

# BROMLEY SCHOOLS FORUM

## CONSTITUTION AND TERMS OF REFERENCE

### 1. Membership

#### SCHOOLS

Special school representative governor/head (non academy)	1
PRU representative head/governor	1
Primary Academy head representative	1
Primary Academy governor representative	2
Primary head representative (non academy)	2
Primary governor representative (non academy)	1
Secondary head/governor representative (non academy)	1
Secondary Academy head representative	2
Secondary Academy governor representative	2
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#### NON SCHOOLS

Early year provider (PVI)	1
14-19 partnership**	1
Diocese CofE**	1
Diocese Catholic**	1
Joint Teacher Liaison**	1
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#### OTHER NON- VOTING ATTENDEES

Portfolio Holder/Portfolio Holder Assistant	1
Assistant Director of Education/Schools	1
Head of Finance	1
Head of Schools Finance Support	1
Clerk of the Forum	1
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- 1.1 Those members of the forum marked with an asterisk (\*\*) cannot vote on matters relating to the funding formulae to be used by the Local Authority.
- 1.2 On the matter of de-delegation only the relevant maintained school members of the forum will be able to vote.
- 1.3 The Education Funding Agency (EFA) are granted observer status at forum meetings with the right to participate in discussions.
- 1.4 Other non voting attendees will attend as and when required or be part of working groups. Examples would be officers from primary, secondary, special and inclusion areas.
- 1.5 Schools membership is determined by pupil numbers. Nursery, Special, Academy, Primary, Secondary and Pupil Referral Units (PRU's) shall be represented proportionally with there being at least one representative in each of the Nursery, Special and Academy areas (assuming that they are represented in the borough).
- 1.6 Pupil number variations between each sector will be reviewed annually (before September of each academic year). Any pupil number variations can then be reviewed. Elections can then be held to rebalance the position in time for the new academic year in September/October.

- 1.7 If this results in a change to the formulation of the forum and a reduction in membership in a particular sector, then the member with the shortest length of membership should be removed from office at the last meeting of the academic year. If there are two members with equal length of membership then the Local Authority (LA) will decide.
- 1.8 School membership will be formulated by ballots in each specific area. The winner of the ballot will become the main representative of the forum.
- 1.9 Non school membership cannot exceed one third of the total membership.
- 1.10 From the schools membership, no two forum members can be from the same School.
- 1.11 From the schools membership, alternate members will be nominated by the elected members in each area who can attend and vote in their absence. The Chair must be notified if an alternate is attending in place of an elected member.
- 1.12 The Local Authority (LA) may nominate alternate members for the non school membership
- 1.13 Observers have no voting rights but attend on behalf on the EFA to advise and guide where appropriate
- 1.14 LA Officers attendance is limited to a relevant Lead Member, Director of Children's Services (or their representative), Chief Finance Officer (or their representative), or if an officer is providing specific financial or technical advice (including presenting a paper to the Forum). Officers have no voting rights.

## **2. Alternate Members**

- 2.1 Alternate members may attend and vote on behalf of members that cannot attend the forum meeting.
- 2.2 A nominated alternate may only replace their nominated forum member.
- 2.3 Alternate members will receive the same documentation as the main nominated forum member.

## **3. Term of Office**

- 3.1 The members of the forum shall serve for 3 years from September 2014. Other members shall serve for 3 years from their date of appointment. However membership can be terminated by the LA using paragraphs 1.5 and 1.6 above.
- 3.2 Members who have reached the end of their term of office shall be eligible for re-appointment.

## **4. Vacancies**

- 4.1 When a vacancy occurs, self nomination shall be sought from the representative sector, e.g. if the vacancy is for a primary governor, nominations shall be sought from primary school governors.
- 4.2 If there is more than one nomination, an election shall be held with those in the representative sector being able to vote.
- 4.3 The exceptions to 4.2 is the Secondary non academy representative and the PRU representative. This member could be a head or a governor. The LA will choose whether the representative should be a Headteacher or a Governor in these instances.

