

# Warwickshire Schools Forum

## Terms of Reference

The Warwickshire Schools Forum is established to meet the requirements of sections 47 (I) and 47A of the Schools standards and Framework Act 1998 (as amended) and the Schools Forums (England) Regulations 2012.

These terms of reference were agreed by the Schools Forum in May 2019. They are reviewed and updated as needed at the May Forum meeting each year.

## Purpose

The following powers and responsibilities relate to the Schools Forum:

- Consulted on funding formula changes, including redistributions (voting restricted to school members plus PVI members).
- Decides on the movement of up to 0.5% from the schools block to other blocks.
- Gives a view on significant contracts to be let by the local authority paid out of the schools budget.
- Gives a view on financial issues relating to the arrangements for pupils with SEN, in particular the places to be commissioned by the local authority and schools and the arrangements for paying top up funding, area behaviour partnerships and the education of children otherwise than at school, the administration arrangements for the allocation of central government grant.
- Informs governing bodies of all consultations in connection with the above 4 areas.
- Gives a view regarding the Minimum Funding Guarantee.
- Makes a decision regarding de-delegation for mainstream schools for contingencies, the administration of free school meals, insurance, licences, staff costs (supply cover), support for ethnic pupils/under achieving groups, behavioural support services, library and museum services and school performance. Maintained primary and secondary school members will make a decision for their own sector.
- Makes a decision to retain funding for central spending on and criteria for allocation funding from: pre 16 significant pupil growth, falling rolls fund for surplus places in good or outstanding schools where there is a population bulge expected in 2-3 years.
- Decides on central spend on admissions, servicing of schools forum, capital expenditure funded from revenue, combined budgets, centrally funded termination of employment costs, prudential borrowing, funding to enable schools to meet the infant class size

requirement, equal pay back places in independent schools for non-SEN pupils, and the contribution to the responsibilities that local authorities hold for all schools.

- Decides the carry forward of a deficit on central expenditure to the next year to be funded from the schools budget.
- Approves the scheme for the financial management for maintained schools.
- Gives a view on the length of membership of the schools forum members.
- Gives a view on membership of non-schools members.
- Determines the voting procedures.
- Elects the Chair and Vice Chair of the Forum.

## Membership

The Forum consists of “school” and “non-school” members. Maintained school members and academy members must together comprise at least two thirds of the membership of the Forum.

The membership of the Forum is as follows:

### Voting Members

- **School members:**
  - 4 Maintained Primary head teachers, voted for by head teachers from the Primary Sector
  - 1 Maintained Secondary head teacher, voted for by head teachers from the Secondary Sector
  - 5 Academy head teachers voted for by head teachers from the Academy Sector
  - 1 Maintained Special School head teacher voted for by the Special School head teachers
  - 1 Special School academy representative, nominated by the Special Schools
  - 1 Nursery School head teacher voted for by the Nursery School head teachers
  - 10 governor members, voted by governors, which will include 5 academy representatives, and 5 maintained school governors with a maximum of 1 from the maintained secondary sector, and 5 maintained primary schools.

Members will be appointed to the Forum for two years to ensure primary and secondary sectors and maintained schools and academies are broadly proportionately represented with regard to the total number of registered pupils. There will be a review of pupil numbers in March each year and Membership will be adjusted if necessary.

Where there are insufficient nominations for either governors or head teachers in any category, then the number of representatives from the other group will be expanded to provide the

required split between maintained and academy representatives.

• **Non-school Members:**

- A representative of each of the Church of England Diocese and the Catholic Archdiocese appointed by the Local Authority
- 2 representatives of Private, Voluntary and Independent sector Early Years providers appointed by the Local Authority
- A representative of 16-19 providers appointed by the Local Authority
- A representative from the Teachers Representative Panel, nominated by the panel
- A representative from Alternative School Provision sector

Members will be appointed to the Forum for a two-year period.

