

# CONSTITUTION OF THE LEICESTER CITY SCHOOLS FORUM

## INTRODUCTION

1. The Schools Forum for Leicester City is established by virtue of Section 47A of the Schools Standards and Framework Act 1998 (as amended by the Education Act 2002). It also operates under the Schools Forums (England) Regulations 2012, which set out the legal parameters for Schools Forums and came into force on 1<sup>st</sup> October 2012.
2. The Schools Forum acts as a combination of an advisory/consultative body and also a decision making body on certain proposals presented to it by the Local Authority.
3. The Schools Finance (England) Regulations charge Schools Forums with taking some decisions on the Schools Budget.

## FUNCTIONS

4. The Schools Forum has decision making powers regarding:
  - a) De-delegation for mainstream schools (split by phase) for prescribed services to be provided centrally for:
    - i) Contingencies
    - ii) Administration of free school meals
    - iii) Insurance
    - iv) Licences and subscriptions
    - v) Staff costs – supply cover
    - vi) Support for minority ethnic pupils/under achieving groups
    - vii) Behaviour support services
    - viii) Library and museum services
    - ix) School improvement
  - b) Any brought forward deficit on de-delegated services which is to be met by the overall schools budget.
  - c) Central expenditure from the Central School Services Expenditure block for:
    - i) Admissions
    - ii) Servicing of the Schools Forum
    - iii) Responsibilities that LAs hold for all schools
    - iv) Existing termination of employment costs (costs approved prior to April 2013)
    - v) Back-pay for equal pay claims
    - vi) Places in independent schools for non -SEN pupils
    - vii) Remission of boarding fees at maintained schools and academies

- d) Central early years block provision
- e) Responsibilities held by LAs for maintained schools only, to be funded by maintained schools budgets only, with the agreement of the maintained schools members of schools forums.
- f) Central spend on and the criteria for allocating funding from the funding for significant pre-16 pupil growth, including new schools set up to meet basic need, whether maintained or academy.
- g) Movement of up to 0.5% from the schools block to other DSG blocks
- h) Carry forward a deficit on central expenditure to the next year to be funded from the schools budget.
- i) Amendments to the Scheme for Financing Schools approval by schools members only.

The Local Authority is required to consult the Schools Forum on the following:

- a) Schools block formula changes
- b) Any proposed exclusions from the Minimum Funding Guarantee for application to the Department for Education.
- c) Any proposed contract for supplies or services being paid from the Schools Budget, subject to the estimated value of the contract being not less than the specific threshold which applies to Leicester City Council in pursuance of Regulation 8 of the Public Contracts regulations 2006.

Consultation on such items must take place at least one month prior to the issue of invitations to tender.

- d) There must also be an annual consultation on financial issues regarding:
  - i) The arrangements to be made for the education of pupils with special educational needs.
  - ii) Arrangements for the use of pupil referral units and the education of children otherwise than at school.
  - iii) Arrangements for Early Years provision.
  - iv) Administrative arrangements for the allocation of central government grants paid to schools via the Authority.

The authority may also consult Forum on any other school funding matters as they see fit.

## MEMBERSHIP

- f) The Schools Forums (England) Regulations 2012 lay out parameters within which the Local Authority determines the membership, this membership will be reviewed annually to ensure that membership is fully representative of different phases of schools. The Leicester City Schools Forum will be made up as follows:-

## 19 Schools Members (elected)

- a) 3 governors of maintained primary schools
- b) 4 Headteachers of maintained primary schools
- c) 2 Headteachers of maintained secondary schools
- d) 1 governor of maintained secondary schools
- e) 1 Headteacher of maintained special schools
- f) 1 governor of maintained special schools
- g) 1 representative of pupil referral units
- h) 5 representatives of mainstream Academies
- i) 1 representative of special academies

## 4 Non-school Members

- j) 1 representative of the 16 to 19 providers (elected)
- k) 1 representative of private, voluntary and independent early years providers (appointed)
- l) 2 representative of Trade Unions (appointed)

Schools Forum members determine which bodies should be represented through appointed non-school members. The Local Authority then appoints representatives for these bodies in accordance with the regulations.

