the dissemination of best practice could be included in this work. There is an SEN pilot in place at the moment which should be incorporated.
- 26. The committee would also like to press the government to overhaul the principles of home to school transport in the light of the new Post 16 regulations.

Following questions and discussion the Committee took a series of votes by a show of hands in order to set down their views for Cabinet to consider.

The Committee supported

- (a) (by 9 votes to 1 with 2 abstentions) the provision of free transport to the nearest available school in Oxfordshire;
- (b) (by 5 votes to 4 with 3 abstentions a 'split village' entitlement;
- (c) where at least **20%** (By 5 votes to 0 with 7 abstentions) of addresses, but not all, are nearest to the catchment school and the rest are nearest to another school; in such cases free transport to be provided to the catchment school for all addresses:
- (d) (by 8 votes to 0 with 4 abstentions) the introduction of the new policy from September 2015 for children starting primary school or transferring to secondary school, and to phase the policy change in year by year as children start schools or transfer between phases of education. Those in receipt of free travel under the current policy in September 2014 would continue to receive it on the same terms until they leave that phase of education or move to an alternative school;
- (e) (by 6 votes to 1 with 4 abstentions) to increase the charges for concessionary travel and post 16 travel by 10% in September 2014. This would involve increasing concessionary fares in 2014/15 to £290.40 (£96.80 per two terms of the 6 term year) for those who live under 3 miles from the school attended, and £541.20 per annum (£180.40 per two terms of the 6 term year) for those who live over 3 miles from the school attended:

ESC4a

- (f) (by 9 votes to 0 with 3 abstentions) from September 2015, to increase concessionary and post-16 fares by 5% per year for the following five years;
- (g) from 2014 to remove all references to collaborative learning transport from the Home to School Transport Policy;
- (h) in order to administer the changes, particularly the determination of the "nearest available school" and the need to process an anticipated increase in the number of Home to School Transport appeals, the Admissions Team to be increased, for two years, by an additional 1 Full Time Equivalent (at a cost of £34,923 per annum).

	 in the	Chair
Date of signing	2014	

EDUCATION SCRUTINY COMMITTEE

MINUTES of the meeting held on Thursday, 6 February 2014 commencing at 10.00 am and finishing at 1.00 pm

Present:

Voting Members: Councillor Mark Gray – in the Chair

Councillor Michael Waine (Deputy Chairman)

Councillor David Bartholomew Councillor Yvonne Constance

Councillor Simon Hoare Councillor John Howson Councillor Richard Langridge

Councillor Neil Owen Councillor Gill Sanders

Councillor Lawrie Stratford (In place of Councillor

Caroline Newton)

Councillor John Christie (In place of Councillor Val

Smith)

Mr Chris Bevan Mrs Sue Matthew

By Invitation: Mr Stan Terry (in place of Ms Carole Thomson)

Ms Diana Wilson (in place of Mr Ian Jones)

Item 7 Mr Paul James (Head Teacher, The Cherwell School)

Officers:

Whole of meeting Sarah Jelley (Senior Policy & Performance Officer) and

Andreea Anastasiu (Policy & Performance Support Officer), Sue Whitehead (Principal Committee Officer),

Andrea Newman (Committee Officer)

Part of meeting

Agenda Item Officer Attending

Items 6, 7, 8, 9 & 10 Frances Craven, Deputy Director for Education and

Intervention

Items 6, 7, 8, Sue Bainbridge, Schools & Learning Manager

Item 9 Allyson Milward, Academies Manager

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting together with the following additional documents:

Item 12 – Scrutiny Annual Report

Copies of the agenda, reports and additional documents are attached to the signed Minutes.

1/14 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS (Agenda No. 2)

Apologies were received from Councillor Val Smith (Councillor John Christie substituting), Mrs Liz Smith, Mr Ian Jones (represented by Ms Diane Wilson) and Mrs Carole Thomson (represented by Mr Stan Taylor).

Councillor Melinda Tilley also sent her apologies, as she usually attends as an observer.

2/14 MINUTES

(Agenda No. 4)

The Minutes of the meeting on the 14 November 2013 were approved and signed by the Chairman.

3/14 UPDATE ON VALIDATED 2013 GCSE SCIENCE ATTAINMENT RESULTS (Agenda No. 6)

The Committee had before them the report of Sue Bainbridge, Schools and Learning Manager. Mrs Bainbridge informed Committee that Oxfordshire, at 77%, were above the national average figure of 66% representing students who are entered for 2 GCSE Science papers. There was a wide variation in the number of students entered for GSCE Science from school to school. The number of students entered from The Oxford Academy had been affected by the ability to recruit science teachers.

The Committee were informed that where there had been a significant decrease in the numbers of students entered for GCSE Science papers, alternative subject options were being pursued by students at some schools, such as BTEC and Engineering qualifications.

The proportion of students attaining at least 2 GCSE Science grades A*-C's has varied in the past, with the figure dipping slightly last year to 70% in Oxfordshire, below the national average of 72%. Again, the Committee heard there was wide variation in this figure on a school by school basis.

Despite students sitting the English Baccalaureate (EBac) and other vocational courses, Committee heard that too many students were under-performing, with 6 schools in the County achieving grades significantly below the national average. There was a need to understand why students are underperforming.

It was noted that the percentage of A and B grade passes achieved in Oxfordshire, notably in GCSE Chemistry, is higher than the national average. However, passes at grades B and C are below the national average.

When asked, Ms Bainbridge advised that it was not clear if schools were superserving high achieving children, or simply seeking good maths and English results. It was also unclear which examination boards' schools were using. This is an issue that needed looking at in detail, in order to obtain a better understanding of the issues surrounding the data on this issue.

Although top-tier students were doing well, and those attaining lower grades were improving, data indicated that work may need to be concentrated on the middle section of students. Head Teachers groups had invited officers to attend their meetings as supporters. Officers were very aware of the need to support schools and academies regularly, as well as helping to develop links between local schools and the Universities. A new science partnership had been developed where experts in science subjects are able to share best practices.

Members noted in discussion that schools achieving top grades also appeared to have high attendance levels and a staunch approach to discipline in their schools. However, it was noted that in some schools the percentage of children entered in exams, compared to the percentage of non-achievement was astounding. A new emphasis on education was needed and the strengthening of links with the Universities was to be encouraged. It was noted, however, that more interest could achieved in dealing with businesses direct.

The Committee expressed their view that work was needed on those students achieving mid-level grades. These students were more likely to contribute to the local area, being recruited by employers at technician-level. Those students achieving A* and A grades, were frequently lost to the local economy.

Officers re-iterated that tracking progress of cohort groups takes time, and that the team responsible for this was small. Although they had a statutory responsibility to maintained schools, there remained a need to support academies through influence and challenge.

The Committee discussed the difficulties of recruiting science teachers and expressed the view that if this was of difficulty during a recession, it would be even more challenging to train and work within Oxfordshire when things improved. Councillor Sanders remarked that housing costs had impacted on recruitment in city schools.

It was suggested that Oxfordshire Schools Forum be invited to address the Committee on professional development within schools, as they, rather than the Oxfordshire County Council, have the funding mechanism to ensure that schools are working effectively.

Councillor Waine observed that although Oxfordshire was performing just ahead of the National Average in science, sustaining improvement would be difficult. Science subjects should be at the fore, given the science-based industries based within Oxfordshire, and the fact this is not the case is inexcusable. He felt that schools chose BTEC courses for students as this is an easier option. There were felt to be too many children within this category and schools were hedging their options, rather than raising expectations.

The Committee heard in discussion that apprenticeships needed looking at, as did developments in job creation. Students needed to get appropriate career advice, and be sure that vocational courses offered to them were suitable and sensible. These courses distorted league tables, as they were excluded from the figures.

Councillor Hoare indicated that those students doing well could possibly have private tutoring funded by parents. The Committee also noted that there was no information available with regards to the investment levels from parents buying into extra tuition.

Frances Craven, Deputy Director for Education & Early Intervention, confirmed that the position was not straight-forward, and the data indicates that there are difficulties in vulnerable groups. The Committee also heard that the there is evidence to show that some schools place their experienced practitioners with the more able students. Other schools concentrate their expertise in groups where students are less able, encouraging students to improve their grades from D's into C grades, and C's into B grades. The needs of pupils needed looking at and BTEC qualifications need viewing favourably, as equivalents to GCSE's. However, that is not to say BTEC's may not be the right qualification for some pupils.

Councillor Stratford recognised the need for improvement in sciences at Bicester Community College. He supported the suggestion for Oxfordshire Schools Forum to address Committee, and questioned the role of governors in their ability to challenge schools on this issue. He reminded Committee that Members of Parliament blame local authorities for failing schools, whilst the ability of council's to have an effect on schools has been whittled away. Local authorities do not employ staff or hold school funds, and their impact on secondary schools is minimal.

Mr Stan Taylor, of Oxfordshire Governors Association, informed Committee that a recent HM Inspector commented on the quality of challenge by governors when questioning and raising issues. He commented that there was a need for governors to receive training on the data available to them and how to interpret this information. The Committee confirmed their support for governors.

Ms Diane Wilson, informed the Committee that she represented thousands of members of the Council of Oxfordshire Teachers' Organisations (COTO), who are highly focused, working in schools across Oxfordshire with C/D borderline students. Many of these teachers provide afterschool and Saturday support to students, in a drive to improve results.

RESOLVED: The Education Scrutiny Committee noted the report and **RECOMMENDED** that the Oxfordshire Schools Forum be invited to address Committee on the development of Sciences within schools in Oxfordshire.

4/14 PUPIL PREMIUM

(Agenda No. 7)

The Committee had before them a report on the Use of Pupil Premium in Oxfordshire Schools.

The Committee were pleased to welcome Mr Paul James, Head Teacher at The Cherwell School, Oxford, who gave a stimulating presentation on the Pupil Premium, its surrounding issues and the implications of both on his school.

The Committee congratulated Mr James and found his approach to be both impressive and enlightening. They were interested to hear he viewed the school community as a whole, building from the bottom up and the top down and how:-

- the school approached learning and development issues for both staff and pupils, in order that targets are met;
- the school strived to do simple things well;
- data is analysed and used within the school, as a basis for intervention with pupils as and when necessary;
- parents are encouraged on an individual basis to engage with the school, and thus support pupils in their learning;
- a shift of attitude has been encouraged, in order that pupils take responsibility for their work, receive support from the school through holiday revision courses, are supported extra-curricular activities and
- pupils are held to account, in order that they actually deliver what is asked and expected of them.

