

Bradford MDC Schools Forum

Conduct of Meetings & Procedural Matters 2017

(October 2016)

1. Regulations

- 1.1 The procedures for the conduct of School Forum meetings were originally agreed in October 2006 following the Schools Forum (England) (Amendment) Regulations 2005/3299. These Regulations govern the composition, constitution and procedures of Schools Forums. The Schools Forum must agree the procedures for conduct of meetings.
- 1.2 The original Regulations have been revised by the Schools Forums (England) (Amendment) Regulations 2007 and amended again e.g. by the Schools Forum Regulations 2012, 2013 and 2014.
- 1.3 The Regulations set regulatory requirements for procedural matters, voting and the conduct of meetings and these are included here. However, a number of procedural matters have been left for local decision. Where the Regulations make no provision on a procedural matter, local discretion is exercised.
- 1.4 The intention behind the Regulations is that Forum meetings will be conducted in the same manner as other Council Executive and Committee meetings.

2. Revision of Procedural Arrangements

- 2.1 Subject to the requirements of the Regulations the procedural arrangements for the Schools Forum can be reviewed and amended at any time with agreement of both the Authority and the Forum.

3. Membership

- 3.1 The agreed membership of Bradford MDC's Schools Forum at 1 September 2016 is:
 - 3.1.1 27 Maintained Schools & Academy Members
 - o 12 Headteachers Maintained Schools
 - o 7 Governors Maintained Schools
 - o 7 Academy representatives (including Free Schools, Studio Schools and UTC's)
 - o 1 representative of Pupil Referral Units
 - 8 Non-Schools Members
 - o A representative of the Church of England Diocese
 - o A representative of the Roman Catholic Diocese
 - o A representative of the Bradford Muslim Association
 - o 2 representatives of the Trades Unions (teaching & non-teaching)
 - o An Officer representing vulnerable pupils
 - o A representative of Early Years Private, Voluntary and Independent providers (PVI)
 - o A representative of Post 16 Providers
- 3.2 The term of membership for Maintained Schools members is 2 years. In order to provide for continuity of expertise 50% of Maintained Schools members retire each year. Serving Maintained Schools members can put themselves forward for re-election to continue for consecutive terms, subject to the requirements for review explained in 3.3. Maintained Schools & Academy members are formally elected by their constituent groups. Academies set their own membership arrangements, including terms of office and the distribution of representation between phases. However, Special Academies / Free schools, or Alternative Provision Academies / Free schools, are required to be formally represented where these types of setting exist.
- 3.3 The Regulations require the number Maintained Schools members to be proportionate to pupil numbers by phase. The Regulations also require the total number of Maintained Schools & Academy members to be proportionate with pupil numbers, with a minimum annual review. The first consideration therefore, in the re-election of the 50% of Maintained Schools members that retire each year, will be ensuring that representation between phases and between Maintained Schools and Academy members remains

proportionate with pupil numbers. This may require the composition of membership between phases and between Maintained Schools and Academies to be adjusted at this point and may mean that serving members may not be eligible for re-election. The Forum will be consulted on all amendments.

- 3.4 Maintained Schools members cannot remain as Maintained Schools Members once their own school has converted to Academy. Should this and / or should the progress of conversion to Academy status be such as to warrant "mid-term" review of membership arrangements, to ensure that membership remains proportionate, this will be discussed with the Forum and changes will be actioned as appropriate and as agreed. **Recognising however, the fluidity across the District currently in the transfer of large numbers of maintained schools to academy status, it is proposed that a flexible interim approach is adopted for membership for the period September 2016 to March 2017. This is proposed to support continuity and stability to enable effective DSG decision making for the 2017/18 financial year across the September 2016 to March 2017 Schools Forum meetings. The interim approach will be reviewed at March 2017.**

- 3.5 The Regulations provide that proceedings of the Schools Forum are not invalidated by defects in the election or appointment of any member, or the appointment of the Chair. Nor does the existence of any vacancy invalidate proceedings (save the quorate requirement).

