
Staffordshire

County Council

STAFFORDSHIRE COUNTY COUNCIL
SCHOOLS FORUM

CONSTITUTION

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1 INTRODUCTION

- 1.1 The Education Act 2002, amended the School Standards and Framework Act 1998, to require each Local Authority (LA) to establish a Schools Forum, its function being to advise LAs on matters relating to their Schools Budget.
- 1.2 Although made up mainly of representatives from headteachers and governing bodies, it can also include “non-school” members, representing relevant bodies.
- 1.3 Within Staffordshire County Council, such non-school representation includes Diocesan representatives, representatives from the Early Years PVI Sector, representatives from the 16-19 Education, representatives from the authority’s School Consultative Groups and a Parent Governor representative from the Prosperous Staffordshire Select Committee.
- 1.4 As elected members attend these meetings as observers, the Schools Forum forms an important link back into political decision making processes.

2 ESTABLISHMENT OF THE SCHOOLS FORUM

- 2.1 Staffordshire County Council (“the Council”) has established and will maintain a Schools Forum (“the Forum”) in accordance with the requirements of the Education Act 2002, and subsequent regulations.

3 MEMBERSHIP

General

- 3.1 The Forum will have a maximum of thirty one (31) members, composed of those persons specified in Appendix A.
- 3.2 Schools members are appointed to the Forum for a term of 4 years in most cases unless agreement has been reached to the contrary. To ensure continuity of experience within the Forum membership, elections will be held every 2 years and, where appropriate, half of the representatives of each group will be appointed on each election date. The details of the election process is set out in Appendices B and C.
- 3.3 A schools member will cease to be a member of the Forum:
 - (a) if they resign from their position on the Forum;
 - (b) upon the expiry of their term of office;
 - (c) in the event of their death; or
 - (d) if the Council terminates their appointment because:
 - (i) it has been instructed to do so by the Secretary of State; or
 - (ii) the member concerned ceases to hold the office by virtue of which he/she became eligible for appointment to the Forum.
- 3.4 A non-schools member will cease to be a member of the Forum:
 - (a) if they resign from their position on the Forum;

- (b) when the relevant body make a further nomination to replace him/her and the Council appoints him/her;
 - (c) in the event of their death; or
 - (d) if the Council terminates their appointment because it has been instructed to do so by the Secretary of State.
- 3.5 No person who is an executive member or relevant officer of the authority is eligible to be nominated as a non-schools member.
(A “relevant officer” refers to:
- a) the director of children’s services of the authority,
 - b) any officer employed or engaged to work under the management of the director of children’s services, other than one who directly provides education to children or who manages such a person, or
 - c) any officer whose work involves management of, or advice on, school funding.)
- 3.6 The Council will arrange for vacancies on the Forum to be filled using the election, nomination and appointment processes detailed below and where possible, such processes will be carried out by the dates shown in the timetable at Appendix B.

Schools Members – Nomination, Election and Appointment

- 3.7 The Council will appoint as schools representatives those persons duly elected and nominated via the following process.
- 3.8 Applications from persons within each of the Council’s groups of schools subject to an election in that year and from persons within each of the academies within the authority’s area who are willing and entitled to be a Schools member in accordance with the law and Appendix A, should be received by the Chair no later than the last day of the schools’ Spring term during an election year.
- 3.9 In the event that there is more than one candidate within any of the Council’s groups of schools subject to an election in that year, the head teacher and chair of governors of every school within the relevant group will be invited to vote for one (1) candidate each. Similarly, in the event that there is more than one candidate from the academies within the authority’s area, the headteacher and chair of governors of each of the academies will be invited to vote for one (1) candidate each. In each category, the candidate who receives the largest number of votes will, subject to paragraph 3.16, be appointed to the position and the candidate who receives the second largest number of votes will be appointed, subject to paragraph 3.16, as soon as possible in the event that the member for their group of schools resigns.
- 3.10 In the event that two or more candidates in each category receive an equal number of votes the Forum members shall be asked to vote, by secret ballot, at their next meeting.
- 3.11 The Chair shall have the casting vote if the number of members’ votes is equal.
- 3.12 In the event that there is only one candidate for each position within any of the Council’s groups of schools subject to an election in that year or there is only one candidate from

the academies within the authority's area, it will not be necessary for members to vote, and those candidates will, subject to paragraph 3.16, be appointed to the positions.