**Non-voting Members**

The following persons may speak at meetings of the Forum, even though they are not members of the Forum: the County Council's Assistant Director, Education Services, the Assistant Director, Finance, any elected member of the authority who has primary responsibility for children's services or education, any elected member who has primary responsibility for the resources of the authority, any person invited to offer technical advice to the Forum, any observer appointed by the Secretary of State and any person presenting a paper (but their input will be restricted to this paper only). Others may speak at the request of the Chair.

**Clerk to the Forum**

The Strategy and Commissioning Manager – Strategic Finance shall act as Clerk to the Forum.

**Election of Chair and Vice Chair**

The Chair and Vice Chair will be elected by the membership of the Forum in May to serve for a one-year period. Should a vacancy arise for Chair or Vice Chair the person elected to fill the vacancy will serve to the end of that period. At this meeting the Clerk shall act as chair during the election.

**Frequency of meetings**

The Schools Forum will meet at least four times in an academic year. Additional meetings may be called by the Clerk in consultation with the Chair.

**Conduct of meetings**

Any member of the Forum may ask for items to be placed on the agenda of the Forum by writing to the Clerk to the Forum.

Agendas and papers to be considered by the Forum will be sent out five working days in advance of the meeting. Late items may be considered at the discretion of the Chair.

Draft minutes will be circulated within 10 working days of the meeting.

Substitute representatives (for any voting member) may attend meetings if the appointed representative is unable to attend. Substitutes will be able to vote on behalf of the member they are representing. However, attendance of appointed representatives is strongly encouraged.

Substitutes for 'schools' representatives can be another Head teacher or senior member of staff, that is a Deputy Head teacher, Assistant Head teacher, Bursar or person responsible for the financial management of a school.

Meetings of the Schools Forum will be open to members of the public who may observe but not take part. The Forum may move into private session for confidential items, which, for example identify individuals or individual schools, at the discretion of the Chair.

## Schools Forum reports

A Schools Forum report is expected to:

- Include the author's contact details so that they can be contacted for further information before the meeting
- Be presented at the Schools Forum by the author or representative
- Be presented in a consistent template to encourage familiarisation of data and ease decision making

Four definitions will be used in recommendations for reports:

Approve – a decision is to be made by the Schools Forum within its constituted powers

Comment - the local authority is consulting the Schools Forum e.g. options are being explored with a view to leading to a specific proposal

Agree – there are specific proposals, before a local authority formal decision

Note – any reports purely for interest that may have a bearing on future issues or developments

As the Schools Forum is a funding decision making body, it is imperative that the financial analysis included within the reports is robust. As such, the following checks will have been undertaken before any reports are issued to the Schools Forum for consideration:

- Are there stakeholders who would have a view on this funding decision? Their views should be sought before the report is finalised and their feedback detailed in the report. Stakeholders could be head teachers, governors, local authority officers policy groups,

steering groups etc.

What are the options for allocating the DSG funding? Have all of the options been detailed? Where an approach is recommended, this should be clearly explained.

- How does this funding decision change previous funding levels? Could transitional protection be applied? If so, at what level, for what period of time and how much will this cost?
- Has the wider impact on schools or the services provided to schools been considered? Is there a knock on effect of this funding decision that will impact on other provision?
- Has local or national research regarding this funding decision been taken into account? Is this referenced in the report?
- Have both revenue and capital costs been taken into account and shown clearly in the report?
- How will the funding decision impact on outcomes for children and young people in Warwickshire?
- How does this funding decision relate to the priorities of the Local Authority?
- How does this funding decision relate to any regional working?
- How does this funding decision relate to the national DSG funding direction?
- What is the impact of the funding decision on the relationship between the Local Authority and schools?

## Voting

It is expected that most decisions of the Forum will be by consensus. If a vote is required, the decision will be by simple majority of those voting. The Chair of the Forum will exercise a casting vote in the event of a tied vote.

Generally, only members (both school and non-school) may vote. On matters regarding schools funding, only schools members and the PVI representative may vote. On matters regarding the de-delegation of centrally retained funding, voting is on a sector basis for maintained school representatives only.

The quorum for the meeting is two fifths of the voting membership, excluding vacancies (11 for those items where all members of the Schools Forum have a vote).