



THE LONDON BOROUGH
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To: Members of the
SCHOOLS' FORUM

Andrew Downes (Chairman)	Secondary Academy Governor
David Bridger (Vice-Chairman)	Non-School Representative (Church of England)
1 x vacancy	Primary Maintained Governor
Dr Martin Airey	Secondary Academy Head Teacher
Colin Ashford	Primary Academy Governor
Janice Box	Primary Maintained Head Teacher
David Dilling	Primary Academy Governor
Patrick Foley	Primary Maintained Head Teacher
Lee Mason-Ellis	Primary Academy Head Teacher
Neil Miller	PRU Head Teacher
Sam Parrett	Non-School Representative (14-19 Partnership)
Neil Proudfoot	Non-School Representative (Joint Teacher Liaison Committee)
Karen Raven	Secondary Academy Head Teacher
Alison Register	Non-School Representative (Early Years)
Keith Seed	Special Head Teacher/Governor
1 x vacancy	Non-School Representative (Catholic Church)
David Wilcox	Secondary Academy Governor
Aydin Önaç	Secondary Maintained Head Teacher

A meeting of the Schools' Forum will be held at the Bromley College of Further and Higher Education, Rookery Lane, Bromley, BR2 8HE on **THURSDAY 12 JANUARY 2017 AT 4.30 PM** *

*** PLEASE NOTE STARTING TIME AND VENUE**

MARK BOWEN
Director of Corporate Services

A G E N D A

- 1 **APOLOGIES FOR ABSENCE**
- 2 **DECLARATIONS OF INTEREST**
- 3 **MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2016** (Pages 3 - 8)
- 4 **DEDICATED SCHOOLS GRANT 2017-18** (Pages 9 - 22)

5 CONSTITUTION OF THE SCHOOLS FORUM (Pages 23 - 60)

6 ANY OTHER BUSINESS

7 DATE OF NEXT MEETING

Dates for the 2017/18 Municipal Year have not yet been scheduled. Members of the Schools' Forum will be advised of dates as soon as they are available.

8 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

- 9 PART 2 (EXEMPT) MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2016 (Pages 61 - 64)** Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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SCHOOLS' FORUM

Minutes of the meeting held at 4.30 pm on 24 November 2016

Present:

David Bridger (Vice-Chair, in the Chair)	Non-School Representative (Church of England)
Dr Martin Airey	Secondary Academy Head Teacher
Colin Ashford	Primary Academy Governor
David Dilling	Primary Academy Governor
Neil Miller	PRU Head Teacher
Alison Regester	Non-School Representative (Early Years)
Keith Seed	Special Head Teacher/Governor
David Wilcox	Secondary Academy Governor

Also Present:

Jane Bailey	Director: Education
David Bradshaw	Head of ECHS Finance
Mary Cava	Education, Care & Health Services
Amanda Russell	Head of Schools Finance Support
Philippa Gibbs	Democratic Services Officer

16 APOLOGIES FOR ABSENCE

Apologies for absence were received from Andrew Downes, Patrick Foley, Neil Proudfoot, Karen Raven, and Aydin Önaç. The Vice-Chairman, David Bridger, took the Chair in the absence of the Chairman.

17 DECLARATIONS OF INTEREST

In relation to Minute 19, Alison Regester declared an interest as the owner of a private nursery in the Borough.

In relation to Minute 23, Neil Miller declared an interest as the PRU Head Teacher and Dr Martin Airey declared an interest as a Secondary Academy Head Teacher.

18 MINUTES OF THE MEETING HELD ON 13 SEPTEMBER 2016

The minutes of the meeting held on 13 September 2016, were approved, and signed as a correct record.

19 EARLY YEARS FUNDING FORMULA 2017/18
Report ED17024

The Head of Schools' Finance Support introduced the report explaining that in August 2016 the DfE had launched a consultation on the new Early Years National Funding Formula. In September the Schools Forum agreed the LAs response to the consultation. The final outcome of the consultation was yet to be published however, the Early Years working group had continued to meet to consider what changes may needed to the Bromley formula to meet the new guidelines. As part of the consultation process, the DfE published indicative funding guidelines for 2017/18 which indicated that the funding for the Early Years Block for Bromley was likely to increase and all modelling was therefore undertaken on that basis. The current funding was based on an hourly rate of £4.19 which provided overall annual funding of £13,095,000. Based on the projections this could increase to £4.91 per hour giving overall funding of £15,298,067. This represented a significant increase for Bromley settings.

The Head of Schools' Finance Support reported that the only supplements that were available for Local Authorities to use were (i) Deprivation which was mandatory; Rurality/sparsity which was optional; Flexibility which was optional; Efficiency which was optional; and Delivery of the additional 15 hours free childcare which was optional.

The Working Group felt that the optional supplements either did not reflect Bromley's demographics or that the supplements would be very difficult to measure and to administer. The proposal was therefore that Bromley would only use the mandatory deprivation supplement. The current formula also included supplements for quality (based on OFSTED judgements) and SEN (based on actual need of children in each setting). Around 97% of settings received the quality supplement therefore if this funding was absorbed into the base rate there should be little impact on the majority of settings. The SEN supplement was currently only paid to ten settings. It was anticipated that these settings would lose funding overall under the new formula but that the impact would not be significant. However, there was no way of mitigating the impact if the supplement was no longer allowed.

Bromley currently used IDACI as the indicator for deprivation for Early Years funding (in the absence of any free school meal data). This appeared to be the measure of deprivation that was used by the majority of Local Authorities. However, settings also received Early Years Pupil Premium (EYPP) which was based on the individual earnings of parents, in the same way as free schools meals entitlement, and was perhaps a more accurate indication of circumstances. The Working Group therefore proposed that both measures of deprivation should be used to allocate funding to ensure that the additional funding was reaching the most deprived pupils. The maximum amount that Local Authorities could distribute through the supplements was 10%. The Working Group discussed this at length and were of the opinion that 10% seemed very high if only one supplement was being used. The Group looked at three sets of modelling data with the deprivation element being 3%, 4% or 5% with the group agreeing unanimously in favour of the 96% : 4% split.

Under the new proposals, based on anticipated figures outlined in the DfE consultation (which were subject to change), the base rate was calculated at £4.70 with deprivation funding based on IDACI to be paid at 30p for every pupil in the setting where the IDACI data was above an agreed threshold, and deprivation based on EYPP data to be paid at £1.47 for those eligible pupils only (to supplement the EYPP payment of 0.53p).

The current rates are as follows:

Base rate £3.90

Quality 40p or 50p

Deprivation ranging from 0.06p to 0.56p

SEN 0.42p

The modelling data demonstrated that the majority of settings would receive more funding under the new formula, due to the increased level of funding. There were a very small number of settings that lose funding – these were the settings that previously received the SEN supplement. A small element had been built in for growth, however all proposed funding levels were indicative and were dependent on the final funding settlement.

