

## **HEREFORDSHIRE SCHOOLS** **FORUM MEMBERSHIP AND CONSTITUTION**

### **1. Introduction**

The schools forum is established by virtue of S47A of the School Standards and Framework Act 1998 (as amended by the Education Act 2002) and Regulations.

### **2. Function**

The schools forum will have several main functions as listed below, but may also consult on other items that the Local Authority deems appropriate. Details are defined in Regulations and Department for Education guidance.

### **3. Purpose of the Forum**

Regulations prescribe the matters on which the Local Authority must consult the forum as follows:

- a. On changes to the national schools funding formula
- b. On issues relating to the management of the Schools Budget, including:
  - 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
  - arrangements for early years education
  - insurance arrangements
  - prospective revisions to the Local Authority's financing scheme for the financing of schools

### **4. Powers and Duties**

The local authority must by law determine certain matters relating to the operation of the forum. The schools forum is an advisory body, established to represent schools views to the Local Authority. In addition, however, the forum does have decision-making powers in relation to the implementation of the national schools funding formula.

- Approving increases to the DfE prescribed limits on centrally managed expenditure
- Formula changes during multi-year funding periods (in exceptional and limited circumstances)
- Approving minor amendments to the Minimum Funding Guarantee – in limited circumstances (eg to remove anomalies), provided no more than 50% of pupils in schools are affected.
- To agree arrangements for combining elements of the centrally managed budget with elements of other services where there are resulting benefits for schools and pupils.

## **5. Membership**

The Herefordshire Schools Forum will have 26 members elected or appointed as follows:

### **Schools Members**

- 5 maintained primary schools' headteacher representatives
- 1 Local Authority maintained schools' with a maintained nursery class representative
- 1 maintained primary schools' governor representative
- 1 maintained secondary schools' headteacher representative
- 1 maintained secondary schools' governor representative
- 1 Local Authority maintained special schools' headteacher representative
- 1 Pupil Referral Units' (PRUs) management committee representative
- 7 mainstream academies' representatives
- 1 academy special school representative

### **Non Schools Members**

- 2 Early Years representatives
- 1 16-19 provider representative
- 2 Diocesan/faith representatives
- 2 Trade Union representatives, 1 primary school and 1 secondary school

Total Forum members: 26

The composition of the forum will be reviewed on an annual basis to ensure that Local Authority maintained primary schools, Local Authority maintained secondary schools and academies are broadly proportionately represented on the Forum, having regard to the proportion of Herefordshire pupils registered at them, and that the membership complies with regulations.

A list of the membership of the forum will be published on the Herefordshire Council website.

## **6. Election and Nomination Arrangements**

Appendix A to this constitution sets out the agreed electing or appointing bodies for each sub-group and the process for electing or appointing members.

The clerk to the forum will notify the agreed electing or appointing body of a vacancy and the date by which a new member must be notified to the clerk. The deadline will be not less than six weeks (being designated term time weeks and excluding any school holiday dates) from the date of notification. If the electing or appointing body is unable to name a new member by the date specified, the Local Authority will appoint a member to that vacancy.

## **7. Substitutes**

Each electing or appointing body will be invited to designate one or more substitutes. In the event that a member is unable to attend a meeting they may request a substitute to attend on their behalf. Substitutes should be notified to the clerk to the forum prior to the start of the meeting. Designated substitutes will have the same voting rights as the member they are representing.

## **8. Tenure of Office**

Each member will have a three year term of office. If a member is elected to the role of chair or vice chair of the forum, their membership of the forum will be extended as necessary to cover the whole of their two year term in that role.

In the event that a member of the forum leaves office before the end of their term of office, an alternative appointment must be made. The replacement appointee will serve the remainder of the original term.

## **9. Quorum**

The forum shall not be quorate if less than 40% of the total membership is present at the meeting. Members unable to attend should therefore arrange cover from nominated substitutes. Arrangements for meetings will seek to minimise the likelihood of the meeting being inquorate.

If a meeting is inquorate, or becomes inquorate after the start of the meeting, it can proceed but cannot legally take decisions. An inquorate meeting can respond to local authority consultation and give views to the local authority. The local authority may choose to take account of views from an inquorate meeting, but is not legally obliged to do so.