5/14 OFSTED CATEGORIES

(Agenda No. 8)

Frances Craven, Deputy Director for Education and Early Intervention, confirmed to Committee that the report before them exhibited the different levels of activities expected of schools in line with the three different categories of:-

- good and outstanding,
- requiring improvement and
- special measures.

In discussion, Committee heard that the document had not been previously shared with The Schools Forum, although the documents appended to the report had been sent to schools and governors on several occasions.

There was discussion as to how the budget would be affected if Ofsted inspected several schools which were all moved to a different category at a similar time, needing more support from the Council in the process. Sue Bainbridge confirmed that year on year data was analysed, providing the Council with an insight as to which cohorts of schools are likely to expect an inspection by Ofsted. Funding can then be set aside for schools which may for example, have a weakness or be at risk of falling into the special measures category. There is a pool of expertise from which officers are able to draw, channelling that knowledge into schools. However the concern is whether or not there are enough funds available within this resource. Officers predict as far as they can, where and if funding is needed, which may then mean curtailing other project work.

Councillor Langridge raised the issue of Wood Green School, which went from being classed as outstanding to in special measures. He queried whether the Council had been at some fault in failing to spot the decline, but received an assurance that

officers were now confident there is less risk of this situation being repeated due to new data analysis procedures.

RESOLVED: to note the report.

6/14 ACADEMIES

(Agenda No. 9)

The Committee had before them the report of the Director for Children's Services on the End of Year (2013), Academies Programme. Allyson Milward, Academies Manager, informed the Committee that 2013 had seen a steady stream of conversions within Oxfordshire. There was now a tendency for schools to convert in groups, but there had also been significant variations in conversion rates.

By April 2015, it is anticipated that 40-50% of existing schools will be academies, as well as the newly-formed academies specialising for children with specific educational needs i.e. children with autism. Officers have built new relationships, learning to work with new academies in different ways. It was reported that groups of schools converting at the same time were easier to deal with.

During discussion it was noted that there is a slower take-up from the primary sector, as they are unsure of the benefits offered by conversion to academy status. There was a tendency for schools to become defensive as essential services i.e. HR, legal and insurance provision, are withdrawn by the Council. Schools appear to have more confidence buying in these services as part of a group. It was observed that conversion to academy status was effectively driven by secondary schools in the county. The average cost to the Council of a school converting was £10,000, although this was a crude figure. There are three staff members who cover advice on HR, legal issues, finance and property issues. Issues such as buildings transfers, although detailed, are now involving more standardised processes and procedures.

Concern was also raised that Carillion were carrying out assessments within schools for works required in order to provide Free School Meals. Carillion would then later be the contractor carrying out those works. It was noted that appropriate checks and measures were in place in order to minimise misuse in this process. The Committee noted that there would be a written question to Council on this matter from Councillor Stratford.

In respect of paragraph 17 of the report, it was noted that the new academies would impact massively on Capital Funding in terms of places. Tyndale Community Primary School would extract capacity from Oxford schools, whilst Heyford Park School had secondary capacity. The Committee also heard that the MacIntyre Academy, for Autistic Children, plans to have places for 25 students, with 8-10 residential places.

Ms Milward confirmed that the Education Funding Agency (EFA) had written to the Council confirming the adjustments to Capital Funding, but there was essential work on-going with regards to this matter. Councillor Waine requested that this letter be brought to the next meeting of the Committee, as there were major issues surrounding this and funding under Section 102.

The Committee also considered what could be done to encourage more bodies to sponsor schools, and heard that officers were working towards growing a pool of local sponsors. Some applications were currently with the DfE, in relation to primary and secondary academies, and the Council had placed advertisements in Schools News for speakers as to what it is like to be a sponsor. Although there is little financial incentive for sponsors initially, grants are available and bodies can then express an interest in running a new school for example.

Committee also heard that The Warriner School had consulted with the DfE for advice, and their brokers were involved. Although the Council do speak to the DfE Sponsorship Team, they prefer to deal with schools direct, rather than the local authority. Officers advised the Committee that they meet with the DfE brokers on a 3 monthly basis, and have a good relationship with them. Where the Council are aware that the DfE are due to send a team into schools, they will arrange to send an Officer to the school at the same time. However, on occasions visits have been made without warning. The Committee noted that the DfE had treated the Council badly in the past, and the DfE should be made aware of this.

RESOLVED: to note the report.

7/14 THE OFSTED FRAMEWORK SELECT COMMITTEE UPDATE

(Agenda No. 10)

Councillor Waine referred to the Minutes of the Ofsted Framework Select Committee, which had been circulated and were attached to the Agenda. He confirmed that the Select Committee felt strongly that it should now be inclusive of the entire membership of the Education Scrutiny Committee, in order that the Select Committee's decisions carry the full weight of the parent Committee.

The Select Committee were of the view that the attendance of Mr Matthew Coffey, the Ofsted Regional Director, at the Education Scrutiny Committee was important to allow for discussion as to the role that Oxfordshire County Council and local authorities generally, are to play in education. It was **AGREED** that consideration be given to inviting Mr Coffey to attend a meeting of the Committee at a future point, subject to the constraints of his diary. In discussion it was noted that it would be helpful to have a clear statement or directive from the Regional Director, in order that the Council could have a better understanding of its role.

Frances Craven, observed that it would be helpful to have a document go before Committee and Cabinet for discussion, in order to obtain a clearer picture as to the forward direction across the Council.

8/14 THE ATTAINMENT WORKING GROUP UPDATE

(Agenda No. 11)

The Committee considered the recommendations of the Attainment Working Group, from their meeting on the 6th February 2014. It was noted with regards to paragraph 5 that the primary sector needed to be looked at, and the Committee supported the continuation of the Attainment Working Group.

9/14 FORWARD PLAN AND COMMITTEE BUSINESS

(Agenda No. 12)

The Committee had before them the Education Scrutiny Committee forward plan, circulated previously with the Agenda, and a further paper on the Scrutiny Annual report, tabled on the morning of the meeting.

Frances Craven stated that following the Bullfinch investigations, a report went to Cabinet concentrating on schools involvements. There was a concern of duplicating the issues of the local safeguarding board. It was suggested that the Cabinet paper should also be circulated in advance of the next Education Scrutiny Committee.

Councillor Stratford suggested that the Schools Forum needed an agenda item for an up-date to Committee, and that a paper should come before Committee. This needed including on the Committee's forward plan. It was suggested in discussion that reports should be circulated in advance and questions emailed to Officers in order to free up time at meetings.

	 in the Chair
Date of signing	2014



Schools Forum

A guide for schools and academies on its role and their responsibilities

June 2013

Introduction

1. The reform and simplification of local authority formulae has raised the profile of the work of Schools Forums. There is still widespread misunderstanding about the role of forums. The aim of this note is to give schools and academies a clear understanding of the role of their local Schools Forum and how to ensure the voice of the school is heard. This note applies to both academies and maintained schools.

The role of Schools Forum

- 2. Schools Forum is made up of representatives from schools and academies, but with some representation from other non-school organisations, such as nursery and 14-19¹ education providers. The forum acts as a consultative body on some issues and a decision making body on others.
- 3. The forum acts in a consultative role for:
 - Changes to the local funding formula. (The local authority is responsible for the final decision, although in some cases it may delegate the decisionmaking power to the Schools Forum)
 - Proposed changes to the operation of the minimum funding guarantee
 - Changes to or new contracts affecting schools (e.g. school meals)
 - Arrangements for pupils with special educational needs, in pupil referral units and in early years provision
- 4. The forum is responsible for decisions on:
 - How much funding may be centrally retained within the Dedicated Schools Grant (e.g. for the Admissions Service, prudential borrowing costs, additional funding available for growing schools)
 - 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 (e.g. for staff supply cover, insurance, behaviour support)
 - Changes to the scheme of financial management

Schools' representation

5. Schools and academies representatives on the forum should be roughly proportionate to the number of pupils in each sector and would generally include representatives from:

- Maintained nursery schools
- Maintained primary schools
- Maintained secondary schools

¹ The requirement for a 14-19 representative will be replaced by a requirement for a Post-16 representative in the autumn of 2013

- Maintained special schools
- Maintained pupil referral units
- Academies and free schools
- 6. Middle schools do not form a category of schools in their own right and should be treated in accordance with their deemed status.
- 7. Where there is at least one school in a particular category, there must be at least one representative for that group on the forum.
- 8. Representatives should be elected by their peer group. In the case of maintained schools, representatives should be head teachers (or their representatives) or governors, elected by their appropriate phase. Academies members should be elected by the Academy Trusts in the local authority area.

Responsibilities of schools and their representatives

- 9. Schools can expect to have their views canvassed and to receive feedback from their representatives, who have a responsibility to represent the interests of their peer group rather than the interests of their own individual school.
- 10. When electing an individual to represent the interests of their respective group, schools should satisfy themselves that their chosen representative(s) is competent to act as their advocate.
- 11. School staff and governors should ensure that they are aware of business under discussion at Schools Forum and should provide feedback to their elected representatives to ensure that their views are considered when decisions affecting schools' finances are being made

Responsibilities of Local Authorities

- 12. Local authorities are required to publish all papers on a publicly-available website well in advance of the meeting. Papers should contain clear recommendations and the responsible officers should attend the meeting to provide further information and advice. Local authority officers should not dominate the meeting.
- 13. All meetings of the Schools Forum must be open to the public. Observers do not have an automatic right to speak at the meetings, although the Chair may allow contributions if it seems appropriate.

Further information

14. Further information on Schools Forums, including a simple table which shows the decision making responsibilities of the Schools Forum, can be found on our website Schools forum guidance.



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Schools Forums: operational and good practice guide

For local authorities and members of Schools Forums

October 2013

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Executive summary

The two tables in this section are provided as a summary of the structure of Schools Forums and the decision making powers of the local authority (LA) and the Schools Forum according to Regulations.

