

Bradford Schools Forum Document MZ Appendix 2

Membership, Conduct of Meetings & Procedures 2021- 2022

(refreshed July 2021)

Please note that this document is written on the basis that the Schools Forum will return to 'in attendance' meetings from September 2021 (it does not include a protocol for remote meetings as yet).

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.
- 1.2 The original Regulations have been revised by the Schools Forums (England) (Amendment) Regulations 2007, amended again in 2012 and then also amended by adjustments to the Schools and Early Years Finance (England) Regulations. The relevant Schools Forum Regulations (as amended) can be accessed [here](#).
- 1.3 The Regulations set some requirements for membership, procedural matters, voting and for the conduct of meetings, which are included within this document. A number of procedural matters however, have been left for local decision. Where the Regulations make no provision on a procedural matter, local discretion is exercised. The DfE provides an operational and good practice guide, which can be accessed [here](#).
- 1.4 The intention behind the Regulations is that Forum meetings are conducted in public and 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 Schools Forum. Outside of the necessary response to amendments to the Regulations, this document is normally reviewed and re-published annually. It is normally presented to the Forum's July meeting for consideration, feedback and approval.

3. Membership Composition

- 3.1 The membership composition of Bradford MDC's Schools Forum for the 2021/22 academic year is:

- 3.1.1 28 Maintained Schools & Academy Members

- 9 Headteachers Maintained Schools
- 3 Governors Maintained Schools
- 15 Academy representatives (including Free Schools, Studio Schools and UTC's)
- 1 representative of Pupil Referral Units

- 8 Non-Schools Members
 - A representative of the Church of England Diocese
 - A representative of the Roman Catholic Diocese
 - A representative of the Council for Mosques
 - 2 representatives of the Trades Unions (teaching & non-teaching)
 - An Officer representing vulnerable pupils
 - A representative of Early Years Private, Voluntary and Independent providers (PVI)
 - A representative of Post 16 Providers

- 3.2 Maintained Schools & Academy members are formally elected by their constituent groups. Election processes normally take place in the summer term, for membership arrangements for the following academic year September to July. These arrangements are initiated by the Authority following the annual review, which is described below.

For Maintained Schools members, the Authority communicates directly with the constituent groups, to explain the memberships to be filled, the nomination and election processes that will be followed and to ask for all eligible individuals to express their interest in putting themselves forward as a candidate.

In situations where there is only one candidate for a Maintained Schools membership position (after having invited all eligible individuals within their respective groups to stand for election), the Authority's standard practice is to appoint this candidate to this membership position. The Authority will also appoint a member in the event of a tie between two or more candidates, as required by the Regulations.

For Academies members, the Authority communicates with the academies sector. *However, the academies sector in Bradford (following recent expansion) does not currently have its own arrangements for managing its representation and the Authority has taken the leading role in this at summer 2021. This is an area for review. For arrangements going forward, the Authority wishes to talk further to the academies sector about how they collectively can operate their own Forum membership arrangements in line with the DfE's and the Authority's expectations.*

- 3.3 Academies should set their own arrangements for their representation, including for the distribution of this representation between phases. Special Academies / Free schools, and Alternative Provision Academies / Free schools, however, are required to be specifically represented where these types of setting exist and the Local Authority must ensure this. The Local Authority is also required to ensure academy representation (via appropriate appointment to membership positions) where academies do not have arrangements in place and / or where elections for academies membership positions do not take place by an instructed date. The Authority must also appoint in the event of an election that results in a tie between two or more candidates, as required by the Regulations.
- 3.4 The term of office of membership for both Maintained Schools and Academy members is 2 years, running on an academic year basis September to July. This is set by the Local Authority. In order to provide for continuity of expertise, as well as for flexibility to permit review of composition, the Authority's aim is that a proportion of Maintained Schools and Academy members 'retire' every year. Serving Maintained Schools and Academy members can put themselves forward for re-election, to continue for consecutive terms, subject to the requirements for review explained in 3.5 and 3.6.
- 3.5 The Regulations require the number of Maintained Schools members to be proportionate to pupil numbers by primary and secondary phases. The Regulations also require the number of Maintained Schools vs. Academy members to remain proportionate with pupil numbers. It is the Local Authority's practice to review these positions in full annually in the summer term, for the next academic year. Reports are presented to the Schools Forum annually in May and in July in support of this. Election processes also normally take place in the summer term following this review.

The Authority typically uses the flexibility provided by the 'retirement' of members at the end of their terms of office to adjust the Forum's membership composition for the next academic year, if this is required. The first consideration therefore, in the re-election of the Maintained Schools and Academy members that retire each year, is to ensure that representation between primary and secondary phases of maintained schools, and between Maintained Schools and Academy members, remains proportionate to pupil numbers. This may require the composition of membership to be adjusted and may mean that serving members may not be eligible for re-election to the membership position they have previously occupied. The Forum is consulted on all amendments.

