

**BARNET SCHOOLS FORUM
TERMS OF REFERENCE**

1. The Purpose of the Schools Forum

1.1 The functions of the Forum are:

- i. to be consulted on the local authority's school funding formula.
- ii. to be consulted on service contracts at least one month prior to the local authority issuing invitations to tender.
- iii. to be consulted on specified issues in connection with the Schools Budget:
 - (a) the arrangements for the education of pupils with SEN;
 - (b) Pupil Referral Units (PRUs) and the education of children otherwise than at school;
 - (c) early years education;
 - (d) arrangements for the allocation of Government grants;
- iv. with regard to Central Expenditure, to agree any spend which will breach the central limit.
- v. to agree application to the Secretary of State for disapplication of the MFG in exceptional circumstances, i.e. considered if there is a significant change in the school's circumstances or pupil numbers.
- vi. to agree changes to the local authority's Scheme for Financing Schools.

2. Membership

2.1 The membership will be reflective of the school community, local authority and other stakeholders. This must include representatives of pupil referral units, where there are any such schools in the authority's area. Wherever possible no school should be represented more than once.

2.2 Nominations for headteacher representatives will be obtained as follows:

Sector	Nominated by
Nursery	Nursery Headteachers
Primary	Primary Headteachers
Secondary	Secondary Headteachers
Special	Special Headteachers
Academies and Free Schools	Academy and Free School Principals
Pupil Referral Units (PRUs)	PRU Headteachers

2.3 Governor representatives will be self-nominating. An election among Chairs of the relevant school type will be conducted if there are more nominations than vacancies.

2.4 Elected members who hold an executive role in a local authority (a lead member) are barred from being either a schools member or a non-school member. However they have the right to attend meetings and speak but not vote.

2.5 The Director of Children's Service and other senior officers with a specific role in strategic financial management and/or the schools funding formula are barred from membership but they have the right to attend and speak at meetings.

2.6 The following persons may speak at meetings of the forum, even though they are not members of the forum:

- a) the director of children's services at the authority or their representative;
- b) the chief finance officer at the authority or their representative;

- c) any elected member of the authority who has primary responsibility for children's services or education in the authority;
 - d) any elected member of the authority who has primary responsibility for the resources of the authority;
 - e) any person who is invited by the forum to attend in order to provide financial or technical advice to the forum – Barnet's forum engages an independent consultant for this purpose;
 - f) an observer appointed by the Secretary of State; and
 - g) any person presenting a paper or other item to the forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that the person is presenting.
- 2.7 The composition of the Schools Forum will be reviewed annually to ensure that the 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.

3 Roles and Responsibilities

3.1 Members should:

- i. take a strategic view of the issues they are considering and not be unduly influenced by personal views or circumstances
- ii. scrutinise and challenge decisions or proposals by the local authority to ensure that changes are made in an appropriate and transparent manner
- iii. ensure information is cascaded back to schools and relevant organisations which they represent, including signposting to online and other resources
- iv. keep up to date with decisions and information covered at meetings they could not attend by accessing minutes of the meeting and consulting with colleagues in attendance
- v. seek to acquire the necessary level of knowledge of school funding by reading background information with support from the local authority.

3.2 The Local Authority should:

- i. foster a positive working relationship with Forum members to feel comfortable to express opinions, ideas and concerns
- ii. provide open and honest advice to enable members to reach necessary decisions and informed views
- iii. provide all necessary resources and training to enable members to acquire the required level knowledge to make informed and balanced decisions
- iv. be responsive to reasonable requests from the Forum (e.g. to discuss particular topics or provide specific information or data) which fall within the Schools Forum remit
- v. ensure that the Schools Forum operates within the local and national constitutional and procedural regulations.

3.3 The independent consultant to the Schools Forum should:

- i. provide impartial technical guidance as required during discussions at meetings.
- ii. work alongside the local authority in the development of training materials and delivery of training sessions.