	TABLE 1: SCHOOLS FORUM STRUCTURE				
Category Schools Members		Academies Members	Non-School Members		
	Represented groups	Where the LA maintains the following types of school, they must be represented on the Schools Forum:- • Secondary Schools • Special Schools • Nursery Schools • PRUs There is no specific requirement in Regulations for a primary rep, but this is captured by requiring membership to be based on pupil proportions	No specific groups, but academies members will represent academies, free schools, UTCs and Studio Schools	Early years Private, Voluntary and Independent (PVI) providers Before considering other groups, the LA must consider diocesan representation	
	Type of member	Within each of the five groups above there are the following types of member:- • Headteachers (or their representative) • Governors • Headteachers and Governors In overall terms there must be at least one headteacher (or their representative) and one governor	Any	Any	

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Category	Schools Members	Academies Members	Non-School Members
Schools Forum Structure	Schools members and academies members the Schools Forum membership		
	Primary schools, secondary schools and according proportionately represented on Schools Fore pupils registered at them	-	
Voting	Only primary representatives can vote on primary school de-delegation Only secondary representatives can vote on secondary school de-delegation	No voting on de-delegation All academies members can vote on any other Schools	No voting on de-delegation Only PVI representatives can vote on the consultation
	All schools members can vote on any other Schools Forum business, including the consultation on the funding formula	Forum business, including the consultation on the funding formula	Only PVI representatives
Elected by	The relevant sub-group of the relevant type of school e.g. primary school governor representatives are elected by the governors of primary schools, secondary school headteachers are elected by the	Proprietors of academies	representative for the 16-19 providers, who is elected by

¹ This is a change proposed in the draft 2013 School and Early Years Finance Regulations, expected to come into force in January 2014. Further information on the representative for 16-19 providers can be found in paragraph 1.38

C	ategory	Schools Members	Acader	nies Members	Non-School Members
	A appointment of nembers	Only if no election takes place by the agreed date or in the event of a tie	•	no election takes place agreed date or in the f a tie	Can appoint a 16-19 representative only if no election takes place by the agreed date or in the event of a tie For all other non-schools members the LA appoints, but it is good practice to seek nominations from the relevant bodies
a	Other attendees who re permitted to ontribute to a Schools forum meeting	An observer appointed by the Secretary of S The Director of Children's Services	State The Chief Financial Officer Officers providing financial & technical advice to Schools Forum		
		The Executive Member for Children's Service	es	Presenters (restricted to t presenting)	he paper they are
		The Executive Member with responsibility for resources			

TABLE 2 - SCHOOLS FORUMS: POWERS AND RESPONSIBILITIES 2014-15					
Function	Local Authority	Schools Forum	DfE Role		
Formula change (including redistributions)	Proposes and decides	Must be consulted [Voting restrictions in table 1 above] and informs the governing bodies of all consultations	None		
Contracts	Propose at least one month prior to invitation to tender, the terms of any proposed contract	Gives a view and informs the governing bodies of all consultations	None		
Financial issues relating to: arrangements for pupils with special educational needs; arrangements for use of pupil referral units and the education of children otherwise than at school; arrangements for early years provision; administration arrangements for the allocation of central government grants	Consult annually	Gives a view and informs the governing bodies of all consultations	None		
Minimum funding guarantee (MFG)	Proposes any exclusions from MFG for application to DfE	Gives a view	Approval		

Function	Local Authority	Schools Forum	DfE Role
De-delegation for mainstream schools for: contingencies administration of free school meals insurance licences/subscriptions staff costs - supply cover support for minority ethnic pupils/underachieving groups behaviour support services library and museum services	Proposes	Primary and secondary school member representatives will decide for their phase	Will adjudicate where Schools Forum does not agree LA proposal
Central spend on and the criteria for allocating funding from: growth fund (to meet requirements for basic need and infant class size regulations) falling rolls fund for surplus places in good or outstanding schools where a population bulge is expected in 2-3 years	Proposes	Decides	Adjudicates where Schools Forum does not agree LA proposal
Central spend on: funding for significant pre-16 pupil growth equal pay back-pay places in independent schools for non-SEN pupils early years expenditure	Proposes	Decides	Adjudicates where Schools Forum does not agree LA proposal

Function	Local Authority	Schools Forum	DfE Role
Central spend on: admissions servicing of schools forum	Proposes up to the value committed in 2013-14	Decides for each line	Adjudicates where Schools Forum does not agree LA proposal
Central spend on: capital expenditure funded from revenue contribution to combined budgets schools budget centrally funded termination of employment costs schools budget funded prudential borrowing costs special education needs transport costs	Proposes up to the value committed in 2013/14 and where expenditure has already been committed.	Decides for each line	Adjudicates where Schools Forum does not agree LA proposal
Carry forward a deficit on central expenditure to the next year to be funded from the schools budget	Proposes	Decides	Adjudicates where Schools Forum does not agree LA proposal
Scheme of financial management changes	Proposes and consults the governing body and Head of every School	Approves	Adjudicates where Schools Forum does not agree LA proposal
Membership: length of office of members	Decides	None (but good practice would suggest that they gave a view)	None
Voting procedures	None	Determine voting procedures	None
Chair of Schools Forum	Facilitates	Elects (may not be an elected member of the Council or officer)	None

Introduction

- 1. This guide is designed to provide members of Schools Forums, local authority officers and elected members with advice and information on good practice in relation to the operation of Schools Forums.
- 2. It is organised in two sections:
 - Section 1 provides information on the constitutional and organisational requirements for Schools Forums; and
 - Section 2 covers a number of key aspects of the operation of Schools Forums at local level, drawing on good practice from a number of Schools Forums.
- 3. The guide draws on the experience and knowledge of Schools Forum members, local authority members and officers and the Department and its partners. Other than where it is describing requirements set out in the Schools Forum Regulations 2012 it is not designed to be prescriptive what is good practice in one Schools Forum may not be appropriate in another, given the diverse circumstances of local areas. However, it is hoped the guide will stimulate some debate within Schools Forums and contribute to their ongoing development.
- 4. The Department hopes that Schools Forums and local authorities find this guide useful. It has been the subject of consultation with a wide variety of external partners. In particular, members of the Department's Schools and Academies Funding Group, made up of representatives from central and local government, teaching associations, unions representing support staff as well as organisations representing academies and governors, have provided valuable input and advice on the content of the guide. The Department is grateful for their assistance.
- 5. The <u>Department's website</u> contains details of all the announcements, documents and other information relating to school funding and Schools Forums. This website also has a range of useful links to other sites that may be of relevance to Schools Forum members.
- 6. The main <u>school funding page</u> on the DfE website has links to the latest news and information on schools funding. There are also dedicated <u>Schools Forums pages</u> and a <u>Quick guide to Schools Forums</u>.
- 7. If you have any queries about the operation of Schools Forums please contact the Education Funding Agency: reformteam.funding@education.gsi.gov.uk.

The postal address of the agency is: Education Funding Agency Department for Education Sanctuary Buildings Great Smith Street London SW1P 3BT

Section 1 – Schools Forum Regulations: Constitution and Procedural Issues

Regulations

- 1.1. National regulations² govern the composition, constitution and procedures of Schools Forums. Local authorities can provide Schools Forum members with a copy of these regulations or alternatively they are available from the <u>Department's</u> website.
- 1.2. A <u>Quick guide to Schools Forums</u> for schools and academies is also available on the department's website. This explains the role of Schools Forums and the responsibilities of schools and academies.

Schools Forum powers

- 1.3. Schools Forums generally have a consultative role. However, there are situations in which they have decision-making powers. The respective roles of Schools Forums, local authorities and the DfE are summarised in Table 1 on pages 3-5. The overarching areas on which Schools Forums make decisions on local authority proposals are:
 - De-delegation from mainstream schools budgets (separate approval will be required by the primary and secondary phase members of Schools Forum), for prescribed services to be provided centrally.
 - To create a fund for significant pupil growth in order to support the local authority's duty for place planning (basic need) and agree the criteria for maintained schools and academies to access this fund.
 - To create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for maintained schools and academies to access this fund.
 - Continued funding at existing levels for prescribed historic commitments where the effect of delegating this funding would be destabilising.
 - Funding for the local authority in order to meet prescribed statutory duties placed upon it. Approval is required to confirm the amounts for each duty and no new commitments or increases in expenditure from 2013/14 are permitted unless agreed by the Secretary of State.
 - Funding for central early years expenditure, which may include funding for checking eligibility of pupils for an early years place and/or free school meals.

² Schools Forums (England) Regulations 2012 (S.I. 2012/2261)

 Authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure that is to be carried forward from a previous funding period.

In each of these cases, the local authority can appeal to the DfE if the Schools Forum rejects its proposal.

- 1.4. Local Authorities should be aware that the provisions of the Local Government Act 2000 restrict the delegation of local authority decisions to Cabinet, a member of Cabinet, a Committee of Cabinet or an officer of the Council, which would not include Schools Forums. As a result the local authority cannot delegate its decision making powers to Schools Forum, e.g. decisions on the funding formula.
- 1.5. Regulations state that the local authority must consult the Schools Forum annually in connection with various schools budget functions, namely:
 - amendments to the school funding formula, for which the voting is restricted by the exclusion of non-schools members except for PVI representatives
 - arrangements for the education of pupils with special educational needs
 - arrangements for the use of pupil referral units and the education of children otherwise than at school
 - arrangements for early years provision
 - administrative arrangements for the allocation of central government grants paid to schools via the local authority
- 1.6. Consultation must also take place when a local authority is proposing a contract for supplies and services which is to be funded from the Schools Budget and is in excess of the EU procurement thresholds. The consultation must cover the terms of the contract at least one month prior to the issue of invitations to tender.
- 1.7. The Schools Forum has the responsibility of informing the governing bodies of all schools maintained by the local authority of the results of any consultations carried out by the local authority relating to the issues in paragraphs 1.5 and 1.6.
- 1.8. For 2014-15, local authorities will need to discuss with the Schools Forum any proposals to:
 - vary the Minimum Funding Guarantee (MFG)
 - use exceptional factors
 - vary pupil numbers
 - allow additional categories of, or spending on, central budgets
 - amend the sparsity factor
 - vary the lump sum for amalgamating schools
 - vary the protection for special schools and special academies
 - Proposals will need to be approved by the Secretary of State.

Membership

1.9. The Regulations provide a framework for the appointment of members, but allow a considerable degree of discretion in order to accommodate local priorities and practice.