- 3.13 In the event that there are no applications from any of the Council's groups of schools subject to an election in that year, then the members who represent the relevant phase of schools which has the vacancy shall nominate the representative to be appointed. Where there are no representatives of the relevant phase, all schools members shall nominate the representative to fill the vacancy. Any person appointed under this rule shall not hold any other membership of the forum, either at the time of appointment or any time during their term of office.
- 3.14 In the event that there are no applications from any of the academies within the authority's area, the authority will attempt to appoint an academies member to the Forum instead.
- 3.15 If for any reason it is not possible to reach a decision regarding the persons to be appointed to any positions, the matter will be considered at the next meeting of the Forum.
- 3.16 The Council reserves the right not to appoint any person duly entitled by the processes above, for any reason.

Non-schools Members – Nomination and Appointment

- 3.17 The Council will seek nominations for non-schools members from the relevant bodies identified in Appendix A and in accordance with the election schedule set out in Appendix B.
- 3.18 Upon receipt of a nomination under paragraph 3.17, the Council will:
- (a) make an appointment pursuant to that nomination; or
 - (b) provide the relevant body with the grounds on which they determine not to make such an appointment.
- 3.19 Where the Council has proceeded under paragraph 3.18(b), it will seek a further nomination from the relevant body concerned.
- 3.20 The Council will inform all its maintained schools of the name and relevant body of all non-schools appointees to the Forum.

4 PROCEEDINGS OF SCHOOLS FORUM

Meetings

- 4.1 The Forum must:
- (a) hold a meeting at least four (4) times in each academic year;
 - (b) agree where meetings should take place and the time of its meetings;
 - (c) hold a meeting in response to a request from:
 - (i) one-third of its members; or
 - (ii) the Chair, provided that this does not conflict with any directions given by the Forum.

- (d) hold meetings in public with effect from 1 October 2012

Substitutes

- 4.2 In the event that a member is unable to attend any meeting, that member may seek the Chair's permission no later than seven (7) days prior to the meeting, subject to paragraph 4.3, to have a named substitute attending in their place, and such permission will not be unreasonably withheld.
- 4.3 The notice period of seven (7) days referred to in paragraph 4.2 is waived where substitution is in respect of a meeting where levels of delegation are subject to a vote of the Schools Forum and no notice period should apply in these circumstances.
- 4.4 A named substitute will have the same rights as a member of the Forum.

Observers & Visitors

- 4.5 The following will be entitled to attend or nominate an observer to attend all meetings of the Forum:
- a) The Chief Executive of the Council;
 - b) The Director for People of the Council.
 - c) Any elected member or officer of the Council, who is not a member of the Forum
 - d) The Education Funding Agency
- 4.6 The following observers shall be entitled to speak at such meetings:
- (a) the Director for People or their representative;
 - (b) the Director of Finance and Resources or their representative;
 - (c) any elected member of the authority who has primary responsibility for children's services or education in the authority;
 - (d) any elected member of the authority who has primary responsibility for the resources of the authority;
 - (e) any person who is invited by the forum to attend in order to provide financial or technical advice to the forum; and
 - (f) an observer appointed by the Secretary of State
- 4.7 The Forum can decide whether any one not covered by this Constitution may attend a meeting. Visitors should be asked to leave if confidential items are discussed, unless the Forum have asked them to take part in a specific discussion.

Quorum

- 4.8 The Forum will be quorate if at least forty percent (40%) (rounded up to a whole number) of the total membership in position is present at a meeting.

Decisions

- 4.9 The Forum will unless otherwise stated within this document, arrive at its decisions by consensus.
- 4.10 However, if it is necessary to take a vote the following arrangements apply, subject to paragraph 4.11:
- (a) every member of the Forum will have one (1) vote;

- (b) a resolution will be passed by simple majority, subject to the following provision; and
- (c) where there are an equal number of votes for and against a proposal, the Chair will have the casting vote.

