

Southend-on-Sea Education Board

on
4th June 2019

AGENDA ITEM 4

Report prepared by:
Robert Harris, Ed. Board Clerk

Constitution, Membership and Attendance at Education Board

1. Purpose of Report

1.1 To provide the following information:

- Update/Progress on filling the current governor vacancies on the Board in the primary maintained and secondary academy sectors;
- Overview of the attendance record at meetings for the period January 2018 to March 2019;
- A review of the Education Board Constitution.

2. Recommendations

2.1 That the progress in filling the current governor vacancies on the Board, be noted.

2.2 That the attendance record for the period January 2018 to March 2019, be noted.

2.3 That, subject to the views and comments of the Board, the revised and updated Constitution, be approved.

3. Background/Context

3.1 The Education and Skills Funding Agency issued new guidance entitled 'Operational and Good Practice Guide' to Schools Forum in September 2018. The Education Board on 30th October 2018 agreed to set-up a time-limited Task and Finish Group to undertake a light touch review of the Board's structure and operation. This Sub Group met on 15th March 2019 and carried out the review, including the Education and skills Funding Agency self-assessment toolkit.

The outcome of this review was reported and actions were agreed at the Education Board meeting on 26th March 2019. The actions were:

- To advertise and seek expressions of interest to fill the three school governor vacancies (1 maintained primary school and 2 academy secondary schools);
- To review and submit the attendance record for March 2018 to March 2019;

3.3 As a consequence of taking forward the above actions it has been identified that the Constitution of the Board has not been formerly reviewed since 2017. It is therefore prudent to include a review of the Constitution in this report and to seek the views of the Board.

Membership/Vacancies

- 3.4 A letter was sent to all school governing bodies seeking expressions of interest to fill the vacancies in the primary maintained and secondary academy sectors. The deadline for receipt of expressions of interest closed on Friday 24th May 2019. The current membership and vacancies are attached at **Appendix 1**.
- 3.5 Expressions of interest have been received from 4 school governors for 2 vacancies in the academy secondary sector and none for the vacancy within the primary maintained sector.
- 3.6 Further work is to be undertaken before the appointments to the vacancies can be made due to a number of factors that need to be addressed. These are the issues which will be addressed in time for the next meeting:
- To obtain background information from each of the interested governors (e.g. experience, role on governing body, etc);
 - To confirm with Shoeburyness High School/academy trust which governor they wish to put forward as the representative/member (two governors from the same school cannot be nominated/appointed to the Board (Section 1.7 of the Constitution);
 - There is no provision in the Constitution for the private school sector (in this case Thorpe Hall School) to be appointed to the Board;
 - The possible need to hold a ballot from the secondary academy school sector as there are more nominations/expressions of interest than there are places (as set out in paragraph 1.8 of the Constitution) – a ballot may not be required if a person subsequently withdraws their expression of interest;
 - A discrepancy within the academy secondary sector – currently there are 4 headteacher members and only 2 governor members – this was as a result of Southchurch High School converting to an academy from maintained secondary. (The Board will need to take a view on this – there is provision in the Constitution as set out in Section 1.13 relating to pupil numbers;
 - To address the governor vacancy within the primary maintained sector, e.g. to extend the period for expressions of interest;

Attendance Record

- 3.7 The Board asked the Clerk to provide an attendance record for the 2018/19 academic year. This is attached at **Appendix 2**.
- 3.8 The Board should note that the attendance record has been produced for the period January 2018 to March 2019. In line with the Board's Protocol which states '*An Education Board member who fails to attend any meetings for a period of twelve months commencing with the date of his last attendance without the consent of the Education Board, whether represented by a substitute or not, will be deemed to have resigned from the Board*' all members have attended at least one meeting in the last twelve months.
- 3.9 The Board may wish to review the Protocol on attendance – i.e. to include the previous requirement set out in the Constitution at Section 1.4 which states, '*If any member of the Forum fails to attend more than two successive meetings the Secretary will advise the Forum who could decide to remove that member from membership.*' However, in this situation there are 3 members who have not attended the last two meetings (December 2018 and March 2019 as the meeting in January 2019 was cancelled).

Constitution

- 3.10 In light of recent changes to the membership at the last meeting and the fact that the Constitution has not been reviewed since March 2017 it is timely for the Board to review its Constitution. The Constitution is attached at **Appendix 3** with the proposed revisions highlighted for the Board's views.

- 3.11 There are a number of minor revisions/changes to the Constitution to bring up-to-date. However, there are two specific issues that the Board need to address.
- 3.12 The first issue concerns the membership set out in the Constitution is that there are now 6 places in the academy trust sector and currently has 4 headteachers and only 2 school governors. The representation of this sector should be proportional where there is an even number, i.e. 3 headteachers and 3 school governors in this case. The Board will need to take a view whether:
- To continue with the current membership (4 Headteachers and 2 school governors) with a view to changing the make-up when the term of office of one of the Headteacher members expires; and
 - To agree to reduce the Headteacher membership to 3 places and increasing the school governors to 3 so that it is proportional; OR
 - Increase the number of places in the secondary academy trust sector to 7.
- 3.13 However, a review of the pupil numbers will need to take place over the summer period to determine/assess if the representation is correct (as set out in section 1.12 of the Constitution).
- 3.14 The second issue concerns the attendance at meetings which has been covered under Section 3.9 above.

4. Appendices

Appendix 1 – Membership list and Vacancies.

Appendix 2 – Attendance record January 2018 to March 2019

Appendix 3 – Revised Constitution with changes highlighted.