If the Schools Forum was in support of these proposals it was suggested that a consultation document be sent to all stakeholders at the beginning of December consulting on the underlying principles of the new formula but not including details on a setting by setting basis. Settings would be given two weeks to respond to the proposals.

The Early Years Working Group also discussed the DfE proposals for disabled children and children with special educational needs. The DfE were proposing a Disability Access Fund would be established to support children in receipt of the Disability Access Fund however Local Authorities would be able to pool funds from the Early Years and High Needs Blocks to provide an Inclusion Fund for children with SEN. The Working Group were of the view that the Bromley base rate had included an element of inclusion funding for a number of years and that it would be a retrograde step to strip this out and hold it centrally in the future. It was also felt that in view of the pressures on the High Needs Block it was unlikely that there would be any contribution to be made from there.

Finally, the Working Group discussed the time frame for the introduction of the additional 15 hours childcare to be introduced from September 2017. The DfE had published indicative funding to support this. The assumption was based on the idea that only 80% of eligible children would take up 80% of their entitlement. Bromley would receive £2.6m in 2017/18. Officers had not yet done any work to establish the likely take up in Bromley.

Following a provider meeting the previous meeting, Mrs Regester sought clarification as to whether the funding level would be fixed for the next 4 years. In response, Officers confirmed that it was their understanding that the funding was for one year only however this would be checked and reported back to the next meeting of the Schools' Forum.

In response to a question surrounding how the Schools' Forum could be asked to agree something that was subject to change, the Vice-Chairman explained that there would be a number of decisions that needed to be taken in January 2017 and the Schools' Forum was being asked to consider this issue now in order to ease the burden in January. Any agreement was subject to the funding settlement being as indicated by the DfE and if this were to change the decision would need to be reconsidered.

In response to a question surrounding the different types of modelling that could have been undertaken, the Head of Schools' Finance reported that there was an element of flexibility within the system and that IDACI had been working. It was hoped that the process developed would also be beneficial to both primary and secondary schools in the long run. The Vice-Chairman also noted that there were advantages to having a more simple formula that every provider could understand.

The Director of Education reported that the Local Authority did not currently have a specialist Head of Service for Early Years. Bromley was unique in terms of the number of Early Years providers within the Borough and as a result of cost pressures the Local Authority had necessarily had to be reactive rather than proactive in supporting providers. In light of this, the Director of Education proposed that funding for current central spend be increased by £66,000 from £134,000 to £200,000 to enable the Local Authority to provide the required support to providers to help them manage and navigate the changing landscape. There was a need for providers to feel confident however, the Local Authority was anticipating that there would be significant pressure in the high needs block and Officers viewed this proposal as providing an element of protection to Early Years providers.

In response to a question surrounding SIPS (Supporting Inclusion in Pre Schools), the Director of Education reported that SIPS was preventative, not statutory and funding was targeted at children with the most severe and complex needs.

Following discussion it was

RESOLVED: that

- 1. The proposed formula elements to be used in 2017/18 be agreed, on the basis that this is dependent on the final regulations to be received from the DfE and on the understanding that the actual funding levels may vary depending on the final funding allocations and on the outcome of the consultation.**
- 2. That a proportion of expenditure relating to social inclusion support in pre-schools move across from the High Needs Block to the Early Years Block in line with the High Needs savings proposals.**
- 3. That the Local Authority central spend be increase by £66,000 from £134,000 to £200,000 to enable increased capacity for training and support.**

20 ANY OTHER BUSINESS

The Vice-Chairman reported that he had asked the Head of ECH Finance to present a paper to the next meeting on the proposed membership of the Schools' Forum going into the future in light of recent school academy conversions.

21 DATE OF NEXT MEETING

The next meeting would be held on 12th January 2017. At this meeting the Forum would be considering budgets for the next financial year and the Vice-Chairman urged as many members as possible to attend the meeting.

22 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED: that the press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

23 PART 2 MINUTES FROM THE MEETING HELD ON 30 JUNE 2016

The Part 2 (exempt) minutes of the meeting held on 30 June 2016 were agreed, and signed as a correct record.

24 POTENTIAL SAVINGS IN THE HIGH NEEDS BLOCK DSG Report ED17023

The Schools' Forum consider the report and discussed potential savings in the High Needs Block.

The Meeting ended at 6.30 pm

Chairman

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Report No.
ED17032

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **SCHOOLS' FORUM**

Date: **Thursday 12 January 2017**

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **DEDICATED SCHOOLS GRANT 2017-18**

Contact Officer: Amanda Russell, Head of Schools Finance Support
Tel: 020 8313 4806 E-mail: Amanda.Russell@bromley.gov.uk

Chief Officer: Director: Education (ECHS)

Ward: (All Wards);

1. Reason for report

This report provides an outline of the DSG allocation for 2017/18 and an overview of how this will be spent.

2. **RECOMMENDATION(S)**

The Schools Forum is asked to

i) review the overall DSG allocation

ii) to discuss and agree the budget allocations for 2017/18

iii) to agree the proposed de-delegation relating to retained duties for maintained schools.

Impact on Vulnerable Adults and Children

1. Summary of Impact:
-

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People Excellent Council
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Dedicated Schools Grant
 4. Total current budget for this head: £259m
 5. Source of funding: Department for Education - DSG
-

Personnel

1. Number of staff (current and additional): Fulkl details of staffing published in the 2017/18 Financial Control Budget
 2. If from existing staff resources, number of staff hours: n/a
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: n/a
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): n/a
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 On 20th December the DfE released the Dedicated Schools Grant allocations for 2017/18. The DSG allocations were released alongside the second stage of the consultation on the National Funding Formula and the High Needs Funding Formula to be introduced for 2019/20 – the consultation closes on 22nd March 2017 and will be the subject of a separate Schools Forum report for the next meeting in February.

3.2 The final DSG allocation is in line with the expectations of LA officers – an overview of the total allocation is provided in the table below and can be seen in more detail at appendix 1.

2017/18 Dedicated Schools Grant			
High Needs Block	Early Years Block	Schools Block	Total
£46,005,328	£15,298,067	£200,009,610	£266,044,056
-£6,774,000 (HN deductions)			-£6,774,000
£39,231,328	£15,298,067	£200,009,610	£259,270,065

3.3 For 2017/18 the blocks are not ringfenced and therefore an overspend in one block may be offset against an underspend in another block in order to ensure that the DSG is balanced overall.

3.4 The Early Years Block funding has been allocated based on the new Early Years Funding Formula (EYFF) which was consulted on earlier this year. As anticipated the allocation for Bromley has increased which has meant that not only has the LA not needed to find any savings in this area but also that most EY providers will see an increase in their funding next year. In November 2016 the Schools Forum was consulted about the proposed funding formula for 2017/18 – the outcome of the consultation supports the LA's recommendation to only have one element (deprivation) in the new funding formula, but for this to be allocated using both IDACI and EY Pupil Premium entitlement as the measures of deprivation.

