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STATUTORY INSTRUMENTS

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**1998 No. 1964**

**EDUCATION, ENGLAND AND WALES**

**The Education Action Forum (Proceedings) Regulations 1998**

*Made* - - - - *10th August 1998*  
*Laid before Parliament* *11th August 1998*  
*Coming into force* - - *1st September 1998*

In exercise of the powers conferred on the Secretary of State by section 138(7) of, and paragraph 4 of Schedule 1 to, the School Standards and Framework Act 1998(1), the Secretary of State for Education and Employment hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Education Action Forum (Proceedings) Regulations 1998, and shall come into force on 1st September 1998.

**Interpretation**

2.—(1) In these Regulations—

“chairman” means the chairman of the Forum;

“Forum” means an Education Action Forum;

“secretary” means the person appointed as such under regulation 3;

“vice-chairman” means the person elected as such under regulation 4.

(2) Any reference in these Regulations (except regulation 6(1)(b)) to the chairman shall include the vice-chairman during such time as the chairman is unable to act.

**Appointment of Secretary**

3. A Forum shall appoint a person to act as secretary to the Forum to carry out the functions conferred on the secretary by these Regulations.

### **Appointment of vice-chairman**

4.—(1) The Forum may elect one of their members to be vice-chairman and where such a person is so elected he may exercise the functions conferred by these Regulations on the chairman during such time as the chairman is unable to act.

(2) A person elected as vice-chairman shall remain vice-chairman for one year from the date of his election (unless he resigns as vice-chairman earlier) without prejudice to his eligibility to be re-elected for a further such period.

### **Meetings**

5.—(1) A Forum shall hold a meeting at least once in each relevant period in every year, and shall hold other meetings if—

- (a) the chairman, or the Forum at a previous meeting, so determines; or
- (b) if notice is given to the secretary requesting a meeting stating the reason for the request signed by a number of members equal to at least 20% of the members.

(2) Every meeting shall be convened by the secretary and, where a request has been received under paragraph (1)(b), shall be convened within fourteen days of the date on which the secretary received the notice under that sub-paragraph.

(3) Every member of the Forum shall be given, at least seven days before the date of the meeting—

- (a) written notice thereof, signed by the secretary, and
- (b) a copy of the agenda of the meeting

provided that, where the chairman so directs on the grounds that there are matters demanding urgent consideration, it shall be sufficient if the written notice convening the meeting and the copy of the agenda for the meeting are given within such shorter period as he specifies.

(4) For the purposes of this regulation relevant periods are—

- (a) 1st September to 31st December;
- (b) 1st January to 31st March; and
- (c) 1st April to 31st August.

### **Quorum**

6.—(1) The quorum for a meeting of the Forum at which the matter to be considered is—

- (a) the authorisation of a committee to exercise any of its functions; and
- (b) the election of a chairman or vice-chairman

and the quorum for a vote on any such matter shall be two thirds of the membership of the Forum when complete.

(2) The quorum for any other meeting, and any vote on any matter at such a meeting shall be one third of the membership of the Forum when complete.

### **Voting at and minutes of meetings**

7.—(1) Every question to be decided at a meeting of a Forum shall be determined by a majority of the votes of members present and voting on the question and in the case of an equality of votes the chairman shall have a second or casting vote.

(2) Minutes of proceedings of a Forum shall be drawn up and shall be signed at the same or next subsequent meeting by the chairman.

### **Public access**

8. Any question whether a person who is not a member of the Forum should be allowed to attend a meeting of the Forum shall be decided by the Forum.

### **Withdrawal from meeting**

9.—(1) Subject to sub-paragraph (4), if a person has any pecuniary interest, direct or indirect, in any contract, proposed contract or other matter and is present at a meeting of the Forum or any committee of the Forum at which the contract or other matter is the subject of consideration, he shall at the meeting and as soon as practicable after its commencement disclose the fact and withdraw from the meeting during the consideration or discussion of the contract or matter and he shall not vote on any question with respect of the contract or matter.

(2) For the purposes of this regulation a person shall be treated as having an indirect pecuniary interest in a contract, proposed contract or other matter if—

- (a) he or any nominee of his is a member of a company or other body with which the contract was made or is proposed to be made or which has a direct pecuniary interest in the matter under consideration; or
- (b) he is a partner, or is in the employment, of a person with whom the contract was made or is proposed to be made or who has a direct pecuniary interest in the matter under consideration:

provided that a person shall not by virtue of this paragraph be treated as so having such an interest by reason only of his membership of, or employment under, any public body or by reason only of his membership of a company or other body if he has no financial interest in any securities of that company or other body.

(3) For the purposes of this regulation a person shall be treated as having a direct or indirect pecuniary interest in a contract, proposed contract or other matter if a relative (including his spouse) living with him, to his knowledge has, or would be treated as having, such an interest, direct or indirect.

(4) No provision in this regulation shall prevent members of the Forum or any committee of the Forum considering and voting upon proposals for the Forum to take out insurance protecting its members against liabilities incurred by them arising out of their office or the Forum obtaining such insurance and paying the premiums.

10th August 1998

*Andrew Smith*  
Minister of State,  
Department for Education and Employment

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations make provision for the meetings and proceedings of an Education Action Forum. Amongst other matters, they make provision for the appointment of a vice-chairman, frequency and notice of meetings, the quorum at meetings and cases where a person must withdraw from a meeting of a Forum.