



North

Yorkshire County Council

Children and Young People's Service

**THE
NORTH YORKSHIRE
SCHOOLS FORUM**

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INTRODUCTION

Purpose of the guide

This guide has been produced to provide new members, local authority officers and elected members with advice, guidance and information relating to the functions and operation of the North Yorkshire County Council Schools Forum. It may also be of interest to the general public.

It is also intended to provide prospective members with the information they require in order to make an informed decision as to whether or not they should stand for election as a representative on the Schools Forum.

Although specific induction briefings are not delivered to new members by County Council Officers they can be arranged if it is felt appropriate.

Further information can be sought from the Clerk to the Schools Forum:

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Regulations

National regulations govern the composition, constitution and procedures of Schools Forums.

The functions of the Schools Forum are set out clearly in "The Schools Forum Regulations 2002" which have been updated regularly to reflect changes in membership criteria and the delegation of certain decision making powers by the Secretary of State.

The latest set of Regulation Amendments came into force in October 2012.

Further information on these regulations is covered in the following sections.

THE REMIT OF SCHOOLS FORUMS

The Establishment of Schools Forums

Schools Forums were established under the Education Act 2002 to provide schools with greater involvement in the distribution of funding within their local authority and to act as a consultative and advisory body in relation to schools' funding.

Regulations prescribe three main functions upon which the local authority must consult its Forum. These are as follows:

1. on changes to the schools funding formula;
2. on the terms of contracts to be let by the local authority for services to schools and paid for from the schools budget (subject to a de minimus level); and
3. on issues relating to the management of the schools budget including:
 - arrangements for the education of pupils with special educational needs;
 - arrangements for the use of pupil referral units and the education of children otherwise than at school;
 - arrangements for early years education;
 - prospective revisions to the local authority's financing scheme for the financing of schools; and
 - the administration of central government grants to schools.

Amendments

Since 2006 Schools Forums have had the power to make decisions on certain financial proposals that had previously had to be taken by the Secretary of State:

- changes to the overall Central Expenditure Limit (the limit on the amount of centrally retained funding allowed in the Schools Budget);
- agreeing 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 would be affected (changes affecting over 20% still require Secretary of State approval); and
- variations to the local funding formula for a funding period that falls into an already notified multi-year budget.

In exceptional circumstances they have the power to:

- agree an increase in the amount of expenditure the local authority can retain from its Schools Budget above that allowed for in the regulations;
- agree an increase in centrally retained expenditure within the Schools Budget once a multi-year funding period has begun; and
- agree changes to the authority's funding formula once it has been announced prior to the start of a multi-year funding period.

Since 2007 the remit of the Schools Forum has further increased to enable it to make decisions regarding:

- the varying of the date of delegated budgets for new schools; and
- approving the changes to the Scheme of Financing Schools.

The local authority no longer has to report exceptions to the rules governing school formula funding if the Schools Forum has agreed them.

It is only when the local authority and the Schools Forum cannot reach agreement that matters are referred to the Secretary of State for a decision.

Limits to Schools Forum Powers

The power of the Schools Forum is limited to proposals put forward by the local authority. They have no power to initiate proposals.

The Schools Forum has a legal existence but is not a corporate body.

In Summary ...

Each and every Local Authority is therefore required to maintain a Schools Forum in order to represent its schools' views on matters relating to the total Schools' Budget. The local authority can, at its own discretion, consult the Schools Forum on any other schools funding issue it considers necessary. There is no obligation for the local authority to consult the Forum on local authority budget issues.

MEMBERSHIP

Introduction

Although the regulations provide a framework for the appointment of members, they do allow the local authority some degree of discretion in order to accommodate local priorities and practice.

There is no minimum or maximum number of members that a Forum must have. Local Authorities should bear in mind the importance of ensuring that there is full representation for all its school phases/types whilst keeping the Forum to a balanced and reasonable size.

The North Yorkshire Schools Forum currently has a membership provision of **33**. An update on the current membership position is given at the start of each Forum meeting.

Forums must have 'school members' and may, at the authority's discretion, have 'non-schools members'. However, the non-school members should not number more than one third of the total membership.

Schools Members: Composition

Twenty seven Schools members represent the specified phases or types of schools within the Local Authority. For primary and secondary schools the number within each category should be proportionate to the ratio of pupils in each phase.

Head teachers and School Governors represent both the primary and secondary phases.

Special school representation is required where the authority maintains one or more special school. Membership can be held by either a Head teacher or a School Governor.

