

Schools Forum Constitution North Tyneside

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Introduction

The 2002 Education Act amended the Fair Funding Legislation and the School Standards and Framework Act 1998 and requires each Local Authority (LA) in England to establish a Schools Forum.

The function of a Schools Forum is to provide advice to the LA on matters relating to the schools budget. The existing Schools Forum in North Tyneside also acts as a consultative body on other aspects of resources, policy and service development.

Although made up mainly of representatives of headteachers and governing bodies, it also has non-school members representing relevant organisations. Non-school members may number no more than one third of the Schools Forum membership (excluding observers).

The North Tyneside Council Schools Forum was established in 2003. This revised constitution takes into account recent changes to the regulations since that date.

1. Establishment of a Schools Forum

1.1 North Tyneside Council has an established Schools Forum and will maintain this in accordance with the requirements of the Schools Forums (England) Regulations 2012.

1.2 The previous Schools Forum constitution is to be replaced and amended by this Constitution.

1.3 Any dispute in respect of interpretation of this constitution shall be determined by primary legislation, the Schools Forum Regulations and the EFA Schools Forums: operational and good practice guide (October 2013). These Regulations shall take precedence over this Constitution.

2. Function

2.1 The Forum is a statutory body that brings together key partners in the provision of education at local level. The table below summarises the respective roles and responsibilities:

| Function | Local Authority | Forum | DfE |
|--|-------------------------|--------------------------------------|-------------|
| Formula change | Proposed & decides | Must be consulted | None |
| Contracts | Proposes | Gives a view | None |
| Financial issues relating to pupils with SEN, use of PRU's, EY provision & allocation of central government grants | Consults annually | Gives a view | None |
| Central spend & De-delegation for mainstream schools | Proposes | Decides (by phase where appropriate) | Adjudicates |
| Scheme of financial management | Proposes | Approves | Adjudicates |
| MFG | Proposes any exclusions | Gives a view | Approval |
| Membership length of office | Decides | Gives a view | None |
| Voting Procedures | None | Determines | None |
| Chair | Facilitates | Elects | None |

In addition to the Duties detailed above the Forum shall also act as an informal consultative body for the relevant authority with respect to:

- (a) Capital allocations and consultations regarding Asset Management;
- (b) Key strategic plans.

3. Membership

3.1 There is no minimum or maximum size for the Schools Forum although it should be broadly proportionate to school phase or type. At least two thirds will be schools' representatives, including headteachers or headteachers' representatives and governors.

3.2 The Schools Forum shall have non-school members, which may number no more than one third of the forum's total composition.

3.3 The Schools Forum must be composed of representatives from primary (including first) and secondary (including middle) schools, special schools and academies. Where North Tyneside Council maintains one or more special schools, the Schools Forum shall have at least one member from this sector: –

- a. First/primary Schools, ensuring that at least one schools' member shall be a representative of a nursery school
- b. Secondary schools including Middle Schools- deemed Secondary Schools
- c. Special Schools
- d. Maintained Nursery schools (if not included in a. above)
- e. Academies (not split by phase)
- f. Pupil Referral Unit

3.4 The LA will

- a. Appoint one or more persons to represent the different groups if required, for example in the event of a tied election; and
- b. Identify bodies appropriate for representation on the forum ("non-school members), seek nominations from, and appoint representatives of, those bodies.

3.5 The appointment of Headteacher members shall be determined by the Headteachers of all the schools of each category of schools listed in 3.3. Within the allocation of headteachers for each phase, the selection process should ensure:

- a) A headteacher from each locality is selected; in each of the First/Primary and Secondary/Middle phases;
- b) At least 1 headteacher is selected from a primary school and a first school; and
- c) At least 1 headteacher is selected from a middle school and a first school.

3.6 The appointment of Governor members shall be determined by an elective process, administered by the Clerk of the Forum in accordance with the membership requirements set out below.

3.7 Within one month of the appointment of any member nominated in accordance with the above, the LA shall inform schools maintained by them of the name of the member and of the relevant body in respect of that which they represent.

3.8 The membership structure of the school members on the Forum will reflect most appropriately the profile of the school across the authority to ensure that there is no in-built bias toward any one group.

