

The Surrey Schools Forum

Constitution of the Surrey Schools Forum

This Constitution is updated on a regular basis to incorporate new Department for Education (DfE) regulations and to ensure the representation of maintained and academy members reflects the current pro rata distribution of pupil numbers.

Most recent update: 2 April 2024 (including updated membership and changes to the process of appointing maintained governor representatives and maintained secondary headteacher representatives)



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The Surrey Schools Forum

1 Background & Purpose

Overview

- 1.1 The Government requires that each local authority (LA) maintains a Schools Forum to represent the views of schools and other stakeholders on matters relating to the total Schools' Budget. The Schools' Budget includes delegated budgets to schools and funding for private voluntary and independent (PVI's) nurseries, plus a number of functions relating largely to the provision of support for pupils with special educational needs (SEN), out-County and independent SEN placements.

Consultation

- 1.2 Regulations require the LA to consult the Schools Forum on:

- Issues relating to the management of the Schools Budget, including:
 - changes to the schools funding formula
 - arrangements for the education of pupils with special educational needs, including the places to be commissioned by the local authority and the arrangements for top up funding.
 - arrangements for the use of pupil referral units and the education of children otherwise than at school
 - arrangements for early years provision
 - administration of central government grants paid to schools via the LA
- The terms of contracts proposed to be let by the LA for supplies & services paid from the Schools Budget, if in excess of EU Procurement thresholds.

- 1.3 The Schools Forum has responsibility to inform governing bodies of all schools maintained by the authority of the outcome of any LA consultations carried out in relation to the issues above.

- 1.4 The LA is also expected to consult the Schools Forum if it wishes to seek the Secretary of State's approval for specific changes in the funding of schools, including:

- * variations to the minimum funding guarantee;
- * use of exceptional formula factors
- * vary pupil numbers for individual schools so that they are lower than the preceding October census count
- * allow additional categories of, or spending on, central budgets
- * amend the sparsity factor
- * vary the lump sum for amalgamating schools
- * vary the protection for special schools and special academies
- * move up to 0.5% from the schools block, where the schools forum do not agree

- * move more than 0.5% from the schools block

- 1.5 LAs may opt at their discretion to consult the Schools Forum on other schools funding matters. There is no obligation on LAs to consult the forum on issues outside the Schools Budget (i.e. on LA-funded budget issues).

Powers & Duties

- 1.6 In addition to its role as a consultative body, the Forum has decision-making powers in specific areas, as follows:
- ❑ The decision to de-delegate funds from maintained school budgets to enable prescribed services to be provided centrally. (Note: Schools Finance regulations limit decision-making powers to Forum members from the relevant maintained phase only – eg primary / secondary maintained school heads & governors.)
 - ❑ To create a fund for significant pupil growth in order to support the LA's duty for place planning and agree the criteria for maintained schools and Academies to access this fund
 - ❑ To create a fund to support schools with falling rolls where there is a need for the places within the next three to five years, and to agree criteria for use of the fund
 - ❑ Continued funding for prescribed historic commitments where the effect of delegating this funding would be destabilising (there are no longer any such commitments in Surrey)
 - ❑ Funding for the LA to meet prescribed statutory duties placed upon it. Approval is required to confirm the amounts for each duty
 - ❑ Funding for the LA to meet prescribed statutory duties in respect of maintained schools (voting is restricted to the representatives of maintained schools)
 - ❑ Funding for central early years expenditure, which will include funding for checking eligibility of pupils for an early years place and/or free school meals
 - ❑ Authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure that is to be carried forward from a previous funding period
 - ❑ Authorising a transfer of funding from the Schools Block to the high needs block (up to 0.5% of the Schools Block).
- Note:** In each of these cases, the LA can appeal to the DfE if the Schools Forum rejects its proposal.
- 1.7 Regulations do not permit non-schools members (other than the Early Years / PVI representative) to vote on matters relating to the funding formula used for schools and early years providers.

