**DONCASTER SCHOOLS’ FORUM**

**CONSTITUTION**

1. **INTRODUCTION**
   1. The Doncaster Schools Forum was established to meet the requirements of sections 47(1) and 47A of the Schools Standards and Framework Act 1998 (as amended) and the Schools Forums (England) Regulations 2002 (as amended)[[1]](#footnote-1). The constitution and terms of reference of the Doncaster Schools Forum may be amended at any time to meet changes to the primary legislation or to the Regulations. Doncaster Schools Forum has a formal legal standing.
   2. Doncaster Schools Forum aims to provide clear professional advice and strategic direction to the Council to aid decisions regarding education funding, and ensure that optimum value is obtained from the limited resources available for a positive impact on teaching and learning.
2. **FUNCTIONS OF THE FORUM**
   1. To serve as the main mechanism for consultation on such matters concerning the funding of schools as the Council shall see fit and in particular in relation to the matters specifically detailed below.
   2. To be consulted by the Council on any changes to its school funding formulae (Schools, Early Years and High Needs Blocks). This would include changes to factors and methodology and also in the choice of relative factors within the formulae. The Council shall consult with the Forum in sufficient time to allow the view expressed to be taken into account.
   3. To be consulted annually on financial issues related to the Schools Budget, which will include:
      1. arrangements to be made for the education of 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;
      2. arrangements for the education of children otherwise than at School and the use of Pupil Referral Units, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding;
      3. arrangements for early years provision;
      4. administrative arrangements for the allocation of central government grants paid to schools via the Council;
      5. proposed exclusions from the Minimum Funding Guarantee;
      6. other matters as the Council sees fit concerning funding.
   4. To be consulted at least one month prior to the issue of invitations to tender on the terms of any proposed contract for services or supplies to be funded from the schools budget where the estimated value exceeds the threshold determined under regulation 8 of the Public Contracts Regulations 2006 (as amended).
   5. The LA will decide on central spend on licenses negotiated centrally by the Secretary of State and children and young people with high needs, although Schools Forum will be consulted.
   6. Schools Forum has specific powers, which are as follows:-
      1. Decide on the de-delegation for mainstream schools for:-
         1. Contingencies;
         2. Administration of Free School Meals;
         3. Insurances;
         4. Licenses & Subscriptions;
         5. Staff Costs – Cover Supply;
         6. Support for Ethnic Minority Pupils/Under achieving Groups;
         7. Behaviour Support Services;
         8. Library & Museum Services;
      2. Approve central spend on:-
         1. Growth Fund (basic need including pre-opening & diseconomy of scale costs); *(Schools Forum also approves the criteria for allocating funding)*
         2. Falling rolls fund for surplus places in good or outstanding schools; *(Schools Forum also approves the criteria for allocating funding)*
         3. Equal pay back pay;
         4. Places in independent schools for non-SEN pupils;
         5. Early Years Expenditure;
         6. Admissions;
         7. Servicing of Schools Forum;
         8. Capital expenditure funded from revenue;
         9. Contribution to combined budgets;
         10. Termination of employment costs[[2]](#footnote-2);
         11. Prudential borrowing costs[[3]](#footnote-3);
         12. SEN transport costs;
      3. The Schools Forum must also approve changes proposed by the Local Authority to The Scheme for Financing Schools, following consultation with all maintained schools.
      4. The Schools Forum also decides whether to carry forward a deficit on central expenditure to the next financial year, to be funded from the schools budget.
3. **MEMBERSHIP**
   1. There are currently 23 members of the Forum as follows:-

|  |  |  |  |
| --- | --- | --- | --- |
| Type of Member | Group | Position | Places |
| School Members | Maintained Primary | Primary Heads/representatives  Primary Governors | 2  1 |
| Maintained Special | Special Head/representatives  Special Governor | 1  1 |
| Pupil Referral Units | PRU Head | 1 |
| Academies | Academy Heads/representatives | 10 |
| Special Academies | Academy Heads/representatives | 1 |
| AP Academies | AP Academy Heads | 1 |
| Non-school Members | Diocesan Representatives | | 2 |
| Early Years PVI Sector | | 2 |
| 16-19 Providers | | 1 |

