

The Calderdale Schools Forum

Constitution

1 Background

- 1.1 The requirement to establish a schools forum comes from the Education Act 2002. The main purpose of the forum is to consider aspects of the relationship between schools and the local authority relating to financial matters.
- 1.2 The role of the schools forum is to notify the local authority of its views and decisions. Particularly, the Calderdale Schools Forum shall express a view about the level of the annual budget insofar as the matters mentioned under these terms of reference are concerned.

2 Terms of reference

- 2.1 To consider any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in the local authority's formulae made in accordance with regulations made under section 47 of the School Standards and Framework Act 1998¹.
- 2.2 To consider the financial effect of any such changes identified in 2.1.
- 2.3 To decide whether consultation on proposed changes to any funding formulae should take place with all headteachers and governing bodies and to set an appropriate timeframe.
- 2.4 To approve actions where specific responsibilities have been given to schools forums in the School Finance (England) Regulations (or relevant legislation) that are in existence at the time the decision is made.
- 2.5 To consider the terms of any proposed contract for supplies or services being a contract paid or to be paid out of the local authority's school budget where either:
 - 2.5.1 the estimated value of the proposed public services contract is not less than the specific threshold which applies to the local authority in

¹ The School Finance (England) Regulations 2006 require that a local education authority must consult their schools forum about any proposed changes to the formulae they intend to use, in relation to the factors and criteria taken into account, and the methods, principles and rules adopted. The regulations remove the requirement for local authorities to consult all headteachers and governing bodies on such changes. The DCSF advise that it remains good practice for all schools to understand the basic principles underpinning, and any changes made to, a local authority's formula. The DCSF suggests that a local authority continues to consult all its headteachers and governing bodies over any changes to its funding formulae. It goes on to say that feedback from local authorities in relation to this amended requirement has indicated that many plan to continue to do so in relation to significant and widespread changes to their funding formula. The flexibility provided in regulation is designed to allow less important or minor technical matters to be only discussed with the Schools Forum.

pursuance of Regulation 7(1) of the Public Services Contracts Regulations 1993; or

- 2.5.2 the estimated value of the proposed public supply contract is not less than the specific threshold which applies to the local authority pursuant to Regulation 7(2) of the Public Supply Contracts Regulations 1995.
- 2.6 To consider the following annually, insofar as they relate to the local authority's functions relating to schools budgets:
 - 2.6.1 the arrangements to be made for the education of pupils with special educational needs;
 - 2.6.2 the arrangements for the use of pupil referral units and the education of children otherwise than at school;
 - 2.6.3 arrangements for early years education;
 - 2.6.4 arrangements for insurance;
 - 2.6.5 prospective revisions to the local authority's scheme for the financing of schools; administrative arrangements for the allocation of central government grants paid to schools via the local authority; and
 - 2.6.6 arrangements for free school meals.
- 2.7 To inform the governing bodies of all schools maintained by the local authority of all consultation carried out by the local authority.

3 Membership

- 3.1 The make-up of the forum is as follows:
 - 3.1.1 four headteachers representing primary schools;
 - 3.1.2 four governors representing primary schools;
 - 3.1.3 three headteachers² representing secondary schools;
 - 3.1.4 three governors representing secondary schools;
 - 3.1.5 one person (headteacher or governor) representing special schools;
 - 3.1.6 five non-school representatives: 1 each from the Catholic Church, the Church of England, the Calderdale Federation of Education Unions, Calderdale's 14-19 partnership and the private, voluntary and

² The Schools Forums (England) (Amendment) Regulations 2008 make provision for headteachers to be represented by senior members of staff (meaning principal, deputy headteacher, bursar or other person responsible for the financial management of the school).

independent (PVI) providers of the free entitlement to early years education.

- 3.2 Members of the Forum will be nominated by the constituent groups that are in membership of the Forum. Each group will be responsible for the method by which they select and nominate their representatives.
- 3.3 The clerk to the Forum will provide advice to constituent groups that are in membership of the Forum on the selection processes they wish to adopt. The clerk will also arrange administrative support to those groups that require it to facilitate the smooth running of their selection processes.
- 3.4 Appointments should take place every three years, but nominating bodies may amend their representation at any time, if they so wish.
- 3.5 School member numbers will not be categorised according to type of school.
- 3.6 A member shall vacate membership of the forum if (s)he ceases to be a member of the constituent group, which (s)he represents.
- 3.7 Elected members who hold an executive role in the Authority (a lead member/portfolio holder) are barred from being either a schools member (by virtue of them being a governor) or a non-schools member.
- 3.8 Officers employed by the Local Authority who have a role in the strategic resource management of the Authority are also barred from the membership of the Calderdale Schools Forum.
- 3.9 The clerk to the forum will keep a written record of the composition of the membership of the Calderdale Schools Forum. This record will include:
 - 3.9.1 the methods by which each group selects and nominates their representatives;
 - 3.9.2 details about the way in which the Local Authority seeks nominations for the non-school member representatives of the Forum;
 - 3.9.3 the term of office for school members.

