



NOTTINGHAM CITY COUNCIL
SCHOOLS FORUM

Date: Thursday 13 February 2014

Time: 1.45 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham,
NG2 3NG

Members are requested to attend the above meeting to transact the following business

Clerk to the Forum: Laura Wilson, Constitutional Services **Direct Dial:** 0115 8764301

AGENDA

Pages

- | | | |
|----------|---|-----------|
| 1 | APOLOGIES FOR ABSENCE | |
| 2 | DECLARATIONS OF INTERESTS | |
| 3 | MINUTES
Last meeting held on 13 January 2014 for confirmation | 3 - 8 |
| 4 | WORK PROGRAMME | 9 - 10 |
| 5 | REVISED MEMBERSHIP AND CONSTITUTION FOR NOTTINGHAM CITY SCHOOLS FORUM
Report of Head of Education Partnerships | 11 - 46 |
| 6 | EFFECTIVE EARLY ASSESSMENT FOR CHILDREN IN SCHOOLS
Report of Director of Family Community Teams | To follow |
| 7 | PERMANENT EXCLUSIONS - FULL COST RECOVERY ARRANGEMENTS FOR 2013/14 AND 2014/15
Report of Director of Family Community Teams | To follow |

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE CLERK TO THE SCHOOLS FORUM, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

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SCHOOLS FORUM

MINUTES of meeting held on 13 January 2014 at Loxley House from 1.48 pm to 2.37 pm

	School	EIP
Primary Governors (3)		
Janet Molyneux	Rise Park Primary	Aspire
Ed Williams	Dovecote Primary	Clifton
Primary Head Teachers (5)		
Carol Barker	Woodlands	West 8
Shaun Farrington	Burford Primary	Sherwood
Judith Kemplay	Melbury Primary	K2S
Terry Smith	Greenfields Community	Central
Alison Tones	Rufford Primary	Bulwell
Secondary Head Teachers or Governors (3)		
Sally Coulton (Head)	Ellis Guilford	Ellis Guilford
Les Michalak (Governor)	Farnborough	Clifton
Nursery Head Teacher or Governor (1)		
Bev Angell (Governor)	Nottingham Nursery	Central
Pupil Referral Unit (PRU) (1)		
Angie Mindel	Lead Officer for PRUs	
Primary Academy Head Teacher or Governor (10)		
Jo Bradley (Head)	Blue Bell Hill Primary	EPIC
Dean Pomeroy (Head)	Warren Primary	Aspire/EPIC
Mark Precious (Head)	Old Basford	Ellis Guilford
Moira Dales (Head)	Our Lady and St Edward's	Beckett
Tony Simpson (Governor)	St Patrick's Primary	Beckett
James Strawbridge (Governor)	Glapton Primary	Clifton
Secondary Academy Head Teacher or Governor (4)		
Linda Abbott (Governor)	Bulwell	Bulwell
Carol Fearria (Head)	Emmanuel	Emmanuel Cluster
Mike McKeever (Head)	Trinity	Trinity
Ann Witheford (Head)	Fernwood	
Early Years (3)		
Kathryn Bouchlaghem	Early Years Manager	
Gary Holmes	Stepping Stones Day Nursery	
Special School Head Teacher or Governor (1)		
No representative currently		
14-19 (1)		
No representative currently		
Unions (1 collective vote)		
Susi Artis	NUT	
Maggie Proctor	NASUWT	
David Wand	Unison	

indicates present at meeting

Substitutes in attendance

Wilf Fenwick (for Carol Fearria)
Annwen Mellors (for Sally Coulton)
Catherine Smith (for Kathryn Bouchlaghem)

Colleagues, partners and others in attendance

Alistair Conquer - Education Partnerships)
Tim O'Neill - Family Community Teams) Children and Families
Jennifer Shadbolt - School Organisation)
Janine Walker - Special Educational Needs)

Julia Homes - Finance Support)
Ceri Walters - Finance Support) Resources
Laura Wilson - Constitutional Services)

24 APOLOGIES FOR ABSENCE

Carol Barker (Woodlands)
Kathryn Bouchlaghem (Early Years)
Sally Coulton (Ellis Guilford)
Carol Fearria (Nottingham Emmanuel)
Judith Kemplay (Melbury Primary)
James Strawbridge (Glapton Primary)
David Wand (Unison)

25 DECLARATIONS OF INTERESTS

None

26 MINUTES

Subject to changing SRR to SSR in minute 18, the Forum confirmed the minutes of the meeting held on 5 December 2013 as a correct record and they were signed by the Chair.

27 WORK PROGRAMME

Laura Wilson, Clerk to the Forum, updated the work programme at the meeting to clarify that the Schools Forum Constitution report in February will consult members on the proposed changes, and that the final version of the Constitution will be submitted to the April meeting for approval.

28 PUPIL GROWTH CONTINGENCY FUND - UPDATE ON SPEND

Jennifer Shadbolt, Project Manager, School Organisation, introduced her report updating the Forum on the spending of the Pupil Growth Contingency Fund during the Autumn Term 2013.

RESOLVED to note

- (1) **the spend so far, as detailed in paragraph 1.4 of the report;**

- (2) **the identified future spend, as detailed in paragraph 1.5 of the report.**

29 SCHOOLS BUDGET 2014/15

Ceri Walters, Finance Business Partner, Children and Families Finance Support Team, introduced her report updating Forum on the 2014/15 budget position and seeking approvals to progress with the 2014/15 budget development.

She provided the following additional information in response to questions and comments from the Forum:

- (a) the figures in Appendix A for 2013/14 are subject to review and the close down report will contain the exact figures;
- (b) quarterly monitoring reports will be introduced in the future to keep the Forum up to date and help enable accurate forecasting;
- (c) the Prior Attainment Factor rate will be reviewed and altered as necessary;
- (d) the budget confirmation for Pupil Referral Units will be later than the confirmation for schools because of waiting for confirmation of the High Needs funding from the Department for Education (DfE).

RESOLVED to

- (1) **note:**

- (a) **the latest position of the 2014/15 Dedicated School Grant (DSG) budget setting process that the initial DSG budget allocation for Nottingham for 2014/15 is £228.310 million before academy recoupment which assumes:**
 - **an increase in learning places for two year olds extending the statutory entitlement to 40% of lower income households nationally. The DfE have estimated that Nottingham will have 2,700 qualifying for a place with funding representing and 80% take up;**
 - **a flat cash rate per pupil;**
 - **removal of the Carbon Reduction Commitment Energy Efficiency Scheme.**

During the next 2 months the figure will be updated by the DfE using the High Needs and Hospital Education census data recently submitted;
- (b) **the latest position of the Pupil Premium (PP) settlement that the allocation will be based on January 2014 census data using an increased rate. PP is allocated based on the number of pupils who have been eligible for Free School Meals (FSM) in the last 6 years and an update will be provided when the final PP allocation has been received incorporating the impact of FSM for all Years 1 and 2;**

- (2) **approve the de-delegation of the Building Maintenance budgets:**

Primary	£207,825
Secondary	£45,294
TOTAL	£253,119

<u>Vote</u>	Maintained schools	
	<u>Primary</u>	<u>Secondary</u>
For	5	2
Against	0	0
Abstained	0	0

(3) approve the following Schools and Early Years Central Expenditure:

Schools

Schools Admissions	£584,000
Termination of employment costs	£1,608,000
Capital expenditure	£1,508,000
Prudential borrowing costs	£326,000
Combined services – Family Support	£981,000
Combined services – Integrated Placements	£1,327,000
Combined services – Serving Vulnerable Groups – Looked After Children	£483,000
Combined services – Safeguarding training	£114,000
TOTAL	£6,931,000

Early Years

Central management and administration support	£203,000
Foundation stage improvement	£335,000
Statutory requirement – Qualifying Training, Support Grant, Quality Improvement and Continuous Improvement	£258,000
Sufficiency Support	£63,000
Welfare Support	£300,000
TOTAL	£1,159,000

(4) endorse the realignment of the secondary school Prior Attainment Factors, as detailed in paragraph 5.4 of the report, and note the impact this has on individual school budgets:

Ellis Guilford	-£668
Farnborough School Technology College	£334
Big Wood School	£632
Hadden Park High School	-£2,096
Nottingham Girls' Academy	-£618
Top Valley Academy	-£252
The Fernwood School	£797
Bluecoat Academy	£1,984
The Trinity School	-£22
Nottingham University Samworth Academy	-£626
Nottingham Academy	-£895
The Bulwell Academy	-£223
The Nottingham Emmanuel School	-£83

- (5) **agree to establish a Schools Forum sub-group in 2014 to review the budget factors, and agree that a separate report will be presented to the Forum before the end of the Summer term outlining the requirements of the group and asking for members.**

30 IMPLICATIONS OF THE CHILDREN AND FAMILIES BILL

Janine Walker, Service Manager, Special Educational Needs, introduced her report setting out the requirements of the Children and Families Bill which will come into effect in September 2014 to transform the way that services for children with Special Educational Needs (SEN) will be delivered.

