

FORUM CONSTITUTION

To: Peterborough Schools' Forum

Date: 7th July 2021

From: Jonathan Lewis – Service Director Education

1.0	INTRODUCTION
1.1	At the end of the academic year, it is appropriate to reconsider the constitution and membership of Schools Forum especially as the terms of some forum members were extended due to Covid-19.
1.2	Appendix 1 outlines the latest constitution and membership of Peterborough Schools Forum. The constitution has been updated with the latest guidance, some of which are outlined in the following sections of this report.
2.0	Election of Schools Forum Reps
2.1	Annex 1 outlines the current members of the Peterborough Schools Forum.
2.2	<p>The following members of Schools Forum terms of office end this academic year –</p> <ul style="list-style-type: none">• Jo Cook, Headteacher, Paston Riding Primary School• Mark Cooper – Headteacher, Sacred Heart Primary School• Stuart Mansell, Headteacher, Nene Valley Primary School• Scott Hudson, Headteacher, Queen Katharine Academy• Bryan Erwin, Headteacher, Ken Stimpson Secondary School• Adam Brewster, Headteacher, Heltwate Special School• Alan Sadler, Governor Reference Group <p>We are hugely grateful for their contribution to the work of Schools Forum during their time in role and hope they will seek re-election.</p>
2.3	<p>The following vacancies will therefore need appointing to for the autumn -</p> <ul style="list-style-type: none">• Primary Maintained x 2• Academy School Rep x 4• Special Maintained x 1• Governor Reference x 1
2.4	The process of reappointment will commence with a view to getting people in place and inducted for the meeting in November. Annex 4 outlines the appointment process for members of the Forum.
2.5	The chair and vice chair will need reappointing from September 2021. There are also two observer posts that are vacant and efforts will be made to appoint to these roles.

3.0	Operation of Schools Forum
3.1	The national guidance for Schools Forums have been revised to make permanent provisions to enable schools forum meetings to be held remotely.
	<i>The School and Early Years 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.</i>
3.2	It is Officers view that this is an effective way of operating forum and we would like this to continue.
4.0	Self assessment checklist
4.1	Appendix 2 outlines a self assessment undertaken by the LA. It includes commentary on areas for improvement. These include – <ul style="list-style-type: none"> • The timeliness of reports being circulated • The need to promptly update the website • Training for new members.
4.2	It is proposed an update on these actions is brought to the next Forum meeting to monitor progress.
5.0	Actions for Schools Forum
	<ol style="list-style-type: none"> 1. Agree the new constitution outlined in appendix 1. 2. Agree the proposal for all meetings to take place online via Zoom. 3. Support the appointment to the vacancies on schools forum through publicising to the groups they represent the opportunities available. 4. To discuss the self assessment checked list and make suggestions for how the Forum could improve the way it operates.

Appendix 1 - CONSTITUTION OF THE SCHOOLS FORUM July 2021

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

<https://www.gov.uk/government/publications/schools-forums-operational-and-good-practice-guide-2015>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/971711/2021_Schools_forums_powers_and_responsibilities.pdf

This document is divided into 3 sections:-

- A Terms of Reference of the Peterborough Schools Forum
- B Membership of the Peterborough Schools Forum
- C Operating Conventions of the Peterborough Schools Forum
- D Appointment of Academy Representation

(A) TERMS OF REFERENCE OF THE PETERBOROUGH SCHOOLS FORUM

The Peterborough 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:

- Movement of up to 0.5% from the schools block to other blocks
- Central spend on and the criteria for allocating funding from:
 - 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
- Central spend on:
 - 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
 - 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
- The Scheme of Financial management changes

- The items to be de-delegated from maintained schools' budget shares (voting restricted to representatives of maintained schools)

To be consulted annually on the following principal matters:

- arrangements 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 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
- administration arrangements for the allocation of central government grants

To be consulted on the following:-

- The development of the Council's Medium Term Financial Plan (MTFP) including proposed capital plans.
- Children's Services budgets not funded by DSG

Appendix 3 gives further detailed information around the role / remit of Schools Forum

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 are public meetings. Agendas, supporting papers and minutes of the Forum meetings shall be made available via the Council's Learn Together site, 5 days before the meeting takes place.

