

## **Dudley School Organisation Committee**

### **Joint Report of the Director of Children's Services and the Director of Law and Property (as Secretary to the School Organisation Committee)**

### **Review of Dudley School Organisation Committee Constitution and Terms of Reference**

#### **Purpose of Report**

1. To review the Dudley School Organisation Committee (SOC) Constitution and Terms of Reference and consider a number of amendments.

#### **Background**

2. The Dudley SOC approved a written Constitution and Terms of Reference in April 1999. The document, which is attached as Appendix 1 to this report, has not been reviewed since that time.
3. Since the Dudley SOC Constitution was established, Dudley MBC has adopted a written constitution and introduced new executive arrangements under the Local Government Act 2000. This means that several of the titles of officers and names of organisations referred to in the Constitution are now outdated. A proposed revised version of the document, which uses the terminology which is currently relevant, is attached as Appendix 2 to this report.
4. Further to these minor adjustments, legislative changes in the responsibilities of School Organisation Committees also require that the sections of the Constitution referring to the adoption of School Organisation Plans (Paragraphs 2.1, 8.1 and 8.6 in Appendix 1) are no longer relevant. As such, these have been deleted in the proposed revised version.
5. Paragraph 3.2 of the SOC Constitution stipulates the political balance of the LEA Group. In view of the changes in political balance in the Council in recent years, it is proposed that this section be amended to state that members of the LEA Group will be appointed by the Council 'on the basis of political proportionality'.
6. The original SOC Constitution makes provision for the appointment of 5 constituent groups. However, the School Organisation Committees (England) Regulations have since been updated to facilitate the appointment of a sixth group of up to an additional 'seven other members who are not members of the authority', but who are 'persons appearing to the Committee to represent the interests of any section of the local community'. It is proposed that the revised Constitution should refer to this stipulation in order to keep the Constitution in line with the most recent regulations (this is provided for in Paragraph 3.7 of the revised Constitution at Appendix 2). The Committee may also wish to consider whether or not it should appoint a sixth group in light of this modification.

7. In view of the possibility of one of the larger groups within the committee being able to take decisions without other groups being present, it is proposed that the quorum requirements set out in Paragraph 8.2 of the original Constitution be amended, to state that a meeting of the Committee shall be quorate when one third of the total membership of the committee are in attendance and at least three groups represented.
8. Paragraph 9.2 of the Constitution refers to the requirement for the Education Committee to approve an annual budget set out by the Chairman of the SOC. In view of the discontinuation of the Education Committee under the new executive arrangements it is proposed that this paragraph be amended to take account of the fact that provision for the operating costs of the SOC is made annually within the budget of the Directorate of Children's Services.

### **Finance**

9. There are no direct financial implications arising from this report.

### **Law**

10. The statutory requirements relating to School Organisation Committees are set out in Part 2, Section 24 of the School Standards and Framework Act 1998.
11. The regulations governing the constitution and terms of reference of School Organisation Committees are the Education (School Organisation Committees) (England) Regulations 1999.

### **Equality Impact**

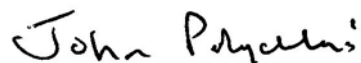
12. In accordance with Schedule 4 of the School Standards and Framework Act the School Organisation Committee is under a duty to have regard to the duties placed on Local Education Authorities and school governing bodies by the Sex Discrimination Act 1975, the Race Relations (Amendment) Act 1976 and the Disability Discrimination Act 1995.

### **Recommendation**

13. It is recommended that the Committee: -
  - i) Note the content of this report.
  - ii) Approve the amendments to the SOC Constitution and Terms of Reference as set out in Appendix 2 to this report and authorise the Director of Children's Services to pursue confirmation of these amendments with the Cabinet Member for Lifelong Learning.
  - iii) Consider the possible addition of a sixth group, 'Interested Parties', to the Dudley SOC membership, in line with recent amendments to the regulations governing SOC composition.



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**Director of Children's Services**



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#### **List of Background Papers**

- i) Dudley School Organisation Committee Constitution and Terms of Reference
- ii) School Standards and Framework Act 1998
- iii) Education (School Organisation Committees) (England) Regulations 1999
- iv) Dudley MBC Constitution