



Title of report: Annual Review of Schools Forum Membership and Constitution

Meeting: Herefordshire Schools Forum

Meeting date: Friday 11 July 2025

Report by: Democratic Services Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To report on the annual review of membership of Herefordshire Schools Forum (the forum) and Budget Working Group (the working group) and to approve action as necessary to maintain proportionality and to recommend the adoption of the amended constitution.

Recommendation(s)

That:

- a) **The outcome of the annual review of proportionality is noted with the following consequential changes.**
- b) **1 seat be transferred from Maintained Primary Schools to Academies to ensure proportionality on the forum,**
- c) **1 seat be transferred from Maintained Primary Schools to Academies to ensure proportionality on the Working Group,**
- d) **the revised constitution as set out at appendix 1 to the report, be recommended to the Corporate Director, Children and Young People, subject to any amendments the schools forum wishes to make.**

Alternative options

1. The forum could choose to disregard proportionality in respect of the forum and the working group. This option is not recommended as it is preferable for the effective functioning of the working group

Further information on the subject of this report is available from
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that the different types of schools in Herefordshire are fairly represented and the forum has previously determined that the working group should be broadly proportionate.

2. The Schools forum could retain its current constitution unchanged. This is not recommended as the constitution is not reflective of current practice and would benefit from additional clarity.

Key considerations

Review of the Schools Forum Constitution

3. The constitution of the Herefordshire Schools Forum as adopted in July 2017 has been reviewed to confirm that it remains compliant with legislation and guidance and to identify any areas for improvement, particularly regarding arrangements for remote participation at meetings.
4. The constitution has also been reviewed against current standard practices for the operation of council committees. Although the Schools forum is not a committee of the council it is common for councils to run the forum along similar lines, and this is recognised in guidance as a legitimate approach.
5. The review concluded that the constitution complied with all current legislation. However, the review did identify some points where the constitution could be strengthened to clarify arrangements for the operation of the forum, taking on board the good practice highlighted in guidance produced by the Education Funding Agency.
6. Summary of proposed changes to constitution

Functions of the Forum

Appendix A has been introduced which clearly sets out the powers and responsibilities of the Schools forum.

Membership

The number of seats allocated to each category of members were removed and included at Appendix B in order for a technical change to be made to the constitution each time the annual review of proportionality was conducted and required a change.

Tenure of Office

Following the review and consultation with members, the term of office for members would be adjusted to a four-year term.

Other changes

All other changes are typographical corrections, simplification or to ensure compliance with the council's style guide.

Membership of Schools Forum

7. The composition of the forum is reviewed annually to ensure that Local Authority maintained schools and academies are represented proportionately on the forum, based on the number of pupils registered in each category of school, and that the membership complies with regulations.
8. In July 2024 the Herefordshire Schools forum agreed to remove a seat for Maintained Primary Schools taking the composition of members of the forum down to 25. This was due to the number of vacancies and lack of appetite to fill the spaces.
9. Pending the review of the forum's constitution (adopted 2017) and the number of vacancies unfilled it is recommended that the elections for forum members for September 2024 be postponed until September 2025 with standing members retaining their current term of office.

10. Forum members had been consulted with regards to making changes to the constitution, with alternate options for the term of office for members and the Chair and Vice Chair roles.
11. Herefordshire Schools forum is composed of 25 seats allocated between schools' members, academies members and non-school members. Schools and academies members together must number at least two-thirds of the total membership of the Schools forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category. The membership of the forum is reviewed annually to ensure the allocation of seats remains proportionate.
12. Herefordshire allocates 18 seats between the schools and academies members. One seat each is allocated to mainstream special schools, academy special schools and the Pupil Referral Unit management committee. The 15 remaining seats are allocated to mainstream schools and academies, divided proportionally. The annual review has been carried out for 2025, and the results are set out below.
13. Regulations make no distinction between primary phase and secondary phase academies. Guidance states that Free Schools are to be classed as academies for the purpose of this exercise. The calculations of proportionality set out below are based on pupil numbers taken from the January 2025 school census and translate these proportions into numbers of seats on the forum, rounded as necessary.
14. Total pupil population in mainstream schools was 22,259 broken down as follows:

School category	Number of pupils	Proportion	Proposed number of seats (rounded)	Current number of seats
Maintained Primary	7,539	33.9%	5.08 (5)	6
Maintained Secondary	3,341	15.0%	2.25 (2)	2
Academies	11,379	51.1%	7.67 (8)	7
Total			15	15

15. Based on this assessment, it is proposed that a seat is transferred from the allocation of seats for Maintained Primary Schools to Academies to ensure representation is proportionate on the Schools Forum.

