

Item No 9, Review of the Schools Forum Constitution

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Report of David Watchman, Finance Manager-Children and Young People's Services

Purpose of the Report

- 1 To recommend that members approve an update to the Constitution of the Schools Forum in respect of the number of Academy and School Members and a minor amendment.

Executive summary

- 2 The Constitution sets out the membership of the Forum and how it operates. It takes account of statutory regulation and guidance.
- 3 The council recommends an increase in the number of Academy Members to address an imbalance in the representation of mainstream schools and academies, following conversions of mainstream schools to academies since the Constitution was last updated.
- 4 A minor amendment is proposed to remove a restriction on online meetings.

Voting

- 5 All members are entitled to vote on the recommendation in this report.

Recommendation(s)

- 6 Members are recommended to approve an increase in the number of Academy Members from twenty to twenty-three.
- 7 Members are recommended to approve a decrease in the number of Primary Governor Members from six to five.
- 8 Members are recommended to approve the removal of a restriction on online meetings.

Background

- 9 The constitution sets out the categories and numbers of Forum members, the conduct of meetings and other matters in respect of the Forum. The constitution takes note of statutory regulations and also operational and good practice guidance from the Education and Skills Funding Agency (ESFA), which can be found through the following link:

[Link to DfE Forum guidance](#)

Changes to the Number of Members in the School and Academy Member Categories

- 10 The operational guidance issued by the ESFA requires that:
- “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.”
- 11 The current mainstream membership is summarised in the following table:

Category of member	October 2023 Census Pupils	October 2023 Census %	Number of members	Current Members (%)
Academies	38,982	61%	20	54%
Primary Maintained	23,017	36%	15	41%
Secondary Maintained	2,159	6%	2	5%

- 12 The numbers for mainstream academies are not analysed between primary and secondary because there is only one category of academy members, which does not distinguish between primary and secondary academies. Academy members do not need to be headteachers or governors; eight of the current academy members are business managers. An analysis of current academy members is shown in the table overleaf:

Status of mainstream academy members	Members
Primary Headteachers	1
Secondary Headteachers	1
Business Managers from trusts with only primary academies	3
Business Managers from trusts with only secondary academies	1
Business Managers from trusts with both phases	4
Total	10

- 13 When comparing the numbers of pupils and numbers of Forum members, there is an imbalance between the representation of academies and maintained schools. This is mainly because of schools having converted to academies since the constitution was last amended, in March 2023.
- 14 It is now necessary to amend the constitution to take account of the current position and the council proposes to increase the number of academy members from twenty to twenty-three and to reduce the number of Primary Governor Members from six to five.
- 15 The effect of this on the proportions of mainstream members is shown in the following table:

Category of member	October 2022 Census Pupils	October 2022 Census %	Number of Members	Proposed Members (%)
Academies	38,982	61%	23	59%
Primary Maintained	23,017	36%	14	36%
Secondary Maintained	2,159	3%	2	5%

- 16 More detail is provided in the tables in Appendix A, which also includes members representing maintained nursery schools, Pupil Referral Units and special schools and academies. These other categories are over-represented because they all require at least one member, but all have relatively small numbers of members relative to mainstream schools and academies. To avoid over-representing these categories would require a significant increase in the membership of the Forum.

Other changes

17 Another proposed change to the Constitution is to remove a restriction on online meetings, to reflect current practice.

18 The current constitution includes the following section:

“Meetings by Remote Means

45 Until March 2021, unless extended by statutory regulation, the following shall apply:

46 Meetings can be held through remote means and members shall be considered to be present if they are able to hear and be heard by, and where practicable, see and be seen by any members present; and be heard and, where practicable, seen by any members of the public at the meeting.

47 A public meeting includes a meeting of the Forum that the public can access through remote means.”

19 The restriction in paragraph 45 is no longer required and the revised constitution omits this restriction.

20 A copy of the draft revised constitution is included in Appendix B to this report, (provided as a separate file).

Conclusion

21 This report proposes a change to the Constitution of the Schools Forum to address an imbalance in membership caused by the increase in numbers of maintained schools converting to academies.

22 Another proposed change is in respect of remote meetings.

Contact

SchoolsForum@durham.gov.uk

Appendix A: Durham Schools Forum Membership

Table 1: Current Mainstream Membership of the Forum

Category of member	October 2023 Census Pupils	October 2023 Census %	Current Mainstream Headteacher Members	Current Mainstream Governor Members	Current Mainstream Academy Members	Current Mainstream Total Members	Current Mainstream Total Members (%)
Total Mainstream Academies	38,982	61%	-	-	20	20	54%
Mainstream Primary Maintained	23,017	36%	9	6	-	15	41%
Mainstream Secondary Maintained	2,159	3%	1	1	-	2	5%

Appendix A: Durham Schools Forum Membership

Table 2: Current Total School Membership of the Forum

Category of member	October 2023 Census Pupils	October 2023 Census %	Current Headteacher Members	Current Governor Members	Current Academy Members	Current Total Members	Current Total Members (%)
Mainstream Academies	38,982	58%	-	-	20	20	45%
Mainstream Maintained	25,176	38%	10	7	-	17	39%
Nursery Academies	-	-	-	-	-	-	-
Nursery Maintained	714	1%	1	1	-	2	5%
Pupil Referral Units Academies	23	0%	-	-	1	1	2%
Pupil Referral Units Maintained	154	0%	1	-	-	1	2%
Special Academies	223	0%	-	-	1	1	2%
Special Maintained	1,497	2%	1	1	-	2	5%
Total all Categories	66,769	100%	13	9	22	44	100%

Appendix A: Durham Schools Forum Membership

Table 1: Proposed Mainstream Membership of the Forum

Category of member	October 2023 Census Pupils	October 2023 Census %	Proposed Mainstream Headteacher Members	Proposed Mainstream Governor Members	Proposed Mainstream Academy Members	Proposed Mainstream Total Members	Proposed Mainstream Total Members (%)
Total Mainstream Academies	38,982	61%	-	-	23	23	59%
Mainstream Primary Maintained	23,017	36%	9	5	-	14	36%
Mainstream Secondary Maintained	2,159	3%	1	1	-	2	5%

Appendix A: Durham Schools Forum Membership

Table 2: Proposed Total School Membership of the Forum

Category of member	October 2023 Census Pupils	October 2023 Census %	Proposed Headteacher Members	Proposed Governor Members	Proposed Academy Members	Proposed Total Members	Proposed Total Members (%)
Mainstream Academies	38,982	58%	-	-	23	23	50%
Mainstream Maintained	25,176	38%	10	6	-	16	35%
Nursery Academies	-	-	-	-	-	-	-
Nursery Maintained	714	1%	1	1	-	2	4%
Pupil Referral Units Academies	23	0%	-	-	1	1	2%
Pupil Referral Units Maintained	154	0%	1	-	-	1	2%
Special Academies	223	0%	-	-	1	1	2%
Special Maintained	1,497	2%	1	1	-	2	4%
Total all Categories	66,769	100%	13	8	25	46	100%