* 1. The number of maintained headteacher members will reflect the proportion of pupils in schools maintained by the LA. The number of Academy members will also be determined in the same manner. There shall be one representative for Special schools.
  2. If the number of academies increases over the duration of the membership period, the membership structure will be reviewed and, if necessary, amended accordingly. The total number of members is not expected to change but the ratio between maintained school members and academy members could alter.
  3. Non-schools members will constitute a maximum of one-third of the total membership of the Forum to represent relevant bodies as defined in the regulations. Any Excepted relevant officers shall be nominated by the Director for Children’s Services.
  4. Within one month of the appointment of any non-schools members Doncaster Council shall inform Schools Forum members of the name and the group being represented.
  5. Elected members or relevant officers[[4]](#footnote-4) of Doncaster Council may not be appointed as a member of Schools Forum.
  6. The Schools Members Headteacher positions (including substitutes) will be elected on the following basis[[5]](#footnote-5) unless there is only one eligible candidate, in which that candidate is automatically elected to the Schools Forum:
     1. Nomination forms circulated by the Clerk of the Schools Forum to all potential candidates four weeks prior to the deadline for nominations to be received.
     2. If nominations are equal to the number of places available then all nominations will be endorsed, with no further action required.
     3. If there are more nominations than places an email will be sent by the Clerk of the Schools Forum to all Heads in the relevant sector (excluding those nominated) asking them to vote (a ballot form will be issued with the email). The vote will not be invalidated by a low turnout.
        1. All ballot forms will be counted by the Clerk of the Schools Forum and verified by the Directorate Finance Manager (or representative). The candidate with the most votes will be elected, followed by the candidate with the next most votes and so on until all available positions are filled. Once all positions are occupied any remaining candidates will not be elected to the Schools Forum.
        2. In the event of a tie between two or more candidates, the successful candidate(s) will be determined by the drawing of lots, which will be undertaken by a member of the Financial Management Team and witnessed by the Clerk of the Schools Forum and the Directorate Finance Manager (or representative).
     4. If there are insufficient nominations, all those nominations received will be endorsed. The remaining places will be reviewed to ensure the membership is representative of all types of schools and if necessary there will be a Second stage nominations process to target the areas with low representation.
  7. The Schools Members Governor positions will be elected using the same basis as School Member Headteacher positions and contacted via schools.
  8. The Non-schools members will be elected on the following basis:
     1. Diocesan representatives will be nominated by their respective Diocese (Catholic Diocese of Hallam and C of E Diocese of Sheffield).
     2. Early Years PVI representative will be nominated through communication arranged by the Early Years Service.
     3. 16 – 19 providers representative will be determined through communication between the Clerk of the Schools Forum and the eligible candidates.
  9. If nominations for any group do not take place by the date set by Doncaster Council, membership will be determined in a manner deemed appropriate by the Council.
  10. The term of office for schools and non-schools members of Schools Forum shall be 2 years. After which, all members can be re-nominated and re-elected for the next membership period.
  11. Schools and non-schools members shall remain in office until:
      1. he/she ceases to hold the office by virtue of which he/she became eligible for appointment to the forum
      2. his/her term of office as a schools or non-schools member comes to an end, or
      3. he/she resigns his/her office as a schools or non-schools member.
      4. Replacement members may be nominated or elected in accordance with the procedures above and will service the remainder of the Term, not the full two years.

