

# **Nottinghamshire County Council**

## **Admission Forum Constitution**

### **Part 1**

#### **Summary and Explanation**

## **1. The Constitution**

The constitution sets out how the Schools Admission Forum will be conducted and the procedures to be followed to ensure that meetings are conducted in an efficient and transparent manner.

Statutory duties of the Forum are set out in the School Admissions (Local Authority Reports and Admission Forums) (England) Regulations 2008, and the School Admission Code 2009. Procedures described in the Constitution are in accordance with the regulations, and where appropriate are matters for the Schools Admission Forum to determine.

The constitution is divided into 7 articles, which set out the governance and operational framework for the Schools Admission Forum. Detailed procedures are provided in Part 3 of this document.

## **2. Who can change the constitution?**

The constitution will be subject to annual review by the Schools Admission Forum and can be amended as necessary by the Forum, both procedurally and in accordance with any statutory requirements set out in regulations.

## **Article 1 – The Constitution**

### **1.01 Duties of the Schools Admission Forum**

The Schools Admission Forum will exercise all its duties in accordance with the School Admissions (Local Authority Reports and Admission Forums) (England) Regulations 2008, and the School Admission Code 2009 and this constitution. The Schools Admission Forum is a consultative group.

### **1.02 The constitution**

The constitution is the constitution of the Schools Admission Forum.

### **1.03 Purpose of the constitution**

The purpose of the constitution is to:

- (a) establish the operational framework and procedures of the forum to enable it to fulfil its role ie; to consider and advise on the fairness of admission arrangements for schools in the relevant area.
- (b) enable consultations on relevant admission matters to be conducted efficiently and effectively;
- (c) create a powerful and effective means of consultation between local admission authorities and their relevant partners.

### **1.04 Duty to monitor and review the constitution**

The Schools Admission Forum and LA will monitor and review the operation of the constitution.

### **1.05 Approval of changes to the constitution**

Changes to the constitution, other than those required by Regulations, require the support of each group of members.

### **1.06 Suspension of the constitution**

#### **(a) Limit to suspension**

The articles of this constitution may not be suspended. The rules specified below may be suspended by the full Schools Admission Forum to the extent permitted within those rules and regulations.

#### **(b) Rules capable of suspension**

Any rule may be suspended as regards any business at a meeting where its suspension is moved except for those rules governed by statutory requirements.

### **1.07 Publication**

- (a) The secretary to the Schools Admission Forum will give a printed copy of this constitution to each member of the Schools Admission Forum free of charge.
- (b) Copies of the constitution will be made available to the public and other interested parties at cost.

(c) The secretary will ensure that the constitution is updated as necessary.

## **Article 2 – Composition**

### **2.01 Composition of membership**

Regulations require that membership of the Schools Admission Forum should comprise representatives nominated by the following groups:

<b>Group</b>	<b>Maximum number of representatives</b>	<b>Recommended number of representatives</b>
<b>LA</b>	<b>2</b>	<b>2</b>
<b>Schools - community</b>	<b>At least 1</b>	<b>2</b>
<b>Schools - foundation</b>	<b>At least 1</b>	<b>2</b>
<b>Schools - voluntary controlled</b>	<b>At least 1</b>	<b>2</b>
<b>Schools – voluntary aided</b>	<b>At least 1</b>	<b>2</b>
<b>Academies</b>	<b>At least 1</b>	<b>1</b>
<b>City Technology Colleges</b>	<b>At least 1</b>	<b>N/A</b>
<b>Church of England Diocesan Board</b>	<b>1</b>	<b>1</b>
<b>Roman Catholic Diocese</b>	<b>1</b>	<b>1</b>
<b>Parents representatives</b>	<b>At least 1</b>	<b>3</b>
<b>Representatives of the local community</b>	<b>At least 1</b>	<b>4</b>
<b>Total</b>	<b>Up to 20</b>	<b>20</b>

### **2.02 Overall size of the Forum**

The maximum size of membership is 20.

### **2.03 Definitions of representative groups**

The school appointments are each representative of the category of schools, not representatives for each school. Each representative must be a Head Teacher or a Governor (other than a Governor appointed to the school by the LEA, who is also a member of the authority).

### **2.04 Appointment of Schools Admission Forum members**

#### **2.04.01 LA**

The way the nominations are sought, and the decision as to whether to accept the nominated representative, is the sole responsibility of Nottinghamshire County Council.

