SHROPSHIRE COUNCIL SCHOOLS FORUM

Constitution and Terms of Reference

(effective from 1st September 2026)

Contents

1. Introduction and Statutory Basis 1
2. Purpose and Role 1
3. Membership 2
4. Election Procedures 5
5. Meetings Procedures 7
6. Working Groups 8
7. Minutes and Records 9
8. Decision Making Powers 9
9. Consultation 10
10. Communication with Schools and Stakeholders 11
11. Review of Constitution 11
12. Schools Forum Expenses 11
13. Appendices 11

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 Schools Forums (England) Regulations 2012. 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. Purpose and Role

2.1 The purpose of the Schools Forum (the Forum) is to:

- advise the local authority on matters relating to the schools budget;
- act as a statutory consultee on prescribed school funding matters;
- make decisions where decision-making powers are conferred on the Forum;

- represent the views of schools, academies and relevant stakeholders;
- support transparency, accountability and informed decision-making in the use of public funding.

2.2 The local authority remains responsible for proposing and determining certain matters, including the local funding formula, but must consult the Forum where required.

2.3 The Forum's role is advisory and consultative except where regulations provide specific decision-making powers. Responsibility for final decisions remains with the local authority, the Schools Forum or the Secretary of State as prescribed by the relevant regulations.

2.4 Decision making - 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. 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 School Standards and Framework Act 1998.

3. Membership

3.1 There is no maximum or minimum size of a 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.

3.2 Schools members of 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.

3.3 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: Heads of PRUs
- Local Authority PVI: PVI providers forum
- Academies: Academies proprietors
- 16-19 Providers: 16-19 Providers

3.4 The local authority is responsible for determining the size and composition of the 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 academies 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.

Multi Academy Trusts - Proportional representation of MATs: In accordance with the high concentration of academy structures in Shropshire, Academy member seats must broadly reflect the scale of MATs alongside standalone academies operating within the local authority borders. No single MAT may dominate or hold an absolute majority of total Academy seats.

At least one Academy seat must be specifically reserved for a representative from an Academy Special School or an Academy Alternative Provision / Pupil Referral Unit (PRU), provided such an institution operates within the Shropshire boundaries.

3.5 It was agreed by the 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.

3.6 A member's term of office is for four years unless agreement has been reached to the contrary. To support continuity, the local authority may operate staggered elections or appointments, so that not all members are replaced at the same time. 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 head 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.

3.7 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,

3.8 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).

3.9 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 local authority must be notified of the substitute by (at the latest) the day before the meeting. A substitute may only vote where they meet the same eligibility requirements as the member they are replacing and where the local authority has been notified in accordance with this paragraph. The substitute must however comply with the requirements of 3.2 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 Forum and apologies have not been formally accepted, the local authority will terminate their appointment and will undertake the appropriate nomination, election and appointment process. If the Chair is absent, the Vice-Chair shall chair the meeting. If both are absent, the Forum shall elect an acting Chair for that meeting only.

3.10 Each year, as part of the first Autumn Term meeting, the Forum will be consulted upon the membership of the Forum, including whether the balance of representation remains compliant with regulations and broadly proportionate across maintained schools, academies and relevant stakeholder groups.

3.11 Any new member nomination must be based on skills and expertise and an ability to objectively represent the wider education view. All appointments must adhere to the Schools Forums (England) Regulations 2012.

3.12 The Forum will consist of 26 Members (24 excluding vacancies), of which more than two thirds (72%) are School members, made up as follows:

Category	**Number**	**Representation (as at September 2026)**
School Members – Maintained Representatives	06	3 x primary representatives (3 headteachers/representatives; 1 x vacancy governor/representative) 1 x secondary representative (headteacher)

		1 x Pupil Referral Unit representative (HT/governor/representative)
School Members – Academy Representatives	12	9 x academy HT/Leadership representatives 1 x special schools Leadership representative 1 special schools academy Governor 1 x MAT academy Governor representative
Non-School Members	08	1 x further education representative 1 x special 16-19 provider representative 1 x vacancy Roman Catholic Diocese Representative 2 x Church of England Diocese Representatives 1 x Private, Voluntary or Independent Early Years Sector Provider Representative 1 x Teachers Union Representative 1 x National Education Union Representative

3.13 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

4. Election Procedures

4.1 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.

