

LANCASHIRE SCHOOLS FORUM

20 October 2020

Item No: 14

Title of Item: Schools Forum Operational Arrangements September 2020

Appendix A refers

Executive Summary

The Forum's Operational Arrangements document has been updated for September 2020 and information is provided in this report.

Recommendations

The Forum is asked to:

- a) Note the report;**
- b) Express any views on the September 2020 operational arrangements document update.**

Background

The Schools Forum has an operational arrangements document that sets out the working arrangements for the Forum. The document is provided to members on appointment and is available on the Forum website [here](#).

The document has recently been reviewed following the publication of the Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020. A revised operational arrangements document is provided at Appendix A. The main changes relate to provisions of the new regulations, which allows the Forum to meet remotely during the COVID-19 pandemic and some updated membership numbers that have been amended in response to the annual membership review.

It has previously been agreed that where issues are not covered by the operational arrangements, then the Forum would look to the County Council's Constitution to assist with any procedural matters.

LANCASHIRE SCHOOLS FORUM

OPERATIONAL ARRANGEMENTS

Revised September 2020

1. Constitution

1.1 Membership (Voting Members)

In accordance with the Schools Forums (England) Regulations 2012, the membership of the Lancashire Schools Forum shall be as follows:

11* places for primary headteachers/senior members of staff**	}	school members
11* places for primary governors		
5* places for secondary headteachers/senior members of staff**		
5* places for secondary governors		
1 place for special headteacher/senior members of staff**		
1 place for special school governor		
1 place for nursery headteacher/senior members of staff**		
1 place for nursery school governor		
4* places for an academy principals/ senior members of staff**		
4* places for an academy governors		
1 place for Short Stay School headteacher/senior members of staff**		
1 place for Short Stay School governor		
1 place for an Alternative Provision Academy		
1 place for a Special School Academy		
<u>11</u> places for non-school members		
59 Total		

*In accordance with the regulations primary, secondary and academies are broadly proportionately represented on the forum, having regard to the total number of pupils registered at them. Numbers have been checked against the January School Census data and the list of schools known to be converting to academies.

**Regulations allow headteachers to be represented by 'senior members of staff' defined as "...a principal, deputy head teacher, bursar or other person responsible for the financial management of the school;"

Although further sub-division of schools groups is allowed by regulations, the agreed local arrangements for the Lancashire Schools Forum have determined that no further split of the membership groups beyond school phase and headteacher/governor representation will be utilised. This is because the Forum always takes a County-wide view on any recommendations/decisions that are required and allows constituent groups a free vote in any Forum election process, not restricted by area of nominees, or any other factor.

The non-school members of the Forum shall be as follows:

3 elected members of the LA
3 representatives of the Diocesan/Church Authorities (1 Roman Catholic, 1 Church of England, 1 Free Church)
1 representative of the Lancashire Council of Mosques
1 representatives of 16-19 providers
3 representatives of private, voluntary and independent (PVI) providers of the free entitlement to early years education
<u>11</u> Total

As required by legislation, non-school members do not exceed 1/3 of the total Forum membership.

1.2 Observers (Non Voting Representatives)

In addition, the following individuals/groups shall have observer status on the Forum:

Cabinet Member for Children, Young People and Schools
Teacher Associations, one representative from each recognised association:
National Association of Headteachers (NAHT)
National Association of School Masters and Union of Women Teachers (NASUWT)
National Education Union (NEU)
Association of School and College Leaders (ASCL)
Support Staff Unions;
GMB
UNISON
UNITE
Lancashire Association of School Governing Bodies (LASGB)
Headteacher for Children Looked After
Education and Skills Funding Agency (ESFA)

The LA shall periodically review the arrangements for observers on the Forum.

1.3 Appointment Procedures

When vacancies arise, the Local Authority (LA) will seek nominations from all constituents of the relevant schools group. For example, in the event of a primary school headteacher vacancy the Authority shall contact all primary school headteachers to seek nominations; in the event of a special school governor vacancy the Authority shall contact all special school governors to seek nominations. The authority shall also liaise with the relevant headteacher and governor organisations e.g. LASSH, PHiL, LaSSHTA, LASGB, Lancashire Academies Group, Lancashire Short Stay Schools Group etc.

Under the appointment procedures for the Lancashire Schools Forum headteachers are debarred from standing as governor members of the Forum.

Where nominations exceed places available the appointment of school members to the Forum shall be by election, which will be organised by the Local Authority.