4.11 Where the vote is in respect of arrangements where voting requirements are set by government regulations, those regulations shall apply. In these circumstances the authority will highlight the voting arrangements which will apply in the Schools Forum papers supporting the vote.

4.12 Once a decision has been taken, all members will be bound by it, but any member can ask for their opinion to be recorded in the minutes.

Forum Sub-Groups

4.13 The Forum may establish sub-groups from their membership to consider in detail specific issues on their behalf and report their findings back to them.

Officers:

Chair and Vice Chair:

4.14 The Chair and Vice Chair must be members of the Forum and will be elected from all nominees by secret ballot at the first meeting of the school year, and annually thereafter. Prior to the election the forum shall determine the date on which the term of office of the Chair shall end.

4.15 In the event that there is only one (1) candidate for each position, it will not be necessary for members to vote, and those candidates will be appointed to the positions.

4.16 If for any reason it is not possible to reach a decision regarding the persons to be appointed to the positions of Chair or Vice Chair, the matter will be considered at the next meeting of the Forum.

4.17 The Clerk to the Forum must act as Chair during the part of the meeting at which appointments to the posts of Chair or Vice Chair are considered.

4.18 The Chair and Vice Chair will hold office until a decision has been reached about their successors at any meeting or until they are no longer members of the Forum.

4.19 All candidates must comply with the paragraphs in this document on Conflicts of Interests and leave the meeting at which their suitability for either of these positions is to be discussed.

4.20 The Chair and Vice Chair may resign from their posts at any time by giving written notice to the Clerk and can be removed from the post with immediate effect in the event that a resolution to remove the Chair or Vice Chair has been passed at two consecutive meetings which have been convened in accordance with the following rules:

- (a) seven (7) clear days' notice of each meeting is given;
- (b) removing the Chair or Vice Chair is a specific item on the agenda for both meetings;

- (c) there are at least fourteen (14) days between the two meetings;
- (d) there are at least two-thirds of the members (rounded up to a whole number) at both meetings, and before the vote at the second meeting, the member proposing the removal of the Chair or Vice Chair states reasons for the proposal, and the Chair or Vice Chair is given an opportunity to make a statement in reply.

Acting Chair:

4.21 If the Chair is unable to attend any meeting, or if the post is vacant, the Forum members will elect one of those members present to Chair that meeting only, normally being the Vice-Chair.

Clerk:

4.22 The Clerk to the Forum will be appointed by the Director for People and will convene, direct, offer advice on procedure and minute meetings in accordance with directions given by the Forum.

4.23 The Clerk will not have either a vote or a casting vote when in the position of acting Chair in accordance with paragraph 4.17.

Administration

4.24 Every member of the Forum will be given at least seven (7) days' written notice of the date of a meeting with a copy of the agenda for that meeting. The notice and agenda will be sent out by the Clerk to the Forum. A copy of the paperwork will be sent to the Director for People at the same time as to members of the Forum. Shorter notice can only be given if the Chair (or the vice-Chair if the Chair is absent or the position has not been filled) agrees that there is an urgent need for a meeting. Meetings to consider the removal of the Chair or a co-opted governor must be convened with at least seven (7) clear days' notice. Papers should be left at or sent to members' preferred address. Meetings will still be valid even if intended recipients fail to receive their copy of the papers which have been correctly addressed and posted.

4.25 The agenda will be set by the Chair of the Forum following consultation with the Director for People and the Clerk to the Forum. The Forum will whenever necessary consider and revise an annual work programme for meetings.

4.26 Minutes of each Forum meeting must be taken by the person acting as Clerk. A copy of the draft minutes will be circulated to member within two (2) weeks of the meeting prior to their formal approval at the next meeting, two (2) weeks after which the approved minutes will be circulated.

4.27 The Clerk must make sure that copies of the agenda, draft and approved minutes and any report, document or other paper considered at a meeting (not including confidential items) are made available at County Buildings for anyone to read. Agendas, reports and minutes should also be posted on the Forum's website, with a summary circulated to all Staffordshire schools.