4 Membership Structure

4.1 The membership structure for September 2012 is:

Type of Member	Schools (Sept 12)	Estimated Pupils (headcount) (Sep 12)	Total	Head Teachers	Governors
Maintained Primary Schools					
Community	48	17616	7	4	3
Foundation & VA	37	10640	5	3	2
Maintained Nursery Schools	4	497	1	1	0
Maintained Secondary Schools	7	5614	3	2	1
Pupil Referral Units	3	89	1	1	0
Maintained Special Schools	4	414	2	1	1
Academies & Free Schools			7		
Primary Academies	2	301			
Secondary Academies	15	16658			
Free/Studio Schools & UTCs	2	40			
Total School Members			26		
Non Schools Members					
Union			1		
Stakeholders					
Private Early Years Providers (PVI)			1		
14-19 Partnership			1		
Total Non Schools Members			3		
Total	122	51869	29		

5 Terms of Office

- 5.1 School and non-school members may serve for a period of three years. Subsequent re-election of existing members will be allowed. A member from the same representative group will replace members leaving early.
- 5.2 Members who miss two or more consecutive meetings will be asked if they want to continue to remain as members.
- 5.3 Where a member leaves the organisation they are representing they will cease to be a member.
- 5.4 If a school changes its status (e.g. becomes an Academy) the term of office of any member representing schools of the original status will come to an end at the end of the academic year.
- 5.5 The Secretary of State has powers to remove from the Forum any non-school member representing an organisation which she/he has determined, should not hold membership of the Forum.

6 Timing and frequency of meetings

- 6.2 The local authority will timetable at least five meetings per year. These meetings will be arranged to coincide with the Schools' Budget setting cycle, in order that the Schools Forum can be consulted in good time for its view to be taken into account before final decisions are taken for the following year.
- 6.3 The Schools Forum can determine to hold additional meetings if considered necessary in liaison with, and organised by, the local authority. In the event of such exceptional meetings, all members and non-voting attendees of the Forum must be given the opportunity to participate in the meeting for it to be deemed constitutional.
- 6.4 Meetings will be held during normal business hours (i.e. 9am-6pm) on weekdays during school term times. Meetings will normally commence at 4pm and to run until 6pm. The consultant will attend to provide brief impartial technical guidance as required during discussion of each agenda item.

7 Proceedings

- 7.1 The Forum will elect its own Chair and Vice-Chair from among its members at inception and then annually at the first meeting of each academic year.
- 7.1 The local authority will appoint a clerk.
- 7.2 For meetings to be quorate, at least 40% of current Forum members (excluding vacancies) must be present.
- 7.3 The quorum can include substitutes. Each member can have one nominated substitute. Substitutes must be nominated and recorded at the beginning of each member's term of tenure. The substitute may attend with the member but not vote. Substitutes will be expected to keep abreast of all issues in the same way as a full member.
- 7.4 Working parties may be set up as required but decision making remains with the full Schools Forum.
- 7.5 Forum meetings will be open to the public and unless specifically agreed all reports, minutes and agendas will be made available to the public online at:
http://www.barnet.gov.uk/WorkingWithChildrenInBarnet/info/30020/schools_forum
The agenda and papers not included under Part II will be made available publicly at the same time as they are issued to members. Minutes will be released once agreed and signed as a true record.
- 7.6 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.
- 7.7 Minutes will be circulated to members within 10 working days of each meeting.

8 Voting and Decision Making

- 8.1 The Chair and Vice-Chair will be elected by a simple majority vote, cast by individual voting members present in each case. In the event of a tie, a revote will be held of the tying candidates. If there is still a tie the Director of Children's Service (or his/her representative) will have the casting vote.
- 8.2 General procedural matters (e.g. length of meetings, additional meetings, project work etc.) will also be decided by majority vote.
- 8.3 Only school, academy and PVI members are able to vote on the funding formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers.