In the annual review, in setting the composition for the following academic year, the Authority takes account of predicted academy conversions. This approach seeks to support stable arrangements, to avoid having to make significant in year / 'mid-term' amendments to the Forum's composition. However, review of membership is a standing agenda item for Forum meetings, which allows discussion on in year amendment if this is required (typically would be needed in exceptional circumstances e.g. where there has been a substantial unexpected volume of conversions of maintained schools to academy status).

- 3.6 A member ceases to be a member of the Schools Forum if they resign or if they no longer occupy the office by which they became eligible for election or appointment to the Schools Forum.

Within this, Maintained Schools members cannot remain as Maintained Schools members once their own school has converted to academy. Where a Maintained Schools member becomes ineligible for this reason, and where there is either a vacant academies membership, or where a new academies membership is required to be created in order to retain proportionate representation, having checked with the member first, the Authority will ask the academies sector whether they will accept the 'transfer' of this member to become a representative of the academies sector until the end of their existing term. If this transfer option either is not applicable, or is not accepted, the member must resign from the Forum.

In order to provide flexibility to adjust, if required, the Forum's composition at the next annual summer term review, the Authority may not seek to fill any Schools or Academies membership that becomes vacant in year, provided that this does not hamper effective representation. In these situations, the vacancy will not be held open for more than the length of time remaining on the existing term and the Forum will be consulted.

The Authority may take other action mid-term to adjust the membership composition, or to appoint to vacancies, to ensure that representation remains effective, proportionate and stable, in consultation with the Schools Forum.

3.7 The Authority directly manages non-schools' members representation.

The officer representing vulnerable children is appointed by the Authority from the Department of Children's Services.

The trades unions, the dioceses and the Council for Mosques are separately invited to nominate appropriate representatives. If the invitation is not taken, the membership position remains within the Forum's composition but is identified as 'not taken / vacant'. These positions can subsequently be filled at any time. There is specific term of office.

The Authority normally expects the representative of Early Years Private, Voluntary and Independent providers to be appointed from the Early Years Working Group (the sub group of the Schools Forum that reviews and contributes to the Authority's arrangements for the funding of the early years entitlements). The term of office is 2 years on an academic year basis September to July.

The Authority arranges the election of the representative of Post 16 providers, in consultation with eligible organisations, in accordance with the DfE's Regulations. The term of office is 2 years on an academic year basis September to July.

3.8 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 for the quorum requirement).

4. Quorum

4.1 A Forum meeting is 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 consultations, and can 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 "de-delegation" of Dedicated Schools Grant (DSG) for services, contingencies and for other permitted activities, from the Schools Block in respect of maintained primary and secondary schools, must be made on a phase by phase basis, with the Maintained Schools member representatives from primary and secondary taking separate decisions only for their own phases. Decisions will be recorded by voting. Other Schools and Academies members, and Non Schools members, including the representative of PVI providers, can participate in discussions on de-delegation, but these members do not have voting rights.

5.3 Decisions on retaining funding for statutory duties relating to maintained schools must be taken only by maintained primary, secondary, special and PRU members. Decisions will be recorded by voting. Other members can participate in discussions on these matters, but they do not have voting rights.

5.4 The minutes of meetings will record the outcomes of any voting.

5.5 All other decisions relating to the allocation of the DSG, and to other school finance matters tabled at the Forum, including on recommendations that are made by the Forum's sub-groups, will be taken by all members on the basis of reaching consensus, wherever possible. Voting (to determine a majority view) will be used where consensus is not achieved.

6. Observers

6.1 The Regulations require that the Education Skills Funding Agency (the ESFA) has observer status at Schools Forum meeting. The ESFA 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 any decision making or in voting.

7. Named Substitutes

7.1 Named substitute members should be nominated by their constituent groups. Named substitutes must be an appropriate individual that represents the group, which the ordinary member represents. All nominations for substitute members are subject to the Authority's and the School Forum's approval in advance of their attendance. Substitute members must be formally identified and recorded in advance of the meeting i.e. it is not permitted for a member to be substituted 'on the day' by someone who has not been previously agreed and recorded as a named substitute (in these situations, although the substitute can attend the meeting as an observer, the substitute will not be permitted to participate in the Forum's meeting as a member).

7.2 For the purposes of recording attendance, in respect of the provision written at paragraph 12.4 (4 consecutive meeting absences without accepted apologies), the attendance of a substitute in place of the ordinary member constitutes an absence of the ordinary member for which apologies are required. The Clerk of the Forum co-ordinates the attendance of both members and of substitutes. Members are required to contact the Clerk in advance of meetings (as early as possible) to notify that they are unable to attend a meeting so that the attendance of substitute members can be co-ordinated.