She provided the following additional information in response to questions and comments from the Forum:

- (a) the offer of individualised budgets is complicated and systems for calculating and allocating the indicative budgets are being investigated;
- (b) the Pupil Premium will be part of the indicative budget but it isn't clear if it can be included in the individualised budgets;
- (c) an increase in requests for assessments is expected in the first couple of years;
- (d) there will need to be an increase in the budget to meet needs;
- (e) a Further Education Forum has been set up that will work with employers to ensure young people leave education with the skills to gain employment.

RESOLVED to

- (1) **note the implications of the bill and the new legal requirements places on Local Authorities, schools, Clinical Commissioning Groups and partners from September 2014, as detailed in the report;**
- (2) **note the progress to date and support the proposed implementation plan and approach, as detailed in the report;**
- (3) **champion a partnership approach to implementing these changes, in particular through joint commissioning, delivery and funding of services;**
- (4) **note the intention to present a further report once the overall financial implications of implementing the requirements are clearer.**

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SCHOOLS FORUM WORK PROGRAMME

Title of report	Report or presentation	Author – name, title, telephone number, email address
<u>24 April 2014</u>		
1. Approval of risk assessments, movement in reserves and carry forward requests	Report	Ceri Walters Finance Business Partner, Children and Families 0115 8764128 ceri.walters@nottinghamcity.gov.uk
2. Schools Forum Constitution - Approval	Report	Alistair Conquer Head of Education Partnerships 0115 9476202 alistair.conquer@nottinghamcity.gov.uk
3. Ensuring Safety and Compliance on School Visits	Report	Martin Smith Sport Outdoor Learning and Adventure Services Manager 0115 947 6202 x249 martin.smith@collegest.org.uk
4. Sub-group establishment	Report	Ceri Walters Finance Business Partner, Children and Families 0115 8764128 ceri.walters@nottinghamcity.gov.uk
<u>17 July 2014</u>		
5. Quarter 1 budget monitoring statement 2013/14	Report	Ceri Walters Finance Business Partner, Children and Families 0115 8764128 ceri.walters@nottinghamcity.gov.uk

Deadlines for submission of reports

Date of meeting	Draft reports (10.00 am)	Final reports (10.00 am)
24 April 2014	1 April 2014	15 April 2014
17 July 2014	24 June 2014	8 July 2014

SCHOOLS FORUM – 13 FEBRUARY 2014

Title of paper:	Revised Membership and Constitution for Nottingham City Schools Forum
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults
Report author(s) and contact details:	Alistair Conquer, Head of Education Partnerships Alistair.conquer@nottinghamcity.gov.uk 0115 9476202
Other colleagues who have provided input:	Tim O'Neill, Director of Family and Community Teams tim.oneill@nottinghamcity.gov.uk 0115 8764901 Laura Wilson, Constitutional Services Officer laura.wilson@nottinghamcity.gov.uk 0115 8764301 Kim Pocock, Constitutional Services Manager kim.pocock@nottinghamcity.gov.uk 0115 8764313

Summary

The Schools Forum membership and constitution need to be refreshed in light of new guidance issued by the Education Funding Agency in October 2013, to reflect the change in the proportion of maintained schools and academies and other local changes, to reduce the size of the Schools Forum to facilitate more effective decision making and to provide clarity to decision making processes.

This report outlines the proposals for the changes for discussion by the Forum prior to agreement of changes by the Forum in April 2014 for implementation from September 2014. All comments on the changes need to be emailed to Laura Wilson, Clerk to the Schools Forum (laura.wilson@nottinghamcity.gov.uk) by 28 February 2014.

Recommendation(s):

1	To consider the proposals for changes to the membership of the Schools Forum from September 2014 as detailed in paragraph 2.3 of the report.
2	To consider the proposals for a revised constitution, including revised proposals for election of members for implementation from September 2014 as detailed in Appendix 1 to the report.
3	To consider a revised meeting cycle from September 2014 as detailed in paragraph 2.5 of the report.

1. REASONS FOR RECOMMENDATIONS

- 1.1 The Education Funding Agency (EFA) issued new guidance to local authorities and members of Schools Forums in October 2013. This provides clear guidance on membership and decision making to be incorporated in Schools Forum constitutions.
- 1.2 In order to improve efficient and effective discussion and decision making it is proposed to reduce the membership of the Schools Forum from 33 to 18 members.
- 1.3 As advised by the EFA guidance, it is proposed to establish the new schools membership so that it is broadly proportionate to pupil numbers in different categories.

- 1.4 To reflect a change in the number of members and that it is no longer possible to manage elections using Education Improvement Partnerships (EIPs) it is necessary to establish new election procedures.
- 1.5 To ensure clarity on decision making, it is proposed that the section on voting in the constitution is strengthened.
- 1.6 A new meeting cycle is proposed that is more appropriate to the level of business to be dealt with by the Schools Forum.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 In October 2013 the Education Funding Agency (EFA) issued new operational and good practice guidance for local authorities and members of Schools Forums. This guidance clarifies the structure of Schools Forums and decision making powers of the local authority and the Schools Forum according to the Schools Forum (England) Regulations 2012.
- 2.2 The current Schools Forum has a membership of 33. The guidance notes that while there is no maximum or minimum size specified for Schools Forums, local authorities “will wish to take various issues into account in deciding the actual size, including the need to have full representation for various types of school, and the local authority’s policy on representation of non-schools members. However, care should be taken to keep the Schools Forum to a reasonable size to ensure that it does not become too unwieldy.” (page 12)
- 2.3 It is therefore, proposed that the Schools Forum membership is reduced to 18 members to improve efficient and effective decision making, taking account of the requirement in the Regulations that ‘Schools and academies members together must number at least two-thirds of the total membership of the Schools Forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category....’ as follows:

Schools Members

Maintained Primary Schools	5 (3 headteachers / 2 governors)
Maintained Secondary Schools	1 (1 headteacher with a governor as substitute)
Academies	6 (3 secondary / 3 primary)
Special Schools	1 (headteacher or governor)
The Nottingham Nursery	1 (headteacher or governor)
Pupil Referral Unit (PRU)	1 (headteacher or governor)

Non school members

Early Years PVI*	1 representative
16-19	1 representative (from the FE colleges which serve the city)
Collective Trades Unions	1 representative (normally from Unison, GMB, NASUWT, NUT, ATL and ASCL)

* Private, Voluntary, Independent

While there is no requirement for academies members to represent different phases, it is proposed that they do so in proportion to pupil numbers in each phase (primary and secondary).

Calculations have been based on the School Census October 2013.

2.4 A proposed revised constitution can be found at Appendix 1 to this report. A copy of the current constitution is included at Appendix 2 for comparison. Changes have been made to include the following:

- a) the changed membership as outlined in paragraph 2.3 above;
- b) an annual refresh of the constitution, including consideration of membership, (in line with the EFA guidance);
- c) proposals for revised election procedures (now presented as an appendix to the proposed constitution) to reflect the discontinuation of Education Improvement Partnerships (EIPs);
- d) strengthened voting arrangements to reflect clarification in the EFA guidance.

In line with the Council's Accessible Information Policy it is proposed that the constitution is refreshed in plain English.

2.5 The current regulations (Schools Forum (England) Regulations 2012) require the Forum to meet at least 4 times a year. In practice, the Forum has met more frequently than this. It is proposed to meet 6 times per year as this more appropriately reflects the Forum's pattern of business.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 To keep the current constitution: not a practical option in the light of the new EFA guidance.
- 3.2 To keep the current level of membership: this would keep the Forum unwieldy and make discussion and decision making less efficient and effective.
- 3.3 To keep the current membership while updating the constitution: this would not reflect the EFA guidance to keep schools membership broadly proportionate to pupil numbers in different categories.