Nursery schools are specifically represented outside of the primary school membership. Membership can be held by either a Head teacher or a School Governor.

As a result of the delegation of funding to Pupil Referral Services from April 2013, the DfE has required Schools Forums to include representation as a schools member.

Following a review in September 2013, the current schools structure of the North Yorkshire Schools Forum is:

Primary Head teachers	8	Elected from the following Borough / District Council areas: Craven (1), Hambleton (1), Harrogate (1), Richmondshire (1), Ryedale (1), Scarborough (1) and Selby (1) plus JDP (1)
Secondary Head teachers	6	Elected from the following Borough / District Council areas: Craven (1), Harrogate (1), Ryedale (1), Scarborough (1), Selby (1) and Hambleton & Richmondshire (1)
Primary Governors	5	
Secondary Governors	3	
Nursery Head teacher / Governor	1	
Special School Head teacher / Governor	1	
Academy Head teacher / Governor	2	
Pupil Referral Service Head teacher	1	

Schools Members: Election and Appointment of

Primary and Secondary Head teachers are elected from within the Borough/District Council boundaries. Elections are conducted on behalf of the Corporate Director, Children and Young People's Service, by the Clerk to the Schools Forum.

The Primary JDP elects 1 representative from its membership.

A Principal, deputy head teacher, bursar or other person responsible for the financial management of the school can be elected in the event that a Head teacher cannot be elected.

The election of a Nursery school and a Special school head teacher/governor are the responsibility of their constituent group.

The election of Primary and Secondary governor representatives is conducted on behalf of the Corporate Director, Children and Young People's Service by the Clerk to the Schools Forum with the support of the Governor Support Service.

Academies members are elected by the governing bodies of the Academies within the local authority boundary. Those Academies should determine their own election process. The Local Authority can set a date by which the election should take place and can appoint a representative if the election is not completed by that date or the result is a tie between two or more candidates.

Any representative of a school that converts to academy status will cease to be a Member of the Forum from the date of conversion. Careful consideration should be given prior to nomination should the school they represent be considering academy conversion.

Non Schools Members: Composition

Non-schools members not only bring greater breadth of discussion to Forum meetings and ensure that stakeholders and partners other than schools are represented but also ensure that the needs and interests of all pupils in the local authority are adequately represented. The latter includes those pupils not educated in maintained schools but in hospitals, independent special schools and non-maintained special schools as well as the services supporting vulnerable and at-risk pupils on roll at maintained schools such as looked after children and children with certain learning and behavioural needs.

The North Yorkshire Schools Forum recruits members, one of each unless specified otherwise, from the following bodies:

- The Diocesan Board of Education for any diocese of the Church of England any part of which is comprised in the County of North Yorkshire. Representation is usually by schools-based staff;
- The Bishop of any Roman Catholic Church diocese any part of which is comprised in the County of North Yorkshire. Representation is usually by schools-based staff;
- Staff representatives, one each from Unison and Teachers Unions;
- Early Years and Childcare Providers; and
- The 14-19 Partnership.

The appointment of any non-schools member will be revoked upon specific instruction from the Secretary of State.

Terms of Office

The term of office is four years and members may serve a maximum period of two terms (8 years).

The composition of the Schools Forum membership is reviewed from time to time to ensure that it reflects any changes brought about by Government policy.

The appointment and subsequent replacement of all members is specific to the named categories.

Resignation of Members

As well as the term of office coming to an end, a member ceases to be a Schools Forum member if they:

- (i) resign their membership;
- (ii) no longer occupy the office for which he/she was nominated to represent; or
- (iii) the school at which they are a head teacher/governor converts to become an Academy.

If they cease to be a member under (iii) they can, if they so wish, be nominated to represent the Academies in North Yorkshire as and when a vacancy arises for an Academy Representative.

Members are requested to confirm their resignation in writing to the Clerk to the Schools Forum at the earliest opportunity. Upon receipt, the procedures to recruit a new member can commence. Every effort will be made to ensure that a new member is in place for the next meeting of the Forum.

Restrictions to Membership

There are a number of restrictions placed on membership of the Schools Forum which ensures that there is no conflict of interest between the proposing body (the local authority) and the approving body (the Schools Forum).

Those who cannot become members but may attend meetings and speak but not vote are listed below:

- (i) Elected members who hold an executive role in the local authority;
- (ii) Corporate Director, Children and Young People's Service;
- (iii) Any officer employed or engaged to work under the management of the Director of Children's Services, other than one who directly provides education to children or who manages such a person; or
- (iv) Any officer whose work involves management of, or advice on, school funding.