Within each phase (primary, secondary, academy, special nursery and short stay school), each headteacher shall have one vote for a headteacher member, and each governing body shall have one vote for a governor member. In the event of a tied vote, the outcome of the election shall be determined by the drawing of lots.

Each schools group has been consulted about the appointment procedure for their group and have agreed to the arrangements.

The results of any Forum elections will be published in the Forum minutes, to ensure transparency in the process. However the publication of the results will be confined to information on the number of votes cast for successful candidates and the top 15% of unsuccessful candidates.

A minimum of 10% of school members of the Forum shall be re-elected each year. If this has not occurred through normal turnover, then, in the first instance, the LA shall contact annually all existing schools members to ascertain if individuals wish to continue to serve on the Forum. In the event that more than 90% of the schools members wish to continue, appointment date and term of office will be taken into account, and if necessary lots will be drawn to identify which members are no longer able to serve on the Forum.

Appointment of non-school members and observers shall be from nominations received from the identified organisations every four years.

1.4 Terms of Office

The term of office for Forum membership will be for four years, although members may continue for a longer period if the annual 10% membership turnover requirement is met each year.

1.5 Substitute Members

A substitute may attend a specific Forum meeting, in the event that a Forum member is unable to attend. Notification should be provided to the Clerk of the Forum no later than 48 hours prior to the meeting.

For schools members, any nominated substitute must come from the same group as the original member (e.g. the substitute for a nursery school headteacher representative must be another nursery school headteacher).

For non-school members and observers, a substitute must be a representative of the same organisation.

Where possible, it would be preferable for appropriate Members to nominate formally a regular substitute to ensure some degree of continuity and procedural propriety in respect of voting arrangements.

1.6 Induction

Where a significant number of new members have been appointed to the Forum, the LA shall arrange induction seminars to provide information on Schools Forum powers and procedures.

1.7 Failure to Attend Forum Meetings

If a member fails to attend two consecutive meetings, provide the Forum with reasonable apologies, or, where appropriate, arrange a suitable substitute to attend on their behalf, they will be contacted by the Clerk about their future intentions for Forum attendance. If this failure to attend extends to three consecutive meetings, without good reason, the Forum will have the power to disqualify that member from continuing to hold office on the Forum.

Apologies for absence will be reported to the Forum at the start of each meeting.

1.8 Future Arrangements

The Forum Operational Arrangements, including election mechanism and the subsequent period of office shall be kept under review.

2. Procedures

2.1 Election of Chair and Vice-Chair

The Forum shall elect a Chair and Vice-Chair, from among its voting membership, excluding any voting members that may be elected members or officers of the Authority. These appointments shall be for a period of two years.

To aid continuity, the Forum may also appoint a Chair Elect, to shadow the Chair for a 12 month period in advance of taking over as Chair.

At any meeting where the Chair, Vice-Chair and, if appointed the Chair Elect are absent, the Forum shall elect, from those voting members present, a person to take the Chair for that meeting only.

2.2 Appointment of Clerk

The LA shall appoint a Clerk for the Lancashire Schools Forum.

2.3 Frequency of Meetings

The Forum shall meet at least four times in each financial year.

A schedule of all Forum and Working-Group meetings shall be published in advance of each calendar year. Normally, meetings will be arranged for mornings and be held at County Hall, Preston. However, the LA shall consult the Forum from time to time to ensure that this arrangement best suits the majority of the current Forum membership.

In accordance with the Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020, meetings of the Forum may take place remotely during 2020/21, in response to the COVID-19 pandemic.

2.4 Public/Private Meetings

Meetings of the Lancashire Schools Forum will be open to the public and press.

In certain limited circumstances the Forum may exclude the press and public where the Forum considers that the business includes matters that they consider to be confidential or sensitive.

In order to exclude the press/public a positive resolution must be passed by the Forum. The business that is confidential or sensitive shall normally be adjourned until all other business of the meeting has been transacted whereupon the press/public shall leave the meeting and the adjourned business shall be considered.

Papers, agendas and minutes for Forum meetings will be published on the Forum website. Papers will be published a week in advance of each Forum meeting. The forum website is available from the link below:

<http://www.lancashire.gov.uk/practitioners/supporting-children-and-families/education/schools-forum.aspx>

2.5 Quorum

The Forum shall be quorate if at least forty percent of the total voting membership (excluding vacancies) is present, including substitutes attending in place of voting members.

2.6 Declaration of Interests

Forum members shall be expected to declare relevant personal, financial or business interest, which they or any person closely associated with them, has in any matter to be considered by the Forum.