4. OUTCOMES/DELIVERABLES

- 4.1 The recommendations in this report aim to contribute to efficient, effective and lawful decision making by the Schools Forum.

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 5.1 There are no direct financial implications or value for money issues arising from this report.

6. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

- 6.1 The risk of having a constitution which is not in line with the EFA guidance and which is not clear on decision making is to expose the Forum to unlawful decision making.

7. OBSERVATIONS OF THE DIRECTOR OF FAMILY COMMUNITY TEAMS

7.1 None.

8. HR ISSUES

8.1 None.

9. EQUALITY IMPACT ASSESSMENT

9.1 An equality impact assessment is not needed as the report does not relate to new or changing policies or functions.

10. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

10.1 None.

11. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

11.1 Schools Forums: operational and good practice guide for local authorities and members of Schools Forums, October 2013, Education Funding Agency
<https://www.gov.uk/government/publications/schools-forums-operational-and-good-practice-guide-2013>



NOTTINGHAM CITY SCHOOLS FORUM CONSTITUTION AND RULES OF CONDUCT

(Last amended XXX 2014)

DRAFT



Safer, cleaner, ambitious
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CONTENTS

	PAGE
1 TERMS OF REFERENCE	2
2 MEMBERSHIP	3
2.1 SCHOOL MEMBERS	4
2.2 NON SCHOOL MEMBERS	4
2.3 GENERAL MEMBERSHIP ISSUES	4
2.4 MEMBERSHIP RESTRICTIONS	4
3 MEMBERSHIP PERIODS OF OFFICE	4
4 OBSERVERS/SPEAKERS	5
5 SUBSTITUTION ARRANGEMENTS	5
6 FORUM ADMINISTRATION	
6.1 ELECTION OF CHAIR AND VICE CHAIR	5
6.2 VOTING PROCEDURES	6
6.3 QUORUM	7
6.4 DECLARATIONS OF INTEREST	7
6.5 MEETINGS	7
6.6 URGENT BUSINESS	8
6.7 CHANGING DATES/TIMES OF MEETINGS	9
6.8 CLERKING	9
6.9 MEMBERS' EXPENSES	9
6.10 CHARGING OF SCHOOLS FORUM'S EXPENSES	9
EXPECTATIONS AND RESPONSIBILITIES OF SCHOOLS' FORUM MEMBERS AND THE LOCAL AUTHORITY	10
APPENDIX 1 – ELECTION PROCEDURES	12
APPENDIX 2 – EXEMPT INFORMATION CATEGORIES	14

NOTTINGHAM CITY SCHOOLS FORUM CONSTITUTION AND RULES OF CONDUCT

1. TERMS OF REFERENCE

The Schools Forum is both a consultative and decision-making body whose purpose is to advise the local authority in line with the Schools Forum (England) Regulations 2012. In the event that any item within this constitution contradicts these regulations, the regulations will take precedence.

The Schools Forum is to be consulted on the following local authority proposals:

- amendments to the schools funding formula (for which voting is restricted by the exclusion of non-school members except for Private, Voluntary and Independent nursery representatives);
- arrangements 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 provision;
- administrative arrangements for the allocation of central government grants paid to schools via the local authority;
- when a contract is being proposed for supplies and services which is to be funded from the Schools Budget and is in excess of the EU procurement thresholds (consultation must take place at least one month prior to the issue of invitation to tender).

The Schools Forum must inform the governing bodies of all schools maintained by the local authority of the results of any consultations carried out in relation to the above.

Locally, it has been agreed that the Schools Forum is to be consulted on the following local authority proposals in addition to the above:

- arrangements for insurance;
- prospective revisions to the Local Authority's scheme for the financing of schools;
- arrangements for free school meals.

From 2014/15, the Schools Forum must be consulted on any proposals to:

- vary the Minimum Funding Guarantee (MFG);
- use exceptional factors;
- vary pupil numbers;
- allow additional categories of, or spending on, central budgets;
- amend the sparsity factor;
- vary the lump sum for amalgamating schools;
- vary the protection for special schools and special academies.

These proposals will need to be agreed by the Secretary of State

The Schools' Forum can make decisions on the following local authority proposals:

- de-delegation from mainstream school budgets for prescribed services to be provided centrally (with separate approvals required for maintained primary and secondary phase proposals);
- creating a fund for significant pupil growth in order to support the local authority's duty for place planning and agree the criteria for maintained schools and academies to access this fund;
- creating a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers, and agree the criteria for maintained schools and academies to access this fund;
- funding for prescribed historic commitments where the effect of delegating this funding would be destabilising;
- funding for the local authority to meet prescribed statutory duties placed upon it (ie to confirm the amounts for each duty – no new commitments or increases in expenditure from 2013/14 are permitted unless agreed by the Secretary of State);
- funding for early years expenditure (including checking eligibility of pupils for an early years place and / or free school meals);
- carrying forward a deficit arising in central expenditure to be funded from the schools budget.

In all of these cases the local authority can appeal to the Department for Education if the Schools Forum rejects its proposals.

Revisions to the regulations will automatically be incorporated into the constitution as and when prescribed by the Department for Education and the Schools' Forum will be notified. If changes to the regulations result in there being more than one option or if the changes are optional, the Schools Forum will be consulted prior to making any changes. In any event, the constitution will be reviewed annually in April with a view to implementing any changes in the following September. Changes as a result of review or proposed at any meeting of the Forum, can be agreed by a two thirds majority of members present, subject to the agreement of the local authority.

2. MEMBERSHIP

Schools Forums must have 'schools members', 'academies members' and 'non-school members'. Schools and academies members must number at least two thirds of the total membership of the Schools Forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category. The structure of the Forum will be reviewed annually, as part of the annual review of the constitution, in April to ensure that the balance is maintained.

2.1 School Members

Maintained Primary Schools	5	3 Headteachers / 2 Governors
Maintained Secondary Schools	1	1 Headteacher with a Governor as substitute
Academies	6	Headteachers or Governors (3 primary / 3 secondary)
Special Schools	1	Headteacher or Governor
The Nottingham Nursery	1	Headteacher or Governor
Pupil Referral Unit (PRU)	1	Headteacher or Governor

2.2 Non-School Members

Early Years Private, Voluntary, Independent (PVI)	1	Representative
16-19	1	Representative (from the FE colleges which serve the city)
Collective Trades Unions	1	Representative (normally from Unison, GMB, NASUWT, NUT, ATL and ASCL)

Total Membership: 18

School Members: 15 (83%); Non-School Members: 3 (17%)

2.3 General Membership Issues

No individual school can have more than one representative on the Forum. Unless otherwise specified in 2.1, each school or academy will need to decide whether they intend to nominate a Headteacher or a Governor before either put themselves forward through the relevant election procedures outlined in Appendix 1 of this constitution.

Schools may only offer a representative for the relevant School Members category and no other categories.

Each member will have a single vote.

2.4 Membership Restrictions

Elected members who hold an executive role in a local authority (ie a Lead Member / Portfolio Holder) cannot be either a schools member (as a Governor) or a non-schools member of the Forum.

The Corporate Director for Children and Adults and any officer in her / his directorate and who does not directly provide education to children cannot be a member of the Forum.

Any officer employed by the local authority that has a role in the strategic resource management of the authority cannot be a member of the Forum.

3. MEMBERSHIP PERIODS OF OFFICE

Members of the Forum will serve for three years from the date of their full election to the Forum. The election procedures detailed in Appendix 1 will be followed if a member

vacancy occurs during the 3 year period or if the structure of the membership changes following the annual review of the constitution.

A Forum member remains in office until:

- (a) the member's term of office expires;
 - (b) the member no longer holds the office which made them eligible for election, selection and appointment to the Forum;
 - (c) the member resigns from the Forum by giving notice in writing to the authority; or
 - (d) in the case of a non-schools member, the member is replaced by the authority, at the request of the body which the member represents, by another person nominated by that body;
- whichever comes first.

If a member misses three consecutive meetings without substitute or apology, the Forum has the discretion to remove them from the Forum membership by a vote at the next quorate meeting.

