

## **ISLE OF WIGHT SCHOOLS FORUM: CONSTITUTION, PROCEDURE AND ADMINISTRATION**

The Schools Forum is a statutory group with terms of reference set by the Education Act 2002 and now incorporated in the Schools Forums (England) Regulations 2012. The procedure set out below guides the Schools Forum in the Isle of Wight. The procedures are summarised under the following headings:

- Terms of Reference
- Membership
- Conduct of meetings
- Administration
- Costs of the forum
- Members allowable expenses

### **1. Terms of Reference**

The function of the Schools Forum is set out in the Schools Forums (England) Regulations 2012. The regulations define the functions as:

#### **1.1 Consultation on contracts**

The authority must consult the Schools Forum on the terms of any proposed contract for supplies or services (being a contract paid or to be paid out of the authority's schools budget)

- (a) where the estimated value of the proposed contract is not less than the threshold which applies to the authority for that proposed contract pursuant to regulation 8 of the Public Contracts Regulations 2006
- (b) at least one month prior to the issue of invitations to tender

The threshold specified in the above regulations is updated annually in December, to be effective from the following January, in line with the relative value of the Pound to the Euro.

#### **1.2 Consultation on Financial Issues**

The authority must consult the Schools Forum annually in respect of the authority's functions relating to the schools budget, in connection with the following—

- (a) amendments to the school funding formula, for which the voting is restricted by the exclusion of non-schools members except for private, voluntary and independent (PVI) representatives;
- (b) arrangements for the education of pupils with special educational needs;
- (c) arrangements for the use of pupil referral units and the education of children otherwise than at school;
- (d) arrangements for early years provision;
- (e) administrative arrangements for the allocation of central government grants paid to schools via the authority.

The authority may consult the forum on such other matters concerning the funding of schools as they see fit.

### **1.3 Information about consultations**

The Schools Forum must inform the governing bodies of schools maintained by the authority of any consultation carried out by the authority under regulation 9 or 10, as soon as it reasonably can.

## **2 Membership**

- 2.1 The Schools Forum membership is to be published on the Schools Forum webpage. It represents the minimum membership which secures a reasonable non-school membership.
- 2.2 The maintained school members consist of both headteachers (or a headteacher's representative) and governors. Heads and governors can nominate substitute members from maintained schools in order that full representation across the phases is secured at each meeting of the forum. Such substitutes should be a suitable headteacher/senior manager or governor representative. The clerk should be notified in advance when a substitute is to attend a meeting.
- 2.3 The Pupil Referral Unit should be represented by either the senior manager for the service or the headteacher. Membership includes a headteacher representative of the special schools. A substitute may be nominated in each case and the clerk should be notified in advance when a substitute is to attend a meeting.
- 2.4 The academy members are representatives of academy proprietors in the Isle of Wight and so could be a principal/headteacher or a governor or another person elected by academy proprietors. Academy proprietors can nominate substitute members in order that full representation of the academy sector is maintained. Such substitute members shall be representatives of the sector and not of an individual establishment. The Clerk should be notified in advance if a substitute is to attend a meeting.
- 2.5 Substitutes may also be nominated to attend on behalf of non-school members. The clerk should be notified in advance when a substitute is to attend a meeting.
- 2.6 Following the determination of non-school members, special school and pupil referral unit representatives the balance of maintained primary and secondary school members takes account of the relative numbers of pupils in those sectors and will be reviewed annually in September.
- 2.7 Where the annual review shows that an adjustment in relative group sizes is necessary the relevant group(s) will review the current membership and advise the clerk of the revised membership. In the absence of a voluntary agreement lots will be drawn.
- 2.8 The Executive Member of the Council with responsibility for Children's Services and Education can attend meetings, contribute to the discussion and receive first-hand the views of the Forum.
- 2.9 The election process for representatives of maintained schools, special schools, 16 – 19 providers and academies will be through the appropriate network for each sector. Early years private, voluntary and independent (PVI) representatives will be appointed by the Local Authority from nominations made through that network. Each Diocese will be responsible for nominating one Church of England and one Roman Catholic representative. All such members will represent the collective views of their colleagues wherever possible.
- 2.10 Members' terms of office are normally for four years from the date of appointment. Members are encouraged to serve for a minimum of two years but may resign at any time by sending written notice to the clerk. Members may stand for reappointment if they remain eligible.

## Paper B

- 2.11 Members cease to hold office when they are no longer part of the interest which they represent but can stay in office if they have a change of school within the same phase. Thus, if a maintained school became an Academy, then a head or governor at that school would no longer be part of the maintained schools' membership and would cease to hold office.
- 2.12 The administrative arrangements for the replacement and induction of members will be managed by the clerk appointed to the Schools Forum and membership will be published on the relevant section of the council's website.

