

## **Appendix A**

# **BRISTOL SCHOOLS FORUM CONSTITUTION**

### **TITLE & PROCEDURAL MATTERS**

1. The title of this organisation shall be the “Bristol Schools Forum” hereinafter referred to as “the Forum”.
2. Where any procedural matter relating to the working of the Forum is not specifically covered in the Constitution, the *Schools Forums: Operational and Good Practice Guidance, updated by the Department for Education (DfE) in March 2021* (or the latest version thereof) shall apply.
3. On any re-constitution of the Forum the LA shall have the power to transfer an existing Member of the Forum to a new category of membership, and to extend the terms of office of existing Members to allow the Forum to operate effectively after re-constitution.

### **ROLE/FUNCTION**

4. The Forum is not a committee of the Council. It is a separate statutory body established by the Local Authority (LA) under the powers laid out in the *Schools Forums (England) Regulations 2012*, which brings together key partners in the provision of education at local level, giving each an equal voice.
5. The role of the Forum is to act as a Strategic Partner with the People’s Directorate of Bristol City Council as determined by the appropriate legislation.
6. The LA must consult the Forum on the terms of any proposed contract for supplies or services paid or to be paid out of schools’ budgets where the estimated value of the proposed contract is not less than the threshold which applies for the LA under Regulation 8 of the Public Contracts Regulations 2015.
7. The LA must consult the schools forum annually in respect of the authority’s functions relating to the schools budget, in connection with the following:
  - (a) arrangements for the education of pupils with special educational needs;
  - (b) arrangements for the use of pupil referral units, Alternative Learning Provision and the education of children otherwise than at school;
  - (c) arrangements for early years provision;
  - (d) administrative arrangements for the allocation of central government grants paid to schools via the authority.

The authority may consult the forum on such other matters concerning the funding of schools as they see fit.

## **MEMBERSHIP**

8. The composition of the membership of the Forum is determined by the LA in accordance with the *Schools Forums (England) Regulations 2012*.

## **OBSERVERS**

The LA and the Forum may invite observers, but they can be asked to withdraw for specific items.

## **PROFESSIONAL ADVISER**

9. The professional adviser to the Forum will be the Service Director for Education & Skills, the Chief Financial Officer and/or his/her representative(s) who will be entitled to attend, and speak at, all meetings of the Forum and any sub-committees which it convenes.

## **CHILDREN AND YOUNG PEOPLE'S SERVICES EXECUTIVE MEMBER**

10. The Cabinet member for Education is entitled to attend and speak at the Forum, but does not have voting rights.

## **TERMS OF MEMBERSHIP AND CONDUCT OF MEMBERS**

11. Members of the Bristol Schools Forum shall act in accordance with the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
12. Members are representatives of their particular group or subgroup but they are not delegates and should duly consider proposals and vote in accordance with what they consider to be in the best interests of children in the City of Bristol.
13. It is recognised that all Schools Group members will have an interest in at least one school. It is important that members should declare if the item under discussion could make a material difference to that school, or where they may have a personal or prejudicial interest. Notwithstanding this, a member may continue contributing to the discussion, but should not take any part in any decision made concerning that particular proposal which uniquely changes funding for their particular school/schools. (An advice note concerning declarations of interest is attached at appendix 3).
14. Members may formally nominate a named substitute to attend meetings in their absence, subject to the approval of the relevant body that elected them. Such substitutes must be from the same category of membership. Such substitutes have voting rights. It is the responsibility of the member concerned to pass on a copy of meeting papers to any such substitute.
15. If a member fails to attend three consecutive meetings without giving their apologies or without their apologies being accepted, the Forum may decide they are deemed to have resigned, and the clerk should advise the LA so that they can seek nominations from the appropriate

group or sub group for a replacement.

*Note:* For clarity, a member is deemed not to have attended a meeting even if a formally nominated substitute has attended.

16. Subject to Clause 3 above, members of the Forum will be appointed for a three year term of office, subject to their remaining eligible. A member is, however, eligible for re-appointment for a total of three terms (9 years). After this period, an individual must have at least a one year break before seeking re-election. A member may resign at any time.
17. If a member ceases to be eligible to serve on the Forum he/she will be deemed to have resigned with immediate effect.
18. Only the Chair, or in their absence, the Vice Chair may formally represent the Schools Forum. Members may publicly disagree with Schools Forum decisions, but should ensure that their views do not create reputational damage to the Schools Forum.
19. An induction session will be held once or twice a year for new members.
20. Claims for expenses may be made in line with the agreed Expenses Policy.

