



# **Brent Constitution**

Terms of Reference not included within the Constitution



# **TERMS OF REFERENCE FOR OTHER BODIES NOT INCLUDED WITHIN THE CONSTITUTION**

In addition to the Cabinet and main Committees established by the Council which are detailed within the Constitution, there are a number of other bodies which have links to the Council.

Following changes made to the Council's Constitution in September 2017 these Terms of Reference no longer form part of the Constitution but are set out below, for reference.

## **Brent Connects Forums**

The consultative forums described below are part of the Brent Connects programme. They have no formal decision making structure and have no decision-making powers. They are however a central part of the council's approach to consultation and engagement. Five forums cover specific geographic areas and a further five cover service users or specific interest groups. Representations and recommendations may be made by these forums to a committee or sub-committee of the council or to the executive or to officers. The chairs of the Brent Connects forums shall be appointed by full council.

## **Brent Connects Area Consultative Forums**

- 1 The Council is committed to involving the community through effective consultation and two-way communication.
- 2 The Council recognises that meaningful participation can only take place:
  - in an environment where people are better informed about local services;
  - where community spirit is fostered so that people care enough to want to take part, and are encouraged to do so; and
  - where council decisions can be seen to reflect the views and concerns of local residents.
- 3 Area consultative forums provide an important opportunity for members of the public to access, participate in and influence the council's decision-making process and those of the Council's partner organisations. Consultation, participation and community engagement have become increasingly important for all organisations and are at the heart of central government policy to improve and modernise local services.

Consultative forums are central to Brent Council's response to these issues.

- 4 Five area consultative forums were set up in 1997 to give local people a say about the issues which matter to them. These forums are public events, meeting four times per year. At each meeting local people are able to ask questions and comment on services provided by both the Council and partner agencies in Brent.
- 5 Chaired by a local councillor and assisted by a lead manager, each area forum meeting is open to the public, and is always held during a weekday evening in an accessible venue central to the community.
- 6 Agendas are determined prior to each forum meeting. Local people, the forum chair and lead manager, other local councillors, partner organisations and council officers are all invited to participate in the agenda setting process. The agenda setting process

is coordinated by officers from the Council's consultation team and the draft agenda is published on the Council's internet pages.

- 7 At each meeting local people have the chance to listen to and question the Council and partner agencies such as the police and health authority about services they provide. There is also a 'soapbox slot' for residents to express their views and concerns on an issue of their choice. The five area consultative forums are listed below and each is made up of the electoral wards as shown:

<b>Brent Connects Harlesden</b>	<b>Brent Connects Kilburn</b>	<b>Brent Connects Kingsbury &amp; Kenton</b>	<b>Brent Connects Willesden</b>	<b>Brent Connects Wembley</b>
Harlesden & Kensal Green Roundwood Stonebridge	Brondesbury Park Kilburn Queen's Park	Barnhill Kenton Kingsbury Queensbury Welsh Harp	Cricklewood & Mapesbury Dollis Hill Willesden Green	Alperton Northwick Park Preston Sudbury Tokyngton Wembley Central Wembley Hill Wembley Park

- 8 The ward boundaries delineate the area covered by that particular forum although residents may choose to attend a forum other than that in which they live.
- 9 The area consultative forums will be supported by officers from the council's consultation team, the forum lead manager and officers from other council service areas as appropriate.

#### Functions of Brent Connects Area Consultative Forums

- 10 (a) To consider and comment on Brent Council services, policies and practices, and those of its partners in the Brent area, and to influence practices and policies which determine the provision of council services by submitting reports on views expressed and issues raised at forum meetings to the appropriate lead officer, the Cabinet or a member of the cabinet and/or the relevant Scrutiny Committee or other council committees, or full council.
- (b) To provide information to the community about the services, policies and the practices of Brent Council and other partner organisations in Brent.
- (c) To seek out the opinions and views of the community with regard to needs and aspirations for the area, sharing council draft reports and budget plans as appropriate and relay them to council decision making bodies.
- (d) To develop and support partnership and inter-organisational discussion, consultation and participation between the statutory and voluntary sectors and business, in relation to local issues.
- (e) To consider and participate in arrangements for public consultation regarding council services and policies which directly or indirectly affect the area, and/or those requiring 'local consultation'.

