

SHROPSHIRE COUNCIL SCHOOLS FORUM

Constitution and Terms of Reference

(effective from 1st September 2026)

1. Introduction and Statutory Basis

Section 43 of the 2002 Education Act (the “Act”) requires Local Authorities to establish a Schools Forum to represent its schools. Subsequent regulations have extended and amended the original Act. The currently applicable regulations are Statutory Instrument 2012 No. 2261 Education, England; ‘The Schools Forums (England) Regulations 2012’ (“the Regulations”). The Constitution complies and should be read in conjunction with The Schools Forum (England) Regulations 2012 and advice issued by the Department for Education (DFE) [Schools forum operational and good practice guide - GOV.UK](#)

2. Membership

- 2.1 There is no maximum or minimum size of a schools forum. 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.
- 2.2 Schools members of Schools Forum (the Forum) must be Headteachers or Headteachers representatives. Headteachers representatives are defined in the regulations as being members of the school’s Senior Leadership Team.
- 2.3 Members of the Forum are elected in the Summer term by the members of the sector which they represent, i.e.

Maintained schools: Heads of maintained primary and secondary schools

Special schools: Special schools Headteachers

Nursery schools: Nursery schools Headteachers Maintained Governor

Maintained Schools’ Governors PRUs

Local Authority PVI: PVI providers forum

Academies: Academies proprietors

16-19 Providers 16-19 Providers

- 2.4 The Local Authority is responsible for determining the size and composition of the Schools Forum within the constraints of the Regulations, which state that:

Schools members and academies members must together comprise at least two thirds of the membership of the Forum.

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

At least one schools member must be a governor of a maintained school.

At least one schools member must be a headteacher of a maintained school.

At least one schools member must be a representative of a nursery school where at least one nursery school exists.

At least one schools member must be a maintained PRU representative where at least one maintained PRU exists.

At least one member must be a mainstream academy representative where at least one mainstream academy exists.

At least one schools member must be an academy PRU representative where at least one academy PRU exists.

At least one schools member must be a representative of an academy special school where at least one academy special school exists.

2.5 The Forum will consist of 27 Members, of which more than two thirds (78%) are School members, made up as follows:

School Members – Maintained Representatives (05)

3 x primary representatives (2 headteachers/representatives

1 governor/representative)

1 x secondary representative (headteacher)

1 x Pupil Referral Unit representative (HT/governor/representative)

School Members - Academy Representatives (16)

11 x HT/Leadership representatives

x primary Governor representative

x secondary Governor representative

x other Academy representatives, as elected by the proprietors of the Academies

1 x special 16-19 school representative (elected from academy special schools)

1 x special schools

1 x further education representative

1 16-19 provider representative

1 Special school governor

Non-School Members (06)

Vacancy Roman Catholic Diocese Representative

2 Church of England Diocese Representative

1 Private, Voluntary or Independent Early Years Sector Provider Representative

1 Teachers Union Representative

1 National Education Union Representative

2.6 Local Authority Officers, Observers & Visitors

The following persons shall be entitled to speak at such meetings even though they are not members of the Forum:

- the Director responsible for education and children's services or their representative
- the Section 151 Officer or their representative
- any elected member of the authority who has primary responsibility for children's services or education in the authority
- any elected member of the authority who has primary responsibility for the resources of the authority;
- any person who is invited by the Forum to attend in order 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 the person is presenting.

A record of the composition of the Forum is available on the Shropshire Council internet site [Shropshire schools forum | Shropshire Council](#)

- 2.7 It was agreed by the Schools' Forum that school status data will be examined as of 01 June annually (using January census data for pupil numbers) to determine the number of representatives for each sector; and that each representative would carry out their term for the next academic year.
- 2.8 A member's term of office is for four years unless agreement has been reached to the contrary. To ensure continuity of experience within the Forum membership, elections will be held every two years and, where appropriate, half of the representatives of each group will be appointed on each election date. Prior to the election of members of the Forum, details of Members attendance at meetings of the Forum may be provided to the relevant sector group upon request. Electing bodies are expected to take significant non-attendance into account when deciding whether to re-elect a representative to the Forum. Where the school of a maintained school representative has converted to an academy, the Forum could consider appointing this member as an academies member until their current term of office ends.
- 2.9 If an election does not take place by the date set by the Local Authority, or is tied, the Local Authority may appoint the school or academy member(s) to the Forum.
- 2.10 A Forum member remains in office until:
 - the member's term of office expires
 - the member ceases to hold the office by virtue of which the member became eligible for election, selection or appointment to the Forum
 - the member resigns from the Forum by giving notice in writing to the authority
 - 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,
- 2.11 Elected Members who hold an executive role within the Authority and officers who have a role in strategic resource management of the authority are unable to be members of the Forum (these restrictions do not apply to officers employed as teachers or who work for, and those who directly manage, a service which provides education to individual children and/or advice to schools on learning and behavioral matters).
- 2.12 The Chair and Vice Chair of the Forum will be elected every two years by the Forum, at its first Autumn Term meeting. The Chair and Vice Chair must be members of the Forum and not of observer status.
- 2.13 If a member of the Forum is unable to attend a meeting, they may send a nominated substitute, who will be able to vote at the Forum and have the same rights as a member of the Forum. The LA must be notified of the substitute by

(at the latest) the day before the meeting. The substitute must however comply with the requirements of 2.2 above. To ensure the effectiveness of the decision making process surrounding the use of public money, all Forum members are expected to attend the Forum meetings. Apologies must be made in advance of each meeting. Members' apologies will be considered at the Forum meeting and accepted if agreed by the majority of attending members. Where a member has not attended 3 consecutive meetings of Schools Forum and apologies have not been formally accepted, the Council will terminate their appointment and will undertake the appropriate nomination, election and appointment process.