- 1.10. There is no maximum or minimum size of a Schools Forum. Authorities will wish to take various issues into account in deciding the actual size, including the need to have full representation for various types of school, and the local authority's policy on representation of non-schools members. However, care should be taken to keep the Schools Forum to a reasonable size to ensure that it does not become too unwieldy.
- 1.11. Types of member: Schools Forums must have 'schools members' (para 1.16-1.32), 'academies member(s)' if there is at least one academy in the local authority's area (para 1.33-1.37) and 'non-schools members' (para 1.38-1.42). Schools and academies 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 members must be broadly proportionate to the pupil numbers in each category, so the structure of Forum should be regularly reviewed, e.g. annually. There is no requirement for academies members to represent specific phases, but it may be encouraged to ensure representation remains broadly proportionate to pupil numbers.
- 1.12. Schools Forum members will need the skills and competencies to manage Forum business (as detailed in Table 2 on pages 6-8) and to take a strategic view across the whole education estate whilst acting as representative of the group that has elected them. Furthermore, they should be easily contactable and pro-active in raising the profile of issues and communicate decisions, and the reasons behind them, effectively

Term of office

- 1.13. The term of office for each schools member and academies member should be stipulated by the local authority at the time of appointment. Such stipulation should follow published rules and be applied in a consistent manner as between members. They need not have identical terms there may be a case for varied terms so that there is continuity of experience rather than there being a complete change in the membership at a single point. The term of office should not be of a length that would hinder the requirement for the structure of Schools Forum to mirror the type of provision in light of the pace of academy conversions. Examples of how this may work include:-
 - Holding vacancies until the Schools Forum structure is reviewed providing that this does not mean holding vacancies for an unreasonable length of time
 - Increasing the size of Schools Forum temporarily to appoint additional academy members, then delete schools member posts at the end of a term of office or when a vacancy arises
 - Consider continuity of service where an academy conversion affects the school of a current schools member, would academies consider appointing that person as an academies member?
- 1.14. The length of term of office for non-schools members is at the discretion of the local authority. Schools and academies must be informed, within a month of the appointment of any non-schools member, of the name of the member and the name of the body that that member represents.

1.15. As well as the term of office coming to an end, a member ceases to be a member of the Schools Forum if he or she resigns from the Schools Forum or no longer occupies the office by which he or she became eligible for election, selection or appointment to the Schools Forum. For example, a secondary schools member must stand down if their school converts to an academy. A schools member representing community primary school governors who is no longer a governor of a community primary school in the relevant local authority must cease to hold office on the Schools Forum even if they remain a governor of a school represented by another group or sub-group. Other situations in which membership of the Schools Forum ends are if a member gives notice in writing to the local authority and, in the case of a non-schools member, the member is replaced by the local authority, for example at the request of the body which the member represents.

Schools members

- 1.16. Schools members represent specified phases or types of maintained schools within the local authority. As a minimum, Schools Forums must contain representatives of two groups of schools: primary and secondary schools, unless there are no primary or secondary schools maintained by the LA. Middle schools and all through schools are treated according to their deemed status.
- 1.17. Where a local authority maintains one or more special schools the Schools Forum must have at least one schools member from that sector. The same applies to nursery schools and pupil referral units (PRUs).
- 1.18. The local authority then has discretion to divide the groups referred to in paragraph 1.16 and 1.17 into one or more of the following sub-groups—
 - headteachers or headteachers' representatives in each group:
 - governors in each group;
 - headteachers or headteachers representatives and governors in each group;
 - representatives of the particular school category.
- 1.19. Headteachers can be represented by other senior members of staff within their school. Governors can include interim executive members of an interim executive board. The sub-groups do not have to be of equal size for example, there may be more representatives of headteachers of primary schools than governors of such schools, or vice versa. The membership structure of Schools Forum should ensure there is sufficient representation of each type of schools member in each group to ensure that debate within the Schools Forum is balanced and representative. As a minimum, there must be at least one representative of headteachers and one representative of governors among the schools' members.
- 1.20. Whatever the membership structure of schools members on a Schools Forum, the important issue is that it should reflect most effectively the profile of education provision across the local authority to ensure that there is not an in-built bias towards any one phase or group.

Election and nomination of schools members

- 1.21. The relevant group or sub-group is probably best placed to determine how their schools members should be elected.
- 1.22. It is good practice for those who draw up the scheme to ensure that a vacancy amongst a represented group would be filled by a nominee elected according to a process that has been determined by all those represented in that group, e.g. community primary school headteachers, or secondary school governors, ensuring that everyone represented has had the opportunity to stand for election and/or vote in such an election.
- 1.23. It is not appropriate for a single person to be elected to represent more than one group or sub-group concurrently, i.e. if they were a governor at a primary and secondary school. They can stand for election from either group but can be appointed to represent only one of those groups.
- 1.24. The purpose of ensuring that each group or sub-group is responsible for their election process is to guarantee that there is a transparent and representative process by which members of Schools Forums are nominated to represent their constituents.
- 1.25. Appropriate support to each group or sub-group to manage their election processes should be offered by the clerk of a Schools Forum, or the committee/democratic services of a local authority. This may just include the provision of advice but may also consist of providing administrative support in actually running the elections themselves.
- 1.26. As a minimum, we would recommend that the clerk of a Schools Forum make a record of the process by which the relevant schools within each group and subgroup elect their nominees to the Schools Forum and be able to advise the Chair of the Schools Forum and local authority on action that needs to be taken, where necessary, to seek new nominees.
- 1.27. In determining the process by which elections should be operated it is perfectly legitimate for a local authority to devise, in consultation with their Schools Forum, a model scheme for the relevant schools within a group or sub-group to consider and be invited to adopt. However, such a model scheme cannot be imposed on that body of schools: adaptations and/or alternative schemes may be adopted. A single scheme need not be adopted universally.
- 1.28. Care should be taken to ensure that every eligible member of a group or subgroup has an opportunity to be involved in the determination of their group's election process, is given the opportunity to stand for election if they choose to do so, and is involved in the election of their representative(s).
- 1.29. It would not be compliant with the Regulations for the steering committee or Chair of a 'parent' group simply to make a nomination to represent their group or subgroup on a Schools Forum. Schools members must be elected, subject to paragraph 1.30 below.

- 1.30. The local authority may set a date by which the election should take place and must appoint the schools member if the election has not taken place by that date. The person appointed should be a member of the relevant group.
- 1.31. We would recommend that any scheme takes into account a number of factors:
 - a. the process for collecting names of those wishing to stand for election;
 - b. the timescale for notifying all constituents of the election and those standing;
 - c. the arrangements for dispatching and receiving ballots;
 - d. the arrangements for counting and publicising the results;
 - e. any arrangements for unusual circumstances such as only one candidate standing in an election; and
 - f. whether existing members can stand for re-election.
- 1.32. In the event of a tie between two or more candidates, then the local authority must appoint the schools member instead. The local authority may decide to appoint someone else rather than one of the candidates and might wish to take into account the experience or expertise of the individuals, and the balance between the different types of school represented on the Schools Forum.

Election and nomination of academies members

- 1.33. Academies members must be elected by the proprietor bodies of the academies in the local authority's area, and they are probably best placed to determine the process. Academies members are there to represent the proprietor bodies of academies and are, therefore, not necessarily restricted to principals, senior staff or governors. The same factors should be taken into account as for the election of schools members, set out in paragraphs 1.21 to 1.32. For the avoidance of doubt, Free Schools, University Technical Colleges and Studio Schools are classed as academies for this purpose. There is no distinction between sponsored, non-recoupment and converter academies.
- 1.34. Where there is only one academy in the local authority's area, then their proprietor body must select the person who will represent them.
- 1.35. There is no requirement for academies members to be split into specific subgroups. e.g. primary, secondary, special, alternative provision. However, local authorities may wish to encourage academies to consider the pupil proportions across all academies when electing their representatives.
- 1.36. It is possible that a single person be appointed as an academies member to more than one Schools Forum, for example if an academy chain is located across multiple local authorities, providing they are elected on each occasion in accordance with the agreed election process for each separate Schools Forum.
- 1.37. As with schools members, the local authority may set a date by which the election should take place and must appoint an academies member if the election does not take place by that date, or if an election results in a tie between two or more candidates.

Non-schools members

- 1.38. Non-schools members may number no more than a third of a Schools Forum's total membership (excluding observers see paragraph 1.51). A representative of providers of 16-19 education must be elected from those providers. This includes those in the FE sector (FE and sixth form colleges) and other institutions that specialise in special education needs (SEN) and learning difficulties and disabilities (LDD) provision (ISPs), where 20% or more of their students reside in the local authority's area. As with academies the providers are probably best placed to determine the election process.
- 1.39. The local authority must appoint at least one person to represent early years providers from the private, voluntary and independent (PVI) sector. Early years PVI settings need to be represented because funding for the free entitlement for three and four year olds comes from the Schools Budget, and all settings are funded through the Early Years Single Funding Formula (EYSFF) including funding for the free entitlement for disadvantaged two-year-olds.
- 1.40. Before appointing additional non-schools members to the Schools Forum, the local authority must consider whether the Church of England and Roman Catholic dioceses situated in the local authority's area; and, where there are schools or academies in the area with a different religious character, the appropriate faith group, should be represented on the Schools Forum. If diocesan authorities nominate members for appointment as non-schools members they may wish to consider what type of representative would be most appropriate schools-based such as a headteacher or governor, or someone linked more generally with the diocese, e.g. a member of the education board.
- 1.41. It is also good practice for local authorities to ensure that the needs and interests of all the pupils in the local authority are adequately represented by the members of a Schools Forum. The interests of pupils in maintained schools can be represented by schools members. Some pupils in a local authority, however, are not in maintained schools but instead are educated in hospitals, independent special schools and non-maintained special schools. Certain types of non-schools members can play an important role in representing the interests of these groups of pupils. They can also play a role in representing the interests and views of the services that support those groups of vulnerable and at-risk pupils who nevertheless are on the roll of maintained schools, such as looked after children and children with special educational needs.
- 1.42. The purpose of non-schools members is also to bring greater breadth of discussion to Schools Forum meetings and ensure that stakeholders and partners other than schools are represented. Organisations which typically provide non-schools members are trades unions, professional associations and representatives of youth groups. Parent groups could also be considered. However, as there are clearly limited numbers of non-schools members able to be on a Schools Forum, care should be taken to ensure that an appropriate representation from wider stakeholders is achieved.