### 3. Conduct of Meetings

- 3.1 The Finance (England) Regulations 2021 amended The Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020 to make permanent provisions to enable schools forums meetings to be held remotely. This includes (but is not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming. Where a schools forum decides to hold a public meeting by remote means only, the forum should provide support or make alternative arrangements so that any interested parties who do not have telephone or online access can attend. Virtual meetings will be open to the press and public.
- 3.2 Questions raised must be pertinent to items on the agenda and in accordance with the powers and responsibilities of the schools forum. Questions received by the clerk that are considered to be outside the remit of the schools forum will be passed to appropriate service as a Freedom of Information request.
- 3.3 During any meeting the Forum has the right to go into confidential session for all or part of the meeting. Confidential sessions are not open to the press and public.
- 3.4 The dates of meetings will be fixed on a 12-month cycle, with a minimum of four meetings per annum. The timing and frequency of meetings will be set by the Forum.
- 3.5 The Forum will elect a Chair and a Vice-Chair annually, at the first meeting in each academic year. An elected Councillor or an officer of the Council cannot hold the office of Chair of the Schools Forum.
- 3.5 Agenda items will be agreed in advance with the Chair of the Forum.
- 3.6 Local authority officers and any person who is invited to speak at meetings will be expected to submit a report to be circulated with the agenda. An example template for the format of reports is included at Appendix A.
- 3.7 The agenda and all supporting papers shall be sent, whenever possible, to members of the Forum not less than five clear days (excluding weekends and bank holidays) before the meeting. Major items will be circulated, whenever possible, up to 10 working days prior to the meeting to allow representatives time to consult.
- 3.7 The quorum will be 40% of the total of school and non-school members.
- 3.8 Declarations of interest by members should be made at the start of the proceedings.
- 3.9 In order to fulfil its functions the forum may commission work from the council; commission work from outside the council and/or undertake additional consultation at the request of the council.
- 3.10 The forum has discretion to set up sub committees and to determine the terms of reference and membership of those sub committees.
- 3.11 It will be normal practice for the forum to indicate its view on all items. Where necessary a specific counted vote will be taken and where such a vote is taken the clerk will record the numbers alongside the decision in the minutes of the meetings. Except as provided for in 3.12 all members are entitled to vote.

## **Paper B**

- 3.12 Non-school members, other than those who represent early years 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.
- 3.13 When considering those services where regulations allow for maintained primary and secondary schools to determine that budgets should be de-delegated and pooled centrally only those members representing the relevant maintained school phase may vote.
- 3.14 Minutes of the forum will be circulated as draft minutes, with the approval of the chair, to members of the Schools Forum within 10 working days of the meeting and used by the clerk to ensure actions agreed are implemented. Draft minutes will be adopted at the following meeting. The forum will determine any matters to be recorded as confidential. The adopted minutes will be included on the Schools Forum webpage.
- 3.15 The outcomes of discussions at the Schools Forum will feed into the Executive Member and other decision-making processes of the council.

### **4. Administration**

- 4.1 The Director of Children's Services, in consultation with the Head of Corporate Governance, will nominate a clerk to the Schools Forum. The clerk will be responsible for arranging all meeting administration including venue, notification of meetings, clerking and recording of meetings, pre-agenda management, distribution of agenda and minutes, including the results of meetings and the action taken by the council in response to forum advice, to forum members, and the wider school community (as agreed by the Schools Forum).
- 4.2 In accordance with the e-government strategy all forum matters will be managed electronically wherever possible although on occasions the use of paper may be deemed more appropriate.
- 4.3 The clerk will be responsible for the management of all expenses claims.
- 4.4 The Head of Finance will be responsible for preparing and monitoring annual accounts on the cost of servicing the Schools Forum and all costs associated with work commissioned by the Schools Forum.

### **5. Costs of the Forum**

- 5.1 Costs will be attributable to the Schools Budget
- 5.2 The financial undertakings of the forum will be bound by the current Financial Procedures, Financial Regulations and Contract Standing Orders as contained in the council's constitution.

### **6. Members' Allowable Expenses**

- 6.1 The regulations require that members of the forum be paid reasonable expenses. Expenses may be claimed as detailed below (6.2 - 6.5) in accordance with the current policy on travel allowances and claims as published by the Head of Finance.
- 6.2 On travel members will be reimbursed for the standard public transport fare. Motor vehicles will be reimbursed in line with the current casual staff rates specified by the NJC for local government services. Actual cost of parking will be met with proof of parking fee paid. Subsistence will not be paid.
- 6.3 Financial loss allowance will be paid. Entitlement to this allowance is subject to the respective member incurring any loss of earnings or any individual expenses (other than travel expenses).

**Paper B**

- 6.4 Childcare arrangements will be reimbursed at actual cost of care with a registered childminder and/or establishment registered under the Children Act 1989. Receipts will be expected to be submitted along with the claim form.
- 6.5 The clerk will be responsible for issuing claim forms and for ensuring that claims are submitted regularly and completed in accordance with the council policy on travel allowances and claims. Claims may be submitted at any time but must be within the same financial year.

Appendix A



**Paper**

# Committee report

Committee

**SCHOOLS FORUM**

Date

Title

Report of

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## EXECUTIVE SUMMARY

## BUDGET AREA SPENDING

## IMPACT

## NEXT STEPS

### RECOMMENDATIONS

1.

## APPENDICES ATTACHED

## BACKGROUND PAPERS

Contact Point: