

CYNGOR BWRDEISTREF SIROL MERTHYR TUDFUL
MERTHYR TYDFIL COUNTY BOROUGH COUNCIL

YR ADRAN DYSGU
LEARNING DEPARTMENT



Cyngor Bwrdeistref Sirol
MERTHYR TUDFUL
MERTHYR TYDFIL
County Borough Council

MERTHYR TYDFIL
SCHOOLS BUDGET FORUM
TERMS OF REFERENCE
‘Success for every child’ – ‘Llwyddiant i bob plentyn’

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MERTHYR TYDFIL SCHOOLS BUDGET FORUM

TERMS OF REFERENCE

Section 1 Regulations & Functions of the Schools Budget Forum

1.1 Regulations

Section 47A of the Schools Standards and Framework Act 1998, as inserted by the Education Act 2002, required every local authority in Wales to establish a body to be known as a Schools Forum, or if required colloquially can be referred to as the Schools Budget Forum.

The organisation shall be known as the Schools Budget Forum (hereinafter referred to as 'the Forum' in these ToR). It is established in accordance with The Schools Forums (Wales) Regulations 2003.

1.2 Functions of the Forum

The Forum shall provide a formal channel of communication between Merthyr Tydfil County Borough Council and Merthyr Tydfil schools through which the authority will consult on the exercise of its functions in relation to the following;

- The local authority's Schools budget
- Changes to scheme of delegation, including changes to funding formula and the likely impact of such changes.
- Contracts for supplies and services that exceed the prescribed threshold for procurement and
- Service level agreements for the supply of goods and services by the authority to schools.

The authority may also consult the Forum on the financial implications of:

- Arrangements for free school meals
- Arrangements for insurance
- 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
- Early years education
- Allocation and use of specific grants
- School Transport

Section 2 Constitution

2.1 Membership

Membership of the Forum shall be 20 members. The Forum shall comprise 15 schools members, who are to be either Headteachers or Governors and 5 non-school members, as

appointed by the local authority. Non-schools members must not exceed more than 25% of the total Forum membership.

In accordance with the Regulations, school membership must be in proportion to the total numbers of pupils at primary and secondary schools and each category of school i.e. Community, Foundation and Voluntary must have at least one schools member appointed.

At least one schools member must represent the Special school sector.

The current proportion of Primary / Secondary pupils based on PLASC 2022 is 65% / 35%

School Members representation (15)

Primary school English-medium Headteacher (5)

Primary school Welsh-medium Headteacher (1)

Secondary school Headteacher (2)

Voluntary aided Headteacher (1)

Special school Headteacher (1)

School governors (5) (2 from Primary, 2 from Secondary, plus 1 'other', from either Special, Voluntary-aided or Primary/Secondary depending upon the proportional representation that needs to be met)

One of the five governors should be a parent governor where possible.

Non School Members representation (5)

Portfolio lead for Learning (1)

Director of Education (1)

Director of Finance (1)

Head of School Planning & Improvement (1)

Teaching Trade Union representative (1)

Primary/Secondary school members proportional representation

VA Headteacher represents a 3-16 school and so covers both Primary and Secondary and is therefore excluded from the proportional representation.

Primary school members 8 (5 EM Heads, 1 WM Head, 2 Governors) 66.7%

Secondary school members 4 (2 Heads, 2 Governors) 33.3%

To maintain current proportional representation the 'other' governor should if possible be a representative of either the Special school or voluntary-aided school.

2.2 Representation from Schools

To ensure as many schools as possible are represented on the Forum, Headteacher and Governors representatives will not usually be appointed from the same primary or secondary school unless there is a long-standing vacancy which needs to be filled.

An exception to this will be made where the 'other' governor representative is appointed from either the Special or Voluntary-aided school in order to maintain appropriate proportional representation of Primary/Secondary reps.

2.3 Representation from Clusters

School membership (Heads & Governors) should, as far as possible, ensure an even spread of members from each of the three community secondary/primary school clusters.

Specifically:

Of the 7 Primary/Secondary Headteacher representatives to be filled by the three clusters, each cluster should have at least two and no more than three members.

Of the 10 or 11 Headteacher/Governor positions to be filled by the three clusters, each cluster should have at least three and no more than four members.

This will not always be possible to achieve, but as a principle this should guide the filling of vacancies wherever practical to do so.

2.4 Appointment of Members

Headteacher representatives will be appointed from a nomination and election process where all schools in the represented category will be asked to participate e.g. all cluster headteachers will nominate and vote on candidates to represent the cluster. If any vacancy could be filled by more than one cluster, nominations will be sought from all relevant clusters and an election process across all schools will take place.

