



## **SCHOOLS FORUM**

# **TERMS OF REFERENCE & CONSTITUTION**

### **1. TERMS OF REFERENCE**

- 1.1. The Terms of Reference for the Schools Forum are drawn from The Schools Forums (England) Regulations 2012.
- 1.2. The Schools Forum has powers and responsibilities in accordance with The School Forum (England) Regulations 2002.
- 1.3. The Schools Forum is established by the London Borough of Brent under powers contained within the Education Act 2002.
- 1.4. The Schools Forum is a statutory consultative body which shall be consulted by the London Borough of Brent on:
  - a. any schools' funding formula change.
  - b. service contracts funded by the schools' budget, which is of an amount requiring adherence to relevant Public Services Contracts Regulations.
  - c. financial issues (annually) relating to:
    - i. arrangements for pupils with special educational needs;
    - ii. arrangements for use of pupil referral units and the education of children otherwise than at school;
    - iii. arrangements for early years' provision;
    - iv. administration arrangements for the allocation of central government grants.
  - d. any proposed application to the Department for Education (DfE) with regards to exclusions from the Minimum Funding Guarantee (MFG).
- 1.5. The Schools Forum shall agree central spend on:
  - a. growth funding (Pre-16);
  - b. falling rolls funding (Pre-16) for surplus places in good or outstanding schools where a population bulge is expected in 2-3 years;
  - c. equal pay back-pay;
  - d. places in independent schools for non-SEN pupils;
  - e. early years expenditure;

- f. admissions;
  - g. servicing of schools forum;
  - h. capital expenditure funded from revenue;
  - i. contributions to combined budgets;
  - j. schools budget centrally funded termination of employment costs;
  - k. schools budget funded prudential borrowing costs;
  - l. special education needs transport costs.
- 1.6. The Schools Forum schools' representatives shall annually agree the following delegations, for their phase:
- a. contingencies;
  - b. administration of free school meals
  - c. insurance
  - d. licences/subscriptions
  - e. staff costs – supply cover
  - f. support for minority ethnic pupils/underachieving groups
  - g. behaviour support services
  - h. library and museum services
- 1.7. The Schools Forum shall also agree:
- a. any carry forward of a deficit on central expenditure to the next year, to be funded from the schools' budget;
  - b. Scheme for financial management changes.
- 1.8. The Schools Forum may request detailed information to assist it in carrying out its functions and the London Borough of Brent shall use its best endeavours to provide such information.
- 1.9. The Schools Forum will abide by any changes to statutory provisions or changes to the regulatory framework for schools' funding. The Terms of Reference will be amended to reflect any such requirements.
- 1.10. The Schools Forum must represent the interest of their sectors, rather than their individual school.
- 1.11. The Schools Forum must act in accordance with the seven principles of public life as set out in the report of the Government Committee on Standards in Public Life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

## 2. CONSTITUTION

### 2.1. Membership

2.1.1. The Schools Forum shall consist of 27 members, made up of 23 school and academy members and 4 non-school members. The school and academy membership shall be split proportionally dependent on the student population in October each year.

#### School and Academy Membership

- 2 nursery representatives (1 head teacher, 1 governor);
- 18 primary and secondary representatives (9 head teachers, 9 governors), across the maintained and academy sector;
- 2 special school representatives (1 head teacher, 1 governor), one each from the maintained and academy sector;
- 1 pupil referral representative.

#### Non-School Membership

- 2 early years' PVI (private, voluntary or independent sector) representative;
- 1 14-19 partnership representative;
- 1 trade union representative.

2.1.2. The following officers shall regularly attend and speak at meetings of the Schools Forum, but are not members and have no voting rights.

- Cabinet Member – Children & Young People;
- Strategic Director – Children & Young People;
- Operational Director – Early Help & Education;
- Head of Finance – Adult Social Services and Children & Young People;
- Senior Finance Analyst – Schools;
- Schools Budget Manager.

2.1.3. The following officers may also attend and speak at meetings of the Schools Forum, but are not members and have no voting rights.

- The Chief Finance Officer;
- Officers providing financial and technical advice to the Schools Forum;
- Presenters;
- Education Funding Agency observer.

2.1.4. Non-School Membership cannot exceed one third of the total membership.

- 2.1.5. Elected members who hold an executive role in the London Borough of Brent (a Lead Member or portfolio holder) are barred from being a Schools Forum member.
- 2.1.6. Other Elected Members of the London Borough of Brent can be voting members of the Schools Forum in their capacity as governor at a school within Brent.
- 2.1.7. Officers employed by the London Borough of Brent who have a role in the strategic resource management of the authority shall not be eligible for membership of the Schools Forum.
- 2.1.8. No Schools Forum member can represent more than one sector at the same time.
- 2.1.9. The London Borough of Brent will maintain a written record of the composition of its Schools Forum, detailing the numbers of members and their names and the group/sub-group that they represent. This will also indicate the term of office of each member. This will also be published on the Schools Forum section of the Brent website.