3.5 The funding allocations to be used in the Bromley EYFF are as follows:

- Basic Rate = £4.70 per hour
- Deprivation - IDACI = £0.30p per hour (to be allocated to all pupils at eligible settings)
- Deprivation – EYPP = £1.47 per hour (to be allocated only to those pupils eligible for EYPP)

This funding formula will be used for all settings across both the PVI sector and LA school nurseries.

3.6 As a result of this most settings will see an increase in funding with the exception of a very small number of settings that previously received additional funding through the SEN factor which is no longer an allowable factor; however it is anticipated that the impact of this will not be significant.

- 3.7 Funding for 2 year olds will remain at £6.00 per hour, however the funding received by the LA will increase from £5.28 to £5.66 which reduces the amount by which this is subsidised by 3 and 4 year old funding.
- 3.8 The outcome from the consultation also introduces a requirement for all LAs to establish an SEN Inclusion Fund – for Bromley it had already been proposed that the expenditure relating to the SEN Support in Pre-schools (SIPS) programme would move from the High Needs Block to the Early Years Block and that this will be deemed to fulfil this new requirement.
- 3.9 The LA will also receive additional new funding allocations for 2017/18 as follows:
- Disability Access Funding - £73,800 – to be allocated to pupils in receipt of the Disability Living Allowance
 - Additional 15 hours free childcare - £2.6m – comes into effect from September 2017.
- 3.10 The Early Years Block has been balanced to zero as expected so is neither subsidised by nor subsidising either the Schools Block or the High Needs Block.
- 3.11 The High Needs Block has received an allocation of £46m from which the DfE deducts funding recouped for an agreed number of places at special academies, AP academies and other post 16 institutions at a total of £6.774m which then brings the HN Block down to £39.2m.
- 3.12 It was anticipated that around £2m savings needed to be identified and achieved within the High Needs Block in 2017/18. The Schools Forum considered a number of proposed savings that were outlined in the report to the meeting on 15th November and then discussed in further detail with the Working Group which met on 12th December to review the proposals. There were a number of concerns from Officers and Schools Forum members that the full scale of the savings required would not be able to be achieved as many of the proposals would not take effect until September 2017 and therefore would only achieve 7/12ths of the required saving.
- 3.13 The following savings have been identified and included in the proposed budget allocation for 2017/18
- 1.5% reduction on top up bands for special schools, AP provision and unit places from September £86k
 - 1.5% reduction on banded top up funding for statemented pupils in mainstream schools from September £25k
 - Savings to be identified within the Sensory Support Services £50k
 - Additional funding target for primary and secondary schools to contribute towards the cost of non PEX (permanently excluded pupils) at the PRUs £100k
 - Savings to SEN transport costs charged to the DSG £100k
 - Savings to be identified within the Phoenix Pre School Service £392k
 - Total Savings = £753k

These savings are considerably short of the target that was originally identified and even after having received around £460k for population growth the High Needs Block remains overspent by £820k. It is clear that the DfE is aware that balancing the High Needs Block

can be particularly challenging for LAs as they have announced a new grant entitled High Needs Strategic Planning Fund to be paid to LAs in January 2017. Bromley will receive a one off payment of £140k to be used to carry out a full strategic review of the high needs provision which had already been identified by the Director of Education as the first step towards balancing the High Needs Block. Full details of the grant can be found at the link below;

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/577552/High_needs_strategic_planning_fund2.pdf

3.14 Prior to the re-alignment of the funding blocks in 2016/17 the Schools Block was overspent by around £4m and the High Needs Block underspent by around £2.8m – following the re-alignment around £3.5m funding was reallocated from the High Needs Block to the Schools Block. As the three blocks within the DSG are not yet ring-fenced and as the EY Block has been balanced against the revised EY allocation, it is proposed that the overspend within the HN Block should be met by further savings within the Schools Block.

3.15 The need to find savings of around £1.5m had previously been identified and the Schools Forum had agreed that this should be done by reducing the lump sum and the low cost high incidence SEN factor for primary schools – this would then have the effect of not just achieving the required savings but also moving the primary:secondary ratio from 1:1.19 to 1:1.24 in preparation for the introduction of the NFF. The agreed rates are as follows:

- Primary lump sum reduced from £155k to £130k
- Primary LCHI factor reduced from £1,858 to £1,450

3.16 The additional £1m to support the shortfall of funding in the High Needs Block has been taken from the AWPU value across primary and secondary schools so there is not further impact on the ratio. Adjusted AWPU values are as follows:

- Primary AWPU reduced from £2,938 to £2,880
- Secondary KS3 AWPU reduced from £4,168 to £4,110
- Secondary KS4 AWPU reduced from £4,559 to £4,500

Full details of the revised funding levels can be seen on the APT proforma at appendix 2.

Full details of the impact on each individual school including details of the MFG protection can be seen at appendix 3, however it should be noted that some year to year comparisons may be distorted due to changes in pupil numbers or demographics.

3.17 In previous years the primary maintained Schools Forum representatives have been asked to vote on de-delegation and funding has been de-delegated back to the LA for staffing costs relating to maternity, jury service and suspension and to free school meal assessments. Due to the reduced number of maintained schools and the expected conversion dates for next year it is no longer financially viable to manage this as a central budget and in view of this it is proposed that the funding will remain with maintained schools and that they should be responsible for managing these costs in the same way as academies.

3.18 In 2017/18 the DfE is changing the ESG (Education Services Grant) which is paid to LAs. Currently this is split into two elements – General Funding rate based on the number of pupils in maintained schools and the Retained Duties element based on the number of pupil in academies. In 2016/17 Bromley received a combined figure of £1.2m which was made up of

£543k for the GF element and £742k for the RD element. In 2017/18 it is anticipated that the GF this will reduce to £181k for the period April to August at which point it ceases.

- 3.19 In view of this the DfE has introduced a new function allowing LAs to retain funding within the Schools Block to cover the cost of statutory duties for maintained schools previously funded through ESG. This will need to be agreed by the relevant Schools Forum representatives – if it is not agreed this may be referred to the Secretary of State for a final decision. The LA is concerned regarding the loss of funding and acknowledges that it is not possible to recoup the full loss from the remaining maintained schools, however it is proposed that schools should be asked to agree to a notional sum of £30 to be retained for each pupil which would generate a total of £97k – details of this on a school by school basis can be seen at appendix 4.
- 3.20 The Schools Forum is asked to discuss these proposals and to agree the proposed budget to be presented to the Education Budget Sub-Committee on the 30th January.