Some Headteachers will be members if their school is the only one of its type i.e. special school or voluntary-aided.

Governor representatives will be nominated by the Merthyr Tydfil Governors Association (MTGA) based on the cluster vacancies available. Governors put forward are not required to be members of the Association and all relevant governing bodies can be canvassed for interest in the governor vacancies with nominations being ratified by the MTGA. If a vacancy cannot be filled, then interest will be sought from other clusters as required.

Governors are not required to be Chairs of Governors in the schools they represent but a Chair / Vice Chair of Governors, or Chair of Finance would be good candidates as governor representatives.

Non-school members are appointed on the basis of their position within the local authority. The Teaching Trade-Union representative will be nominated by the Merthyr Tydfil Trades Union Partnership Group.

Where there is a vacancy for any category of member, the Clerk to the Forum shall make a request to the nominating/electing body for a replacement for the remainder of the term of office.

All appointments are made by letter from the Clerk.

2.5 Term of Office

Each member shall be elected or appointed for a period not exceeding 4 years.

Staggered appointments should be facilitated where possible, to ensure continuity within the membership.

2.6 Substitute Members

Where a school representative cannot attend, then the member who cannot attend should arrange for an appropriate substitute to attend in their place and inform the Clerk to the Forum to send the invitation.

The substitute will need to qualify for the Schools Forum on the same basis as the member they are substituting e.g. a Headteacher or Governor of the same sector.

In the Secondary sector there is only one substitute Headteacher.

In this case where the substitute Headteacher is unavailable or where more than one substitute is required to attend, a Deputy Head can be sent as a substitute in agreement with the other Secondary Headteachers.

In the Special and Voluntary-aided schools, where there are no substitute Headteachers, a Deputy Headteacher or Head of Campus can be sent as an appropriate substitute.

For non-school representatives the appropriate substitute would be a person able to act in the capacity of the member by virtue of their position within the local authority or other appropriate organisation.

In each case the member should notify the Clerk of the requirement to invite the substitute member. Any query regarding the appropriateness of a substitute will be agreed by the Clerk in conjunction with the Chair.

2.7 Observers

An observer is entitled to attend and participate in Forum meetings, at the request of the local authority and in agreement with the Chair, but does not have voting rights.

The following observers will have a standing invite to the Forum meetings.

Observer Status members (4)

Officer acting as clerk to the Forum (1)

LMS Manager (1)

Education Accountant (1)

Chair of Learning & LGES Scrutiny (1)

Other observers can be invited to attend Forum meetings as required in agreement with the Chair and the Director of Education.

2.8 Removal of Members from the Forum

Where a Schools Member no longer holds the position of head teacher or governor of the school by virtue of which they became eligible for appointment to the Forum, then they shall cease to be a member of the Forum.

Where a Non-Schools Member ceases to meet the eligibility criteria by virtue of which they were appointed to the Forum they shall cease to be a member of the Forum.

A member of the Forum, who fails to attend any three consecutive Forum meetings, unless there were exceptional reasons for non-attendance, will be disqualified as a member of the Forum, in agreement with the Chair and Director of Education.

2.9 Dispute Resolution

Consensus between the Director of Education and Chair will be required to resolve matters of dispute. However, the Chief Executive, who holds delegated authority to disband and reconstitute the Forum, is the final arbiter in matters of dispute regarding membership that fall outside the scope of the statutory guidance and agreed Terms of Reference.

Section 3 Meetings & Proceedings of the Schools Forum

3.1 The Clerk to the Forum

The Learning Department, Merthyr Tydfil County Council, shall act as the Clerk to the Forum.

The Clerk to the Forum shall be responsible for advising the Forum on Regulations relating to the functions of the Forum, and all matters relating to schools funding, for calling meetings, preparing and issuing papers, clerking and recording meetings, dissemination of information relating to meetings and action taken, expenses etc.

Notice of appointments, resignations or removals from the Forum shall be given in writing to the Clerk.

Nominated officers, from within the Learning Department, will fulfill the functions of the Clerk to the Forum under the direction of the Director of Education and the Head of School Planning & Improvement.

3.2 Chair and Vice Chair

The Chair shall preside over meetings of the Forum.

The Chair and the Vice-Chair shall be elected at the first meeting in the Academic Year. The Chair and Vice-Chair shall serve for a period of one year initially but may be re-appointed.

At any meeting at which the election of Chair is required, the Clerk shall act as Chair during that part of the meeting at which the Chair is elected.