## **5. Functions**

- 5.1 The Authority will consult the forum annually on the funding formula by:-
- Approving any proposed changes to the schools' funding formula and the financial effect of any such change. (Consultation shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the authority's formula and in the initial determination of schools' budget shares before the beginning of the financial year).
  - Approving changes to the LMS formula.
  - Agreeing which data elements within the LMS formula should be updated during a multi-year budget period.
  - Agreeing arrangements for multi-year budgets.
  - Whether or not to allow breaches of the Central Expenditure Limit (CEL) limit.
- 5.2 The LA shall consult the forum on the terms of any proposed contract for supplies or services to schools. (Consultation shall take place at least one month prior to the issue of any invitations to tender).
- 5.3 The LA shall consult the forum annually in respect of the Authority's functions relating to the schools budget in connection with the following:
- The arrangements to be made for the education of pupils with special educational needs
  - Arrangements for the use of pupil referral units and the education of children otherwise than at school
  - Arrangements for early years education
  - Administrative arrangements for the allocation of central government grants paid to schools via the relevant authority
- 5.4 The LA may consult the forum on such other matters concerning the funding of schools as it sees fit.

## **6. Conduct of Meetings**

- 6.1 Meetings will be held at least four times a year.
- 6.2 The chair and vice chair will be elected at the first meeting in the autumn term.
- 6.3 The vice chair will act in the absence of the chair. The vice chair will have the same powers as the chair in relation to the organisation and running of the meetings
- 6.4 Decisions are taken via a majority vote. In the event of a tie the chair will have the casting vote.
- 6.5 Each member is entitled to 1 vote (subject to paragraphs 1.1 and 1.2 above). Alternate members may vote in the place of the specific forum member that they are replacing at a schools forum meeting.
- 6.6 The quorum is 40%. The meeting can continue if inquorate but any advice given to the LA as a result of such a meeting would not have to be taken into account by the Authority.

- 6.7 The forum may have working groups but any advice formally passed to the LA must be approved by the forum as a whole.
- 6.8 Members of the forum must make declarations of interest when relevant, for example, when the forum is considering matters relating to service contracts.

## **7. Working Groups**

- 7.1 The forum will make use of working groups when carrying out its business. Working groups will identify and discuss matters that need to be taken to the forum for a decision.
- 7.2 The working groups will be formulated as required and will consist of a mixture of main forum, alternative forum, observers LA representatives and other specific experts.
- 7.3 The working groups will have no voting rights or decision making powers, but will provide an advisory role to the main body of the forum.

## **8. Confidentiality**

- 8.1 Confidential items, such as commercially sensitive information regarding contracts or personal information, should normally be discussed by forum members only.

## **9. Attendance**

- 9.1 If a member of the forum or their nominated alternative member has not attended for two consecutive meetings the clerk shall contact those members. If their reason for non-attendance is deemed inadequate by the chair then an election should be arranged to replace them.

## **10. Administration**

- 10.1 The LA will provide a clerk for the meetings of the forum.
- 10.2 Papers for meetings of the forum will be circulated to members during the week before a meeting, preferably at least 5 working days in advance.
- 10.3 All papers will be sent electronically by email.
- 10.4 The minutes and relevant papers of meetings (unless confidential) of the forum will be made available on the Council website.
- 10.5 The LA will pay the reasonable expenses of members of the forum.

## **11. Training**

- 11.1 Any new forum members must receive training from the local authority on finance matters within two months of taking up the position. Regular attendance at other updates will be required. Further updates will be offered by the LA when appropriate. This applies to the main forum members as well as the alternative members.

## **12. Statutory Instrument**

- 12.1 The constitution and terms of reference should be read in conjunction with the Statutory Instrument number 2261 (The Schools Forums (England) Regulations 2012).