Derby City Council

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Schools Forum

Constitution

Updated October 2026

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1 INTRODUCTION

1.1 The Education Act 2002, amended the School Standards and Framework Act 1998, to require each Local Authority (LA) to establish a Schools Forum, its function being to advise Local Authorities on matters relating to their Schools Budget.

1.2 Although made up mainly of representatives from headteachers and governing bodies, it can also include "non-school" members, representing relevant bodies.

1.3 Within Derby City Council, such non-school representation can include Diocesan representatives, representatives from the Voluntary Sector, representatives from 14-19 Providers, Union Representatives and School Business Managers.

1.4 There should be no more than two representatives from one school/academy trust across the groups that make up the Schools' Forum. This will be assessed as part of the election process. **representatives are voting on behalf of the group they represent**

1.5 As elected members attend these meetings as observers, the Schools Forum forms an important link back into the political decision-making processes.

2 ESTABLISHMENT OF THE SCHOOLS FORUM

Derby City Council ("the Council") has established and will maintain a Schools Forum ("the Forum") in accordance with the requirements of the Education Act 2002, and the Operational and Good Practice Guide, March 2021.

3 MEMBERSHIP

General

3.1 The Forum will have a maximum of twenty one (21) members, composed of:

Voluntary Sector	1
Governor	2
Primary Head	6 (academy and maintained)
Secondary Head	4 (academy and maintained)
Special Head/Alternative Provision	2
~~PRU Rep~~	~~1~~
Unions	1
Nursery	2
School Business Manager	1
Free School	1
16-19 Rep	1
Total	21

3.2 Members are appointed to the Forum for a term of 2 years in most cases unless agreement has been reached to the contrary.

3.3 A school's member will cease to be a member of the Forum:
(a) if they resign from their position on the Forum.
(b) upon the expiry of their term of office.
(c) in the event of their death; or
(d) if the Council terminates their appointment because:
(i) it has been instructed to do so by the Secretary of State; or
(ii) the member concerned ceases to hold the office by virtue of which he became eligible for appointment to the Forum.

3.4 A non-school's member will cease to be a member of the Forum:
(a) if they resign from their position on the Forum.
(b) when the relevant body make a further nomination to replace them, and the Council appoints them.
(c) in the event of their death; or
(d) if the Council terminates their appointment because it has been instructed to do so by the Secretary of State.

3.5 No person who is an elected member or direct employee of Derby City Council is eligible to be nominated as a non-school's member.

3.6 The Council will arrange for vacancies on the Forum to be filled using the election, nomination and appointment processes detailed below.

Schools Members – Nomination, Election and Appointment

3.7 The Council will appoint as schools' representatives those persons duly elected and nominated via the following process.

3.8 Applications from persons within each of the Council's groups of representatives will be received. Representative groups are responsible for nominating and electing their representatives.

3.9 In the event that there is only one candidate for each position within any of the Council's groups of schools subject to an election in that year or there is only one candidate from the academies within the authority's area, it will not be necessary for members to vote, and those candidates will, subject to paragraph 3.13, be appointed to the positions.

3.10 In the event that there are no applications from any of the Council's groups of schools subject to an election in that year, then the members who represent the relevant phase of schools which has the vacancy shall nominate the representative to be appointed. Where there are no representatives of the relevant phase, all schools' members shall nominate the representative to fill the vacancy. Any person appointed under this rule shall not hold any other membership of the forum, either at the time of appointment or any time during their term of office.

3.11 In the event that there are no applications from any of the academies within the authority's area, the authority will attempt to appoint an academies member to the Forum instead.

3.12 If for any reason it is not possible to reach a decision regarding the persons to be appointed to any positions, the matter will be considered at the next meeting of the Forum.

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

Non-schools Members – Nomination and Appointment

3.14 The Council will seek nominations for non-schools' members from the relevant bodies.

3.15 The Council will inform all its maintained schools of the name and relevant body of all non-schools' appointees to the Forum.

4 PROCEEDINGS OF SCHOOLS FORUM

Meetings

4.1 The Forum must:
(a) hold a meeting at least four (4) times in each financial year.
(b) agree where meetings should take place and the time of its meetings.
(c) hold a meeting in response to a request from:
(i) one-third of its members; or
(ii) the Chair, provided that this does not conflict with any directions given by the Forum.
(d) allow public access to meeting as observers
(e) publish the Forum papers on the Council Website

Substitutes

4.2 In the event that a member is unable to attend any meeting, that member may seek the Chair's permission no later than seven (7) days prior to the meeting, subject to paragraph 4.3, to have a named substitute attending in their place, and such permission will not be unreasonably withheld.

