

# CONSTITUTION OF THE CAMBRIDGESHIRE SCHOOLS FORUM

*National regulations govern the composition, constitution and procedures of Schools Forums. These can be accessed at: -*

<http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefunding/schoolsforums>

This document is divided into 3 sections:-

- A Terms of Reference of the Cambridgeshire Schools Forum
- B Membership of the Cambridgeshire Schools Forum
- C Operating Conventions of the Cambridgeshire Schools Forum

## **(A) TERMS OF REFERENCE OF THE CAMBRIDGESHIRE SCHOOLS FORUM**

The Cambridgeshire Schools Forum exists to facilitate the involvement of schools and settings in the distribution of relevant funding within the local authority area. It will decide on all matters within its competence, according to the Schools Forum and Schools Finance regulations currently prevailing. This includes deciding on:

- Central Schools Spend on
  - funding for significant pre16 pupil growth
  - Equal pay back-pay
  - Places in independent schools for non-Special Educational Needs (SEN) pupils
  - Early years expenditure
  - Carbon reduction commitment
- Central Spend on
  - Admissions
  - Servicing of Schools Forum
  - Capital Expenditure funded from revenue contributions to combined budgets
  - Schools budget centrally funded termination of employment costs
  - Schools budget funded prudential borrowing costs
- Carry forward of a deficit on central expenditure to the next year to be funded from the schools budget
- the Scheme of Financial Management changes
- The items to be removed from maintained schools' budget shares (voting restricted to representatives of maintained schools)

To be consulted annually on the following principal matters:

- funding formula changes for schools (including distributions) (voting restricted to schools members and the representative of the Early Years reference group)
- financial issues including arrangements (and their value for money) for pupils with special educational needs, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding.
- arrangements for use of any pupil referral units, BAIPs and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding.
- arrangements for early years provision.
- the terms of any proposed contract for supplies or services to be entered into by the Local authority on behalf of schools and being a contract paid or to be paid out of the authority's schools budget.

To give a view on

- the allocation of the Dedicated Schools Grant (DSG) including distribution between phases.
- schedule 2 budgets including Early Years education, Pupil Referral Units (PRUs), education out of school.
- arrangements for the allocation of central government grants paid to LA for the use of schools.
- management of any contingency budgets.
- any other matter concerning the funding of schools as Forum sees fit.
- oversee and agree the operation of the School balance control mechanism.

To be consulted on the following:-

- the development of the Council's Business Plan including proposed capital plans.
- Children's Services budgets not funded by DSG
- Children's Trusts

## **Status of the Forum**

The Forum is a non-executive body established to take decisions on a range of issues relating to the funding of schools.

Meetings of the Forum will be open to the public except for any confidential matters, which will be discussed within a closed meeting. Where a report is classified as “Confidential”, the Forum, with appropriate officer advice, will be asked at the meeting to determine its future status. The agenda, supporting papers and minutes of the Forum meetings shall be made available via the Council’s Internet.

A decision summary to be published two working days following the day of the meeting.

Minutes to be published 10 working days after the date of the meeting.

## ***(B) MEMBERSHIP OF THE CAMBRIDGESHIRE SCHOOLS FORUM***

### **Composition**

The Cambridgeshire Schools Forum shall comprise 22 members who shall be Headteachers, Governors, Early Years, Special School, Academy, Pupil Referral Unit representatives drawn from the schools/partnerships in the Cambridgeshire Local Authority area.

### **Schools Members**

Cambridgeshire Schools Forum comprises 20 members drawn from schools in Cambridgeshire. There will be a twenty second Member representing the Early Years Reference Group and a twenty third Member representing post-16 providers.

The distribution of representatives between Academy and Maintained Schools will be reviewed annually.

### **Maintained School Representation**

Seven representatives, including at least one representative of the governing bodies of maintained schools and one representative of the headteachers of maintained schools.