Non-Applicable Sections:	Policy, Impact on vulnerable adults and children, financial, personnel, legal and procurement
Background Documents: (Access via Contact Officer)	Held with finance

High Needs Block Income				Early Year Block	2017/18 Funding Estimate	Schools Block		
High Needs Block restated			46,005,328	3/4 yr old funding	15,298,067	pupil numbers	43018	
academy units			-3,080,000			Baseline £ per pupil	4649.44	
PRU places recoupment			-1,490,000	Additional 15 hours	2642159		200,009,610	
HN recoupment			-920,000			central block/ESG		
post 16 SEN			-252,000	2 year old funding	1,938,409	NQT		
Burwood adj			-450,000	EY Pupil Premium	76683	Academy Recoupment		
Post 16 transfer			-582,000					
			-6,774,000	Disability Access Fund	73800			
			39,231,328				200,009,610	259,270,056
					20,029,118			
Expenditure								
	16/17 budget	savings	Revised Budget	Maintained	1,348,904	Academy Recoupment	£178,811,931	
Special Schools - pre 16		-48,000	9,685,988			Primary SBS	£12,133,007	
Bromley Beacon places			395,833			Secondary SBS	£2,933,594	£193,878,532
Bromley Beacon top up		-13,000	1,475,201					£714,376 *
PRU		-13,000	1,472,006					£97,590 **
Units - maint places			400,000					£194,690,498 ***
- LA funded Academy places			35,000					
- maint top up		-2,000	150,670					
- academy top up		-10,000	1,371,837	Central				
Sub=total	15,072,535	-86,000	14,986,535	PVI	13,257,552	Access and Admissions	488,820	
Central				2 yr old exp	2,099,000	Supply Staff costs	0	
Darrick Wood HIU	724,230	-15000	674,230	EY Pupil Premium	76683	Dedelegated FSM eligibility	0	
Excluded pupils recoupment	-175,000		-175,000	EY Admin Team	85,700	Growth Fund	3,000,000	
PRU - school contributions	0	-100000	-100,000	SEN Support in Preschools	375,320	Licences	219,350	
Progression Courses	360,380		360,380	add central spend	70,000	Capital	59,270	
Home and Alternative Provision	953,720		953,720			Schools Forum	1,000	
SEN Support in Mainstream	251,450		251,450	Additional 15 hours	2,642,159	Pupil Support Advisory team	363,805	
Matrix funding	2,725,000	-25000	2,700,000	Disability Access Fund	73,800	Support to Schools	46,180	
						Business Support	5,060	
Social Communication Difficulties Team	308,830		308,830			Workforce Development	37,650	
Sensory Support	908,020		908,020			ESG related		
Outreach and Inclusion	201,290		201,290			Education welfare	366,210	
Specialist Support and Disability	459,330		459,330			Asset management	42,210	
Complex Needs Team	292,630		292,630			Stat/Reg duties	346,340	
Phoenix Pre School Service	1,585,060	-392000	1,193,060			ESG de-delegated	97,590 **	
Early Support Programme	91,350		91,350					
SEN Transport	330,000	-100000	230,000					
Special Central	41,490		41,490					
Other Statemented	384,940		384,940					
SEN Outborough Fees	11,566,566		11,566,566					
SEN in fe Colleges	4,948,540		4,948,540					
Special capital	11,560		11,560					
Total	41,041,921	-718,000	40,288,921		20,029,118		198,952,017	259,270,056
			-1,057,593		0		1,057,593	0

* bulge class funding for academy schools for April to August to be deducted from EFA recoupment

** ESG de- delegation

*** to agree to APT at appendix 2

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Local Authority Funding Reform Proforma

LA Name: Bromley
 LA Number: 305

Appendix 2

Pupil Led Factors

Reception uplift		No	Pupil Units		0.00						
Description		Amount per pupil		Pupil Units		Sub Total	Total	Proportion of total pre MFG funding (%)		Notional SEN (%)	
1) Basic Entitlement Age Weighted Pupil Unit (AWPU)	Primary (Years R-6)	£2,930.00		26,685.00		£78,187,050	£149,009,880	40.98%		0.04%	
	Key Stage 3 (Years 7-9)	£4,160.00		10,203.00		£42,444,480		22.25%		0.04%	
	Key Stage 4 (Years 10-11)	£4,550.00		6,237.00		£28,378,350		14.87%			
Description		Primary amount per pupil	Secondary amount per pupil	Eligible proportion of primary NOR	Eligible proportion of secondary NOR	Sub Total	Total	Proportion of total pre MFG funding (%)		Primary Notional SEN (%)	Secondary Notional SEN (%)
2) Deprivation	FSM6 % Primary	£1,500.00		4,915.92		£7,373,876	£12,882,668	6.75%		0.50%	
	FSM6 % Secondary		£1,500.00		3,672.53	£5,508,792					0.50%
	IDACI Band F			904.53	556.98	£0					
	IDACI Band E			1,875.28	1,119.10	£0					
	IDACI Band D			1,371.49	985.61	£0					
	IDACI Band C			1,430.21	1,041.26	£0					
	IDACI Band B			2,615.44	1,527.69	£0					
IDACI Band A			271.23	148.07	£0						
Description		Primary amount per pupil	Secondary amount per pupil	Eligible proportion of primary NOR	Eligible proportion of secondary NOR	Sub Total	Total	Proportion of total pre MFG funding (%)		Primary Notional SEN (%)	Secondary Notional SEN (%)
3) Looked After Children (LAC)	LAC X March 16			144.93		£0	£2,768,694	0.00%			
4) English as an Additional Language (EAL)	EAL 3 Primary	£1,000.00		2,460.06		£2,460,065		1.45%		0.50%	
	EAL 3 Secondary		£1,129.00		273.36	£308,629					0.50%
5) Mobility	Pupils starting school outside of normal entry dates			557.86	0.00	£0	0.00%				
Description		Weighting	Amount per pupil	Percentage of eligible pupils	Eligible proportion of primary and secondary NOR respectively	Sub Total	Total	Proportion of total pre MFG funding (%)		Primary Notional SEN (%)	Secondary Notional SEN (%)
6) Prior attainment	Low Attainment % new EFSP	100.00%		29.47%		£9,301,453	£11,844,527	6.21%		100.00%	
	Low Attainment % old FSP 73		£1,450.00	12.15%	6,414.80						
	Secondary low attainment (year 7)	48.02%		16.14%		£2,543,074					
	Secondary low attainment (years 8 to 11)		£1,000.00	15.32%	2,543.07						

