

APPENDIX A

SCHOOLS FORUM FOR TAMESIDE

Terms of Reference, Principles and Constitution for Schools Forum

TERMS OF REFERENCE

THE SCHOOLS FORUM

Representatives from schools, academies and free schools make up the Schools Forum. There is also some representation from non-school organisations, such as nursery and 16-19 education providers.

The Forum acts as a consultative body on some issues and a decision making body on others.

The Forum acts in a consultative role for:

- changes to the local funding formula (the local authority makes the final decision)
- proposed changes to the operation of the minimum funding guarantee
- changes to or new contracts affecting schools (school meals, for example)
- arrangements for pupils with special educational needs, in pupil referral units, and in early years provision

The Forum decides:

- how much funding may be retained by the local authority within the dedicated schools grant (for example, providing an admissions service, or providing additional funding for growing schools)
- any proposed carry forward of deficits on central spend from one year to the next
- proposals to de-delegate funding from maintained primary and secondary schools (for example, for staff supply cover, insurance, behaviour support)
- changes to the scheme of financial management

PRINCIPLES

Whilst members are representatives of their specific sectors or phase, they will be expected to seek feedback from the schools they represent.

Schools Forum members should consider the needs of the whole educational community, rather than using their position on the Schools Forum to advance their own sectional or specific interests.

Schools staff and governors should make sure that the representatives they choose are competent to act as their advocates.

They should also ensure that they are aware of Schools Forum business and make their views known about decisions affecting schools' finance.

Local authorities must publish all Schools Forum papers in advance of each meeting.

Any recommendations should be clear and local authority responsible officers should attend meetings to provide further information and advice.

All Schools Forum meetings must be open to the public. Observers do not have an automatic right to speak at meetings, but the chair may allow contributions where appropriate.

CONSTITUTION

The title of the Forum shall be the 'Schools Forum for Tameside' herein after referred to as 'The Schools Forum'.

Introduction

The Schools Forum has been established in accordance with the provisions of the Schools Forums (England) Regulations 2012 (S.I. 2012/2261). The following document lays out a revised constitution and terms of reference of The Schools Forum, building upon the original documentation drawn up in June 2003. The Schools Forum is a separate statutory body and, as such, is not a committee of the local authority.

The School and Early Years Finance (England) Regulations 2021 amended The Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020 to make permanent provisions to enable schools forums meetings to be held remotely. This includes (but is not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming. Where a Schools' Forum decides to hold a public meeting by remote means only, the Forum should provide support or make alternative arrangements so that any interested parties who do not have telephone or online access can attend virtual meetings.

Functions of the Forum

To make decisions in relation to:

- de-delegation from mainstream maintained schools budgets (separate approval will be required by the primary and secondary phase members of schools forum), for prescribed services to be provided centrally
- to create a fund for significant pupil growth in order to support the local authority's duty for place planning (basic need), including pre-opening and diseconomy of scale costs, and agree the criteria for maintained schools and academies to access this fund
- to create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for maintained schools and academies to access this fund
- agreeing other centrally retained budgets, including for local authority statutory responsibilities (where these relate to maintained schools only, voting is by the primary, secondary, special and PRU members of schools forum)
- funding for central early years expenditure, which may include funding for checking eligibility of pupils for an early years place, the early years pupil premium and/or free school meals
- authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure, or from de-delegated services, which is to be carried forward from a previous funding period in the 2019 to 2020 funding year. The Schools Block is ring-fenced. Local authorities require Schools Forum approval in order to move up to 0.5% from the Schools Block to other blocks
- in each of these cases, the local authority can appeal to the Secretary of State if the Schools Forum rejects its proposal.

