

SCHOOLS FORUM – DRAFT UPDATED OPERATING PROCEDURE

July 2013

1. Regulations and Guidance on Schools Forums

There has been a requirement since January 2003 for Local Authorities (LA's) to establish a Schools Forum for their area. The framework for their constitution and workings are set in Government Statutory Instrument and Regulations from the Department for Education (DfE).

2. Membership

- 2.1 Forums must have 'schools members', 'non-schools members' and Academy member(s) if there is at least one Academy in the LA's area. School and Academy members together must number at least two-thirds of the total membership of the Forum and the balance between primary, secondary and academies members should be broadly proportionate to the pupil numbers in each category.
- 2.3 At least one special school representative is required.
- 2.4 Membership of the Forum would be for 2 years before re-election.
- 2.5 Each group and sub-group will determine their own election process and elections must be run according to that process.
- 2.6 Restrictions on membership – elected members who hold an executive role in the LA (a lead member/portfolio holder) are barred from being either a schools member (by virtue of them being a governor) or a non schools member. Officers employed by the LA/Children's Services Department who have a role in the strategic resource management of the LA are also barred from the membership of a Forum.

Headteacher's groups representing the Secondary and Primary sectors of education to elect their representatives to the Forum. The School and Governor Support Service to administer the governor appointments, as defined by the constituents representing members of the relevant groups.

The LA asked the two groups to ensure that a cross section of the types of schools within the LA were represented i.e.

- Church of England and Roman Catholic.
- Secondary 11 to 16 and 11 to 18.
- Primary.
- Day and Residential Special Schools.

One representative shall be nominated from the Academy Sector. The position will be kept under review in order to maintain broad representative proportionality based on pupil numbers.

3. The Constitution is as follows:

Primary Schools	5 Headteachers & 3 Governors *	8
Secondary Schools	3 Headteachers & 2 Governors *	5
Special Schools	1 Headteacher	1
Academies	1 Member	1
Pupil Referral Unit	1 Member	1
		16 School Members
Diocesan Representative		1
LA Representative		1
Early Years Private Voluntary Independent Representative		1
14-19 Partnership Representative		1
Trade Association Representative		1
		5 Non School Members

* A minimum of 1 Primary Headteacher, 1 Secondary Headteacher and 1 Governor from the Voluntary Aided Sector.

4. Election Processes

4.1 Primary Headteachers

- Agenda item at meeting of Primary Headteachers' Group, identifying category of Schools Forum vacancy i.e. Community or Voluntary Aided;
- Self-nominations to be sought from the representative group;
- Open vote if more than one nomination.

4.2 Secondary Headteachers

- Agenda item, identifying category of Schools Forum vacancy i.e. Community or Voluntary Aided, at meeting of Secondary Heads and Principals Group;
- Self-nominations to be sought from representative group;
- Open vote if more than one nomination.

4.3 Special Schools

- Self-nominations to be sought from the Special School Headteachers.

4.4 Primary Governors

- School and Governor Support Service to write to governors of representative group i.e. Community or Voluntary Aided inviting self-nominations;
- Postal vote, to the appropriate group, if more than one nomination.

4.5 Secondary Governors

- School and Governor Support Service to write to governors of representative group i.e. Community or Voluntary Aided inviting self-nominations;
- Postal vote, to the appropriate group, if more than one nomination.

4.6 Academies

- Self-nominations to be agreed by Academy Boards.

- 4.7 Pupil Referral Unit
 - Self-nominations to be agreed by the Pupil Referral Unit Management Committee.
- 4.8 Diocesan Representative
 - Self-nomination to be agreed by the four Diocesan Boards
- 4.9 14-19 Partnership Representative
 - Self-nomination to be sought from the representative group.
- 4.10 Trade Unions
 - Self-nominations to be sought from the Trade Union Joint Consultative Group; Open vote if more than one nomination.
- 4.11 Early Years Private Voluntary Independent Representative
 - Self-nomination to be sought from the representative group.
- 4.12 Local Authority Representative
 - Nomination sought from political groups and confirmed by Full Council.

5. Conduct of Meetings

It is for the LA to determine the time and frequency of meetings, but they must be at a time that allows the views of the Forum to feed into the decision-making process for distribution of the Schools' Budget in the following year. Meetings will have an agenda and be in public and held at least 4 times per year, with the likelihood of 2 taking place in the Autumn Term.

The Forum will have a quorum comprising 40% of its membership. Schools Forums can have sub-committees and working groups if deemed appropriate. Substitutes will be permitted from the same group they represent, in consultation with members of the Forum. Substitutes will have the same voting rights as the members they replace.

