

Central
Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



**TO EACH MEMBER OF THE
SCHOOLS FORUM**

25 January 2018

Dear Member of the Schools Forum

SCHOOLS FORUM - Monday 29 January 2018

Further to the agenda and papers for the above meeting, previously circulated, please find attached a report on the Terms of Reference and Constitution to be discussed under the following item:

5. Schools Forum and Technical Sub-group Membership including Election of Members of the Schools Forum and Sub Groups

To provide an update on the review of the membership of the Schools Forum, term of office of members and vacancies, overview of current sub-groups, and their purpose and remit.

Should you have any queries regarding the above please contact me.

Yours sincerely
Sharon Griffin
Committee Services Officer
email: Sharon.griffin@centralbedfordshire.co.uk
telephone: 0300 300 5066

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Central Bedfordshire Schools Forum

CONSTITUTION and TERMS OF REFERENCE

Definitions

Revisions to the terms of reference have been made to align current practice with the Schools Forum Operational and Good Practice Guide 2017 (ESFA). A copy of these regulations is available at [National regulations](#)

The Forum = the Schools Forum for the area covered by Central Bedfordshire Council.

The Council = Central Bedfordshire Council in its role as Local Education Authority.

1. The Central Bedfordshire Schools Forum (the Forum) will consist of 21 Members made up of 16 school members and 5 non school members as follows:-

School Members (16)

3 Primary Maintained School Headteachers or representatives

2 Primary Maintained School Governors

1 Nursery School Headteacher

2 Secondary Maintained Headteachers

1 Secondary Maintained School Governor

1 Maintained Special School Headteacher

2 Primary Academy Headteachers

1 Primary Academy Governor

1 Academy Secondary Governor

1 Academy Secondary Headteacher

1 PRU/ACB Academy Headteacher

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For school members, the terms primary and secondary shall also refer to the formal designation of a first school, deemed primary and, the term secondary school shall refer to a middle school deemed secondary. The term upper school shall refer to a secondary school.

Non School Members (5)

- 1 Roman Catholic Diocese Representative
- 1 Church of England Diocese Representative
- 1 Early Years, Private, Voluntary and Independent sector Provider Representative
- 1 Local Authority 14-19 Partnership Representative

2. Forum Members will stand for three years at which time elections will take place for school Members and nominations will be sought for the non-school Members. Should a resignation be tendered from the Forum, an election will be held for the vacancy which will ensure that the representational balance is maintained. Each representative group (Headteachers and Governors by phase) will be responsible for the method by which they elect and nominate school Member representatives.
3. The Council will maintain a written record of the composition of the Schools Forum including the method by which representatives are elected or nominated. The Council will inform all schools of the membership of the Forum and will provide details of any non-school Member appointed to the Forum within one month of appointment. This will be carried out when constituting the Forum and after the appointment of any new or replacement Member.
4. Elected Members who hold an executive role within the Council and officers who have a role in strategic resource management of the authority are unable to be Members of the Forum (these restrictions do not apply to officers employed as teachers or who work for, and those who directly manage, a service which provides education to individual children and/or advice to schools on learning and behavioural matters). Despite these restrictions, officers and Members may attend and speak at Forum meetings. The Executive Member for Children’s Services will be invited to attend meetings of the Forum as an observer. Council officers will support meetings of the Forum.
5. The quorum for the Forum is 8 Members.
6. Substitute Members will be allowed and have full voting powers. This applies to schools members, academies members and non-schools members, subject to the matter being discussed – see clause 18.
7. The meetings of the Forum will be open to the public.

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8. Members of the Forum are required to make declarations of interest on appointment and when, for example, the Forum is considering matters relating to contracts.
9. Meetings of the Forum will be called allowing at least two weeks notice. Supporting papers will be sent out at least five days before the meeting.
10. The Council shall appoint a Clerk for the Schools' Forum who shall be in attendance at each meeting of the Forum and will take minutes. Meetings will be recorded for the purposes of the accuracy of the minutes only.
11. All schools and associated groups will be provided with the minutes of all meetings of the Forum and of action taken by the Council on Forum advice.
12. Claiming of expenses for Forum Members will be in accordance with the Forum expenses policy document and claims will be made on the specific claim forms and duly authorised.
13. A budget of £3,000 will be available for each financial year for costs associated with the operation of the Forum e.g. hiring a venue, expenses and clerking costs. This will be a charge against the Council's Local Schools Budget and retained centrally. The level of the budget will be reviewed annually.