- 1.8 There is a duty placed on all members of the Schools Forum to seek views from other groups and to facilitate feedback arrangements.
- 1.9 While members of a Schools Forum are representatives of their specific sector or phase, they should be able to consider the needs of the whole of the educational community, rather than using their position on a Schools Forum to advance their own sectional or specific interests.

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 (which are required to be pro-rata to pupil numbers) and the requirement to have specific non-school members on the Forum.
- 2.2 The current composition of the Surrey Schools Forum is shown below. Representation of primary, secondary and mainstream academy schools must be in proportion to pupil numbers and the composition is revised on a regular basis as conversions to academies take place.

School Members:

Secondary School Headteacher/ governor representative	1
Primary Schools Headteacher representatives	3
Primary School Governor representatives	2
Special School Headteacher representative	1
Special School Governor representative	1
Nursery School representative	1
Pupil Referral Unit representative	1
Academies:	
Academy representatives (primary and secondary)	13
Academy representative (special schools)	1
Academy representative (AP)	1

Non School Members:

Early Years / PVI representative	1
Post-16 FE provider	1
Diocesan representatives (CofE and RC)	2
Teaching Association /TU representatives	2
SEN – Family Voice Surrey	1
Total Forum members	32

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- 2.3 Each member has a three-year term of office prior to re-election. There is no restriction on the number of terms of office which one member may serve.
- 2.4 A member will remain 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 appointment (eg a governor representative ceases to be a school governor, or a maintained school representative's school converts to an academy)
- the member resigns from the Forum by giving notice in writing to the LA.
- In the case of a non-schools member, the member is replaced by the LA, at the request of the body which the member represents, by another person nominated by that body.

3 Operating Conventions & Procedures

- 3.1 Meetings of the Schools Forum are convened by the LA and are open to the public. The Clerk to the Forum is provided by Surrey County Council's finance service. There are usually five scheduled meetings of the Schools Forum each year, with additional meetings and working groups established by the Clerk, in consultation with the Chair, when considered necessary.
- 3.2 The Forum shall not be quorate if less than 40% of the total membership is present at the meeting. This excludes any observers and is 40% of the current membership excluding vacancies. Members unable to attend should therefore arrange cover from nominated substitutes, appointed in compliance with the arrangements outlined in this document.
- 3.3 The Chair and Vice-Chair(s) of the Schools Forum (currently two Vice-Chairs) are nominated by the members of the Forum. Both positions are open to any member and are held for one year. There is no limit on the number of times that an individual Chair or Vice-Chair can be re-elected.
- 3.4 Declarations of Interest: Where a Forum member has a personal or pecuniary interest (as an individual or in the role of head or governor at a school), this must be declared at the commencement of the meeting. The member will have no vote on that item and may be asked to withdraw temporarily from the meeting during the discussion.
- 3.5 The LA will reimburse reasonable travel expenses of members when attending meetings and working groups. Claims are submitted to the Clerk to the Schools Forum.

4 Election Arrangements

SCHOOL MEMBERS

- 4.1 Under DFE regulations, school members of the Forum "must be elected to the Forum by the members of the relevant group or sub group in the authority's area". The groups are:

- Representatives of maintained nursery schools, primary schools, secondary schools and special schools.
- Within the Surrey Schools Forum a “representative” is defined as a headteacher or governor of a school maintained by the authority, except for maintained secondary schools, for which there is one member across the two categories
- Regulations require that should representative groups fail to appoint a schools member by the date specified to ensure continuity of representation, the local authority must appoint a member of the Forum. In the event of a tie between two or more candidates the LA must appoint the schools member.

4.2 Following consultation with members of phase councils and the Schools Forum, the following processes have been established. However, adaptations and/or amended election procedures are permissible where a voting group* opts to determine a revised elections process. (Note any revisions must ensure that every eligible member of a group/sub group is given the opportunity to determine the procedures and stand for election).

* E.g. all Primary headteachers, all Secondary headteachers, etc.