1. **ADMINISTRATION**
   1. A member of the Financial Management (LOCYP) team will act as clerk to Schools Forum, which is an important role ensuring that meetings are well organised and run smoothly. The clerk will notify members of the meeting dates, circulate agendas and reports, record and circulate minutes and process expenses to the Schools Forum budget. The clerk will also be responsible for ensuring the Council website is kept up to date with the relevant Schools Forum information and for circulating a Schools Forum newsletter to all relevant parties following each meeting. All papers for the meetings will be sent to members at least 6 working days prior to a meeting. In some urgent cases the Chair may agree to information being tabled at a meeting.
   2. Notices of appointment, resignation or removal shall be sent to the clerk in writing.
   3. The minutes of the Schools Forum meetings will be formally approved at the subsequent meeting.
   4. The clerk will provide copies of agendas, reports and minutes considered at a meeting when requested. Previous agendas, reports and minutes will be available via the Council’s website.
   5. The Council will be responsible for setting the Schools Forum agenda and the dates of meetings. However, members can make suggestions and the views of members will be taken into consideration when finalising agendas and the dates of meetings.
2. **CONDUCT OF MEETINGS**
   1. Timing and Frequency of Meetings

Meetings of the Forum will take place at least four times a year (generally, one meeting in the spring term, two in the autumn term and one in the summer term). All meetings must be public meetings. When a member of the public requests to attend a meeting they are provided with the ‘Information sheet for members of the public attending schools forum’ shown at appendix A. The programme of ordinary meetings will be agreed on an annual basis and any changes will be agreed by Forum. The volume of business may require additional meetings to be arranged; these will be notified and agreed with the Forum.

* 1. Extraordinary Meetings

The Chair of the Forum or one third of Forum members may call an Extraordinary Meeting of the Forum. Notification must be sent to the clerk to the Schools Forum, who will arrange the meeting in accordance with the directions received.

* 1. Quorum

In accordance with the regulations, the Quorum of a Forum meeting is 40% of the voting members (10 members if no vacancies); this excludes any observers and the membership count excludes vacancies but includes substitutes in attendance. Inquorate meetings may proceed, but decisions cannot be agreed.

* 1. Substitutes

Members should contact the Clerk to the Schools Forum if they are unable to attend a meeting. The Clerk to the Schools Forum will then contact a substitute, where appropriate, and notify the Chair of the Forum prior to the start of the meeting. If there are no nominated substitutes for a particular group then that member may send an appropriate substitute on their behalf (i.e. a member of their schools management team), but this must only be by exception and must also be agreed by the Chair of the School Forum. The Clerk needs to be informed no later than 6 working days before the meeting. This does not affect any individual’s right to attend the School Forum as an observer.

* 1. Voting

Schools Forum shall aim to arrive at a consensus decision in the first instance. Where consensus agreement cannot be reached any matter will be decided by a simple majority of those members voting, present in the room at the time the question was put unless the Chair decides that a secret ballot is appropriate. If there are equal numbers of votes for and against, the Chair will have a second or casting vote. Where considered appropriate by either the Chair or the Clerk, details will be taken of votes cast by constituency (e.g. Primary, Secondary etc). Records of named votes will only be recorded with the agreement of the Forum through a formal vote.

Voting/approval on some items is restricted to certain members. For example, changes to The Scheme for Financing Schools must be voted on/approved by maintained school members only, and apart from the Early Years PVI member, all non-schools members are excluded from voting on/approving matters relating to the funding formulae. Restrictions would also apply to decisions on de-delegation.

* 1. Declarations of Interest

Where a member has a personal or pecuniary interest (either as an individual or as a headteacher/governor of a school) in a matter to be discussed at a meeting of the Forum or a sub-committee, the member concerned must declare the interest at the beginning of the meeting or as soon as the matter in which they have an interest is raised. The Forum will then decide whether the declared interest is of a significant nature and that the member should either withdraw from the meeting during the consideration or remain but have no vote on the matter. Members will have an interest in a number of discussions that take place at Forum but should not have a greater interest than other members of the sector e.g. all primary members will have an interest in discussions on primary school funding.