Membership of Budget Working Group

16. The Budget Working Group is a permanent advisory sub-group of the forum. Regulations prescribe how the forum itself is to be constituted but these provisions do not apply to the composition of sub-groups. The composition of the Budget Working Group is therefore a matter for the forum itself. It is open to the forum to agree to disregard proportionality for the working group, amend the number of seats or set minimum representation for particular groups.
17. The forum agreed in October 2012 that the Budget Working Group would consist of 14 members. Two seats were allocated to early year's settings and one to special schools. The remaining 11 places available to primary schools, secondary schools and academies, were to be allocated on a broadly proportionate basis based on pupil numbers in each category. The forum also agreed that there should be a minimum of one maintained school representative from the secondary sector and one academy representative from the primary school sector.

18. Total pupil population in mainstream schools was 22,493 broken down as follows:

School category	Number of pupils	Proportion	Proposed number of seats (rounded)	Current number of seats
Maintained Primary	7539	33.9%	3.73 (4)	5
Maintained Secondary	3341	15.0%	1.65 (1)	1
Academies	11,379	51.1%	5.62 (6)	5
Total			11	11

19. Based on this assessment, it is proposed that a seat be removed from Maintained Primary's and added to Academies to ensure representation is proportionate on the Budget Working Group.

Community impact

20. The items considered and decisions made by the forum should have regard to what matters to schools and settings in Herefordshire and how the forum can best contribute to managing the current changing and challenging financial circumstances.
21. The constitution ensures that the membership of the Schools forum continues to reflect the range of types of school and setting across Herefordshire and that all groups have the opportunity to shape the decisions of the forum.
22. The amendments to the constitution as a result of the new regulations ensure that the work of the forum can continue and that all interested parties are able to observe the meetings of the forum.

Environmental Impact

23. Whilst this review will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the council's Environmental Policy.

Equality duty

24. The Public Sector Equality Duty requires the Council to consider how it can positively contribute to the advancement of equality and good relations and demonstrate that it is paying 'due regard' in our decision making in the design of policies and in the delivery of services.
25. The mandatory equality impact screening checklist has been completed for this project/decision/activity, and it has been found to have low impact for equality.

Resource implications

26. A budget of £20k has been allocated for administering the Schools forum and associated activities for the 2025/26 financial year. This is funded from the dedicated schools grant received from central government.

Legal implications

27. The Schools forum is established under section 47A of the School Standards and Framework Act 1998. The current regulations pertaining to the operation and management of Schools forums are set out in The Schools Forums (England) Regulations 2012.
28. The Education & Skills Funding Agency (ESFA) sets out guidance on the operation of Schools forums, with the most recent version published in March 2021. This document also gives examples of good practice which the ESFA have drawn from a number of schools forums and the Department for Education. It is not designed to be prescriptive except where it refers directly to the Schools Forum Regulations 2012.
29. The council must ensure that the schools forum for their area is constituted in accordance with the regulations and is responsible for determining the size and composition of the forum, and the members' terms of office.

Risk management

30. There are no identified risks associated with approval of the recommendations contained in this report. If the membership of the forum and working group is not proportional, there is a risk some categories of schools could feel that they are not fairly represented and object to decisions taken by the forum.

Consultees

31. The draft revised constitution and appendices were circulated to all members of the forum on 3 June 2025 for comments. Views received were mixed with the proposed change to align the chair and vice chair terms of office. Some were content that it was sensible to have the roles align with the members term of office, but some concerns were raised with the greater weight of responsibility and onus that fell upon the roles and felt the two-year term should remain. Feedback indicated that the forum would be open to extending the term of office to four years, as they had assurance they could resign at any point.

Appendices

Appendix 1 - Updated Herefordshire Schools Forum constitution

Appendix 2 - Herefordshire Schools Forum constitution with tracked changes

Background papers

None