Nursery	1
Primary	3
Special	1
Alternative Provision	1
Governor	1

### **Academies Representation:**

13 representatives, including at least one representative of mainstream academies and one member from both special schools and alternative provision academies where they exist within the local authority area.

## Non-School Members

Two members:

One representative of the Early Years Reference Group

One representative of 16-19 education providers

## Nomination and Election of Schools Members

Support can be requested from County Council Education officers, Democratic Services, Heads Groups or Governor Groups to help manage their election processes.

At a minimum the Clerk of the Cambridgeshire Schools Forum must make a record of the process by which the constituents of each group elect their nominees to the Forum. Any election scheme must take into account the following factors:

- The process for collecting names of those wishing to stand for election.
- The timescale for notifying all constituents of the election and those standing.
- The arrangements for dispatching and receiving ballots.
- The arrangements for counting and publicising the results.
- Any arrangements for unusual circumstances such as only one candidate standing in an election or where there is a tie between two or more candidates.
- Whether existing members can stand for re-election.

Every possible eligible member of a constituency must have an opportunity to be involved in the determination of their group's election process and is given the opportunity to stand for election if they choose to do so.

### Election Processes carried out as follows for each schools member group:

- **Maintained Primary:** Election process undertaken by the Primary Head Teachers Group.
- **Maintained Special:** Representative chosen by Maintained Special Schools Headteachers.
- **Maintained Nursery:** Representative chosen by Nursery headteachers.
- **Maintained Pupil Referral Unit:** Agreed by the PRU staff.
- **Maintained Governor:** Election process undertaken by the School Governance Team following a recruitment campaign to seek volunteers from the sector.
- **Academy Representatives:** (See appendix 1 at the end of this document)

### Election Processes carried out as follows for each Non-School Member

- **One representative of the Early Years Reference Group:** will have full voting rights within the Forum. The representative will be elected by the Group.
- **One member representing providers of 16-19 education:** The representative will be elected by, and from amongst, the further education and sixth form colleges located in Cambridgeshire and from specialist institutions providing education to post-16 students

where at least 20% of those students reside in Cambridgeshire, regardless of the location of the institution itself.

## **Substitute Members**

Nominating groups may appoint two substitute members for each sector type. These members will receive agendas and minutes for all meetings. Notification of a named substitute member must be made in writing or by email to the Clerk. Substitute members may attend meetings after notifying the Clerk of the intended substitution before the start of the meeting either verbally or in writing. Substitute members must be elected on the same basis as the substantive members. Substitute members will have full voting rights when taking the place of the ordinary member for whom they are designated substitute.

In instances where the named substitutes are also unavailable then other eligible representatives can be substitutes and should be notified to the Clerk before the meeting starts.

## **Participation of Observers**

Observers shall be invited to attend Forum meetings. Observers may participate in debate but will not have voting rights should any business of the Forum require a vote. The following groups shall be asked if they would like to nominate an observer (and a named substitute) to the Forum:

- Representative from the Diocesan Board of Education
- Representative from the Roman Catholic Diocese
- Representative from the union membership of the teachers' JCNG group
- Representative from the union membership of the non-teaching JCNG group.

The following will automatically be non voting elected member observers:

- three elected Members observers to be appointed by the Council's Children and Young People Committee.

## **Observer appointed by the Secretary of State**

The Secretary of State can appoint an observer to attend and speak at Schools Forum. Where an appointment has been made, a record will be kept by the clerk.

## **County Council Officers**

Officers may attend forum meetings in an advisory capacity only. This requirement does not apply to officers who are members of the Forum because they directly manage a service which provides education to individual children.

## **Term of Office**

The term of office for members of the Cambridgeshire Schools Forum is unlimited providing they are re-elected every 4 years by the group they represent. All terms will conclude on 31

August of their final year unless there are extraordinary circumstances such as the recent COVID crisis which either prevents an election taking place or there is not a scheduled Schools Forum to confirm any new appointments. In such circumstances membership is extended by one year or until such time a replacement is agreed.