The Vice-Chair of the forum will be Chair of the Schools Forum Working Group for that academic year.

At least one of the Chair or Vice-Chair should be a Headteacher.

3.3 Meetings of the Forum

The Forum shall be required to meet four times during each year, twice in the Autumn Term, once in each of the Spring and Summer Terms.

However, up to seven Forum meetings are scheduled per annum subject to the work programme for the year and to allow for additional items to be considered at short notice.

Dates for the academic year are circulated at the 1st annual meeting in the Autumn Term and changes to scheduled meetings may be made by the Clerk in consultation with the Chair. Dates of future meetings are agreed as an agenda item in each meeting of the Forum.

At least five working days' notice of a meeting of the Forum shall be given in writing to members (and observers) except in the case of urgent business which will be called in agreement with the Chair.

The agenda and papers of a meeting of the Forum shall be circulated to members (and observers) five working days prior to the date of a meeting of the Forum, unless in agreement with the Chair, in which case any delayed papers will be made available as soon as practical.

All papers are also made available to members via Hwb.

[MTCBC Schools Forum - Overview - Networks - Hwb \(gov.wales\)](#)

Meetings will be usually held in schools on a rotational basis and may occasionally be held at local authority offices. Meetings may also be held on Microsoft Teams, if required, and in agreement with the Chair.

The business of the Forum shall be conducted in private.

3.4 Quorum

The quorum of the Forum shall be 40% of members i.e. 8 of the 20 school and non-school members. Substitute members will count towards the quorate number.

All Members of the Forum will be entitled to vote at the meetings where required and shall have one vote each. Matters shall be decided by a simple majority of those Members present and voting. If there are equal numbers of votes, the chair will have a second casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

Usually, the Forum meetings will be rescheduled where they are not quorate, particularly where recommendations are required to be made by the Forum.

However, in exceptional circumstances and in agreement with the Chair, there may be meetings that continue even if they are not quorate. In these cases, it will be up to the Authority to decide whether or not to take into account any advice given by that particular meeting of the Forum.

3.5 Minutes of the Meetings

These will be circulated within 10 working days of the meeting as draft for comment on accuracy and completeness.

Where comments are received, an updated version will be provided by the Clerk, along with meeting papers, 5 working days prior to the next meeting, referencing the sections changed.

Formal minutes will then be agreed at the next meeting with any subsequent amendments being circulated following the meeting.

3.6 Agenda Items

A work programme for the year is agreed in the Annual Meeting at the start of the academic year.

An agenda and papers are then circulated to all members and observers at least 5 working days prior to the meeting at which time items for consideration under AOB will be requested to be notified to the Clerk of the Forum. These will be raised at the meeting in agreement with the Chair.

Agenda items for consideration by the Schools Forum can be raised by members at any time to the Clerk of the Forum for further consideration and inclusion on the Schools Forum work programme in agreement with the Chair and further discussion/agreements with Forum members where required.

3.7 Working Group / Additional sub-groups

The Forum will establish a Schools Forum Working Group (SFWG) each academic year to meet as required in accordance with the work streams referred to it by the full Forum. The SFWG will have Terms of Reference agreed by the full Forum in the annual meeting each Autumn Term and the Vice Chair of the Forum will be the Chair of the SFWG.

The Forum may also establish, from time to time, additional task and finish or sub-groups for the consideration of specific matters such as detailed SLA reviews. These additional sub-groups may involve membership from outside of the Schools Forum membership but will be Chaired by a Forum member and where possible have a majority Forum membership. The terms of reference of an additional sub-groups will be agreed with the Schools Forum.

The Chair of the SFWG and Chairs of other task and finish/sub-groups shall report back to the Forum all considerations carried out by the group and a note of the outcome of each meeting.

SFWG minutes to be circulated to SFWG members as draft for comment within 5 working days of meeting. These to then be agreed in next meeting of either SFWG or full Forum. Minutes of all SFWG and sub-groups will also be shared and ratified with the full Forum.

If a member of the SFWG is unable to attend a meeting they are able to nominate a substitute from the current Forum membership in the same category i.e. primary Headteacher, secondary Headteacher or primary/secondary governor etc.

The business of the Working Group and any sub-groups shall be conducted in private.

3.8 Confidentiality

On occasions and in particular matters relating to contracts, information of a privileged or confidential nature may be given to members of the Forum, substitutes, observers and members of working groups to help with their understanding of the matter under discussion. Members of the Forum, substitutes, observers and member of working groups must observe the confidentiality of such matters.

Minutes of such items will be recorded as confidential items and may not be shared.

