

DARLINGTON SCHOOLS FORUM

15th October 2019

ITEM NO 3

DARLINGTON SCHOOLS FORUM –TERMS OF REFERENCE

Purpose of Report

1. To agree the terms of reference for the Darlington School Forum.

Background

2. The next term of office for the School Forum commences at this meeting, it is therefore appropriate to review and agree the terms of reference for the group.

Changes to the Terms of Reference

3. The draft terms are included below for agreement. The changes to the previously agreed terms of reference are listed as follows,
 - a. The period of this term of office will run from September 2019 to August 2021. (Paragraph 14).
 - b. The membership has been revised to remove the requirement for a separate governor representative for maintained primary schools. This has been removed as the post has been vacant for a long period and due to only having three maintained primary schools, the representation for that group of schools would be disproportionate when including the maintained primary representative (i.e. two members for three schools). (Membership section).
 - c. Although not changed, Forum are requested to note the procedure for urgent business (Paragraphs 24 and 25)

Recommendations

4. That the School Forum agree to the terms of reference for the next term of office.

DARLINGTON SCHOOLS FORUM **TERMS OF REFERENCE**

Powers and Responsibilities

1. Local Authorities with education responsibilities are required by statute to establish a Schools Forum. The Terms of Reference for the Darlington School Forum, have been updated to reflect the “Schools Forums Operational and Good Practice Guide” produced by the Education & Skills Funding Agency (ESFA), September 2018
2. Schools Forum generally have a consultative role, however they do also have decision making powers. The roles of the School Forum are listed below

School Forum Decision

- The movement of up to 0.5% from the schools block to other funding blocks.
- Carry forward a deficit on central expenditure to the next year to be funded from the schools budget.
- Any brought forward deficit on de-delegated services which is to be met by the overall schools budget.
- The de-delegation of (**non academy members only**);
 - Contingencies
 - Administration of free school meals
 - Insurance
 - Licenses/subscriptions
 - Staff cover - Supply cover
 - Support for minority ethnic pupils
 - Behaviour support services
 - Library and museum services
 - School improvement
 - Pupils/underachieving groups
- Contribution to responsibilities that Local Authority hold for maintained schools (**non academy members only**)
- Central spend and criteria for;
 - Growth fund
 - Falling rolls fund
- Central spend on;
 - Early years block provision funding to enable all schools to meet the infant class size requirement.

- Equal pay back pay
- Remission of boarding fees at maintained schools and academies
- Places in independent schools for non SEN pupils
- Admissions
- Servicing of School Forums
- Contribution to responsibilities that local authorities hold for all schools.
- Capital expenditure from revenue (Pre April 13)
- Contribution to combined budgets (Pre April 13)
- Existing central funded termination of employment costs (Pre April 13)
- Central funded prudential borrowing (Pre April 13)
- Changes to the “Scheme for Financing Schools” (**non academy members only**).
- Determines School Forum voting procedures
- Elects the Chair of the School Forum.

School Forum Must be consulted

- On any proposed changes to the schools funding formula

School Forum gives a view and informs the governing body of consultations

- On the letting of any contracts for supplies and services that will be paid from the Schools Budget (e.g. Music)
 - Financial issues regarding, arrangements for pupils with special educational needs, in particular the places to be commissioned by the Local Authority and schools and arrangements for paying top up funding
 - Financial issues, regarding arrangements for the use pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the Local Authority and schools and arrangements for paying top up funding
 - Financial issues regarding, arrangements for early years provision
 - Financial issues regarding, administration arrangements for the allocation of central government grants
 - Minimum Funding Guarantee change application to the Department for Education.
3. The Local Authority does not need to consult the School Forum on the following central spend but it is good practice to inform Forum;
- High needs block provision
 - Central licenses negotiated by the Secretary of State

Membership

School Members

- Maintained Schools
 - Nursery Schools 1
 - Primary Schools 1
 - Pupil Referral Unit 1
- Academy Schools(including Special Academies/Free schools) 12

Non-School Members

- Diocesan representatives 2
- 16 -19 Education representative 1
- PVI early years providers 2

Total members: 20

4. Maintained schools can be represented by Head teachers, senior members of staff or by governors. Academy schools representation is not limited to staff or governors.

Substitutes

5. Substitutes are permitted. Each individual member must identify one named substitute. Only named substitutes can take part in Forum business.

