



Northumberland County Council

Wellbeing and Community Health

Agenda Item 6

SCHOOLS FORUM

07 July 2021

Schools Forum Operations and Governance

1. Purpose of the Report

To update Schools Forum in relation to the latest legislation and operational guidance published by the ESFA.

2. Recommendations

That the Schools Forum notes the report and is invited to:

- a. Consider whether it wishes to continue to meet as a virtual meeting, or revert to face to face meetings once it is considered safe to do so;
- b. Update the Terms of Reference to reflect the requirement for Special Academies to be represented on Schools Forum;
- c. Make any further recommendations to the Term of Reference following the publication of the March 2021 ESFA Guidance.

3. Background

National Regulation govern the operation of schools forums. These were updated in 2020 by [The Schools Forum \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020](#) to allow schools forums to meet remotely for 2020/21. Prior to this, [The Schools Forums\(England\) Regulations 2012](#) had been the latest regulations published.

However earlier this year [The School and Early Years Finance \(England\) Regulations 2021](#) extended this power indefinitely so School Forums can continue to meet remotely.

4 Latest ESFA Guidance

- 4.1 Along with the relevant legislation, the ESFA publishes the Schools Forum Operational and good practice guide. The original guidance was published in and has been regularly updated with the latest version being published in March 2021. A copy has been circulated with the papers for this meeting.

- 4.2 The key changes in the latest version relate to the permanent provision for Schools Forums to meet remotely. The Schools Forum remains a public meeting and where meetings are held remotely, this should still include arrangements for public access.
- 4.3 Other than those changes reflected above the guide continues to be structured in two specific sections:
- section 1 provides information on the constitutional and organisational requirements for schools forums;
 - section 2 covers a number of key aspects of the operation of schools forums at local level, drawing on good practice from a number of schools forums

School Forum members are invited to consider any other implications arising from the ESFA guidance in respect of the Northumberland Schools Forum Terms of Reference, other than those highlighted in section 5 below. In particular the views of Forum are requested to consider whether it wishes to continue to meet as a Virtual meeting, or revert to face to face meetings, once it is considered safe to do so.

5. Northumberland Schools Forum Terms of Reference

A comparison with the current ESFA Operational and Best Practice Guide (OBPG) would indicate it would be appropriate to update the Terms of Reference in respect of the following aspects:

5.1 Membership

The OBPG states where there is one or more Special Academies operating in a LA area, then they should be represented on Schools Forum. In practice this happens in Northumberland; we have 2 Special academies Hexham Priory and NCEA Castle School and Sara Wild is the special academy representative, it is a question of updating our Terms of Reference to reflect this, there were no special academies in Northumberland when these were last reviewed in 2012.

It is evident that some areas originally represented on Schools Forum are not currently involved, as listed below:

- Pupil Referral Unit (PRU);
- Church of England Diocese;
- Roman Catholic Diocese;
- 14-19 Strategic Partnership; and
- Support Staff TU representation

Membership or representation from the above is currently being pursued and we will provide an update to the next meeting of the Schools Forum concerning this.

5.2 Vice Chair

Following Ian Walkers retirement from Schools Forum the Forum does not currently have a Vice Chair of Schools Forum in line with the Terms of Reference. Ian also used to serve as Chair of the Funding Formula Committee. Schools Forum member are asked to contact Bruce Parvin if they are interested in these roles.

6. Current Membership

- 6.1 The key ESFA recommendations in relation to Schools Forum membership is that membership is balanced and representative and that it should reflect most effectively the profile of education provision across the local authority to ensure that there is not

an in built bias towards any one phase of group. Pupil Numbers together with the current make-up of the Schools Forum Schools membership is as follows:

	School Representatives as per 2012 & Sept 2017 Review	Current Pupil Numbers	Current Pupil Numbers	Notional Number of SF reps	Current Position
		Nos	%		
First and Primary Maintained :	8	12,833	32.8%	6.6	5
Secondary Maintained :	6	4,439	11.3%	2.3	2
First and Primary Academies :	}	7,294	18.6%	3.7	5
		6			
Secondary Academies :	}	14,610	37.3%	7.5	4
Maintained Special Schools	2				2
Special Academies					1
TOTAL PUPILS :	22	39,176	100.0%	22.0	19

- 6.2 From these figures we see that the Schools Forum representation remains proportionately representative of the current make up of maintained schools and academies within Northumberland. Future recruitment of Schools representatives on Schools Forum should focus initially on First and Primary maintained and Secondary academy representation to address where there are currently shortfalls.
- 6.3 It should however be remembered that the ESFA guidance does not distinguish between primary and secondary academy representation, given that many MATs will contain both primary and secondary schools. Ultimately it would be for the academies themselves to determine appropriate representation, within the overall allocated number of places.
- 6.4 The previous Terms of Reference, as agreed by Schools Forum in September 2017 are attached for reference at Appendix A.