Other Factors

Factor	Lump Sum per Primary School (£)	Lump Sum per Secondary School (£)	Lump Sum per Middle School (£)	Lump Sum per All-through School (£)	Total (£)	Proportion of total pre MFG funding (%)		Notional SEN (%)		
7) Lump Sum	£130,000.00	£155,000.00			£12,775,000	6.70%				
8) Sparsity factor					£0	0.00%				
Please provide alternative distance and pupil number thresholds for the sparsity factor below. Please leave blank if you want to use the default thresholds. Also specify whether you want to use a tapered lump sum for one or both of the phases.										
Primary distance threshold (miles)		Primary pupil number average year group threshold			Fixed or tapered sparsity primary lump sum?	Fixed				
Secondary distance threshold (miles)		Secondary pupil number average year group threshold			Fixed or tapered sparsity secondary lump sum?	Fixed				
Middle schools distance threshold (miles)		Middle school pupil number average year group threshold			Fixed or tapered sparsity middle school lump sum?	Fixed				
All-through schools distance threshold (miles)		All-through pupil number average year group threshold			Fixed or tapered sparsity all-through lump sum?	Fixed				
9) Fringe Payments					£0	0.00%				
10) Split Sites					£0	0.00%				
11) Rates					£1,500,668	0.79%				
12) PFI funding					£0	0.00%				
13) Exceptional circumstances (can only be used with prior agreement of EFA)										
Circumstance					Total (£)	Proportion of total pre MFG funding (%)		Notional SEN (%)		
Additional lump sum for schools amalgamated during FY16-17					£0	0.00%		0.00%	0.00%	
Additional sparsity lump sum for small schools					£0	0.00%				
Exceptional Circumstance3					£0	0.00%				
Exceptional Circumstance4					£0	0.00%				
Exceptional Circumstance5					£0	0.00%				
Exceptional Circumstance6					£0	0.00%				

Total Funding for Schools Block Formula (excluding MFG Funding Total) (£) £190,781,436 100.00% £11,971,036

14) Minimum Funding Guarantee (MFG is set at -1.5%)	#VALUE!	
Apply capping and scaling factors? (gains may be capped above a specific ceiling and/or scaled)	No	
Capping Factor (%)	Scaling Factor (%)	
Total deduction if capping and scaling factors are applied		
		£0
		Total (£)
		Proportion of Total funding(%)
MFG Net Total Funding (MFG + deduction from capping and scaling)		£3,909,063 2.01%
High Needs threshold (only fill in if, exceptionally, a high needs threshold different from £6,000 has been approved)		
Additional funding from the high needs budget		£0.00
Growth fund (if applicable)		£2,000,000.00
Falling rolls fund (if applicable)		£0.00
Total Funding For Schools Block Formula £194,690,499		
% Distributed through Basic Entitlement		78.11%
% Pupil Led Funding		92.52%
Primary: Secondary Ratio		1 : 1.24

Total funding for schools block formula contains funding from outside of the 2017-18 Schools Block allocation? No