- (f) To consider all matters of relevance and/or interest to residents of the area including any related to the activities of other organisations. Area consultative forums shall not however discuss individual or personal cases relating to the authority's regulatory functions, planning, licensing etc., with the exception of major developments, significant planning applications, environmental improvements and traffic management issues.
- (g) To request the attendance of members of the executive, other members, council officers and representatives of other partner organisations to listen to residents' concerns and/or report on matters of local interest.
- (h) Notwithstanding the above, the Brent Connects area consultative forums are consultative only and have no formal decision making powers within the Council's formal decision making processes.

#### Structure and Membership Brent Connects of area consultative forums

##### 11 Each Brent Connects area consultative forum:

- (a) shall meet at least four times per year. Notwithstanding, a forum may meet more than four times per year, subject to identifying suitable funding, as appropriate.
- (b) will be chaired by a councillor appointed by the Council and supported by a councillor in the role of vice-chair, also appointed by the Council.
- (c) has an appointed lead manager. Lead managers are council officers appointed as 'community champions' because of their close professional and personal links with the forum area they serve.
- (d) will be open to attendance by residents, councillors and council officers, local businesses and traders, representatives of community groups and associations, voluntary and other public and statutory/partner organisations, and other relevant outside agencies.

### **Fostering Panel**

- 1 (a) The functions of the Fostering Panel are to consider issues relating to the fostering of children generally and specifically;
  - to consider each application for approval and to recommend to the appropriate officer whether or not a person is suitable to act as a foster parent;
  - where it recommends approval of an application, to recommend the terms on which the approval is to be given;
  - to recommend whether or not a person remains suitable to act as a foster parent and whether or not the terms of his or her approval remain appropriate;
  - to advise on the procedures under which reviews are carried out by the Council and periodically monitor their effectiveness; oversee the conduct of assessments carried out by the fostering service provider; and

- give advice and make recommendations on such other matters or cases as the fostering service provider may refer to it.
- (b) The Operational Director Children’s Social Care must maintain a list of persons who are considered by it to be suitable to be members of a Fostering Panel (“the central list”), including one or more social workers who have at least three years' relevant post-qualifying experience. Full Council or the General Purposes Committee will appoint elected members to be included in the Central List and appoint elected members to the Panel.
- (c) The Operational Director Children’s Social Care must appoint an Independent Chair and a Vice Chair.
- (d) To be quorate the Fostering Panel must include an Independent Chair or a Vice Chair, a social worker and three other members. Where the Chair is not present and the Vice Chair is not independent of the Council at least one other Panel member must be independent.

## **Independent Admission Appeals Panel**

- 1 (a) The Independent Admission Appeals Panel is established under the School Standards and Framework Act 1998. Its purpose is to determine appeals by parents and in certain circumstances children aged 16 or over who have been refused admission to sixth form against a decision by the LA as to the school at which education is to be provided for a child or in the case of a community or voluntary school maintained by the LA a decision by the governing body to refuse a child admission to a school.
- (b) The panel would also deal with appeals by a governing body against a decision of the Council to admit a child to a community or voluntary controlled school who has been permanently excluded from two or more schools.
- (c) The membership of the Independent Admission Appeals Panel consists of between three and five members appointed by the LA. The Panel must contain:
- at least one member with experience in education who has knowledge of educational conditions in the area of the authority, or is a parent of a registered pupil at a school; and
  - at least one member who is a lay person, that is, someone without personal experience in the management of a school or the provision of education in a school (other than experience gained in a voluntary capacity or as a school governor).
- (d) The LA retains a list of potential panel members. After an appeal has been submitted the LA must arrange for three (or less often five) appropriate panel members, including a Chairperson from the list, to constitute the panel and hear the appeal.

## **Independent Review Panel**

- 1 (a) The Independent Review Panel is established under the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012. Its purpose is to review the decision of a governing body not to reinstate a pupil who has been permanently excluded from a school maintained by the LA if the parent of that pupil makes an application for review within the legal time frame.