#### **2.04.02 Schools (Community/Voluntary Controlled/Foundation/Voluntary Aided/Academy/City Technology College)**

Local schools in each category will be invited to nominate representatives to the Forum for appointment by the LA. Numbers of representatives in each category will be determined by the LA.

#### **2.04.03 Diocesan Board Church of England**

The member shall be nominated by the Diocesan Board of Education for the Diocese of Southwell.

#### **2.04.04 Roman Catholic Diocese**

The members shall be nominated by the Bishops of the (i) Nottingham Roman Catholic Church Diocese and/or (ii) Hallam Roman Catholic Diocese

#### **2.04.05 Parent Representative(s)**

The member(s) shall be appointed by the LA following a request for nominations from relevant parent networks. Parents will be Nottinghamshire residents and have a child between the ages of 2 – 16 years.

#### **2.04.06 Local Community**

The LA appoints to this group (on the recommendation of the representatives in paragraphs 2.04.01 – 2.04.05) anyone it considers represents significant interests in the local community, not eligible under other criteria. Numbers of representatives will be determined by the LA. There must be at least 1.

#### **2.04.07 Alternate members**

Any member of the Forum may nominate an alternate member to attend meetings of the forum in his or her absence, subject to the conditions below:

A nomination shall be made by giving written notice to the secretary, and shall remain effective until it is withdrawn.

A member appointed as LA representative may only nominate an alternate member who is himself or herself a member of the authority.

A member appointed as a parent representative may only nominate an alternate member who is also a parent within the meaning of the Regulations.

A member appointed as a local community representative may not nominate an alternate member unless the authority consents to the proposed nomination.

A member appointed as faith school representative may not nominate an alternate member unless the body by which the member was nominated consents to the proposed nomination.

A schools member (community/voluntary/foundation/voluntary aided/Academy/) may only nominate an alternate member who is a head teacher or governor of a school, which is from the same school group as the school of which the member in question is a governor or head teacher.

#### **2.04.08 Appointment of other members to the Admission Forum**

The LA may appoint other members to the Forum to represent the interests of any section of the local community, following a recommendation from the members in paragraphs 2.04.01 – 2.04.06. In addition, the Forum may invite other key groups or bodies to attend meetings of the Forum on an ad hoc basis if they have an interest in a topic being discussed.

### **2.05 Roles and functions of members**

#### **(a) Key Roles**

All members will:

- represent their respective areas and bring their views into the admissions arrangements decision making process
- balance different interests identified within their respective areas and represent the County as a whole;
- be available to attend working groups or sub-committees as and when required;
- participate with all admissions authorities on matters within their remits;
- transmit the agreed view of the Forum in discussions outside the Forum;
- maintain the highest standards of conduct, ethics and confidentiality.

(b) **Rights and Duties**

Members have rights of access to documents and information as are necessary for the proper discharge of their functions and in accordance with regulations.

(c) **Advice and recommendations of the forum**

The Forum shall promulgate its advice and recommendations to all admissions authorities and maintained schools within the county, and make available such advice and recommendations to any other persons with an interest.

**2.06 Conduct**

Members will at all times observe the rules of procedure approved by the Schools Admission Forum and set out in Part 3 of this constitution.

## **Article 3 – The Public and the Schools Admission Forum**

**3.01 Access**

The Forum is not a Committee of the County Council and meetings do not have to be open to the Public or Forum papers made available to the Public. However, the Forum re-affirms that the public will have the right to see reports and background papers, and any records of advice and recommendations of the Schools Admission Forum other than those relating to matters identified as confidential on the agenda or so declared by the Forum during the course of discussion. The minutes of the Forum will be published on the Nottinghamshire County Council's website.

**3.02 Responsibilities**

Members of the public are expected to behave in a manner that contributes to the well-being of the environment and to respect other people's views. Any member of the public present must not be violent, abusive or threatening to Schools Admission Forum members, observers or officers and respect any associated property.

## Article 4 – Function and Meetings

### 4.01 Role

The Admissions Forum has a key role in ensuring a fair admissions system that promotes social equity and must under section 84 of the SSF Act 1998, act in accordance with the School Admissions Code. The Statutory role of the Forum is described in paragraphs 4.28 to 4.33.

It is important that Admission Forums reflect the needs of their local community. The membership of Forums is set out in the Local Authority Reports Regulations<sup>76</sup> and their membership **must** reflect the types of schools in the locality: a representative from each faith group represented by schools in the area; parent and community representatives; up to two local authority representatives (as the admission authority for community and voluntary controlled schools); local employers and; other representatives, which could, for example, include service personnel, and Choice Advisers.

