

Wiltshire Council

Schools Forum

18 October 2012

Subject: Schools Forum Terms of Reference

Purpose of Report

1. To amend the current Terms of Reference for the Schools Forum.
2. To bring the Schools Forum in line with Department for Education (DfE) guidance.

Background

3. The Schools Forum (England) Regulations 2012 (Statutory Instrument No 2261/2012) revokes and replaces the Schools Forum (England) Regulations 2010 (Statutory Instrument No 344/2010), as amended, with a few changes principally relating to the membership and proceedings of Schools Forums.
4. The regulations are made under Section 47A and 138(7) of the School Standards and Framework Act 1998.
5. The regulations for 2012 came into effect on 1 October 2012 and the main changes are:

Membership:

- a. Requires that schools and Academies have broadly proportionate representation according to pupil numbers in each category, and that this is maintained as more conversions take place;
- b. Remove the requirement to have a minimum of 15 people on the Forum;
- c. Where there is at least one maintained secondary school in an authority, at least one schools member must be a representative of a secondary school;

Proceedings:

- d. Limit the number of other local authority attendees from participating in meetings unless they are a Lead Member, a Director of Children's Services (or their representative), Chief Financial Officer (or their representative), or are providing specific financial or technical advice (including presenting a paper to the Forum) (regulation 8(3));
- e. The Education Funding Agency (EFA) has been granted observer status at Schools Forums meetings (regulation 8(4)(f))

- f. Restricts the voting arrangements by allowing only schools members and the private, voluntary and independent members to vote on the funding formulae (regulation 8(10)).
 - g. Require local authorities to publish Forum papers, minutes and decisions promptly on their websites (regulation 8(13)); and,
 - h. Require Forums to hold public meetings – as is the case with other council committees (regulation 8(2)).
6. At the Schools Forum meeting held on 13 July 2012 it was resolved to:
- 1. To amend the composition of the Schools Forum as shown in the appendix attached.**
 - 2. To review the composition of Schools Forum annually**
 - 3. To amend the last sentence of section 2.1 of the Schools Forum terms of reference to read:-**

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.

- 4. To amend section 2.2 of the Schools Forum terms of reference to read:-**

The majority of forum members are "schools members". There are:

- 6 elected Headteacher representatives (1 secondary, 4 primary and 1 special);
- 3 Academy representatives; and
- 4 elected governor representatives (1 secondary, 2 primary 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.

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.

- 5. To recommend that the Cabinet member for Children's Services approve the change in composition and terms of reference as detailed above.**

7. Further amendments are now needed to the terms of reference to bring it into line with the new regulations, and the draft document is attached at appendix 1 to this report.

Terms of reference

8. The current Terms of Reference for the Wiltshire Schools Forum has, following endorsement by this Forum, been approved by the Cabinet Member for Children's Services through the delegated decision process, and any change to the Terms of Reference will require similar approval.
9. It is proposed that the Cabinet Member for Children's Services approve the amended terms of reference following endorsement from the Forum.

Environmental and climate change considerations

10. None.

Equalities Impact of the Proposal

11. The Forum 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.

Financial Implications

12. None

Legal Implications

13. This report focuses on the Schools Forum regulations and the associated constitution of the Wiltshire Schools Forum.

Proposals

14. That Schools Forum:
 1. Endorse the Terms of Reference as seen at Appendix 1 to this report; and
 2. Recommend that the Cabinet member for Children's Services on behalf of Cabinet approve the Terms of Reference for the Wiltshire Schools Forum

***Reason for Proposal**

3. To bring the Schools Forum in line with Department for Education (DfE) guidance and relevant legislation.

Carolyn Godfrey

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October 2012

Background Papers

The following documents have been relied on in the preparation of this report:

1. Terms of Reference Schools Forum October 2012 DRAFT
2. The Schools Forums (England) Regulations 2012
3. 2012 09 07 schools forum regulations guidance