

# Kent Schools Funding Forum Guidance

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## **1. Schools' Funding Forum (SFF) - Mission Statement**

1.1 The SFF will carry out its statutory functions, make decisions and provide strategic advice to KCC's executive on matters relating to the funding of schools/academies. The Forum will present a consensus view to inform KCC policy on the overall Schools Budget and the calculation of individual school/academy budgets by formula. The Forum will also make recommendations to pass on to central government and the Education Skills Funding Agency (ESFA) concerning their funding policies and arrangements for schools. The Forum is committed to an on-going review of funding arrangements and to disseminate practical guidance to schools to aid budget planning.

## **2. Membership/Structure of the SFF**

2.1 The number of Primary School, Secondary School and Academy members on the SFF must be broadly proportionate to the total number of pupils registered against each group. Where the following institutes exist within the Local Authority (LA) representatives from the respective groups are invited to sit on the SFF via the appropriate election process:

- LA Maintained Special School
- Academy Special School
- LA Maintained Pupil Referral Unit (PRU)
- Academy - PRU
- Nursery School
- Private Voluntary Independent Early Provider (PVI)
- A representative of providers of 16-19 education. This includes FE sector and other Post 16 institutions (SPI and ILP)

In addition to this the LA can appoint other non school members to the SFF.

2.2 The number of LA school members representing schools in a subgroup must be broadly proportionate to the total number of schools in that group when compared with the total number of schools maintained by the LA.

2.3 LA School members and Academy members must overall be at least two thirds of the membership of the forum.

2.4 Members can only represent one group (Primary School, Secondary School, Academy, LA non-schools) or subgroup (LA school subgroup within a group). However it would be quite legitimate for a single person who holds multiple officers/positions to be eligible for membership of more than one group or subgroup. A person who is a governor of, say, a Primary School and a Secondary School is able to stand in elections as a representative of either group but can be only appointed to represent one of those groups.

## **3. Group/subgroup membership of the SFF**

3.1 In total there are 25 members on Kent's SFF, this is made up of 10 LA school representatives, 11 academy and 4 non- school representatives.

## ***LA representatives***

3.2 LA school representatives will be made up of Seniors Leaders (SL) (including finance staff) and Governors. The nomination of members to the SFF will involve two different selection processes for SLs representing LA schools and School Governors representing LA schools. SLs will be directly elected by the relevant LA school subgroup and Governors will be placed by the Kent Governors Association (KGA). **Only one representative from one school will be allowed to be a member of the SFF.** The representative groups for LA schools are made up of the following:

- 3 Primary School SLs
- 2 Governors (ideally 1 Primary School and 1 Secondary School)
- 1 Nursery School SL
- 2 Secondary School SLs (one representing selective schools and one non-selective schools)
- 1 PRU SL
- 1 Special School SL

## ***Academies***

3.3 Academies members must be elected to the SFF by the governing bodies of the academies in the LA area. DfE guidance treats academies as a single group and representation cannot be defined by a subgroup of academies. Academy members are there to represent the governing bodies of academies and are, therefore not necessarily restricted to principals, senior staff or governors. There will be 10 academy representatives on the SFF elected by all academies (excluding Academy Special Schools), plus one Academy Special School representative elected by Academy Special Schools. **Only one representative from one academy trust will be allowed to be a member of the SFF.**

3.4 The number of LA school and Academy members will be reviewed annually using the pupil numbers from the October census. Where there is a proportionate change to LA school and academy pupil numbers this will be reflected in group membership, however implementation and change to membership will only take place when a member's term of office comes to its end.

## ***Non- school members of the SFF***

3.5 The SFF must include a representative of providers of 16-19 education (FE sector and other Post 16 institutions (SPI and ILP)) and a representative from Early Years Private Voluntary and Independent sector. The LA may appoint additional non-schools members to the SFF to represent the interests of other bodies. There are two important restrictions; the LA cannot appoint an elected member of the LA who is appointed to the executive of that authority (a lead member/portfolio holder) "executive member". Secondly, the LA cannot appoint the Director of Children's Services of any officer employed or engaged to work under the management of the Director of Children Services and who does not directly provide education to children. LAs will need to provide their terms of office, how they were chosen and whom they represent.