4. Quorum

- 4.1 A Forum meeting is only quorate if 40% of the total membership is present. This is 40% of the current membership excluding vacancies and any observers. Substitute members taking the place of ordinary members, who are absent at a meeting, are counted in the quorum calculations.
- 4.2 If a meeting is inquorate it can proceed but it cannot legally take decisions e.g. elect a chair or make a decision relating to funding conferred by the Regulations. An inquorate meeting can respond to Authority consultation and give views to the Authority, but the Authority is not legally obliged to take account of the views expressed.

5. Voting & Decision Making

- 5.1 Only Maintained Schools and Academy members, and the representative of PVI providers, can vote on matters relating to formula funding. Decisions will be recorded by voting. Non Schools members can participate in discussions on formula funding but do not have voting rights, with the exception of the representative of PVI providers, who does have voting rights when decisions on formula funding are taken.
- 5.2 Decisions on the "de-delegation" of Dedicated Schools Grant (DSG) formula funding items, and the management and allocation of contingencies with the DSG as permitted by the Regulations, must also be made on a phase by phase basis, with the Maintained Schools member representatives from Primary & Secondary taking decisions just for that phase. Decisions will be recorded by voting. Non Schools members, including the representative of PVI providers, and Academy Members can participate in discussions on these matters, but do not have voting rights.
- 5.3 The minutes of the meeting will record the outcome of the vote.
- 5.4 All other decisions relating to the allocation of the DSG, and to other school finance matters tabled at the Forum, will be taken by all members on the basis of reaching consensus, wherever possible.

6. Observers

- 6.1 The Regulations require that the Education Funding Agency (the EFA) has observer status at Schools Forum meeting. The EFA representative has the right to "participate" i.e. to speak at meetings.
- 6.2 The Forum may ask other observers to attend the Forum and can also invite any other body to do so.
- 6.3 Observers may not take part in decision making or voting.

7. Named Substitute Members

- 7.1 Named substitute members will be formally nominated by their constituent groups & will be agreed by the Forum.

- 7.2 Named substitute members have the same rights as full members of the Forum for the meetings which they attend in place of the ordinary member. They will also be sent the reports for all meetings.
- 7.3 Named substitutes can also be used as observers, but only have observer rights to the meetings they attend specifically as observers.
- 7.4 Any substitute provided by a member that is not on the list of named substitutes held by the Forum has no right of participation in the meeting, unless invited to do so by Forum members, and has no right to vote.
- 7.5 The Clerk of the Forum co-ordinates the attendance of substitutes. Members are required to contact the Clerk where they are unable to attend a meeting.

8. Election of a Chair & Vice Chair

- 8.1 The Chair and Vice Chair must be a member of the Schools Forum and must be elected by the members of the Forum. Non-executive elected members of the Council or Authority Officers are not permitted to be Chair.
- 8.2 The term of office of the Chair and Vice Chair will be for one calendar year. Both the Chair and Vice Chair can stand for re-election to serve consecutive terms of office.
- 8.3 The Vice Chair will not be Chair Designate.

9. Notice of Meetings & Agenda Setting

- 9.1 The Forum is required to meet at least four times a year
- 9.2 The dates of meetings for the coming year and the Forum's work plan, which outlines the key items of business that will be discussed by the Forum each term, will be published on the public website at the start of the academic year.
- 9.3 Agenda items for meetings are determined in consultation with the Chair and Vice Chair.
- 9.4 The timing of meetings will be geared towards allowing for best attendance of Forum members.
- 9.5 It may be necessary to arrange additional meetings at times when the Forum has urgent unforeseen or significant matters to discuss. Where the dates of already scheduled meetings are changed, or additional meetings are arranged, all members will be notified directly of the changes by email or post. The public website will also be amended.
- 9.6 The Forum will normally only consider items if they have been included in an agenda, which has been made available for public inspection. However, the Chair can allow an item to be considered, which has not been on a publicly available agenda. For this to happen, the Chair must be of the opinion that it is a matter of urgency. An explanation of the special circumstances must be given in the minutes of the meeting to justify this action.