* 1. Observers and Right of Attendance

The following persons may attend as observers and speak at Schools Forum meetings, even though they are not members of the Schools Forum:-

* + 1. Director of Children’s Services or their representative(s)
    2. Chief Financial Officer or their representative(s)
    3. An elected Member of the Council who has primary responsibility for Children’s Services or Education or responsibility for the resources of the Council
    4. Any person who is invited by the Forum to attend in order to provide financial or technical advice to the Forum
    5. An observer appointed by the Secretary of State
    6. Any person presenting a paper or other item to the Forum that is on the meeting’s agenda, but that person’s right to speak shall be limited to matters related to the item that the person is presenting.

In addition to the above list, the following can attend the Doncaster Schools Forum as observers:-

* + - * Trade Union Representative;
      * 3x School Business Managers/Finance Officers – one from each of the primary, secondary and special sectors. Election to these positions will follow the procedure adopted for the Headteacher elections.
  1. Record of Attendance

Each member of the Forum attending a Meeting of the Forum or of any of its Committees or Sub-Committees of which he/she is a member, shall sign his/her name in the Attendance Book or sheet provided for that purpose.

* 1. Members Conduct

If the Chair is of the opinion that a member has behaved improperly or offensively or deliberately obstructing the business, the Chair may notify the Meeting of that opinion and may take any of the following courses of action either separately or in sequence:-

* + 1. Member not to be heard further
    2. Move that the member be not heard further. If seconded the Motion will be voted on without discussion. If carried, the member shall not speak further at the Meeting.
    3. Move that the member leaves the Meeting. If seconded, the Motion will be voted on without discussion. If carried the member shall immediately leave the Meeting.
    4. Adjourn the Meeting for 15 minutes or such period as he/she considers appropriate.
    5. Order the member to leave the Meeting or, if necessary, the member to be removed.

If there was a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/she thinks necessary.

* 1. Sub-groups

Schools Forum may establish sub-groups to work on specific matters as deemed necessary and shall decide the terms of reference and schools membership.

* 1. Chair/Vice Chair

The Forum shall elect a Chair and Vice-Chair for the membership period (two years) at the first meeting of the new membership period by a majority of votes cast. It is not necessary to vote if there is only one nomination.

If the Chair or Vice-Chair leaves during the membership period a new Chair or Vice-Chair will be nominated on the same basis at the next meeting and will serve the remainder of the membership period.

If the Chair or Vice-Chair isn’t present at the meeting Forum Members will elect a member to preside.

The Chair or Vice-Chair can not be an elected member or officer of Doncaster Council.

* 1. Invalidation of Proceedings

The proceedings of the Forum are not invalidated by:-

5.12.1 Any vacancy among their number

5.12.2 Any defect in the election or appointment of any member

5.12.3 Any defect in the election of the Chair

1. **SCHOOLS FORUM BUDGET/MEMBERS EXPENSES**
   1. Each year the Forum will agree its annual budget for the forthcoming financial year, taking into account the estimated number of meetings and all direct costs, plus any special projects that are to be commissioned.
   2. The clerk to the Forum will produce an annual statement showing the cost of the Forum for the previous financial year.
   3. For Headteacher attendance Reimbursement of average main pay scale supply teacher costs payable direct to the employing school in half day blocks based on meetings attended.
   4. Governors are entitled to reimbursement for travel expenses incurred; this will be paid at the same rates paid to staff in accordance with the Council’s policy.
2. **AMENDMENTS TO THE CONSTITUTION**
   1. Any change to this constitution will be recommended by Doncaster Council and passed by two thirds majority of the members present in person and voting at a meeting of the Forum of which notice has been given specifying the matter to be discussed. The final decision of any proposed change rests with Doncaster Council.

**APPENDIX A**

**INFORMATION SHEET FOR MEMBERS OF THE PUBLIC ATTENDING SCHOOLS FORUM**

**1. About Schools Forum**

The Schools Forum was established to meet the requirements of sections 47(1) and 47A of the Schools Standards and Framework Act 1998 and the Schools Forums (England) Regulations 2002.

