

# Constitution of the Worcestershire Schools Forum January 2015

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## 1. Name and Standing

1.1 The Organisation shall be called the Worcestershire Schools Forum ('the Forum').

1.2 The effective date for the introduction of the provisions within the Constitution is 1<sup>st</sup> January 2015.

1.3 The Constitution provisions adhere to the legislative requirements within the Schools Forum (England) Regulations 2012 ('the Regulations').

1.4 The Constitution will be amended: -

- as required by virtue of amendments to the Regulations or the issue of new Regulations and/or DfE Guidance; and
- as agreed by the Forum providing they continue to meet the statutory provisions within the Regulations.

## 2. Functions

2.1 The Forum shall provide a formal channel of communication between the Local Authority (the LA) and schools and shall serve as a mechanism for consultation in respect of the matters at 2.2 to 2.4 below and on other matters as the LA sees fit.

2.2 The Forum shall be consulted on any proposed changes to the LA school funding formula and the LA shall consult the Forum in sufficient time to allow the views expressed to be taken into account in determination of the LA's formula and in the initial determination of the schools budget share before the beginning of the financial year.

2.3 The Forum shall be consulted on the terms of any proposed contract for supplies or services being a contract paid or to be paid out of the schools budget where the estimated value of that contract is not less than the thresholds pursuant to regulation 8 of the Public Services Contracts Regulations 2006.

2.4 There shall be annual consultation in respect of the LA's functions relating to the schools budget in connection with the following: -

- the arrangements to be made 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 education;

- administrative arrangements for the allocation of central government grants paid to schools via the relevant authority.

2.5 The Forum shall as soon as reasonably possible and by relevant means, inform governing bodies of maintained schools of all Forum business and consultations carried out under the provisions of this section 2.

2.6 The LA and Forum shall exercise their respective powers and responsibilities as prescribed and detailed in the Regulations and the DfE Schools Forum: Operational and Good Practice Guidance.

## 3. Membership

3.1 In setting these arrangements the Forum shall, as far as is practicable, have membership from Head Teachers and Governors, which represent the school phases and geographical areas of the County Council.

3.2 Membership of the Forum shall not exceed 26 and shall comprise of: -

3.2.1 20 School Members

- 4 Nursery School/First School/Primary School Head Teacher representatives.
- 3 Nursery School/First School/Primary School Governor representatives.
- 1 Middle School Head Teacher representative.
- 1 Middle School Governor representative.
- 3 Secondary School/High School Head Teacher representatives.
- 3 Secondary School/High School Governor representatives.
- 2 Special School Head Teacher representatives.
- 1 Special School Governor representative.
- 1 Pupil Referral Unit/Alternative Provision Headteacher representative.
- 1 Pupil Referral Unit/Alternative Provision Governor representative.

3.2.2 6 Non School Members

- 1 Teacher Associations representative.
- 1 Archdiocese of Birmingham Schools Commission representative.
- 1 Church of England Board of Education representative.
- 2 Private, Voluntary and Independent (PVI) sector representatives.
- 1 16-19 Providers representative.

3.2.3 1 Observer Member

- 1 Education Funding Agency (EFA) representative.

### 3.3 Membership Stipulations

#### 3.3.1 School Members

- There shall be one representative from a Nursery School.
- The representation from First, Primary, Middle, Secondary and High School Sectors must be broadly proportionately represented on the Forum between Maintained Schools and Academies, having regard to the total number of pupils registered.
- Where there is at least one maintained secondary school at least one school member must be a representative of a secondary school.
- The representation from Special Schools must include a Special Academy or Free School.
- The representation from Pupil Referral Units (PRU) and Alternative Provision (AP) must include an AP Academy or Free School.
- Head Teacher representatives shall be nominated by the Head Teacher representative groups.
- Governor representatives shall be nominated by the Worcestershire Association of Governors.
- Academy sector representatives can also be nominated by the proprietors of the academies in the LA area.

3.3.2 Non School Members shall be nominated by their retrospective managing Groups, Governing Bodies, Committees or Organisations.

3.4 Each individual Forum member is able to nominate a named substitute who will be able to attend meetings in their absence. Substitute members are bound by the provisions in the Constitution and will have full membership rights and powers for any meetings they attend as a substitute.

3.5 Each Member shall be appointed for a period not exceeding 2 years (one 'term of office') and shall remain in office until: -

- they cease to hold the office by virtue of which they became eligible for appointment to the Forum; or
- their term of office comes to an end; or
- they resign their office.

3.6 Upon completion of one term of office each member can seek re-nomination up to the limit detailed in section 3.7

3.7 Each member can be nominated for a maximum of 3 terms of office only (i.e. 6 years) after which they must stand down unless the nominating group approves that membership is continued for further terms. In agreeing this, the nominating groups must consider the potential implications in arriving at their decision.

3.8 Membership seats are for categories so a change in membership category for an existing Forum member means they are able to serve further terms of office as detailed in paragraphs 3.6 and 3.7 in the new category.

