

HACKNEY SCHOOLS FORUM CONSTITUTION AND TERMS OF REFERENCE

1. **Introduction**

The Hackney Schools Forum is a statutory consultative body established in accordance with the Schools Forum (England) Regulations 2012.

2. **Constitution**

2.1 **Composition**

2.1.1 The composition of the Forum will be as follows:

Schools members:

- Special schools: 2 places (1 headteacher, 1 governor)
- Primary schools: 6 (3 heads, 3 governors)
- Secondary schools: 2 (1 head, 1 governor)
- Nursery schools: 1 (headteacher or governor)
- Pupil referral units: 1

Academies/Free Schools members:

- 3 places

Non-schools members:

- Early years providers: 1
- 16-19 providers: 1
- Staff (teaching/non-teaching): 1

Observer:

- Education Funding Agency - nominee

2.1.2 The composition will be reviewed from time to time to ensure that primary schools, secondary schools and Academies/Free Schools are broadly proportionately represented on the Forum, having regard to the total number of pupils registered at them.

2.2 **Election / appointment of members**

2.2.1 The mode of appointment of each category of members will be as follows:

- Special, primary and secondary schools: by election of all governors/heads within each phase
- Pupil referral units: PRUs Management Committee to nominate
- Nursery schools: to be elected by their governing bodies
- Academies/Free Schools: to be elected by their governing bodies
- Early years providers: nomination to be sought via Early Years Professional Development Network meetings
- 16-19 providers: to be nominated alternately by Hackney Community College and Brooke House Sixth Form College (BSix)
- Staff: nomination to be invited from Hackney Trade Unions and Professional Associations (via Hackney Learning Trust's Head of Human Resources).

2.3 Election process: special, primary and maintained secondary schools

Governors:

- 2.3.1 Where a vacancy for a governor representative arises, or is about to arise, a letter will be sent to all governors of schools within the appropriate phase, inviting them to consider nominating themselves. If by the specified closing date the number of nominations exceeds the number of vacancies available, a ballot of all governors within that phase will be conducted. If the number of nominations is the same or fewer than the number of vacancies, the nominee(s) will be appointed without the need for a ballot.
- 2.3.2 In nominating themselves, candidates will be asked to complete a 'personal statement' in support of their candidacy. In the event of a ballot, each candidate's statement will be circulated with the ballot papers, to assist other governors in deciding for whom to vote.

Headteachers:

- 2.3.3 Where a vacancy for a headteacher representative arises, or is about to arise, a letter inviting expressions of interest will be sent to all headteachers of schools within the appropriate phase. If by the closing date the number of expressions of interest received exceeds the number of vacancies available, a ballot of all headteachers within that phase will be conducted. If the number of expressions of interest is the same or fewer than the number of vacancies, the person(s) concerned will be appointed without the need for a ballot.
- 2.3.4 In cases where there are insufficient expressions of interest to fill the number of vacancies available, the matter will be raised at the next available meeting of the Headteachers' Forum.

2.4 Eligibility

- 2.4.1 A person's membership of the Forum shall cease if that member ceases to hold the office by virtue of which he/she became eligible for election, selection or appointment to the Forum.
- 2.4.2 The authority may not appoint any executive member or relevant officer of the authority to the Forum as a non-schools member.

2.5 Term of office

- 2.5.1 The term of office for all members of the Forum will be three years, normally commencing on 1 September in any given year. To ensure an element of continuity in membership, a certain number of terms of office will expire each year, rather than their all expiring on the same date.
- 2.5.2 Where a position on the Forum falls vacant before the term of office of the previous incumbent has run its full course, the successor's term of office will be rounded up or down to the nearest three-year period ending 31 August.
- 2.5.3 Persons whose term of office has expired may stand for re-election provided that they are still eligible.
- 2.5.4 For positions on the Forum which are due to fall vacant on 31 August, the nomination/ballot process will normally be conducted during the preceding summer term.
- 2.5.5 A member's term of office will lapse if he/she fails to attend two consecutive meetings, without giving reasons for absence which have been accepted by the Forum. If a member misses *three* consecutive meetings, even where reasons for absence have previously been accepted, this will also result in that person's membership lapsing, unless the Forum decides otherwise in the light of any exceptional circumstances.

2.6 Frequency of meetings

- 2.6.1 The Forum will normally meet five times during each year, from 5.30 to 7.00 pm. Meetings must take place at least four times a year.