## **10. Election of Chair and Vice Chair**

The chair and vice-chair must be elected from the forum's own members. The chair and vice-chair will hold these positions for a maximum of two years. The chair and vice-chair should represent different sectors of the school community.

When the chair and vice-chair are not present, the meeting can elect a chair for that meeting only.

## **11. Declarations of Interest**

There are many instances where a decision on an issue will have an effect on all schools, be it on a pro rata basis, and as such members would not declare an interest. It is recognised that all schools group members will have an interest in at least one school. It is important that members should declare if the item under discussion could make a material difference to that school, or where they may have a personal or pecuniary interest. Notwithstanding this, a member may continue contributing to the discussion, but should not take any part in any decision made concerning that particular proposal which uniquely affects one particular school, at which the member is, for example, an employee or where the employee's children attend or which changes funding for their particular school/schools.

In considering the declaration of an interest, a member of the forum should apply the following test: would a member of the public, knowing the facts of the situation, reasonably think that the member might be influenced by the interest?

## **12. Managing the Business**

The operational timescales and procedures described in the sections below are required to ensure that schools forum operates efficiently and has sufficient information and time to consider the issues.

### **13. Frequency of Meetings**

These are determined by the schools forum. The forum should meet at least four times a year. Dates should be set annually for the forthcoming year.

### **14. Administration of the Forum**

A forward plan must be established and reviewed by the forum on an annual basis, usually in February of each year.

Herefordshire Council Democratic Services will provide the resource to facilitate the forum, including organising and sending out agendas, papers, minutes and action sheets.

Papers for meetings of schools forum must be circulated five clear working days before the date of the meeting. Reports must be signed off by relevant officers prior to circulation.

Briefing meetings for the chair should take place at least three working days before each schools forum meeting.

Minutes from each schools forum meeting must be circulated within ten clear working days of the meeting as draft, and the minutes will be formally considered and confirmed at the following schools forum meeting.

### **15. Decision Making**

Schools forum is primarily a consultative body, with some decision making responsibilities. The Local Authority will take the views of schools forum into account before finalising arrangements on which the forum has been consulted, at a directorate leadership team and lead member, cabinet and council level.

Recommendations to the council should normally be made through consensus. Majority voting should be used to decide any issues, with each representative casting one vote. The chair will have the casting vote in the event of a tie.

Voting on the funding formula is limited by Regulations to schools members and PVI representatives.

Voting on de-delegation is limited by Regulations to the specific primary and secondary phase of schools members.

In the event of an urgent decision being required an email will be sent to all schools forum members fully explaining the issue on which a decision is required and the reason for the urgency. Forum members will be required to submit their response via email to the date required. No decision will formally be made until a quorate number of responses has been received. This process will be administered by Democratic Services. Decisions taken through this urgency process will be reported to the next scheduled meeting of the schools forum explaining the reason for the urgency and the feedback provided by members of the forum.

Schools forum should receive feedback on the decisions made by Herefordshire Council that have taken into account schools forum views as part of any consultation process. The Chair of schools forum can invite council members to provide feedback at schools forum meetings.

## **16. Working Groups**

Herefordshire Children's Wellbeing Directorate and schools should try to make use of existing working groups wherever possible, to minimise duplication and use existing expertise. In order to support and advise the work of the schools forum existing working groups can be approached to provide information on related activities. The forum can also, if required, set up working groups for specific tasks. Such groups could be time-limited and would need to establish clear remits, appropriate membership and operating principles.

The full schools forum remains the decision making body. Working groups and other groups will provide information, advice and options.

### **Budget Working Group**

The Budget Working Group is a permanent advisory sub-group of the full Schools Forum. It provides additional support and time to consider information and data in order to inform the development of key budgetary options, recommendations and decisions relating to Dedicated Schools Grant.

The terms of reference and membership of the Budget Working Group is attached to this constitution as Appendix B.

## **17. Confidential Reports**

Meetings of the forum will be open to the public and press unless it is considered that an item of business should be considered in private session based on the application of the principles of the Local Government 1972 (as amended) that apply to local authority committees.

## **18. Public Participation**

Any participation will be at the chair's discretion.