

MUNICIPAL YEAR 2005/2006 REPORT NO. **301**

MEETING TITLE AND DATE:

Constitution Review Group -
9.2.06
Council - 22.2.06

REPORT OF:

Peter Lewis, Director of Education,
Children Services & Leisure

Agenda – Part:	Item: 7
Subject: Schools’ Forum Amendment to Terms of Reference	
Cabinet Member Consulted: Glynis Vince	

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1. EXECUTIVE SUMMARY

In order to comply with changes in the regulation for school funding, this report sets out changes to the Terms of Reference of the Schools’ Forum.

2. RECOMMENDATIONS

That the revised Terms of Reference of the Schools’ Forum be approved.

3. BACKGROUND

3.1 The Schools’ Forum

3.1.1 The Schools’ Forum was set up in response to the duty placed on the Local Authority to establish a Schools’ Forum by January 03. The current terms of reference, see Appendix 1, have been operating since the first meeting of the Schools Forum on 10 December 02.

3.1.2 The Local Authority was required to consult Schools’ Forum on:

- the Local School Funding Formula;
- issues, specified in regulations, in connection with the Schools’ budget;
- service contracts;

3.2 Reasons for the need to revise the Terms of Reference

APPENDIX 3

3.2.1 As part of the changes to School Funding arrangements for 2006/07, the regulations governing Schools Forum have been amended to widen the Forum's remit. Schools' Forum now can agree or refuse requests from the Local Authority to:

- increasing the level of central spending in the Schools' Budget above that provided by regulations
- varying the operation of the Minimum Funding Guarantee where it does not affect more than 20% of schools

Previously, the Local Authority had to seek the approval of the Secretary of State.

3.2.2 Other changes include a change in the composition of the membership of the Schools Forum. Currently, the executive member of the Local Authority is eligible to be a member of the Schools Forum with full voting rights and this is reflected in the membership of the Enfield Schools Forum.

3.2.3 Under the new regulations, executive members of the Local Authority are no longer eligible to be members of the Schools Forum with full voting rights but may only attend and participate in the discussion at meetings. However, the Local Authority can nominate a non-executive member of the Local Authority and also a senior officer with responsibilities for educational services for children within the authority to be a member of the Schools Forum.

3.2.4 The Schools Forum have assessed the current terms of reference and have agreed the amendments

3.3 Proposed Changes to the Terms of Reference

3.3.1 It is proposed that the terms of reference of the Schools Forum are amended to reflect the new regulations. The amendments in light of the new regulations would include:

- To remove the Lead Member for Education, Children's Services and Leisure and a representative from the Early Years Partnership from the membership of the Schools Forum and replace with Chair of Education, Skills and Leisure Scrutiny Panel and Assistant Director, children's Access and Support
- Paragraph 2.3 be amended as follows – "*The Forum may scrutinize and challenge the Council's application of funds to the Schools' budget, Delegated Schools' Budget, Central CSA Budgets and Capital Budgets. It may also scrutinize and challenge DfES/Central Government funding to Enfield Council for education.*"

and to add the following paragraphs

Paragraph 2.4 - “The Forum may agree or refuse requests from the Council to:

- increase the level of central expenditure in the Schools’ Budget above that provided for by regulations;*
- vary the operation of the Minimum Funding Guarantee for specific schools to avoid them receiving unfair budget outcomes.”*

Paragraph 2.5 – “The Forum will consider referrals from the Member Governor Forum/Chairs’ Briefing or any other consultative group.”

Paragraph 2.6 – “The Forum may request detailed information to assist it in carrying out its functions and the Council will use its best endeavours to provide such information.”

Paragraph 2.6 – “The Schools’ Forum will abide by any changes to statutory provisions or changes to the regulatory framework for Schools’ Funding. The Terms of Reference would be amended to reflect any such requirements.”

- *Paragraph 7.4 – “From time to time the Forum will set up ad hoc working groups to deal in greater detail with matters that require more time than is available in the full Forum meetings and will report to the full Forum meetings.”*
- *Paragraph 12.2 – “The Council will fund training course fees and reasonable travel expenses to enable attendance on such courses for members of the Forum to increase their expertise and knowledge to carry out their Schools’ Forum duties effectively. Applications for such fees/expenses should be made to the Assistant Director (Strategy and Resources). In the event of a dispute over whether a course should be funded, the Chair will be the decision-maker and will take account of the resources available from the budget for the Forum’s activities. This budget will be reviewed annually.”*

3.3.4 The proposed Terms of Reference incorporating the suggested amendments are attached at Appendix 2.

3.4 Participative and Consultative Process

The suggested changes were circulated to members of the Schools’ Forum in December 2006 and discussed at their meeting on 18 January 2006. The Schools’ Forum accepted the proposed Terms of Reference without amendment.

4. ALTERNATIVE OPTIONS CONSIDERED

The revisions to the terms of reference are required to meet the statutory requirements, which govern Schools Forums. Various alternative options were considered in relation to the membership of the Schools Forum and the option recommended best met the needs of the Schools Forum and the Authority.

5. REASONS FOR RECOMMENDATIONS

It is intended that the amendments recommended will enable the Authority to meet the statutory requirements governing Schools Forums.

6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

6.1 Financial Implications

6.1.1 The legislative changes in the powers of the Schools Forum now provide for the Schools Forum to give approval to a number of financial arrangements that may be proposed by the Authority, as follows:

- increasing the level of central spending in the Schools' Budget above that provided by regulations,
- varying the operation of the Minimum Funding Guarantee
- giving approval to expenditure being charged to the Schools Budget in respect of transport, severance costs of school budget employees, combined budgets, and borrowing costs, where there are related savings in the expenditure charged to the Schools Budget.

6.2 Legal Implications

S101 and schedule 3 of the Education Act 2005 make amendment to the funding process for schools and provide for an increase in the powers of the Schools' Forum.

6.3 Property Implications

There would be no property implications.

7. PUTTING ENFIELD FIRST

Quality Value for Money Services

APPENDIX 3

The recommendations ensure the Schools' Forum operates within the statutory framework.

High Quality Education and Life Long Learning

The recommendation would:

- assist with maximising the resources available to support educational attainment;
- increase the availability of school places, delivering greater opportunities for parental choice in school admissions;
- work in partnership with schools to support school improvement and raise achievement and include under achieving and challenging pupils;
- secure effective strategic management of education across the Borough, improving the quality and range of support to schools.