

Education Board Protocol

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Education Board Member Protocols:

1. Declaration of Interests

Education Board members are expected to declare relevant personal, financial or business interest, which they or any person closely associated with them, has in any matter to be considered by the Education Board. Each Agenda will remind members of their obligations to declare interests on items proposed on it.

In considering the declaration of interest a member of the Education Board should apply the following test: would a member of the public, knowing the facts of the situation, reasonably think that the member might be influenced by the interest.

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

Where a member has a personal or pecuniary interest (either as an individual or as a headteacher or governor of a school) in a matter to be discussed at a meeting of the Forum or a sub-committee, the member concerned must:

- (a) Declare an interest at or before discussion begins on the matter.
- (b) Withdraw from the meeting for that item unless expressly invited to remain in order to provide information.
- (c) Not be counted in the quorum for that part of the meeting.
- (d) Withdraw during the vote and have no vote on the matter.

Provided that where such an interest is pecuniary only and is shared with at least one other member of the Education Board, the member shall be required to declare an interest, but subject to the approval of the Forum, will be permitted to speak and vote on the matter, and be included in the quorum for the meeting.

2. Confidentiality

Education Board members will observe the confidentiality of some matters when necessary. On some issues, and in particular matters relating to proposed contracts information of a confidential or privileged nature may be given to members of the Forum to help with their understanding of the matter under discussion. (Also see: General Protocols - Part II Agenda Items)

3. Reports

Officers undertake to provide the agenda and reports at least 5 working days before an Education Board meeting. Education Board members are expected to have read all the reports before the meeting.

4. Questions

a) As they represent school phases, Education Board members will avoid raising specific questions/queries relating to their own school during the meeting. These should be addressed to officers outside the meeting.

5. Attendance at meetings

a) To ensure all meetings are quorate Education Board members will appoint a substitute to attend and vote at meetings they are unable to attend. Substitutes only have these rights if the Clerk of the Forum is notified of their attendance before the meeting. Substitutes must themselves be eligible for appointment to the Forum in the same way as the members for whom they are acting as substitute. The Clerk holds a list of the substitutes for each phase.

b) Education Board members will inform the Clerk if a substitute will be attending on their behalf.

c) If a relevant phase substitute is not available, Education Board members will give apologies to the Clerk before the meeting.

d) An Education Board member who fails to attend any meetings for a period of twelve months commencing with the date of his last attendance without the consent of the Education Board, whether represented by a substitute or not, will be deemed to have resigned from the Board.

6. Quorum

8 Board Members (the quorum is 40% of the total membership (excluding vacancies)).

7. Conduct at meetings

During meetings Education Board members will treat all individuals with respect, whether other Education Board members, SBC officers or partnership employees, or their representatives.

Local Authority Officer Protocols:

1. Reports

Officers will provide reports in accordance with the timescale issued by the Clerk. This will enable the agenda to be published on the SLN, as required by Schools Forum Regulations, 7 days in advance of any meeting.

Officers will:

- a) avoid the use of jargon in reports
- b) consider the use of a PowerPoint presentation if the issues are complex
- c) use table discussions where possible for consultation issues
- d) when presenting reports at meetings, focus on 2 to 3 key issues only relating to the purpose/decision and invite other questions.

2 Conduct at Meetings

During meetings officers will treat all individuals with respect, whether Education Board members, other SBC officers or partnership employees, or their representatives.

General Protocols

1. Report Recommendations

4 definitions will be used in recommendations for reports:

Approve – will be requested when a decision is to be made by the Education Board within its constituted powers.

Comment – will be requested when the LA is consulting the Education Board, e.g. options are being explored with a view to leading to a specific proposal – an initial consultation influencing direction of development.

Agree – will be requested when there are specific proposals, before a Local Authority formal decision.

Note - will be requested on any reports purely for interest that may have a bearing on future issues or developments.

2. Part II Agenda Items

There is a presumption in local authority meetings that they will be held in public and their papers will be published, in the interests of transparency. In a few limited circumstances, formal meetings can consider 'exempt' information in private, and only a brief summary of the discussion will be published.

Exempt information is where publicity would be prejudicial to the public interest. This includes the risk of breaching data protection rules when discussing an individual who could be identified, or publishing commercially sensitive information that would be prejudicial to the County Council's or a third party's financial interests.

The Constitution of the Council refers to confidential information and the requirement to exclude the Public from meetings: 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 and a resolution has been made by the decision-making body excluding the public during the transaction of business.

The Constitution also refers to exempt information and the discretion to exclude the public from meetings.

The public may be excluded from meetings whenever it is determined by the decision-making body that the nature of the business to be transacted or the nature of the proceedings are such that exempt information would be disclosed, e.g.

- Information relating to any individual;
- Information which is likely to reveal the identity of an individual;
- Information relating to financial or business affairs of any particular person (including the authority holding that information);
- Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or Minister of the Crown and employees of, or office holders under, the authority;
- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings;
- Information relating to any action taken or to be taken in connection with the prevention investigation or prosecution of crime.

For Education Board meetings:

When the information is considered 'exempt':

- The Education Board agenda will be split into Part I and Part II;
- Part II will not be published on the SLN;
- Education Board members will receive Part II documentation separately;
- Education Board members will be advised that matters in the public domain would be discussed in Part I and matters not deemed public would be discussed in Part II.
- There will be, an opportunity for the Education Board to argue for any Part II matter to be brought forward to Part I if this was felt necessary.
- Education Board members will not disclose Part II information unless given the consent of a person authorised to give it.