3.9 Declarations of Interest

A member with a personal interest in a matter who attends a meeting of the Forum at which the matter is considered must disclose to the meeting the existence and nature of that interest at the start of the meeting or at such time as the interest becomes apparent.

A member should regard themselves as having a personal interest in any matter if a discussion upon it might reasonably be regarded as affecting the well-being or financial position of themselves, a relative or any employment or business carried on by such persons.

3.10 Expenses

All expenses of the Forum shall be met by the authority and charged to the schools budget.

The authority shall reimburse all reasonable expenses of members in accordance with the appropriate guidelines issued by the Director of Finance. All expense claims ought to be forwarded on to the Clerk to the Forum in the first instance.

3.11 Other Matters

Where not specifically dealt with in these Terms of Reference, the Forum can regulate its own proceedings in discussion with its members and agreement of the Chair.

Section 4 Effective Practice of Schools Forums

4.1 Communication with Schools

All Headteachers and Chairs of Governors shall be notified of scheduled meetings of the Forum within five working days of the meeting being held. Schools shall be provided with copies of the Agenda, Minutes of previous meetings and copies of all papers with the exception of confidential items.

[MTCBC Schools Forum - Overview - Networks - Hwb \(gov.wales\)](#)

Any confidential items will be exempted from sharing with non-members where required in consultation with the Chair & Director of Education. The exempted items will be noted within the agenda and will be minuted separately.

All non-member Headteachers and Chairs of Governors will be requested to raise any matters with their representatives ahead of the meeting as required when the papers are shared via email. Non-members will also be advised to request any proposed agenda items for subsequent meetings via their member representatives.

4.2 Communication with Heads Forums and Governors Association

A primary and secondary headteacher member of the Forum, as nominated by the Forum, will be invited to be the key liaison with the relevant Headteacher Forum and will provide updates from the Forum on a termly basis and as required.

Where a Headteacher fills the role of either the Chair/Vice-Chair of the Forum, then they would ordinarily be expected to be the headteacher representative providing the updates to the respective Headteacher Forums.

Members of the Forum should also be encouraged to discuss Forum business in the Cluster groups they attend.

A Governor representative nominated by the Forum, will be invited to be the key liaison with the Merthyr Tydfil Governors Association and will provide updates from the Forum on a termly basis and as required.

Officers who fulfill the local authority's role as Clerk to the Forum may also be invited to attend the Heads Forums and Governors Association from time to time to discuss Schools Forum business, although the main updates on the work and deliberations of the Schools Forum should be reported by the above designated schools member.

4.3 Communication with Governing Bodies

Regulations specify that the Forum must inform all Governing bodies as soon as reasonable possible, of all consultations that are carried out with the Forum by the authority on the following

- 4.3.1 The local authority's Schools budget
- 4.3.2 Changes to scheme of delegation
- 4.3.3 Changes to the funding formula and the likely impact of such changes.
- 4.3.4 Contracts for supplies and services that exceed the prescribed threshold for procurement and
- 4.3.5 Service level agreements for the supply of goods and services by the authority to schools.

The Forum will make recommendations in relation to all consultations on the above and will share these recommendations with Governing Bodies.

Governing Bodies will be encouraged to have a standing item on their Termly meetings to discuss items raised at the Forum. Information will be provided for a termly update on the work of the Forum as part of the Director of Educations report.

4.4 Schools Forum Website

The Schools Forum webpage will provide the Terms of Reference, List of Members, Agenda's and approved Minutes of meetings held.

[School Budget Forum | Merthyr Tydfil County Borough Council](#)

4.5 Review of Terms of Reference

The Forum will review its Terms of Reference at every annual meeting in the Autumn Term to reflect on current practice and ensure that it continues to meet the regulations, the needs of the

Forum members and wider stakeholders. Any amendment to the Terms of reference shall be agreed at the annual meeting, or as and when required.

4.6 Training of Members

To improve the effectiveness of the Forum, all new members and other members where required should receive training in the areas relevant to the business of the Forum. For example; the core functions of the Forum, Formula Funding, the local authority Schools Budget, and the scheme of financing schools.

A training programme will be delivered in 2022-23 for new and other members of the Forum as required.

4.7 Effective practice and self-evaluation

It is recommended that school forums undertake evaluations of effective practice and self-evaluations, however this is not common practice across local authorities.

To address this a perception survey will be designed for sharing with stakeholders in the Autumn Term 2022 to review the effectiveness of the Schools Forum. These findings will be used to inform current and future practice. They will also be used as a baseline to inform an ongoing evaluation of effectiveness which is to be undertaken by the Schools Forum on a regular basis.