4 Substitutes

- 4.1 Substitute members will be allowed, subject to the condition that the constituent group names a substitute to the forum in writing³ at least 24 hours before the start of the meeting.

5 Meetings

- 5.1 The Calderdale Schools Forum will be called at least three times each year and more frequently if members deem it necessary. All meetings will be

³ This includes letter, fax or e-mail.

open to the press and public and will usually be held in the early evenings of weekdays.

- 5.2 The local Learning and Skills Council are able to nominate an observer. A nominated observer does not have a vote.

6 Attendance of non Forum members at meetings

- 6.1 Executive elected members and officers who are not members of the Schools Forum have the right to attend and speak at School Forums meetings.

7 Urgent items

- 7.1 If there are urgent items of business and a meeting of the Forum is not imminent the Chair, in consultation with the Deputy Chair, shall e-mail members with views on the consultation and, subject to no adverse comments or points of clarification being received, those comments shall be forwarded to the DCSF on the basis that the comments shall be subject to confirmation at the next meeting of the Forum. If any member does not wish to make a decision in this way a special meeting will be arranged.
- 7.2 In the event of adverse comments being received, or if the Chair considers the issue to be of a substantial nature, a special meeting of the Forum shall be called by the Chair.

8 Special meetings

- 8.1 A special meeting may be called for during a meeting if a simple majority of those in attendance agree.
- 8.2 A special meeting may be called by writing to the clerk to the forum. The letter must be signed by at least 1/3 of the forum membership (ie seven or more people).

9 Chair and Deputy Chair

- 9.1 A Chair and Deputy Chair shall be elected by the forum, from its membership, at its first meeting by a majority of votes cast by individual members. At the end of the academic year the Chair's term of office will end and the Deputy Chair will assume the position of Chair.
- 9.2 At the first meeting of a new academic year, a new Deputy Chair shall be elected by the forum by a majority of votes cast by individual members. The Deputy Chair must be from a different major constituent group to the Chair. The three major constituent groups of the Calderdale Schools Forum are:
- 9.2.1 headteachers representing primary and secondary schools (and special schools where appropriate);
 - 9.2.2 governors representing primary and secondary schools (and special schools where appropriate);

9.2.3 non-school representatives; (1 each from the Catholic Church, the Church of England and the Calderdale Federation of Education Unions, Calderdale's 14-19 partnership and the private, voluntary and independent (PVI) providers of the free entitlement to early years education).

9.3 An elected member or an officer of the Authority who is a member of the Forum may not hold the office of Chair of the Calderdale Schools Forum.

10 Quorum

10.1 The quorum of the meeting is ten. Inquorate meetings will not conduct any business. The meeting will be closed if it is inquorate 10 minutes after the published starting time.

10.2 In the event that a meeting become inquorate, the meeting should terminate.

11 Voting

11.1 Decisions shall be agreed by a majority of votes of individual members present at the meeting and in the case of an equality of votes, the Chair shall have a second or casting vote.

12 Papers

12.1 Recommendations in reports should identify whether the forum is making a decision, recommending, advising or expressing a view. This should also be indicated on the agenda, using the codes identified below.

Decision (D)

Recommendation (R)

Advice (A)

Expressing a view (V)

12.2 A copy of all future agendas, with hyperlinks to the reports, will be made available to all headteachers and Chair of Governors who are not members of the Forum.

13 Declarations of interest

13.1 A member must regard themselves as having a personal interest in any matter if a decision on that matter might reasonably be regarded as affecting the well-being or financial position of themselves, a relative or a friend to a greater extent than others in Calderdale's learning community.

13.2 A member with a personal interest in a matter must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

13.3 A member with a personal interest in any matter who has made an executive decision in relation to that matter must ensure that any written statement of that decision records the existence and nature of that interest.

- 13.4 A member has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.
- 13.5 A member with a prejudicial interest in any matter must:
- 13.5.1 withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered;
 - 13.5.2 not exercise executive functions in relation to that matter; and
 - 13.5.3 not seek improperly to influence a decision about that matter.

14 Expenses

- 14.1 The Local Authority will pay travel expenses, loss of earnings and childcare costs incurred by members in attending meetings of the forum.
- 14.1.1 Travel expenses will be paid at the actual costs incurred on public transport, or a mileage allowance based on the prevailing casual car user rates of the Local Authority when public transport is unavailable.
 - 14.1.2 Loss of earnings will be based on the net hourly rate.
 - 14.1.3 The Local Authority will not pay both loss of earnings and childcare costs in respect of any particular meeting. Any payments made will fall on the Schools Budget.

Approved version. 21 April 2008.

End of Constitution

Revision history

Date	Version	Change/reason for change
14 January 2003	1	First draft constitution as required by the Education Act 2002.
13 May 2003	2	First approved version of the constitution.
12 June 2006	3	Revision prepared January 2006 following the Schools Forums (England) (Amendment) Regulations 2006 coming into force and approved 12 June 2006.
7 February 2007	4	Following the decision of Calderdale Schools Forum on 5 February 2007 to change the arrangements for Chairing the Forum.
2 March 2008	5	Revision prepared following the publication of the Schools Forums (England) (Amendment) Regulations 2008.