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Appendix 3

2017/18

LAESTAB	School Name	2017/18			16-17 Funding	difference	% diff	comments
		Total Allocation	MFG Protection	Final Allocation				
		£	£	£	£			
3052001	Alexandra Infant School	760,600	72,897	833,497	839,955	-6,457	-0.77%	
3052000	Alexandra Junior School	1,019,937	16,791	1,036,728	1,061,540	-24,812	-2.39%	
3052002	Balgowan Primary School	2,399,978	26,318	2,426,296	2,460,674	-34,378	-1.42%	
3052082	Bickley Primary	1,599,097	52,143	1,651,241	1,664,972	-13,731	-0.83%	
3053510	Biggin Hill Primary	1,382,577	20,101	1,402,678	1,471,996	-69,318	-4.94%	pupil nos reduced from 369 to 355
3053508	Blenheim Primary School	1,092,839	34,953	1,127,791	1,114,883	12,909	1.14%	
3052003	Bromley Road Primary School	794,532	62,806	857,338	968,390	-111,052	-12.95%	pupil nos reduced from 187 to 164
3052014	Burnt Ash Primary School	1,849,157	95,596	1,944,753	1,941,153	3,600	0.19%	
3052029	Castlecombe Primary School	1,002,837	61,778	1,064,615	1,064,828	-213	-0.02%	
3052034	Chelsfield Primary School	510,074	20,345	530,419	533,094	-2,676	-0.50%	
3053301	Chislehurst (CofE) Primary	846,817	28,386	875,203	879,464	-4,261	-0.49%	
3052004	Churchfields Primary School	1,600,261	81,489	1,681,749	1,577,154	104,595	6.22%	pupil nos increased from 351 to 384
3052074	Clare House Primary School	1,349,029	26,628	1,375,657	1,297,376	78,281	5.69%	pupil nos increased from 328 to 360
3052038	Crofton Infant School	1,955,663	100,467	2,056,130	2,092,102	-35,973	-1.75%	
3055200	Crofton Junior School	2,549,479	0	2,549,479	2,550,756	-1,277	-0.05%	
3053004	Cudham CE Primary School	491,050	28,043	519,093	505,384	13,709	2.64%	
3052040	Darrick Wood Infant School	1,035,470	74,837	1,110,307	1,154,504	-44,197	-3.98%	
3052039	Darrick Wood Junior School	1,445,048	46,420	1,491,468	1,531,871	-40,404	-2.71%	
3052030	Downset Road Infant School	405,619	26,696	432,316	437,666	-5,350	-1.24%	
3052041	Downe Primary School	454,260	24,987	479,247	467,594	11,653	2.43%	
3052069	Edgebury Primary School	996,416	14,442	1,010,858	940,317	70,541	6.98%	pupil nos increased from 220 to 243
3052042	Farnborough Primary School	1,074,422	35,837	1,110,259	1,038,476	71,783	6.47%	
3052009	Gray's Farm Primary Academy	1,631,994	91,077	1,723,071	1,903,456	-180,385	-10.47%	pupil nos reduced from 395 to 360
3052043	Green Street Green Primary	1,565,946	37,795	1,603,741	1,622,039	-18,298	-1.14%	
3052031	Harris Primary Academy Beckenham	555,097	0	555,097	363,660	191,437	34.49%	opening school
3052023	Harris Primary Academy Crystal Palace	1,697,702	74,216	1,771,918	1,680,137	91,781	5.18%	pupil nos increased from 345 to 371
3052016	Harris Primary Academy Kent House	1,802,559	132,525	1,935,084	1,896,538	38,547	1.99%	
3052070	Harris Primary Academy Orpington	1,612,897	100,957	1,713,854	1,783,148	-69,294	-4.04%	
3052035	Harris Primary Academy Shortlands	853,709	22,474	876,184	548,838	327,346	37.36%	opening school
3052006	Hawes Down Infant School	730,490	51,784	782,274	817,854	-35,580	-4.55%	
3052005	Hawes Down Junior School	1,078,625	18,566	1,097,191	1,151,675	-54,484	-4.97%	
3055205	Hayes Primary School	2,321,423	45,261	2,366,685	2,400,580	-33,895	-1.43%	
3055203	Highfield Infants' School	1,063,352	17,677	1,081,029	1,105,990	-24,961	-2.31%	
3055204	Highfield Junior School	1,345,646	3,833	1,349,479	1,400,754	-51,275	-3.80%	
3055201	Holy Innocents Catholic Primar	882,529	33,534	916,063	913,241	2,822	0.31%	
3052062	James Dixon Primary	1,912,180	117,505	2,029,686	2,123,098	-93,413	-4.60%	pupil nos reduced from 427 to 417
3053000	Keston C.E. Primary School	937,526	21,410	958,936	1,024,794	-65,858	-6.87%	
3052036	La Fontaine Academy	1,083,805	110,364	1,194,169	767,283	426,886	35.75%	opening school
3052068	Langley Park Primary School	371,330	0	371,330	N/A	N/A		
3052064	Leesons Primary School	1,340,499	70,015	1,410,514	1,305,041	105,473	7.48%	pupil nos increased from 263 to 291
3052084	Manor Oak Primary School	954,273	37,054	991,327	995,460	-4,133	-0.42%	
3052008	Marian Vian Primary School	2,424,308	26,659	2,450,967	2,511,905	-60,938	-2.49%	
3052065	Mead Road Infant School	435,570	70,470	506,040	515,194	-9,154	-1.81%	
3052066	Midfield Primary School	1,607,564	101,029	1,708,593	1,606,654	101,939	5.97%	pupil nos increased from 328 to 356
3052028	Mottingham Primary School	1,894,550	80,637	1,975,186	2,121,294	-146,108	-7.40%	pupil nos reduced from 427 to 408
3052010	Oak Lodge Primary School	2,239,341	32,641	2,271,982	2,382,103	-110,121	-4.85%	pupil nos reduced from 626 to 618
3052072	Oaklands Primary Academy	1,901,936	76,402	1,978,338	2,013,183	-34,846	-1.76%	
3053001	Parish C.E. Primary School	2,309,945	6,092	2,316,037	2,275,329	40,707	1.76%	
3052079	Perry Hall Primary School	1,628,766	27,903	1,656,669	1,675,858	-19,190	-1.16%	
3052017	Pickhurst Infants' School	1,333,498	133,934	1,467,432	1,472,488	-5,056	-0.34%	
3052018	Pickhurst Junior School	1,858,504	13,281	1,871,785	1,942,615	-70,830	-3.78%	
3052080	Poverest Primary School	1,303,505	81,712	1,385,217	1,238,823	146,395	10.57%	pupil nos increased from 252 to 290
3052046	Pratts Bottom Primary School	412,078	30,093	442,171	446,381	-4,210	-0.95%	
3055206	Raglan Primary School	1,548,285	36,334	1,584,619	1,628,041	-43,421	-2.74%	
3052026	Red Hill Primary School	2,737,742	56,239	2,793,981	2,811,667	-17,686	-0.63%	
3052071	Scotts Park Primary School	2,002,588	46,142	2,048,730	2,111,628	-62,898	-3.07%	
3052022	Southborough Primary School	1,706,426	71,550	1,777,977	1,833,425	-55,448	-3.12%	
3053002	St George's CE Primary	1,486,108	77,978	1,564,087	1,546,584	17,503	1.12%	
3053507	St James RC Primary School	824,061	22,232	846,292	870,370	-24,078	-2.85%	
3052027	St John's CE Primary School	1,206,236	11,611	1,217,847	1,176,886	40,961	3.36%	pupil nos increased from 255 to 269
3053500	St Joseph's R.C. Primary School	838,890	31,246	870,136	877,578	-7,442	-0.86%	
3053300	St Mark's C.E. Primary School	1,643,067	53,202	1,696,270	1,746,279	-50,009	-2.95%	
3052057	St Mary Cray Primary Academy	1,137,200	90,147	1,227,347	1,179,953	47,395	3.86%	
3055202	St Mary's Catholic Primary	1,555,788	39,233	1,595,020	1,613,508	-18,488	-1.16%	
3053005	St Paul's Cray CE Primary	1,209,631	72,380	1,282,010	1,282,211	-201	-0.02%	
3053505	St Peter & St Paul Catholic Primary	964,721	42,632	1,007,352	983,877	23,475	2.33%	
3053503	St Philomena's Catholic Primary	887,456	36,335	923,791	928,107	-4,316	-0.47%	
3053501	St Vincent's Catholic Primary	922,346	21,987	944,332	992,359	-48,027	-5.09%	
3053504	St. Anthony's R.C Primary	886,666	71,842	958,508	975,304	-16,796	-1.75%	
3052053	The Highway Primary School	882,673	36,254	918,926	964,876	-45,949	-5.00%	
3052011	The Pioneer Academy	1,846,437	48,489	1,894,926	1,902,086	-7,160	-0.38%	
3052059	Trinity Church of England Primary School	1,861,234	196,481	2,057,715	2,128,856	-71,140	-3.46%	
3055207	Tubbenden Primary School	2,328,940	33,300	2,362,240	2,406,198	-43,958	-1.86%	
3053003	Unicorn Primary School	1,683,367	47,306	1,730,672	1,662,413	68,259	3.94%	pupil nos increased from 432 to 466
3052024	Valley Primary School	1,973,241	83,188	2,056,429	2,060,545	-4,116	-0.20%	
3052056	Warren Road Primary School	2,976,743	14,105	2,990,848	3,040,052	-49,204	-1.65%	
3052012	Wickham Common Primary School	1,604,750	0	1,604,750	1,654,402	-49,652	-3.09%	
3052067	Worsley Bridge Junior School	1,699,576	49,988	1,749,564	1,680,214	69,350	3.96%	pupil nos increased from 367 to 393
3054604	Bishop Justus Church of England School	4,883,436	0	4,883,436	4,791,253	92,184	1.89%	
3055400	Bullers Wood School	5,338,117	0	5,338,117	5,330,080	8,037	0.15%	
3055409	Charles Darwin School	5,452,742	0	5,452,742	5,449,376	3,366	0.06%	
3055408	Chislehurst School for Girls	4,704,777	0	4,704,777	4,969,248	-264,472	-5.62%	pupil nos reduced from 977 to 917
3055401	Coopers School	6,075,926	0	6,075,926	6,025,477	50,448	0.83%	
3055418	Darrick Wood School	6,225,553	0	6,225,553	6,338,245	-112,692	-1.81%	
3054000	Harris Academy Beckenham	4,904,263	0	4,904,263	4,614,212	290,052	5.91%	pupil nos increased from 844 to 1096
3054003	Harris Academy Orpington	4,501,114	0	4,501,114	4,646,362	-145,249	-3.23%	pupil nos reduced from 839 to 804
3054002	Harris Girls Academy Bromley	3,626,686	0	3,626,686	3,670,624	-43,938	-1.21%	
3055407	Hayes School	5,582,907	0	5,582,907	5,656,410	-73,503	-1.32%	
3055406	Kemnal Technology College	2,802,942	0	2,802,942	2,915,618	-112,676	-4.02%	
3055402	Langley Park School for Boys	5,165,244	0	5,165,244	5,193,557	-28,313	-0.55%	
3055412	Langley Park School for Girls	5,628,817	0	5,628,817	5,673,771	-44,953	-0.80%	
3055405	Newstead Wood School	3,620,313	0	3,620,313	3,492,310	128,003	3.54%	pupil nos increased from 747 to 775
3055403	Ravens Wood School	5,510,124	0	5,510,124	5,497,799	12,325	0.22%	
3055410	St Olaves Grammer School	2,952,255	0	2,952,255	2,889,840	62,414	2.11%	
3055413	The Ravensbourne School	5,685,740	0	5,685,740	5,798,675	-112,935	-1.99%	