Schools Forum aims to provide clear professional advice and strategic direction to the Council to aid decisions regarding education funding, and ensure that optimum value is obtained from the limited resources available for a positive impact on teaching and learning.

# 2. Functions of the Forum

To serve as the main mechanism for consultation on such matters concerning the funding of schools as the Council shall see fit and in particular in relation to the matters specifically detailed below.

To be consulted by the Council on any changes to its school funding formulae (Schools, Early Years and High Needs Blocks). This would include changes to factors and methodology and also in the choice of relative factors within the formulae. The Council shall consult with the Forum in sufficient time to allow the view expressed to be taken into account.

The Schools Forum must approve movement of up to 0.5% from the schools block to other blocks.

To be consulted annually on financial issues related to the Schools Budget, which will include:

* arrangements to be made for the education of 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 pupil referral units 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;
* administrative arrangements for the allocation of central government grants;
* other matters as the Council sees fit concerning funding.
* exclusions from MFG for application to DfE.

To be consulted at least one month prior to the issue of invitations to tender on the terms of any proposed contract for services or supplies to be funded from the schools budget where the estimated value is in excess of the EU procurement thresholds.

The LA will decide on central spend on licenses negotiated centrally by the Secretary of State and children and young people with high needs, although Schools Forum will be consulted.

Schools Forum has specific powers, which are as follows:-

Decide on the de-delegation for mainstream schools for:-

* Contingencies;
* Administration of Free School Meals;
* Insurances;
* Licenses & Subscriptions;
* Staff Costs – Cover Supply;
* Support for minority ethnic;
* Pupils/Under achieving Groups;
* Behaviour Support Services;
* Library & Museum Services;
* School improvement

Approve central spend on:-

* Funding for significant pre-16 pupil growth, including new schools set up to meet basic need, whether maintained or academy
* Funding for good or outstanding schools with falling rolls where growth in pupil numbers is expected within three years
* Early Years block provision;
* Funding to enable all schools to meet the infant class size requirement;
* Back-pay for equal pay claims;
* Remission of boarding fees at maintained schools and academies
* Places in independent schools for non-SEN pupils;
* Admissions;
* Servicing of Schools Forum;
* Contribution to responsibilities that local authorities hold for all schools;
* Capital expenditure funded from revenue;
* Contribution to combined budgets;
* Existing termination of employment costs ;
* Prudential borrowing costs ;

The Schools Forum must also approve changes proposed by the Local Authority to The Scheme for Financing Schools, following consultation with all maintained schools.

The Schools Forum also decides whether to carry forward a deficit on central expenditure to the next financial year, to be funded from the schools budget and any brought forward deficit on de-delegated services which is to be met by the overall schools budget.

**3. Rules about members of the public speaking at meetings**

Meetings of the Schools Forum are open to the public. A member of the public can attend as an observer. Observers do not have an automatic right to speak at meetings, but the chair may allow contributions where appropriate.

The public and press may however be excluded from the meeting or part of the meeting if confidential information is likely to be discussed or considered.

Everyone in attendance at a Schools Forum meeting will be treated with courtesy and respect.

1. The latest Regulations to be enacted are the Schools Forum (England) Regulations 2012 No. 2261 [↑](#footnote-ref-1)
2. Expenditure in respect of dismissal or premature retirement of, or for the purpose of securing the resignation of, any person employed in a maintained school where the revenue savings that will be achieved are equal to or greater than the costs incurred. [↑](#footnote-ref-2)
3. Borrowing money for the purpose of facilitating the modernisation and rationalisation of the school estate, where the revenue savings that will be achieved are equal to or greater than the costs that will be incurred in borrowing the money. [↑](#footnote-ref-3)
4. Relevant Officer means the Director of Children’s Services or representative or any officer whose work involves the management of, or advice on, school funding. [↑](#footnote-ref-4)
5. Full details of the procedure will be distributed with the nomination forms at the beginning of the process. [↑](#footnote-ref-5)