Substitutes

Members are required to nominate a substitute who can be called upon to attend meetings in either their absence or that of any other school member so ensuring that the Forum is quorate.

The Clerk to the Schools Forum maintains a register of persons prepared to act as substitutes for elected representatives. Members should notify their nominated substitute to the Clerk to the Schools Forum.

Governor substitutes are recruited from those unsuccessful at being elected but who are willing to act in a substitute capacity as and when required.

Substitutes have the same rights of participation and voting as the elected Member they are covering for.

Participation

Participation is limited to:

1. a lead member for Education, Children's Services or Resources;

2. the Corporate Director of Children's Services or their representative;
3. the Chief Financial Officer or their representative;
4. Officers providing specific financial or technical advice to the Forum; and
5. an observer appointed by the Education Funding Agency (EFA) (see paragraph: Observers)

The participation of other officers who are presenting a report is limited to their specific agenda item.

Observers

Any elected member or officer who is not a member of the Schools Forum is entitled to attend and speak at a meeting where relevant agenda items arise. However, they are not able to vote.

In doing so, executive members can be made aware of the views of the Forum on specific issues and, in particular, on any decisions it takes in relation to the Schools Budget and individual budget shares. In turn executive members can contribute to the discussion.

A representative of the Teachers Association attends as an observer and can contribute to discussions.

As of 1st October 2012, the EFA has been given observer status on schools forums with a view to supporting local processes and providing a national perspective. The EFA representative will not attend every Forum meeting. The EFA representative for the Yorkshire and Humber region is Gavin Monument.

Administration

The administrative function of the Schools Forum is undertaken by the Clerk to the Schools Forum. They are the point of contact in respect of:

- the calendar of meetings;
- the dispatch of papers;
- the provision of an accurate record of the meeting;
- the payment of expenses to members;
- queries regarding the business of the Schools Forum;
- maintaining the contact details of all members;
- maintaining the list of members and providing advice on membership issues;
- providing assistance in coordinating the nomination/election processes;
- review of the proportion of headteacher representatives;
- arranging the upload of agendas and papers to the cypsinfo website;
- production of "Schools Forum matters", a post meeting summary for schools; and
- maintaining the information held on the cypsinfo and NYCC websites.

PROCEDURAL

Quorum

The quorum for a meeting is 40% of the total current membership *excluding* observers and vacancies. If a meeting is inquorate it can continue and the Forum can respond to authority consultation but it cannot legally take decisions, i.e. election of a new chair or a decision relating to funding conferred by the funding regulations.

Calendar of Meetings

The Schools Forum Constitution requires that there be a minimum of five meetings during the year. These are scheduled for January, March, May, September and November in line with the key consultative and decision making points in the school funding cycle. The March meeting is held prior to the finalisation of the school budgets and is usually a full day meeting.

Each September the Clerk to the Forum will propose the dates on which the Schools Forum is scheduled to meet in the following calendar year. Dates are scheduled to avoid potential clashes with other meetings that may require the attendance of Head teachers, governors, Executive Members or those officers with strategic resource management.

Upon ratification by the Forum the dates are published and venues confirmed. Meetings are generally held at County Hall, Northallerton. Members are notified in advance of any changes to the venue. Refreshments are made available at the start of each meeting in recognition of members' travel commitments.

Election and Role of the Chair

The chair is nominated from within the membership at the time the position of chair becomes vacant.

Elected members or officers who are members of the Forum may not hold the office of chair. Independent chairs are not permitted under the Schools Forum (Amendment) (England) Regulations 2005.

The period of office is four years. Nominees should be mindful of the possibility that their term of office as a member could come to an end before their term of office as chair. Chairs are eligible to serve for a maximum of two terms.

The role of the Chair is to provide an environment within which all members are able to contribute fully in discussions and to guide the Forum towards making well informed decisions.

A pre-meeting between the Chair and the senior officer of the authority who is responsible for supporting the Schools Forum is held to ensure that the Chair is clear on the substance of the agenda items, understands the issues involved and the decision and/or actions that need to be taken in respect of the Forum business.

The Chair is responsible for representing the views of the Forum back to the local authority, suggesting improvements to the way business is conducted and, in exceptional circumstances and with the support of the members of the Schools Forum, take the view that they do not have sufficient information on which to base a decision and request that an item be deferred until further information is available.