## **2.2. Appointment**

### School and Academy Membership

- 2.2.1. London Borough of Brent shall appoint persons elected as a result of votes cast in the following manner:
  - Head Teachers: shall be elected through the Head Teachers groups. This will be communicated to all eligible Head Teachers directly by Children and Young People Department's Finance Team, and also via the bi-weekly Head Teachers' bulletin.
  - Governors: nominations shall be sought through the Governor Support Service. This shall also be communicated by emailing Head Teachers of the relevant category, and via the bi-weekly Head Teachers bulletin, so that Head Teachers can also communicate this to their governors. The category to be represented shall be clearly identified and all governors meeting the eligibility criteria shall be free to nominate themselves. Where more nominations are received than places available, votes will be invited from relevant governors.

### Non-School Membership

- 2.2.2. London Borough of Brent shall appoint persons elected as a result of votes cast in the following manner:
- Early Years' PVI: nominations and elections will be sought from the PVI sector. Where this is not practical, the Head of Early Years will nominate a member from this sector.
  - 14-19 Representative: nominations and elections will be sought from the 14-19 sector. Where this is not practical, the Head of Schools Effectiveness will nominate a member from this sector.
  - Trade Union Representative: nominations and elections will be undertaken by the Teachers' Panel.
- 2.2.3. In the event of a tie between two or more candidates, then London Borough of Brent shall appoint a member instead, subject to consultation with the Schools Forum.
- 2.2.4. Where a vacancy arises, this must be filled within three months using the process set out in 2.2.1. and 2.2.2. above. Where a vacancy has not been filled within this time, the London Borough of Brent shall appoint a member instead, subject to consultation with the Schools Forum.
- 2.2.5. Members of the Schools Forum shall make declarations of interests on appointment and at each meeting if the Forum is considering matters for which they may have a pecuniary interest.
- 2.2.6. All new members of the Schools Forum shall be provided with appropriate induction materials. This shall include material relating to the operation of the Schools Forum, and any background information about the local and national school funding arrangements including:
- The Constitution of the Schools Forum;
  - The Terms of Reference of the Schools Forum;
  - A list of current members, including contact details and their terms of office;
  - Copies of minutes of previous meetings;
  - The Schools Forum Forward Plan for the year.

### **2.3. Tenure**

- 2.3.1. Each Schools Forum member will serve for a term of three years from the day of appointment, unless:
- they cease to hold office by virtue of which the member was elected;
  - the member resigns from the Schools Forum by giving notice in writing to the London Borough of Brent;

- the London Borough of Brent replaces the member at the request of the body which the member represents;
    - paragraph 2.3.4. applies;
    - paragraph 2.3.5. applies.
- 2.3.2. Schools Forum Members that reach the end of their term of office shall be eligible for re-appointment.
- 2.3.3. There is no limit to the number of consecutive terms of office individuals can serve as Schools Forum members.
- 2.3.4. Membership may be terminated by the London Borough of Brent, where pupil number variations between each sector is reviewed annually, and membership requirements are rebalanced. Where this results in a reduction in membership for a particular sector, at the last meeting of the academic year the Schools Forum shall decide on the member to be removed from office.. .
- 2.3.5. If a Schools Forum Member fails to attend three consecutive meetings, the Schools Forum can agree (by vote) to ask the London Borough of Brent to remove them from membership and seek a replacement from the appropriate sector to serve the remainder of the three year term. Reasonable efforts will be made to alert members that are at risk, before the potential third meeting.

## **2.4. Substitutes**

- 2.4.1. A Schools Forum member, who is unable to attend a meeting, will attempt to arrange a substitute to attend to represent the same sector and to have voting powers. This must be notified to the Clerk of the Schools Forum, in writing, at least three working days in advance of the meeting.
- 2.4.2. A Schools or Academy member may only nominate a substitute member from the same sector, with the same role within a school.
- 2.4.3. A Non Schools member may only nominate a substitute member from the relevant representative group.

## **2.5. Meetings**

- 2.5.1. The Schools Forum shall meet at least four times a year.
- 2.5.2. The proceedings of the Schools Forum are not invalidated by:
- any vacancy among their number;

- any defect in the election or appointment of any member;
- any defect in the election of the chair.

2.5.3. The Terms of Reference, Constitution and Membership of the Schools Forum, shall be reviewed annually by the Schools Forum in consultation with the officers allocated to advise the Schools Forum.

#### 2.5.4. Administration

2.5.4..1. The London Borough of Brent shall provide a clerk for all meetings of the Schools Forum.

2.5.4..2. Papers for meetings of the Schools Forum shall be circulated to members and made available to the public on the London Borough of Brent's website, ten clear working days in advance of the meeting.

