



# **The East Sussex Schools Forum**

**Constitution of the East Sussex Schools Forum**  
In compliance with the Schools Forum (England) Regulations 2012

**May 2019**

## **EAST SUSSEX SCHOOLS FORUM**

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## **EAST SUSSEX SCHOOLS FORUM**

### **1. Constitution**

- 1.1 This constitution is in accordance with the Schools Forums (England) Regulations 2012.

### **2. Membership**

- 2.1 The LA must determine the precise size and make-up of the forum, within parameters specified in Government regulations. These include the split between phases and types of school (e.g. Mainstream, Academies and Free Schools) being broadly proportionate with regards to the total number of pupils registered at them.
- 2.2 The East Sussex Schools Forum shall consist of members, comprising Schools, and Non Schools. School members and Academy members will together comprise at least two thirds of the membership of the forum and the size of the Forum is as per Appendix B below. Schools membership of the forum comprises:
- Primary representatives from maintained schools comprising head teachers, nominated by the Primary Strategic Management Board and at least 2 primary school governors. At least one of the head teachers must be of a small school of less than 150 pupils.
  - Secondary representatives from maintained schools comprising head teachers, nominated by the Secondary County Strategic Meeting and at least 1 secondary school governor.
  - Special school representatives from maintained schools comprising a head teacher, nominated by the Special Strategic Management Board, whilst there is at least one maintained special school.
  - Academy and Free School representatives comprising at least one from each of the phases; Primary, Secondary and Special academies, nominated by the governing bodies/Trusts of the Academies and Free Schools in the Authority's area.
  - 1 x Pupil Referral Unit (PRU) representative.
- 2.3 Non-schools members (one each), nominated by the relevant organisation(s):
- Early Years - representative of private, voluntary and independent providers
  - Professional associations – Union representative
  - Diocese of Chichester
  - Diocese of Arundel and Brighton
  - 16-19 representative

- 2.4 Members will serve on the Schools Forum for a period of four years<sup>1</sup>. Election and appointment procedures are set out in **Appendix A**.
- 2.5 A forum member remains in office until:
- The member's term of office expires;
  - The member ceases to hold the office by virtue of which the member became eligible for election, selection or appointment to the forum (for example the maintained school they represent converts to an academy, or they take up a post in a school other than that they were associated with on their election to Forum);
  - The member resigns from the forum by giving notice in writing to the authority.
- 2.6 If an elected member of the Forum has not attended for three consecutive meetings the clerk shall contact those members. If their reason for non-attendance is deemed inadequate by the Forum, their appointment will be reconsidered by the phase they represent.
- 2.7 To maintain the expertise and effectiveness of the Forum, changes to the membership will be managed by appointing replacements for resigning members for a full four year term.
- 2.8 It is the aim of the Schools Forum to remain representative. In order to avoid distorting this representation on the Forum a head teacher may not sit as a governor representative. Where possible a maximum of one member from any school or organisation may sit on the Schools Forum representing that phase (e.g. it is the aim of the forum that a primary head teacher and governor from the same school cannot both sit as primary Schools Forum representatives).
- 2.9 The following additional members will have observer status, but participate fully in the debates of the Forum:
- Lead Cabinet Member for Learning and School Effectiveness
  - Director of Children's Services
  - Education Funding Agency representative (EFA)

### **3. Meetings and Proceedings**

- 3.1 The forum will meet in public at least four times a year and is quorate if at least two fifths of the total membership is present at a meeting.
- 3.2 The Forum shall annually elect a chair and vice-chair, (neither may be an elected member or officer of the authority). The chair and vice-chair shall be members of the Forum. The vice-chair has authority to act on behalf of the chair in their absence.
- 3.3 The members of the forum will agree an agenda for the meeting of the forum. The chair can convene additional meetings as required.

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<sup>1</sup> **NOTE: Constitution and membership terms may need to be reviewed to maintain forum split of representation due to Academies and Free Schools, as required by the DFE.**

- 3.4 The following persons may speak at meetings of the forum, even though they are not members of the forum:
- the director of children’s services at the authority or their representative;
  - the chief finance officer at the authority or their representative;
  - any elected member of the authority who has primary responsibility for children’s services or education in the authority;
  - any elected member of the authority who has primary responsibility for the resources of the authority;
  - any person who is invited by the forum to attend in order to provide financial or technical advice to the forum;
  - an observer appointed by the Secretary of State; and
  - 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.
- 3.5 The Authority will be responsible for preparing agendas, papers and minutes of the Forum’s meetings, in consultation with the chair and for their publication of such papers on the County Council website as required under Regulation 8(13) of the Schools Forum Regulations 2012.