- (b) The membership requirements for the Independent Review Panel are that there must be three or five members (as decided by the LA). The Panel must contain :
- the Chair who must be a lay member, defined as someone who has not worked in a school in any paid capacity; and
  - at least one person who has been a governor of a maintained school provided that they have served in this capacity for at least 12 consecutive months in the last 6 years; and
  - at least one person who must be, or have been within the last five years, a head teacher of a maintained school.
- (c) The LA retains a list of potential panel members. After a pupil has been excluded and an application for review is submitted the LA must arrange for three (or less often five) appropriate panel members, including a Chairperson, to constitute the panel and review the matter.

## **Old Oak and Park Royal Development Corporation**

- 1 (a) Under the Localism Act 2011 the Mayor of London has powers to establish a Mayoral Development Corporation ('MDC'). The Old Oak and Park Royal Development Corporation (OPDC) was established by the Mayor of London pursuant to an Establishment Order made on 23 January 2015 and which came into effect on 1 April 2015. The OPDC has been established to drive forward the regeneration of Old Oak and Park Royal in light of the proposed HS2 interchange. The corporation boundary includes land within Brent, Ealing and Hammersmith & Fulham.
- (b) The OPDC has a Board comprising an elected member from each of the three boroughs affected, a representative from the Greater London Authority, Transport for London, Department for Transport, High Speed 2, Network Rail, a local business representative, a representative from the residential community, the Chair of the OPDC Planning Committee, an independent business representative, an expert in regeneration and an expert in education. The Council is represented on the Board by its Leader
- (c) Pursuant to a Planning Order made by the MDC, which came into effect on 1 April 2015, the OPDC is the Local Planning Authority for the land within its boundary. The OPDC has a Planning Committee that includes one elected member from each of the three boroughs affected. The Council is represented on the Planning Committee by the Chair of its Planning Committee
- (d) The OPDC has delegated some of its planning functions back to the Council. These functions are discharged by the Planning Committee and officers in accordance with the current arrangements for carrying out planning functions.

## **Pension Board**

### **1. Introduction**

- 1.1 The purpose of this document is to set out the terms of reference for the local Pension Board of the London Borough of Brent Pension fund.

### **2. Role of the Local Pension Board**

2.1 The role of the local Pension Board as defined by sections 5 (1) and (2) of the Public Service Pensions Act 2013, is to:

- Assist the London Borough of Brent Administering Authority as Scheme Manager:
  - to secure compliance with the LGPS regulations and any other legislation relating to the governance and administration of the LGPS
  - to secure compliance with requirements imposed in relation to the LGPS by the Pensions Regulator
  - in such other matters as the LGPS regulations may specify
- Secure the effective and efficient governance and administration of the LGPS for the London Borough of Brent Pension Fund.
- Provide the Scheme Manager with such information as it requires ensuring that any member of the Pension Board or person to be appointed to the Pension Board does not have a conflict of interest.

2.2 The Pension Board will ensure it effectively and efficiently complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.

2.3 The Pension Board will also help ensure that the London Borough of Brent Pension Fund is managed and administered effectively and efficiently and complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.

2.4 The Pension Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively.

### 3. Appointment of members of the Pension Board

3.1 The Pension Board shall consist of 6 members and be constituted as follows:

- i) 3 employer representatives;
- ii) 3 scheme member representatives;

3.2 There shall be an equal number of Member and Employer Representatives.

#### 3.3 Member representatives

3.3.1 Member representatives shall either be scheme members or have capacity to represent scheme members of the Fund.

3.3.2 Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

3.3.3 Substitutes shall not be appointed.

3.3.4 3 scheme members shall be appointed to the Board and will consist of:

- 2 Trade Union representatives who are members of the scheme
- 1 pensioner of the Fund shall be appointed following an open and transparent process administered by the Administering Authority with a recommendation to the General Purposes Committee.



### 3.4 Employer representatives

3.4.1 Employer representatives shall be office holders or senior employees of employers of the Fund or have experience of representing scheme employers in a similar capacity. No officer or elected member of the Administering Authority who is responsible for the discharge of any function of the Administering Authority under the Regulations may serve as a member of the Board.

3.4.2 Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

3.4.3 Substitutes shall not be appointed.

3.4.4 3 employer representatives shall be appointed to the Board and will consist of:

- 2 elected councillors appointed by the London Borough of Brent.
- 1 employer in the Fund shall be appointed following an open and transparent process administered by the Administering Authority with a recommendation to the General Purposes Committee.

