

WILTSHIRE SCHOOLS FORUM
TERMS of REFERENCE

1. Remit

The Schools Forum is a statutory body which the LA is required to consult on the following functions:

1.1 Consultation on School Funding Formula

- (1) The relevant LA shall consult the forum on:
 - (a) 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 and 47ZA of the School Standards and Framework Act 1998; and
 - (b) The financial effect of any such change.
- (2) Consultation under paragraph (1) shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the relevant authority's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

1.2 Consultation on Contracts

- 1) The relevant authority 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 relevant authority's schools budgets where the estimated value of the proposed contract is not less than the specific threshold which applies to the relevant authority in pursuance of Regulation 8 of The Public Contracts Regulations 2006 (SI 2006 No 5).

1.3 Consultation on Financial Issues

- (1) The relevant authority shall consult the forum annually in respect of the relevant authority's 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 provision;

- (d) Administrative arrangements for the allocation of central government grants paid to the schools via the authority.
- (2) The relevant authority may consult the forum on such other matters concerning the funding of schools as they see fit.

2. Composition

- 2.1 The requirements for the Schools Forum were previously set out in regulations (Statutory Instrument No 344/2010, amended by 1172/2010). These regulations have been revoked and replaced by the Schools Forums (England) Regulations 2012 (Statutory Instrument No 2261/2012) as amended. The constitution of the Wiltshire Schools Forum has been approved by the Cabinet Member for Children's Services through the delegated decision process, and any change to the constitution will require similar approval.
- 2.2 The majority of forum members are "schools members". There are currently:
 - 6 elected Head teacher representatives (1 secondary, 4 primary and 1 special);
 - 3 Academy representatives; and
 - 4 elected governor representatives (1 secondary school, 2 primary schools and 1 school with special provision).

These 13 members, along with the two Early Years representatives are the only members allowed to vote on the funding formula.

There are 2 other nominated service partner representatives (1 from the Dioceses and 1 teacher representative) who both have one vote. These are the 17 voting members.

Original wording

~~In addition to voting members there are 5 observers, 1 each from the 13-19 Strategic Partnership and ASK, 2 elected governor representatives from the Council's Children Select Committee are also invited as observers ex-officio and the Education Funding Agency has observer status.~~

Proposed

In addition to voting members the Education & Skills Funding Agency has observer status along with the post-16 representative who also has observer status.

- 2.3 The Forum will appoint the same number of substitutes in respect of each voting representative group as that group holds ordinary seats on the Forum. Ordinary members may be substituted by any one of the named substitutes. Substitute members will have all the powers and duties of any ordinary member of the Forum.

3. Conduct

- 3.1 In carrying out their functions, members of the Schools Forum are expected to act in accordance with the seven principles of public life set out in the first report of the Committee on Standard in Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

- 3.2 Members of the School Forum are required to declare an interest in any individual proposal or service contract which directly affects a school at which they are a governor, member of staff, or which their children attend or in which they might have a direct pecuniary interest.

4. Term of Office

- 4.1 The term of office for members of the Schools Forum shall be three years subject to their remaining eligible. A member may resign at any time and is required to leave if he or she ceases to be eligible in the capacity in which elected/nominated.
- 4.2 There is no limit on the number of terms of office to which a member may be elected or re-nominated if still eligible. Where a member is replaced, the new member serves for the remainder of the term of office.

5. Chair and Vice-Chair

- 5.1 A chair and vice-chair will be elected annually by a majority of votes cast by individual members. Where possible, the chair and vice-chair will not be drawn from the same voting group. The term of office is for one year. A chair or vice-chair will cease to hold office if they resign by giving notice to both the Chair and clerk of the Forum, or if they cease to be members of the Forum. Both the chair and vice-chair may be re-elected. Where a casual vacancy arises, there will be a vote at the next meeting of the Forum.
- 5.2 The responsibilities of the chair and vice-chair include: chairing meetings, overseeing preparation of the record of the meeting, submitting a budget for LA approval and being accountable for expenditure against that budget.

6. Quorum

- 6.1 The quorum for the Forum is 40% of voting members. A meeting may continue if inquorate, but any advice given to the LA as a result of such a meeting would not have to be taken into account by the authority.

7. Clerk to the Committee

- 7.1 The clerk will be appointed by Democratic Services at Wiltshire Council

8. Notice of Meetings

- 8.1 The clerk will ensure that meetings of the Forum are convened by giving a minimum notice of 5 working days in advance of the meetings, with a full agenda.

9. Proceedings

- 9.1 Each voting member has one vote and a majority decision is required.

- 9.2 The Forum may remit matters for discussion and research to sub-committees or working groups. However, any resulting advice formally passed to the LA shall have been approved by the Forum as a whole.
- 9.3 The Forum will meet at least 4 times per annum, in each financial year from April 2003.

10. Public Participation

- 10.1 Members of the public are able to ask questions or make a statement in relation to the responsibilities and functions of the Forum at each meeting. A maximum of 15 minutes will be allocated to this at the start of each meeting, and each question or statement should last no longer than 3 minutes.
- 10.2 Questions must be put in writing to the clerk of the Forum no later than 5 clear working days before the meeting, to allow a response to be formulated, and are limited to a maximum of 2 per person / organisation. A response will be given as either a direct oral answer or a written reply.
- 10.3 Statements must be given in writing and can be received up to 10 minutes before the start of the meeting.
- 10.4 Statements and questions must be relevant to the powers and duties of the Forum. They must not be defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper. They must not name or identify individual service users, members of staff or members of partner agencies. Questions must not require the disclosure of confidential information.
- 10.5 The Chairman's ruling on rejection of a question is final.

11. Discrimination

- 11.1 The Committee has an explicit duty to have regard to the duties placed on Local Education Authorities and school governors by the Sex Discrimination Act 1975 and the Race Relations Act 1976. The Forum will note the DfE view that the Human Rights Act 1998 applies.

12. Dissemination of the Results of Meetings

- 12.1 A copy of the minutes of the Forum meetings will be sent to all schools and will be considered by the Children's Services Select Committee and the Cabinet if necessary.

13. Consideration of Confidential Reports

- 13.1 A report will only be considered in a confidential session when it contains confidential or exempt information. That will only apply if the report contains:
- a) Information furnished to the Council by a Government Department on terms which forbid the disclosure of the information to the public.

- b) Information the disclosure of which to the public is prohibited by or under any law or by the order of a court
- c) Information relating to any individual.
- d) Information which is likely to reveal the identity of an individual.
- e) Information relating to the financial or business affairs of any particular person (including the authority).
- f) Information relating to any consultations or negotiations, or contemplated consultations and negotiations, in connection with labour relations matters.
- g) Information in respect of which a claim to legal professional privilege could be maintained.
- h) Information which reveals that the authority proposes to serve certain Notices or make certain Orders or Directions.
- i) Information relating to action taken or to be taken in connection with the prevention investigation or prosecution of crime.

13.2 The intention to conduct Forum business in Confidential Session will be indicated by the inclusion of the following text within the agenda:

‘Exclusion of Public;

To consider passing a resolution, in accordance with the Wiltshire Council Schools Forum Terms of Reference, that the public be excluded during the remainder of the meeting, on the basis that if they were present during the business to be transacted, there would be a likelihood of disclosure to them of exempt information of the following descriptions’

13.3 The descriptions referred to above relates to the categories of confidential information listed in paragraph 13.1.

13.4 Public would relate to anyone other than members of the Schools Forum plus the Democratic Services Officer, relevant officers and Cabinet members with exceptions determined by the Chair, in consultation with the Corporate Director.

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