Other membership issues

- 1.43. There are three restrictions placed on who can be a non-schools member of a Schools Forum. The local authority cannot appoint:
 - an elected member of the local authority who is appointed to the executive of that local authority (a lead member/portfolio holder) 'executive members',
 - the Director of Children's Services or any officer employed or engaged to work under the management of the Director of Children's Services, and who does not directly provide education to children (or manage those who do) ('relevant officer' (a) and (b)),
 - other officers with a specific role in management of and/or who advise on funding for schools ('relevant officer' part (c)).
- 1.44. Schools Forums have the power to approve a limited range of proposals from their local authority: the restrictions ensure that there is no conflict of interest between the proposing body (the local authority) and the approving body (the Schools Forum).
- 1.45. However, non-executive elected members and those officers who are employed in their capacity as headteachers or teachers and those who directly manage a service which provides education to individual children and/or advice to schools on, for example, learning and behavioural matters are eligible to be members of Schools Forums.
- 1.46. In the case of non-executive elected members, they may be a schools member (by virtue of them being a school governor), an academies member or a non-schools member. As a non-schools member they may be well placed to fulfil the broader overview and scrutiny role they have within the local authority in general.
- 1.47. However, the inclusion of non-executive elected members and certain officers is not a requirement. Many Schools Forums do not have such members on them and it is for each local authority and Schools Forum to consider how best to ensure the right balance of school and non-school representation on the Schools Forum, taking into account their local circumstances and preferences.

The role of executive elected members

- 1.48. A Schools Forum needs to ensure that there are systems in place for executive members of the Council to be aware of its views on specific issues and, in particular, any decisions it takes in relation to the Schools Budget and individual budget shares.
- 1.49. Executive members with responsibility for education/children's services or resources of the local authority are able to participate in Schools Forum meetings. By doing so such elected members are able to contribute to the discussion and receive first-hand the views of the Schools Forum: it is clearly good practice for this to be the case and the regulations provide the right for executive members to attend and speak at Schools Forum meetings. However, there is no requirement for this to happen so at the very least there should be clear channels of communication between the Schools Forum and executive members.

Communication may also be assisted if Schools Forum members attended relevant Cabinet meetings as members of the public, e.g. when the funding formula is decided.

Recording the composition of Schools Forums

1.50. 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 subgroup 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.

Observers

1.51. The Regulations provide that the Secretary of State can appoint an observer to attend and speak at Schools Forum meetings, e.g. a representative from the Education Funding Agency (EFA). This allows a conduit for national policy to be discussed at a local level and provide access for Schools Forum to an additional support mechanism, e.g. where there are highly complex issues to resolve.

Participation of local authority officers at meetings

- 1.52. Only specific officers can speak at meetings of the Schools Forum. These officers are:
 - Director of Children's Services or their representative
 - Chief Financial Officer or their representative
 - Any person invited by Schools Forum to provide financial or technical advice
 - Any person presenting a paper to Schools Forum but their ability to speak is limited to the paper that they are presenting.
- 1.53. In the majority of cases Schools Forums are supported by a specific officer. In the course of their work, however, Schools Forums will be required to consider a whole range of issues and they may consider it appropriate that other officers attend for specific items of business. Where this is the case, the local authority should meet the Schools Forum's requests as far as possible.

Procedures

- 1.54. Many procedural matters are not prescribed in the Regulations and are at the discretion either of the local authority or the Schools Forum itself. However, there are requirements in the Regulations relating to:
 - a. <u>quorum</u>: A meeting is only quorate if 40% of the total membership is present (this excludes any observers, and it is 40% of the current

membership excluding vacancies). If a meeting is inquorate it can proceed but it cannot legally take decisions (e.g. election of a Chair, or a decision relating to funding conferred by the funding regulations). An inquorate meeting can respond to local authority consultation, and give views to the local authority. It would normally be good practice for the local authority to take account of such 'unofficial' views, but it is not legally obliged to do so. In practice, the arrangements for meetings should be made to reduce the chance of a problem with quora. The quorum stipulation is in the Regulations to help ensure the legitimacy of decisions;

- b. <u>election of a Chair</u>: Under the Regulations, if the position of Chair falls vacant the Schools Forum must decide how long the term of office of the next Chair will be. This can be for any period, but the Schools Forum should consider carefully whether a period exceeding two years is sensible. A long period will also cause problems if the member elected as Chair has a term of office as a member which comes to an end before their term of office as Chair ends. The Schools Forum must elect a Chair from amongst its own members, so it is not possible to elect an independent Chair. In addition any elected member of the local authority or officer of the local authority who is a member of a Schools Forum may not hold the office of Chair. Schools Forums can also appoint to a position of vice Chair to provide cover if the Chair is absent or the post vacant;
- c. <u>voting procedures</u>: The Regulations provide that a Schools Forum may determine its own voting procedures save that voting on:-
 - the funding formula is limited to schools members, academies members and PVI representatives
 - de-delegation will be limited to the specific primary and secondary phase of maintained schools members.

The powers which Schools Forums have to take decisions on a range of funding matters increase the importance of clear procedures, e.g. decisions are made on a simple majority or the threshold to be met if higher. These procedures should take account of any use of working groups by the Schools Forum – for example a decision might be taken by voting to accept and adopt a report by a working group (see 1.58). As part of any voting procedure there should be clarity in the procedures for recording the outcome of a vote, and any resolutions a Schools Forum makes in relation to any vote taken;

- d. <u>substitutes</u>: The local authority must make arrangements to enable substitutes to attend and vote (where appropriate) at Schools Forum meetings. This applies to schools members, academies members and non-schools members. The arrangements must be decided in consultation with Schools Forum members.
- e. <u>defects and vacancies</u>: The Regulations provide that proceedings of the Schools Forum are not invalidated by defects in the election or appointment of any member, or the appointment of the Chair. Nor does the existence of any vacancy on the Schools Forum invalidate proceedings (see paragraph 1.52(a) on quorum).

- f. timing: Schools Forums must meet at least four times a year
- 1.55. Where the Regulations make no provision on a procedural matter, local discretion should be exercised. It is for the local authority to decide how far it wishes to establish rules for the Schools Forum to follow, in the form of standing orders. While it is entitled to do so, it is of course good practice to allow the Schools Forum to set its own rules so far as possible.

Public access

- 1.56. Schools Forums are more than just consultative bodies. They also have an important role to play in approving certain proposals from their local authority and are therefore involved in the decision making process surrounding the use of public money at local level. As a result Schools Forums are required to be open to the public. Furthermore papers, agendas and minutes must be publicly available well in advance of each meeting. It is good practice that notification that Schools Forum is a public meeting is included on the website and papers are published at least a week in advance.
- 1.57. Some Schools Forums already operate very much along the lines of a local authority committee. This is perfectly legitimate and will provide a consistent framework for the running of meetings that are open to the public, and the publishing of papers and agendas well in advance of the meeting and minutes published promptly as required under Regulation 8(13) of the Schools Forum Regulations 2012.

Working groups

1.58. It is open to a Schools Forum to set up working groups of members to discuss specific issues, and to produce draft advice and decisions for the Schools Forum itself to consider. The groups can also include wider representation - for example, an early years reference group can represent all the different types of provider to consider the detail of the early years single funding formula. The reference group would then be able to give its considered view on the local authority's proposals to the Schools Forum. The Schools Forum should not delegate actual decisions or the finalisation of advice to a working group, as this may have the effect of excluding legitimate points of view.

Urgent business

1.59. It is good practice for the local authority to agree with its Schools Forum an urgency procedure to be followed when there is a genuine business need for a decision or formal view to be expressed by the Schools Forum, before the next scheduled meeting. The local authority may of course call an unscheduled meeting; but it may also wish to put in place alternative arrangements such as clearance by email correspondence or some other means. Such instances should be avoided so far as possible but are legitimate provided all members of the Schools Forum have an opportunity to participate, the logistics provide a

- reasonable opportunity for consideration and the local authority policy on data security is not compromised.
- 1.60. It is not legal for the Chair to take a decision on behalf of the Schools Forum, no matter how urgent the matter in question; but a Schools Forum may wish to put in place a procedure for the Chair to give the local authority a view on an urgent issue.

Resources of the Schools Forum

- 1.61. The costs of a Schools Forum fall in the centrally retained budget portion of the Schools Block of local authorities. Nationally there is variation in the level of funding local authorities identify against Schools Forum expenditure: the median budgeted expenditure in 2013-14 was £24,158.
- 1.62. It is legitimate to charge the running costs of Schools Forums to this budget including any agreed and reasonable expenses for members attending meetings, the costs of producing and distributing papers and costs room hire and refreshments and for clerking of meetings. Beyond these costs some Schools Forums have a budget of their own to use for activities such as commissioning research or other reports. The 2012 School and Early Years Finance Regulations provide that the level of resource devoted to running Schools Forums in 2013-14 is limited to 2012-13 levels unless the Secretary of State agrees an increase. Similar arrangements are in the draft 2013 Regulations.

Section 2 - Effective Schools Forums

Introduction

- 2.1. As the previous section outlined, local authorities have responsibility for establishing Schools Forums. They also have an ongoing responsibility to provide them with appropriate support, information and guidance in carrying out their functions and responsibilities.
- 2.2. The following outlines some aspects of what local authorities and Schools Forums should consider in ensuring that their Schools Forums are as effective as possible. The pace of academy conversions in particular means that this significant sector must be properly represented and feel that it is able to play a meaningful part in the discussions of the Schools Forum.
- 2.3. Central to the effectiveness or otherwise of a Schools Forum will be the relationship between it and its local authority. The local authority will have a significant influence on this: the support it provides; the resources it devotes and the weight it gives to the views of Schools Forums all contribute to the nature of the relationship. There are therefore a number of characteristics of this relationship that are particularly important:
 - Partnership: Having a shared understanding of the priorities, issues and concerns of schools, academies and the local authority.
 - Effective Support: The business of the Schools Forum is supported by the local authority in an efficient and professional manner.
 - Openness: It is important that a Schools Forum feels it is receiving open, honest and objective advice from its local authority.
 - Responsiveness: Local authorities should as far as possible be responsive to requests from their Schools Forums and their members. Schools Forums themselves should also be aware of the resource implications of their requests.
 - Strategic view: Members of Schools Forum should consider the needs of the whole of the educational community, rather than using their position on a Schools Forum to advance their own sectional or specific interests.
 - Challenge and Scrutiny: Schools Forums may be asked to agree to proposals from their local authority that will have an effect on all schools and academies in the local area. The extent to which Schools Forums can scrutinise and challenge such proposals is an important aspect of their effectiveness.
- 2.4. The characteristics identified above are just some of the aspects that will contribute to an effective Schools Forum. The following provides more detail on some of the specific issues that local authorities and Schools Forums may wish to consider in thinking about their own arrangements.