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Appendix 4

Maintained schools		Per pupil rate of Education functions for mainstream maintained schools	
De- delegation relating to Education Functions		30	97590
LAESTAB	School Name	NOR including fringe uplift	Education functions for mainstream maintained schools
Total			97590
3052003	Bromley Road Primary School	164	4920
3052004	Churchfields Primary School	384	11520
3052022	Southborough Primary School	403	12090
3052041	Downe Primary School	84	2520
3052069	Edgebury Primary School	243	7290
3052080	Poverest Primary School	290	8700
3052082	Bickley Primary	420	12600
3053005	St Paul's Cray CE Primary	238	7140
3053504	St.Anthony's R.C Primary	184	5520
3053508	Blenheim Primary School	221	6630
3055410	ST OLAVE'S GRAMMAR SCHOOL	622	18660

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Report No.
ED17031

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **Schools Forum**

Date: **12 January 2017**

TITLE: CONSTITUTION OF THE SCHOOLS FORUM

Contact Officer: David Bradshaw, Head of Education, Care and Health Services Finance
Tel: 020 8313 4807 E-mail: david.bradshaw@bromley.gov.uk

Chief Officer: Jane Bailey, Director of Education

Ward: Borough wide

1. Reason for report

1.1 This report provides an overview of the representation on the Schools Forum.

2. **RECOMMENDATION**

The Schools' Forum is asked to comment on and note the report.

3. **BACKGROUND**

- 3.1 As part of the constitution and terms of reference, the constitution of the Schools Forum is regularly reviewed to reflect any changes to the make up of the Forum in terms of member representation.
- 3.2 The Constitution was last fundamentally reviewed in September 2012 when Department for Education (DfE) introduced new Schools Forum regulations.
- 3.3 Since this point there have been no further major DfE regulations affecting Schools Forums.
- 3.4 The Constitution will be agreed at the next Education Budget sub committee where any comments from the Forum will be considered.

4. **MEMBERSHIP OF THE FORUM**

Schools Membership

- 4.1 Representation on the Schools element of the Forum is derived in the main from pupil numbers. Currently there are thirteen members made up of Heads and Governors. Although current pupil numbers in each sector (primary/secondary/special, etc) have not changed

significantly there has been movement between primary maintained and primary academy. This is as a result of Primary maintained schools converting to academy status.

4.2 This has meant that there should be a shift in membership with an increase of two primary academy members and a decrease of two primary maintained members of the Forum.

4.3 It is proposed that:-

a) there is a reduction of one maintained primary governor representative (down to zero), the position is currently vacant.

b) there is a reduction of one maintained primary head representative (down to one), there are currently two maintained primary head representatives.

c) there is an increase of one academy primary head representative (up to two).

d) there is an increase of one academy primary governor representative (up to three).

4.4 Overall membership will remain static at thirteen.

4.5 It has come to light that there are currently two representatives from one school on the Forum which is a breach of the constitution as per paragraph 1.10. It is recommended that the member with the shortest length of membership should be removed from office and an alternative member sought.

Non Schools Membership

4.6 Current representation in the non schools element of the Forum is five. It is recommended that this remain the same.

4.7 A summary of the new constitution is below. Details of how this was derived are contained within Appendix one.

CONSTITUTION

Membership	OLD	NEW
SCHOOLS		
Special school representative governor/head (non academy)	1	1
PRU representative head/governor	1	1
Primary Academy head representative	1	2
Primary Academy governor representative	2	3
Primary head representative (non academy)	2	1
Primary governor representative (non academy)	1	0
Secondary head/governor representative (non academy)	1	1
Secondary Academy head representative	2	2
Secondary Academy governor representative	2	2
	<u>13</u>	<u>13</u>
NON SCHOOLS		
Early year provider (PVI)	1	1
14-19 partnership**	1	1
Diocese CofE**	1	1
Diocese Catholic**	1	1
Joint Teacher Liaison**	1	1
	<u>5</u>	<u>5</u>

OTHER NON- VOTING ATTENDEES

Portfolio Holder/Portfolio Holder Assistant	1	1
Director of Education/Schools	1	1
Head of Finance	1	1
Head of Schools Finance Support	1	1
Clerk of the Forum	1	1
	<u>5</u>	<u>5</u>

** These members cannot vote on matters relating to the funding formulae to be used by the Local Authority

Vacancies

4.8 Assuming the new constitutional arrangements are agreed, there are currently three vacancies on the Forum as follows. Two are as a result of the restructuring of the membership and the other one is due to an unfilled place:-

- 1) Primary Academy Headteacher
- 2) Primary Academy Governor
- 3) Diocese - Catholic

4.9 As per the terms of reference the relevant group will be asked to nominate a representative using a democratic process. The Council will assist where necessary. Where this is not possible, the Council will approach the relevant group for nominations.

5. TERMS OF REFERENCE OF THE FORUM

5.1 The terms of reference are largely unchanged apart from some amendments to the text in paragraph five.

5.2 Terms of reference are attached in Appendix 2. The latest DfE Forums good practise guide and regulations are contained in Appendix 3 and 4.

Non-Applicable Sections:	Policy, Financial, Legal, Vulnerable Adults and Children, Procurement and Personnel Implications
Background Documents: (Access via Contact Officer)	N/A

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BREAKDOWN OF NUMBERS FOR SCHOOLS FORUM CONSTITUTION

Appendix 1

AVAILABLE PLACES

13 SCHOOLS MEMBERSHIP

STATUTORY PLACES REQUIRED:-

	<u>NUMBER</u>	
SECONDARY MAINTAINED	622	HAVE TO HAVE ONE PLACE AS THEY ARE PRESENT IN THE MAKE UP OF SCHOOLS ALTHOUGH IN 1 PERCENTAGE TERMS ARE LESS THAN ONE PLACE
SPECIAL	577	HAVE TO HAVE ONE PLACE AS THEY ARE PRESENT IN THE MAKE UP OF SCHOOLS ALTHOUGH IN 1 PERCENTAGE TERMS ARE LESS THAN ONE PLACE
PRU	71	HAVE TO HAVE ONE PLACE AS THEY ARE PRESENT IN THE MAKE UP OF SCHOOLS ALTHOUGH IN 1 PERCENTAGE TERMS ARE LESS THAN ONE PLACE