Other Attendees

6. The following are permitted to attend and contribute towards Forum meetings, **but have no voting rights,**
 - An observer appointed by the Secretary of State
 - The Chief Financial Officer or their representative
 - The Director of Children’s Services or their representative
 - The Executive Member with responsibility for Children’s Services
 - The Executive Member with responsibility for Resources
 - Officers providing financial and technical advice
 - Presenters (restricted to the paper they are presenting)

Observers

7. The Forum is an open meeting; therefore any person can attend as an observer.
9. Observers cannot contribute or vote in the meeting.

Voting

10. Each member (or named substitute representing that member) has one equal vote in each vote they are eligible to vote in as follows,
 - Primary school de-delegation, only the maintained primary school representative can vote.
 - Scheme for Financing Schools, only the maintained primary, nursery and Pupil Referral Unit school representatives can vote.
 - Funding held centrally for the Local Authority to undertake **general duties** for maintained schools, only the maintained primary, nursery and Pupil referral unit school representatives can vote.
 - Funding held centrally for the Local Authority to undertake **retained duties** for all schools, only the maintained and academy school representatives can vote.
 - Consultation on the school funding formula, only school (maintained and academy) and PVI members can vote.
 - All other business, all members can vote.
11. In the event of a tie the Chair may exercise a casting vote (provided they are eligible to vote).

Quorum

12. A meeting is only quorate if 40% (8 voting members) of the total membership is present. If a meeting is not quorate it can proceed but it cannot legally take decisions. It can respond to the Authority on consultation and give views to the Authority.
13. Meetings must remain quorate throughout where any decisions are taken. In the event of a meeting becoming non quorate, the meeting can continue but can no longer legally take decisions.

Term of Office

14. The term of office for all Forum members will run up to 31st August 2021

15. Membership may be terminated by the Local Authority in advance of the full term if the member ceases to act in the capacity for which he/she was appointed.
16. Membership will be terminated where a member fails to attend the meeting for three consecutive occasions.
17. Any vacancies arising during this period will be appointed for the remainder of that term of office.

Election of Chair and Vice-Chair

18. The Chair and Vice-Chair shall be elected from within its membership for each term of office. The vote will take place at the first meeting within that term of office.
19. The Chair may not be an elected member or officer of the Council.
20. In the event of a Chair or Vice-Chair standing down, a replacement will be elected from within the membership for the remainder of the term of office.

Appointment of Members

21. It is the responsibility of the Local Authority to facilitate the appointment of members of the Schools Forum. The LA is required to ensure that the membership reflects the proportions set out in the membership list. Members will be appointed at the beginning of each term of office via nominations & elections from each contributory group.

Meetings of the Schools Forum

22. The frequency and timing of meetings of the Forum should be agreed in advance of each academic year. Forum will meet on at least four occasions through out the year, with at least one meeting in each term. Meetings will be scheduled to fit in with school heads groups to allow school members to canvass all school views.
23. The Forum can establish Working Groups of members to discuss specific issues and to produce draft advice and decisions for the Forum to consider.

Urgent Business

24. In cases of urgency, the Chair may call an extra-ordinary meeting of the Schools Forum, either at the request of a quorate number of members or the Local Authority.

25. In the event that an extra-ordinary meeting cannot be called urgent business will be dealt with outside of the meeting. All Forum members will be contacted via email or letter to consider business. Members will be requested to vote within a set time period in order that a decision can be made, where members have not voted by the set deadline, this will be assumed as having abstained. As all members will be contacted to vote, it will be assumed that any decision made is quorate. Following the decision Forum members will be notified of the decision by the clerk of the Forum. Decisions will also be noted at the next meeting of the Forum, under matters arising.

Public Access

26. Meetings of the Schools Forum are open to members of the public. Papers, agendas and minutes will be made available via the Council web site prior to each meeting.

Administration

27. Clerking arrangements for the Schools Forum will be provided by the Local Authority. The role of the clerk will include:-

- Venue arrangements;
- Provision of agenda and working papers in good time prior to the forum meeting;
- Respond to queries about the business of the Schools Forum from head teachers, governors and others who are not on the Schools Forum themselves;
- Be responsible for ensuring contact details of all members are up to date;
- Maintain the list of members on the forum and advise on membership issues in general;
- Record and produce minutes of each meeting to all Forum members as soon as possible after the meeting.

Changes to this document

28. The Schools Forum may review the Terms of Reference as necessary and request changes to be made by the Local Authority.

29. The Local Authority may revise these Terms of Reference as necessary to reflect either the proportions of membership, new guidance from the DFE or new statutory requirements.