Agenda and Associated Papers

The agenda is drafted in consultation with the Chair. Agenda items correspond, in the main, to key consultative and decision making points in the school funding cycle, other consultation exercises from Central Government and in response to issues raised by the Forum itself.

The format of the agenda is as follows:

1. Items requiring a **decision**;

2. Items for **consultation** or for which **guidance** is sought, i.e. following publication of Government Consultation Documents, the views of the Forum will be sought. Changes proposed by the local authority where the views of the Schools Forum are required prior to further work being considered or prior to a full consultation with all Schools and Governing Bodies or the feedback from a full consultation with Schools and Governing Bodies; and
3. Items for **information** only. Some papers are produced to inform members rather than to seek their approval to proposals or recommendations. Therefore, to avoid over-lengthy meetings, members are requested to submit any questions they may have relating to the papers prior to the meeting. If no questions are raised the items will not be formally addressed at the Forum but noted in the Minutes. These reports are e-mailed in pdf format to Members two weeks before the meeting with a request to respond no later than one week later. If questions are put forward or issues raised then the respective local authority officers will be requested either to provide a response that can be passed on or to attend the meeting to respond directly to the questions or issues raised by members.

The agenda and a full set of the associated papers are then posted at least seven days prior to the meeting. Those papers requiring a decision or that are for consultation and guidance are e-mailed in pdf format at the same time.

This timescale allows Members to have sight of the papers as soon as they are available in preparation for their attendance at the meeting and, where necessary, canvass views from the group they are representing.

The posted copies ensure that Members are not required to print the documentation at their own expense.

Every effort is made to ensure that all the papers are dispatched together and in a timely manner. In the exceptional circumstances that the dispatch of papers is delayed, the Chair has the discretion to take a view as to whether or not the paper(s) are sufficiently important to allow them to be taken at the meeting. Consideration has then to be given to the management of the agenda to ensure that all members are able to consider the paper(s) and contribute appropriately.

All papers are produced to a standardised format for clarity and consistency. The template for the cover and the report itself can be requested of the Clerk to the Schools Forum.

The officer who has prepared the paper presents it, in summary, having assumed that members will have read the report.

Urgent Matters

In extreme cases, as determined by the Corporate Director, Children and Young People's Service, and where it is not expedient to call a meeting of the Forum, urgent matters may be determined by a vote of Members undertaken by e-mail. The time period allowed for voting should be at least five working days including the day on which the e-mail was originally sent out to Members. This timescale excludes Bank/Public Holidays. All responses should be channelled through the Clerk to the Schools Forum.

The outcome of the e-mail vote should be reported to the next ordinary meeting of the Forum.

The Chair cannot legally take a decision on behalf of the Forum but they can give the authority a view on an urgent issue.

Attendance

Members are requested to confirm their ability to attend meetings with the Clerk to the Schools Forum at least 5 clear days before a scheduled meeting.

It is the responsibility of the member to arrange for their substitute to attend on their behalf.

In the case of School Governors, the Clerk to the Schools Forum will arrange for a substitute from the register.

Refreshments are provisionally ordered for each meeting so to avoid unnecessary waste notification of a member's inability to attend is appreciated.

If Members are unable to make the necessary commitment to the Schools Forum and so cannot attend meetings on a regular basis it is requested that they consider carefully whether or not they should continue as a Member.

Voting Procedures

Voting in respect of the funding 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 under sections 47 and 47ZA of the School Standards and Framework Act 1998 can only be by Schools members and representatives of the Private, Voluntary and Independent Sector.

All members of the Schools Forum can vote on issues other than the funding formulae.

Substitutes have the same voting rights as the member they are standing in for.

Conflicts of Interest

If at any time a Forum member has an interest in any Forum business beyond the generality of the group s/he represents, or a personal interest in any business of the Forum, s/he must declare the existence and nature of that interest to his/her organisation and to any Forum and/or Forum Group meetings at which the matter arises and where the member is in attendance.

The member concerned may address the meeting to explain any issues but must then leave the meeting room before the matter is considered and should not have any involvement in any decision making, voting or consequent action in relation to that matter.

A personal interest means any situation where the personal well-being or financial position of the individual, or of any relative, friend or close associate of theirs, may be affected (or may appear to a reasonable person having knowledge of the facts to be affected or likely to be affected) by a decision in relation to the matter in question.

However, Forum members need not withdraw from a meeting because of an interest that is no greater than that of other members of the Forum, i.e. primary school representatives should not withdraw from discussions on general primary school funding.