2.7 Voting Procedure

The Schools Forum membership contains voting members and observers. When the Forum is asked to vote on any matter only voting members are eligible to vote. As required in Regulations voting on certain Schools Forum decisions is restricted to specified groups of members, rather than the whole voting membership. Details are provided below:

Voting on matters relating to the School Funding Formula

Voting relating to matters about the school funding formula will be restricted to school members (including academy members) and PVI providers of early years present.

Voting on de-delegations in Primary and Secondary Schools

Voting on proposals about the de-delegation of allowed services in primary schools will be restricted to only maintained primary school representatives present.

Voting on proposals about the de-delegation of allowed services in secondary schools will be restricted to only maintained secondary school representatives present.

Voting on amendments to the Scheme for Financing Schools

Voting on any proposed amendments to the Scheme for Financing Schools will be restricted to maintained school representatives only.

All voting members present will be entitled to vote on other matters requiring a decision by the Forum.

To enable relevant voting to be restricted to appropriate groups, voting cards will be issued at each Forum meeting that will identify which group each voting member is representing.

If there are an equal number of votes for and against a proposal, the Chair shall have a second or casting vote. Individual members may ask that their vote contrary to the decision taken be formally recorded in the minutes.

Minor decisions of the Forum may still be taken by 'unanimous consent'. For example, the Chair will ask if there are any objections to the approval of the minutes; if no objections are forthcoming, the minutes will be approved.

Representatives with observer status will not be entitled to vote.

2.8 Resignations/Disqualifications

Forum Members may resign, be disqualified through non attendance or by ceasing to hold the office by virtue of which they became eligible for appointment to the Forum, or their term of office as a schools member may come to an end.

In the first instance, the LA shall seek to appoint a nominee from a reserve list. The reserve list shall be established following an election process to determine the membership of a particular school group, and those nominees that were unsuccessful will be asked if they wish to be included on a reserve list. The nominee from the reserve list that received the highest number of votes in the original election process in a particular group shall be appointed to the Forum.

In the absence of a reserve list for a particular school group, the LA will seek nominations from relevant Headteachers or governors in a particular phase, and, if necessary, will hold elections to determine which nominee should be appointed to the Forum. The arrangements for each school group will follow procedures set out at 1.3.

In respect of non-school members and observers, the LA shall seek a nomination from the relevant organisation.

3. Functions

3.1 Terms of Reference

The Terms of Reference of the Lancashire Schools Forum are as follows:

- (a) To consider and comment upon LA consultations 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 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 at least one month prior to the issue of invitations to tender.
- (b) To consider and comment upon annual LA consultations about the following matters:
 - the arrangements to be made for the education of pupils with statements of special educational needs, and in particular:
 - i. the places to be commissioned by the local authority in different schools and other institutions, and
 - ii. the arrangements for paying top-up funding to schools and other institutions.
 - arrangements for the use of pupil referral units and the education of children otherwise than at school and in particular
 - i. the places to be commissioned by the authority and by schools in pupil referral units and other providers of alternative provision, and
 - ii. the arrangements for paying top-up funding to pupil referral units and other providers of alternative provision.
 - arrangements for early years provision
 - administrative arrangements for the allocation of central government grants paid to schools via the LA
- (c) To consider and comment upon LA consultations on other matters on which the views of the Forum are sought, including matters relating to the School Funding Formula (Voting relating to matters about the school funding formula will be restricted to school members (including academy members) and PVI providers of early years present.)
- (d) In accordance with the School and Early Years Finance (England) Regulations 2017 to agree or reject:
 - criteria on which any funding retained for pupil growth is to be allocated (by maintained school members, academy members and PVI representatives only)
 - central schools and early years block items. (by maintained school members, academy members and PVI representatives only)

- changes to schemes for financing schools (by maintained school members only).
- appropriate de-delegation proposals for primary schools (primary schools members only).
- appropriate de-delegation proposals for secondary schools (secondary schools members only).

To inform Governing Bodies of all LA schools of the recommendations/ decisions taken under (a), (b), (c), and (d) above.

3.2 Forum Working-Groups

To facilitate detailed consideration and discussions between the Forum and the LA, three Forum Standing Groups shall be established based on the funding blocks in the Dedicated Schools Grant.

- a) Schools Block Group
- b) High Needs Block Working Group
- c) Early Years Block Working Group

All members of the Forum will be expected to join and attend one Standing Sub-Group (more if they so wish) in order to spread the workload and ensure appropriate representation from each sector. Observers' membership of Working Groups is not essential.