The following persons may speak at meetings of the Forum, even though they are not members of the Forum-

- a) the Director of Children's Services at the LA or their representative;
- b) the Chief Finance Officer at the LA or their representative;
- c) any elected member of the LA who has primary responsibility for children's services or education in the LA;
- d) any elected member of the LA who has primary responsibility for the resources of the authority;
- e) any person who is invited by the Forum to attend in order to provide financial or technical advice to the Forum;
- f) an observer appointed by the Secretary of State (e.g. from the Education Funding Agency); and
- g) 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

The Chair and Vice-Chair of the Forum will normally hold office for a period of two years. They may resign at any time by giving written notice to the Clerk to the Forum. The Forum should then elect a Chair from amongst its own members, except that any non-executive elected member or eligible officer who is a member of the Forum may not hold the office of Chair. The Vice-Chair chairs meetings when the Chair is absent. If neither

the Chair nor the Vice-Chair can attend a meeting, the Forum elects one of those present to chair that meeting.

It is not legal for the Chair to take a decision on behalf of the Forum, no matter how urgent the matter in question. However, the Chair, in conjunction with the Vice Chair, has the authority to give a view on an urgent issue.

The following applies to voting and publication of papers:-

- 1) Apart from as provided for by paragraphs (3) and (4) all members must be entitled to vote on all matters put to a vote.
- 2) 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 the Chair has a second and casting vote (except in relation to the election of the Chair)
- 3) 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 LA 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.
- 4) 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.
- 5) The LA must promptly publish all papers considered by the Forum and the minutes of their meetings on their website.

Any business to be transacted by the Forum should be notified to the Clerk to the Forum 14 days prior to the date of the meeting.

The LA is to determine location and dates of meetings and whether members may be required to make declarations of interest if discussing service contracts.

6. Administration

Administrative arrangements are matters for the LA to determine and this would cover calling meetings, clerking and recording meetings, dissemination of minutes, LA action in response to formal advice and payment of any expenses. It is suggested that the Corporate Director of Children, Education and Social Care and her representatives, together with the Senior Finance Manager, would act as advisers to the Forum and deal with all administrative and other matters associated with the Forum and its operation. From time to time others may be invited to participate in Forum discussion for specific matters.

7. Forum Operating Costs

The operating costs of the Forum are to be charged to the Schools Budget.

8. Members Expenses

The DfE Regulations allow the LA to pay 'reasonable expenses' to members of the Schools Forum. These could include travelling expenses, childcare costs, loss of earnings and supply cover for Head Teacher or Teacher Governor Representatives.

9. Functions

The Schools Forums generally have a consultative role. However, there are situations in which they have decision making powers:-

- a. maintained school members of schools forums to approve de-delegation proposals for their phase for maintained schools only
- b. approve the criteria on which any funding retained for pupil growth is to be allocated
- c. approval is required for central schools and early years block items
- d. approval by maintained school members of changes to schemes for financing schools

The LA can appeal to the DfE if the Schools Forum rejects its proposal:-

Under the Schools Forum Regulations the LA shall also consult the Schools Forum on the following matters, in ample time for its views to be taken into account, before final decisions are made:-

- i. the letting of contracts for supplies and services that will be paid from the Schools Budget
- ii. financial issues relating to the Schools Budget including:-
 - 1. the arrangements to be made for the education of pupils with special educational needs;
 - 2. arrangements for the use of Pupil Referral Units and the education of children otherwise than at school;
 - 3. arrangements for early years provision
 - 4. administrative arrangements for the allocation of central government grant paid to schools via the Council;

The LA may also consult the Schools Forum on such other matters concerning the funding of schools as it sees fit.

The Schools Forum, as soon as reasonably possible, is obliged to advise Governing Bodies and Schools in the LA of all consultations carried out.

10. Communication

Communication to the wider educational community of the discussions and debates of, and decisions made by Schools Forums is fundamental to the effective operation. This will be done by:-

- a. Heads reporting back to their respective groups on the business of the Forum
- b. The agenda and the minutes of the meetings (once approved by the Forum) be published on the LA Website

11. Declaration of Interest

Any Member of the Forum who has an interest in any proposal beyond the generality of the group they represent or in which they might have a personal or prejudicial interest, shall declare the interest at the commencement of the meeting or at such time as the interest becomes apparent. Any Member should regard him or herself as having a personal interest in any matter if a decision upon it might reasonably be regarded as affecting the well-being or financial position of him/herself, a relative or a friend, or any employment or business carried on by such persons. In these cases the Member may be asked to leave the meeting whilst the Forum considers specific items.