(B) MEMBERSHIP OF THE PETERBOROUGH SCHOOLS FORUM

Composition

The Forum shall comprise 16 voting members who shall be Headteachers, Governors or Early Years representative drawn from the different schools/partnerships in the Peterborough Local Authority area.

Schools Members

Schools Forums Regulations suggest that the number of representatives for each phase should be proportionate to the ratio of pupils in each phase.

Peterborough Schools Forum comprises 16 schools members drawn from schools in Peterborough.

Sector	Total
Nursery Schools (Maintained)	1
Primary Schools (Maintained)	2
Special Schools (Maintained)	1
Academy	9
Alternative Provision	1
Governor Reference Group	1
Alternative Provision	1
	16

Places apportioned by CENSUS May 2021 population

Election and Nomination of Schools Members

The Clerk of the Schools Forum must make a record of the process by which the constituents of each group elect their nominees to the Schools 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.
- No more than 1 member of Schools Forum can be from the same academy chain.

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.

The currently selected groups for selection are –

- Maintained Schools – via engaging with each phase Headteacher group.
- Peterborough Academy Trust CEO Forum (PCEO) – see Appendix D
- Governor Reference Group

Non School Members

Representative on behalf of Early Years have full voting rights within the Forum. This representative will be elected by each of these groups and a record of the appointment process will be held by the Clerk of Schools Forum.

Substitute Members

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. 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.

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:

- Representatives from the Diocesan Board of Education – Ely and Peterborough
- Representative from the Roman Catholic Diocese

The following will automatically be non-voting elected member observers:

- The Cabinet Member for Education, Skills and the University

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.

City 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.

Resignations

Schools Forum members should provide written notice of their intent to resign one term prior to stepping down. The resigning member should arrange for a replacement through its respective cluster / heads group.

Term of Office

The term of office for members of the Peterborough Schools Forum is unlimited providing they are re-elected every 4 years by the group they represent.

As well as the term of office coming to an end, a schools member ceases to be a member of the Schools Forum if he or she resigns from the Forum or no longer occupies the office which he or she was nominated to represent.

(C) OPERATING CONVENTIONS OF THE PETERBOROUGH SCHOOLS

FORUM Ordinary meetings

An ordinary meeting of the Forum shall be held, at a minimum, 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 (the PA of the Service Director – Education shall act as Clerk as prescribed in Appendix 3). Items for consideration by the Forum shall be submitted to the Clerk no later than 10 working days prior to the meeting.

Chairman and Vice Chairman

The Forum will elect a Chairman and Vice-Chairman from the school members of the Forum. The term of office is two years.

Quorum

The Forum shall be quorate if at least 40% of the total membership is present (this excludes observers and the membership count excludes vacancies).

Voting

Each Member shall have only one vote. Voting shall be by show of hands. If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman 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.

Status of Reports

All report authors will be responsible for informing Clerk to the Forum/Head of Business Support in advance of the status of reports to be included on the agenda. Reports must fall into one of two categories set out below:

Category	Status	Circulation limit following the Forum
Non Confidential	Ordinary Forum	To be made available to schools via the Council's internet.
Confidential	Sensitive confidential information	Forum Members, lead officers and report authors only Reports to be marked accordingly

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

Interpretation of the Constitution

The Chairman 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 requirements of legislation will prevail in the event of there being any inconsistency between the legislation and the constitution.

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 Schools Forum

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

Annex 1 – Schools Forum Membership July 2021

Chair Mark Woods
Vice Chair Susannah O’Connell

Schools Members (Voting)