7. Summary and Conclusions

- 7.1 It is intended to again seek expressions of interest in Schools Forum Membership in September 2021 at the start of the next academic year. Recruitment has been at times problematic and we will run a regular article in Ecourier seeking expressions of interest. Schools Forum members are also asked to actively promote such opportunities through their various networks.
- 7.2 Schools Forum members are also reminded of the expectation that they communicate the discussions and decision of Schools Forum through their respective networks, and that all information is publicly available on the Schools Forum section of the Council website at:

<https://www.northumberland.gov.uk/Education/Professionals/Forum.aspx>

Bruce Parvin
Education and Skills Business Manager
02 July 2021

SCHOOLS FORUM - TERMS OF REFERENCE

27 September 2017

1 The current position

- 1.1** Northumberland's Schools Forum is a representative group of headteachers, governors and non-school members established by statutory instruments issued by the Government. Forums were established nationally in 2002 primarily as bodies for local authorities to consult on school budget related issues, such as formula funding, contracts funded from the schools' budget, and provision for the education of pupils with special educational needs. The forum is constituted according to the statutory guidance and seeks to be representative of all schools across Northumberland.
- 1.2** The operation and conduct of the Schools Forum is in accordance with the Schools Forums (England) Regulations 2012. The Forum has advisory and decision making powers as specified in those Regulations in relation to the Schools Budget, which includes not only budget shares but also all monies directly related to the education of pupils whether in school or otherwise, arrangements for early years provision, insurance, free school meals and administrative arrangements for the allocation of central government grants paid to schools via the authority. In addition, the regulations state that Forum will have a significantly extended role, and will be the main consultative interface between the County Council and the school community, and could be involved in discussion on a wide range of issues outside the scope of the legislation.

The Northumberland Forum complies with its statutory powers to consult upon the delegation of public funds to schools. It has a key role in ensuring delegated budgets are monitored appropriately by officers.
- 1.3** The forum contributes its' views to spending decisions to ensure they are based upon an accurate analysis of priorities within the local authority. Targeting under-achievement by disadvantaged groups, improving provision within the secondary sector generally, tackling challenging behaviour and ensuring that pupils with special educational needs have good support are the priorities currently at the heart of funding allocation.
- 1.4** The forum seeks to equalise funding to ensure that schools are not disadvantaged to their peers nationally or locally. All members of the forum understand the need for decisions to be based on key priorities and needs; for example, the forum has supported changes to the formula in relation to the funding of pupils with special educational needs.
- 1.5** There is consultation with members of the schools' forum in respect of the decision to reorganise the education and skills service.
- 1.6** Given the context of financial restraint and the move towards greater autonomy and accountability for schools and academies, the establishment of stronger education partnerships by the Authority is seen as timely and appropriate.

- 1.7 The Director of Education and Skills attends all meetings of the Schools' Forum. Members of the Schools' Forum ask challenging questions about the use of funding and receive regular reports from local authority officers. Budget-setting is open, transparent but often very complex.
- 1.8 The Local Authority and forum need to evaluate the impact of spending on outcomes. The reporting mechanisms introduced in 2014, include the annual report, the mid-year report and strategic statement should ensure that members have clearer and more focussed information on which to base their decisions.
- 1.9 The Schools Forum recognises the need to engage schools fully when consulting on specific decisions. In making budget decisions, the local authority and Schools Forum are committed to the principle that 'the money follows the child'. Through consultation and robust modelling of options, the Schools Forum has agreed a formula that gives considerable weighting to vulnerability, inclusion and SEND, reflecting the challenges faced by many children and young people in Northumberland.

