**Hartlepool Schools Forum Constitution**

**1. Introduction**

1.1. Local authorities are required to establish and maintain a Schools Forum in their area, to advise on school funding matters. This is a requirement of the 2002 Education Act. The operation of Forums must comply with the requirements of The Schools Forums (England) Regulations 2012 (the Regulations).

1.2. This document sets out the Constitution of the Hartlepool Schools Forum (Forum), covering the administrative area served by Hartlepool Borough Council (the local authority).

1.3. This Constitution supersedes any previously approved Constitution.

**2. Membership of the Forum**

2.1. Membership of the Forum shall consist of maintained school members, academy members and non-school members, with school and academy members being at least two-thirds of the total membership. The balance between maintained primary, maintained secondary and academy members should be representative of the number of pupils in each area.

2.2 The Hartlepool Schools Forum shall have **23 members**. The membership is consistent with the Regulations, comprising elected school members and appointed non-school members. The composition of the Forum is set out in **APPENDIX 2**. The Governor representative will represent both the primary and secondary sectors.

2.3. The numbers of members will be reviewed annually by the local authority. The local authority shall recommend amendments to the Constitution of the Forum at its March meeting, taking account of the distribution of pupils between maintained schools and academies, as recorded in the previous October’s census.

2.4 No person who is an elected councillor of the local authority or officer of the local authority may be appointed as a non-schools member of Schools Forum. However, the elected councillor with primary responsibility for education in the local authority and the elected councillor with primary responsibility for the resources of the local authority may attend and speak at the Forum meetings. Equally the local authority’s Director of Children’s & Joint Commissioning services and Director of Finance and Policy (or their representatives) may attend and speak at the Forum meetings.

2.5 Any person presenting a paper or other item to Forum on the meeting’s agenda may attend but will be restricted to contributing to matters related to the item they are presenting.

2.6 An observer appointed by the Secretary of State may attend and speak at meetings of the Schools Forum.

2.7 All persons present at each Forum meeting will be recorded in the minutes of the meeting.

2.8 All new members will be required to attend an induction programme which the Chair will organise.

3. **Election and Appointment of School Members**

3.1 Schools Forum members shall be appointed for a term of up to two years or until they cease to hold the office to which they were elected or appointed, or they resign from the Forum by giving notice in writing or verbally in a Forum meeting which is recorded in the minutes of that meeting. They shall not be restricted to headteachers, principals or governors.

3.2 School members of the Forum who are headteachers or headteachers representatives shall be nominated by the appropriate representative body, for example primary school headteachers nominate primary school representatives.

3.3 The appropriate represented body should determine how their member be elected, ensuring that there is a transparent and representative process by which Schools Forum members are nominated and elected to represent their constituents.

3.4 Academy members shall be appointed by the proprietors of academies in the local authority’s area. It is for the proprietors to determine who shall be appointed a member of Forum. The local authority shall, however, advise the proprietors of the outcome of the annual review and set out its view of what would be an appropriate representation to reflect the numbers of pupils in each phase.

3.5 If the appropriate representative body is unable to nominate school or academy members within three months of a vacancy arising, or the election results in a tie between two or more candidates, then the local authority shall appoint a member instead.

4. **Election and Appointment of Non-school members**

4.1 The local authority shall seek nominations for non-schools members from relevant bodies, as identified in **APPENDIX 2**.

* 1. The local authority shall, on receipt of a nomination under paragraph 4.1:
1. make an appointment pursuant to that nomination, or
2. provide the relevant body with the grounds on which they determine not to make such an appointment.

4.3 Where the local authority has proceeded under paragraph 4.2 (b), they shall seek a further nomination from the relevant body concerned.

4.4 The local authority shall inform all its maintained schools of the name and relevant body of all non-school appointees to the Schools Forum.

4.5 If a non-school member of the Schools Forum resigns, or otherwise ceases to serve as a member, the local authority will commence procedures to secure a replacement.

4.6 Non-school members may number no more than one third of Forum’s total membership.

**5. Arrangements for allowing substitutes for Schools Forum members**

5.1 A named substitute will be recorded for each member of Forum. Substitutes are able to vote at meetings of the Schools Forum on behalf of school and non-school members.

5.2 It is the responsibility of members of the Schools Forum unable to attend a meeting to arrange for the named substitute to attend in their place and to receive any necessary papers, and the outcomes of any consultations with the group they represent.

**6. Meetings and proceeding of the Forum**

6.1. The Forum shall meet at least four times during an academic year.

6.2. Dates for meetings shall be agreed, at least a term in advance, for example autumn term meeting dates agreed at summer term meeting.

6.3. Dates for additional meetings shall be agreed at the preceding meeting, or in exceptional circumstances by the Chair.

6.4. Papers shall be circulated by email at least five working days to all headteachers as well as Forum members in advance of the meeting. In exceptional circumstances this requirement may be suspended with the agreement of both the local authority’s Director of Children’s & Joint Commissioning services (or their representative) and the Chair. Minutes of meetings shall be published on the local authority’s website as soon as they are available.

6.5. All meetings of the Forum shall be public meetings.

6.6. Meetings shall be quorate if at least 40% of the total membership is present at the meeting (excluding vacancies).

6.7. If a meeting is not quorate it can proceed but it cannot legally take decisions (such as election of a chair, or a decision relating to funding conferred by the funding regulations). A meeting that is not quorate can respond to consultation by the local authority.

6.8. The members of the Forum shall elect a person as Chair and a Vice-chair from among their number and determine the Chair’s term of office, which shall not exceed two years.

6.9. Failure by a Forum member, or their representative, to attend two consecutive meetings will result in the member being asked to stand down.

6.10. The members of the Forum may not elect as Chair any member of the Forum who is an elected member of the Council or officer of the local authority.

6.11. Members of the Forum may determine their own voting procedures, excepting that all members of the Forum shall be entitled to vote on all matters put to a vote with the exception of:

* matters relating to the formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers, where voting is restricted to school and academy members and non-school members representing early years providers
* decisions about de-delegation, where voting is restricted to school members whose phase is affected by the decision (decisions shall be made separately for each phase)
* decisions about retaining funding for statutory duties relating to maintained schools only is limited to maintained primary, secondary, special and PRU members.

6.12. Voting procedures and outcome shall be formally recorded in the minutes of the Forum.

6.13. The proceedings of the Forum are not invalidated by:

* any vacancy among their number
* any defect in the election or appointment of any member
* any defect in the election of the Chair.

6.14. The Forum shall have the discretion to convene working parties of the Forum, either with a nominated membership, or open to all members of the Forum wishing to attend. Working parties shall report to the Forum on the outcome of their meetings. The Forum can invite other persons to participate in working groups, but should agree this in advance and such a decision should be recorded in the minutes of the meeting at which this was decided.

6.15. The Forum shall have the discretion to nominate named members of the Forum to take decisions on its behalf where an item has been discussed at a meeting, but a final decision cannot be taken because information is not available at the time of the meeting. Decisions taken in this way shall be recorded in the minutes of the meeting.