### 4.02 Functions of the Schools Admission Forum

The Schools Admission Forum will exercise the following functions:

- i. Adoption of and changes to the constitution;
- ii. Appointment of the chair and vice chair;
- iii. Carry out the responsibilities laid down by the School Admissions (Local Authority reports and Admission Forums) (England) Regulations 2008 and the SAC 2009, which states that the Forum must:
  - a) Consider how well existing and proposed admission arrangements serve the interests of children and parents within the area of the local authority;
  - b) Promote agreement on admission issues.
  - c) Review the comprehensiveness, effectiveness within the local context, and accessibility of advice and guidance for parents by the local authority, both through the published composite prospectus and the delivery of Choice Advice within the area of the Forum;
  - d) Consider the effectiveness of the authority's proposed co-ordinated admission arrangements, and advise on whether the authority's proposed co-ordinated admission arrangements differ substantially from the previous year;
  - e) Consider the means by which admissions processes might be improved and how actual admissions relate to the admission numbers published;
  - f) Monitor the admission of children who arrive in the authority's area outside a normal admission round with a view to promoting arrangements for the fair distribution of such children among local schools, taking account of any preference expressed in accordance with arrangements made under Section 86(1) of the SSFA 1998, and in accordance with the SAF
  - g) Promote arrangements for children with special educational needs, children in care and children who have been excluded from school;
  - h) Monitor the effectiveness of local authority Fair Access Protocols;

i) Consider any other admissions issues that arise.

The Forum should:

a) refer an objection to the Schools Adjudicator where either it identifies admissions policy, practice or oversubscription criteria of a school that may be unfair, unlawful or that contravene the mandatory provisions of the code, or where its advice has been disregarded by admission authorities;

b) review the impact of local admissions policies on achieving fair access

The Forum has the power to produce an annual report about all maintained schools including Academies. This should not duplicate the LA's report to the Schools Adjudicator but may provide input to it.

#### **4.03 Schools Admission Forum Meetings**

The Schools Admission Forum must meet at least twice in each year.

Meetings will be conducted in accordance with the Schools Admission Forum rules of procedure in Part 3 of this constitution.

### **Article 5 - Chairing the Schools Admission Forum and Terms of Office**

#### **5.01 Chair and Vice Chair**

The chair and vice chair will each be a member of the Schools Admission Forum elected by members of the Forum at its first meeting and thereafter as provided for under (b) below. They will hold office:

- (a) until either resigns by giving written notice to the Secretary or ceases to be eligible to be a member of the Forum;
- or
- (b) until the date of the first meeting of the Forum held on or after the anniversary of their appointment.

In the event of a casual vacancy in the office of chair or vice chair the Forum will elect one of its number to serve for the unexpired period of office only.

#### **5.02 Role and function of the chair**

The chair, or in his/her absence, the vice chair, will have the following roles and functions:

- (a) to uphold and promote the purposes of the constitution, and to interpret the constitution when necessary;
- (b) to preside over meetings of the Schools Admission Forum so that its business can be carried out efficiently and with regard to the rights of members and the interests of the schools, admission authorities and the community.
- (c) to ensure that the meeting is an opportunity for the debate of matters of concern to schools, admission authorities and the community.



### 5.03 **Admission Forum Members**

Members shall hold office:

- (a) until they resign or cease to be eligible to be a member of the Forum;
- or
- (b) or a period of four years from the date of their appointment

School members shall vacate their office when they cease to be either Head Teacher or a Governor of their school

Parent Members must be resident in the relevant area and be the parent of a child who has attained the age of two and is receiving primary education or is of compulsory school age. Such a Member must resign if they cease to be a parent within the meaning of this Regulation.

Community members may hold office until they resign or otherwise cease to be members under the terms of their appointment as determined by the other statutory members.

### 5.04 **Secretary to the Forum**

The members must appoint a person, nominated by the authority, not being a member of the Forum, to act as secretary to the Forum.

## **Article 6 – officers**

### 6.01 **General**

The LA may engage such staff (referred to as officers) as it considers necessary to maintain an effective partnership with the Schools Admission Forum and its operation.

#### **(a) Administration of financial affairs**

The LA will have responsibility for the administration of the financial affairs of the Schools Admission Forum.

#### **(b) Secretary**

The person appointed further to paragraph 5.04 above will service meetings and manage membership issues, and provide advice on the scope of powers of the Forum.

