

BROMLEY SCHOOLS FORUM

CONSTITUTION AND TERMS OF REFERENCE

1. Membership

SCHOOLS

Special Maintained school representative governor/trustee/head	1
Special Academy school representative governor/trustee/head	1
PRU Academy representative head/trustee/governor	1
Primary Academy head representative	2
Primary Academy governor/trustee representative	2
Primary Maintained head representative	1
Secondary Maintained head/trustee/governor representative	1
Secondary Academy head representative	2
Secondary Academy governor/trustee representative	1
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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 and Skills Funding Agency (ESFA) 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 or Multi Academy Trust (MAT). If this does occur then the member with the shortest length of membership should be removed from office. If there are two members with equal length of membership then the Local Authority (LA) will decide.
- 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 ESFA 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 2023. 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 by the LA. A rolling 3 year term can be agreed by the LA.

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/trustee, nominations shall be sought from primary school governors/trustees.
- 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, The Special representatives and the PRU representatives. These members could be a head or a governor/trustee. The LA will choose whether the representative should be a Headteacher or a Governor/Trustee in these instances.

5. Functions

- 5.1 The forum acts as a consultative body on some issues and a decision making body on others.
- 5.2 The forum acts in a consultative role for:
- changes to the local funding formula (the local authority makes the final decision)
 - proposed changes to the operation of the minimum funding guarantee
 - changes to or new contracts affecting schools (eg school meals)
 - arrangements for pupils with special educational needs, in pupil referral units and in early years provision.
- 5.3 The forum decides:
- how much funding may be retained by the local authority within the dedicated schools grant (eg for providing an admissions service or providing additional funding for growing schools)
 - any proposed carry forward of deficits on central spend from one year to the next
 - proposals to de-delegate funding from maintained primary and secondary schools (eg for staff supply cover, insurance, behaviour support)
 - changes to the scheme of financial management.
 - movement of up to 0.5% from the schools to other blocks.
- 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. These meetings can be held virtually.
- 6.2 The chair and vice chair will be elected at the first meeting in the municipal year.
- 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%. This is 40% of the current membership excluding vacancies. 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).