2.5.4..3. Papers for meetings of the Schools Forum shall be sent electronically by email and via the Modern.gov application.

2.5.4..4. The agenda for meetings of the Schools Forum shall be set by the Local Authority, in consultation with the Chair of the Schools Forum.

2.5.4..5. The Schools Forum may commission work in relation to appropriate school funding issues.

2.5.4..6. An annual cycle of meetings (Schools Forum Forward Plan) shall be set up to include agenda items which routinely arise.

2.5.4..7. There shall be an agenda item at the beginning of each meeting of the Schools Forum to give members the opportunity to declare conflicts of interest.

2.5.4..8. Each item on the agenda of the Schools Forum shall be timed, and the timing extended only at the Chair's discretion.

#### 2.5.5. Minutes

2.5.5..1. Minutes of the meeting of the Schools Forum shall be approved at the following Schools Forum meeting and shall then be made available on the London Borough of Brent's website immediately after the meeting.

- 2.5.5..2. Minutes shall for each item state whether the item was for decision, information or consultation.
- 2.5.5..3. All decisions taken by the Schools Forum shall be recorded.
- 2.5.5..4. Any actions agreed shall be recorded, with the action allocated to an officer.

#### 2.5.6. Chair and Vice Chair

- 2.5.6..1. The Schools Forum shall appoint a Chair and a Vice-Chair from its membership.
- 2.5.6..2. The term of office for both the Chair and Vice-Chair shall be two years, but must not exceed the member's remaining term of office as a Schools Forum member.
- 2.5.6..3. A non-executive elected member or London Borough of Brent officer who is a member of the Schools Forum cannot hold the office of chair.
- 2.5.6..4. In the absence of both the Chair and the Vice-Chair, a temporary Chair shall be elected from amongst those voting members present.

#### 2.5.7. Quorum

- 2.5.7..1. The Schools Forum meeting shall only be quorate if 40% of the total membership is present. This excludes observers, and excludes vacancies. This equates to eleven members when there are no vacancies.
- 2.5.7..2. An inquorate meeting cannot legally make decisions. If a meeting is inquorate, members present may by majority vote decide to have an informal discussion, but the meeting has to be formally rescheduled.

#### 2.5.8. Conduct

- 2.5.8..1. All discussions and debate at the Schools Forum meetings shall be through the Chair.
- 2.5.8..2. For decision-making and consulting purposes, each Schools Forum member shall be entitled to one vote subject to:



- Funding Formula: This is limited to all Schools and Academy members and Early Years PVI representatives. Other Non School members cannot vote.
- Early Years Single Funding Formula: This is limited to all Nursery, Primary School members and Early Years PVI representatives. Secondary, Academy members and other Non School members cannot vote.
- De-Delegation: This is limited to the specific primary and secondary phase of maintained schools. Maintained nurseries, maintained special schools, PRUS, academies, and Non School members cannot vote on de-delegation matters.
- Scheme for Financing Schools: This is limited to schools' members.
- Other matters: All members can vote on any other matters.

2.5.8..3. A resolution shall be taken by a simple majority.

2.5.8..4. Where a vote is required and there are an equal number of votes for and against the proposal, the Chair shall have the casting vote.

2.5.8..5. Once a decision has been made, all Schools Forum members shall be bound by it, but any member may request for their opinion to be recorded in the minutes.

2.5.8..6. Each Schools Forum member shall consider the needs of the whole educational community within London Borough of Brent, rather than using their position on the Schools Forum to advance their own sectional or specific interests.

2.5.8..7. The Schools Forum must appropriately challenge and scrutinise the London Borough of Brent's decisions, proposals or existing arrangements.

2.5.8..8. In carrying out their functions, each Schools Forum member shall act in accordance with the seven principles of public life set out in the report of the Government Committee on Standards in Public Life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

## 2.5.9. Expenses

2.5.9..1. All costs of the Schools Forum shall be met from the Schools' Budget.

2.5.9..2. Reasonable costs incurred by each Schools Forum member shall be reimbursed by the London Borough of Brent, and charged to the Schools' Budget. As meetings are held in the evening, it is anticipated that only travel and (possibly) childcare costs would apply.

#### 2.5.10. Task and Finish Groups

2.5.10..1. The Schools Forum can appoint, as and when necessary, Task and Finish Groups in relation to specific items of interest of the Forum..

#### 2.5.11. Observers and Public Access

2.5.11..1. All meetings of the Schools Forum shall be open to members of the public, unless there is good reason for the business to be conducted in private..

2.5.11..2. Members of the public may only speak with the permission of the Chair.

2.5.11..3. Dates and locations of forthcoming meetings shall be publicly available through the London Borough of Brent's website.

2.5.11..4. Minutes of meetings will be placed on the London Borough of Brent's website, and all schools and associated groups shall be notified when new minutes are available.