### **ELECTION OF CHAIR AND VICE CHAIR**

21. The Forum will elect the Chair and Vice-Chair. Nominations shall be sought from the floor and approved by a simple majority of votes cast by individual members, as indicated by a secret ballot. The Chair and Vice-Chair will be elected for a two year period but will hold office until the first meeting of the Forum after the two year period has elapsed, at which time they will be eligible for re-election. A member may not serve as Chair for more than two consecutive terms without the explicit agreement of the Forum. A non-executive Member of the Council or LA officer who is member of the Forum may not hold the office of Chair or Vice Chair.
22. The Chair (or the Vice-Chair in his/her absence) will be responsible for chairing and managing meetings of the Forum, in collaboration with the appropriate LA Officers and the Clerk.
23. If both the Chair and the Vice-Chair are absent from a meeting, an acting Chair will be elected by the members present for that meeting.
24. The Chair and/or the Vice-Chair may be removed from office by a majority of votes cast by secret ballot. Any call for a ballot to remove the Chair and/or Vice-Chair must be made in writing, signed by at least 25% of the total voting membership and received by the Clerk at least 7 days in advance of the meeting at which the ballot would be taken. The clerk must advise the Chair and Vice Chair immediately any such motion is received.

### **CLERK**

25. The LA shall nominate a Clerk for the Forum.

26. The Clerk will be responsible for arranging meetings of the Forum, ensuring that members are notified of meetings and receive full agenda and supporting papers at least 7 days beforehand (excluding school holidays).
27. The clerk will be responsible for recording the proceedings at meetings of the Forum, ensuring that such a record is kept in a form that is easily accessible to others on request. Draft minutes are sent to the Chair for approval within 10 working days of a meeting, and distributed with the papers for the subsequent meeting. The Clerk will publish the draft minutes via email/ the website within three weeks of a meeting.
28. The Clerk will also be responsible for providing and seeking advice to the Forum and/or individual members and assisting the Chair/Vice-Chair with the management of meetings of the Forum.
29. The Clerk will also be responsible for ensuring that governing bodies and schools are informed of the outcome of the work of the Forum and consultation by the LA by posting of draft minutes, approved minutes, meeting agendas and associated meeting papers on the Schools' Forum page of the LA website.
30. In addition the Clerk to the Forum will (acting on behalf of the LA):
  - a. maintain an up to date list of members, nominated substitutes, and observers, detailing terms of office;
  - b. on the list of members also record details of the executive member and nominated LA professional advisers to the forum;
  - c. advise the Chair of the Forum and the LA and representative groups when vacancies occur. The Clerk will facilitate or organise where appropriate for the vacancies to be filled, in accordance with the agreed procedure (See Appendix 1) and will ensure that sufficient time is given to enable all constituency members have sufficient notice to be able to consider self-nomination. It is unlikely that less than 10 normal school days would be sufficient;
  - d. notify changes to membership via the Schools' and Governors' bulletins.

## **PEOPLE DIRECTORATE**

31. LA Officers will be responsible for ensuring that all necessary papers for meetings of the Forum are supplied to the clerk in accordance with section 23 in a timely fashion.
32. Where LA Officers are reliant on an external body (e.g. DfE) for receipt of information which may arrive too late for processing/distribution, papers may be e-mailed to members no less than 3 days before a meeting. Papers may only be tabled at a meeting to those members who do not have access to email.

## **QUORUM**

33. The quorum for meetings is 40% of the total voting membership (namely Schools Group and Non Schools Group) excluding any vacancies in those groups).
34. If a meeting is inquorate, it can proceed, but it cannot legally take decisions (e.g. election of a Chair or Vice-Chair, or a decision relating to funding conferred by the funding regulations). An inquorate meeting can respond to authority consultation, and give views to the authority.

## **PROCEEDINGS**

35. Meetings of the Forum will be held a minimum of 4 times a year. Additional meetings may be convened as and when required with the agreement of the Chair.
36. A calendar of dates for meetings will be agreed at the first meeting in each school year.
37. Where a decision needs to be made and there is general consensus, a formal vote will not be necessary. If the Chair determines a vote is necessary, voting will take place by a show of hands by members and decided by simple majority. Where there is an equality of votes, the Chair has a second and casting vote. If the Chair believes there is a conflict of interest the casting vote can be passed to the Vice-Chair.
38. Forum meetings can be held remotely in accordance with the Schools Forums: Operational and Good Practice Guidance, updated by the Department for Education (DfE) in March 2021.
39. Meetings of the Forum will be open to the public and press unless its members consider that an item of business should be considered in private session. The principles of the Local Government (Access to Information) Act 1985 apply.
40. In order to address specific issues, the Forum may, on occasion, need to establish working groups from within its membership group. Such working groups must appoint a Chair who will be directly responsible for ensuring that the business of the group is recorded; also for reporting to the outcomes of the work of the group to the Forum. The Forum may vote to accept a report from a working group.
41. Agenda items are selected by the Chair and Vice Chair in consultation with the appropriate LA officers at an agenda planning meeting. Items of Any Other Business must be proposed to the Chair/Clerk before a meeting.
42. Any member of the Forum can request information about a subject matter relevant to Forum business.