2.7 Quorum

2.7.1 A meeting will be quorate if at least two-fifths of the total membership is present, i.e., seven members. The presence of substitutes at a meeting will count towards the quorum.

2.8 Voting

2.8.1 Voting will be by a show of hands, or by a recorded vote if requested.

2.8.2 Each member shall have one vote. In the case of an equality of votes, whether on a show of hands or a recorded vote, the chair shall be entitled to an additional casting vote.

2.8.3 Non-schools members other than those who represent early year's providers must not vote on matters relating to the funding formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers.

2.9 Substitutes

2.9.1 Named substitutes may attend and vote at meetings of the Forum on behalf of members who are unable to attend.

2.9.2 In the case of schools, one named headteacher and one named governor substitute may be agreed for each phase, subject to the Forum's approval. Vacancies for substitutes for governor and headteacher members will be filled by nomination from Hackney School Governors' Association (HASGA) and the Heads' Forum respectively.

2.9.3 One named substitute will also be sought for each other category of membership.

2.10 Election of Chair and Vice-Chair

2.10.1 The election of the Chair and Vice-Chair will take place annually at the first meeting in the autumn term. The Clerk will take the chair for the election of the Chair.

2.10.2 The Forum may not elect as Chair or Vice-Chair any member who is an elected member or officer of the authority.

2.10.3 The positions of Chair and Vice-Chair may not both be held at the same time by headteachers/principals or both be held at the same time by governors.

2.11 Local authority attendance at meetings

2.11.1 Local authority attendance will be restricted to: the Education Director & Head of Hackney Learning Trust (as representative of the Director of Children's Services); the Assistant Director of Finance – Children & Young People's Services (as representative of the Director of Finance); plus any other person who is providing specific financial or technical advice or who may be invited by the Chair of the Schools Forum from time to time.

2.12 Observers

2.12.1 The Lead Member for Children and Families will attend meetings as an observer. A representative of the Education Finance Agency may also attend as an observer.

2.13 Public access to meetings; publication of papers

2.13.1 Meetings of the Forum will be held in public, in common with other Council committees.

2.13.2 All agendas, minutes and reports will be published promptly on the Forum's website, upon being issued to members of the Forum.

2.13.3 Information on the Schools Forum and its deliberations will be included periodically in newsletters to headteachers and governors.

2.14 Declarations of interest

2.14.1 Where a conflict of interest arises, the affected member(s) shall declare the interest and withdraw from the meeting whilst that item of business is considered.

2.15 Expenses

2.15.1 Members of the Schools Forum may claim for any expenses reasonably incurred in attending meetings of the Forum or associated business. Any request for payment from this budget must be made to the Clerk to the Forum, accompanied by the necessary receipt(s). The Clerk to the Forum will authorise and arrange for such payments to be made. Expenses will be limited to the following:

- travel/transport/parking costs of up to £4 per meeting;
- childcare costs of up to £25 per meeting;
- other reasonable ad hoc out-of-pocket expenses of up to £25 per meeting.

2.16 Contact list

2.16.1 A list of members' contact details will be maintained and circulated among members from time to time.

3. Terms of reference: powers and responsibilities

3.1 The local authority will consult the Schools Forum annually in connection with the following schools budget functions:

- amendments to the school funding formula;
- 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 provision;
- administrative arrangements for the allocation of central government grants paid to schools via the authority.
- Central licences negotiated by the secretary of state.

3.2 The Schools Forum must also be consulted when the local authority is proposing a contract for supplies and services which is to be funded from the Schools Budget and is in excess of the EU Procurement thresholds.

3.3 The authority may consult the Forum on such other matters concerning the funding of schools as they see fit.

3.4 The Schools Forum is empowered to take decisions in relation to the following:

- de-delegation from the mainstream school budget for prescribed services to be provided centrally;
- creation of a fund for significant pupil growth and infant class sizes in order to support the local authority's duty for place planning and agreement of the criteria for maintained schools and Academies to access this fund;
- funding for the local authority in order to meet prescribed statutory duties placed upon it (no new commitments or increases in expenditure from 2012/13 are permitted);

- Funding for the Early Years Block Provision, including funding for checking eligibility of pupils for an early years place and/or free school meals;
- authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure that is to be carried forward from a previous funding period.
- Administrative arrangements for services previously funded by the retained rate of the ESG.
- Funding for pre 16 pupil growth and falling roll funds, including the criteria for allocating funds to schools.

(A table produced by the Department for Education – ‘Schools forums: powers and responsibilities 2015-16’ is available [here](#))