- 8.4 Only the relevant maintained school members of the Forum are able to vote on de-delegation of funds (ie primary members vote on primary dedelegation, secondaries on secondary dedelegation. The relevant services about which the Schools Forum can make decisions on behalf of maintained schools in a phase are as follows:
- a. allocation of contingencies;
 - b. administration of free school meals eligibility;
 - c. insurance;
 - d. licenses or subscriptions;
 - e. staff costs or supply cover;
 - f. support for minority ethnic pupils or underachieving pupils;
 - g. behaviour support services; and
 - h. library and museum services.
- 8.5 Any member, other than those restricted by items 7.3 and 7.4 may put forward a proposal for the Forum to consider on matters connected with:
- changes to the funding formula; or
 - special issues relating to the Schools' budget; or
 - service contracts
- 8.6 All proposals (whether for decision or for consultation) will be decided by majority vote, recording the number of individual members voting (i) in favour; or (ii) against; or (iii) abstaining.
- 8.7 Each member's vote must have an equal weighting, save that in the event of a tie in the number of votes the members may determine such other voting procedures as they see fit. In the absence of alternative voting procedures, the Chair will make the casting vote.

9 Distribution and Content of Papers

- 9.1 The draft agenda for the next meeting will be presented for approval at each meeting. A finalised agenda will be circulated to all members 10 days before each meeting.
- 9.2 The local authority will, in normal circumstances, distribute papers 10 working days (excluding weekends, school and public holidays) in advance of each meeting. Where the fluidity of information means that the content of papers is subject to rapid change, amendments to papers may be issued closer to the meeting. Tabled papers will be avoided if possible.
- 9.3 Papers will be presented in a logical order with a clear demarcation of issues for action and consultation to assist with the decision making process and focus discussion.
- 9.4 Papers will cover key issues with sufficient detail in plain English to allow members to make informed strategic decisions.
- 9.5 Where members do not understand the content of papers, it is their responsibility to contact the local authority or fellow members to request further clarity or support.

10. Training

- 10.1 Induction and training will be provided by the local authority for new members.
- 10.2 The local authority will organise annual training to bring all members up to the required level of knowledge to enable them to participate fully in all discussions and decisions.

- 10.3 Training should provide clarity around relevant issues and ensure that members are able to understand the consequences of financial decisions on other aspects of the budget. The local authority will work in conjunction with the Schools Forum consultant to achieve this.

11. Expenses

- 11.1 All costs associated with the running of the schools budget will be met by the centrally retained element of the schools budget.
- 11.2 Reasonable expenses of members in connection with attendance at meetings of the Forum shall be reimbursed.
- 11.3 Based on the process agreed by the Forum, supply cover will be available to teacher governors, but not headteachers.

12 Confidentiality

- 12.1 Should information of a confidential or privileged nature (e.g. in matters relating to proposed contracts) be given to Forum members for an item under discussion, they must observe the confidentiality of such matters. During the discussion, any members of the public may, at the discretion of the Chairman, be asked to withdraw from the meeting.

13 Amendments to the Terms of Reference

- 13.1 The terms of reference may be amended through a majority of members at a quorate meeting of the Schools Forum.

Bibliography

The Schools Forums (England) Regulations 2010, Department for Children, Schools and Families, February 2010

The Schools Forums (England) Regulations 2012, Department for Education

Schools Forums: Operational And Good Practice Guidance, Department for Education, December 2010

Schools Forums: Powers And Responsibilities 2011-12, Department for Children, Schools and Families/2007/accessed at:

<http://media.education.gov.uk/assets/files/xls/s/schools%20forum%20responsibilities.xls>

School funding reform: Arrangements for 2013-14/ Department for Education/ Crown copyright 2012

School funding reform: Next steps towards a fairer system/ Department for Education/2012

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www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefunding/a00205567

Action

The Schools Forum is asked to approve the amended Terms of Reference in accordance with The Schools Forum (England) Regulations 2012 to come into immediate effect.