

Schools Management Forum

Report of: Dianne Nielsen

Subject: Terms of Reference

Date: 8th July 2020

1.0 Purpose of Report

1.1 To agree the terms of reference for the Middleborough Schools Management Forum.

2.0 Background

2.1 To agree the terms of reference for the group.

3.0 Terms of Reference

3.1 The draft terms are included below for agreement.

3.2 The period of this term of office will run from September 2020 to August 2023. (Paragraph 14) (three year membership).

3.3 Please note the membership for this term (appendix 1).

3.4 Forum are requested to note the procedures for urgent business (paragraphs 25 & 26).

3.5 Forum are requested to note the options to meet remotely (paragraph 23).

4.0 Recommendations

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

MIDDLESBROUGH SCHOOLS MANGEMENT 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 Middleborough Schools Management Forum, reflect the “Schools Forum, Operational and Good Practice Guide” produced by the Education & Skills Funding Agency (ESFA), May 2020.
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

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- Central spend on;
 - Early years block provision which may include funding for checking eligibility of pupils for an early years place, the early years pupil premium, or free school meals
 - Early years block provision to enable schools to meet the infant class size requirement
 - Back pay for equal pay claims
 - 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
- Education of pupils with special educational needs, places to be commissioned, paying top-up funding.
- Use of pupil referral units and the education of children otherwise than at school, places commissioned and paying of top-up funding.
- Arrangements for early years provision
- Administration of allocation of central government grants paid to schools via the local authority.

School Forum gives a view and informs the governing body of all schools maintained by the local authority of results of consultations carried out.

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
 - Primary Schools 3
 - Governor 1
 - Special 1
- Academy Schools 13
(including Special Academies/Free schools)
- Pupil Referral Unit 1

Non-School Members

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

Total members: 23

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 school representatives can vote.
 - Funding held centrally for the Local Authority to undertake **general duties** for maintained schools, only the maintained primary and special 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% (9 voting members) of the total membership is present (excluding observers and 40% of current membership excluding vacancies). 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 2023 (three year membership).
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.

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23. School Forums can meet remotely until **31 March 2021**, while they are unable to meet physically in a room during the outbreak of coronavirus (COVID-19). This includes, but is not limited to:
- Telephone conferencing
 - Video conferencing
 - Live webcast
 - Live interactive streaming
24. 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

25. 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.
26. 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

27. 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

28. 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;

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- 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

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

30. 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.

Appendix 1 – Membership of School Forum

Member	Organisation	Representing
Julie Rodwell	Park End Primary	Primary - Maintained
Beverley Hewitt Best	Newham Bridge Primary	Primary - Maintained
Adam Cooper	Abingdon Primary	Primary - Maintained
Jo Smith	Breckon Hill Primary	Governor
Joanne Smith	Beverley School	Special
Leanne Chilton	RT MAT	PRUs
Helen Steele	Caldicotes Primary Academy	Primary – Academy
Helen Malbon	Viewley Hill Academy	Primary – Academy
Jackie Walsh	Green Lane Primary Academy	Primary – Academy
Sarah Lymer	Linthorpe Community Primary School	Primary – Academy
Emma Watson	The Avenue Primary School	Primary – Academy
Chris Wain	Pallister Park Primary School	Primary – Academy
Amy Young	Captain Cook Primary School	Primary – Academy
Anita Jeffries	Archibald Primary School	Primary – Academy
Andrea Crawshaw	Acklam Grange School	Secondary – Academy
Mary Brindle	Macmillan Academy	Secondary – Academy
Andy Rodgers	Unity City Academy	Secondary – Academy
Helen Dalby	Nicholas Postgate Catholic Academy	Secondary – Academy
Nathan Bulley	The King’s Academy	Secondary – Academy
Kevin Duffy	Diocese of Middlesbrough	Diocese
William Guthrie	PVI	Non-School (PVI's)
Afzal Kushi	PVI	Non-School (PVI's)
Jenny Cairns	Middlesbrough College	16-19

Local Education Authority Officers:-

Rob Brown – Director of Education, Prevention and Partnership

Sara Davidson – Strategic Lead for Education

Barrie Cooper - Executive Member for Children’s Services

Dianne Nielsen – Senior Accounting Officer

Samantha Corbyn – Minute taker