The Local Authority must consult the Schools Forum in relation to:

- amendments to the school funding formula, for which the voting is restricted by the exclusion of non-schools members, except for PVI representatives
- arrangements for the education of pupils with special educational needs in particular the places to be commissioned by the local authority and schools, and the arrangements for paying top-up funding
- arrangements for the use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the local authority and schools, and the arrangements for paying top-up funding
- arrangements for early years provision
- administrative arrangements for the allocation of central government grants paid to schools via the local authority

Membership and Attendance

The Schools Forum will be made up of schools, academies and free schools members and non-school members as listed below. Non-schools members will make up no more than a third of a Schools Forum's total membership

Schools members

Members should be headteachers, governors or bursars (they may be represented by other senior members of staff within their school). Governors can include interim executive members of an interim executive board. Membership will be determined in accordance with regulation.

Non-Schools members

A representative of providers of 16-19 education must be elected from those providers. Early years' providers from the private, voluntary and independent (PVI) sector.

Other attendees who are permitted to contribute to a Schools Forum meeting:

- the director of children's services at the authority or their representative;
- the chief finance officer at the authority or their representative;
- any elected member of the authority who has primary responsibility for children's services or education in the authority;
- any elected member of the authority who has primary responsibility for the resources of the authority;
- any person who is invited by the Forum to attend in order to provide financial or technical advice to the Forum;
- an observer appointed by the Secretary of State; and
- 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.

Tameside's membership can be found at **Annexe A**

Meetings will be open to the public, although there is no automatic opportunity for members of the public to speak. Public involvement can come through Forum invitation only. Where the Forum discusses matters of a confidential nature e.g. contracts where there is a commercial interest, then this should be considered private and confidential and members of the public excluded. In all cases the principles of the Local Government (Access to Information) Act apply.

Meetings and Proceedings of the Schools Forum

The local authority shall act as clerk to The Schools Forum and ensure that all of the procedural aspects of Forum performance are complied with.

The Schools Forum shall meet at least four times per year.

The Forum shall be quorate if at least 40% of the voting membership is available at the meeting.

A Chair and Vice Chair shall be elected annually from those members present at the first meeting of the academic year; the term of office being one year. Any elected member or officer of the authority cannot stand as Chair.

A member of Schools Forum may nominate an alternate to attend a meeting if he or she is unable to do so, but the alternate must also fulfil the same criteria as the member; they must be from the same category of school within the local authority. The appointed member, prior to the meeting, shall notify the name of the substitute member to the officer acting as clerk to the Forum.

Any member who fails to attend four consecutive meetings of Schools Forum, even where a substitute attended on his or her behalf, may have their membership terminated.

A draft agenda shall be agreed for the 12 month period. The Chair of Forum must decide upon the agenda for the meeting following consultation with members of the Forum. The final agenda and written papers are to be circulated 5 working days before the start of the meeting. Verbal or tabled reports will only be accepted in extenuating circumstances.

Voting procedures at Forum are covered in **Annexe B** attached.

Charging of expenses

All expenses of the Forum shall be met by the Authority, and charged to the schools budget. Expenses can be claimed in line with the forum expenses procedure.

Future Amendments to the Terms of Reference

Membership and terms of reference will be reviewed by the Local Authority at the start of each academic year.