3.5 Members of the Pension Board will be appointed by the General Purposes Committee and no substitutes will be permitted. The term of office for members will run for at least two years, subject to compliance with conditions of employment.

3.6 Each Board member should endeavour to attend all Board meetings during the year and is required to attend at least 3 meetings each year. In the event that a Board member fails to attend 3 consecutive meetings, that individual will automatically be disqualified, unless the failure was due to some reason approved by the Board before the date of the 3rd consecutive meeting.

3.7 Board membership may be terminated prior to the end of the term of office due to:

- (a) A member representative appointed on the basis of their membership of the scheme no longer being a scheme member in the Fund.
- (b) A member representative no longer being a scheme member or a representative of the body on which their appointment relied.
- (c) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied.
- (d) A Board member no longer being able to demonstrate to the London Borough of Brent their capacity to attend and prepare for meetings or to participate in required training.
- (e) The representative being withdrawn by the nominating body and a replacement identified.
- (f) A Board member has a conflict of interest which cannot be managed in accordance with the Board's conflict policy. 5
- (g) A Board member who is an officer of the Administering Authority becomes responsible for the discharge of any function of the Administering Authority under the Regulations.

3.8 The Board may, with the approval of the Scheme Manager, co-opt persons who are not members of the Board to serve on sub committees, particularly where this would add skills and experience.

#### 4. Appointment of Chair

4.1 An independent Chair is to be appointed through an open and transparent process, administered by the Administering Authority, and ratified by the General Purposes Committee. The Chair is a non-voting member of the board. In this respect the term independent means having no pre-existing employment, financial or other material interest in either the Administering Authority or any scheme employer in the Pension fund or not being a member (active, deferred or retired) of the Local Government Pension Scheme in Brent.

#### 4.2 The Chair of the Board:

- (a) shall ensure the Board delivers its purpose as set out in these Terms of Reference;
- (b) shall ensure that meetings are productive and effective and that opportunity is provided for the views of all members to be expressed and considered; and
- (c) shall seek to reach consensus and ensure that decisions are properly put to a vote when it cannot be reached. Instances of a failure to reach a consensus position will be recorded and published.

#### 5. Quorum

5.1 The Board shall have a formal quorum when at least 50% of both member and employer representatives are present.

5.2 Advisers and officers do not count towards the quorum.

#### 6. Conflicts of Interest

6.1 All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.

6.2 A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the Scheme.

6.3 On appointment to the Board and following any subsequent declaration of potential conflict by a Board member, the Administering Authority shall ensure that any potential conflict is effectively managed in line with both the internal procedures of the Board's 'Conflicts of Interest' policy and the requirements of the Code.

#### 7. Board Review Process

7.1 The Board will undertake each year a formal review process to assess how well it and its committees, and the members are performing with a view to seeking continuous improvement in the Board's performance. 6

#### 8. Advisers to the Board

8.1 The Board may be supported in its role and responsibilities through the appointment of advisers and shall, subject to any applicable regulation and legislation from time to time in force, consult with such advisers to the Board and on such terms as it shall see fit to help better perform its duties including:

- A Governance Adviser
- The Fund's Actuary;
- The Fund's Administrator;
- The Fund's Legal Adviser;
- The Fund's Investment Adviser(s);
- The Scheme Manager.
- Other advisers, so approved by the Scheme Manager.
- The Pensions Regulator

8.2 The Board shall ensure that the performances of the advisers so appointed are reviewed on a regular basis.

## 9. Knowledge and Skills

9.1 Knowledge and understanding must be considered in light of the role of the Board to assist the Administering Authority in line with the requirements outlined in paragraph 2 above.

9.2 A member of the Pension Board must be conversant with:

- The legislation and associated guidance of the Local Government Pension Scheme (LGPS).
- Any document recording policy about the administration of the LGPS which is adopted by the London Borough of Brent Pension Fund.

9.3 A member of the Pension Board must have knowledge and understanding of:

- The law relating to pensions, and
- Any other matters which are prescribed in regulations.