3.6 Within one month of the appointment of any non-schools member, the authority must inform the governing bodies of schools maintained by them and of Academies within their area of the name of the member and the name of the body that member represents.

3.7 Organisations which typically provide non-school members are:

- Trade unions,
- Professional associations,
- Representatives of youth groups,
- Officers working directly managing an education service for looked after children or pupils with sensory difficulties as they are well placed to represent the needs and interests of particular group of pupils,
- School improvement partners,
- Diocesan Board of Education

3.8 The following are non-school members appointed at the LA discretion; a representative of the Diocesan Board of Education and a School Improvement Partner.

#### **4. Membership - period of office**

4.1 For all LA school members and Academy members the term of office on the SFF will be 3 years. For non school members it is at the discretion of the LA to determine the period of office and will be agreed on an ad-hoc basis with the relevant body that the member represents.

4.2 An SFF member remains in office until:

- the member's term of office expires;
- the member ceases to hold the office by virtue of which the member became eligible for election, selection or appointment to the forum;
- the member resigns from the forum by giving notice in writing to the authority;
- for a non-schools member only, the member is replaced by the authority, at the request of the body which the member represents, by another person nominated by that body.

#### **5. Election process - LA school members (excluding LA governors) and academies**

5.1 All constituents in the group will be contacted and given the opportunity to either stand for election or nominate a colleague.

5.2 If the number of nominees exceeds one then an election will be held to select the group/ subgroup representative to sit on the SFF. In the event that there is only one nominee the person will automatically sit on the SFF.

5.3 Where there is more than one nominee for each group/subgroup an election will take place, nominees will need to provide a picture and a statement why they would be a suitable representative for their group/subgroup on the SFF. This information will be displayed on KELSI so that schools/academies can view this information and decide who would be an appropriate candidate to vote for. The election process is as follows:

- 5.3.1 All schools/academies will have the opportunity to vote, the process will be managed via trust web and email.
- 5.3.2 Each school/academy governing body will have one vote, the number of candidates up for election in the group/subgroup will determine how the votes are scored, so for example if there were four members up for election the process would be as follows: Each school/academy will vote in order of preference i.e. first preference four points, second preference three etc. The total points for each candidate will be calculated and the top four will be elected to the Forum.
- 5.3.3 In the event of a tie between two or more candidates, then the LA must appoint the school/academy member instead. The LA may decide to appoint one of the candidates rather than someone else and might wish to take into account the experience or expertise of the individuals and the balance between different types of represented schools/ academies on the SFF.
- 5.3.4 All deadlines for voting and nominations must be complied with in full; any returns received after this will be invalid.

## **6. SFF meetings**

- 6.1 A full SFF meeting will be held four times a year, the planned meeting dates will be September, December, April and June. Future meeting dates for the academic year September to August will be announced at the SFF meeting held in April or June.
- 6.2 SFF are more than just consultative bodies. They also have an important role to play in approving certain proposals from their local authority and are therefore involved in the decision making process surrounding the use of public money at a local level. Schools Forums should consider how best to ensure that their proceedings are subject to public scrutiny. LA council meetings and committee meetings are held in public except in certain specified cases. The SFF should start from the presumption that there is no reason not to allow public access.

### ***Quorum***

- 6.3 A meeting is only quorate if 40% of the total membership is present and it is 40% of the current membership excluding vacancies. If a meeting is inquorate it can proceed but it cannot legally take decisions e.g. a decision relating to funding conferred by the funding regulations.

6.4 In addition to the SFF members, the following persons may speak at meetings of the SFF, even though they are not members of the forum:

- 6.4.1 the director of children's services at the authority or their representative;
- 6.4.2 the chief finance officer at the authority or their representative;
- 6.4.3 any elected member of the authority who has primary responsibility for children's services or education in the authority;
- 6.4.4 any elected member of the authority who has primary responsibility for the resources of the authority;
- 6.4.5 any person who is invited by the forum to attend in order to provide financial or technical advice to the forum;
- 6.4.6 an observer appointed by the Secretary of State; and
- 6.4.7 any person presenting a paper or other item to the forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that the person is presenting.

## **7. Election of chairperson and vice chairperson**

7.1 A chairperson and vice chairpersons term of office will be for the period of one year and elections for each position will take place annually.