Primary Headteacher members (Maintained schools)

4.3 The headteacher representatives of primary schools should be elected to the Forum as follows:

- Three primary headteachers will be appointed to the Forum- ideally with a spread across quadrant areas
- These will be appointed following expressions of interest and, if necessary, an election procedure undertaken in which **all** primary heads must be able to participate and stand. The nomination process will take into account both the essential and ideal criteria outlined above and below.
- If an election process results in a tie between one or more candidates, the LA must appoint the schools member to the Schools Forum.
- Substitute members are required. All substitutes must be elected to the Forum on the same basis as a full member. Please see “**Substitutes**” for more details.

Normally the election will be administered by the Executive Officer of the Primary Phase council within a deadline set by the LA.

Representatives of the appropriate group will be notified of the appointment no later than one month of the new member being elected.

Criteria

To ensure appropriate representation, the following criteria should ideally be followed:

Ideally, there should be at least one member to represent full primary schools (4-11) with at least one infant school representative and one junior school representative.

Secondary Headteacher and governor members (Maintained schools)

- 4.4 There will be a single representative of maintained secondary schools. (representing both headteachers and governors). The election process for this representative will be administered by the LA or its nominee for governor elections, on a basis agreed with headteachers and governors of maintained secondary schools. Substitute members are required. All substitutes must be elected to the Forum on the same basis as a full member. Please see "Substitutes" paragraph for more details.

Representatives of the group will be notified of the appointment no later than one month of the new member being elected.

Special Headteacher members (Maintained schools)

- 4.5 The headteacher representative of special schools should be elected to the Forum as follows:
- One special school headteacher will be elected at a meeting to which all special school headteachers are invited. This is usually the special schools headteachers' conference.
 - A substitute member is required. The substitute must be elected to the Forum on the same basis as a full member.
 - In certain circumstances it may not be possible for an election to be concluded at the special schools conference. In this instance, the following alternative procedure would be considered acceptable:
 - The Special schools phase council and the LA work together to call for expressions of interest from **all** representatives of the group.
 - The expressions of interest are sent directly to the Chair of the Special Schools Phase Council within a deadline set by the LA.
 - Once the deadline has passed, the expressions of interest will be considered. Where necessary an election process will take place to allow the full voting group to choose their preferred candidate. In this instance, the candidates would be informed prior to any election process being instigated.

- In the event of a tie between one or more candidates, the LA will appoint the new member.
- Representatives of the group will be notified of the appointment within one month of the new member being elected.

Nursery headteacher member

4.6 The representative of nursery schools should be elected to the Forum as follows:

The member should be elected by the headteachers of the Surrey maintained nursery schools.

In view of the small number of nursery schools, in the event that a nursery headteacher is unable to be appointed from within their group, the group may approach a primary phase headteacher with a nursery class to sit on the Forum as the nursery representative.

In the event that the elected nursery representative cannot attend a meeting, one of the three other nursery headteachers can attend as a substitute member. If unavailable, a primary phase headteacher with a nursery class may be approached to act as a substitute.

Pupil Referral Unit members (Maintained)

4.7 The representative of PRUs should be elected to the Forum by the heads of the Surrey PRUs, in a meeting to which all have been invited.

Governors – Maintained schools

4.8 The Forum has school governor representation as follows:

- Three governors sit on the Surrey Schools Forum, comprising:
Primary Governors: 2
Special School Governors 1

There is one representative of maintained secondary schools, which may be either a headteacher or a governor (see above).

- Substitute members are required. All substitutes must be elected to the Forum on the same basis as a full member. Please see “Substitutes” paragraph below for more details.
- Primary and special School governors are elected to the Forum by Surrey governors from the relevant sub-group, e.g. all special school governors will be eligible to vote for the special school governor representative. Surrey County Council, or its nominee, will conduct a virtual election process to maximise accessibility. An overview of the election process can be found

below. In line with the Schools forum (England) regulations 2012, all governors in Surrey have been consulted on the election process.