Induction of new members

- 2.5. When new members join the Schools Forum appropriate induction materials should be provided. These might include material relating to the operation of the Schools Forum together with background information about the local and national school funding arrangements. Typically they might comprise:
 - a. the constitution of the Schools Forum
 - b. a list of members including contact details and their terms of office
 - c. any locally agreed terms of reference explaining the relationship between the Schools Forum and the local authority
 - d. copies of minutes of previous meetings
 - e. the programme of Schools Forum meetings for the year
 - f. the local Schools Forum web address
- 2.6. This Operational and Good Practice Guide, suitably supplemented by local material, should also be provided to new members on their appointment.
- 2.7. Where there is sufficient turnover of Schools Forum members in any particular year the local authority may wish to organise a one-off induction event to brief new members. Such an event would usefully include an outline of the role of the Schools Forum and the national funding arrangements for schools and local authorities. It might also include an explanation of the local funding formula and any proposals for review. The opportunity could also be taken to explain the main reporting requirements for school and local authority expenditure.

Training

- 2.8. Ideally Schools Forum members should be able to use some of the budget set aside for Schools Forum running costs for accessing relevant training activities. Some training will be provided by officers of the local authority but members may wish to attend national or regional events, the costs of which, where necessary, can be supported from the Schools Forum budget.
- 2.9. Training will need to be provided in response to any changes in the role of the Schools Forum and national developments in respect of school funding.

Agenda setting

- 2.10. The process by which the agenda for a meeting or cycle of meetings is set is in many respects one of the key determinants of the effectiveness or otherwise of a Schools Forum.
- 2.11. The frequency and timing of meetings of the Schools Forum should be agreed in advance of each financial or academic year. In drawing up this cycle of meetings, in consultation with the Schools Forum, the local authority should provide a clear overview of the key consultative and decision-making points in the school funding cycle. These will be drawn from a combination of national and local information and should inform the basic agenda items that each meeting needs to cover. For instance meetings will need to be scheduled at appropriate points to enable the

- Schools Forum to consider the outcomes of local consultations and national announcements.
- 2.12. Although the business of Schools Forums must be open and transparent, it is recognised that from time to time items of a confidential nature will need to be discussed. It is recommended that authorities apply the same principles that they apply to Council/Cabinet meetings when judging an item to be confidential and adopt similar practices for dealing with those reports in the meeting, e.g. placing them together at the end of the agenda.

Preparation for a Schools Forum meeting

- 2.13. It is vital that Schools Forum is transparent, open and has clear communication lines to all of the members that are represented. This ensures the wider school family are aware of the business discussed, the impact on their setting and the reasons for the decisions.
- 2.14. The vast majority of a Schools Forum's business will be transacted on the basis of prepared papers. It is therefore important that these are concise, informative and produced in a timely and consistent manner. Recommendations should be clearly set out at the beginning of each report. It is also helpful if the front of the report confirms whether the report is for information or decision and who is eligible to vote where relevant.
- 2.15. It is good practice for the Schools Forum and local authority to agree a standard for these. It is usual for papers to be dispatched at least one week prior to the meeting at which they will be discussed to allow members to consider them and if necessary canvass views from the group they are representing. Papers should be published on the local authority's website at this time to enable representations to be made to Schools Forum members.
- 2.16. Consistency in the presentation of papers also contributes to the effectiveness of meetings: it helps set the tone of meetings, facilitate the engagement of all members and signal the importance the local authority attaches to the work of the Schools Forum. Ideally such a standard should be agreed between the Schools Forum and local authority. The publishing of papers as a single pdf file is helpful as it saves time and avoids accessing multiple documents both in advance of, and during, the meeting. An Executive Summary of the reports can provide Schools Forum members and members of the public with an overview of the agenda and the decisions required.
- 2.17. The publishing of papers on a publicly available website well in advance of the meeting ensures that all interested parties are able to access papers. Some Schools Forums ensure that each represented group meets in the days immediately prior to the Schools Forum meeting to ensure the agenda is discussed and Schools Forum members are properly briefed by the group they represent. Although on occasions it is inevitable that Schools Forums will receive late, or tabled reports it does create some difficulty for members as they will not have been able to seek the views of those they represent.

2.18. Schools Forums can consider adopting a flexible arrangement for time immediately prior to the meeting. For example it could be used for training of new members, or as a drop-in session for members to ask items of clarification, or for members to meet without officers to discuss the agenda.

Chairing the Schools Forum

- 2.19. The Chair of a Schools Forum plays a key role in setting the tone, pace and overall dynamic of the Schools Forum. They should provide an environment within which all members are able to contribute fully to discussions and guide the Schools Forum to making well informed decisions.
- 2.20. The relationship between the Chair and the local authority is therefore vital. The Chair should be very clear on the substance of the agenda items, understand the issues involved and the decisions and/or actions that need to be taken in respect of School Forum business. It is good practice for there to be a pre-meeting between the senior officer of the local authority supporting the Schools Forum and the Chair of the Schools Forum to ensure that all the issues are clearly understood.
- 2.21. Equally, the Chair has the responsibility of representing the views of the Schools Forum back to the local authority: for instance, they should, where appropriate, take the initiative to make suggestions for improvements to the way the business is conducted, and, in exceptional cases and with support of the members of the Schools Forum take the view that they do not have sufficient information on which to base a decision and ask that an item is deferred until further information is available. However, in doing so, the Chair and Schools Forum should be fully aware of the consequences of deferral.
- 2.22. The independence of Schools Forum is paramount. Enhancing the role of Chair to a paid position, rather than the reimbursement of reasonable expenses, could blur the lines of independence. Similarly, if the Chair undertakes significant work for the LA in another capacity, e.g. as an external consultant, they could be viewed as equivalent to an officer of the local authority.
- 2.23. Local authorities could consider if sharing contact details of the Schools Forum Chair with neighbouring authorities would be helpful for peer support and improving networking opportunities.

Clerking the Schools Forum

- 2.24. Clerking of a Schools Forum should be seen as more than just writing a note of the meeting. A good clerk provides an invaluable link between the members of the Schools Forum, the Chair and the local authority. It is a role often undertaken by an employee of the local authority though we would recommend consideration is given to the use of an independent clerk.
- 2.25. Clerks should manage the logistics of the meeting in terms of ensuring dispatch of papers and producing a note from the meeting. In considering the style of meeting notes consideration should be given to making them intelligible enough for non-attendees to get a sense of the discussion as well as clearly indicating the

conclusion and action agreed in relation to each agenda item. Verbatim reports of a Schools Forum's discussion, however, are unlikely to be very useful. Schools Forums may consider whether a simple action log should be maintained by the clerk to ensure all action points agreed are followed up.

2.26. Beyond this a good clerk can:

- a. provide the route by which Schools Forum members can access further information and co-ordinate communication to Schools Forum members outside of the formal meeting cycle;
- b. respond to any queries about the business of the Schools Forum from headteachers, governors and others who are not on the Schools Forum themselves;
- c. be responsible for ensuring contact details of all members are up to date;
- d. maintain the list of members on the Schools Forum and advise on membership issues in general:
- e. assist with the co-ordination of nomination/election processes run by the constituent groups;
- f. keep the Schools Forum website up to date: e.g. by posting latest minutes and papers etc;
- g. monitor, on a regular basis, the Schools Forum and general Schools Funding section of the Department for Education (DfE) website or the gov.uk website; and arrange for the distribution of any relevant DfE information to Schools Forum members;
- h. if appropriate, provide technical advice in relation to the Schools Forum regulations and in relation to the operation of a Schools Forum's local constitution; and
- i. organise, operate and record any voting activity of the Schools Forum in line with the provisions of its local constitution.
- 2.27. Not all of these tasks may be able to be undertaken by the Schools Forum clerk. However, each one is important and there should be arrangements in place to ensure they are discharged adequately.

Good practice for Schools Forum meetings

- 2.28. Schools Forums should ensure there is a clear debate of all agenda items. Whilst sub-group meetings are valuable in working through detailed issues, Schools Forum should consider that the level of debate held at the Schools Forum meeting and recorded in the minutes will be the official reflection of the level of challenge and discussion on each issue.
- 2.29. The use of nameplates for Schools Forum members also showing which group they are representing can be helpful to members of the public and presenters of papers.
- 2.30. The use of coloured cards or coloured nameplates can be helpful when specific members of Schools Forum are eligible to vote on specific items, e.g. dedelegation or changes to the funding formula.

- 2.31. Consultations with Schools Forum are a key responsibility of a local authority, ranging from the funding formula to the letting of contracts. Each consultation will be different and depend on the subject being consulted on, but local authorities should consider the following factors as good practice for effective consultation:-
 - Plan and consult early
 - Allow reasonable timescales for response (as Forum members may need to consult the groups they represent)
 - An open and honest approach
 - Fully inclusive
 - Allow for ongoing dialogue
 - Provide feedback
 - Clear communications.

Meeting notes and recording of decisions

- 2.32. A vital part of the effective operation of a Schools Forum is to ensure that an accurate record of the meeting is taken. This must include the clear recording of votes where there are contrary views. Recommendations to, and decisions of, Schools Forum must be clearly set out.
- 2.33. Notes or minutes of each Schools Forum meeting should be produced and put on the website as soon after the meeting as possible to enable members and others to see the outcome of any discussions and decisions/votes. It is good practice to formally agree the accuracy of the note/minutes at a subsequent meeting but the publication of the draft minutes should not be delayed as a result.
- 2.34. In order to provide clarity about representation at each meeting, it is good practice for the minutes to record the group and/or subgroup that each member represents against their name.

