

APPENDIX 5 - TERMS OF REFERENCE

Call-in of the Cabinet decision: E3019

Introduction

The Cabinet Member for Children & Young People, on the 23rd December 2017 resolved as set out below:-

1. The Cabinet Member agrees that the implementation of the new National Funding Formula (NFF) methodology is adopted from the 2018-19 financial year.
2. The Cabinet Member agrees to ensure that all schools receive 0.5% increase per pupil as a minimum

On the 5th January 2018 a call-in notice was received, signed by 10 Councillors, objecting to this decision.

This decision relates to the agreed approach to the Implementation of Changes to the School Funding Formula", taken by the Cabinet Member for Children & Young People on 27 December 2017, for the following reason:

1. Insufficient consideration has been given to alternative options beyond the National Funding Formula and the Local Funding Formula. The report acknowledges that there are many options which could be modelled, but that only one was considered and then dismissed.

Relevant PDS Panel

The 'call-in' request has been referred to Bath & North East Somerset Council's Children & Young People Panel Policy Development & Scrutiny Panel to review the decision.

Call-in Meeting

At the Panel meeting on 16th January 2018 the Panel will investigate and determine the matter. They will assess in detail the reasons for the Cabinet decision and consider the objections stated in the call-in notice via a range of information from Councillors, Officers and members of the public (further details below).

Objective

The objective of the Call-in review is to determine whether or not the resolution made by the Cabinet Members should:-

- Be referred back to the Cabinet for reconsideration [**'Uphold' the call-in**]
- Proceed as agreed by the Cabinet [**'Dismiss' the call-in**], or

- Be referred to Full Council to undertake the role of the Panel [*the ultimate decision would still remain with the Cabinet*].

Method

To achieve its objective, the Panel will investigate the original decision and the objections stated in the call-in notice. The Panel will hear statements from members of the public who have registered to speak about both the substance and processes behind the decision. Public statements will be limited to 3 minutes per speaker or any variation proposed by the Chair. It will also require attendance and/or written submissions from:-

- Representative Councillor(s) : call-in request (1) – Cllr Tim Ball
- Lead Cabinet Member – Cllr Paul May (Cabinet Member for Children & Young People), and key service officers

Outputs

The Panel's view and supporting findings will be made publicly and will include:

- Minutes & papers from public Panel call-in meetings.
- A summary note will be provided, setting out the result of the call-in meeting

Constraints

The Panel will only address questions on the validated point within the call-in notice.

- **Timescales.** The Panel must hold its initial meeting within 14 working days of the call-in being verified to consider the call-in request. The Panel has a total of 21 working days to reach its decision.
 - Initial Public Meeting must be held by 25th January [14 working days from receipt of validated call-in request]
 - If meeting adjourned, second public meeting must be held 5th February [21 working days from receipt of validated call-in request]
 - If referred directly to the Cabinet, a response must be received by 8th February [10 working days from date of 1st meeting]
 - If adjourned and then referred to the Cabinet, a response must be received by 19th February [10 working days from date of 2nd meeting]
- **Resources.** The call-in process must be managed within the budget and resources available to the Panel.
- **Council Constitution.** Part 4E, Rule 13 requires that “*Where an Overview and Scrutiny Panel makes a recommendation that would involve the Council incurring additional expenditure (or reducing income) the Panel has a responsibility to consider and / or advise on how the Council should fund that item from within its existing resources*”. Section 3.1 of the cover report (formal agenda papers) provides further explanation.