#### **4. Functions**

- 4.1 The purpose of the Schools Forum is to advise the Authority on all matters in relation to expenditure of the Schools Budget.
- 4.2 The Authority must consult the Schools Forum on: the terms of any proposed contract for supplies or services to be paid out of the authority’s schools budget.
- 4.3 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:
- arrangements 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 provision;
  - Administrative arrangements for the allocation of central government grants paid to schools via the authority.
- 4.4 The authority may consult the forum on such other matters concerning the funding of schools as they see fit.
- 4.5 Additional relevant items may be brought to the Forum by the Authority, with the chair’s agreement, or at the request of the Forum. Where the Forum requests additional information, the costs of preparing this information may be charged to the Forum’s budget.

## **5. Voting**

- 5.1 Decisions will be taken on the basis of a simple majority of members present except on matters concerning school funding formulae as outlined in 5.2. The chair of the meeting will have a second casting vote in the event of a tie.
- 5.2 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 in accordance with regulations made under Section 47 of the School Standards and Framework Act 1998.
- 5.3 The nominating bodies shall each be asked to appoint a substitute member that can attend and vote at meetings when substantive members are absent.
- 5.4 Any member who has an interest beyond the interest of the group they represent shall declare that interest before discussion of that item commences. Where it is clear before the meeting that a decision will be required on that matter the member concerned may invite a substitute (with no interest to declare) who may then vote on this matter in their place.
- 5.5 Only those maintained school representatives, relevant to the phase they are representing, can vote on any de-delegation decisions. eg only primary maintained school representatives can vote on whether primary phase funding is retained by the Local Authority for certain services (eg contingency)

## **6. Working Groups**

- 6.1 The Schools Forum may set up working groups to discuss specific issues and provide draft advice and recommendations to the Forum. Working groups need not be limited to Schools Forum members, as wider representation and expertise is often desirable in such instances.

## **7. Funding and expenses**

- 7.1 The Forum shall each year propose a budget for its activities, to be taken from the Schools Budget, in sufficient time for this to be included in the education service budget.
- 7.2 Members of the Forum, and those with observer status, will be entitled to reimbursement of all reasonable expenses for attending meetings, including meetings of any sub-groups of the Forum, in accordance with the Authority's agreed scheme. Such expenses will be charged to the Forum's budget.

## **ELECTION AND APPOINTMENT PROCEDURES**

### **1. School Members**

- 1.1 In line with DFE regulations, school members must be elected to the Schools Forum by the members of the relevant group, or sub-group, in the authority's area.
- 1.2 Within East Sussex the groups are:
- Representatives of primary schools
  - Representatives of secondary schools
  - Representatives of special schools
  - Representatives of Academies and Free Schools
  - Representatives of Pupil Referral Units (PRUs)
- 1.3 If, for any reason, an election for a schools member or an Academies and Free Schools member does not take place by any date set by the authority, or any such election results in a tie, the authority must appoint the schools member or Academies and Free Schools member to the Schools Forum instead. The local authority may decide to appoint someone else rather than one of the candidates and might wish to take into account the experience or expertise of the individuals, and the balance between the different types of school represented on the schools forum.

### **2. Primary Headteachers (maintained schools)**

- 2.1 The head teacher representatives of primary schools should be elected to the Schools Forum as follows:
- When a representative is approaching the end of their term of office (6 months), the Chair of the Primary Strategic Management Board (PSMB) will be notified by the authority.
  - A Virtual School Bag (VSB) item will then be sent out to schools on their behalf, inviting primary head teachers to send an expression of interest to the Schools Forum clerk within a deadline set by the authority.
  - Once the deadline has passed, the expressions of interest will be forwarded to the chair of the PSMB.
  - Where there are two or more candidates, the PSMB will elect their representative/s.
  - The chair of the PSMB will confirm to the Schools Forum clerk the final nominated person.
  - Representatives of the group will be notified of the appointment no later than one month of the new member being elected.