4. OBSERVERS/SPEAKERS

Non-voting observers are entitled to attend and speak at meetings, as follows:

- the Corporate Director for Children and Adults (or their representative);
- the Chief Finance Officer (or their representative);
- the Portfolio Holder for Children's Services (the elected member of the authority who has primary responsibility for children's services or education in the authority);
- the Portfolio Holder for Resources and Neighbourhood Regeneration (the elected member of the authority who has primary responsibility for the resources of the authority);
- any person who is invited by the Forum to provide financial or technical advice to the Forum;
- an observer appointed by the Secretary of State; and
- any person invited to present a paper or other item to the Forum that is on the meeting's agenda, with the right to speak limited to matters related to the item presented.

5. SUBSTITUTES

Positions on the Forum are held by named representatives. If a member of the Forum is unable to attend meetings, with the exception of the Secondary School substitute (see 1.2 above) any nominated substitute is permitted per member but the substitute must be from the same membership category, for example a substitute for a maintained primary school member, must be from a maintained primary school.

6. FORUM ADMINISTRATION

6.1 Election of Chair and Vice Chair

Before the first meeting of the new academic year, each Forum member will receive a complete list of members on the Forum via email. Members will then have until the date of the first meeting to make a nomination for Chair and/or Vice-chair of the Forum to the Clerk of the Forum.

All members, schools and non-schools (but not observers), are eligible for election to these positions, but two Headteachers, two Governors or two non-school members should not hold the positions of Chair and Vice-Chair simultaneously, unless agreed by the Forum.

The Chair and Vice-Chair must not be from the same membership category.

The Chair and Vice-Chair will be elected annually. An existing Chair or Vice-Chair can be re-elected, but an individual's term of office must not exceed 3 years.

To be elected, the person nominated must receive the majority of votes cast at the meeting. Where there are an equal number of votes cast for each candidate 'lots' will be drawn to determine the winner.

Any person nominated will retain his/her right to vote.

6.2 Voting Procedures

Every item which requires a decision to be made at a meeting of the Forum will be determined by a majority of the votes of members eligible to vote on the issues in accordance with the following:

- only maintained primary school representatives can vote on primary school de-delegations;
- only maintained secondary school representatives can vote on secondary school de-delegations;
- all schools and academy members can vote on any other matter, including consultation on the schools funding formula;
- for non-school members:
 - only the PVI representative can vote on the consultation on the funding formula; and
 - all non-school members can vote on any other matter (except de-delegation).

Apart from as detailed above, all members are entitled to vote on all matters put to a vote.

Where a member votes, the member must only cast one vote and each member's vote must have an equal weighting. The Chair will not have a casting vote.

In the event of a tie the proposal being voted on will be deemed not agreed and the local authority can request the Secretary of State to adjudicate.¹

If any member requests that their vote is recorded, the minutes of the meeting will record whether he or she voted for or against the item or abstained.

The Forum can choose to appoint working groups / sub groups to examine any matters put before it by the local authority. Any working groups / sub groups will have no decision making powers and will report back to the full Forum so a final response to the local authority can be given / decision taken at a quorate meeting.

¹ As advised in the Education Funding Agency's 'Schools Forums: operational and good practice guide for local authorities and members of Schools Forums', October 2013

6.3 Quorum

The quorum for a meeting of the Schools Forum is two fifths of current voting members (excluding vacancies) ie 7 members when all the Forum has full membership in place. Any recommendation to the local authority from a quorate meeting of the Schools Forum will require the local authority, under the regulations, to give full consideration to that recommendation before making any decisions.

A non-quorate meeting of the Schools Forum may still consider items which don't require a decision. Where a decision from the Forum is required, the Forum should follow the urgency provision detailed in 6.6.

6.4 Declarations of Interest

Forum members are expected to declare interests in any matter arising in accordance with the City Council's Constitution.

All agendas for meetings of the Schools' Forum will include an item inviting members and observers to indicate any interest in any matters under discussion.

6.5 Meetings

6.5.1 Frequency of meetings and distribution of papers

The Nottingham Schools' Forum will meet in public normally 6 times a year and a minimum of 4 times as specified by the Schools Forum (England) Regulations 2012.

At the first meeting of the academic year, the Forum will determine the dates and times that it will meet during that academic year.

The standard distribution method for Schools Forum papers will be via email or an alert to notify members that the agenda is available on the Council's website and accessible via the Modern.gov iPad App. Individual members may approach the Clerk to discuss alternative methods to be used.

6.5.2 Access to Information Procedure Rules (including notice of meetings and the publication / exemption of reports)

The Schools Forum has chosen to apply the Access to Information Procedure Rules, as set out in Nottingham City Council's Constitution. The Council will give at least 5 clear days' notice of any meeting to be held by posting details of that meeting at Loxley House, Station Street, Nottingham and at the venue for the meeting if it is elsewhere. (When calculating clear days, you do not count the day of publication, weekends, bank holidays or the meeting date).

Copies of the agenda and reports will be open to the public and available for inspection at Loxley House at least 5 clear working days before the meeting. Where reports open to the public are prepared after the agenda has been published they will be made available to the public as soon as the report is completed and sent to members.

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order or other legal provision.

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed. Exempt information means information falling within the 7 categories (subject to the qualifications and definitions indicated) detailed in Appendix 2. All categories are subject to a Public Interest Test in that exemption is possible if, and only so long as, the public interest in maintaining an exemption outweighs the public interest in disclosing the information.

6.5.3 Setting the Agenda

A forward plan of all required decisions and consultations with Forum will be issued to all Forum members at the start of the academic year and will be updated throughout the year. The forward plan will be used to determine the agenda for each meeting of the Forum. The Clerk will consult with the Chair of the Forum to draw up the agenda for the next meeting.

Any Forum member can request items to be included on the agenda provided that the request is received by the Clerk by the published draft report deadline for the next meeting. Any papers to be included on the agenda must also be submitted, in the appropriate format, by the draft report deadline specified for the meeting at which it is to be considered.

6.5.4 Minutes

Minutes of all Forum meetings will be written by the Clerk, submitted to the next meeting of Forum for approval, and signed by the Chair as confirmation that they are a true record of the meeting.

6.6 Urgent Business

Urgent reports not included on the agenda will still be permitted providing that reasons for urgency are given and that the Chair of the Forum agrees both that the report is urgent and that she / he is happy to include it on the agenda for consideration. Good practice dictates that this should only be done in exceptional circumstances.

If the local authority requires an urgent decision on a matter before the date of the next scheduled meeting the local authority will first attempt to schedule an extraordinary meeting.

Should it not be possible to schedule an extraordinary meeting the local authority will email / write to all Forum members detailing the appropriate background to the decision and options available and requesting a response. Simple majority rules will apply. The decision must then be reported to the next meeting of Forum for minuting.

6.7 Changing Dates / Times Of Meetings

The Forum agrees the dates and times of its meetings at the first meeting of the academic year. The resolution regarding dates / times can, therefore, only be changed by another Forum resolution. If the Chair wishes to alter the date / time of a forum meeting the proposed revised date / time should be included on the next agenda for the Forum to agree. If the Chair wishes to alter the date / time of the next meeting, and there is no Forum meeting at which it can be agreed s/he will take the decision in consultation with the Vice-Chair and the Clerk will notify Forum members.

6.8 Clerking

The Director of Family and Community Teams will arrange for governance and administrative support for the meetings of the Schools Forum from the Constitutional Services Team within Democratic Services.

The Clerk to the Forum (Constitutional Services Officer) will be responsible for election procedures, compiling the agenda for each Forum meeting, distributing papers, ensuring that decisions are taken in accordance with this constitution and relevant legislation, and circulating minutes of the meeting, including publishing on the City Council's website.

6.9 Members' Expenses

The authority must reimburse all reasonable expenses of members in connection with their attendance at meetings of the Forum, in line with the Members Allowances Scheme in Part 7 of the City Council's Constitution, and charge those expenses to the schools budget.

6.10 Charging of Schools Forum's Expenses

The authority must pay the expenses of the Schools Forum and charge those expenses to the schools budget.