Public Access

The Schools Forum are involved in the decision making process surrounding the use of public money at a local level and as such they have to ensure that their proceedings are subject to public scrutiny.

Forum meetings are therefore public meetings.

Given that the North Yorkshire Schools Forum is quite sizeable and suitable accommodation for meetings is limited, the Chair shall manage any public access accordingly.

The agenda, papers and minutes of the meetings are available on the North Yorkshire County Council CYPS info site at <http://cyps.northyorks.gov.uk>. There is a link from the public website, www.northyorks.gov.uk.

Working Groups

The Schools Forum can, at any point, request that the local authority establishes a working group or groups to undertake work on its behalf.

Any undertaking requires the working group to report back their findings and/or any recommendations to the Forum.

EFFECTIVE SCHOOLS FORUMS

Introduction

The local authority has an ongoing responsibility to provide the Schools Forum with the appropriate support, information and guidance it needs to carry out its functions and responsibilities.

Local authorities have a role in ensuring that all members of the Forum are well briefed and able to participate fully in discussions.

The management of the meeting cycle, production of papers and the provision of good quality advice and guidance all contribute to the effectiveness of the Schools Forum.

Partnership

There is a shared commitment between the local authority and the Schools Forum to work together on agreed priorities coupled with an understanding of the contribution that can be made by each side to their achievement.

Responsiveness

The local authority is responsive to the requests made by the Schools Forum including the raising of particular topics or issues for future discussion and requests for further information or data. However, the Schools Forum should be aware of the need to assess the resource implications of any such request with the benefit to be had from its production.

Strategic View

Schools Forums are most effective when they take a strategic view of the issues they are asked to consider. Whilst members of the Schools Forum are representatives of their specific phase, they should be able to consider the needs of the whole of the educational community rather than using their position to advance their own sectional or specific interests. The Chair's role is crucial in influencing the tone and pace of meetings and ensuring that the strategic view is at the forefront of any discussions.

Challenge and Scrutiny

The local authority may ask its Schools Forum to agree proposals that will have an effect on all or just some schools. The extent to which the Forum can scrutinise and challenge such proposals is an important aspect of their effectiveness. Experience has shown that North Yorkshire County Council and its Schools Forum manage this well with agreement often being reached under relatively informal circumstances.

FINANCE

Budget

An annual budget is made available to meet the expense of operating the Schools Forum and its associated working groups and related consultations. This budget is currently provided for from the retained portion of the Schools Budget. From April 2013 when Schools Block funding has to be delegated to schools, the proposal is being made to de-delegate this funding.

Eligible expenditure includes:

- the direct servicing of meetings including refreshments and venue hire;
- underlying overheads such as the production and distribution of papers and officer time; and
- the reimbursement of reasonable out of pocket expenses incurred by members of the Forum.

Member Expenses

Members are entitled to claim “reasonable out of pocket expenses” incurred in attending the Forum. This includes:

- mileage or actual public transport costs
- the cost of a half day supply teacher

Remuneration in recognition of the time taken by members in preparing for the meetings is not available.

Members are required to complete an expenses claim form. Blank copies are made available at each meeting by the Clerk to the Schools Forum. Completed claim forms should be signed and handed to the Clerk to the Schools Forum at the end of each meeting. Tickets/receipts should be submitted as supporting evidence with any related claim.

Payments are made by BACS and new members are requested to provide their bank details when submitting their first claim.

FURTHER INFORMATION

Further information on Schools Forums and their operation can be found in the following documents:

- The Constitution of the North Yorkshire County Council Schools Forum
available at <http://cyps.northyorks.gov.uk/index.aspx?articleid=17694> or via the Clerk to the Schools Forum
- The Operational and Good Practice Guide
available at
www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefunding/schoolsforums
- The Schools Forum Regulations 2010
available at
<http://media.education.gov.uk/assets/files/doc/s/schools%20forums%20regulations%202010.doc>
- The Schools Forum Regulations 2010 Guidance
available at
<http://media.education.gov.uk/assets/files/doc/s/schools%20forum%20regulations%20guidance%202010.doc>
- Schools Forums: Powers and Responsibilities
available at
<http://media.education.gov.uk/assets/files/xls/s/schools%20forum%20responsibilities.xls>
- <http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefunding/schoolsforums/a0014311/schools-forum> (main school funding page)

There is an area of the cyps.info website dedicated to the Schools Forum which can be found at <http://cyps.northyorks.gov.uk/index.aspx?articleid=13901>