
STATUTORY INSTRUMENTS

2005 No. 3299

The Schools Forums (England) (Amendment) Regulations 2005

Amendment of The Schools Forums (England) Regulations 2002

2.—(1) The Schools Forums (England) Regulations 2002(1) are amended as follows.

(2) In regulation 1(3), add

“excepted relevant officer” means a relevant officer employed or engaged in any capacity directly providing education to children, or as the direct manager of such an officer, or as a School Improvement Partner;

“executive member” means any elected member of the local authority appointed to the executive of that authority(2);

“relevant officer” means the chief education officer or director of children’s services of the local education authority and any officer employed or engaged to work under the management of the chief education officer or director of children’s services who is not an excepted relevant officer;

“School Improvement Partner” means a person employed by, or engaged to work for the local education authority in accordance with the programme of that name.

(3) In the heading to Part 2 substitute “COMPOSITION” for “CONSTITUTION”.

(4) In regulation 3, for paragraph (3), substitute—

“(3) A schools member’s length of term of office shall be specified by the relevant authority.

(4) A schools member shall remain in office until—

(a) he ceases to hold the office by virtue of which he became eligible for appointment to the forum,

(b) his term of office as a schools member comes to an end, or

(c) he resigns his office as a schools member.

(5) A non-schools member shall remain in office until he resigns his office, or until the relevant authority makes a further appointment to replace him on nomination from the relevant body.

(6) The relevant authority shall make a written record of the composition of their schools forum, such record to include the numbers of schools members and non schools members; any principles determined by them for the appointment of schools members, and any determination by them to seek nominations for non-schools members.”.

(5) In the heading to regulation 4, omit the words “Election and appointment of”.

(6) In regulation 4 for paragraph (1) substitute—

“The relevant authority shall appoint as schools members representatives of schools maintained by them. In appointing schools members, the authority shall take into account any

(1) S.I.2002/2114, amended by S.I. 2004/447.

(2) Under the provisions of section 11 of the Local Government Act 2000 (2000 c. 22), elected members may be appointed to one of three types of executive: a mayor and cabinet executive, a leader and cabinet executive, or a council manager executive.

principles determined by them in accordance with paragraph (2), and shall appoint schools members who have been elected in accordance with regulation 4A.”.

(7) In regulation 4(2) for “procedures” substitute “principles”.

(8) In regulation 4, after paragraph (3), insert the following paragraph—

“(4) No person who is an executive member or a relevant officer of the authority shall be appointed as a schools member.”.

(9) After regulation 4, insert the following regulation—

“Election, appointment and eligibility of schools members

4A.—(1) Where a vacancy for a schools member arises, the authority shall appoint a replacement elected by the members of the relevant group, or sub-group.

(2) The groups are—

- (a) where regulation 4(2)(d) applies, representatives of maintained nursery schools,
- (b) representatives of maintained primary schools,
- (c) representatives of maintained secondary schools, and
- (d) where regulation 4(2)(b) applies, representatives of special schools.

(3) Each group may comprise any one or more of the following sub-groups—

- (a) where paragraph (4) applies, representatives of head teachers of schools in each group,
- (b) where paragraph (4) applies, representatives of governors of schools in each group; and
- (c) where paragraph (5) applies, representatives of a particular school category.

(4) This paragraph applies where the authority in determining its principles under regulation 4(2) determine that a certain number of representatives should be head teachers, or that a certain number should be governors, or that there should be certain numbers of both head teachers and governors.

(5) This paragraph applies where the authority exercises its discretion under regulation 4(2) (c) to make arrangements to ensure that the number of representatives of schools of a particular category are appropriate, having regard to the total number of such schools and the total number of schools maintained by the authority.”.

(10) For the heading to regulation 5 substitute, “Appointment and eligibility of non-schools members”.

(11) In regulation 5, after paragraph (1), insert—

“(1A) No person who is an executive member or a relevant officer of the authority, shall be entitled to be nominated as a non-schools member.”.

(12) In regulation 5, omit paragraph (3).

(13) In regulation 5, for paragraph (5) substitute the following —

“(5) In this regulation, “relevant body” means a body other than the local learning and skill council for the relevant authority (“the LSC”)(3) , which is identified by the relevant authority as appropriate for representation on a forum.”.

(14) In regulation 6, after paragraph (5) insert the following paragraphs—

(3) Local learning and skills councils are established under section 19 of the Learning and Skills Act 2000 (c. 21).

“(6) Any elected member or officer of the authority, who is not a member of the forum may attend meetings of the forum, and shall be entitled to speak at such meetings.

(7) The members of the forum shall determine their own voting procedures.

(8) Subject to paragraph (9), the members of the forum shall elect a person as chair from among their number. Prior to the election the forum shall determine the date on which the term of office of the chair shall end.

(9) The members of the forum may not elect as chair any member of the forum who is an elected member or officer of the local education authority.

(10) The proceedings of the forum shall not be invalidated by—

- (a) any vacancy among their number;
- (b) any defect in the election or appointment of any member; or
- (c) any defect in the appointment of the chair.”.