As well as the term of office coming to an end, a schools member ceases to be a member of the Cambridgeshire Schools Forum if he or she resigns from the Forum or no longer occupies the office which he or she became eligible for election, selection or appointment to the Schools Forum.

## **(C) OPERATING CONVENTIONS OF THE CAMBRIDGESHIRE SCHOOLS FORUM**

### **Ordinary meetings**

An ordinary meeting of the Forum shall be held, at a minimum, of four times a year with additional meetings to be scheduled around budget setting time or if an urgent decision is required from Forum. *Note: The legal requirement is now to meet a minimum of four times a year*

### **Notice of Meetings**

Meetings of the Forum shall be convened by the Local Authority, who will also arrange the clerking and recording of meetings (a member of the County Council's Democratic Services Team will act as Clerk). Items for consideration by the Forum shall be submitted to the Clerk no later than 10 working days prior to the meeting.

### **Chair and Vice-Chair**

The Forum will elect a Chair and Vice-Chair from the school members of the Forum who must not be an elected member of the Council or an officer.

The term of office is one year, but with the prospect of annual re-election.

### **Quorum**

The Forum shall be quorate if at least 40% of the total membership minus any vacancies is present which excludes observers.

### **Attendance**

Members of the Schools Forum are expected to represent the collective view of the group or organisation by which they have been elected and to provide feedback on the Forum's discussions and decisions to that group or organisation. To do this they will be expected to attend meetings regularly or, on those occasions when they are unable to attend, to make every effort to arrange for a substitute to attend in their place in accordance with the process set out in the Constitution. In the event that a member fails to attend two or more meetings in a six month period without a substitute being arranged they will be contacted by the Clerk to

confirm their wish for their appointment to continue. Should a member fail to attend three or more meetings in a twelve month period without arranging for a substitute to take their place the Clerk will contact their nominating group or organisation to ask if they wish the appointment to be terminated and a new representative elected.

## **Voting**

Each Member shall have only one vote. Voting shall be by show of hands. Decisions shall require a simple majority amongst the Members present and eligible to vote on a particular matter. If there are equal numbers of votes for and against, the **Chair** will have a second or casting vote. There will be no restriction on how the **Chair** chooses to exercise a casting vote.

## **Sub-Committees and Working Groups**

The Forum may have sub-committees or working groups. The Forum shall receive reports from the sub-committees or working groups to approve formally.

## **Declarations of Interest**

Any Member of the Forum who has an interest in any proposal beyond the generality of the group they represent or in which they might have a personal or prejudicial interest in, shall declare the interest at the beginning of the relevant item. The member can explain any issues to the meeting and then must leave the meeting until the item is finished. The member cannot vote on that item.

Where it is clear that a decision in which a member has such an interest is likely to arise at a particular meeting, the member concerned may invite a substitute member (with no interest to declare) in accordance with the constitution to attend that meeting in their place.

Elected Members are subject to the governance of the County Council's Code of Conduct.

## **Status of Reports**

All report authors will be responsible for informing Democratic Services in advance of the status of reports to be included on the agenda. Reports must fall into one of two categories set out below:

<b>Category</b>	<b>Status</b>	<b>Circulation limit following the Forum</b>
<b>Non-Confidential</b>	<b>Ordinary Forum</b>	<b>To be made available to schools via the Council's intranet / school portal and for the public through the Council website / internet</b>
<b>Confidential</b>	<b>Sensitive confidential information</b>	<b>Forum Members, appointed observers, lead officers and report authors only Reports to be marked accordingly</b>

Where a report is classified as "Confidential", the Forum, with appropriate officer advice, will be asked at the meeting to determine its future status.

## **Expenses**

The Local Authority (LA) shall maintain a small budget for expenses relating to the operation of the Forum from the Schools Funding Block with any underspend returned to the block.

The LA through the relevant finance officer shall reimburse the reasonable expenses of school members of the Forum when members submit appropriate claims, in connection with attendance at meetings. Supply cover should only be claimed when it has been necessary to employ a supply cover teacher to enable the Head Teacher to attend the Forum. Travel expenses should be claimed at the standard County Council rates.