3.9 In appointing non-school members the Authority is to seek nominations from relevant bodies. It is recommended in the Schools Forums Operational and Good Practice Guide that such nominations should be considered from: -

- a. 16-19 providers
- b. Early Years Private, Voluntary and Independent providers
- c. The Church of England Diocese covering the LA area
- d. Roman Catholic Diocese covering the LA area
- e. The 2 Trusts operating in the Borough
- f. Trades Union

3.10 The composition of the School Forum shall be as follows:

| Member | Headteacher | Governor | Other | Total |
|--|--------------------|-----------------|--------------|--------------|
| First/Primary | 8 | 2 | 0 | 10 |
| Secondary/Middle | 5 | 2 | 0 | 7 |
| Academies | 0 | 0 | 2 | 2 |
| Special | 1 | 0 | 0 | 1 |
| Nursery | 1 | 0 | 0 | 1 |
| Pupil Referral Unit | 1 | 0 | 0 | 1 |
| Total school members | 16 | 4 | 2 | 22 |
| 16-19 Providers | 0 | 0 | 1 | 1 |
| Early years private voluntary independent provider | 0 | 0 | 1 | 1 |
| Church of England Diocese | 0 | 0 | 1 | 1 |
| Roman Catholic Diocese | 0 | 0 | 1 | 1 |
| Trust representatives | 0 | 0 | 2 | 2 |
| Trades Union | 0 | 0 | 1 | 1 |
| Total non-school members | 0 | 0 | 7 | 7 |
| Total membership | 16 | 4 | 9 | 29 |

Members shall be elected based on the above criteria as soon as it becomes practical, taking into account existing terms of office.

3.11 Alternate and Substitute Members

Any member of the Forum may nominate an alternative/ substitute individual from their sub-group to attend meetings in their absence. This individual shall be entitled to attend and vote in place of the member.

4. Restrictions on Membership

4.1 Any elected member who holds an executive role in the local authority as a lead member or portfolio holder is barred from being either a schools member, by virtue of being a school governor or a non-schools member.

4.2 Officers who are employed by the Children, Young People and Learning Directorate who have a role in strategic resource management are also barred from membership of the Forum.

5. Length of Office of Members

5.1 The term of Office for members of the Schools Forum shall be three years.

6. Rules of Conduct

6.1 Members of the School Forum should act in accordance with the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

6.2 Interests whether personal or prejudicial should be declared in the Declaration of Interest, which shall be circulated to the members of the Forum by the Clerk.

6.3 Any member who is unable to attend a meeting for whatever reason must notify the Clerk at the earliest available opportunity.

7. Meetings

7.1 The Forum must meet at least four times a year or as is otherwise necessary in order to ensure the smooth running of the Forum business.

8. Proceedings

8.1 The Regulations stipulate that a meeting is only quorate if 40% of the total membership is present, excluding any observers.

8.2 In the event of a meeting being inquorate, the meeting may still proceed but the LA does not have to take account of any recommendations arising from that meeting.

9. Election of a Chair and Vice-Chair

9.1 The Forum shall elect the Chair and Vice-Chair annually at the first meeting of the autumn term. Nominations shall be sought prior to the first meeting of the academic year and approved by a simple majority of votes cast by individual members during that first meeting. During this procedure nominees shall be required to leave the meeting room until a decision is reached.

9.2 The Chair and Vice-Chair shall serve office for 12 months and until the first meeting of the Forum in the autumn term in the following year.

9.3 Both the Chair and Vice-Chair are eligible for re-election after the 12 months has elapsed provided they continue to occupy the office for which he/she was nominated to represent.

9.4 In the case of a resignation of the Chair, election of a replacement will be for a period of less than 12 months.

9.5 The Chair (or Vice Chair in his/her absence) is responsible for chairing and managing meetings of the Forum with advice and support from the Clerk.

9.6 If both the Chair and Vice-chair are absent from the meeting, the members present at that particular meeting will elect an acting chair.

10. Voting procedures

10.1 Where the Forum is voting on matters before them decisions will be determined by a simple majority of members present. Voting on:-

- a. the funding formula is limited to schools members, academies members and PVI representatives
- b. de-delegation will be limited to specific primary and secondary phase of maintained schools members

10.2 For clarity, non-school members are allowed to vote on other matters.

11. Regulations

11.1 Regulations provide that proceedings of the Forum are not invalidated by defects in:

- a. Election or appointment of any member
- b. Appointment of the Chair
- c. Any vacancy among the members

12. Urgent business

12.1 Unscheduled urgent meetings may be called where the business of the Forum is urgent. The Clerk shall arrange such meetings, with appropriate consultation from each of the members.

