

# **RBWM SCHOOLS FORUM**

## **TERMS OF REFERENCE**

**Ratified by Schools Forum on 12 June 2012**

### **PURPOSE OF THE SCHOOLS FORUM**

1. The Education Act 2002 requires Local Authorities (LAs) to establish a Schools Forum for dialogue, advice, and consultation between schools and LEAs. These Terms of Reference are written in accordance with that Act, the Schools Forums (England) Regulations 2010, and anticipated changes to Schools Forum Regulations effective from October 2012.
2. The main purpose of the Schools Forum is to consider school related financial issues and to provide advice to the Council about such matters. RBWM should consult the Schools Forum on:
  - i. changes to RBWM's local school funding formula
  - ii. the terms of contracts for supplies and services to RBWM schools
  - iii. on specified issues in relation to the Schools Budget including:
    - o arrangements for pupils with special educational needs
    - o arrangements for the use of pupil referral units
    - o arrangements for early years education
    - o insurance arrangements
    - o administration of the allocation of government grants paid to schools via the LA
    - o arrangements for free school meals
  - iv. the initial determination of the Schools Budget.

The above list is not exhaustive and the LA may also consult the Forum on other matters concerning the funding of schools.

3. The Schools Forum can make decisions on the following LA proposals:
  - i. increases in the maximum level of expenditure allowed by the central expenditure limit rules
  - ii. revisions to the scheme for financing schools
  - iii. any increase in budgeted central expenditure in relation to
    - o the school specific contingency
    - o contributions from the central Schools Budget to combined services
    - o prudential borrowing costs
    - o premature retirement and redundancy costs
    - o SEN transport costs
  - iv. variations to the Minimum Funding Guarantee without application to the Secretary of State where:
    - o the variation to the coverage of the MFG has previously been approved by the schools forum or Secretary of State and did not have a specified time limit.
    - o the variation applies to the implementation of the early years single funding formula.

- the variation would result in a higher level of MFG protection than that specified by the DFE.
4. Where Schools Forum approval is required and agreement is not forthcoming, the LA has the option of approaching the Secretary of State to adjudicate.
  5. The Schools Forum can only exercise its powers in relation to proposals put forward by the LA. It has no powers to initiate proposals.

## MEMBERSHIP

6. Membership of the Schools Forum must comply with the following requirements of the Regulations:
  - school members and academy members must comprise at least two thirds of the membership of the Forum
  - primary, secondary and academy schools members must be in proportion to the total number of pupils at those schools
  - RBWM's special school and nurseries should also be represented
  - there is no minimum number of Schools Forum members
  - the early years private, voluntary and independent sector and the 14-19 Strategic Partnership must be represented on the Forum.
7. Proposed membership of the RBWM Schools Forum for September 2012 is as follows:

School / Non school	Sub sector	NOR (%)	Governor	Head Teacher	Non schools	Total
Non schools	Early Years PVI 14-19				1	1
					1	1
<b>Non schools total</b>			<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>
Schools	Academy	<del>30%</del> 66%	1	6.4		7.5
	Nursery	29%	0	1		1
	Primary	45%	1.2	2.4		3.6
	Secondary	5% 25%	0.4	1.3		1.4
	Special	n/a	0	1		1
<b>Schools total</b>		<b>100%</b>	<b>2.4</b>	<b>11.13</b>	<b>2</b>	<b>15.19</b>

8. The following have observer (non-voting) status:
  - Education Funding Agency representative
  - Lead member for Children's Services
  - Head of Governor Services
9. The composition of the Schools Forum should be reviewed annually to ensure that representation matches changes in pupil and school numbers and school type. Membership will not be restructured to reflect in-year changes such as conversion to academy status of members' schools.

10. The number of LA attendees participating in meetings is limited to the Director of Children’s Services and / or his representative, and LA officers providing financial and technical advice. They attend meetings in an advisory capacity but not as members (i.e. have no voting rights). Elected members who hold an executive role in the LA (e.g. the lead member) may not stand as either schools or non-schools members of the Forum, but they may attend as observers.
11. Substitutes will not normally be allowed because of the difficulties in fully briefing substitutes and achieving continuity. Those absent should take responsibility for briefing those from their representative group before the meeting and those present have a duty to report back. On material matters absent members should make their views known before the meeting, preferably in writing. The Forum reserves the right to accept substitutes but only in exceptional circumstances, e.g. when the quorum will not be met or it is not balanced. Where substitutes are accepted, they will have the right to vote.

**METHOD OF APPOINTMENT AND TERM OF OFFICE**

12. The period of membership will be as follows:

Head teachers	elected annually
School governors	elected for a period of three years. Members may be re-elected for a maximum of three consecutive periods of membership.
Non school members	See below

13. The Forum will elect the Chair and the Vice-Chair of the Forum for a period of three years.
14. Where a member leaves the organisation they are representing or ceases to be eligible to the appointment, they will be required to resign from the Forum and a replacement representative sought for the remainder of the vacant representative’s normal term of appointment.
15. If a school changes its status (e.g. becomes an Academy), the term of office of any member representing that school will come to an end at the end of the academic year.
16. The key principle in nominating School Forum representatives is that everyone who is eligible for election has the opportunity to stand for election and /or vote should they so wish.
17. Head teacher area cluster groups or nursery cluster groups shall be responsible for nominating head teacher representatives for each sub-group within the maintained sector
18. Academy members must be elected by the governing bodies of the academies. The members do not necessarily have to be a principal or a governor. Academy

members are treated as a single group and do not need to be in proportion to the number of pupils within each academy school sector (i.e. primary, secondary).