RULES OF CONDUCT

EXPECTATIONS AND RESPONSIBILITIES OF SCHOOLS FORUM MEMBERS AND THE LOCAL AUTHORITY

Schools Forum members will:

1. Ensure that any interest in any item for discussion at Forum meetings is declared at the beginning of all meetings, in accordance with Nottingham City Council's Constitution.
2. Ensure that they are representative of, and present the views of, their elective / nominating group at meetings.
3. Ensure that all reports and other papers distributed are reviewed prior to each individual meeting.
4. Gather views and provide feedback to individual elective / nominate groups in advance of and after Forum meetings.
5. Be responsible to their elective groups for the feedback of items discussed at, and decisions taken, by Forum.
6. Identify any training requirements to the local authority to inform the Forum's induction and training provision.
7. Ensure, through the use of substitutes, that each elective / nominating group is represented at all meetings.
8. Within their representative group, consider nominations for the Chair and Vice-Chair prior to the elections to this position held annually at the first meeting of the Forum at the start of the academic year.

The local authority will:

1. Ensure that reports and other documents which require the Forum to make a decision are issued at least 5 clear working days in advance of meetings and minutes within 10 working days after the meeting.
2. Ensure that all Forum meetings are supported and attended by appropriate senior officers relevant to the items to be discussed at the meeting.
3. Provide a Chair's briefing meeting for the Forum Chair and Vice-Chair in advance of the meeting.
4. Publish reports, other relevant documents and minutes of meetings on the City Council's website.
5. Through the Schools' Funding team, ensure that the Forum is informed of any proposed changes in legislation that will impact upon the work of the Forum.
6. Provide appropriate training and induction to new Forum members and provide appropriate on-going training to Forum Members to ensure they are able to effectively discharge their responsibilities.

7. Present formal budget proposals for approval at one meeting in the autumn term to enable informed strategic decisions and prioritisation. Ad hoc budget proposals may be presented at other points in the year providing there is a budget contingency set by the Forum or if additional funding becomes available. It will be a condition of all specific funding allocations that the designated lead officer or organisation provides formal feedback (as determined by the Forum) on the actual use of funding to provide accountability and enable the Forum to monitor the use of funds.
8. Keep the Forum informed of strategic developments and service issues which may result in a request for additional funding where the financial impact would fall to be met from the Schools Budget.
9. Facilitate and support workshops and working groups necessary to support both the consultative and decision making responsibilities of the Forum.

DRAFT

ELECTION PROCEDURES**1. School Members****1.1 Primary (including Nursery Schools attached to primary schools and Voluntary Controlled Schools) Headteachers**

The Clerk to the Forum will write to all Headteachers of Primary Schools inviting self nominations for primary Headteacher representatives and requesting that they consult with each other through existing mechanisms / procedures to agree on the number of Headteacher representatives to put forward specified in 2.1 of the Schools Forum constitution.

1.2 Primary (including Nursery Schools attached to primary schools and Voluntary Controlled Schools) Governors

The Clerk to the Forum will write to all Chairs of Governors of Primary Schools inviting a single nomination per governing body and requesting that they consult with each other through existing mechanisms / procedures to agree on the number of Governor representatives specified in 2.1 of the Schools Forum constitution. It is for each governing body to determine how they select their representative to put forward. Governors should consult with their school to ensure the Headteacher is not already an elected member. Where the Headteacher election and Governor elections are taking place at the same time, decision making will be staggered so that headteachers are selected first. Any nominations from Governors from schools where the Headteacher has been selected as member of the Forum will then be excluded from the Governor selection process.

1.3 Secondary Headteachers (Including Voluntary Aided or Foundation Schools)

The Clerk to the Forum will write to all Headteachers of Secondary Schools inviting self nominations for secondary Headteacher representatives and requesting that they consult with each other through existing mechanisms / procedures to agree on the number of Headteacher representatives to put forward specified in 2.1 of the Schools Forum constitution.

The Headteacher representative will appoint a Governor from the same school as a substitute.

1.4 The Nottingham Nursery

The Clerk to the Forum will write to the Headteacher and the Chair of Governors, to invite self nomination. It will then be for the Headteacher and Chair of Governors to decide who to put forward as the representative.

1.5 Special Schools

The Clerk to the Forum will write to all Headteachers and Chairs of Governors, to invite self nomination. It will then be for the Headteachers and Chairs of Governors to decide who to put forward as the representative.

1.6 Pupil Referral Unit

The Clerk to the Forum will write to all Headteachers and Chairs of Governors of Pupil Referral Units (PRUs) to invite self nomination. It will then be for the Headteachers and Chairs of Governors to decide who to put forward as the representative.

1.7 Academy Schools

Primary Academy Schools

The Clerk to the Forum will write to all Headteachers and Governors of Primary Academy Schools inviting nominations for primary Academy representatives and requesting that they consult with each other through existing mechanisms / procedures to agree on the number of primary Academy representatives to put forward specified in 2.1 of the Schools Forum constitution.

1.8 Secondary Academy Schools

The Clerk to the Forum will write to all Headteachers and Governors of Secondary Academy Schools inviting nominations for secondary Academy representatives and requesting that they consult with each other through existing mechanisms / procedures to agree on the number of secondary Academy representatives to put forward specified in 2.1 of the Schools Forum constitution.

Support will be provided to schools by the Head of Education Partnerships and / or the Education Partnerships Manager to co-ordinate nominations and selection of representative to put forward to the Forum.

A clear record of the process used by each membership category to select its representatives to put forward should be provided to the Clerk of the Forum.

2 Non-School Members

2.1 Private, Voluntary and Independent Providers (PCVI)

The Head of Early Years (Children and Families) will write to all Nottingham City PVI members to invite self nominations. A ballot will be undertaken at the Early Years and Childcare briefing where the representative to put forward will be agreed.

2.2 Trade Unions

The Clerk to the Forum will write to all trade unions named in 2.2 of the Forum constitution to invite nominations. It is for each trade union to determine how they select their representative to put forward. It will then be for the trade unions to decide who to put forward as the representative.

2.3 16-19

The Clerk to the Forum will write to the Principals of all 16-19 FE (Further Education) colleges which serve the city to invite nominations. It is for each college to determine how they select their representative to put forward. It will then be for the Principals to decide who to put forward as the representative.

APPENDIX 2

EXEMPT INFORMATION CATEGORIES

CATEGORY	QUALIFICATIONS/DEFINITIONS
1. Information relating to any individual.	
2. Information which is likely to reveal the identity of an individual.	
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	<p>Information is not exempt information if it is required to be registered under:</p> <ul style="list-style-type: none">(a) the Companies Act 1985;(b) the Friendly Societies Act 1974;(c) the Friendly Societies Act 1992;(d) the Industrial and Provident Societies Acts 1965 to 1978;(e) the Building Societies Act 1986; or(f) the Charities Act 1993 <p>Information is not exempt if it relates to proposed development for which the Local Planning Authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992.</p> <p>'financial or business affairs' includes contemplated, as well as past or current, activities</p> <p>'registered' in relation to information required to be registered under the Building Societies Act 1986 means recorded in the public file of any building society (within the meaning of that Act)</p>
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	<p>'employee' means a person employed under a contract of service</p> <p>'labour relations matter' means:</p> <ul style="list-style-type: none">(a) any of the matters specified in paragraphs (a) to (g) of section 218 (1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(b) any dispute about a matter falling within paragraph (a) above;

and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;

'office-holder', in relation to the authority, means the holder of any paid office, appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority.

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes to give under any enactment:
 - (a) a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.



