

SUBJECT: MAINTAINED SCHOOLS PARTNERSHIP AGREEMENT

MEETING: CYP SELECT

DATE: 3rd January 2019

DIVISION/WARDS AFFECTED: ALL

1. PURPOSE:

The purpose of the report is to provide members with an opportunity to contribute to the development of the Statutory Partnership Agreement and influence the way in which the Council works with schools and governing bodies.

2. RECOMMENDATIONS:

It is recommended that as part of the consultation process Members offer a view on the document and in doing so contribute to the development of the Statutory Partnership Agreement.

3. KEY ISSUES:

3.1 The Partnership Agreement includes those statutory functions that must be included which are:

- How the Local Authority (LA) will promote high standards and support schools in particular those giving cause for concern, in special measures or requiring significant improvement and the factors the LA will take into account in identifying schools giving cause for concern.
- The support the LA will provide for governing bodies where the authority has exercised its powers of intervention or suspended the right to a delegated budget, and in instances where an inspection of a school causes concern or the LA appoints additional governors.
- Responsibility of the Local Authority to provide governors with support
- The reports which the governing body provides to the LA on discharge of its functions
- The responsibility of the school and LA for Health and Safety matters and their duties to employees and other persons in respect of these matters
- The responsibility of the school and LA for the control of school premises and their maintenance and repairs and how the governing body may exercise its powers to provide community facilities; and
- The LA duties regarding the defrayment of expenses and maintaining schools.

In addition, for schools providing primary education the Agreement must include:

- The exercise by the LA and governing body of functions that will promote high standards and secure effective transition of pupils from Key stage 2 to 3 and;
- LA target setting in relation to education plans and governing body target setting in relation to pupil performance and absence.

For schools providing secondary education the Agreement must include

- The exercise by the LA and governing body of functions that will promote high standards and secure effective transition of pupils from Key stage 2 and 3 and from key stage 3 to 4; and
- LA target setting in relation to education plans and governing body target setting in relation to absence.

3.2 Headteachers and Monmouthshire Association of School Governors have been consulted on the Partnership Agreement and views and comments will be included in the final document that will be submitted to Cabinet in due course.

4. OPTIONS APPRAISAL

Option 1: Do Nothing

This option was discounted, as it is a legislative requirement to have a partnership Agreement in place.

There is a risk that the roles and responsibilities of the partners will not be clearly defined, resulting in blurring of accountabilities that may inhibit the required improvements in educational standards and non-compliance with the Maintained Schools (Partnership Agreements) (Wales) Regulation 2007.

Option 2: Local Authority drafts Partnership Agreement for Governing Bodies to agree

This is the preferred option as it is a legal requirement to have a Partnership Agreement in place as defined by the Education Act 2002.

However, if the LA fails to reach an agreement with a school governing body the LA may draw up a statement setting out how it and the governing body are to discharge their respective functions in relation to the school

5. EVALUATION CRITERIA

The Partnership Agreement captures the way in which the local authority and schools work in partnership. It should ensure effective working across a broad range of areas and there are no simple quantitative measures of this. The evaluation of the effectiveness of the agreement will be through the successful delivery and operation of the items listed in paragraph 3.1 above. It is not proposed that a specific evaluation be produced annually, however the agreement will be

evaluated at the end of the agreement and can be scrutinised by the committee at any time during its operation that will run from 2018 until 2021.

6. REASONS:

The Maintained Schools Partnership Agreement is a statutory document designed to enhance and sustain partnership working between the LA and schools.

The Agreement provides a formal, legal basis that will make clear the roles of the LA and schools by setting out how the LA and governing body of a school will discharge their respective functions on specified matters. By setting out in one document, the matters on which the LA and a school must agree, the Partnership Agreement provides a firm basis for working together and promoting higher standards in schools.

7. RESOURCE IMPLICATIONS:

There are no financial implications associated with the report

8. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

The significant equality impacts identified in the assessment (Appendix 1) are summarised below for members' consideration:

Complete

The actual impacts from this report's recommendations will be reviewed every **xxx** years and criteria for monitoring and review will include:

Complete

9. CONSULTEES:

- Directorate Management Team - December 2018. No comments and supportive of the document
- Monmouthshire Association School Governors – May 2018. The meeting did not like the format of the Agreement and commented that the document should include the difference between the Governors responsibilities and Headteachers. However, this is not the purpose of the document or the legislative requirement. The document outlines responsibilities of LA and Governing Body / School Leadership Team.
- Headteachers Meeting – March 2018. The document has also been circulated via email inviting comments from Head teachers. Two head teachers responded and their comments have been included within the attached document.

