



# ST HELENS COUNCIL

## SCHOOLS FORUM

### CONSTITUTION AND TERMS OF REFERENCE

#### **Aims and Objectives**

The Schools Forum is established in accordance with the requirements of Section 47A and 138(7) of the School Standards and Framework Act 1998 and the Schools Forums (England) Regulations 2012.

The purpose of the Schools Forum is to act as either a consultative or decision-making body in respect of particular aspects of school funding.

The establishment, constitution, arrangement of meetings, proceedings and functions of the Schools Forum shall be subject to and in accordance with regulations made from time to time.

#### **1 Terms Of Reference**

The role of the Forum is:

- a) to be consulted on changes and redistributions to the school funding formula and the financial effect of any such change;
- b) to be consulted on any proposed contract which is funded from the Schools Budget and is in excess of EU procurement thresholds;
- c) to approve changes proposed by the Local Authority to the Scheme for Financing Schools following consultation between the Local Authority, schools and governing bodies;
- d) to be consulted on any proposals to the Department for Education in respect of exclusions from the Minimum Funding Guarantee;
- e) to approve the carry forward of a deficit on central Dedicated Schools Grant expenditure in order for it to be funded from the following year's Schools Budget;
- f) to approve the de-delegation of mainstream school funding in respect of contingencies, administration of free school meals, licences and subscriptions, supply cover, support for minority ethnic pupils / underachieving groups and behaviour support services;
- g) to approve the level of central expenditure and the associated criteria in respect of funding for growth in pupil numbers to meet requirements for basic need including pre-opening and diseconomy of scale costs, and support for schools with falling rolls for surplus places in good or outstanding schools where a population bulge is expected in 2-3 years;



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- h) to approve the level of central expenditure in respect of pre-16 pupil growth, equal pay back-pay, independent schools for non-SEN pupils, early years expenditure, capital expenditure funded from revenue, contribution to combined budgets, termination of employment costs, prudential borrowing costs, special educational needs transport costs, licences negotiated centrally by the Secretary of State, children and young people with high needs, admissions and servicing of schools forum;
- i) to be consulted on:
  - the commissioning of educational places for pupils with special educational needs and the arrangements for paying top-up funding;
  - the commissioning of places and arrangements for paying top-up funding for children in Pupil Referral Units and Alternative Provision settings;
  - arrangements for early years provision;
  - administrative arrangements for the allocation of central government grants.
- j) to determine voting procedures in respect of the Forum;
- k) to elect a Chair of the Forum;
- l) to determine the length of office of members.

## **2 Membership**

The Schools Forum shall comprise the following members.

### 2.1 School Governor Representatives

- a) Five Primary School Governor Representatives elected by governors who are themselves members of a governing body of a primary school maintained by the Authority at the time of the election.
- b) One Secondary School Governors Representative elected by governors who are themselves members of a governing body of a secondary school maintained by the Authority at the time of the election.
- c) One Special School Governor Representative elected by governors who are themselves members of a governing body of a special school maintained by the Authority at the time of the election.
- d) A governor who is employed as a head teacher at a school maintained by the Authority shall not be eligible for appointment as a school governor representative.
- e) The Local Authority shall conduct elections, in accordance with procedures prescribed by the Local Authority and approved by the Schools Forum, having



received nominations for the position of governor representative and shall appoint governors elected.

## 2.2 Head Teacher Representatives

- a) Five Primary School Head Teachers recommended for appointment by individuals who are themselves head teachers of primary schools maintained by the Authority at the time of appointment.
- b) Two Secondary School Head Teachers or senior members of staff representing the head teachers recommended for appointment by individuals who are themselves head teachers of secondary schools maintained by the Authority at the time of appointment.
- c) One Special School Head Teacher recommended for appointment by individuals who are themselves head teachers of special schools maintained by the Authority at the time of appointment.
- d) One Nursery School Head Teacher or Governor Representative elected by Governors who is a member of a governing body of a Nursery School maintained by the Authority at the time of the election.

## 2.3 Other Representatives

- a) One union representative nominated for appointment by the teacher associations that are members of the Joint Union Forum not including those associations that represent head teachers.
- b) One representative nominated for appointment by the private, voluntary and independent providers of the free entitlement to early years education.
- c) One representative nominated by providers of 16 – 19 education.
- d) One representative nominated jointly by the Archdiocesan Authority, Diocesan Authority, Methodist and United Reformed Church Authorities.
- e) Five representatives nominated by the Governing Bodies of the Academies in the Local Authority's area.
- f) One representative nominated by the Local Authority Pupil Referral Units

## 2.4 Observer Status

- a) One elected member representative being the Executive Member of Council who is the Portfolio Holder for Education, Skills & Business with the right to participate in discussions.



- b) The Education and Skills Funding Agency may be represented at meetings with the right to participate in discussions.

## 2.5 Substitute Representation

Substitute representatives shall be eligible to attend and vote at meetings. This applies to schools members, academies members and non-schools members.

## 2.6 Disqualification from membership for failure to attend meetings

The Schools Forum may determine to disqualify from its membership any member who has failed to attend three or more consecutive meetings thereof.

- 2.7 Proceedings of the Schools Forum are not invalidated by defects in the election or appointment of any member, or the appointment of the Chair. Nor does the existence of any vacancy on the Schools Forum invalidate proceedings.

