

Hackney Schools' Forum

Terms of Reference

HACKNEY SCHOOLS FORUM CONSTITUTION AND TERMS OF REFERENCE

1. Introduction

- 1.1. 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 headteachers/Head of School, 3 governors)
- Secondary schools: 2 (1 headteacher/Head of School, 1 governor)
- Nursery schools: 1 (headteacher or governor)
- Pupil referral units: 1

Academies/Free Schools members:

- 3 places (Headteachers or governors)

Alternative Provision (Academies/Free Schools) members:

- 1 place (Headteacher or governor)

Non-schools members:

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

Observer:

- Education Funding Agency – nominee

Total Membership: 16

- 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 member will be as follows:

- Special, primary and secondary schools: by election of all governors/heads within each phase.
- Pupil referral unit: PRU Management Committee to nominate.
- Nursery schools: to be elected by their governing bodies.
- Academies/Free Schools: by election.
- Alternative Provision/Special Academies/Free schools: by election.
- Early years providers: nomination to be sought via Early Years Professional Development Network meetings.

- 16-19 providers: to be nominated alternately by New City 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/Head of School:

- 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 and heads of school 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 7.00pm. Meetings must take place at least four times a year.

2.7. Quorum

2.7.1. A meeting will be quorate if 40% 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.

2.8.4. The following table outlines the voting rules:

Category	Schools members	Academies members	Non-school members
Voting	Only primary representatives can vote on primary school de-delegation	No voting on de-delegation or the scheme for financing schools	No voting on de-delegation or the scheme for financing schools.
	Only secondary representatives can vote on secondary school de-delegation		
	All schools members can vote on the scheme for financing schools	All academies members can vote on any other schools forum business, including the consultation on the funding formula.	Only PVI representatives can vote on the consultation on the funding formula.
	All schools members can vote on any other schools forum business, including the consultation on the funding formula.		
Maintained school members can vote on items relating to <u>general duties and retained duties</u> .	Academy members can vote only on <u>retained duties</u> .	All non-school members can vote on any other schools forum business	

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 the local authority.

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 Group Director of Children, Adults and Community Health (Anne Canning), the Director of Children, Adults and Community Health Finance (Jackie Moylan), (as representative of the Director of Finance); The Director of Education and Head of HLT (Annie Gammon), 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, which can be found here, upon being issued to members of the Forum.
- 2.13.3. Information on the Schools Forum and its deliberations will be published periodically to Headteachers and governors.
- 2.13.4. Confidentiality: if there is a situation where reporting to Forum entails the reporting or discussion of financial or performance matters relating to an individual school, Forum may decide that such information is deemed confidential, and it will therefore not be reported or published in Forum papers or minutes.

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.

2.17. Urgent Decisions

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- 2.17.1. Where there is a business need for an urgent decision or formal view required from Forum members before the next scheduled meeting and it would be impracticable to call a meeting within the period in which the decision was required, the decision will be sought from members via email or online.

3. Terms of reference: Powers and Responsibilities

- 3.1.1. 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.
- 3.1.2. 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.
- 3.1.3. The authority may consult the Forum on such other matters concerning the funding of schools as they see fit.
- 3.1.4. 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;
 - to create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for maintained schools and academies to access this fund
 - Agree other centrally retained budgets including local authority statutory responsibilities; Funding for the Early Years expenditure , including funding for checking eligibility of pupils for an early years place, the early years pupil premium and/or free school meals;
 - authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure, or from de-delegated services that is to be carried forward from a previous funding period.
- 3.1.5. *In the 2018 to 2019 funding year the schools block is ring-fenced. Local authorities require schools forum approval in order to move up to 0.5% from the schools block to other blocks.*
- 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, updated September 2017' is available [here](#))