Confidentiality

4.28 The following information which may be presented, discussed and voted upon at any meetings of the Forum, must be kept confidential:

- (a) the votes of individual members;
- (b) opinions by members involving a named person which are in any way sensitive or critical;
- (c) anything else which the Forum decides ought to be considered as such.

4.29 Confidential information will be recorded separately by the Clerk and will not be available for inspection by the general public.

Conflicts of Interest

4.30 In common with other aspects of working in public life, Forum members should, for reasons of probity, be aware of circumstances in which they should withdraw from meetings. The general principle is that no-one should be involved in a decision where his or her personal interests may conflict with those of the Forum.

4.31 Forum members should declare any personal interest as soon as a matter in which they have an interest is raised and withdraw from that meeting. However, Forum members need not withdraw because of an interest that is no greater than that of other members of the Forum, e.g. primary school nominees should not withdraw from discussions on primary school funding.

Proceedings

4.32 The proceedings of the forum shall not be invalidated by:

- (a) any vacancy among their members;
- (b) any defect in the election of appointment of any members; or
- (c) any defect in the appointment of the Chair.

5 FUNCTIONS

Consultation with the Schools Forum on the school funding formula

5.1 The Council will consult the Forum on:-

- (a) 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 their formula made in accordance with regulations made under section 47 of the School Standards and Framework Act 1998, and
- (b) the financial effect of any such change.

5.2 Consultation under paragraph 5.1 will take place in sufficient time to allow the views expressed to be taken into account in the determination of the relevant authority's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

Consultation on contracts

5.3 The Council will, at the meeting prior to the issue of invitations to tender (being at least one month prior to invitations to tender), consult the Forum on the terms of any proposed contract that is paid out of the schools budget for services or supplies to schools, where such a contract is to be let by the Council to a value equal to or exceeding the local government threshold stipulated in the EU Procurement Directive.

5.4 The Council may also consult the Schools Forum on school support service quality assurance and the future development of service level agreements.

Consultation on financial issues

5.5 The Council will consult the Forum annually in respect of functions relating to the schools budget, including:-

- (a) the arrangements to be made for the education of pupils with special educational needs;
- (b) arrangements for the use of pupil referral units and the education of children otherwise than at school;
- (c) arrangements for insurance;
- (d) prospective revisions to the scheme for the financing of schools;
- (e) administrative arrangements for the allocation of central government grants paid to schools via the Council;
- (f) arrangements for free school meals.

5.6 The Council will consult the Forum on such other matters concerning the funding of schools as it sees fit and as required by government regulations.

Reports by the Forum

5.7 The Forum will, as soon as reasonably possible and in any event by any date specified by the Council, provide the Council with a report in writing in response to any consultation under this section 5.

Other functions

5.8 The Forum may commission and publish reports and research into school funding issues. The Forum may also commission or liaise with working groups on issues related to the function of the Forum.

Provision of account to schools

5.9 The Forum will, as soon as reasonably possible, inform the governing bodies of maintained schools of:

- (a) all consultations carried out under this section 5, and
- (b) any reports provided by the Forum under paragraph 5.7 above.

Consultation

5.10 It is a responsibility of the Council to ensure there is consultation with all schools on the following issues:

- (a) changes to the School Funding Formula;
- (b) changes to the Scheme for Financing Schools.

6 EXPENSES

Forum's Expenses

6.1 All expenses of the Forum will be met by the Council and charged to the schools budget.

6.2 The Council will publish by 30 June of each year, a statement setting out:

- (a) the costs of servicing the Forum which have been charged to the schools budget for the preceding financial year;
- (b) the costs of additional work commissioned by the Forum which has been charged to the schools budget for the preceding financial year.

Members' Expenses

6.3 The Council will reimburse the reasonable travel costs of members for attendance at the Forum's meetings, following receipt of a valid claim, at its current mileage rate for attendance at in-service training activities.

Staffordshire County Council's Schools Forum Membership

1. The Forum will have a maximum of thirty one (31) members:
 - (a) twenty two (22) schools members; and
 - (b) nine (9) non-schools members.