7. The Schools Members must, in accordance with the Regulations, be in some way elected. In the case of the Leicester City Schools Forum, the following arrangements will apply:-

- Governor representatives: - elected via the relevant governors
- Primary Headteachers: - elected via Leicester Primary Partnership
- Secondary Headteachers: - elected via the Education Improvement Partnership
- Special School Headteacher: - elected by all Special Schools Heads
- Pupil Referral Unit: - nominated by the Pupil Referral Unit
- Academy representatives: - elected by Leicester Academies proprietors

In relation to the non-Schools members, the following arrangements will apply:

- PVI Early Years representative: Appointed by the City Council on the nomination of the Leicester National Day Nursery Association
- Trade Unions representatives: Appointed by the City Council on the nomination of Trade Unions
- Other non-schools members: Appointed by the City Council on the nomination of respective organisations

All newly elected/nominated members shall receive an induction into the role and functions of the Forum.

## VOTING RIGHTS

8. Each member will be entitled to a vote but will be subject to the following

restrictions;

- a) Only school members and PVI representatives may vote on issues affecting the funding formula
- b) Voting for items of de-delegation will be limited to the specific primary and secondary schools members for each respective phase.

## EXECUTIVE/CABINET MEMBER

9. The Lead Member for Education and Children's Services of the City Council will have the right to attend meetings. He/she will be entitled to speak at the meeting, but will not have any voting rights.

## ATTENDANCE OF LOCAL AUTHORITY OFFICERS AT MEETINGS

10. Attendance at meetings and the right of officers to speak is limited to;
  - a) Director of Children's Services or their representative
  - b) Chief Financial Officer or their representatives
  - c) Any person invited by Schools Forum to provide financial or technical advice
  - d) Any person presenting a paper to Schools Forum

## SUBSTITUTES

11. Each body electing or nominating representatives will be entitled to maintain a substitute for Schools Forum Members who are unable to attend specific meetings.

Substitutes will be entitled to speak at the meeting and have voting rights.

## OBSERVERS

12. The Secretary of State may appoint an observer to attend and speak at Schools Forum meetings. It is expected that this will be fulfilled by a representative of the Education and Skills Funding Agency (ESFA).

## INFORMING SCHOOLS OF MEMBERSHIP OF FORUM

13. The Leicester City Council must inform all its maintained schools of the details of any non-school members appointed to the Forum, within one month of such an appointment being made. As good practice, the Authority will inform all such schools of the whole membership of the Forum, and of any subsequent changes. This will be done via publication on the Schools Forum page of the Leicester City Council website.

## TERM OF OFFICE AND NON-ATTENDANCE

14. Members will be appointed for a maximum individual term of 4 years. There is no restriction on the number of consecutive terms that can be served.

The Local Authority may end the appointment of any Forum member before the expiry of his/her term of membership if the member concerned ceases to hold the office by virtue of which he/she became eligible for appointment to the Forum.

Where any member of the Forum is absent for three consecutive meetings, membership of the Forum will cease unless acceptable reasons for absence have been provided. The decision as to whether or not the reasons for absence are acceptable will be taken by Forum.

The Clerk to the Forum will write to that member's constituent group, informing them of the cessation of the individual's membership, and asking them to elect a replacement for the position on the Forum.

## FREQUENCY OF MEETINGS

15. The regulations require that the Leicester City Schools Forum meets on a minimum of 4 occasions per year. Additional meetings will be arranged as required, subject to an overall maximum of 6 meetings per year.

## QUORUM

16. The Schools Forum must have a quorum of 40% of the total number of Forum members being present at each meeting. If a meeting is inquorate it may proceed and give its views to the Local Authority, but it cannot take decisions. There is no provision requiring at least one member from each of the sectors to be present. Where substitute members are present, they shall count towards the members present to decide on whether the meeting is quorate.

Where voting by phase is required by the Schools Forums (England) 2012 regulations, a quorum of 40% of the representatives of each phase must be present to constitute a valid decision.

## PUBLIC ACCESS TO THE MEETING

17. The meetings of the Leicester City Schools Forum will be open to the public. Access to information will be through the Schools Forum meetings section of the Leicester City Council website.

## CHAIR/VICE-CHAIR OF THE FORUM

18. The Forum shall elect a Chair and Vice Chair from amongst its members.

Each term of office for Chair and Vice-Chair will not exceed 4 years.