10. Urgent Business

- 10.1 Where there is a need for a decision or a formal view from the Forum, before the next scheduled meeting, the Clerk to the Forum, in consultation with the Chair of the Forum, will contact all Forum members by email or post giving the details of the decision required and a deadline by which views or votes must be received. All members will be notified of any decision taken and this will be repeated for information at the start of the subsequent Forum meeting (and recorded within the minutes for public awareness).
- 10.2 The Chair cannot take a decision on behalf of the Forum, but the Chair may give the Authority a view on any urgent issue.

11. Access to Meetings

- 11.1 Any person is entitled to attend Forum meetings.

- 11.2 All meetings will be held in public. The taking of photographs, filming and sound recording of the meeting is allowed except if the Forum Members vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Forum clerk who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- 11.3 Members of the public do not have the right to participate in Forum meetings, unless they are asked to do so by the Chair and with the agreement of Forum members.
- 11.4 If a member of the public interrupts proceedings, the Chair will warn the person concerned. If s/he continues to interrupt, the Chair can order her/his removal from the meeting.
- 11.5 Attendees from the Local Authority, able to participate in meetings, are restricted by Regulation to the Lead Member, the Director of Children's Services or their representative, the Chief Finance Officer or their representative or where the officer is attending to provide specific financial or technical advice or is presenting a report. Only specific officers eligible to speak at meetings are eligible to attend. Any person presenting a paper can only speak on the paper they are presenting.

12. Recording of Attendance & Apologies for Absence

- 12.1 All members present during the whole or part of a meeting should sign their names on the attendance register to assist with the record of attendance.
- 12.2 Members should contact the Clerk to the Forum prior to a meeting to record apologies for absence.
- 12.3 The minutes of Forum meetings will record the names of attending members, non-attending members that have given apologies and non-attending members that have not given apologies. The Clerk will keep a record of reasons for apologies, which can be reported to the Forum on request.
- 12.4 Membership of the Forum will lapse if a member fails to attend 4 consecutive Forum meetings, unless the Forum agrees that there have been extenuating circumstances, which have prevented attendance.

13. Declarations of Interest

- 13.1 Members should make a declaration of interest when relevant.

14. Administrative Support to the Forum

- 14.1 Clerking and other administrative support to the Forum will be provided by the Local Authority.
- 14.2 This will include:
- 14.2.1 Assisting each constituent group with the co-ordination of the member nomination and election processes
 - 14.2.2 Maintaining records of the election process and composition of the Schools Forum
 - 14.2.3 Maintaining a database of Forum member names and contact details
 - 14.2.4 Sending agendas, minutes and reports to Forum members prior to each meeting
 - 14.2.5 Co-ordinating the attendance of substitute members
 - 14.2.6 Maintaining a record of Forum member attendance, non-attendance and apologies
 - 14.2.7 Recording the discussions and action points of Forum meetings and the outcomes of voting
 - 14.2.8 Maintaining the information on the website for public access to agendas, reports and minutes
 - 14.2.9 Providing an induction for new members of the Forum

- 14.2.10 Providing a route for access to further information and updates from DfE / EFA on Forum related business
- 14.2.11 Providing technical advice on the Regulations governing the Schools Forum composition, constitution and procedures
- 14.2.12 Responding to queries concerning the business of the Forum from Stakeholders and other non-members
- 14.2.13 Recording of spending against the Schools Forum budget and processing members' expenses

15. Order of Business at Meetings

- 15.1 At normal meetings, business will usually be dealt with in the following order
 - 15.1.1 Choice of a person to Chair if Chair and Vice Chair are absent
 - 15.1.2 Receiving of apologies for absence
 - 15.1.3 Disclosures of interest from members
 - 15.1.4 Agreeing the minutes of the last meeting & receiving an update on outstanding action points
 - 15.1.5 Correspondence received from schools
 - 15.1.6 Items of business on the agenda
 - 15.1.7 Standing items, including reports received from the Forum's sub groups & standing information items
 - 15.1.8 Any other business not included on the agenda
 - 15.1.9 Agreement of date, time and location of future meetings