- 7.1.1 Nominations will be sought prior to the meeting when the chairperson and vice chairpersons' term of office has come to a conclusion and a vote via email will take place so that the chair and chairperson are in place for the following meeting.
- 7.1.2 In the event of a tie, the successful candidate will be chosen by a toss of a coin.
- 7.1.3 The chairperson, in liaison with the appropriate LA officer, will agree the agenda items for meetings. Members of the SFF should submit agenda items to the chairperson of the SFF to be included on the agenda.

## **8. Voting at SFF meetings**

8.1 All members must be entitled to vote on all matters put to a vote, with the exception of items relating to paragraphs 8.1.2 & 8.1.3.

- 8.1.1 Where a member votes, the member must only cast one vote and each member's vote must have an equal weighting, save that in the event of a tie in the number of votes, the members may determine such other voting procedures as they see fit.
- 8.1.2 Non-school members, other than those who represent early years providers, must not vote on matters relating to the funding formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers in accordance with regulations made under sections 47 and 47ZA of the Act.

8.1.3 Where the Secretary of State specifies in regulations made under sections 47 and 47ZA of the Act that only certain members of the forum may authorise certain matters, only those members must be entitled to vote.

## **9. SFF Executive Group**

9.1 The SFF will establish an executive group of members comprising of the chairperson, vice-chairperson and the chairs of the Delegated Formula Funding Group (DFFG), The Schools Capital Group (SCG) and Early Years Subgroup. When necessary, the Executive can co-opt another member of the SFF to ensure the Executive is a reasonable size and representative of the SFF as a whole.

9.2 The executive will have the power to advise the LA on urgent issues that cannot be considered by the full SFF at its usual or extraordinary meetings.

## **10. Subgroups**

10.1 The Following are all subgroups of the SFF (see KELSI for terms of reference), Delegated Formula Funding Group (DFFG)) and Early Years SubGroup (EYSG)

10.1.1 The chair of each subgroup will be a serving member of the SFF.

10.1.2 Normally a minimum of two Forum members will sit on each subgroup.

10.1.3 The structure of the subgroup should where possible reflect the forum membership.

10.1.4 The chairperson's term of office will be at the discretion of the SFF.

10.1.5 Ideally representation for subgroups chairs will be 1 person from the following categories: Primary, Secondary and Governors.

10.1.6 The selection of chairs will take place when the position becomes vacant.

10.1.7 The other representatives on subgroups will not have to be SFF members and can include LA officers, school finance staff, union representatives and representatives from other organisations that are not members of the SFF.

10.1.8 The subgroup will suggest an appropriate structure and terms of reference for ratification by the Forum.

10.2 The subgroups will report recommendations to the SFF. The subgroups cannot give advice to the LA without the approval of the SFF.

## **11. Responsibilities of SFF members**

11.1 Members of the SFF will be responsible for canvassing and relaying the views of the group/subgroup they represent at SFF meetings. They will also be responsible for updating their group/subgroup on relevant SFF matters pertinent to their group/subgroup.

11.2 Where a member of the SFF is unable to attend a meeting they will be responsible in liaison with the Clerk to SFF to make arrangements to enable a substitute to attend and vote at meetings on their behalf, the substitute must be from the same group /subgroup as the member of the SFF.

## **12. Role of the Clerk of SFF**

12.1 The role, responsibilities and duties of the Clerk of the SFF are as follows:

- 12.1.1 To manage the logistics of the meeting in terms of ensuring dispatch of papers and producing minutes to the meeting.
- 12.1.2 To circulate papers when possible one week before the date of the SFF meeting and provide draft minutes for ratification by the chairperson of the SFF within three weeks of the date of the SFF meeting.
- 12.1.3 To provide the route by which SFF members can access further information and co-ordinate communications to SFF members outside the formal meeting cycle.
- 12.1.4 Respond to any queries about the business of the SFF from HTs governors and others who are not SFF members.
- 12.1.5 Be responsible for ensuring contact details of all members are up to date.
- 12.1.6 Maintain the list of members on the SFF and advise on membership issues in general.
- 12.1.7 Assist with the co-ordination of nomination/election process run by constituent groups.
- 12.1.8 Keep the SFF website (KELSI) up to date e.g. by posting latest minutes and papers etc.
- 12.1.9 Monitor on a regular basis, the SFF and general schools funding section of the Department for Education (DfE) website and arrange for the distribution of any relevant DfE information to SFF members.
- 12.1.10 If appropriate, provide technical advice in relation to the SFF regulations and in relation to the operation of a SFFs local constitution.
- 12.1.11 Organise, operate and record any voting activity of the SFF in line with the provisions of its local constitution.