4.3 The notice period of seven (7) days referred to in paragraph 4.2 is waived where substitution is in respect of a meeting where levels of delegation are subject to a vote of the schools Forum and no notice period should apply in these circumstances.

4.4 A named substitute will have the same rights as a member of the Forum.

Observers & Visitors

4.5 The following will be entitled to attend or nominate an observer to attend all meetings of the Forum:
(a) The Chief Executive of the Council.
(c) The Strategic Director for People.
(d) Any elected member or officer of the Council, who is not a member of the Forum
(e) The Education Funding Agency

4.6 The following observers shall be entitled to speak at such meetings:
(a) the Strategic Director for People or their representative.
(b) the Chief Finance Officer or their representative.
(c) any elected member of the authority who has primary responsibility for children's services or education in the authority.

(d) any elected member of the authority who has primary responsibility for the resources of the authority.
(e) any person who is invited by the forum to attend in order to provide financial or technical advice to the forum; and
(f) an observer appointed by the Secretary of State

4.7 The Forum can decide whether any one not covered by this Constitution may attend a meeting. Visitors should be asked to leave if confidential items are discussed, unless the Forum have asked them to take part in a specific discussion.
All requests for attendance should be received by the Chair at least 5 working days prior to the meeting.

Quorum

4.8 The Forum will be quorate if at least forty percent (40%) (rounded up to a whole number) of the total membership in position is present at a meeting.

Decisions

4.9 The Forum will unless otherwise stated within this document, arrive at its decisions by consensus.

4.10 However, if it is necessary to take a vote the following arrangements apply, subject to paragraph 4.11:
(a) every member of the Forum will have one (1) vote.
(b) a resolution will be passed by simple majority, subject to the following provision: and
(c) where there are an equal number of votes for and against a proposal, the Chair will have the casting vote.

4.11 Where the vote is in respect of arrangements where voting requirements are set by government regulations, those regulations shall apply. In these circumstances the authority will highlight the voting arrangements which will apply in the Schools Forum papers supporting the vote.

4.12 Once a decision has been taken, all members will be bound by it, but any member can ask for their opinion to be recorded in the minutes.

Officers:

Chair and Vice Chair:

4.13 The Chair and Vice Chair must be members of the Forum and will be elected from all nominees by secret ballot at the first meeting of the new elected Forum. Prior to the election the forum shall determine the date on which the term of office of the Chair shall end. One of these positions must be filled by a school's member of the Forum.

4.14 In the event that there is only one (1) candidate for each position, it will not be necessary for members to vote, and those candidates will be appointed to the positions.

4.15 If for any reason it is not possible to reach a decision regarding the persons to be appointed to the positions of Chair or Vice Chair, the matter will be considered at the next meeting of the Forum.

4.16 The Clerk to the Forum must act as Chair during the part of the meeting at which appointments to the posts of Chair or Vice Chair are considered.

4.17 The Chair and Vice Chair will hold office until a decision has been reached about their successors at any meeting or until they are no longer members of the Forum.

4.18 All candidates must comply with the paragraphs in this document on Conflicts of Interests and leave the meeting at which their suitability for either of these positions is to be discussed.

4.19 The Chair and Vice Chair may resign from their posts at any time by giving written notice to the Clerk and can be removed from the post with immediate effect in the event that a resolution to remove the Chair or Vice Chair has been passed at two consecutive meetings which have been convened in accordance with the following rules:
(a) seven (7) clear days' notice of each meeting is given.
(b) removing the Chair or Vice Chair is a specific item on the agenda for both meetings.
(c) there are at least fourteen (14) days between the two meetings.
(d) there are at least two-thirds of the members (rounded up to a whole number) at both meetings, and before the vote at the second meeting, the member proposing the removal of the Chair or Vice Chair states reasons for the proposal, and the Chair or Vice Chair is given an opportunity to make a statement in reply.

Acting Chair:

4.20 If the Chair or Vice Chair is unable to attend any meeting, or if the post is vacant, the Forum members will elect one of those members present to Chair that meeting only.

Clerk:

4.21 The Clerk to the Forum will be appointed by the Strategic Director for People Services and will convene, direct, offer advice on procedure and minute meetings in accordance with directions given by the Forum.

4.22 The Clerk will not have either a vote or a casting vote when in the position of acting Chair in accordance with paragraphs 4.14 and 4.17.