10. BACKGROUND PAPERS:

Welsh Government Maintained Schools (Partnership Agreements) (Wales)
Regulations 2007

11. AUTHOR:

Cath Saunders, Governance Manager, CYP

12. CONTACT DETAILS:

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<p>Name of the Officer completing the evaluation Cath Saunders</p> <p>Phone no: 07595647637 E-mail: cathsaunders@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>To enhance and sustain partnership working between the Local Authority and Schools.</p>
<p>Name of Service</p>	<p>Date Future Generations Evaluation form completed</p> <p>November 2018</p>

NB. Key strategies and documents that may help you identify your contribution to the wellbeing goals and sustainable development principles include: Single Integrated Plan, Continuance Agreement, Improvement Plan, Local Development Plan, People Strategy, Asset Management Plan, Green Infrastructure SPG, Welsh Language Standards, etc

- 1. Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p>A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Yes – The Partnership Agreement will help raise standards of achievement</p>	<p>N/A</p>
<p>A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>N/A</p>	<p>N/A</p>

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Yes - The Partnership Agreement will help raise standards of achievement	N/A
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Yes -	N/A
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Yes -	N/A
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Yes -	N/A
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Yes - The Partnership Agreement will help raise standards of achievement	N/A

2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?

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 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	Yes	N/A
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	Yes - The Agreement is to highlight statutory responsibilities of the Governing Body and the Local Authority to raise standards of achievement	N/A
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	Yes - Headteachers and Monmouthshire Association of School Governors have been consulted on this document. Following Cabinet approval the Agreement will be sent to all Governing Bodies with a recommendation to adopt	N/A
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	Yes – the Partnership Agreement clarifies statutory roles and responsibilities	N/A
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	Yes – Partnership Agreement will support the improvement of children and young people’s learning and wellbeing	

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below. For more detailed information on the protected characteristics, the Equality Act 2010 and the Welsh Language Standards that apply to Monmouthshire Council please follow this

link:<http://hub/corporatedocs/Equalities/Forms/AllItems.aspx> or contact Alan Burkitt on 01633 644010 or alanburkitt@monmouthshire.gov.uk

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	The proposal has an equally positive outcome for all groups.		
Disability	The proposal has an equally positive outcome for all groups.		
Gender reassignment	The proposal has an equally positive outcome for all groups.		
Marriage or civil partnership	N/A		
Pregnancy or maternity	N/A		
Race	The proposal has an equally positive outcome for all groups.		
Religion or Belief	The proposal has an equally positive outcome for all groups.		
Sex	The proposal has an equally positive outcome for all groups.		

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Sexual Orientation	The proposal has an equally positive outcome for all groups.		
Welsh Language	The proposal has an equally positive outcome for all groups.		

- 4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities?** For more information please see the guidance <http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	The proposal has an equally positive outcome for all groups		
Corporate Parenting	The proposal has an equally positive outcome for all groups		

- 5. What evidence and data has informed the development of your proposal?**

- This is a statutory requirement in line with Section 197 of the Education Act 2002. It is a Wales only provision in which Welsh Ministers require all Local Authorities in Wales to enter into individual Partnership Agreements with the Governing Bodies of schools they maintain.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

This is a statutory requirement on the Local Authority, it will have an equally positive impact on all and will enhance and sustain existing partnership working between the LA and Governing Bodies and will provide clarity on expectations of each other.
There is a requirement for the Partnership Agreement to be reviewed every 5 years.

7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible	Progress

8. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	January 2024
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9. VERSION CONTROL: The Future Generations Evaluation should be used at the earliest stages of decision making, and then honed and refined throughout the decision making process. It is important to keep a record of this process so that we can demonstrate how we have considered and built in sustainable development wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
	<i>e.g. budget mandate, DMT, SLT, Scrutiny, Cabinetetc</i>		<i>This will demonstrate how we have considered and built in sustainable development throughout the evolution of a proposal.</i>