### **3. Secondary Headteachers (maintained schools)**

- 3.1 The head teacher representatives of secondary schools should be elected to the Schools Forum as follows:
- When a representative is approaching the end of their term of office (6 months), the Chair of the Secondary County Strategic Meeting (SCSM) will be notified by the authority.
  - A VSB item will then be sent out to schools on their behalf, inviting secondary head teachers to send an expression of interest to the Schools Forum clerk within a deadline set by the authority.
  - Once the deadline has passed, the expressions of interest will be forwarded to the chair of the SCSM.
  - Where there are two or more candidates, the SCSM will elect their representative/s.
  - The chair of the SCSM will confirm to the Schools Forum clerk the final nominated person.
  - Representatives of the group will be notified of the appointment no later than one month of the new member being elected.

### **4. Special Headteachers (maintained schools)**

- 4.1 The head teacher representatives of special schools should be elected to the Schools Forum as follows:
- When a representative is approaching the end of their term of office (6 months), the Chair of the Special Strategic Management Board (SSMB) will be notified by the authority.
  - A VSB item will then be sent out to the schools on their behalf, inviting special head teachers to send an expression of interest to the Schools Forum clerk within a deadline set by the authority.
  - Once the deadline has passed, the expressions of interest will be forwarded to the chair of the SSMB.
  - Where there are two or more candidates, the SSMB will elect their representative/s.
  - The chair of the SSMB will confirm to the Schools Forum clerk the final nominated person.
  - Representatives of the group will be notified of the appointment no later than one month of the new member being elected.

### **5. Pupil Referral Unit members**

- 5.1 As there is currently only one PRU in East Sussex, the head teacher of that PRU will be the Schools Forum representative.

## **6. Governors (maintained schools)**

- 6.1 School governor representatives should be elected to the Schools Forum as follows:
- When a representative is approaching the end of their term of office (within 6 months), the Chair of the East Sussex Governors Representative Group (ESGRG) will be notified by the authority.
  - A VSB item will then be sent out to the schools on their behalf, inviting governors of the relevant group to send an expression of interest to the Schools Forum clerk within a deadline set by the authority.
  - Once the deadline has passed, the expressions of interest will be forwarded to the chair of the ESGRG.
  - Where there are two or more candidates, the ESGRG will elect their representative/s.
  - The chair of the ESGRG will confirm to the Schools Forum clerk the final nominated person.
  - Representatives of the group will be notified of the appointment no later than one month of the new member being elected.

## **7. Academies and Free Schools members**

- 7.1 The number of Academy and Free School representatives required to sit on the East Sussex Schools Forum is required to be in proportion to the number of pupils registered in Academies and Free Schools in East Sussex.
- 7.2 Academy and Free School members represent the governing bodies (or proprietor bodies) of Academies and Free Schools and therefore their representatives are not restricted to head teachers or governors.
- 7.3 The authority will notify the governing bodies (or proprietor bodies) of the Academies and Free Schools when a representative is approaching the end of their term of office (within 6 months) and request any nominations by a deadline.
- 7.4 The authority will then send out all nominations to the governing bodies (or proprietor bodies) and ask them to vote for one named person. The person with the highest number of votes will be elected the representative and the authority will confirm the result to all governing bodies (or proprietor bodies).
- 7.5 As with Schools members, if an election for an Academy and Free School representative does not take place by a set date, or the election results in a tie between two or more candidates, the authority must appoint the representative to the Schools Forum.

## Appendix B

As of May 2019

	Maintained				Academies & Free Schools		
	Head Teachers	Governor	Other	Total	Total	Total	%
<b>Voting Members</b>							
<i>School</i>							
Primary	5	3		8	3	11	
Secondary	2	1		3	4	7	
Special	1	0		1	1	2	
PRU	1	0		1	0	1	
<b>Total School</b>	<b>9</b>	<b>4</b>	<b>0</b>	<b>13</b>	<b>8</b>	<b>21</b>	<b>81%</b>
<i>Non-school</i>							
Early Years			1	1	0	1	
Dioceses			2	2	0	2	
Professional Associations			1	1	0	1	
16-19 representative			1	1	0	1	
<b>Total Non-school</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>19%</b>
<b>Total voting membership</b>	<b>9</b>	<b>4</b>	<b>5</b>	<b>18</b>	<b>8</b>	<b>26</b>	<b>100%</b>
<b>Observers</b>							
Lead Member for L&SE						1	
Director of Children's Services						1	
EFA representative						1	
<b>Total observers</b>						<b>3</b>	