

## **HEREFORDSHIRE SCHOOLS FORUM MEMBERSHIP AND CONSTITUTION**

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## **HEREFORDSHIRE SCHOOLS FORUM MEMBERSHIP AND CONSTITUTION**

### **1. Introduction**

The Herefordshire schools forum has been set up under the requirements of Section 47A of the School Standards & Framework Act 1998. The operation of the Forum must comply with the requirements of the Schools Forums (England) Regulations 2012

1.1 The Forum must meet at least four times a year. All Forum meetings must be held in public, this includes a meeting of the Schools Forum that the public can access through remote means.

1.2 The Forum is not a committee of the council and therefore sits outside the legislation relating to council committees.

### **2 Functions of the Forum**

The schools forum has its core functions defined to it by the Regulations and Department for Education guidance. Its main two functions are:

1. Consultation on changes to the national funding formula
2. Decision making on spending allocations of funding allocated from blocks.

The functions of the Forum and the local authority are described at Appendix A

### **3. Membership**

The Herefordshire Schools Forum will have 25 members elected or appointed; the number of seats allocated to each category can be found in Appendix B and consists of:

<b>Schools Members</b>
Maintained primary schools' headteacher representatives
Local Authority maintained schools with a maintained nursery class representative
Maintained primary schools' governor representative
Maintained secondary schools' headteacher representative
Maintained secondary schools' governor representative
Local Authority maintained special schools' headteacher representative
Pupil Referral Units' (PRUs) management committee representative
Academies' representatives (headteacher/governor/schools business manager)
Academy Special School representative
<b>Non Schools Members</b>
Early Years representatives
16-19 provider representative
Diocesan/faith representatives
Trade Union representatives, 1 primary school and 1 secondary school

The composition of the forum will be reviewed on an annual basis to ensure that Local Authority maintained primary schools, Local Authority maintained secondary schools and academies are broadly proportionately represented on the Forum, having regard to the proportion of Herefordshire pupils registered at them, and that the membership complies with regulations.

3.1 It is important to note that the Schools (Forum) (England) Regulations (2012) require that:

- The Schools Forum must comprise schools members, an academies member if there is at least one academy in the Local Authority area, and non-schools members.
- Schools and academies members together must comprise at least two thirds of the total membership of the Forum.
- At least one member must be a representative of the governing bodies of maintained schools, and at least one member must be a representative of the headteachers of maintained schools.

A list of the membership of the forum will be published on the Herefordshire Council website.

#### **4. Election and Nomination Arrangements**

A breakdown of the electing bodies for each sub-group can be found in Appendix B.

Electing or appointing bodies must provide the clerk to the schools forum with details of the method of election or appointment of members to the forum for that sub-group and a point of contact to which notification of vacancies can be made.

Electing bodies are responsible for ensuring that nomination and election of members takes place in a fair and transparent way. Electing bodies must ensure that all those eligible to vote on membership have the opportunity to do so, even if they are not members of the organisation administering the election.

It is not appropriate for a single person to be elected to represent more than one group or sub-group concurrently, for instance, if they were a governor at a primary and secondary school. They can stand for election from either group but can be appointed to represent only one of those groups.

The clerk to the forum will notify the agreed electing or appointing body of a vacancy and the date by which a new member must be notified to the clerk. The deadline will be not less than six weeks from the date of notification, taking account of school term dates.

If the electing or appointing body is unable to name a new member by the date specified, the Local Authority will appoint a member to that vacancy.

#### **5. Election of Chair and Vice Chair**

The chair and vice-chair must be elected from the forum's own members. The chair and vice-chair will hold these positions for a maximum of two years. The chair and vice-chair should represent different sectors of the school community.

When the chair and vice-chair are not present, the meeting can elect a chair for that meeting only.

#### **6. Substitutes**

Each electing or appointing body will be invited to designate one or more substitutes. In the event that a member is unable to attend a meeting they may request a substitute to attend

on their behalf. Substitutes should be notified to the clerk to the forum prior to the start of the meeting. Designated substitutes will have the same voting rights as the member they are representing.

## **7. Tenure of Office**

Each member will have a four-year term of office. There are no restrictions on the number of terms a member can serve. In the event that a member of the forum ceases to hold the office, the term of office ceases, and another appointment must be made. The replacement will serve the remainder of the term.