9.4 It is for individual Pension Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Pension Board.

9.5 In line with this requirement Pension Board members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Pension Board members are therefore required to maintain a written record of relevant training and development.

9.6 Pension Board members will undertake a personal training needs analysis and regularly review their skills, competencies and knowledge to identify gaps or weaknesses.

9.7 Pension Board members will comply with the Scheme Manager's training policy.

## 10. Board Meetings – Notice and Minutes

10.1 The Scheme Manager shall give notice to all Pension Board members of every meeting of the Pension Board. The Scheme Manager shall ensure that a formal record of Pension Board proceedings is maintained. Following the approval of the minutes by the Independent Chair of the Board, they shall be circulated to all members.

10.2 There will be at least 3 Pension Board meetings a year to be held per year, approximately 2 to 4 weeks after the Pension Fund Sub-Committee meeting.

## 11. Remit of the Board

11.1 The Pension Board must assist the Scheme Manager with such other matters as the scheme regulations may specify. It is for scheme regulations and the Scheme Manager to determine precisely what the Pension Board's role entails.

11.2 In accordance with the Regulations, the Pension Board shall secure compliance with:

- the Regulations
- other legislation relating to the Governance and administration of the LGPS; and
- the requirements imposed by The Pensions Regulator in relation to the LGPS, and to ensure the effective and efficient governance and administration of the LGPS.

11.3 In support of its core functions the Board may make a request for information to the Pension Fund Sub-Committee with regard to any aspect of the Administering Authority's function. Any such request should be reasonably complied with in both scope and timing.

11.4 In support of its core functions the Board may make recommendations to the Pension Fund Sub-Committee which should be considered and a response made to the Board on the outcome within a reasonable period of time.

## 12. Standards of Conduct

12.1 The role of Pension Board members requires the highest standards of conduct and therefore the "seven principles of public life" will be applied to all Pension Board members and embodied in their code of conduct.

These are:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

## 13. Decision Making

13.1 Each voting member of the Pension Board will have an individual voting right but it is expected the Pension Board will as far as possible reach a consensus. The Independent Chair of the Pension Board and any advisors are non-voting members of the Board. 8

## 14. Publication of Pension Board Information

14.1 Scheme members and other interested parties will want to know that the London Borough of Brent Pension Fund is being efficiently and effectively managed. They will also want to be confident that the Pension Board is properly constituted, trained and competent in order to comply with scheme regulations, the governance and administration of the scheme and requirements of the Pension Regulator

14.2 Up to date information will be posted on the London Borough of Brent Pension Fund website showing:

- The names and information of the Pension Board members

- How the scheme members are represented on the Pension Board
- The responsibilities of the Pension Board as a whole
- The full terms of reference and policies of the Pension Board and how they operate
- The Pension Board appointment process
- Who each individual Pension Board member represents
- Any specific roles and responsibilities of individual Pension Board members.

14.3 The Board meetings will be open to the general public (unless there is an exemption under relevant legislation which would preclude part (or all) of the meeting from being open to the general public).

14.4 Pension Board papers, agendas and minutes of meetings will be published on the London Borough of Brent Pension Fund website, <https://www.brent.gov.uk/pensions>. These may at the discretion of the Scheme Manager be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 2018.

14.5 The Scheme Manager will also consider requests for additional information to be published or made available to individual scheme members to encourage scheme member engagement and promote a culture of openness and transparency.

#### 15. Accountability

15.1 The Pension Board will be collectively and individually accountable to the Scheme Manager.

#### 16. Review of terms of reference

16.1 These Terms of Reference shall be reviewed on each material change to those part of the Regulations covering local pension boards and at least every year.

### **Schools Forum**

1. The Terms of Reference for the Schools Forum are drawn from The Schools Forums (England) Regulations 2012.
2. The Schools Forum has powers and responsibilities in accordance with The School Forum (England) Regulations 2002.
3. The Schools Forum is established by the London Borough of Brent under powers contained within the Education Act 2002.
4. The Schools Forum is a statutory consultative body which shall be consulted by the London Borough of Brent on:
  - a. any schools' funding formula change.
  - b. service contracts funded by the schools' budget, which is of an amount requiring adherence to relevant Public Services Contracts Regulations.
  - c. financial issues (annually) relating to:
    - i. arrangements for pupils with special educational needs;
    - ii. arrangements for use of pupil referral units and the education of children otherwise than at school;
    - iii. arrangements for early years' provision;
    - iv. administration arrangements for the allocation of central government grants.