## **3 Term of Office**

- 3.1 All members of the Schools Forum shall be appointed for a period of two financial years from 1<sup>st</sup> April to 31<sup>st</sup> March of the following year.
- 3.2 Where a member of the Schools Forum ceases to be a member of the Governing Body or ceases to be a head teacher within the Authority, s/he will thereupon cease to be a member of the Schools Forum and, upon the election of a successor, that individual shall be invited to hold office for the remainder of the term of office in question.
- 3.3.1 Where a member of the Schools Forum ceases to be the Executive Member of the Council who is the Portfolio Holder for Education, Skills & Business or the Union, PVI or Church Authority, the nominated successor shall be invited to hold office for the remainder of the term of office in question.

## **4 Chairperson and Vice Chairperson**

- 4.1 Each meeting of the Forum will have a Chairperson.
- 4.2 The Chairperson and Vice Chairperson of the Schools Forum shall be elected at the first meeting held during each financial year and on ceasing to hold office they will be eligible for re-election. The members of the Forum may not elect as Chair any member or the Forum who is an elected member or officer of the Authority.
- 4.3 In the event of the Chairperson and Vice Chairperson being absent from a meeting, one of the other representatives shall be elected to chair the proceedings.



- 4.4 In the event of a vacancy occurring in the office of either Chairperson or Vice Chairperson the Forum will elect one of the members to fill that vacancy. A member so elected will hold office for a period to be determined by the Forum.
- 4.5 A Chairperson or Vice Chairperson will cease to hold office if they resign their office by giving written notice to the Clerk to the Schools Forum.

## **5 Meetings**

- 5.1 The Schools Forum shall meet at least four times during the year.
- 5.2 All members shall be given, at least seven days before the date of a meeting:
  - a) written notice thereof signed by the Clerk; and
  - b) a copy of the agenda for the meeting.
- 5.3 Any member of the Schools Forum shall be empowered to notify the Chairperson at the commencement of a meeting of the Schools Forum any additional item of business demanding urgent attention, which has not appeared on the written notice thereof.
- 5.4 The convening of a meeting and the proceedings conducted thereat shall not be invalidated by reason of an individual not having received written notice of the meeting or a copy of the agenda.

## **6 Proceedings and Minutes**

- 6.1 Any recommendation coming or arising before the Schools Forum shall be decided by a majority of the members present and where there is an equality of votes the Chair of the meeting shall have a second or casting vote.
- 6.2 Only school members (which include mainstream schools, Academies, special schools and PRU's) and representatives of the Private, Voluntary and Independent (PVI) sector will be able to vote on the funding formula.
- 6.3 De-delegation will be limited to the specific primary and secondary phase of maintained schools members.
- 6.4 Minutes of proceedings of meetings of the School Forum shall be drawn up and signed at the next meeting by the person who is the Chairperson.
- 6.5 The Clerk to the Schools Forum shall ensure that-
  - a) the draft minutes of every meeting, if they have been approved by the person acting as chairperson for each meeting, shall be distributed to members of the Schools Forum and the Director of Children's Services.



b) the signed minutes of every meeting be distributed to all head teachers and governing body chairpersons.

6.6 The minutes of any part of a meeting that are confidential shall be kept separately and will not be available for inspection.

6.7 Members of the Schools Forum shall respect the confidentiality of items of business which members consider are confidential.

## **7 Clerk**

7.1 The Clerk to the Schools Forum shall be an officer of the Authority.

## **8 Restriction on Local Authority members and officers**

8.1 Participation is limited to the lead member for Education, Skills & Business, Director of Children's Services (or their representative), Chief Finance Officer (or their representative) or officers who are providing specific financial or technical advice to Schools Forum. Other officers will be able to participate where they are presenting a report, but their participation will be limited to their specific agenda item.

## **9 Access to Meetings**

9.1 Meetings will be open to the public and Schools Forum papers, minutes and decisions will be published in public areas of the Local Authority website.

## **10 Quorum**

10.1 The Forum shall be quorate if at least 40% of the membership (excluding vacancies) is present at the meeting.

10.2 Should the meeting be inquorate, it may still go ahead but the Forum cannot legally take decisions. An inquorate Forum may respond to Local Authority consultations and submit views to the Local Authority, however the Local Authority is not legally obliged to take account of these views.

## **11 Establishment of working groups**

11.1 The Forum may set up working groups of members to discuss specific issues, and to produce draft advice and decisions for the Forum itself to consider and approve.

11.2 Urgent matters will be dealt with either through an unscheduled meeting or through alternative arrangements such as clearance by email correspondence or some other means. In these instances, all members of the Forum will have an opportunity to participate through reasonable opportunity for consideration.



- 11.3 The chair may not take a decision on behalf of the Forum, no matter how urgent the matter in question. The Forum may however agree a procedure for the Chair to give the authority a view on an urgent issue.

## **12 Declaration of Interest**

- 12.1 If a member of the Schools Forum has any pecuniary interest, direct or indirect, in any contract, proposed contract or other matter and is present at a meeting of the Schools Forum at which the contract or other matter is the subject of consideration, s/he shall at the meeting, and as soon as practicable after its commencement, disclose that fact and withdraw from the meeting during the consideration or discussion of the contract or matter and s/he shall not vote on any question with respect to the contract or matter.