To be elected, a candidate must receive more than half the number of votes cast. Where there are more than two candidates, and no candidate receives the required number of votes, the candidate with the least votes in the first ballot will be removed, and a second ballot held.

19. The Chair will retain his/her right to vote in meetings, and will also have a second or casting vote in the event of a tie. If the Chair is a non-schools member and is therefore ineligible to vote on any specific matter, then the vice-chair will have a casting vote in the event of a tie.

## APPOINTMENT OF WORKING GROUPS

20. The Schools Forum may establish working groups when the Forum deems them appropriate. Where such Working Groups are established:
  - a) The membership will be decided by the Schools Forum.
  - b) Membership of such groups may include persons who are not themselves members of the Forum.
  - c) Working Groups will be formed in order to make recommendations to Schools Forum and cannot take decisions without the consent of Forum as a whole.

## URGENT BUSINESS

21. In the event of urgent business the Local Authority may:
  - a) Call an unscheduled meeting, or
  - b) Communicate the issue through email to all members. Responses will be collated by the Local Authority and recommendations made to the Chair.

Any decision would be reported to the next meeting of the Schools Forum together with details of the process followed, the role of the Chair in that decision and the reason for the urgency.

## CODE OF CONDUCT

22. Members shall declare at the commencement of each meeting, whether they have any personal or individual school interest in the business to be undertaken at Forum and abstain from any subsequent voting process.

Personal interest is deemed to be a decision that affects an individual school, and not a decision that has an equal application for all or a specific group of schools.

## OPERATIONAL UNDERSTANDING

23. The attached operational understanding defines the expectations of the LA and Forum Members in undertaking the business of the Forum.

## SETTING OF AGENDA

24. The Chair of the Forum shall consult with the LA's lead officer to draw up the agenda for the next meeting.

## DECISIONS OF THE FORUM

25. The Forum will inform the governing bodies of all schools maintained by Leicester City Council of all recommendations made to the Local Authority in relation to issues on which the Forum has been consulted. This will be completed by publishing minutes of meetings on the Leicester City Council website.

# LEICESTER CITY SCHOOLS FORUM

## OPERATIONAL UNDERSTANDING

The purpose of the operational understanding is to define the expectations of, and responsibilities of the Local Authority and Schools Forum Members in undertaking the business of the Schools Forum.

### Local Authority

The Local Authority will:

- i. Ensure that reports and other documents to be discussed at Forum meetings be published one week in advance of meetings wherever possible. After the meeting, draft minutes will be published following approval of the Chair.
- ii. Ensure that all Forum meetings will be supported by appropriate senior officers relevant to the items to be discussed at the meeting.
- iii. Provide a pre meeting briefing for the Forum Chair and Vice Chair in the week preceding the meeting.
- iv. Publish reports, other relevant documents and minutes of meetings on the City Councils' website.
- v. Ensure that Forum is informed of any proposed changes in legislation that will impact upon the work of the Forum.
- vi. Provide appropriate training and induction to new Forum Members and provide appropriate on-going training to Forum Members to ensure they are able to effectively discharge their responsibilities.
- vii. Keep Forum informed of strategic developments and service issues which may result in a request for additional funding, where the financial impact would potentially have to be met from the Schools Budget.
- viii. Facilitate and support working groups necessary to support both the consultative and decision making responsibilities of Forum.



## Schools Forum Members

Schools Forum members will:-

1. Ensure that any personal interest in any item for discussion at Forum meetings is declared at the beginning of all meetings. Personal interest is deemed to be a discussion or decision that affects an individual school, and not a decision that has an equal application for all or specific group(s) of schools.
2. Ensure that they are representative of, and present the views, of their elective/nominating group at meetings.
3. Ensure that all reports and other papers tabled at meetings are reviewed prior to each individual meeting.
4. Consider the needs of the whole educational community rather than advancing issues pertaining to a particular school phase or an individual school.
5. Gather views and provide feedback to individual elective/nominated groups in advance of and after School Forum meetings.
6. Be responsible to their elective groups for the feedback of items discussed at, and decisions taken, by School Forum.
7. Identify any training requirements to the Local Authority to assist with the development of the Forum induction and training programme.
8. Ensure, through the use of substitutes, that each elective/nominating group is represented at all meetings.