

Membership: general

4.—(1) Subject to the following paragraphs of this regulation, an authority may determine the size and composition of their schools forum and the forum members' terms of office.

(2) Subject to paragraph (3), a forum must consist of at least 15 members, comprising—

- (a) schools members elected in accordance with regulation 5;
- (b) if there are any Academies in the authority's area, at least one Academies member elected or selected in accordance with regulation 6; and
- (c) non-schools members appointed in accordance with regulation 7.

(3) If, for any reason, an election for a schools member under regulation 5(1) or an Academies member under regulation 6(1) does not take place by any date set by the authority or any such election results in a tie between two or more candidates, the authority must appoint the schools member or Academies member to their schools forum instead.

(4) Schools members and Academies members must together comprise at least two thirds of the membership of the forum.

(5) Subject to paragraphs (6) to (8), 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.

(6) Where the authority maintain one or more special schools, at least one schools member must be a representative of a special school.

(7) Where the authority maintain one or more nursery schools, at least one schools member must be a representative of a nursery school.

(8) An authority may determine that the number of members representing schools in a particular school category must be broadly proportionate to the total number of schools in that category when compared with the total number of schools maintained by the authority.

~~(7) Section 72(3) was amended by section 215(1) of, and paragraph 106 of Schedule 21 to, the Education Act 2002.~~

(8) S.I. 2002/2114.

(9) S.I. 2004/447.

(10) S.I. 2005/3209.

(11) S.I. 2008/47.

- (9) A forum member remains in office until—
- (a) the member's term of office expires;
 - (b) the member ceases to hold the office by virtue of which the member became eligible for election, selection or appointment to the forum;
 - (c) the member resigns from the forum by giving notice in writing to the authority; or
 - (d) 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,
- whichever comes first.
- (10) The authority must maintain a written record of the composition of their forum, to include—
- (a) the numbers of schools members and by which group or sub-group they were elected;
 - (b) the number of Academies members; and
 - (c) the number of non-schools members, their terms of office, how they were chosen and whom they represent.

Schools members

5.—(1) Schools members must be elected to the schools forum by the members of the relevant group, or sub-group in the authority's area.

- (2) The groups are—
- (a) representatives of nursery schools, where there are any such schools in the authority's area;
 - (b) representatives of primary schools other than nursery schools;
 - (c) representatives of secondary schools; and
 - (d) representatives of special schools, where there are any such schools in the authority's area.
- (3) Each group referred to in paragraph (2) may consist of one or more of the following sub-groups—
- (a) where the authority exercises its discretion under paragraph (4)(a), representatives of head teachers of schools in each group;
 - (b) where the authority exercises its discretion under paragraph (4)(b), representatives of governors of schools in each group;
 - (c) where the authority exercises its discretion under paragraph 4(c), representatives of head teachers and governors of schools in each group;
 - (d) where the authority exercises its discretion under regulation 4(8), representatives of the particular school category.
- (4) The authority may determine that a certain number of representatives of each group must be—
- (a) head teachers or head teachers' representatives;
 - (b) governors; or
 - (c) head teachers or head teachers' representatives and governors.

Academies members

6.—(1) Subject to paragraph (2), Academies members must be elected to the schools forum by the governing bodies of the Academies in the authority's area.

(2) Where there is only one Academy in the authority's area, the governing body of the Academy must select the person who will represent them on the schools forum.

Non-schools members

- 7.—(1) The authority must appoint non-schools members to their schools forum comprising—
- (a) one or more persons to represent the local authority 14-19 partnership; and
 - (b) one or more persons to represent early years providers.
- (2) Subject to paragraph (3), the authority may appoint additional non-schools members to their forum to represent the interests of other bodies.
- (3) Prior to making any appointment under paragraph (2), the authority must consider whether the following bodies should be represented on their forum—
- (a) the Diocesan Board of Education for any diocese any part of which is situated in the authority's area;
 - (b) the Bishop of any Roman Catholic Diocese any part of which is situated in the authority's area;
 - (c) where there are any schools or Academies within the authority's area that are designated under section 69(3) of the Act(12) as having a religious character (other than Church of England or Roman Catholic schools), the appropriate faith group in respect of any such school or Academy.
- (4) The authority may not appoint any executive member or relevant officer of the authority to their forum as a non-schools member.
- (5) Within one month of the appointment of any non-schools member, the authority must inform the governing bodies of schools maintained by them and of Academies within their area of the name of the member and the name of the body that member represents.

(12) Section 69(3) also applies to independent schools (which includes Academies) by virtue of section 124B, which was inserted by regulations 2 and 3 of [S.I. 2003/2037](#).