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 whichever comes first.

## **8 Quorum**

The Forum shall be quorate if at least 40% of the total membership is present at the meeting.

This includes members being present through remote means, such as through telephone conferencing, and video conferencing.

To be considered present at the meeting through remote means, a member must be able to:

- hear and be heard by, and where practicable, see and be seen by any members present;
- be heard and, where practicable, seen by any members of the public at the meeting.

If a meeting is inquorate, or becomes inquorate after the start of the meeting, it can proceed but cannot legally take decisions. An inquorate meeting can respond to local authority consultation and give views to the local authority. The local authority may choose to take account of views from an inquorate meeting but is not legally obliged to do so.

## **9. Declarations of Interest**

Members of the Forum must declare an interest on any agenda item where the outcome may give them or their establishment a direct pecuniary advantage or avoid a disadvantage.

In considering the declaration of an interest, a member of the forum should apply the following test: would a member of the public, knowing the facts of the situation, reasonably think that the member might be influenced by the interest?

## **10. Managing the Business**

The operational timescales and procedures described in the sections below are required to ensure that schools forum operates efficiently and has sufficient information and time to consider the issues.

## **11. Frequency of Meetings**

These are determined by the schools forum. The forum should meet at least four times a year. Dates should be set annually for the forthcoming year.

## **12. Administration of the Forum**

A forward plan must be established and reviewed by the forum on an annual basis, usually in July of each year.

Herefordshire Council Democratic Services will provide the resource to facilitate the forum, including organising and sending out agendas, papers, minutes and action sheets.

Papers for meetings of school's forum must be circulated five clear working days before the date of the meeting. Reports must be signed off by relevant officers prior to circulation.

Briefing meetings for the chair should take place at least three working days before each schools forum meeting.

Minutes from each schools forum meeting must be circulated within ten clear working days of the meeting as draft, and the minutes will be formally considered and confirmed at the following schools forum meeting.

## **13 Location of Meetings**

Schools forums can meet remotely. This includes (but is not limited to) telephone conferencing, video conferencing, live webcast and interactive streaming.

As set out in the School and Early Years Finance (England) Regulations 2021 which amended The Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020 to make permanent provisions to enable schools forums meetings to be held remotely.

## **14. Decision Making**

The role of the Schools Forum is primarily a consultative body, however there are instances where decisions and voting will need to take place.

Any matter that requires a decision will be decided by a simple majority of those members present at the meeting and have voting rights, save that voting on:

- The funding formula is limited to schools members, academies members and PVI representatives.
- De-delegation is limited to the specific primary and secondary phase of schools members.
- Retaining funding for statutory duties relating to maintained schools only is limited to maintained primary, secondary, special and PRU members.

### **14.1 Methods of Voting**

In events where voting is needed the Clerk will conduct a vote by one of the following methods:

- Electronic poll
- Show of hands
- Verbal agreement if total consensus
- 

If there are equal numbers of votes for and against, the Chair will have a second or casting vote.

In the event of an urgent decision being required an email will be sent to all schools forum members fully explaining the issue on which a decision is required. Forum members will be required to submit their response via email to the date required. No decision will formally be made until a quorate number of responses has been received. This process will be administered by Democratic Services.

## **15. Working Groups**

Herefordshire Children's Services Directorate and schools should try to make use of existing working groups wherever possible, to minimise duplication and use existing expertise. In order to support and advise the work of the schools forum existing working groups can be approached to provide information on related activities. The forum can also, if required, set up working groups for specific tasks. Such groups could be time-limited and would need to establish clear remits, appropriate membership and operating principles.

The full schools forum remains the decision making body. Working groups and other groups will provide information, advice and options.

### **Budget Working Group**

The Budget Working Group is a permanent advisory sub-group of the full Schools Forum. It provides additional support and time to consider information and data in order to inform the development of key budgetary options, recommendations and decisions relating to Dedicated Schools Grant.

The terms of reference and membership of the Budget Working Group is attached to this constitution as Appendix C.

## **16. Confidential Reports**

Meetings of the forum will be open to the public and press unless it is considered that an item of business should be considered in private session based on the application of the principles of the Local Government 1972 (as amended) that apply to local authority committees.

## **17. Public Participation**

Any participation will be at the chair's discretion.