3.9 Each member is required to give one school terms notice of resignation from the Forum.

3.10 Within two months of the appointment of any non-schools member the LA shall inform schools of the name of the Member and the appointing body.

## 4. Meetings of the Forum

4.1 The Forum shall meet at least four times during each year and reserves the right to convene meetings as required. Depending upon the timing of national funding proposals the Forum may wish to agree an annual cycle of meetings.

4.2 At least 14 days' notice of a non-scheduled meeting of the Forum shall be given in writing addressed to Forum Members and the Observer.

4.3 The agenda of a meeting of the Forum shall be circulated to Members and the Observer of the Forum at least 7 days prior to the date of a meeting of the Forum.

4.4 The business of the Forum shall be conducted in public but this does not extend to public participation which is not permitted. Specific representation to the Forum has to be made by Forum members on behalf of the groups they represent.

4.5 Agendas, supporting papers and decisions for meetings of the Forum shall be made available on the public area of the Worcestershire County Council website.

4.6 Persons who may speak at meetings of the Forum, even though they are not members of the Forum, are as detailed in the Regulations.

4.7 The quorum of the Forum shall be 40% of the total membership.

4.8 If prior to the start of any Forum meeting the Forum is inquorate the members present will decide by a simple majority whether to proceed with the meeting. In the event of an inquorate Forum proceeding to consider the business on the agenda the record of the meeting should be received as notes and not minutes of the meeting and any advice given to the LA as a result of such a meeting does not have to be taken into account by the LA.

4.9 Forum members and their named substitutes can attend the same Forum meeting but the substitute will attend in an observer and non-voting capacity only.

## 5. Chairperson and Vice Chairperson

5.1 The business of the first meeting of the Forum at the start of the academic year shall include, if required, the election of a Chairperson and Vice-Chairperson to preside over meetings of the Forum.

5.2 The Chairperson and Vice-Chairperson shall be elected either for a period of two years or to the expiry of their term of office (if sooner).

5.3 The Chairperson and Vice Chairperson will be required to resign the office prior to the end of their term of office if they cease to hold the office by virtue of which they became eligible for appointment to the Forum.

5.4 Elections for Chairperson and Vice Chairperson shall be held at the next meeting of the Forum following the expiry of the term of office or date of resignation.

## 6. Voting

6.1 Decisions of the Forum shall be made by a simple majority of the Members present and voting, subject to the provision in 6.2.

6.2 Non School members, other than those who represent early years providers, must not vote on matters relating to the formulae to be used by the LA to determine the amounts to be allocated to schools and early years providers.

6.3 In the event of an equality of votes the Chairperson shall have a casting vote.

6.4 Any amendment to this Constitution shall only be considered at a meeting for which at least 28 days' notice has been given and shall be passed only on the approval of 50% of the Members present and voting.

## 7. Declarations of Interest

7.1 Any Member with a personal interest in a matter who attends a meeting of the Forum at which the matter is considered must disclose to the meeting the existence and nature of that interest at the commencement of the meeting or at such time as the interest becomes apparent.

7.2 Any Member should regard him or herself as having a personal interest in any matter if a decision upon it might reasonably be regarded as affecting the well-being or financial position of him or herself, a relative or a friend, or any employment or business carried on by such persons.

7.3 In these cases the Member may be asked to leave the meeting whilst the Forum considers specific items.

## 8. Working Groups

8.1 The Forum may appoint such Working Groups as it deems necessary for the consideration of specific matters and shall decide upon the terms of reference for such groups as appropriate.

8.2 The Forum may invite Members of the Forum and other persons as it deems necessary to take part in such Working Groups.

8.3 The Forum shall consider the work of such Working Groups and shall make recommendations to the LA as appropriate.

## 9. The Clerk to the Forum

9.1 The minutes of the proceedings of a meeting of the Forum shall be drawn up by the Clerk.

9.2 The minutes will be distributed to all Forum members within 14 days of the last Forum meeting.



9.3 The Clerk shall record the names of all those persons present at any meeting of the Forum including Forum Members, Forum Member substitutes, LA members, LA officers and any other attendees.

9.4 The Clerk shall record the names of those persons arriving after the business has commenced or leaving prior to the business being completed.

9.5 The Clerk shall record the names of those persons leaving the room for relevant items.

9.6 Forum members are required to notify the Clerk of: -

- their named substitute;
- their apologies for nonattendance at any Forum meeting;
- the attendance of their substitute at any Forum meeting; and
- any change to their membership status including resignation.

9.7 Notices of appointments, resignations or removals from the Forum shall be given in writing to the Clerk.

9.8 The Clerk shall write accordingly confirming relevant status issues to: -

- Forum members resigning their office;
- New Forum members; and
- Forum members whose term of office is due to expire.

## 10. Expenses

10.1 All expenses of the Forum shall be met by the LA and charged to the Schools Budget.

10.2 Within the provisions of 10.1 above the LA shall reimburse all reasonable expenses of members in connection with attendance at meetings of the Forum in accordance with the appropriate guidelines issued by the Director of Children's Services from time to time.

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