## **Appendix 1**

### **BRISTOL SCHOOLS FORUM**

#### **MEMBERSHIP OF THE BRISTOL SCHOOLS FORUM**

##### **MEMBERSHIP**

1. The Local Authority is responsible for setting up the Bristol Schools Forum, determining the numbers of members comprising of the Schools Group, Non-Schools Group, Academies Group and Observers, as laid out in the *Schools Forums (England) Regulations 2012*, and in accordance with the *Schools Forums: Operational and Good Practice Guidance*, issued May 2020.
2. Regulations specify that each school forum shall contain schools members, non-schools members and academies members. At least two thirds of the members must be schools or academies members, i.e. school senior leadership team members or governors. The remaining membership will come from non-school organisations, which have a direct interest in the business of the schools forum.
3. Schools members must be elected to the Forum by the members of the relevant group, or sub-group, in the authority's area.
  - a. The groups are:
    1. representatives of nursery schools, where there are any such schools in the authority's area;
    2. representatives of primary schools other than nursery schools;
    3. representatives of secondary schools;
    4. representatives of special schools, where there are any such schools in the authority's area; and
    5. representatives of pupil referral units, where there are any such schools in the authority's area.
4. Academies members must be elected to the schools forum by the proprietors of the academies in the authority's area.
5. The local authority (LA) must appoint non-schools members to the Forum comprising:
  - (a) one or more persons to represent the local authority 14-19 partnership; and
  - (b) one or more persons to represent early years providers.The LA may appoint additional non-schools members to the Forum to represent the interests of other bodies.

Prior to making any such appointment the LA must consider whether the following bodies should be represented:

  - the Diocesan Board of Education for any diocese any part of which is situated in the authority's area;
  - the Bishop of any Roman Catholic Diocese any part of which is situated in the authority's area;

- where there are any schools or academies within the authority's area that are designated under section 69(3) of the School Standards and Framework Act 1998 as having a religious character (other than Church of England or Roman Catholic schools), the appropriate faith group in respect of any such school or Academy.
6. Having taken 2020 pupil numbers into account, the Local Authority has determined that the Bristol Schools Forum membership shall comprise:

Phase	Pupils	Proposed membership entitlement		Pupils per member	Changes
		Headteacher/SLT (10)	Governors (10)		
PRU (ALP)		1	1		Additional role included due to increase focus on SEND and Alternative Provision
Nursery/early years		1	1		No change
Special – Maintained			1		The two posts are now split to ensure maintained and academy representation
Special – Academies			1		
Primary Total	35,869		9	3,985	Reduction in primary posts by 5 roles
of which: in LA maintained schools:	16,180	2	2	4,045	
in Academies	19,689		5	3,938	
Secondary Total	19,947		5	3,989	Reduction in secondary posts by 3 roles
of which: in LA maintained schools:	2,490		1	2,490	
in Academies	17,457	2	2	4,364	
<b>Total</b>			<b>20</b>		Overall reduction of 7 posts

Organisation (Non-School)	Number of members	Changes
Church of England Diocesan Board	1	
Roman Catholic Diocesan Board	1	
Post 16 Providers	1	
PVI Early Years	1	
Trade Union – Teaching	1	Split the 2 union roles into teaching and non-teaching to increase education workforce representation
Trade Union – Non-Teaching	1	
<b>Total</b>	<b>6</b>	

#### **PROCEDURE FOR DETERMINATION OF MEMBERS**

7. The following processes will apply to the constituent groups in determining membership of the Forum, in accordance with, *the Schools Forums: Operational and Good Practice Guidance, issued May 2020.*

#### **HEADTEACHER MEMBERS OF THE SCHOOLS GROUP**

8. Representatives will be sought by the Clerk from all Heads in each phase as necessary. If there are more candidates than vacancies, the LA will provide all Heads with ballot papers and copies of the expressions of interest of candidates to be returned in the timeline set out on the ballot paper.

#### **GOVERNOR MEMBERS OF THE SCHOOLS GROUP**

9. Self-nominations and pro-forma expressions of interest will be sought from all governors of LA maintained schools in each phase as necessary. If there are more candidates than vacancies, the LA will provide Chairs of Governors of the relevant schools a ballot paper and copies of the expressions of interest of candidates. Chairs of Governors will be responsible for returning completed ballot papers on behalf of their Governing Body in the timeline set out on the ballot paper.