16. Availability of Agendas, Minutes and Reports

- 16.1 Normal practice is for agendas, minutes of the previous meeting and relevant reports to be sent directly out to Forum members and substitutes at least 7 days before the date of the meeting. These will be sent out via email, or via post on request.
- 16.2 Where it is not possible to send reports to members 7 days in advance, members will be notified before the meeting when any missing information will be available or whether this will be tabled at the meeting. Where information has been sent closer than 7 days before the date of the meeting, or has been tabled at a meeting, the Forum has the discretion to take a view on whether members have had sufficient time to consider this and what action should be taken, for example, moving the item to a future agenda.
- 16.3 The agenda and reports for the next meeting will be placed on the website for public access at the same time as these are sent out to Forum members, or within 24 hours of the meeting where reports are tabled at the meeting or are related to exceptional items. Members of the public may request, at their own expense, a copy of the agenda and reports, which are available for public inspection. A reasonable number of agendas and open reports will be made available free of charge at meetings to members of the public in attendance.
- 16.4 The minutes from each meeting will be placed on the public website once these have been agreed by members as a true record at the Forum's subsequent meeting. In advance of the formally agreed minutes, a summary of the key decisions taken at each meeting will be placed on the website, for public access, within 1 week of the meeting having taken place.

17. Standard Format of Forum Reports

- 17.1 All reports submitted to the Forum should be written in the following format, using the established template

- 17.1.1 Title & Brief Description of the item. The purpose of the report should be clearly set out
- 17.1.2 The date (s) of any previous discussion at the Forum and references to previous reports
- 17.1.3 Background & Context
- 17.1.4 A section giving a description of the matter for discussion clearly outlining the action required and options available
- 17.4.5 A section giving an explanation of how the item supports the achievement of the District's education priorities
- 17.1.6 A clear statement of any financial implications for the Dedicated Schools Grant
- 17.1.7 Clear recommendations for the Forum to consider
- 17.1.8 Additional appendices
- 17.1.9 The name, telephone number and email address of a contact officer

17.2 Reports will be marked whether the Forum is requested to take a decision (marked 'for action') or whether the paper is provided for the Forum's information (marked 'for information')

18. Sub Groups & Working Groups

- 18.1 The current standing sub groups of the Schools Forum are The School Finance Performance Group (SFPG), the Formula Funding Working Group (FFWG) and the Early Years Working Group (EYWG). These groups have been established to conduct the bulk of the detailed work needed in the management of school deficits and surpluses and in the development and review of formula funding.
- 18.2 These sub groups will report details of their work and any recommendations back to the full Forum. The agenda for each meeting of the Forum includes a standing item where reports are taken from these groups.
- 18.3 The Forum has the discretion to convene additional working groups at any time, for example, for specific projects which may be time limited.
- 18.4 Members of sub groups are normally taken from School Forum members. However, the Forum has the discretion to recommend or nominate non-members to solely make up or be part of these groups.
- 18.5 Sub groups can make recommendations on the allocation of funding, but any final decision must be taken by the full Forum.
- 18.6 The Forum has the power, within the budget available, to commission work from external sources.
- 18.7 Members of the public are not entitled to attend sub group meetings

19. Financial Resources & Expenses

- 19.1 The Forum will set a budget each year to cover its running costs. This budget will cover
 - 19.1.1 The cost of meetings (agreed expenses, producing & distributing reports, room hire, refreshments and clerking)
 - 19.1.2 The commissioning of research or reports
 - 19.1.3 The cost of the nomination and election process for Forum members
- 19.2 School Forum members are able to claim expenses on production of a valid VAT receipt. The rates of payment will be the same as those used for co-opted members of the Council for Financial Loss Allowance, Motor Vehicle Allowance and Subsistence Allowance (the latter cannot be claimed if food is provided at the meeting).