Schools Members Election Procedure

4.2 For maintained schools, 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 3.12, 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.

4.3 For academies, 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 3.12, the proprietors of mainstream academies 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.

4.4 In the event that two or more candidates for a position receive an equal number of votes or if for any reason an election for a position does not take place by the timescales set out by the LA then the Forum must appoint a member to the Forum instead.

4.5 In the event that there is only one candidate for a vacant position or a position which is subject to election in that year within any of the groups, it will not be necessary for members to vote, and that candidate will be appointed to the position.

4.6 In the event that there are no applications from any of the groups of schools subject to an election in that year, then the Forum members who represent the relevant group which has the vacancy shall nominate the representative to be appointed. Where the vacancy is for the single representative for the relevant group, i.e. there are no other members to make a nomination, then the Forum will seek to appoint the member from that group of schools.

4.7 It is not appropriate for a candidate to be elected to represent more than one group; however, they may stand for election from any group(s) but can only be appointed to represent one of the groups.

4.8 The LA reserves the right not to appoint any person duly entitled by the processes above, for any reason.

[**NOTE:** Proprietor in relation to an academy means the person or body of persons responsible for the management of the academy].

Non Schools Members Election Procedure

4.9 The local authority will seek nominations for non-schools members from the relevant bodies identified in section 3.12.

4.10 Upon receipt of a nomination under paragraph 4.9, the authority will:
(a) make an appointment pursuant to that nomination; or
(b) provide the relevant body with the grounds on which they determine not to

make such an appointment.

4.11 Where more than one nomination is received, the authority will facilitate an election amongst the eligible bodies identified in section 3.12.

4.12 The authority will appoint based on the outcome of any election as facilitated in section 4.11. If a tie break occurs then the authority will have discretion to appoint or delay appointment in order to ensure that non-school members comprise no more than one third of membership.

4.13 The authority determines the term of office for non-schools members. Trade unions and professional associations are identified by the DfE as organisations that may be represented, but their membership is not mandatory. Other bodies could therefore be represented, but there is no requirement to include them. The authority will periodically review whether its non-schools membership provides an appropriate balance of stakeholders rather than automatically allocating seats to particular organisations. The key requirements are: a 16–19 provider representative, elected by eligible providers; at least one PVI early years representative; and consideration of representation from Church of England, Roman Catholic and other relevant faith bodies.

4.14 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.

5. Meetings Procedures

5.1 The Forum shall meet at least four times a year, either in person, remotely or through hybrid meetings, and the annual calendar will be published. Meetings will normally take place in January, March, June, September, November and December. 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.

5.2 Urgent business between meetings will be dealt with through the calling of an urgent meeting of the Forum, or, in exceptional circumstances, through an email to all members of the Forum. It will not be possible for the Chair or any other member to take a decision on behalf of the Forum.

5.3 The Forum shall be quorate if at least forty per cent of its membership are present at a meeting (i.e. with a total of 10 members present based on 27 total members.) This excludes vacancies and observers.

5.4 The agenda, supporting papers and approved minutes of each Forum meeting will be published on the local authority website (except where confidential or exempt information is being considered.) With effect from 1st October 2012 all meetings are available to the public. The local authority will aim to publish papers in sufficient time (by Monday or Tuesday at the latest, for meetings later

that week) to support informed discussion and public transparency, and will make published information available in an accessible format where required and as follows;

- meeting dates;
- agendas;
- reports;
- minutes;
- membership details;
- contact details for the Clerk;
- information on how members of the public can attend meetings, including remote meetings where applicable.

5.5 Confidentiality - The following information which may be presented, discussed and voted upon at any meetings of the Forum, must be kept confidential: the votes of individual members; opinions by members involving a named person which are in any way sensitive or critical; anything else which the Forum decides ought to be considered as such. Confidential information will be recorded separately by the Clerk and will not be available for inspection by the general public.

5.6 Conflicts of Interest - Members must declare any personal, professional or financial interest in an item as soon as it arises. A member does not need to withdraw solely because they are affected in the same way as the group or sub-group they represent. For example, a primary school representative does not need to withdraw from a general discussion about primary school funding. Where a personal or prejudicial interest exists, the Chair shall determine whether the member should withdraw from discussion and/or voting. Declarations of interest and any resulting action shall be recorded in the minutes.