19. Governor nominations will be sought via the Governor Chairman's committee, and, where more than one nomination for a post is received, elections will be held within the appropriate forum and the clerk of the Schools Forum advised of the outcome. The outcome of the nominations will be noted in the minutes of the Schools Forum.
20. RBWM will invite nominations for non-school members from the 14-19 Partnership and the early years Private, Voluntary and Independent (PVI) sector. Where a vacancy for a non schools member arises, the LA will seek nominations from the relevant body for a replacement. A non schools member shall remain in office until s/he resigns or until the relevant body makes a further nomination to replace him/her.

## **CONDUCT OF MEETINGS**

### **Quorum**

21. The Forum will be quorate if 40% of members (including substitutes) are present at a meeting and those present are broadly representative of the full membership. (i.e. the primary and secondary sector must be adequately represented.).
22. Whilst there is nothing to stop it continuing to meet if it is inquorate, any advice given to RBWM in such circumstances would not have to be taken into account.

### **Frequency and timing of meetings**

23. Meetings will take place during term time, and at least four times per annum.
24. Meetings will be held at a time of day and at an appropriate location to enable as many members as possible to attend (normally 3:30pm unless otherwise notified).
25. Meetings of the full Schools Forum, but not of its sub-groups, will be held in public, if necessary with a Part II section for the purpose of discussing matters of a confidential nature.
26. On occasions, when there is an urgent business need for a decision or view to be expressed by the Forum before the next scheduled meeting, the Chair of the Schools Forum and one or more members of the Forum may either:
  - call an extra-ordinary meeting, or
  - seek views from forum members by email correspondence, providing all members of the Forum have an opportunity to participate.

Such instances should be kept to a minimum. Exceptionally, the Chair can give the authority a view on an urgent issue without prior consultation with other members. It is not legal for the Chair to take a decision on behalf of the Schools Forum no matter how urgent the issue may be.



## **Sub-committees and working groups**

27. The Forum may set up working groups or sub-groups as required. The Forum will agree the terms of reference of such groups and specify membership arrangements.
28. Sub groups are required to report to a full (quorate) meeting of the Forum for approval of findings before such findings are published or formally passed to the LA.

## **Administration**

29. Officers will agree the agenda and forward plan with the chair person at a pre-meeting, normally two to three weeks in advance of the main meeting. SF members and LA officers may contribute discussion items for future meetings with the approval of the Director of CS and the Chair.
30. The agenda and papers will be distributed by e-mail to Forum members at least one week prior to the meeting and posted simultaneously on First Class and the RBWM website. Delays in the dispatch of papers needing to be tabled are sometimes unavoidable. The late dispatch of papers should occur in exceptional circumstances only, but when this happens, the Chair shall have discretion to take a view on deferring the agenda item to give Forum members sufficient time to consider the item properly.
31. The clerk will minute the meetings, and record any decisions made and votes taken. These will be confirmed by the Chair before distribution to the Forum.
32. Minutes of each meeting will be confirmed with the Chair before being distributed by email to Forum members as soon as practicable after the meeting. Minutes will also be available on First Class and the RBWM website. The accuracy of the minutes will be formally agreed at the subsequent meeting of the Forum.

## **Declaration of interests**

33. Where a member of the Forum has a personal or pecuniary interest (either as a headteacher, governor, parent or individual) in a matter to be discussed at a meeting of the Forum or a sub-committee, they must declare an interest at the start of the meeting or as soon as it becomes apparent. Following a declaration of interest, the Forum shall determine whether the member should withdraw from the meeting for that item or remain and not be counted in the quorum for the item.

## **Voting**

34. Proposals requiring a decision will be decided by majority vote. The number of individual members voting (i) in favour; or (ii) against; or (iii) abstaining must be recorded.
35. Only Schools members and providers from private, voluntary and independent sector can vote on issues related to the local funding formula.

## **Roles and responsibilities**

36. Each member is responsible for cascading information down to the head teachers and governors and for representing the views of their specific sector. They should ensure all proposals are discussed and understood and any outcomes are accurately recorded. They should not use their position to advance their own specific agendas.
37. Anyone attending Forum meetings in their capacity as an elected member or officer of RBWM or observer, who is not a member of the Forum, can speak at the discretion of the Chair.
38. The Forum shall inform school governing bodies and headteachers about the results of all consultations brought to the attention of the Schools Forum. They must also feed back the outcomes of decisions made at each meeting.
39. Feedback from governing bodies on the value of the Forum and the appropriateness of its response to consultations will be requested at least annually and thereafter as agreed.

## **FINANCIAL**

40. Forum members should be aware of the budget and what its resources are to be used for i.e. supply cover, travel expenses, loss of earnings & childcare costs.
41. RBWM will reimburse reasonable expenses in connection with attendance at meetings for supply cover, travel expenses, loss of earnings or childcare costs.

## **AMENDMENTS TO THE TERMS OF REFERENCE**

42. These terms of reference should be reviewed annually. Any changes to these arrangements should be ratified by a quorate meeting of the Forum.