Name	Sector	Term Effective From	To
Debbie Hayes - Head of Centre, Caverstede Early Years Centre	Nursery	Sep 2017	Sep 2021
	Primary	Vacant	
Jo Cook, Headteacher, Paston Riding Primary School	Primary	Dec 2016	Aug 2021
Mark Cooper – Headteacher, Sacred Heart Primary School	Academy	Dec 2016	Aug 2021
Stuart Mansell, Headteacher, Nene Valley Primary School	Academy	Oct 2016	Aug 2021
Amanda Daoud, Chief Operations Officer, Lime Trust	Academy	Jan 2018	Jan 2022
Rhys Thrower, Headteacher, Wittering Primary	Academy	Sep 2018	Sep 2022
Susannah O’Connell – CEO – The Diamond Learning Partnership	Academy	Oct 2019	Sep 2023
	Academy	Vacant	
Scott Hudson, Headteacher, Queen Katharine Academy	Academy	Oct 2016	Aug 2021
Bryan Erwin, Headteacher, Ken Stimpson Secondary School	Secondary (M)	Oct 2016	Aug 2021
John Gilligan, Head of School (year 713), Hampton College	Academy	Jul 2018	Jul 2022
Mark Woods, CEO Cambridge Meridian Academy Trust	Academy	Oct 2019	Sep 2023
Adam Brewster, Headteacher, Heltwate Special School	Special	Sep 2017	Sep 2021
Alan Sadler, Governor Reference Group	Cross Sector	Jul 2016	Aug 2021
Nick Morley, Headteacher, Richard Barnes Academy	Alternative Provision	July 2021	July 2025

Non-Schools Members (Voting – shared – 1 vote)

Name	Organisation
Mohammed Younis	Stars Day Nursery
Lynne Blythe	The Day Nursery

Observers (current names / organisations) (Non-Voting)

Name	Organisation
Collette Firth, Headteacher, St John's Orton	Diocese – CofE – Ely
Darren Ayling, Headteacher, The Kings School	Diocese – CofE - Peterborough
Vacant	Diocese – Catholic – East of England
Cllr Lynne Ayres	Cabinet Member for Children's Services, Education, Skills and the University
Rosaria Mercuri	Bursar Representative – Secondary
Vacant	Bursar Representative – Primary

Annex 2 - Clerking the Schools Forum

The Clerk of Schools Forum provides a link between the members of the Forum, the chair and the Local Authority.

The Clerk is responsible for managing the logistics of the meeting in terms of ensuring dispatch of papers and producing a note from the meeting. The minutes should be intelligible enough for non-attendees to get a sense of the discussion as well as clearly indicating the conclusion and action agreed in relation to each agenda item.

The Clerk's role is to –

1. Provide the route by which Schools Forum members can access further information and co-ordinate communication to Schools Forum members outside of the formal meeting cycle.
2. Respond to any queries about the business of the Schools Forum from head teachers, governors and others who are not on the Schools Forum themselves
3. Be responsible for ensuring contact details of all members are up to date.
4. Maintain the list of members on the Forum and advise on membership issues in general.
5. Assist with the co-ordination of nomination/election processes run by the constituent groups.
6. Keep the Schools Forum website up to date: e.g. by posting latest minutes and papers etc.
7. Monitor, on a regular basis, the DfE general Schools Funding site and arrange for the distribution of any relevant DfE information to Schools Forum members
8. If appropriate, provide technical advice in relation to the Schools Forum regulations and in relation to the operation of a Schools Forum's local constitution and
9. Organise, operate and record any voting activity of the Schools Forum in line with the provisions of its local constitution.

Annex 3 – Schools forum powers and responsibilities

Function	Local authority	Schools forum	DfE role
Formula change (including redistributions)	Proposes and decides	Must be consulted (voting restrictions apply). See schools forum structure document that informs the governing bodies of all consultations	Checks for compliance with regulations
Movement of up to 0.5% from the schools block to other blocks	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
Contracts (where the LA is entering a contract to be funded from the schools budget)	Proposes at least one month prior to invitation to tender, the terms of any proposed contract	Gives a view and informs the governing bodies of all consultations	None
Financial issues relating to: <ul style="list-style-type: none"> arrangements 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 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 topup funding 	Consults annually	Gives a view and informs the governing bodies of all consultations	None
<ul style="list-style-type: none"> arrangements for early years provision 			