Detailed and technical reports will be considered by the Standing Groups, as appropriate to their remit, and the Groups shall then make recommendations to be considered at meetings of the Lancashire Schools Forum.

In addition to the Standing Groups, Task and Finish Groups will be established to deal with specific areas of development. These T&F Groups will offer greater flexibility to deal with specific projects without the constraints of the established Forum cycle and will draw membership from the whole Forum utilising the specific expertise and interest of colleagues for each separate task, rather than having a fixed membership and will report directly to the Forum.

An ad-hoc Forum Working-Group to advise on Operational Arrangements will also be established.

A Chairman's Sub-Group, with a membership of Forum Chair, Forum Vice-Chair and all the Working Group Chairs, will consider confidential or sensitive reports, including reports that are 'commercial in confidence and about support for schools in financial difficulty.

3.3 The Local Authority:

- (a) shall take into account the views expressed/decisions taken by the Forum in setting its schools budget or, where appropriate, taking other decisions in relation to the funding of schools or the provision for pupils.

- (b) may consult the Forum on such other matters concerning the funding of schools as they see fit, and shall take into account any views expressed by the Forum.

4. Administration

4.1 Clerk to the Lancashire Schools Forum

The Clerk shall be responsible for calling Forum meetings and shall ensure that agenda papers are sent to Forum members at least five working days in advance of meetings. Papers will only be circulated electronically and the Forum will loan a tablet computer to members that do not have access to a portable electronic device.

The Clerk shall be responsible for keeping a record of each Forum meeting.

The Clerk shall be responsible for disseminating Forum minutes. Copies of the minutes will be made available to all maintained schools in Lancashire.

The Clerk shall be responsible for processing expenses claimed by Forum members in relation to attendance at Forum meetings.

The Clerk shall ensure that the Schools Forum pages of the Lancashire County Council website are updated regularly, including the posting of Forum agenda, papers and minutes.

<http://www.lancashire.gov.uk/practitioners/supporting-children-and-families/education/schools-forum.aspx>

A Forum newsletter will be produced and circulated to all schools before and after each Forum meeting to provide information on the business undertaken at each cycle of meetings.

A Forum annual report shall be produced each year and circulated to all schools. This report will present a summary of the main decisions and recommendations of the Forum each financial year.

4.2 Order of Business

The business to be dealt with at meetings will relate to the functions of the Forum set out at 3 above. If the Chair sees fit for reasons of urgency, a matter may be dealt with, without prior notice, at a meeting.

4.3 Conduct of Meetings

Where not specifically dealt with in these operational arrangements, the Forum can regulate its own procedures.

4.4 Urgency Procedures

In exceptional circumstances, it may be necessary for a decision or formal view to be expressed by the Forum, before the next scheduled meeting.

In such circumstances, the LA will attempt to convene an unscheduled meeting of the Forum or an appropriate Working Group.

If this is not possible, or if time does not allow, the LA shall seek a response from the Forum by emailing all Forum members, allowing all Members the opportunity to express a view on a matter of urgency.

Any matters conducted under the urgency procedure will be reported to the next scheduled meeting of the Forum.

5. Expenditure

5.1 Forum Costs

Forum costs, including members' expenses, direct servicing costs and apportioned overheads, shall be charged to the Schools Budget. Reports on Forum expenditure will be presented to the Forum at appropriate times.

The LA will estimate the likely expenditure on the Forum and shall retain such a sum within the Schools Budget.

5.2 Expenses

Forum members shall be reimbursed reasonable expenses associated with attendance at Forum meetings. The following claims may be made, through the Clerk to the Lancashire Schools Forum:

(a) Travel Expenses

Travelling expenses for attendance at Forum meetings by members and observers will be payable at the approved County Council mileage rate.

(b) Supply Cover

Headteacher and teacher governor members may reclaim supply cover costs in the event that this is needed to cover class contact time to attend Forum meetings. Reimbursement will be at a rate to be determined by the LA.

(c) Loss of Earnings

Employed/self-employed members may claim for loss of earnings arising from attendance of Forum meetings. Reimbursement will be subject to certain conditions and limits, as determined by the LA.

6. Review of Operational Arrangements

These operational arrangements for the Schools Forum have been prepared locally, by the LA and agreed with the Lancashire Schools Forum and refer only to the activities of the Lancashire Schools Forum.

The arrangements may, from time to time, be subject to review and change.