2. The Forum's members will include the following:
 - (a) School Members:
 - eight (8) places for primary schools representatives, who are either a governor, Headteacher or a senior member of staff, being from the age range and areas of schools set out in Appendix B;
 - four (4) places for secondary schools representatives, who are either a governor, Headteacher or a senior member of staff, being from the age range and areas of schools set out in Appendix B;
 - four (4) places for an academy representative, elected from the academies within the authority's area, who are either a governor, Headteacher or a senior member of staff, being from the age range and areas of schools set out in Appendix B;
 - one (1) place for a primary schools representative, elected from its membership by the Council's Primary Heads Forum;
 - one (1) place for a secondary schools representative, elected from its membership by the Council's Secondary Heads Forum;
 - two (2) places for special schools representative, who are either a governor, Headteacher or a senior member of staff;
 - one (1) place for a nursery school representative, who is either a governor, Headteacher or a senior member of staff;
 - one (1) place for a pupil referral unit representative, who is either a governor, Headteacher or a senior member of staff

Notes:

- (1) A "senior member of staff" means a principal, deputy headteacher, assistant headteacher, bursar or other person responsible for the financial management of the school.
- (2) At least one member must be a representative of the governing bodies of maintained schools and at least one member must be a representative of the headteachers of such schools.

- (b) Non-school Members:

- one (1) place for a member nominated by the Lichfield Diocesan Board of Education;
- one (1) place for a member nominated by the Birmingham Diocesan Schools Commission;

- one (1) place for a Parent Governor representative nominated by the Council's Prosperous Staffordshire Select Committee.;
- two (2) places for representatives of the Early Years PVI sector nominated by the Early Years sector;
- two (2) places for members nominated by the 16-19 Education; and
- two (2) places for representatives of the schools consultative groups nominated by the County Secretaries.

Election Timetable

School Members	School Group	Representing	Election Date*		
			May 2017	May 2019	
Primary Schools	Infants	All districts	*		
	Primary	East Staffs & Tamworth	*		
		Cannock & Lichfield	*		
		Newcastle & Moorlands		*	
		Stafford & South Staffs		*	
		South Staffs, Stafford, Cannock & Lichfield		*	
	First	Newcastle, Moorlands, East Staffs & Tamworth	*		
		Junior	All districts		*
		Primary Heads Forum Representative			*
	Secondary Schools	11-16	All districts	*	
13-18		All districts	*		
11-18		Cannock, Lichfield, East Staffs & Tamworth		*	
11-18		Stafford, South Staffs, Newcastle & Moorlands	*		
Secondary Heads Forum Representative			*		
Academies	Primary	All primary academies	*		
	Middle	All middle schools		*	
	11-16 secondary	1	*		
	11-18 secondary	2		*	
	Special School Representative	1	*		
	Special School Representative	2		*	
	Pupil Referral Unit Representative	1	*		
Nursery School Representative	1	*			
Non Schools Members					
	Lichfield Diocesan Board of Education	1	*		
	Birmingham Diocesan Schools Commission	1		*	
	The relevant Education based Select Committee	1		*	
	PVI Early Years Representative	1	*		
	PVI Early Years Representative	2		*	
	16-19 Education	1	*		
	16-19 Education	2		*	
	School Consultative Group Representative	1	*		
	School Consultative Group Representative	2		*	

Membership **Selection, Nomination and Appointment Timetable**

During an election year, the Council will, where possible, arrange for vacancies on the Forum to be filled in accordance with this Constitution and by the dates indicated below:

Spring term

- seek applications for schools members via a notice to head teachers and chairs of governing bodies requesting that the matter be raised with staff and governing bodies by no later than second week of spring term;

- seek nominations for non-schools members from the relevant bodies to be received by no later than the end of term;

- applications and nominations to be received by the end of the term.

Summer term

- confirm membership of nominees by no later than second week of summer term;

- confirm membership where one application per position received by no later than second week of summer term;

- carry out election in those groups where there is more than 1 application by no later than half-term break .

All members are appointed and attend their first meeting as soon as possible.