Function	Local authority	Schools forum	DfE role
<ul style="list-style-type: none"> administration arrangements for the allocation of central government grants 			
Minimum funding guarantee (MFG)	Proposes any exclusions from MFG for application to DfE	Gives a view	Approval to application for exclusions
<p>De-delegation for mainstream maintained schools for:</p> <ul style="list-style-type: none"> contingencies administration of free school meals insurance licences/subscriptions staff costs – supply cover support for minority ethnic pupils/underachieving groups behaviour support services library and museum services School improvement 	Proposes	Maintained primary and secondary school member representatives will decide for their phase. Middle schools are treated according to their deemed status	Will adjudicate where schools forum does not agree LA proposal
<p>General Duties for maintained schools</p> <ul style="list-style-type: none"> Contribution to responsibilities that local authorities hold for maintained schools 	Proposes	Would be decided by the relevant maintained school members (primary, secondary, special and PRU).	Adjudicates where schools forum does not agree LA proposal

Function	Local authority	Schools forum	DfE role
<p>Central spend on and the criteria for allocating funding from:</p> <ul style="list-style-type: none"> • 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 	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
<p>Central spend on:</p> <ul style="list-style-type: none"> • 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 	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
<p><input type="checkbox"/> Contribution to responsibilities that local authorities hold for all schools</p>			

Function	Local authority	Schools forum	DfE role
<p>Central spend on:</p> <ul style="list-style-type: none"> capital expenditure funded from revenue: projects must have been planned and decided on prior to April 2013 so no new projects can be charged contribution to combined budgets: this is where the schools forum agreed prior to April 2013 a contribution from the schools budget to services which would otherwise be funded from other sources existing termination of employment costs (costs for specific individuals must have been approved prior to April 2013 so no new redundancy costs can be charged) prudential borrowing costs – the commitment must have been approved prior to April 2013 	<p>Proposes up to the value committed in the previous financial year and where expenditure has already been committed.</p> <p>See table four page 31 to 35 for Information on historic commitments. Read establishing local authority DSG baselines for more information.</p>	<p>Decides for each line</p>	<p>Adjudicates where schools forum does not agree LA proposal</p>
<p>Central spend on:</p> <ul style="list-style-type: none"> high needs block provision central licences negotiated by the Secretary of State 	<p>Decides</p>	<p>None, but good practice to inform forum</p>	<p>None</p>
<p>Carry forward a deficit on central expenditure to the next year to be funded from the schools budget</p>	<p>Proposes</p>	<p>Decides</p>	<p>Adjudicates where schools forum does not agree LA proposal</p>

Function	Local authority	Schools forum	DfE role
Any brought forward deficit on de-delegated services which is to be met by the overall schools budget.	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
Scheme of financial management changes	Proposes and consults the governing body and Head of every school	Approves (schools members only)	Adjudicates where schools forum does not agree LA proposal
Membership: length of office of members	Decides	None (but good practice would suggest that they gave a view)	None
Voting procedures	None	Determine voting procedures	None
Chair of schools forum	Facilitates	Elects (may not be an elected member of the Council or officer)	None

Annex 4 – Selection Method for Membership and Communication Routes

Nursery Schools – Caverstede are the only nursery school in the city and therefore will provide the representation.

Primary Schools (maintained) – elected from within the Headteachers group by Service Director Education. Where there are more interested parties than vacant position, an election will take place.

Secondary Heads (maintained) – elected from within the Headteachers group by Service Director Education. Where there are more interested parties than vacant position, an election will take place.

Special School (maintained) – elected from within the Headteachers group by Service Director Education. Where there are more interested parties than vacant position, an election will take place.

Academies – directly appointed via election across all academy schools via the proprietors. The Service Director for Education will initiate the need for new appointments with the Chair of the Peterborough CEO Forum. (See Appendix)

Alternative Provision – Richard Barnes Academy is the only state funded AP provision in Peterborough and will therefore provide the representation.

Governor Representative – elected by the governor reference group.

Early Years – appointment by the early years funding working group.

Communication Routes

Papers and discussion will take place via the following routes -

- Primary Headteacher Meetings – LA Led
- Primary Cluster Meetings
- Peterborough Partnership of Secondary Schools
- Special School Headteacher Meeting
- Governor Reference Group
- Early Years Reference Group
- LA weekly newsletter