Nottingham
City Council

NOTTINGHAM CITY SCHOOLS FORUM CONSTITUTION AND RULES OF CONDUCT

(Last amended September 2012)



Safer, cleaner, ambitious
Nottingham
A city we're all proud of

CONTENTS

	PAGE
1 TERMS OF REFERENCE	2
2 MEMBERSHIP	
2.1 SCHOOL MEMBERS	3
2.2 ACADEMY MEMBERS	3
2.3 NON SCHOOL MEMBERS	4
2.4 GENERAL MEMBERSHIP ISSUES	4
2.5 MEMBERSHIP RESTRICTIONS	4
3 ELECTION PROCEDURES	
3.1 SCHOOL MEMBERS	
3.1.1 PRIMARY HEAD TEACHERS	4
3.1.2 PRIMARY GOVERNORS	5
3.1.3 SECONDARY HEAD TEACHERS AND GOVERNORS	5
3.1.4 NURSERY HEAD TEACHER OR GOVERNOR	5
3.1.5 SPECIAL SCHOOLS	5
3.1.6 HEAD/LEAD OFFICER OF PUPIL REFERRAL UNIT	5
3.2 ACADEMY SCHOOLS	
3.2.1 PRIMARY ACADEMY SCHOOLS	6
3.2.2 SECONDARY ACADEMY SCHOOLS	6
3.3 NON-SCHOOL MEMBERS	
3.3.1 TRADE UNION REPRESENTATIVE	6
3.3.2 EARLY YEARS	6
3.3.3 PRIVATE, COMMUNITY, VOLUNTARY AND INDEPENDENT SECTOR	6
3.3.4 14-19 PARTNERSHIP	6
4 MEMBERSHIP PERIODS OF OFFICE	6
5 OBSERVERS/SPEAKERS	7
6 SUBSTITUTION ARRANGEMENTS	7
7 FORUM ADMINISTRATION	
7.1 ELECTION OF CHAIR AND VICE CHAIR	8
7.2 VOTING PROCEDURES	8
7.3 QUORUM	9
7.4 DECLARATIONS OF INTEREST	9
7.5 MEETINGS	9
7.6 URGENT BUSINESS	10
7.7 CHANGING DATES/TIMES OF MEETINGS	10
7.8 CLERKING	11
7.9 MEMBERS' EXPENSES	11
7.10 CHARGING OF SCHOOLS FORUM'S EXPENSES	11
EXPECTATIONS AND RESPONSIBILITIES OF SCHOOLS' FORUM MEMBERS AND THE LOCAL AUTHORITY	12
APPENDIX 1 – EXEMPT INFORMATION CATEGORIES	14

NOTTINGHAM CITY SCHOOLS FORUM
CONSTITUTION AND RULES OF CONDUCT

1. TERMS OF REFERENCE

The Schools Forum is both a consultative and decision-making body whose purpose is to advise local authorities in relation to the local distribution of school funding. The Forum provides guidance and views to the Local Authority (LA) on significant funding decisions including changes to the local funding formula and spending priorities. Since April 2006 it has also held decision making powers in relation to certain budget proposals which previously sat with the Secretary of State.

The Schools' Forum Decision making powers relate to:

- approval of LA compliance to central spending limits;
- approval of variations to the Minimum Funding Guarantee (MFG) where this affects 50% or less of the schools population;
- approval of increases in central spend on prudential borrowing, termination employment costs, combined services, school specific contingency and SEN transport.

Consultative responsibilities relate to:

- the arrangements made for the education of pupils with special educational needs;
- the arrangements for the use of Pupil Referral Units and the education of children other than at school;
- arrangements for Early Years education;
- arrangements for insurance;
- prospective revisions to the Local Authority's scheme for the financing of schools;
- administrative arrangements for the allocation of central government grants to schools via the LA;
- arrangements for free school meals;
- any arrangements proposed for the issuing of any invitation to any contractor, to tender for supplies and services, paid for out of the overall schools budget where the estimated value of the proposed contract is not less than the threshold⁽¹⁾ which applies to the authority for that proposed contract pursuant to regulation 8 of the Public Contracts Regulations 2006(b);
- any changes proposed to the schools funding formulae and the financial effects of any such changes.

Nottingham City Council reserves their right to seek approval from the Secretary of State for Education for any decisions that are not approved by the Schools Forum.

The Schools' Forum for Nottingham City Council is established by virtue of Section 47A of the Schools Standards and Framework Act 1998 (as amended by the Education Act 2002). It also operates under the Schools Forums (England) Regulations 2002, which set out the legal parameters for Schools' Forums and which came into force on 2nd September 2002. The legislation has been updated by the Schools Forums (England) (Amendment) Regulations 2004, 2005 and 2008 and The Schools Forums (England)

¹ Threshold at January 2012 is £173,934

Regulations 2012. In the event that any item within this constitution contradicts these regulations, the regulations will take precedence.

The Schools Forum has also chosen to apply the Access to Information Procedure Rules, as set out in Nottingham City Council's Constitution and section 7.5.2 of this Constitution, to the administration of its meetings.

Revisions to the regulations will automatically be incorporated in to the constitution as and when prescribed by the Department of Education and notified to Schools' Forum. In the event that changes to the regulations result in more than one option being available or in the event that changes are optional, Schools Forum will be consulted prior to the changes being made.

2. MEMBERSHIP

In accordance with The Schools Forums (England) Regulations 2012, membership of the Forum satisfies the following restrictions:

- non-school members does not exceed 33% of total members;
- restrictions on members have been observed.

Primary schools, secondary schools and academies must be broadly proportionately represented on the Forum in relation to the total number of pupils registered to them.

The number of members representing primary schools, secondary schools and academies must be broadly proportionate to the total number of schools in that category compared with the total number of schools maintained by the authority.

The Nottingham City Schools Forum shall be constituted as follows:

2.1 SCHOOL MEMBERS

a. Primary Schools

- 7** Head Teachers from Community and Voluntary Controlled Primary Schools
- 6** Governors from Community and Voluntary Controlled Primary Schools

At least one Head Teacher or one Governor must represent voluntary aided schools (if in existence) and each Education Improvement Partnership (EIP) area should be represented by either a Head Teacher or Governor.

b. Secondary Schools

- 3** Secondary Head Teachers or Governors (must be at least one Head Teacher and one Governor and one Voluntary Aided or Foundation and one Community must be represented if in existence)

c. Other required school based members

- 1** maintained Nursery Head Teacher or Governor
- 1** Special School Head Teacher or Governor
- 1** maintained Pupil Referral Unit representative

2.2 ACADEMY MEMBERS

- 6** Primary academy Head Teachers or Governors equivalent
- 3** Secondary academy Head Teachers or Governors equivalent

2.3 NON SCHOOL MEMBERS

- 1 Representative from the Local Authority Early Years - focus in ensuring Childcare Act 2006 duties are represented, excluding any officer directly involved in strategic resource management of the authority*
- 2 Representatives from the four Early Years sectors of Private, Voluntary, Community and Independent (representation must be from two of the sectors)
 - 1 Representative from the 14-19 Partnership sector
 - 1 Collective Trade Union Representative from the unions Unison, GMB, NASUWT, NUT, ATL and ASCL – all of the named unions will be able to send a representative to each meeting but will collectively receive 1 voting right.

Non-School Members: 5 (15%), School/Academy Members: 29 (85%)

* Practically, this restriction will apply to the Corporate Director of Children and Families, Directors and other senior officers with a specific role in strategic financial management

2.4 GENERAL MEMBERSHIP ISSUES

It is not permissible for any individual school to have more than one representative on the Forum. It is therefore necessary for each school or academy to decide whether they intend to nominate a Head Teacher or a Governor before either put themselves forward through the relevant election procedures outlined in section 3 of this Constitution.

Where nominations are received from both the Head Teacher and Governor(s) from the same school, these nominations will be excluded from the relevant election process.

Schools may only offer a representative for the membership group sub-group which is directly applicable to them and no other group or sub-group.

2.5 MEMBERSHIP RESTRICTIONS

Elected members who hold an executive role in a local authority (a lead member/Portfolio Holder) are barred from being either a schools member (by virtue of them being a Governor) or a non-schools member. Also, officers employed by the local authority/Children's and Families Department who have a role in the strategic resource management of the authority are also barred from the membership of the Forum.

3. ELECTION PROCEDURES

3.1 SCHOOL MEMBERS

3.1.1 PRIMARY (INCLUDING NURSERY SCHOOLS AND VOLUNTARY CONTROLLED AND COMMUNITY) HEAD TEACHERS

1. The Clerk to the Forum will request nominations for Primary Representatives and these will be invited via EIP managers from each EIP group. Where a membership vacancy arises, election will initially sought from schools in EIP areas and/or diocesan members that are not represented within the existing Schools Forum members.

2. If nominations exceed the number of places, priority will be given to the nominees from EIP groups without nominated representatives from Secondary, Special and Nursery EIP's collectively.