Items for Forum Discussion

14. The Forum will discuss and be consulted upon the following matters:

Consultation on School funding formula

The Council shall consult the Forum on any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in their formula made in accordance with regulations made under section 47 of the School Standards and Framework Act 1998, and the financial effect of any such change.

Consultation shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the Council's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

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Consultation on Contracts

The Council shall, at least one month prior to the issue of invitations to tender, consult the Forum on the terms of any proposed contract for supplies or services being a contract paid or to be paid out of the Authority's schools budget where either

- a) the estimated value of the proposed public services contract is not less than the specific threshold which applies to the authority in pursuance of Regulation 7(1) of the Public Services Contracts Regulations 1993; or
- b) the estimated value of the proposed public supply contract is not less than the specific threshold which applies to the authority in pursuance of Regulation 7 (2) of the Public Supply Contracts Regulations 1995.

Consultation on financial issues

The Council shall consult the Forum annually in respect of its functions relating to the schools budget, in connection with the following:

- a) the arrangements to be made for the education of pupils with special educational needs;
- b) arrangements for the use of pupil referral units and the education of children otherwise than at school;
- c) arrangements for early years education;
- d) arrangements for insurance
- e) prospective revisions to the authority's scheme for the financing of schools;
- f) administrative arrangements for the allocation of central government grants paid to schools via the authority; and
- g) arrangements for free school meals

Consultation on other matters

The Council shall consult the Forum on arrangements for

- a) the mainstreaming of Teachers' pay grants into the Council's school funding formula; and
- b) updating non-AWPU data within the multi-year budget cycle.

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The Council may consult the Forum on such other matters concerning the funding of schools as they see fit.

15. The Forum shall also have the following powers:
 - a) to agree minor changes to the operation of the minimum funding guarantee, where the outcome would otherwise be anomalous, and where not more than 20% of the Authority's schools are affected. Changes affecting more than 20% of schools will have to be approved by the Secretary of State;
 - b) to agree to the level of school specific contingency at the beginning of each year;
 - c) to agree arrangements for combining elements of the centrally retained Schools Budget with elements of other Council and other agencies' budgets to create a combined children's services budget in circumstances where there is a clear benefit for schools and pupils in doing so;
 - d) in exceptional circumstances only:
 - i. to agree an increase in the amount of expenditure the Council can retain from its Schools Budget above that allowed for in the regulations;
 - ii. to agree an increase in centrally retained expenditure within the Schools Budget once a multi-year funding period has begun; and
 - iii. to agree changes to the Council's funding formula once it has been announced prior to the start of a multi-year funding period.
16. Should a judgment be necessary on whether a matter falls within the remit of the Forum, for example whether an item has financial implications, the Council's Head of Service for Finance and Head of Service for school improvement and the Chair of the Forum shall jointly make the necessary determination.
17. There will be a minimum of 4 meetings per year in accordance with the Schools Forum (England) Regulations 2012; however, there will usually be 5 meetings per year.
18. For decision-making purposes, each Forum member will be entitled to 1 vote. In the case of an equal number of votes for and against a proposal, the Chair shall have a second or casting vote. Voting on the funding formula is limited to schools members, academies members and PVI representatives; de-delegation is limited to the specific primary and secondary phase of maintained schools members; and, retaining

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funding for statutory duties relating to maintained schools only is limited to maintained primary, maintained secondary and maintained special school members.

19. The Constitution and Terms of Reference of the Forum will be reviewed annually.
20. A Chair and Vice-Chair will be elected by the Forum from its voting membership annually or at the first meeting following any resignation. A voting Member who is also an elected Member or officer of the Council may not be elected Chair or Vice-Chair. At any meeting where both the Chair and Vice-Chair are absent, the Forum shall elect, from those voting Members present, a person to take the Chair for that meeting only.