

TELFORD & WREKIN SCHOOLS FORUM
Constitution and Terms of Reference
(effective from 1st September 2021)

1. Statutory Basis

- 1.1 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”).

2 Composition of the Forum

- 2.1 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 maintained special school where there is at least one maintained special 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.

- 2.2 The current composition of the Telford & Wrekin Schools Forum is as follows:

Members:

- One maintained secondary school representative;
- Six maintained primary school representatives; five appointed by the cluster executives representing the clusters in Newport, North Telford, South Telford, Wellington and Central Telford clusters. The remaining

member will be a governor of a primary school appointed by primary school governors.

- One nursery school representative,
- One special school representative,
- Five academy representatives, including one member representing academy special schools and one member representing academy PRUs
- One private, voluntary or independent nursery representative,

Observers:

- Lead Member for Children's Services and/or their representatives,
- Director of Children's Services and/or their representatives,
- Chief Finance Officer and/or their representatives,
- Education Funding Agency representative.

2.3 A record of the composition of the Forum is available on the T&W internet site.

3 Membership

3.1 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.

3.2 Members of the Forum are elected in the Summer term by the members of the sector which they represent, i.e.

Maintained Secondary schools:	Heads of maintained secondary schools
Maintained Primary schools:	Cluster executives
Special schools:	Special schools Headteachers
Nursery schools:	Nursery schools Headteachers
Maintained Governor PRUs	Maintained Schools' Governors
PVI:	Local Authority
Academies:	PVI providers forum
16-19 Providers	Academies proprietors
	16-19 Providers

3.3 A member's term of office is for two years. Prior to the biennial 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. Normally, members will be expected to be re-elected until the end of the current multi-year budget period where one exists. Electing bodies are expected to take significant non-attendance into account when deciding whether to re-elect a representative to the Forum.

3.4 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.

3.5 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; or
 - 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,
- 3.6 The Chair of the Forum will be elected annually by the Forum, at its first Autumn Term meeting. The Chair must be a member of the Forum and not of observer status. In the absence of the Chair a temporary Chair shall be elected for that meeting only.
- 3.7 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. 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 3.1 above.
- 3.8 Each year, as part of the first Autumn Term meeting, the Forum will be consulted upon the Membership of the Forum.

4 Meetings Procedures

- 4.1 The Forum shall meet at least four times a year. Meetings will normally take place in January, March, May, 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.
- 4.2 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.
- 4.3 The Forum shall be quorate if at least forty per cent of its membership (i.e. with a total of 18 members, eight members) are present at a meeting.
- 4.4 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 held in public.
- 4.5 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.
- 4.6 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 authority to determine the amounts to be allocated to schools and early years

providers in accordance with regulations made under sections 47 and 47ZA of the Act.

4.7 In addition to members of the Forum the following persons may address the meeting:

- the director of children’s services at the authority or their representative;
- the chief finance officer at the authority 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.

5 Decision Making Powers

5.1 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.

5.2 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.

5.3 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.

5.4 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.

- 5.5 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.

6 Consultation

- 6.1 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;

- 6.2 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.

- 6.3 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.

- 6.4 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.

- 6.5 The schools 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.

7 Schools Forum Expenses

- 7.1 All expenses of the Forum shall be met by the LA and charged to the schools budget.

⁽¹⁾ "Schools budget" has the meaning given in section 45A(2) of the Schools Standards and Framework Act 1998.

⁽²⁾ S.I. 2006/5.

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