ANNEXE A

MAINTAINED PRIMARY SCHOOL MEMBERS (9)	SCHOOL
Steve Marsland	Headteacher – Russell Scott Primary School
Lisa Gallaher	Headteacher – Milton St John Primary School
Lisa Lockett	Headteacher – Stalyhill Infants School
Susan Marsh	Governor - Governors' Forum
Donal Townson	Governor – St John Fisher
Gemma Patterson	Headteacher – Lyndhurst Primary School
Kirsty Rimmer	Headteacher – St Anne's Primary School
Simon Brereton	Headteacher – Holy Trinity Primary School
Vacancy	
ACADEMY PRIMARY SCHOOL MEMBERS (5)	ACADEMY
Karen Burns	CEO, Victorious Academies Trust
Simon Wright	Headteacher - St Paul's Primary Academy, Stalybridge
Heather Farrell	Headteacher - Oakfield Primary School
Mark Bidgood	Headteacher - Canon Johnson C of E Primary School
Vacancy	
MAINTAINED SECONDARY SCHOOL MEMBERS (2)	SCHOOL
Richard O'Regan	Headteacher – Alder Community High School
Betty Jones	Governor – St Damian's RC College
ACADEMY SECONDARY SCHOOL MEMBERS (2)	ACADEMY
David Ainsworth	Governor – Great Academy
Gill McFadden	Business Manager – All Saints Catholic College
MAINTAINED SPECIAL SCHOOLS (1)	SCHOOL
Andrew Foord	Headteacher – Cromwell High School
ACADEMY SPECIAL SCHOOLS (1)	SCHOOL
Rosario Sarno	Governor – Hawthorns
PUPIL REFERRAL (1)	SCHOOL
Anthony Benedict	Whitebridge & Elmbridge Learning Centres
NON SCHOOL MEMBERS (5)	REPRESENTING
Anne Morgan	Tameside Teachers' Consultative Committee
Elaine Sagar	Early Years Private Voluntary & Independent Sector
Elaine Horridge	Church of England Diocese
Vacancy	Roman Catholic Diocese
Anton McGrath	14-19 Sector
NON VOTING MEMBERS & OBSERVERS	REPRESENTING
DFE/EFA Representative	DFE/EFA Representative
Councillor O Ryan	Executive Member – Finance and Economic Growth
Councillor L Feeley	Executive Member - Lifelong Learning, Equalities, Culture and Heritage
Tim Bowman	Director of Education (Tameside and Stockport)
Report Presenters	
Council Officers Providing Financial or Technical Advice	

SCHOOLS FORUM VOTING PROCEDURE

1. The decision as to whether a ballot is held will normally be determined by the requirements of the paper tabled. In exceptional circumstances where members wish to hold a ballot and record the outcome to an item not previously considered to require a vote, then a vote can be triggered by a formal proposition by a member and subsequently agreed by the Chair.
2. Votes shall be cast by a show of hands unless the chair decides that a secret ballot is appropriate.
3. Each member of the Schools Forum, or their substitute, shall have one vote. Non-members (e.g. officers, observers) are not entitled to vote.
4. Non-schools members, other than those who represent early years' providers, must not vote on matters relating to the formulae to be used by the local authority to determine the amounts to be allocated to schools and early years' providers in accordance with regulations.
5. Only the maintained primary schools members of The Schools Forum may vote to decide whether or not to authorise the de-delegation proposals for their phase of maintained schools only.
6. Only the maintained secondary schools members of The Schools Forum may vote to decide whether or not to authorise the de-delegation proposals for their phase of maintained schools only.
7. The proceedings of the Forum are not invalidated by:
 - any vacancy among their number;
 - any defect in the election or appointment of any member;
 - or any defect in the election of the chair.
8. Issues put to the vote shall be decided by a majority of the members, or their substitutes, present at the meeting and voting on the issue.
9. In the case of equal votes, discussion will continue to try to achieve consensus if this cannot be achieved, the Chair will be deemed to have a second or casting vote, with no restriction on either how or whether this is exercised.
10. The numbers of votes and abstentions cast shall be reconciled and recorded.
11. If the members feel that the consultative process is best served by advising decision-makers of the wider views represented in the Forum, then these will be recorded in the minutes together with the weight of each opinion as indicated by votes cast.
12. When casting a vote, members exercise their judgement to decide on issues, bearing in mind the views of their constituent organisations.
13. Declarations of special interest should be made before a vote and recorded in the minutes to cover situations where the decision would affect an individual, the school they represent specifically, or where they, or a related party, have a personal interest in an organisation tendering for a contract with the local authority. For this purpose, a related party is deemed to be where you, or a close relative or member of your household, own a company or have a major shareholding in said company.