3.1.2 PRIMARY (INCLUDING NURSERY SCHOOLS AND VOLUNTARY CONTROLLED) GOVERNORS

1. The Clerk to the Forum will distribute an invitation to all Chairs of Governors inviting self-nominations by a specified date from any member of their governing body. Governors should consult with their school to ensure the Head Teacher is not already an elected member. Where a membership vacancy arises, election will initially sought from schools in EIP areas and/or diocesan members that are not represented within the existing Schools Forum members.
2. In the case where nominations exceed the number of places, an election will be organised by the Clerk to the Forum, whereby each relevant Chair of Governors will be asked to vote for one of the nominees. The Governor(s) with the most votes will be elected.

3.1.3 SECONDARY HEAD TEACHER OR GOVERNOR (INCLUDING VOLUNTARY AIDED OR FOUNDATION AND ONE COMMUNITY)

1. A letter will be sent from the Clerk to the Forum to the Head Teachers and Chairs of Governors inviting self-nominations by a specified date from any member of their governing body. Governors should consult with their school to ensure the Head Teacher is not already an elected member and vice versa. Where a membership vacancy arises, election will initially sought from schools in EIP areas and/or diocesan members that are not represented within the existing Schools Forum members.
2. In the case where nominations exceed the number of places, an election will be held and the nominee(s) with the most votes will be elected. Votes will be restricted to one vote per school.

3.1.4 NURSERY HEAD TEACHER OR GOVERNOR

1. A letter will be sent by the Clerk to the Forum to the Chair of Governors and the Head Teacher, to invite self nomination.
2. It will then be for the Head Teacher and Chair of Governors to decide who will attend the Forum and put forward a representative.

3.1.5 SPECIAL SCHOOLS

1. A letter will be sent by the Clerk to the Forum to the Chair of Governors and Head Teacher of all Special Schools inviting them as a group to offer a representative for the Forum.
2. When putting forward their representative, confirmation of the election procedures used and agreement of each relevant school must be evidenced.

3.1.6 HEAD/LEAD OFFICER OF PUPIL REFERRAL UNIT

A letter will be sent by the Clerk to the Forum to the responsible officer for pupil referral units (PRUs) requesting a nomination to represent PRUs.

3.2 ACADEMY SCHOOLS

3.2.1 PRIMARY ACADEMY SCHOOLS

1. A letter will be sent by the Clerk to the Forum to the equivalent of the Chair of Governors and Head Teacher of all Primary Academy Schools inviting self-nominations. Where a membership vacancy arises, election will initially sought from schools in EIP areas and/or diocesan members that are not represented within the existing Schools Forum members.
2. In the case where nominations exceed the number of places, an election will be held and the nominee(s) with the most votes will be elected.

3.2.2 SECONDARY ACADEMY SCHOOLS

1. A letter will be sent by the Clerk to the Forum to the equivalent of the Chair of Governors and Head Teacher of all Secondary Academy Schools inviting self-nominations. Where a membership vacancy arises, election will initially sought from schools in EIP areas and/or diocesan members that are not represented within the existing Schools Forum members.
2. In the case where nominations exceed the number of places, an election will be held and the nominee(s) with the most votes will be elected.

3.3 NON-SCHOOL MEMBERS

3.3.1 TRADE UNION REPRESENTATIVE

All selected unions will be invited to all meetings of the Forum, however, collectively the trade unions will have one vote only on any relevant issues.

3.3.2 EARLY YEARS

The Director for Schools and Learning will be asked to nominate an appropriate officer to undertake this role.

3.3.3 PRIVATE, COMMUNITY, VOLUNTARY AND INDEPENDENT PROVIDERS (PCVI)

All Nottingham City PCVI members will be invited to express an interest. From the expressions of interest a ballot will be undertaken at the Early Years and Childcare briefing where two appropriate representatives will be nominated.

3.3.4 14-19 PARTNERSHIP

The 14-19 Partnership will nominate their representative for the Schools Forum.

4. MEMBERSHIP PERIODS OF OFFICE

A Forum member remains in office until:

- (a) the member's term of office expires;
- (b) the member ceases to hold the office by virtue of which the member became eligible for election, selection or appointment to the Forum;

- (c) the member resigns from the Forum by giving notice in writing to the authority; or
- (d) in the case of a non-schools member, the member is replaced by the authority, at the request of the body which the member represents, by another person nominated by that body; whichever comes first.

Representatives of the Forum shall serve for a three-year period based on the anniversary date of their full election to the Forum. If a member vacancy occurs during the 3 year period or if the membership constitution changes following the annual review of the equitable representation within each member group, as detailed in 2.0, then the election procedures detailed under section 3 will be followed.

In the event that a member misses three consecutive meetings without substitute or apology, the Forum will have the discretion to remove them from the Forum membership by a vote at the next quorate meeting.

5. OBSERVERS/SPEAKERS

In addition to the voting members of the Forum listed, there are also a number of non-voting observers entitled to attend and speak at meetings, as follows:

- the Corporate Director for Children and Families (or their representative);
- the Chief Finance Officer (or their representative);
- the Portfolio Holder for Children's Services (the elected member of the authority who has primary responsibility for children's services or education in the authority);
- the Portfolio Holder for Economic Development, Resources and Regeneration (the elected member of the authority who has primary responsibility for the resources of the authority);
- any person who is invited by the Forum to provide financial or technical advice to the Forum;
- an observer appointed by the Secretary of State; and
- any person presenting a paper or other item to the Forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that person is presenting.

6. SUBSTITUTION ARRANGEMENTS

Positions on the Forum are held by individuals and not schools. In the event that members of the Forum are unable to attend meetings, nominated substitutes are permitted as follows:

- only one named nominated substitute is permitted per member and the substitute must meet the same requirements as the original member;
- the nominated substitute of a Primary Head Teacher must be a Primary Head Teacher from the same sub-group (e.g. VA/Community) and ideally from the same EIP grouping;
- secondary Head Teachers should be represented by another Secondary Head Teacher from the same sub-group (e.g. VA/ Foundation or Community);
- the nominated substitute of a Governor should be another Governor.

7. FORUM ADMINISTRATION

7.1 ELECTION OF CHAIR AND VICE CHAIR

Prior to the first meeting in the new academic year, each Forum member will be provided with a complete list of members on the Forum (via post or email). Members will then have until the date of the first meeting to make a nomination for Chair and/or Vice-chair of the Forum.

All members, schools and non-schools (but not observers), are eligible to be elected to these positions but two Head Teachers, two Governors or two non-school members should not hold the positions of Chair and Vice-Chair simultaneously unless agreed by the Forum.

The Chair and Vice-Chair shall not be from the same constituent group.

The Chair and Vice-Chair will be elected annually, but their terms of office will not exceed 3 years.

To be elected, the person nominated must receive the majority of votes cast at the meeting. Where there are an equal number of votes cast for each candidate 'lots' will be drawn to determine the winner.

Any person nominated will retain his/her right to vote.

7.2 VOTING PROCEDURES

Non school members, other than those who represent early years providers, must not vote on matters relating to the funding formulae to be used by the Local Authority to determine the amounts to be allocated to schools and early years providers.

Where the Secretary of State specifies in regulations made under sections 47 and 47ZA of the Act that only certain members of the Forum may authorise certain matters, only those members will be entitled to vote.

Apart from as detailed above, all members are entitled to vote on all matters put to a vote.

Where a member votes, the member must only cast one vote and each member's vote must have an equal weighting, save in the event of a tie in the number of votes, the Chair may exercise a casting vote.

Where, immediately after a vote is taken, any member requests that their vote be recorded, the minutes of the meeting will record whether he or she voted for or against the item or abstained.

The Forum may choose to appoint working groups/sub groups to examine any matters put before the Forum by the LA. The working groups/sub groups will have no decision making powers and will report back to the full Forum so a final response to the LA can be given/decision taken at a quorate meeting.

7.3 QUORUM

The quorum for a meeting of the Schools Forum is two fifths of current voting members (excluding vacancies). Any recommendation to the LA from a quorate meeting of the Schools Forum will require the LA, under the regulations, to give full consideration to that recommendation before making any decisions.

A non-quorate meeting of the Schools Forum may still consider items not requiring a decision. Where a decision from the Forum is required the urgency provision detailed in 7.6(b) shall be followed.

7.4 DECLARATIONS OF INTEREST

Forum members are expected to declare interests in any matter arising in accordance with the City Council's Constitution.