### **13. Responsibilities of the SFF**

13.1 Consultation on financial issues.

13.2 The authority must consult the schools forum annually in respect of the authority's functions relating to the schools budget, in connection with the following:

13.2.1 arrangements for the education of pupils with special educational needs;

13.2.2 arrangements for the use of pupil referral units and the education of children otherwise than at school;

13.2.3 arrangements for early years provision;

13.2.4 administrative arrangements for the allocation of central government grants paid to schools via the authority;

13.2.5 The SFF has the responsibility of informing the governing bodies of all schools maintained by the authority of the results of any consultations carried out by the authority;

13.2.6 The authority may consult the forum on such other matters concerning the funding of schools as they see fit.

13.3 To agree the amount and purposes for the school specific contingency at the start of each financial year.

13.4 To agree changes to the local funding formula during the multi-year funding period after it has initially been set.

13.5 To record in the minutes of the SFF the Final amount of the DSG settlement for the period.

#### ***Consultation on contracts***

13.7 The authority must consult the schools forum on the terms of any proposed contract for supplies or services being a contract paid or to be paid out of the authority's schools budget where the estimated value of the proposed contract is not less than the threshold which applies to the authority for that proposed contract pursuant to regulation 8 of the Public Contracts Regulations 2006 at least one month prior to the issue of invitations to tender.

## **14. Charging of schools forum's expenses and members expenses**

14.1 The authority must pay the expenses of the schools forum and charge those expenses to the schools budget.

### ***Members' expenses***

14.2 The authority must reimburse all reasonable expenses of members in connection with their attendance at meetings of the forum and charge those expenses to the schools budget.

### ***Basis of payment***

14.3 The chair of the Schools' Funding Forum will receive a fixed payment of £1,000 and each subgroup chairperson will receive a fixed payment of £300. These annual payments are a contribution towards the additional commitment made as a result of sitting on the executive and chairing either the SFF or one of its subgroups. The higher rate for the chair of the SFF reflects the additional strategic responsibilities undertaken in this role.

14.4 All Forum and subgroup members will receive an amount paid on attendance. A subgroup member will receive £40 per meeting and a Forum member £80 per meeting. The difference in rates is to reflect the diversity and volume of subject matter Forum members have to familiarise themselves with. These rates are inclusive of all associated transportation costs.

14.5 For those members that represent Small Primary Schools and have a teaching commitment and as a result of attending either a Forum or subgroup meeting need to provide teaching supply cover in their school, full reimbursement of this cost will be made.

14.6 PVI's providers will receive £40 per attended meeting as a contribution towards the costs incurred when cover is needed as a result of the PVI member attending a Forum subgroup meeting.

### ***Timing of payment***

14.7 Payment will be made in March, the calculation will reflect the number of whole months the chairperson has been in place, for example 1st April to 10th October = 6 months.

14.8 Payment will be made on actual attendance. The schools budget team will keep a record of attendance during the year and will calculate any amounts due in March. The date of reimbursement will depend on the final meeting held by the Forum or subgroup in the month of March.

14.9 Schools' will be reimbursed in full for supply cover. Details of the cost and period of supply cover will need to be submitted to the clerk to the Forum. A payment will be made through the schools advances system on the following schools payment run after the date of submission.

14.10 Details of attendance will be taken from the register at the Early Years subgroup and payment will be made by BACS to the provider within 28 days.

***Receipt of payment***

14.11 Any expenses reimbursement as detailed above will be paid direct to the members schools. Any subsequent reimbursement to the individual will be determined by respective agreements between the individual and the school.

14.12 Any expenses due as per above guidance will be paid direct to the members school. Any subsequent reimbursement to the individual will be determined by respective agreements between the individual and the school.

14.13 All eligible expenses referred to in the guidance will be paid direct to the provider.