- d. any proposed application to the Department for Education (DfE) with regards to exclusions from the Minimum Funding Guarantee (MFG).
5. The Schools Forum shall agree central spend on:
    - a. growth funding (Pre-16);
    - b. falling rolls funding (Pre-16) for surplus places in good or outstanding schools where a population bulge is expected in 2-3 years;
    - c. equal pay back-pay;
    - d. places in independent schools for non-SEN pupils;
    - e. early years expenditure;
    - f. admissions;
    - g. servicing of schools forum;
    - h. capital expenditure funded from revenue;
    - i. contributions to combined budgets;
    - j. schools budget centrally funded termination of employment costs;
    - k. schools budget funded prudential borrowing costs;
    - l. special education needs transport costs.
  6. The Schools Forum schools' representatives shall annually agree the following delegations, for their phase:
    - a. contingencies;
    - b. administration of free school meals
    - c. insurance
    - d. licences/subscriptions
    - e. staff costs – supply cover
    - f. support for minority ethnic pupils/underachieving groups
    - g. behaviour support services
    - h. library and museum services
  7. The Schools Forum shall also agree:
    - a. any carry forward of a deficit on central expenditure to the next year, to be funded from the schools' budget;
    - b. Scheme for financial management changes.
  8. The Schools Forum may request detailed information to assist it in carrying out its functions and the London Borough of Brent shall use its best endeavours to provide such information.
  9. The Schools Forum will abide by any changes to statutory provisions or changes to the regulatory framework for schools' funding. The Terms of Reference will be amended to reflect any such requirements.
  10. The Schools Forum must represent the interest of their sectors, rather than their individual school.
  11. The Schools Forum must act in accordance with the seven principles of public life as set out in the report of the Government Committee on Standards in Public Life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

### **Membership**

12. The Schools Forum shall consist of 27 members, made up of 23 school and academy members and 4 non-school members. The school and academy membership shall be split proportionally dependent on the student population in October each year.

#### School and Academy Membership

- 2 nursery representatives (1 head teacher, 1 governor);
- 18 primary and secondary representatives (9 head teachers, 9 governors), across the maintained and academy sector;
- 2 special school representatives (1 head teacher, 1 governor), one each from the maintained and academy sector;
- 1 pupil referral representative.

#### Non-School Membership

- 2 early years' PVI (private, voluntary or independent sector) representative;
- 1 16-19 Provider representative;
- 1 trade union representative.

13. The following officers may speak at meetings of the Schools Forum, but are not members and have no voting rights.
  - Cabinet Member Children, Young People and Schools
  - Corporate Director Children and Young People;
  - Director – Safeguarding Performance and Strategy;
  - Head of Finance –Children and Young People;
  - Senior Finance Analyst – Schools;
  - Schools Budget Manager
  - Corporate Director Finance & Resources;
  - Officers providing financial and technical advice to the Schools Forum;
  - Presenters;
  - Education Funding Agency observer or an observer appointed by the Secretary of State.
  - Any elected member of the authority who has primary responsibility for the resources of the authority;
14. Non-School Membership cannot exceed one third of the total membership.
15. Elected members who hold an executive role in the London Borough of Brent (a Cabinet Member or portfolio holder) are barred from being a Schools Forum member.
16. Other Elected Members of the London Borough of Brent can be voting members of the Schools Forum in their capacity as governor at a school within Brent.
17. Officers employed by the London Borough of Brent who have a role in the strategic resource management of the authority shall not be eligible for membership of the Schools Forum.
18. No Schools Forum member can represent more than one sector at the same time.
19. The London Borough of Brent will maintain a written record of the composition of its Schools Forum to include:
  - the number of schools members, their names and the group/sub-group that they represent.
  - The number of Academy members and their names
  - the number of non-schools members, their names, information how they were chosen and whom their represent
  - The term of office of all members
20. The information outlined in 19 above will also be published on the Schools Forum section of the Brent website.