- 2.14 Each year, as part of the first Autumn Term meeting, the Forum will be consulted upon the Membership of the Forum.
- 2.15 Schools Members Election Procedure - in the event that there is more than one candidate for a vacant position or a position which is subject to election in that year within any of the groups set out in paragraph 2.4, the head teacher and chair of governors of every school within the relevant group will be invited to vote for one candidate each. For each position, the candidate who receives the largest number of votes will be appointed to that position and the candidate who receives the second largest number of votes will be appointed as required.
- 2.16 Non schools election procedure - The Council will seek nominations for non-schools members from the relevant bodies identified in section 2.5. Upon receipt of a nomination, the Council will make an appointment pursuant to that nomination or provide the relevant body with the grounds on which they determine not to make such an appointment.
- 2.17 Through publication on the Schools Forum website the Council will inform all maintained schools and academies in its area of the name of the member appointed as a non-schools member and the name of the relevant body that that member represents, within one month of the appointment.

3 Meetings Procedures

- 3.1 The Forum shall meet at least four times a year. Meetings will normally take place in January, March, June, September and November. The Chairperson of the Forum will agree the agenda for each meeting at the Chair's briefing which will take place at least a week before the scheduled meeting.
- 3.2 Urgent business between meetings will be dealt with through the calling of an urgent meeting of the Schools Forum, or, in exceptional circumstances, through an email to all members of the Schools Forum. It will not be possible for the Chair or any other member to take a decision on behalf of the Forum.
- 3.3 The Forum shall be quorate if at least forty per cent of its membership (i.e. with a total of 10 members) are present at a meeting.
- 3.4 The agenda, supporting papers and minutes of each Schools Forum meeting will be published on the council's Web Site. With effect from 1st October 2012 all meetings are available to the public.
- 3.5 The Forum will aim to make decisions wherever possible on the basis of consensus. Where this is not possible, decisions will be taken based on a simple

majority. The initial vote will exclude the Chair, who will however hold the casting vote in the event of a tie. Voting will be by a show of hands unless any member of the Forum requests a secret ballot, in which case this method will be used.

- 3.6 Non-schools members, other than those who represent early years providers, must not vote on matters relating to the formulae to be used by the local providers in accordance with regulations made under sections 47 and 47ZA of the Act.

4. Decision Making Powers

4.1 The Forum's main areas for approval under The School and Early Years Finance (England) (No.2) Regulations 2018 are:

- Retention or de-delegation of income for central expenditure, regulation 8
- Authorisation to deduct prior year's central deficit from schools budget, regulation 8(6).

Retention of income for central expenditure.

4.2 In accordance with schedule two of the 2018 regulations the LA may not retain funding for growth in pupil numbers - paragraph four, falling rolls - paragraph five, expenditure to be incurred before the opening of a new school – paragraph six or expenditure on a system of admissions – paragraph nine, without the authority of the School Forum.

4.3 Funds allocated through the schools funding formula may not be de-delegated from maintained primary schools unless a majority of primary maintained members of the Forum agree to this. Funds may not be de-delegated from maintained secondary schools unless a majority of secondary maintained members of the Forum agree to this. Funds cannot be de-delegated from academies.

4.4 The LA may not retain income for central services, central school expenditure, central early years' expenditure and other items which may be removed from schools budget, without the authorisation of the Forum.

Authorisation to deduct prior year's central deficit.

4.5 Under regulation 8(6) and regulation 12(1)(c) where the LA carries forward a deficit in central expenditure from the previous funding period which reduces the amount of the schools budget available, the funding of the deficit from the schools budget must be authorised by the Forum.

5 Consultation

5.1 The Schools Forum is primarily a consultative body, representing the interests of schools and other educational institutions with the Local Authority. Issues will arise when relevant, but as a minimum the Forum will be consulted annually on the following functions relating to the schools budget:

- (a) arrangements for the education of pupils with special educational needs

- (b) arrangements for the use of pupil referral units and the education of children otherwise than at school
- (c) arrangements for early years provision
- (d) administrative arrangements for the allocation of central government grants paid to schools via the authority

5.2 Consultation shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the LA's formula and the initial determination of schools budget shares before the beginning of the financial year.

5.3 The Forum shall, as soon as reasonably possible, inform the governing bodies of schools maintained by the Local Authority of all consultations carried out under these regulations.

5.4 The authority must consult the schools forum on the terms of any proposed contract for supplies or services (being a contract paid or to be paid out of the authority's schools budget (1)) where the estimated value of the proposed contract is not less than the threshold which applies to the authority for that proposed contract pursuant to regulation 8 of the Public Contracts Regulations 2006(2) at least one month prior to the issue of invitations to tender.

5.5 The Forum must inform the governing bodies of schools maintained by the authority of any consultation carried out by the authority under regulation 9 or 10 of the regulations, as soon as it reasonably can.

6 Schools Forum Expenses

6.1 All reasonable expenses of members of the Forum, in connection with their attendance at meetings, will be reimbursed.