



Report of the Director of Children and Families

Report to the Leeds Schools Forum

Date: 27 June 2019

Subject: Proposed update of the Schools Forum Terms of Reference

Report Author: Louise Hornsey

Contact telephone number: 0113 3788689

Summary of main issues

1. Proposed updates have been made to the Leeds Schools Forum Terms of Reference, taking into account guidance from the Education and Skills Funding Agency (ESFA). Some sections have been re-organised to improve flow, content that is no longer relevant has been removed and some additional information has been added for clarification or to reflect ESFA guidance.

Recommendations

2. Schools Forum is asked to provide a view on the proposed revised Terms of Reference. Specifically members are invited to consider whether the needs and interests of pupils from other faith groups are adequately represented by existing members of Schools Forum and if not how this could best be addressed.
3. Schools Forum is asked to provide any suggestions on the content of a future Schools Forum member training session.

1 Background information

- 1.1 The composition, constitution and procedures of Schools Forums are determined by the Schools Forums (England) Regulations 2012. The ESFA publishes guidance on roles and responsibilities on their webpage “Schools Forum operational and good practice guide”, available on www.gov.uk.
- 1.2 There are a number of requirements for Schools Forums set out within the regulations. However the ESFA Schools Forum operational and good practice guide explains that:
- “Many procedural matters are not prescribed in the regulations and are at the discretion either of the local authority or the schools forum itself.
- “Where the regulations make no provision on a procedural matter, local discretion should be exercised. It is for the local authority to decide how far it wishes to establish rules for the schools forum to follow, in the form of standing orders. While it is entitled to do so, it is of course good practice to allow the schools forum to set its own rules so far as possible.”
- 1.3 The current Leeds Schools Forum Terms of Reference (Appendix B) was produced in October 2014. This has been reviewed against the latest ESFA guidance and proposed updates have been made (Appendix A). Comments are invited on these proposed amendments.

2 Main issues

- 2.1 In the proposed Terms of Reference some sections have been re-organised to improve flow, content that is no longer relevant has been removed and some additional information has been added for clarification or to reflect ESFA guidance. Key changes have been summarised below:
- a) Details have been added of the relevant ESFA guidance on Schools Forum roles and responsibilities and examples have been provided of some key requirements (Appendix A, 1.2). This replaces the previous detailed list of roles and responsibilities, as these can be subject to change by the ESFA from time to time.
 - b) The following ESFA guidance on the role of Schools Forum members has been included – “Schools Forum members will need the skills and competencies to manage Forum business and to take a strategic view across the whole education estate whilst acting as representative of the group that has elected them. Furthermore, they should be easily contactable and pro-active in raising the profile of issues and communicating decisions, and the reasons behind them, effectively” (Appendix A, 3.2).
 - c) In order to clarify the existing principles of membership representation, the detailed calculations at Appendix 1 of the October 2014 Terms of Reference have been replaced with a written explanation of the calculation (Appendix A

3.3.1 and 3.4.2). This does not change the principles of representation but provides a more concise explanation of the arrangements. In line with ESFA best practice it is proposed that membership should be added as a standing item on the agenda for future Schools Forum meetings, which will enable any membership matters arising to be considered on an ongoing basis.

- d) Clarification has been included on who can be a maintained school or academy member based on ESFA guidance - maintained Headteachers can be represented by other senior members of staff within their school (Appendix A, 3.4.1) and Academies members are there to represent the proprietor bodies of academies and are, therefore, not necessarily restricted to principals, senior staff or governors (Appendix A, 3.5.2).
- e) Non-schools seats have been reviewed. Existing seats have been retained and one new seat has been added, as there is an ESFA requirement to include representation of schools with a registered religious character. In line with this a new non-schools seat has been added as a representative of Jewish schools (Appendix A, 3.6.1). This is in addition to the existing seats for the Catholic and Anglican Dioceses.
- f) The ESFA does not require other faith groups to be represented among the non-schools members. Pupils of different faiths are educated across Leeds schools, so to an extent are represented by schools members of the Forum. However Schools Forum members are invited to consider whether the needs and interests of pupils from other faith groups are adequately represented by existing members of Schools Forum and if not how this could best be addressed.
- g) Additional guidance has been added on the attendance of members – “If a member has not attended two consecutive meetings then a reminder will be sent to the member. If the member does not attend the next meeting then the Local Authority will consider whether the member should remain in office, taking into account the reasons for non-attendance” (Appendix A, 4.3e). The ESFA recommends that “it is best practice to record attendance at meetings as well as membership to ensure elected members are attending and contributing to discussions”. While there is no requirement to reconsider membership if there is non-attendance, it is felt that this is a reasonable addition to support the effective operation of Schools Forum.
- h) The indemnification section (Appendix B, 6) has been removed which stated “The local authority shall indemnify members of Schools Forum against reasonable legal costs and expenses arising from decisions or recommendations made in good faith.” This has been removed as no circumstances have been identified in which this would be necessary and it is not included in the ESFA guidance.
- i) Some procedural matters (e.g. meeting arrangements, Appendix B, 7.4) have been removed as these are not relevant to include in a Terms of Reference document and were not always part of the ESFA guidance. Relevant procedural requirements are covered separately in detail in the ESFA guidance.

- 2.2 After taking into account feedback from Schools Forum and making any necessary amendments, it is proposed that the council will adopt a new Schools Forum Terms of Reference, notify Schools Forum members and publish the updated Terms of Reference on the council website.
- 2.3 Following approval of the Terms of Reference, it is proposed to provide a training session in September 2019 which will be open to new, existing and prospective Schools Forum members. The timing of this will ensure that training is provided at an appropriate point before the October Schools Forum meeting, which will be the start of the consultation process for the 2020/21 school funding formula. Suggestions from Schools Forum members would be welcome to inform this training session.

3 Recommendations

- 3.1 Schools Forum is asked to provide a view on the proposed revised Terms of Reference. Schools Forum is asked to provide a view on the proposed revised Terms of Reference. Specifically members are invited to consider whether the needs and interests of pupils from other faith groups are adequately represented by existing members of Schools Forum and if not how this could best be addressed.
- 3.2 Schools Forum is asked to provide any suggestions on the content of a future Schools Forum member training session.