## Appointment

21. London Borough of Brent shall appoint persons elected as a result of votes cast in the following manner:

### School and Academy Membership

- Head Teachers: nominations shall be sought through the Head Teachers groups. Vacancies will be advertised to all eligible Head Teachers via the bi-weekly Head Teachers' bulletin. The category to be represented shall be clearly identified and all Head Teachers meeting the eligibility criteria shall be free to nominate themselves
- Governors: nominations shall be sought through the Governor Support Service. This shall also be communicated by emailing Head Teachers of the relevant category, and via the bi-weekly Head Teachers bulletin, so that Head Teachers can also communicate this to their governors. The category to be represented shall be clearly identified and all governors meeting the eligibility criteria shall be free to nominate themselves.

### Non-School Membership

- Early Years' PVI: nominations and elections will be sought from the PVI sector. Where this is not practical, the Head of Early Years will nominate a member from this sector.
  - 16-19 Representative: nominations and elections will be sought from the 16-19 sector. Where this is not practical, the Head of Schools Effectiveness will nominate a member from this sector.
  - Trade Union Representative: nominations and elections will be undertaken by the Teachers' Panel.
22. Where more nominations are received than places available, the Governance Officer supporting the Schools Forum will conduct a ballot among all those who would be eligible for election to the group.
23. In the event of a tie between two or more candidates or if a vacancy has not been filled within three months using the process set out above then London Borough of Brent shall appoint a member instead, subject to consultation with the Schools Forum.
24. Members of the Schools Forum shall make declarations of interests on appointment and at each meeting if the Forum is considering matters for which they may have a pecuniary interest.

## Tenure

25. Each Schools Forum member will serve for a term of three years from the day of the first meeting following their election, unless:
- Their term of office expires;
  - they cease to hold office by virtue of which the member became eligible for election, selection or appointment to the Forum ;
  - the member resigns from the Schools Forum by giving notice in writing to the London Borough of Brent;
  - the case of a non-schools member, the member is replaced by the authority, at the request of the body which the member represents
  - paragraph 30 & 31 applies;



26. Schools Forum Members that reach the end of their term of office shall be eligible for re-appointment.
27. There is no limit to the number of consecutive terms of office individuals can serve as Schools Forum members.
28. Membership may be terminated by the London Borough of Brent, where pupil number variations between each sector is reviewed annually, and membership requirements are rebalanced. Where this results in a reduction in membership for a particular sector, at the last meeting of the academic year the Schools Forum shall decide on the member to be removed from office.
29. If a member fails to attend three consecutive meetings, the Schools Forum can agree (by vote) to ask the London Borough of Brent to remove them from membership and elect a replacement from the appropriate sector to serve a full three-year term. Reasonable efforts will be made to alert members that are at risk, before the potential third meeting.

### **Substitutes**

30. A Schools Forum member, who is unable to attend a meeting, will attempt to arrange a substitute to attend to represent the same sector and to have voting powers. This must be notified to the Clerk of the Schools Forum, in writing, at least three working days in advance of the meeting.
31. A Schools or Academy member may only nominate a substitute member from the same sector, with the same role within a school.
32. A Non Schools member may only nominate a substitute member from the relevant representative group.

### **Chair and Vice Chair**

33. The Schools Forum shall appoint a Chair and a Vice-Chair from its membership.

### **Meetings**

34. The Schools Forum shall meet at least four times a year. Meetings will be arranged to coincide with the Schools' Budget setting process to allow the view of the Schools Forum to be taken into prior to reaching a final decision.

### **Quorum**

35. The Schools Forum meeting shall only be quorate if 40% of the total membership is present. This excludes observers and vacancies.
36. An inquorate meeting cannot legally make decisions. If a meeting is inquorate, members present may by majority vote decide to have an informal discussion, but the meeting has to be formally rescheduled.

