

Terms of Reference

Early Years Task and Finish Sub Group of School Forum

1. Statutory Basis

1.1 Section 43 of the 2002 Education Act requires Local Authorities to establish a Schools Forum to represent its schools. Subsequent regulations have extended and amended the original Act. As at 1st July 2017 the currently applicable regulations are Statutory Instrument 2012 No. 2261 Education, England; 'The Schools Forums (England) Regulations 2012' ("the Regulations").

2 Composition of the School Forum

2.1 The Local Authority is responsible for determining the size and composition of the Schools Forum within the constraints of the Regulations, which state that at least one representative, must come from the Private, Voluntary and Independent (PVI) Sector. It has been difficult to recruit and maintain attendance by PVI representatives as their predominant specialism and interest is Early Years and associated funding. It is also difficult for one person to represent the views of three distinct service areas and groups (childminders, pre-school groups or private day nurseries). As Early Years forms only occasional agenda items and discussions maintaining regular attendance and participation from PVI providers has proved difficult.

3. Establishment of an Early Years Sub Group

3.1. We have previously sought the views of the Early Years Sector through the temporary establishment of an all sector task and finish group. This group successfully developed a revised Early Years Funding Formula which was ultimately approved by Schools Forum. It is now recommended that this become a permanent sub group of forum and acts as the voice of all sectors of Early Years and acts, by devolution and delegation, as the PVI representative of Schools Forum thereby still meeting composition and membership requirements.

4. Membership of the Early Years Sub Group

3.1. One member of the sub group must be a member of the Schools Forum.

3.2. Members of the Forum are nominated by the members of the sector which they represent, i.e. representation from;

- Nursery Schools
- Nursery Classes in maintained schools
- Pre School Groups
- Childminders
- Private Day Nurseries
- Independent Schools
- Academy Schools

The numbers of representatives should be in proportion to that sectors size and numbers as follows;

- One Nursery School representative
- One Independent representative
- One Academy representative
- Two Pre School Representatives
- Two Day Nursery representatives
- Two Nursery Class representatives

3.3. Members term of office would normally be for a period of 1 year. Normally, members will be expected to be re-elected until the end of the current multi-year budget period where one exists. Electing bodies are expected to take significant non-attendance into account when deciding whether to re-elect a representative to the sub group.

A sub group 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 sub group;
- the member resigns from the Forum by giving notice in writing to the authority

3.4. If a member of the Forum is unable to attend a meeting, they may send a nominated substitute, who will be able to vote at the Forum. The LA must be notified of the substitute by (at the latest) the day before the meeting. The substitute must however comply with the requirements of 3.2 above.

4 Meetings Procedures

4.1. The Forum shall meet as a "task and finish group" being called when there is a specific need or item which needs recommendation to the main Schools Forum.

4.2. It will not be possible for the sub group to take a decision on behalf of the Schools Forum but will make recommendations for discussion and approval by Schools Forum.

4.3. The sub group will aim to make decisions wherever possible on the basis of consensus. Where this is not possible, decisions will be taken based on a simple majority. The initial vote will exclude the individual meeting Chair, who will however hold the casting vote in the event of a tie. Voting will be by a show of hands unless any member of the sub group requests a secret ballot, in which case this method will be used.

4.7. The sub group will be administered by any of the following

- the director of children's services at the authority or their representative;
- the chief finance officer at the authority or their representative;

and any of the following may add or present agenda items to the sub group;

- the director of children's services at the authority or their representative;
- the chief finance officer at the authority or their representative;
- the Schools Forum

- any elected member of the authority who has primary responsibility for children's services or education in the authority;
- any elected member of the authority who has primary responsibility for the resources of the authority;
- any person who is invited by the forum to attend in order to provide financial or technical advice to the forum;
- 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.

6. Consultation

6.1 The Early Years sub group is primarily a consultative body, representing the interests of Early Years providers to the Schools Forum and the Local Authority. Issues will arise when relevant, but as a minimum the sub group will be consulted annually on the following functions relating to the Early Years Single Funding Formula:

(a) any changes to funding for early years provision;

(b) administrative arrangements for the allocation of central government grants paid to Early Years providers via the authority;

(c) any changes to statutory guidance affecting Early Years Provision

6.2 Consultation shall take place in sufficient time to allow the views expressed to be taken into account in the determination of any proposals affecting the LA's formula before the beginning of the financial year.