7.3 Named substitutes 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.

7.4 Named substitutes can also be used as observers, but only have observer rights to the meetings they attend specifically as observers e.g. where the ordinary member is in attendance.

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 and Authority Officers are not permitted to be Chair.

8.2 The term of office of both the Chair and Vice Chair is normally 1 calendar year running on an academic year basis September to July. Elections take place annually in July for the following academic year. In the situation where the Chair or Vice Chair resigns, or becomes ineligible for Forum membership mid-term, the Forum will be asked to elect a replacement and to decide at this point the date at which the new Chair's / Vice Chair's term of office should expire.

8.3 Both the Chair and Vice Chair can stand for re-election to serve consecutive terms of office.

8.4 The Vice Chair is not Chair Designate.

8.5 In situations where there is only one candidate for either the Chair or the Vice Chair, the Authority's standard practice is to appoint this candidate to the position, having first received the approval of the Schools Forum to do so.

9. Notice of Meetings & Agenda Setting

9.1 The Forum is required to meet at least four times a year. Following our standard timetable, Bradford School's Forum meets seven times a year in September, October, December, January, March, May and

July. Meetings normally are held on Wednesdays at 8am. This timing of meetings is geared towards allowing for best attendance of Forum members.

- 9.2 The dates of meetings for the next academic year, and the Forum's work plan, which outlines the key items of business that will be discussed by the Forum each term, are confirmed and published on the [public website](#) at the start of each academic year (at the latest). The provisional dates of meetings for the coming year however, are initially published earlier for planning purposes. Information relating to the Schools Forum and its business, as well as consultation documents on formula funding and links to the main public website, are also published on [Bradford Schools Online](#), which is a main reference point / communication tool for the Authority used by schools and academies.
- 9.3 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. The public website will also be amended.
- 9.3 Agenda items for meetings are determined by the Authority in consultation with the Chair and Vice Chair.
- 9.4 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 and Vice Chair of the Forum, will contact all Forum members by email 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 Neither the Chair nor the Vice Chair are permitted take a decision on behalf of the Forum, but the Chair and Vice Chair may give the Authority a view on any urgent issue.

11. Access to Meetings

Please note that this provision is written on the basis that the Schools Forum will return to 'in attendance' meetings from September 2021. It does not include a protocol for remote meetings as yet.

- 11.1 Any person is entitled to attend Schools Forum meetings.
- 11.2 All meetings are held in public. The agenda, reports, decision list and minutes are publicly available on the Council's website and in Committee Secretariat, Room 112, City Hall, Bradford. 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 must liaise in advance 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 they continue to interrupt, the Chair can order their removal from the meeting.
- 11.5 Attendees from the Local Authority, able to participate in meetings, are restricted by the Regulations to the Director of Children's Services or their representative, the Chief Finance Officer or their representative, the Executive Member for Children's Services, the Executive Member with responsibility for resources, and officers that are attending in order to provide specific financial or technical advice or to present a report. Only specific officers eligible to speak at meetings are eligible to attend. Any person presenting a report can only speak on the report they are presenting.

12. Recording of Attendance and 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 as early as possible 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 for which apologies have not been received. 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 All members must make a declaration of interest, as appropriate, at the start of the meeting, following their review of the agenda. This disclosure must explain the nature of the interest.
- 13.2 An interest must also be disclosed during the meeting if this only becomes apparent to the member during the meeting.

14. Administrative Support to the Forum

- 14.1 Clerking and other administrative support to the Forum will be provided by the Local Authority (by Committee Secretariat and School Funding Team).
- 14.2 This support includes:
 - 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 / ESFA 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 for other non-members
 - 14.2.13 Recording 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 the Chair and Vice Chair are absent
 - 15.1.2 Receiving apologies for absence and substitutes
 - 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 Consideration of any correspondence received or any matters raised by schools
 - 15.1.6 Items of business on the agenda
 - 15.1.7 Standing items, including Forum membership, reports received from the Forum's sub groups & other agreed 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 7 calendar days before the date of the meeting. These will be sent out electronically via email, and subsequently 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 A summary of the key decisions taken at each meeting will be placed on the website, for public access, within 48 hours of the meeting having taken place.
- 16.5 The draft (unapproved) minutes from each meeting will be placed on the public website within 10 working days. Members are required to agree the minutes as a true record at the Forum's next meeting.

17. Standard Format of School 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
 - 17.1.5 A clear statement of any financial implications for the Dedicated Schools Grant
 - 17.1.6 Clear recommendations for the Forum to consider
 - 17.1.7 Additional appendices
 - 17.1.8 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 or is requested to give a formal view / formal feedback (marked 'for action') or whether the paper is provided only 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), the Early Years Working Group (EYWG) and the High Needs Block Steering Group (HNBSG). These groups have been established to conduct the bulk of the detailed work needed in the management of maintained 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 to 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 decisions (or formal views) must be agreed 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 from the Central Schools Services Block 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).