## **Interpretation of the Constitution**

The **Chair or person** presiding at the meeting shall be the final arbiter regarding the interpretation of the Forum's constitution.

The constitution shall be interpreted in conjunction with relevant provisions contained in legislation relating to the Forum's proceedings. The **Chair** may also be guided by the Operational and Good Practice Guide published by the Department for Education. The requirements of legislation will prevail in the event of there being any inconsistency between the legislation and the constitution.

Proceedings of the schools forum are not invalidated by defects in elections or as a result of vacancies.

## **Amendment of the Constitution**

With the exception of matters subject to legislative provision or approval by the authority, the Forum may vary its Constitution by a simple majority vote by the members provided that prior notice of the nature of the proposed variation is made and included on the agenda for the meeting.

## **Publicity relating to the Cambridgeshire Schools Forum**

The Local Authority is responsible for putting the agenda, reports and minutes of the Cambridgeshire Schools' Forum on the Cambridgeshire County Council website and generally drawing it to the attention of schools, head-teachers and governors.



## **Appendix 1:**

### **Election Process for Academy Representatives**

Thirteen members of Forum are drawn from academies, ONE of which must be from an alternative provision academy and ONE of which must be from academy special school provision. Members will then be drawn from the following categories:

- ONE member each from the following Districts: City; South Cambridgeshire; East Cambridgeshire; Fenland and Huntingdonshire.
- ONE member drawn from a category of primary only MATs but sitting as an academy representative
- The remaining FIVE members are from a wider, non-designated 'General' category but should ideally be representative of standalone and small MATS (0-5 schools); medium sized MATs (6-15); and large, regional or national groups (16+ schools). The Chair of the CCEO group will give direction to CEOs on ensuring appropriate spread of representation.

### **Nomination and Election**

The LA Director of Education will inform the Chair of the CCEO group of any Forum vacancies and against which of the above categories. The Chair of CCEO will then invite nominations from all academy trusts, using contact details for CEOs provided by the LA Democratic Services Officer. CEOs will nominate themselves or a representative from their Trust following consultation with the Chair of their Trust Board. Nominations will be supported by a simple form setting out the qualities and qualification of the individual. CEOs should have regard to equality and diversity in the overall academy representation on Forum.

In the event of one nomination against a category, the CCEO group may appoint the representative, by common agreement. In the event of more than one nomination, the LA Director of Education will oversee an election process for which all CEOs of Trusts in Cambridgeshire (or their nominated local representatives) can cast one vote each, regardless of Trust size. Votes cast by trusts must be done following consultation by the Chair of the Trust Board acting as proprietor.

Trusts may not have more than TWO Forum members at any one time.

Terms of office will be FOUR years.

### **Status of Representatives**

Academy representatives should be CEOs; however, they may nominate headteachers from their trust and clearly where a trust has more than one representative. All academy members act in the interest of the whole sector and the wider needs of children and young people in Cambridgeshire. Academy Governors, Trustees and Members should not be representatives.

## **Chair of Schools Forum**

The CCEO group will consider which representatives it puts forward as nominations for the position of Chair. However, the choice of Chair is a matter for all Forum members.

The Chair will represent and be mindful of the view of all Forum members and will retain appropriate independence from the discussions at CCEO.

## **Relationship between CCEO Group and Forum Representatives.**

Proceeding a meeting of Forum (but not before the release of papers to all Forum members), the LA Director of Education will present an outline of the key issues for discussion at a meeting of the CCEO group, to which all Cambridgeshire CEOs or their representatives are invited to attend. The CCEO group may wish to take a view on the matters concerning school funding and other relevant matters and seek to give direction to their representatives. The purpose is not however to replicate the debate that will take place at Forum – Forum is the decision making body - but to provide a general view that will ensure that the majority of academies are speaking with one voice, enabling more efficient use of time at Forum.