Administration

4.23 Every member of the Forum will be given at least seven (7) days' written notice of the date of a meeting with a copy of the agenda for that meeting. The notice and agenda will be sent out by the Clerk to the Forum. A copy of the paperwork will be sent to the Strategic Director for People at the same time as to members of the Forum. Shorter notice can only be given if the Chair (or the vice-Chair if the Chair is absent or the position has not been filled) agrees that there is an urgent need for a meeting. Meetings to consider the removal of the Chair or a co-opted governor must be convened with at least seven (7) clear days' notice. Papers should be sent to members' preferred email address. Meetings will still be valid even if intended recipients fail to receive their copy of the papers which have been correctly addressed.

4.24 The agenda will be set by the Chair of the Forum following consultation with the Strategic Director for People Services or their representative and the Clerk to the Forum. The Forum will whenever necessary consider and revise an annual work programme for meetings.

4.25 Minutes of each Forum meeting must be taken by the person acting as Clerk. A copy of the draft minutes will be circulated to members within two (2) weeks of the meeting prior to their formal approval at the next meeting, two (2) weeks after which the approved minutes will be circulated.

4.26 The Clerk must make sure that copies of the agenda, draft and approved minutes and any report, document or other paper considered at a meeting (not including confidential items) are made available on Derby City Council's website.

Confidentiality

4.27 The following information which may be presented, discussed and voted upon at any meetings of the Forum, must be kept confidential:
(a) the votes of individual members.
(b) opinions by members involving a named person which are in any way sensitive or critical.
(c) anything else which the Forum decides ought to be considered as such.

4.28 Confidential information will be recorded separately by the Clerk and will not be available for inspection by the general public.

Conflicts of Interest

4.29 In common with other aspects of working in public life, Forum members should, for reasons of probity, be aware of circumstances in which they should withdraw from meetings. The general principle is that no-one should be involved in a decision where his or her personal interests may conflict with those of the Forum.

4.30 Forum members should declare any personal interest as soon as a matter in which they have an interest is raised and withdraw from that meeting. However, Forum members need not withdraw because of an interest that is no greater than that of other members of the Forum, e.g. primary school nominees should not withdraw from discussions on primary school funding.

Proceedings

4.31 The proceedings of the forum shall not be invalidated by:
(a) any vacancy among their members.
(b) any defect in the election of appointment of any members; or
(c) any defect in the appointment of the Chair.

5 FUNCTIONS

Consultation with the Schools Forum on the school funding formula

5.1 The Council will consult the Forum on: -
(a) any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in their formula made in accordance with regulations made under section 47 of the School Standards and Framework Act 1998, and

(b) the financial effect of any such change.

5.2 Consultation under paragraph 5.1 will take place in sufficient time to allow the views expressed to be taken into account in the determination of the relevant authority's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

Consultation on service contracts

5.3 The Council will, at the meeting prior to the issue of invitations to tender, consult the Forum on the terms of any proposed contract that is paid out of the school's budget for services to schools, where such a contract is to be let by the Council to a value equal to or exceeding the local government threshold stipulated in the EU Procurement Directive.

5.4 The Council may also consult the Schools Forum on school support service quality assurance and the future development of service level agreements.

Consultation on financial issues

5.5 The Council will consult the Forum annually in respect of functions relating to the school's budget, including: -
(a) the arrangements to be made 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 insurance.
(d) prospective revisions to the scheme for the financing of schools.
(f) administrative arrangements for the allocation of central government grants paid to schools via the Council.
(g) arrangements for free school meals.

5.6 The Council will consult the Forum on such other matters concerning the funding of schools as it sees fit and as required by government regulations.

Reports by the Forum

5.7 The Forum will, as soon as reasonably possible and in any event by any date specified by the Council, provide the Council with a report in writing in response to any consultation under this section 5.

Other functions

5.8 The Forum may commission and publish reports and research into school funding issues. The Forum may also commission or liaise with working groups on issues related to the function of the Forum.

Provision of account to schools

5.9 The Forum will, as soon as reasonably possible, inform the governing bodies of maintained schools of:
(a) all consultations carried out under this section 5, and
(b) any reports provided by the Forum under paragraph 5.7 above.

Consultation

5.10 It is a responsibility of the Council to ensure there is consultation with all schools on the following issues:
(a) changes to the School Funding Formula.
(b) changes to the Scheme for Financing Schools.

6 EXPENSES

Forum's Expenses

6.1 All expenses of the Forum will be met by the Council and charged to the school's budget.

Members' Expenses

6.3 The Council will not reimburse the expenses of members for attendance at the Forum's meetings.