5.7 Annual work programme - The Forum may maintain an annual work programme setting out regular reports, consultation items, decision points and planned areas for review.

6. Working Groups

6.1 The Forum may establish time-limited working groups to consider specific matters in more detail and to make recommendations to the full Forum.

6.2 Working groups shall be advisory only and shall not make decisions on behalf of the Forum unless this is expressly agreed by the Forum and permitted by regulations.

6.3 Membership of working groups should reflect the subject matter being considered and should, where appropriate, include representation from across the relevant school, academy and stakeholder sectors.

6.4 The purpose, membership, timescale and reporting arrangements for each working group shall be agreed by the Forum.

6.5 Working groups shall report their findings, recommendations and any proposed actions to a subsequent meeting of the Forum.

7. Minutes and Records

7.1 The Clerk shall ensure that minutes are taken for each meeting of the Forum.

7.2 Minutes shall record the date of the meeting, attendance, apologies, declarations of interest, decisions made, voting outcomes where applicable, actions agreed and matters requiring follow-up.

7.3 Draft minutes shall be submitted to the Forum for comment and accuracy within two weeks of the previous meeting.

7.4 Approved minutes shall be published on the local authority website, except where confidential or exempt information has been considered. Public Documentation: In line with local governance best practices, all agendas, technical funding reports, and previous minutes will be published on the Shropshire Council Committee Services portal at least two working days before the scheduled meeting. This includes Voting Records and decisions and explicit counts of votes, including specific breakdowns of de-delegation decisions which must be formally minuted and published post-meeting.

7.5 Confidential minutes or records shall be retained separately and shall not be made available for public inspection.

8. Decision Making Powers

8.1 The Forum's main areas for approval under The School and Early Years Finance (England) Regulations 2021 The School and Early Years Finance (England) Regulations 2021 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).
- Review any amendments or revisions to The Scheme for the Financing of Schools Scheme for the Financing of Schools | Shropshire Learning Gateway

8.2 Retention of income for central expenditure - In accordance with the regulations the local authority may not retain funding for growth in pupil numbers, falling rolls, expenditure to be incurred before the opening of a new school or expenditure on a system of admissions without the authority of the School Forum.

8.3 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. The local authority consults with all maintained schools annually in the autumn term regarding the individual de-delegated amounts. The results of the consultation are published by the local authority to the Forum. Where there is an inconclusive consultation then the Forum will have the casting vote. Academies can join the discussion but they cannot vote.

8.4 The local authority 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.

8.5 Authorisation to deduct prior year's central deficit - under the regulations where the local authority 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.

9. Consultation

9.1 The 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

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

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

9.4 The local 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.

9.5 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.

10. Communication with Schools and Stakeholders

10.1 Forum members are expected to represent the views of the sector or group by which they were elected, nominated or appointed.

10.2 Members should communicate with their representative groups before and after Forum meetings where appropriate, including sharing key messages, seeking views on relevant matters and providing feedback on decisions or recommendations.

10.3 The authority may support communication with schools and stakeholders through briefings, newsletters, published updates, consultation documents, reports and other appropriate communication channels.

10.4 Where consultation is undertaken, the authority shall provide sufficient information to enable schools, academies and relevant stakeholders to understand the proposals being considered and to provide informed responses.

10.5 Feedback from consultation and engagement activity shall be reported to the Forum where it is relevant to the Forum's statutory or advisory role.

10.6 The Forum may request updates or reports where it considers that further communication with schools, academies or stakeholders would support transparency, accountability or effective decision-making.

11. Review of Constitution

11.1 This Constitution and Terms of Reference shall be reviewed annually except where required by changes in legislation, regulations, Department for Education guidance, local authority governance arrangements or Forum membership.

11.2 The review shall consider whether the Constitution remains compliant with statutory requirements and whether it continues to support effective consultation, decision-making, transparency and accountability.

11.3 Any proposed amendments to the Constitution and Terms of Reference shall be considered by the Forum before being approved in accordance with local authority governance arrangements.

12. Schools Forum Expenses

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

13. Appendices

Appendix A – Schools Forum Membership

Appendix B – Schools Forum Work Programme