

CABINET - 17 JULY 2007

SCHOOL ORGANISATION ARRANGEMENTS

Supplementary Report

Introduction

1. This report outlines the outcome of the consultation with key stakeholders and provides further background information as the consultation closed after the deadline for report submission.

Responses to the Consultation

2. Comments were received from
 - Oxfordshire Governors' Association (OGA)
 - Archdiocese of Birmingham
 - Special school Heads Association
 - The Labour group
 - Cllr David Turner
 - Vale of White Horse District Council
 - Oxford City Council
 - West Oxfordshire District Council

Given the purpose of the group do you think this is the right membership to provide different perspectives on school organisation matters?

This was generally agreed though the issue of the balance of membership was raised if there was voting on formal recommendations given the decision making process is vested in the County Council. The Special School response felt that they should have specific representation and the OGA favoured 4 representatives but would be happy to be grouped with headteachers if there were to be specific groupings. The issue of ensuring parent voice has also been raised within the Directorate.

The District Councils were not represented on the School Organisation Committee but it is accepted that they have a strategic role to play in their communities. Should they be represented, and if so, by officers or elected Members?

There was support for this being member representation. Again this raises the issue of voting arrangements, more District Members than County ones.

Are you satisfied or dissatisfied at the remit of the group to provide advice on overall strategic matters as well as individual proposals?

Satisfied.

Are you satisfied or dissatisfied with the proposal for the frequency of meetings?

Satisfied.

In the light of this should the group make formal recommendations or simply have comments noted with the strength of that advice recorded? This is important as it impacts on the size and nature of the group.

OGA commented that without this it 'seriously undermines the value of the group's decision as evidence to be used at the CC or in an appeal against a CC decision.' All but the Labour Group acknowledged that there should be formal recommendations but it was noted that this would create problems in that a vote could be decided simply by who turned up and the OGA proposed duplicating the group voting arrangements from the School Organisation Committee (SOC) though without the effective veto of one group.

If there are no formal recommendations would it be appropriate for an officer to chair/co-ordinate the group?

All felt the group should be chaired by a member although there is some ambiguity as to whether this should be an elected member or a 'stakeholder'

Is it appropriate that the group's role in looking at proposals is to be limited to looking at written evidence only and not hearing verbal representations?

4 responses thought this would be helpful. OGA felt verbal input from officers or schools i.e. proposers would be useful as unlikely that paperwork would be comprehensive enough. The point here is that to open the meeting to the public or objectors would create confusion as to the decision making process and potentially raise false expectations. However, it would be appropriate for the outcomes of the meetings to be publicly available.

Are you happy or unhappy for comments made at the meeting to be presented to the Schools' Adjudicator in the event of an appeal against the County Council's decision?

This was supported with OGA commenting 'This gives the group some status'.

Issues

3. Stakeholders were broadly supportive of the proposals including the inclusion of the other local authorities and it is not surprising that they would seek to have as much influence as possible. Issues around membership become crucial if there is voting on formal recommendations and where, as in SOC, the County Council now the legal decision maker is in the minority whatever arrangements are put in place. The Cabinet will need to consider whether such arrangements undermines that position and decide whether the

stakeholder groups decisions are seen as formal recommendations or not. For example, on a statutory proposal, would it be reported that reservations were expressed by the majority that concerns hadn't been taken into account and these should be considered more carefully **or** the group formally recommend that the County Council reject its own proposals! Hopefully of course the involvement of the group earlier in considering emerging proposals would not lead to such a dilemma but the possibility would remain particularly if there were fluidity in attendance and membership. Due to the short notice of some meetings to meet statutory timelines when considering proposals it is also possible that alternates may be used that perhaps were not involved in earlier discussions. It is proposed that while a voting arrangement is in place any 'recommendations' should not say what a decision should be but rather comments on it.

Terms of Reference

4. It is proposed that membership be confirmed as:
 - Non-Cabinet Member 1 from each group (a group being more than one Member)
 - Member from each of 5 local District/City authorities
 - Learning and Skills Council
 - Catholic and Anglican Diocese (1 each with 1 Catholic Diocese representing the other)
 - 5 governors to include 2 primary, 2 secondary, 1 special, at least 2 of whom must be parent governors nominated by OGA
 - 3 headteachers 1 each nominated from OSSHTA, OASSH and OPPHTA

This would provide a membership of 20 plus Cabinet Members and officers. Each group as outlined would have one vote but each groups vote and reasons would be recorded.

5. There will be named substitutes who will be on the mailing list.
6. The other terms of reference as outlined in the original report and consultation should stand and that the process be reviewed in September 2008.
7. The recommendation in the report asks the Cabinet to agree the Membership and terms of reference of the stakeholder group and in doing so will particularly need to have regard to the make up of the group, voting arrangements and the strength of advice/recommendations it can make.

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