## **Article 7 – Reaching Agreement**

### 7.01 **Principles of reaching agreement**

The Schools Admission Forum will seek to achieve consensus among all of the member groups. Any advice agreed must have regard to:

- (a) equal opportunities and human rights principles;

- (b) the implications for service users;
- (c) a presumption in favour of openness;
- 3. clarity of aims and desired outcomes;
- 4. due consultation and the taking of professional advice from officers.

In the event of a formal vote being necessary for a decision to be carried there must be a majority of two-thirds of those groups present and voting.

Save that any decision whether or not to refer a matter to the Adjudicator shall be taken by a simple majority of those present and voting. In the case of an equality of votes the Chair (or the person in the Chair) shall have a second or casting vote.

## **Part 3**

### **Rules of Procedure**

#### **Contents**

#### **Rule**

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## **1. Annual meeting of the Schools Admission Forum**

### **1.1 Timing and business**

The annual meeting will be the first meeting of the Admission Forum following its establishment and thereafter the first meeting to be held on or after the expiration of 12 months from the date of the previous annual meeting.

The annual meeting will:

- (a) elect the chair of the Schools Admission Forum;
- (b) elect the vice chair of the Schools Admission Forum;
- (c) approve the minutes of the last meeting;
- (d) if not previously agreed, approve a programme of ordinary meetings of the Schools Admission Forum for the year and the next annual meeting; and
- (e) consider any business set out in the notice convening the meeting.

## **2. Ordinary meetings**

### **2.1 Order of business**

Ordinary meetings of the Schools Admission Forum will take place in accordance with a programme decided at the Schools Admission Forum annual meeting. Ordinary meetings will:

- (a) elect a person to preside if the chair and vice chair are not present;
- (b) approve the minutes of the last meeting;
- (c) deal with any business from the last Schools Admission Forum meeting;
- (d) consider any other business specified in the agenda for the meeting;
- (e) consider any item of business which the chair determines should be considered as a matter of urgency by reason of special circumstances which he/she shall specify.

### **2.2 Establishment of Sub Committees**

If the Forum decides to establish a Sub-Committee, then it shall determine that Sub-Committee's membership and constitution, procedure for convening and holding meetings and promulgation of advice and recommendations.

## **3. Extraordinary meetings**

### **3.1 Business**

No business other than that specified in the agenda for the meeting shall be considered at an extraordinary meeting of the Schools Admission Forum. The agenda will not include consideration of the minutes of a previous meeting.

### **3.2 Time of extraordinary meetings**

The time of extraordinary meetings of the Schools Admission Forum shall be determined by the LA in consultation with the chair.

#### **4. Notification of meetings**

- 4.1 Notice to the members of the Schools Admission Forum of the time, date and place of any meeting, shall be given by the Secretary, or in his/her absence by the authority, at least one week in advance of the meeting.
- 4.2 An invitation will be sent to every member of the Schools Admission Forum or be left at their usual place of residence. The invitation will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available. Supporting papers may be posted on the Forum page within the Nottinghamshire County Council website.

#### **5. Terms of Office**

- 5.1 Shall be as set out in paragraph 5.03 of Article 5.

#### **6. Quorum**

##### **6.1 Schools Admission Forum meeting**

The quorum of a meeting of the Schools Admission Forum shall be when 4 member groups are represented, provided that no fewer than 6 members in total are present.

##### **6.2 Working groups or sub-committees**

The quorum of meetings of working groups or sub-committees shall be a minimum of three members.

##### **6.3 General**

If any meeting is, or become inquorate, then the meeting shall close and any outstanding business shall stand deferred to next meeting.

#### **7 Duration of meetings**

- 7.1 It will be the normal practice that meetings will be no longer than two and a half hours. Any business not disposed of by the closure time shall stand adjourned to a time fixed by the chair at the time the meeting is adjourned, or, if a time is not fixed, to the next ordinary meeting of the Schools Admission Forum.

#### **8 Minutes**

##### **8.1 Signing the minutes**

At the next suitable meeting the chair will move that the minutes of the previous meeting be signed as a correct record and will sign them as such.

#### **9 Confidentiality**

- 9.1 Confidential issues which are discussed by the Schools Admission Forum must not be disclosed to other parties.

#### **10 Record of attendance**

- 10.1 All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

## **11 Right of attendance**

- 11.1 Schools Admission Forum members and the Secretary have a right to attend Schools Admission Forum meetings. In addition, the Schools Admission Forum can allow any other person to attend their meetings.
- 11.2 The Forum may ask any member of the public or observer present to leave the meeting if confidential issues are to be discussed.

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