2 **Constitution**

- 2.1 The regulations indicate that the Forum shall consist of the following ~~29~~ 30 members:

- 8 First/Primary School Headteachers/Senior School Members of Staff or Governors
- 3 Middle School Headteachers/Senior School Members of Staff or Governors
- 3 High/Secondary School Headteachers/Senior School Members of Staff or Governors
- 2 Special School Headteachers/Senior School Members of Staff or Governors
- 1 PRU Head or Governor
- 6 Academy Headteachers/Senior School Members of Staff or Governor
- 1 Special Academy Representative
- 1 Church of England Diocese representative
- 1 Roman Catholic Diocese representative
- 1 Teacher Trade Union representative (not a Headteacher)
- 1 Support Staff Trade Union representative
- 1 14-19 Strategic Partnership representative
- 1 Private, Voluntary and Independent Early Years Providers representative

- 2.2 In addition the Forum may agree to invite other Observers as it sees fit. The constitution of membership should be reviewed at the first meeting in each calendar year using the pupil numbers from the previous October's school census. Also any person presenting a paper to the schools forum may speak at forum meetings but their ability to speak is limited to the paper that they are presenting. Elected Members with responsibility for education/children's services or resources of the local authority in attendance as an Observer shall also have the right to speak at meetings.
- 2.3 Where any member of the Schools Forum is unable to attend a meeting, s/he may nominate a substitute to attend on their behalf. Such a substitute must be of the same type (e.g. Headteachers can only be substituted by another Headteacher), from the same phase, and ideally from the same school partnership.
- 2.4 Where a member fails to attend without consent for a period of six consecutive months or three consecutive meetings (whichever comes first) their term of office shall come to an immediate end and a replacement shall be sought.
- 2.5 Sub Groups/Committees will be constituted by the Forum. Terms of Reference and membership arrangements will be determined by the Forum and may include people who are not members of the Schools Forum. Sub Groups/Committees will be required to report to a

full quorate meeting of the Forum for approval of findings before such findings are published, unless the Forum agrees otherwise in advance.

- 2.6** Schools members will be nominated by the relevant phase of schools and will serve a four year term of office. It will be up to each phase of schools to decide on a precise split of places between Headteachers and Governors. This should be half Headteachers and half Governors, but where this is not possible at least one third must be Headteachers and at least one third must be Governors. Schools are also encouraged to recognise the need for representation from schools of different sizes and from every school partnership. It will be the responsibility of the Headteachers in each phase to seek nominations and to decide exactly how they will determine who to nominate for appointment. Non schools members will be nominated by the relevant body. In the event of any Headteacher or Governor ceasing to be a member of the Forum, the appropriate group will decide on who should be nominated as a replacement. The replacement member will be given their own four year term of office.
- 2.7** Agendas and papers for each meeting will be published on the Council's public website 7 days before the meeting, and draft minutes of the meeting will be published on the same website as soon as practicable following the meeting. Papers for a meeting will be sent individually to each member of the Forum.
- 2.8** The Quorum shall be 40% of the membership of the Forum excluding vacancies but including substitutes. Being inquorate will not prevent a meeting from taking place, but the Forum will not be legally able to take decisions. An inquorate meeting can respond to consultation and give views to the Authority.
- 2.9 Voting Rights.** Varying people have voting rights, i.e. Schools' members have voting rights, non-schools' members have some voting rights and observers, generally, do not have voting rights.
- 2.10** The Chair shall be elected from amongst the members by a quorum of the meeting. The term of office will be two years. Should a resignation occur mid-term the replacement will be given their own two year term of office. The Vice Chair shall be elected from amongst the members by a quorum of the meeting. The term of office will be two years. Should a resignation occur mid-term the replacement will be given their own two year term of office. The Clerk will be appointed by the Local Authority. The Forum shall meet a minimum of four times a year, at dates, times and venues to be determined by the Forum. Meetings for the whole school year should be agreed and published before the end of the previous school year. Extra ordinary meetings of the Forum may be called at the request of Chair or Vice Chair. All Members of the Forum shall be entitled to claim reasonable travelling expenses at casual user rate. Members of the Forum shall also be able to claim re-imburement of reasonable child care, supply cover, and loss of earning costs incurred in order to facilitate attendance at meetings.

3 Communication and partnership

- 3.1** Forum members should make arrangements to inform Governing Bodies of all schools of the results of consultations, any decisions taken and any advice that has been given formally to the County Council no less frequently than on a termly basis.
- 3.2** Thirteen geographical Education partnerships have been established and it is vital that each one is represented at the Forum to enable them to report back to the partnership groups. Members may undertake this responsibility as part of a dual role. However it is important that they are able to frequently attend partnership meetings or communicate with partnerships. It is preferable that these members are drawn from headteachers of schools and academies rather than governors or other representatives.
- 3.3** A special educational needs sub-committee has been established primarily to discuss matters relating to special education.