12.2 The Chair is legally not entitled to take a decision on behalf of the forum, no matter how urgent the business.

13. Roles and Responsibility of the Clerk

13.1 There shall be an appointment of a Clerk to be appointed by the LA to oversee the smooth running of the Forum.

13.2 The cost of the clerking service shall be set-aside in the Schools Forum budget.

13.3 The clerk's responsibility is to ensure that Forum's work is well organised and to arrange administrative and clerical support to the meetings of the Forum.

13.4 The clerk will be responsible for arranging meetings of the Forum, ensuring that members are notified of meetings and receive a full agenda and supporting papers at least 7 days prior to a meeting.

13.5 The clerk shall be responsible for recording the proceedings at meetings of the Forum, ensuring that such a record is kept in a form that is easily accessible to others on request. The clerk will publish the draft minutes via email/the website within three weeks of a meeting.

13.6 The clerk will also be responsible for providing advice to the Forum and/or individual members and assisting the Chair/Vice-Chair with the management of meetings of the Forum.

13.7 The clerk will also be responsible for ensuring that governing bodies and schools are informed of the outcome of the work of the Forum and consultation by the LA through the publication of a summary of the draft minutes in the appropriate bulletins along with a posting of the approved minutes on the website.

13.8 The clerk will be responsible for the following:

- a. Arranging the venue of the meeting;
- b. Ensuring the papers are dispatched to members of the Forum at least 7 days prior to the meeting;
- c. Provide the route by which members can access further information and co-ordinate communication to Schools Forum members outside of the formal meeting cycle;
- d. Respond to any queries about the business of the Schools Forum from others who are not members of the Forum;
- e. Be responsible for ensuring that contact details of all members are kept up to date;
- f. Maintain the list of members on the Forum and advise on membership issues in general;
- g. Keep the Schools Forum website up to date by posting the latest minutes and papers;
- h. Ensuring that an accurate record of the meeting has been taken, including recording the outcome of any votes, decisions and key points;

14. Observers

14.1 As the meetings have open access, any person may attend the meeting as a member of the public but cannot participate in the meeting in any way.

14.2 If a person wishes to attend and speak at a Schools Forum meeting, they must notify the clerk of the Forum at least 3 days before the meeting. The Clerk will notify the Chair of the Forum of the request. Failure to follow the above procedure prevents any observer from attending the meeting. The Chair's decision on whether to allow this participation will be final, but will not be unreasonably withheld.

14.3 The Forum may also ask other people to attend and speak at the Schools Forum meetings.

15. Communication

15.1 The Forum will ensure that all its agenda, minutes and papers are publicly available through the local authority intranet/webpage devoted to the Schools Forum.

15.2 Members of the representative sub-groups have responsibility for ensuring that feedback is given to their sub-groups.

15.3 The Forum may also consider e-mailing all schools and other stakeholder groups after each schools forum meeting informing them of the discussions and decisions with a link to the full papers and minutes on the internet.

16. Expenses

16.1 All claims for reasonable expenses in connection with the attendance at meetings shall be met by the Schools Forum budget.

17. Induction and Training

17.1 Any new member who joins the Forum shall be given appropriate induction materials.

17.2 They should include the following:

- a. The Schools Forum Constitution
- b. A list of members and contact details and their terms of office
- c. Details of the Clerk
- d. Copies of minutes of previous meetings
- e. The programme for school forum meetings for that year
- f. Details of the Schools Forum website/intranet link
- g. EFA Schools Forums: operational and good practice guide (October 2013)

17.3 Any training that may be required in order to fully meet the business of the forum shall be provided by the LA/any other professional body. The costs of training shall be borne in the Schools Forum budget.

18. Indemnity

18.1 North Tyneside Council will indemnify members of the Forum against any reasonable legal costs and expenses reasonably incurred by them in connection with any decision or action taken by them in good faith in pursuance of their functions as members of the forum.

19. Removal and Resignation

19.1 As well as the term of office coming to an end any member may resign from the Forum at any time provided notice in writing is given to the Clerk.

19.2 Where a member fails to attend 2 consecutive meetings of the Forum, their non-attendance must be drawn to the attention of the Forum by the Clerk and a decision must be taken by the Forum as to whether to accept their non-attendance or whether to invoke removal procedures.

19.3 The Chair and/or Vice-Chair or any member of the Forum may be removed from office. It is advised that if such a course of action is to be pursued advice ought to be sought by the Clerk from the LA and/or Legal Services.