Communication

- 2.35. Communication to the wider educational community of the discussions and debates of, and decisions made by, Schools Forum is fundamental to their effective operation. The more schools and other stakeholders know about the proceedings of the Schools Forum, the more their work will be an important and central part of the context of local educational funding. This is particularly important given the decision making role that the Schools Forum has. Local authorities should consider the operational differences between the types of stakeholders and plan their communications accordingly. For example ensuring effective communications across the PVI sector may be more difficult than with schools, who are more likely to have existing channels of communication e.g. headteacher meetings.
- 2.36. Each Schools Forum should therefore be clear what its channels of communication are. One channel is the requirement that all its agenda, minutes and papers are publicly available on the local authority's website. However, the Schools Forum should also consider additional communication processes. These could include:

- a. the reporting back by Schools Forum members to their 'parent' group of the business of the Schools Forum is a key responsibility of Schools Forum members. This can be a particularly useful method of ensuing that Schools Forum members have an ongoing dialogue with the constituents of their group or sub-group and are therefore well able to represent their views at Schools Forum meetings;
- b. an annual report on the proceedings of the Schools Forum;
- c. attendance by the Chair, or other Schools Forum member, at other relevant consultative or management groups such as any capital working group; or senior management meetings of the Children's Services Department; or
- d. a brief email to all schools, early years providers and other stakeholders after each Schools Forum meeting informing them of the discussions and decisions with a link to the full papers and minutes for further information
- e. a Schools Forum newsletter can be a less formal and more interesting way of communicating forum business and raising the profile of Schools Forum and its members.

News updates

- 2.37. Most, but not all, members of the Schools Forum will already be in receipt of regular information on school funding matters from the local authority and DfE. Other Schools Forum members should be copied into such information flows so that they can be kept abreast of developments between meetings.
- 2.38. Many local authorities have already established dedicated Schools Forum websites on which they post key information for Schools Forum members and other interested parties.



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EDUCATION SCRUTINY COMMITTEE - 3 APRIL 2014

Educational Attainment of Vulnerable Groups – 2012/13 academic year

Report by Deputy Director, for Education & Early Intervention

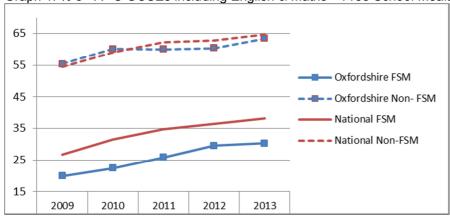
Overall children in Oxfordshire generally attain well at school, with educational performance above the national average at key stage 2 and in line with the national average at key stage 4. However there are specific vulnerable groups where attainment is noticeably below that of the same cohort nationally.

In this report key stage 4 performance relates to the % attaining 5 or more GCSEs at A*-C including English and maths. Key stage 2 performance relates to the % attaining at least level 4 in reading, writing and maths. Due to a change in definition this is only available for the last two years.

1. Pupils known to be eligible for Free School Meals (FSM):

1a. Key Stage 4

Graph 1: % 5+ A*-C GCSEs including English & Maths – Free School Meals



	Free School Meal Gap (%pts)						
_	2012	2013					
Oxfordshire	36	38	34	31	33		
National	28	28	28	26	27		

- 70% of pupils known to be eligible for Free School Meals in Oxfordshire leave school without 5 GCSEs at A*-C including English and maths. Nationally this proportion is 62%.
- Oxfordshire's FSM attainment at GCSE ranks 125th out of 152 LAs.
- The FSM gap relates to the difference in attainment between those eligible for free school meals and the rest of the cohort.
- Oxfordshire's non-FSM attainment is in line with national but that of Oxfordshire's FSM pupils falls below that nationally, resulting in a wider attainment gap.
- The FSM gap in Oxfordshire had been decreasing since 2010 but it widened again in 2013. The cohort has increased from 450 in 2009 to 540 in 2013, with a significant increase between 2012 and 2013 which corresponds to the period in which the gap widened.
- Oxfordshire FSM pupils are broadly in line with national for the proportion achieving 5+ GCSEs at any grade. However the county falls significantly below the national average for the proportion achieving at least 5 GCSEs at A*-C. This indicates that it is achieving the higher grades is the potential challenge for this group of children.
- A similar pattern is shown for pupil premium (for those pupils eligible for FSM at any point in the last 6 years) although only 2 years data is available.

1b. Key Stage 2

		% Level 4+ Reading, Writing and maths							
			2012		2013				
		FSM	Non FSM	FSM gap (%pts)	FSM	Non FSM	FSM gap (%pts)		
O	xfordshire	56	79	23	58	80	22		
Na	ational	59	78	19	60	79	19		

- Only 58% of key stage 2 pupils eligible for free school meals in Oxfordshire achieve the
 expected level 4 in reading, writing and maths compared to 80% of those not eligible for
 free school meals.
- The FSM attainment gap at key stage 2 in Oxfordshire (22%points) is again wider than that nationally (19%points). In a similar pattern to key stage 4 this is because the attainment of non FSM pupils in Oxfordshire is above that nationally but the attainment of FSM pupils is slightly lower than that of the same cohort nationally.
- The FSM attainment gap in Oxfordshire decreased very slightly this year.
- Attainment by FSM and gender shows that girls who are eligible for FSM outperform the boys, both in Oxfordshire and nationally. Only half (50%) of boys in Oxfordshire eligible for FSM achieve level 4 or above compared with 67% of girls eligible for FSM.

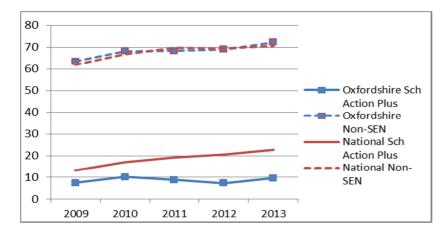
2. Special Educational Needs (SEN)

Pupils with special educational needs (SEN) have learning difficulties or disabilities that make it harder for them to learn than most pupils of the same age. Almost one in every 5 pupils has SEN – approximately 19000 pupils in Oxfordshire. Pupils with SEN are currently classified into three distinct levels of need: School Action (where extra or different help is given); School Action Plus (where the school receives advice or support from an outside specialist e.g. specialist teacher, speech & language therapist, educational psychologist) and Statement (a formal assessment has been carried out). The SEN reforms from September 2014 will see these definitions replaced.

Nationally the attainment of pupils with any SEN is below that of those with no SEN. In Oxfordshire the performance of the School Action Plus cohorts fall significantly below that nationally.

2a. Key Stage 4 – School Action Plus

Graph 2: % 5+ A*-C GCSEs including English & Maths – School Action Plus



	School Action Plus Gap (%pts)							
-	2009 2010 2011 2012							
Oxfordshire	56	58	60	62	63			
National	49	49 50		50	49			

- Only 10% of Oxfordshire pupils at School Action Plus achieved 5 or more GCSEs at grade C or above. Nationally 23% of pupils achieved this threshold.
- In 2013 Oxfordshire was the 4th lowest performing authority for this group of pupils. Last year (2012) it was the lowest performing authority with only 7% of pupils achieving this measure.
- The School Action Plus gap refers to the difference in attainment between those at School Action Plus and those with no SEN.
- The gap in Oxfordshire has steadily increased over the last 5 years (mainly because the
 performance of the School Action Plus cohort has remained the same whilst that of the
 rest of the cohort has improved). Nationally the gap has decreased since 2011 as the
 performance of the School Action Plus cohort has been increasing.
- The numbers of pupils at School Action Plus in Oxfordshire has remained relatively constant at around 420 pupils over the last 5 years.
- At key stage 4 the performance of pupils with a statement in Oxfordshire (10%) is in line with that nationally, whereas the performance of those at School Action (22% attain 5A*-C GCSEs including English and maths) is below that nationally (29%).

2b. Key Stage 2 - School Action Plus

	% Level 4+ Reading, Writing and maths							
		2012		2013				
	School Action Plus	No SEN	SAP gap (%pts)	School Action Plus	No SEN	SAP gap (%pts)		
Oxfordshire	22	91	69	21	91	70		
National	29	88	59	31	88	57		

- In Oxfordshire 9% of pupils at the end of key stage 2 (540 pupils in 2013) were at School Action Plus.
- In Oxfordshire less than a quarter of pupils at School Action Plus (22%) achieved the expected level 4 in reading, writing and maths compared with 91% of those with no special educational needs.
- In Oxfordshire pupils with no identified Special Educational Needs perform better than the national figure whereas those at School Action Plus do less well. This means that the School Action Plus gap in Oxfordshire is wider than it is nationally.
- This gap increased slightly in 2013.
- Pupils at School Action in Oxfordshire perform better than the same cohort nationally, with 45% achieving at least level 4 in reading, writing and maths compared to 42%.
- Pupils with a statement of special educational needs in Oxfordshire (9%) do less well than the national figure (14%).

3. Looked After Children

3a. Key Stage 4

- In 2013 there were 47 looked after children/young people that took GCSEs. Of these 35 had been continuously looked after for at least a year and form the reported cohort for whom comparative data is published.
- The performance against the key headline figure (5 or more A*-C GCSEs including English and Maths), showed a decrease in both the proportion and the number of Looked After Children achieving this benchmark. This measure has varied over previous years but has continuously remained below 10% and remains below the national (15%) and

regional averages. This figure is supressed by the DfE due to the small numbers of children involved.

- 30% of the cohort did achieve 5 GCSEs at A*-C grades in any subjects.
- 86% of the cohort had special educational needs with half of these at School Action Plus.

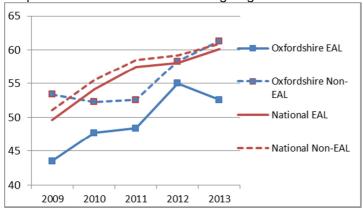
3b. Key Stage 2

- In 2013 there were 17 Looked After Children at the end of Key Stage 2, with 11 of these children being looked after continuously for over a year and hence part of the reported cohort.
- At least half the Oxfordshire cohort achieved level 4 in reading and in maths which is slightly below the national average. The small cohort needs to be taken into account though.

4. English as an Additional Language (EAL)

4a. Key Stage 4

Graph 3: % 5+ A*-C GCSEs including English & Maths – EAL



		EAL Gap (%pts)						
	2009	2011	2012	2013				
cohort	335	400	380	405	515			
Oxfordshire	10	5	4	3	9			
National	2	1	1	1	1			

- Nationally there is only a slight difference in performance between those with English as an Additional Language (60.1%) and the rest of the cohort (60.9%).
- In Oxfordshire the gap is much more pronounced with 52.6% of EAL pupils achieving at least 5 GCSEs at A*-C including English and maths compared to 61.3% of those for whom English is a first language.
- The EAL gap in Oxfordshire has been wider than that nationally for a number of years. In 2013 it increased significantly (from 3%pts to 9%pts).
- The number of children at the end of key stage 4 with EAL also increased significantly last year (from 405 in 2012 to 515 in 2013).