10. Nominations and expressions of interest for the Academy Governor places will be sought from all Academy Governing Bodies. In the case of there being more than one nominee, the Clerk shall make arrangements for a ballot as set out in paragraph 10 above for LA Maintained schools.

#### **NON SCHOOLS GROUP AND OBSERVERS**

11. The appropriate bodies named in the Non-Schools' Group and list of observers shall nominate representatives to the clerk for appointment to the Forum. A Non Schools Group representative may nominate a substitute who has to be approved by the appropriate body.

#### **ADDITIONAL CRITERIA**

12. The Executive member and officers employed by the LA who have a role in the strategic resource management of the authority may not be Members of the Forum.
13. In all cases a person who holds multiple offices/positions which results in them being eligible for membership of one or more groups (e.g. a governor at a primary school and a secondary school) can only be appointed to represent one of those groups.

## SCHOOLS FORUM REGULATIONS (England) 2012 Guidance

1. The main changes to these regulations relate to the membership and proceedings of Schools Forums. The regulations will come into force on 1 October 2012, and Schools Forums will need to be reconstituted for this date.

### *Membership*

2. The requirement that schools and Academies should have broadly proportionate representation according to pupil numbers in each category is maintained (**regulation 4(6)**). There is concern that the composition of Schools Forums has not changed quickly enough to reflect the pace of academy conversions. Local authorities are required to ensure their Schools Forum is compliant with this requirement based on the pupil numbers in each category as of September 2012 and that this is updated as more conversions take place.
3. There is no longer a requirement to have a minimum of 15 people on Schools Forum. Smaller authorities in particular may therefore wish to review the total size of their Schools Forum.
4. Where there is at least one maintained secondary school in an authority, at least one schools member must be a representative of a secondary school (**regulation 4(7)**). This is consistent with the arrangements for Academies, maintained nursery schools, maintained special schools and maintained Pupil Referral Units. Many authorities now have very few maintained secondary schools, so this will provide minimum representation as with other minority types of school.
5. In order to reflect their status of having a delegated budget from April 2013, where the authority maintains one or more Pupil Referral Units (PRUs) they are required to have a representative on the Schools Forum, who counts as a schools member (**regulations 4(10) and 5(2)(e)**).
6. Among the members representing maintained schools, at least one must be a representative of governing bodies and at least one must be a representative of headteachers (**regulation 4(5)**). This is a requirement of the primary legislation but has not previously been made explicit in the regulations.

## *Proceedings*

7. There will be a restriction on local authority members and officers who are not members of the Schools Forum taking part in its meetings (**regulation 8(4)**). Participation will be limited to a Lead Member for education, children's services or resources, Director of Children's Services (or their representative), Chief Finance Officer (or their representative) or officers who are providing specific financial or technical advice to Schools Forum. Other officers will be able to participate where they are presenting a report, but their participation must be limited to their specific agenda item.
8. The Education Funding Agency (EFA) has been granted observer status at Schools Forum meetings (**regulation 8(4)(f)**). This will provide support to the local process and provide a national perspective if members think it helpful.
9. With regards to voting, the key change is with regard to the funding formulae. Only schools members (which includes mainstream schools, Academies, special schools and PRUs) and representatives of the Private, Voluntary and Independent (PVI) sector will be able to vote on the funding formulae (**regulation 8(10)**).
10. Additional requirements for the transparency of Schools Forum include holding all Schools Forum meetings in public and publishing Schools Forum papers, minutes and decisions in public areas of the local authority website (**regulations 8(2) and 8(13)**).
11. In order to reflect the complete delegation of funding for some services, the requirement to consult Schools Forums annually about arrangements for free school meals and insurance has been removed.

For further information on these regulations, please contact the Funding Reform Team at [reformteam.funding@education.gsi.gov.uk](mailto:reformteam.funding@education.gsi.gov.uk).

*Appendix 3*

**BRISTOL SCHOOLS FORUM**

**ADVICE NOTES CONCERNING DECLARATIONS OF INTEREST**

In considering the declaration of an interest, a Member of the Forum should apply the following test: would a member of the public, knowing the facts of the situation, reasonably think that the member might be influenced by the interest?

A prejudicial interest would include the situation whereby a proposal uniquely affects either a school at which they are a headteacher/governor or which their children attend.

Any member who requires advice/guidance concerning declarations of interest or any other issue concerning the Forum should contact the Clerk in the first instance.