All agendas for meetings of the Schools' Forum will include an item inviting members and observers to indicate any interest in any matters under discussion.

7.5 MEETINGS

7.5.1 Frequency of meetings and distribution of papers

The Nottingham Schools' Forum will meet in public at least 4 times a year.

At the first meeting of the academic year, the Forum will determine the dates and times that it will meet during that academic year.

The standard distribution method for Schools Forum papers will be via email, although individual members may approach the Clerk to arrange for alternative methods to be used.

7.5.2 Access to Information Procedure Rules (including notice of meetings and the publication/exemption of reports)

The Council will give at least 5 clear days notice of any meeting by posting details of the meeting at the Council House, Old Market Square, Nottingham; Loxley House, Station Street, Nottingham and at the venue for the meeting if it is elsewhere. (when calculating clear days, you do not count the day of publication, weekends, bank holidays or the meeting date).

The Council will make copies of the agenda and reports open to the public available for inspection at Loxley House at least five clear working days before the meeting. Where reports open to the public are prepared after the summons has been sent out, the Deputy Chief Executive/Corporate Director for Resources shall make such reports available to the public as soon as the report is completed and sent to members.

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order or other legal provision.

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed. Exempt information means information falling within the 7 categories (subject to the qualifications and definitions indicated) detailed in Appendix 1. All categories are subject to a Public Interest Test in that exemption is possible if, and only so long as, the public interest in maintaining an exemption outweighs the public interest in disclosing the information.

7.5.3 Setting the Agenda

A forward plan of all required decisions and consultations with Forum will be issued to all Forum members at the start of the academic year and will be updated throughout the year. The forward plan will be used to determine the agenda for each meeting of the Forum. The Clerk shall consult with the Chair of the Forum to draw up the agenda for the next meeting.

Forum members can request items to be included on the agenda where a request is received by the Clerk from any 2 members of the Forum by the published draft report deadline for the next meeting. Any papers to be included on the agenda must also be submitted, in the appropriate format, by the draft report deadline specified for the meeting at which it is to be considered.

7.5.4 Minutes

Minutes of all Forum meetings will be written by the Clerk, submitted to the next meeting of Forum for approval, and signed by the Chair as confirmation that they are a true record of the meeting.

7.6 URGENT BUSINESS

- (a) Urgent reports not included on the agenda would still be permitted providing that reasons for urgency are given and that the Chair of the Forum agrees both that the report is urgent and that they are happy to include it on the agenda for consideration. Good practice dictates that this should only be done in exceptional circumstances.
- (b) In the event that the Local Authority requires an urgent decision on a matter before the date of the next scheduled meeting the Local Authority shall first attempt to schedule an extraordinary meeting.

Should it not be possible to schedule an extraordinary meeting the Local Authority will email/write to all Forum members detailing the appropriate background to the decision and options available. Simple majority rules will apply. The decision must then be reported to the next meeting of Forum for minuting.

7.7 CHANGING DATES/TIMES OF MEETINGS

The Forum agrees the dates/times of its meetings at the first meeting of the academic year. The resolution regarding dates/times can, therefore, only be changed by another Forum resolution. If the Chair wishes to alter the date/time of a Forum meeting the proposed revised date/time should be included on the next agenda for the Forum to agree. If the Chair wishes to alter the date/time of the

next meeting, and there is no Forum meeting at which it can be agreed, the following actions need to be taken:

- (a) consult all Forum members (with a deadline to respond);
- (b) if agreed by a quorate decision, the meeting will proceed on the new date/time and all Forum members will be informed of the new date/time;
- (c) if not agreed, the meeting must proceed on the normal date/time.

7.8 CLERKING

The Director of Schools and Learning will arrange for governance and administrative support for the meetings of the Schools' Forum from the Constitutional Services Team within Democratic Services.

The Clerk to the Forum (Constitutional Services Officer) will be responsible for election procedures, compiling the agenda for each Forum meeting, distributing papers, ensuring that decisions are taken in accordance with this Constitution and relevant legislation, and circulating minutes of the meeting, including publishing on the City Council's website..

7.9 MEMBERS' EXPENSES

The authority must reimburse all reasonable expenses of members in connection with their attendance at meetings of the Forum, in line with the Members Allowances Scheme in Part 7 of the City Council's Constitution, and charge those expenses to the schools budget.

7.10 CHARGING OF SCHOOLS FORUM'S EXPENSES

The authority must pay the expenses of the Schools Forum and charge those expenses to the schools budget.

EXPECTATIONS AND RESPONSIBILITIES OF SCHOOLS' FORUM MEMBERS AND THE LOCAL AUTHORITY

The purpose of this document is to define the expectations and responsibilities of Schools Forum Members and the Local Authority in undertaking the business of the Schools' Forum.

Schools Forum Members will:

1. Ensure that any interests in any item for discussion at Forum meetings is declared at the beginning of all meetings, in accordance with Nottingham City Council's Constitution.
2. Ensure that they are representative of, and present the views, of their elective / nominating group at meetings.
3. Ensure that all reports and other papers distributed are reviewed prior to each individual meeting.
4. Gather views and provide feedback to individual elective / nominate groups in advance of and after Forum meetings.
5. Are responsible to their elective groups for the feedback of items discussed at, and decisions taken, by Forum.
6. Identify any training requirements to the Local Authority to inform the Forum induction and training.
7. Ensure, through the use of substitutes, that each elective / nominating group is represented at all meetings.
8. Within their representative group, consider nominations for the Chair and Vice – Chair prior to the elections to this position held annually at the first meeting of the Forum at the commencement of the academic year

The Local Authority will:

1. Ensure that reports and other documents requiring Forum to make a decision are issued at least 5 clear working days in advance of meetings and minutes within 10 working days after the meeting.
2. Ensure that all Forum meetings will be supported and attended by appropriate senior officers relevant to the items to be discussed at the meeting.
3. Provide a Chair's briefing meeting for the Forum Chair and Vice-Chair in advance of the meeting.
4. Publish reports, other relevant documents and minutes of meetings on the City Council's website
5. Through the Schools' Funding team, ensure that Forum is informed of any proposed changes in legislation that will impact upon the work of the Forum.

6. Provide appropriate training and induction to new Forum members and provide appropriate on-going training to Forum Members to ensure they are able to effectively discharge their responsibilities.
7. Present formal budget proposals for approval at one meeting in the Autumn term to enable informed strategic decisions and prioritisation. Ad hoc budget proposals may be presented at other points in the year providing there is a budget contingency set by the Forum or if additional funding becomes available. It will be a condition of all specific funding allocations that the designated lead officer or organisation provides formal feedback (as determined by the Forum) on the actual utilisation of funding to provide accountability and enable Forum to monitor the use of funds.
8. Keep Forum informed of strategic developments and service issues which may result in a request for additional funding where the financial impact would fall to be met from the Schools Budget.
9. Facilitate and support workshops and working groups necessary to support both the consultative and decision making responsibilities of Forum.

EXEMPT INFORMATION CATEGORIES

CATEGORY	QUALIFICATIONS/DEFINITIONS
1. Information relating to any individual.	
2. Information which is likely to reveal the identity of an individual.	
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	<p>Information is not exempt information if it is required to be registered under:</p> <ul style="list-style-type: none"> (a) the Companies Act 1985; (b) the Friendly Societies Act 1974; (c) the Friendly Societies Act 1992; (d) the Industrial and Provident Societies Acts 1965 to 1978; (e) the Building Societies Act 1986; or (f) the Charities Act 1993 <p>Information is not exempt if it relates to proposed development for which the Local Planning Authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992.</p> <p>‘financial or business affairs’ includes contemplated, as well as past or current, activities</p> <p>‘registered’ in relation to information required to be registered under the Building Societies Act 1986 means recorded in the public file of any building society (within the meaning of that Act)</p>
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	<p>‘employee’ means a person employed under a contract of service</p> <p>‘labour relations matter’ means:</p> <ul style="list-style-type: none"> (a) any of the matters specified in paragraphs (a) to (g) of section 218 (1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or

(b) any dispute about a matter falling within paragraph (a) above;

and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;

'office-holder', in relation to the authority, means the holder of any paid office, appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority.

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes to give under any enactment:
 - (a) a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.