4b. Key Stage 2

	% Level 4+ Reading, Writing and maths							
		2012		2013				
	EAL	Non EAL EAL gap (%pts)		EAL Non EAL EAL g (%pts		EAL gap (%pts)		
Oxfordshire	73	77	4	70	79	9		
National	73	75	2	73	76	3		

- In 2013 10% of the cohort (605 pupils) had English as an Additional Language, this represents a slight increase from 2012 when it was 9%.
- The EAL gap in Oxfordshire has more than doubled since 2012. The gap nationally has increased slightly during this time.

5. Ethnicity

- Generally most ethnic groups have relatively small cohorts and so performance can easily fluctuate during this time.
- At key stage 2 the attainment of pupils from Mixed ethnic groups (79%) is above the national average (77%). Whereas pupils from Asian (69% in Oxfordshire) and Black (65%) ethnic groups perform below the same cohorts nationally.
- At key stage 4 the attainment of Mixed, Asian and Black ethnic groups in Oxfordshire fell below that nationally. In particular only 51% of Asian pupils in Oxfordshire achieved 5A*-C GCSEs including English and maths compared to 65% nationally.

6. Gender

- Although not a vulnerable group, there is a noticeable difference in performance between boys and girls.
- In 2013, 56.1% of boys in Oxfordshire achieved at least 5 GCSEs at A*-C including English and maths compared with 65.2% of girls. It is interesting to note that girls' attainment in Oxfordshire is slightly lower than that nationally (65.9%) but boys' performance is slightly above that nationally (55.9%).
- At key stage 2 both boys and girls in Oxfordshire perform above the national averages. In 2013 74% of boys in Oxfordshire achieved level 4 or above in reading, writing and maths whereas 82% of girls did so.

FRANCES CRAVEN

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March 2014

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Education Scrutiny Committee Annual Report 2013/2014

19 March 2014

What has the approach of the Committee been to these new arrangements? Is it working?

The Education Scrutiny Committee has a membership of 11 county councillors and 4 co-opted members. The county councillor membership is politically proportional to the membership of the Council. The Committee met 6 times in 2013/2014.

There is a standing working group chaired by Cllr John Howson, focusing on educational attainment. A Select Committee has been formed to look at the issue of Ofsted inspections and investigate how the Council would fare in the event of an Ofsted inspection of the Council's school improvement arrangements. In light of Ofsted's criticism of school support services in Norfolk and the Isle of Wight, the Committee found it essential to articulate a clear vision of the role of the Council in education and to ensure its responsibilities are fulfilled successfully.

Some of the key functions of the Committee include:

- Assisting the Council in its role of championing good educational outcomes for Oxfordshire's children and young people;
- Providing a challenge to schools and academies and holding them to account for their academic performance;
- Promoting joined up working across organisations in the education sector within Oxfordshire, and developing closer relationships with schools;
- Review the bigger picture affecting academic achievement in the county so as to facilitate the achievement of good outcomes;
- Contributing to the development of educational policy in the county;
- Reviewing approaches to school improvement and support services
- Reviewing governance
- Reviewing and understanding resource allocation

What particular issues has the Committee focused on? What successes have there been (incl. case studies)?

Ofsted Inspection Framework

In May 2013 Ofsted introduced a new performance framework which will consider how well a council is fulfilling its general duty to promote high standards of education and to enable every child to fulfil their educational potential. The Committee has been involved in this area in a number of ways:

- It looked at the Ofsted framework for the inspection of local authority arrangements for supporting school improvement;
- It analysed evidence from CEF on how the Council addressed the requirements of the Ofsted framework for the inspection of local authority arrangements for supporting school improvement;

 It considered practice and lessons to be learnt from the experience of other local authorities.

The Committee decided to constitute a select committee to focus specifically on the Ofsted Inspection Framework, reflecting the commitment of the Education Scrutiny Committee to play an active role in improving education in the county alongside the Cabinet Member and officers.

Academies

Oxfordshire County Council has been supportive of the Academies agenda, and a growing number of schools are opting to become academies, independent of the Council. This has raised some questions regarding the role the Council can play in relation to academies, especially in terms of holding academies accountable for performance. Monitoring and providing challenge and support remain clear roles for the Council as it seeks to raise pupil achievement across the whole area. The Education Scrutiny Committee plays a key role in enabling the Council to fulfil its duties as champion for all children in Oxfordshire. This has included taking an overarching look at the quality of education across Oxfordshire and asking questions about any poor attainment levels, regardless of school type.

The Committee heard that 2013 had seen a steady stream of conversion within Oxfordshire. It is anticipated that by April 2015 40-50% of existing schools will be academies. It was reported that officers have built new relationships, learning to work with academies in different ways, and that groups of schools converting at the same time were easier to deal with.

A challenge was present to CEF on the changing role of Local Authorities in relations to academies, with a paper to be presented at the next meeting of the Committee.

Use of the Pupil Premium

Schools use pupil premium funding differently. Scrutiny challenged the use of pupil funding and sought to gain an understanding of local practices and what works best. Through its work, the Committee has helped offer a holistic view in terms of the pupil premium, the selection of children who might benefit and the sharing of good practice from other authorities.

The Committee invited Cherwell School to give evidence about the school's use of pupil premium. The Committee looked at what works and noted the success of the school in making an impact through the pupil premium. In the future, members will invite schools from deprived areas to see how this funding can be utilised to improve attainment.

Attainment

Oxfordshire is a world class academic and research centre. However it has a relatively weak education attainment performance at primary and secondary school level. As such, the members of the Committee are keen to focus on understanding the causes for underperformance and exploring ways to improve achievement.

The Education Attainment Working Group led by Cllr Howson was set up to gather evidence on schools' performance, to review and challenge the existing school improvement and support services and to recommend practical measures to raise attainment. The Councillors worked closely with Children, Education and Families (CEF) officers to get an overview of school attainment across Oxfordshire, and compare results with similar councils and with wider national and international trends. Analysing national comparison figures released in December 2013, the working group was satisfied that the Council is tackling the issue of improving attainment and is taking appropriate action where needed.

This was followed on by an in-depth analysis of a case study comparing a high performing school and an underperforming school of similar size and make-up. This exercise revealed some of the key factors responsible for improving performance, such as strong and inclusive leadership.

Further the group recommended that a School Improvement Framework Briefing meeting for Councillors is organised, which received the support of the full Committee. Moving forward, the members of the Education Attainment working group are keen to focus on attainment in primary schools and on establishing successful mechanisms for the dissemination of best practice.

What impact/influence has the Committee had over decision making? Where have we clearly and quickly seen the impact of the Committee's work?

Home to School Transport Policy Proposal

In July 2013 the Committee had before them a report on the Proposed Home to School Transport Policy, together with a summary of the consultation responses received. Having assessed the policy document and the way the public consultation was carried out, the Committee raised a number of concerns. In particular, it was felt that the consultation had not been sufficiently clear about who was affected and how. There were also concerns about whether the consultation had targeted the right people and groups and whether enough time was allocated for the public to express their views.

While the initial policy was put on hold when the Department of Education withdrew its Guidance issued on March 2013, the Committee played a key role in pushing for thorough and extensive consultation with the public when the revised version of the Home to School Transport policy was published for consultation. By providing constructive challenge, the scrutiny helped develop and refine the proposed policy and it served as a forum for parents, Head teachers and other stakeholders to express their views regarding the draft policy.

This was particularly important when the revised draft policy was put in front of the Committee in February 2014. At that meeting the Committee listened to evidence from the officer involved in the drafting of the policy, County Councillors from across the political spectrum, education experts and local action groups. The Committee engaged extensively with the speakers who gave evidence, providing challenge and

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scrutiny. The Committee agreed a set of key recommendations, which were then taken to Cabinet who voted in support of all the recommendations made by the Education Scrutiny Committee.

The Committee requested further work to be undertaken in regard to safe routes, admissions policies, and the taxi budget, and asked for the study of alternative transport arrangements and the dissemination of best practice to be included in this work. The Committee also expressed its interest to press the government to overhaul the principles of home to school transport in the light of the new Post 16 regulations.

Forward planning

As part of its role in reviewing governance agreements and resource allocation, the Committee have agreed to invite the Schools' Forum to address the Committee. It will also continue investigating ways to improve results in Science and will analyse the performance of primary schools. The Committee is committed to using its expertise to make recommendations and help disseminate information and best practice. The Committee will continue to provide challenge and scrutiny to ensure that the Council delivers on its role as champion of all children in Oxfordshire.

Education Scrutiny Committee - Forward Plan

Item	Date	Report By	Contact	Notes
Education Scrutiny Committee Meeting	03 Apr 14			
Schools Forum: how to strengthen the link with	·	Carole		Invite Schools Forum Chair to talk to Education Scrutiny
the Schools Forum.		Thomson	Frances Craven	and present report on how it operates, functions etc.
Educational Attainment of vulnerable groups		Frances		Report to include looked after children, ethnic minority
		Craven		children and other vulnerable groups.
Pupil Premium		Frances		Report to include disadvantaged areas and HMI service
		Craven	Sue Bainbridge	children with presentations from 2 primary schools.
Annual Scrutiny Report		Cllr Mark		Report to be presented to the committee for inclusion in
		Gray	Andreea Anastasiu	the annual scrutiny report of all scrutiny committees.
Education Attainment Working Group	11 April 14			
Primary School Data (KS1 to K2 progress)			Alison Wallis	
Education Scrutiny Committee Meeting	10-Jul-14			
School Balances				To look at the underspends in schools.
Changing role of OCC within Education				Report going to Informal Cabinet June 2014
Changing role of Governing Bodies within schools				
Governors to come and explain how they can				
help to improve school standards				To include in the Ofsted Select Committee
Special Educational Needs and Gifted Children				
Report back on Science after talking to Teaching				What are the routes to attract teachers
Schools Alliance				
How is School Direct doing in filling teaching				
places				What are the routes to attract teachers
How have the free schools affected the capital				
allocation?				
Post 16s				

Education Attainment Working Group	TBC		
Joint Working to improve Education Attainment			
Sixth Form and KS5			
Authorised absence			
Unauthorised absence			
Exclusions: how does this fit with Academies?			
Oxford City Request: Prosecution of absence – clarity on current approach			
Oxford City Request: Exclusions Policy			
Oxford City Request: Truancy			
Oxford City Request: Is pupil premium making a difference?			
Assessment of the extent to which schemes are embedding in schools as part of the reading schemes			
Education Scrutiny Committee Meeting	16-Oct-14		
Education Scrutiny Committee Meeting	22-Jan-14		