- - After an election date has been set by the Local Authority, the LA or nominee will call for expressions of interest from all governors of the relevant subgroup. Once the deadline for submissions has passed, checks will be made that potential candidates meet the relevant criteria, Where there are more candidates than vacancies, an election process will be required to allow the voting group to choose their preferred candidate. In this instance, the candidates would be informed prior to any election process being instigated
 - In the event of a tie between one or more candidates, the LA will appoint the new member
 - In the event that no expressions of interest are received by the deadline, the Local Authority can advertise the vacancy again, with the aim of receiving further expressions of interest, or the Local Authority can appoint a governor from the relevant sub-group.
 - In the event that only one expression of interest is received, the Local Authority can advertise the vacancy again, with the aim of receiving further expression of interest, or the Local Authority can appoint the governor who has expressed an interest.
 - Governors in the relevant subgroup will be notified of the appointment no later than one month of the new member being elected
 - The LA may appoint a contractor or other organisation to administer this process on their behalf. As at April 2024 this is Schools Alliance for Excellence (SAFE).

ACADEMY REPRESENTATIVES

4.9 The Forum has academy representation as follows:

- The number of primary and secondary Academy representatives on the Surrey Schools Forum is required to be in proportion to the number of pupils registered within such Academies in Surrey, and is calculated by the LA.
- The governing bodies (or proprietor bodies) of the Academies must determine the nomination process by which Academy representatives and substitute are nominated and elected to the Surrey Schools Forum.
- Academy members represent the governing bodies (or proprietor bodies) of Academies and therefore are not restricted to headteachers, senior staff or governors.

- Free Schools are treated as academies for the purpose of School Forum membership
- The nomination process must:
 - be agreed and ratified by a majority of all the governing/proprietor bodies of Academies within Surrey.
 - If an election for an Academy representative does not take place by any date set by the LA or an election results in a tie between one or more candidates, the LA must appoint the member to the Forum instead.

NON-SCHOOLS MEMBERS

4.10 The LA appoints non-school members to the Surrey Schools Forum on the recommendation of the following nominating bodies:

Non-School Representative:	Nominating Body:
Early Years / PVI	Early Years Phase council
Post-16 FE Provider	16-19 FE Providers with 20% of students residing in Surrey (excludes schools)
Diocesan Board of Education	Diocese of Guildford
Roman Catholic Diocese Service	Diocese of Arundel & Brighton, Catholic Schools
Special Educational Needs	Family Voice Surrey
Trade Unions (1) (Usually the Chair of the EJC)	Nominated by the Education Joint Committee (EJC)
Trade Unions (2)	Nominated by the Education Joint Committee

SUBSTITUTES

4.11 Substitutes are employed as follows:

- A substitute member can attend a meeting of the Schools Forum if the full member, for whom they act as substitute, cannot attend that meeting. Substitutes have full voting rights when taking the place of a full member at the meeting.
- It is the responsibility of the full member to arrange for an elected substitute to attend and where possible, to notify the clerk to the Forum before the meeting.
- A substitute member can attend meetings of the Schools Forum in the place of a full member whose term of office has expired - for a reasonable period between the end of the term of office and the next opportunity for the nominating group to elect a full member.

Substitute School Members and Academy Members:

4.12 Substitutes for Nursery, Primary, Secondary, Academy and Special school representatives are to be nominated in the same way as full members. The Clerk to the Forum should be notified in advance, of the names of all nominated substitutes.

Substitutes for Non-School Members

- 4.13 In the event that a Non-School representative should be unable to attend a meeting, the nominating body may provide a named substitute to attend in their place.

WORKING GROUPS

- 4.14 The Schools Forum may set up working groups to discuss specific issues and to provide draft advice or 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.

5 Further Information

- 5.1 The Schools Forum has been established in response to statutory requirements. The constitution may be amended from time to time to address changes in regulations; the distribution of pupil numbers between maintained schools and academies or other issues identified by the LA. The final decision on proposed amendments to the Surrey Schools Forum Constitution rests with Surrey County Council.
- 5.2 Additional information relating to the Surrey Schools Forum can be found on the Schools Forum pages of the Surrey County Council website. (This can be found via www.surreycc.gov.uk and search for "Schools Forum").
- 5.3 A list of the current members of the Schools Forum is maintained on the above website.