### **Conduct**

37. All discussions and debate at the Schools Forum meetings shall be through the Chair.

38. For decision-making and consulting purposes, each Schools Forum member shall be entitled to one vote subject to:
- Funding Formula: This is limited to all Schools and Academy members and Early Years PVI representatives. Other Non School members cannot vote.
  - Early Years Single Funding Formula: This is limited to all Nursery, Primary School members and Early Years PVI representatives. Secondary, Academy members and other Non School members cannot vote.
  - De-Delegation: This is limited to the specific primary and secondary phase of maintained schools. Maintained nurseries, maintained special schools, PRUS, academies, and Non School members cannot vote on de-delegation matters.
  - Scheme for Financing Schools: This is limited to school members.
  - Other matters: All members can vote on any other matters.
39. A resolution shall be taken by a simple majority.
40. Where a vote is required and there are an equal number of votes for and against the proposal, the Chair shall have the casting vote.
41. Once a decision has been made, all Schools Forum members shall be bound by it, but any member may request for their opinion to be recorded in the minutes.
42. Each Schools Forum member shall consider the needs of the whole educational community within London Borough of Brent, rather than using their position on the Schools Forum to advance their own sectional or specific interests.
43. The Schools Forum must appropriately challenge and scrutinise the London Borough of Brent's decisions, proposals or existing arrangements.
44. In carrying out their functions, each Schools Forum member shall act in accordance with the seven principles of public life set out in the report of the Government Committee on Standards in Public Life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

## **STAFF FORA**

The Council has established an Employee Joint Consultative Committee with the aims and roles set out below.

### **Employee Joint Consultative Committee**

#### Constitution and functions

- 1 Functions and terms of reference:
- (a) Consultation on employment and related issues concerning all staff groups, except Chief Officers and teachers.
  - (b) Consideration of issues, which have been previously raised with management and are considered to be unresolved.
  - (c) Specifically excluded are issues which relate to individual employees (or former employees), although wider issues arising from cases can be raised.

- (d) Matters relating to collective disputes will not fall within the remit of the EJCC but will be dealt with under the Council's Collective Grievance and Disputes Procedure.

### Representation

- 2 Membership of the EJCC shall comprise:
- (a) The Employers' Side: 8 Members of the Council of the London Borough of Brent who shall be appointed by the Council at the Annual Meeting.
  - (b) The Employees' Side: 8 trade union representatives whose conditions of services are governed by the NJC for Local Government Employees and who shall be current employees of the Council.
- 3 The representatives shall be appointed by the trade union branches for the London Borough of Brent. The representatives of the employees shall retain their membership for one year, provided they remain in employment with the Council.
- 4 If a vacancy occurs a successor will be appointed within a reasonable period from the date of the vacancy.

### Election of Chair and Vice-Chair

- 5 Each side will appoint a Chair. The Employers' Side will take the Chair the first year with the Vice-Chair coming from the Employees' Side. The positions will alternate in successive years.

### Preparation of the agenda

- 6 (a) The agenda is to be prepared by the Employers' Side Secretary, in consultation with the Employees' Side Secretary.
- (b) No item other than those appearing on the Agenda is permitted to be transacted at the EJCC meetings unless both sides agree to its introduction.

### Quorum

- 7 The quorum of the EJCC shall be 4 members of each side.

### Urgent or 'specific issues' meetings of the EJCC

- 8 An emergency meeting may be called where agreed by the Chair and Vice-Chair that there is an urgent matter which cannot be resolved without the Committee's intervention or await the next scheduled meeting. This will be subject to 7 working days notice in writing by the Employee Side Secretary to the Operational Director, Human Resources such notice to set out the items for discussion at that meeting.

### Decisions

- 9 Decisions will be arrived at by majority voting of both the Employers' Side and the Employees' Side.

### Reporting links in the Council structure

- 10 Following the approval of the minutes of the EJCC by the Chair, these shall be submitted to the General Purposes Committee for *noting*.

### **Trading Standards Joint Advisory Board**

- 1 Brent Council has agreed to carry out Trading Standards services for the London Borough of Harrow. In order to oversee and review these arrangements the two authorities have established a Trading Standards Joint Advisory Board which will:-
- (a) consider the operation, extent and management of the Trading Standards service;
  - (b) consider the annual report of the Head of Trading Standards;
  - (c) consider management reports concerning complaints from customers about the service;
  - (d) receive reports and representations submitted to it by the Head of Trading Standards or the relevant commissioning officers in Brent and Harrow Councils on matters relating to the service; and
  - (e) consider and make recommendations on the level of fees and charges to be made to the public in respect of any part of the service.