10

	<u>NUMBER</u>	<u>%</u>	<u>PLACES</u>
TOTAL IN REMAINING MAINTAINED SCHOOLS	3,058	7%	1
TOTAL IN REMAINING ACADEMY SCHOOLS	39,391	93%	9
	42,449	100%	10

	<u>NUMBER</u>	<u>%</u>	<u>EXACT PLACES</u>	<u>EXACT MAINTAINED</u>	<u>EXACT ACADEMY</u>
PRIMARY MAINTAINED	3,058	7%	0.72	0.72	
PRIMARY ACADEMY	23,484	55%	5.53		5.53
SECONDARY ACADEMY	15,907	37%	3.75		3.75
	42,449	100%	10.0	0.72	9.28

	<u>NUMBER</u>	<u>MAINTAINED</u>	<u>ACADEMY</u>
PRIMARY MAINTAINED	1	1	
PRIMARY ACADEMY	5		5
SECONDARY ACADEMY	4		4
	10	1	9

TOTAL OF ALL SCHOOLS MEMBERSHIP INCLUDING STATUTORY

	<u>NUMBER</u>	<u>MAINTAINED</u>	<u>ACADEMY</u>
PRIMARY MAINTAINED	1	1	
PRIMARY ACADEMY	5		5
SECONDARY MAINTAINED	1	1	
SECONDARY ACADEMY	4		4
SPECIAL MAINTAINED	1	1	
SPECIAL ACADEMY	0		0
PRU'S MAINTAINED	1	0	
PRU'S ACADEMY			1
	13	3	10

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BROMLEY SCHOOLS FORUM

CONSTITUTION AND TERMS OF REFERENCE

1. Membership

SCHOOLS

Special school representative governor/head (non academy)	1
PRU representative head/governor	1
Primary Academy head representative	2
Primary Academy governor representative	3
Primary head representative (non academy)	1
Primary governor representative (non academy)	0
Secondary head/governor representative (non academy)	1
Secondary Academy head representative	2
Secondary Academy governor representative	2
	<u>13</u>

NON SCHOOLS

Early year provider (PVI)	1
14-19 partnership**	1
Diocese CofE**	1
Diocese Catholic**	1
Joint Teacher Liaison**	1
	<u>5</u>

OTHER NON- VOTING ATTENDEES

Portfolio Holder/Portfolio Holder Assistant	1
Assistant Director of Education/Schools	1
Head of Finance	1
Head of Schools Finance Support	1
Clerk of the Forum	1
	<u>5</u>

- 1.1 Those members of the forum marked with an asterisk (**) cannot vote on matters relating to the funding formulae to be used by the Local Authority.
- 1.2 On the matter of de-delegation only the relevant maintained school members of the forum will be able to vote.
- 1.3 The Education Funding Agency (EFA) are granted observer status at forum meetings with the right to participate in discussions.
- 1.4 Other non voting attendees will attend as and when required or be part of working groups. Examples would be officers from primary, secondary, special and inclusion areas.
- 1.5 Schools membership is determined by pupil numbers. Nursery, Special, Academy, Primary, Secondary and Pupil Referral Units (PRU's) shall be represented proportionally with there being at least one representative in each of the Nursery, Special and Academy areas (assuming that they are represented in the borough).
- 1.6 Pupil number variations between each sector will be reviewed annually (before September of each academic year). Any pupil number variations can then be reviewed. Elections can then be held to rebalance the position in time for the new academic year in September/October.

- 1.7 If this results in a change to the formulation of the forum and a reduction in membership in a particular sector, then the member with the shortest length of membership should be removed from office at the last meeting of the academic year. If there are two members with equal length of membership then the Local Authority (LA) will decide.
- 1.8 School membership will be formulated by ballots in each specific area. The winner of the ballot will become the main representative of the forum.
- 1.9 Non school membership cannot exceed one third of the total membership.
- 1.10 From the schools membership, no two forum members can be from the same School or Multi Academy Trust (MAT). If this does occur then the member with the shortest length of membership should be removed from office. If there are two members with equal length of membership then the Local Authority (LA) will decide.
- 1.11 From the schools membership, alternate members will be nominated by the elected members in each area who can attend and vote in their absence. The Chair must be notified if an alternate is attending in place of an elected member.
- 1.12 The Local Authority (LA) may nominate alternate members for the non school membership
- 1.13 Observers have no voting rights but attend on behalf on the EFA to advise and guide where appropriate
- 1.14 LA Officers attendance is limited to a relevant Lead Member, Director of Children's Services (or their representative), Chief Finance Officer (or their representative), or if an officer is providing specific financial or technical advice (including presenting a paper to the Forum). Officers have no voting rights.

2. Alternate Members

- 2.1 Alternate members may attend and vote on behalf of members that cannot attend the forum meeting.
- 2.2 A nominated alternate may only replace their nominated forum member.
- 2.3 Alternate members will receive the same documentation as the main nominated forum member.

3. Term of Office

- 3.1 The members of the forum shall serve for 3 years from September 2016. Other members shall serve for 3 years from their date of appointment. However membership can be terminated by the LA using paragraphs 1.5 and 1.6 above.
- 3.2 Members who have reached the end of their term of office shall be eligible for re-appointment.

4. Vacancies

- 4.1 When a vacancy occurs, self nomination shall be sought from the representative sector, e.g. if the vacancy is for a primary governor, nominations shall be sought from primary school governors.
- 4.2 If there is more than one nomination, an election shall be held with those in the representative sector being able to vote.
- 4.3 The exceptions to 4.2 is the Secondary non academy representative and the PRU representative. This member could be a head or a governor. The LA will choose whether the representative should be a Headteacher or a Governor in these instances.

5. Functions

- 5.1 The forum acts as a consultative body on some issues and a decision making body on others.
- 5.2 The forum acts in a consultative role for:
- changes to the local funding formula (the local authority makes the final decision)
 - proposed changes to the operation of the minimum funding guarantee
 - changes to or new contracts affecting schools (eg school meals)
 - arrangements for pupils with special educational needs, in pupil referral units and in early years provision.
- 5.3 The forum decides:
- how much funding may be retained by the local authority within the dedicated schools grant (eg for providing an admissions service or providing additional funding for growing schools)
 - any proposed carry forward of deficits on central spend from one year to the next
 - proposals to de-delegate funding from maintained primary and secondary schools (eg for staff supply cover, insurance, behaviour support)
 - changes to the scheme of financial management.
- 5.4 The LA may consult the forum on such other matters concerning the funding of schools as it sees fit.

6. Conduct of Meetings

- 6.1 Meetings will be held at least four times a year.
- 6.2 The chair and vice chair will be elected at the first meeting in the autumn term.
- 6.3 The vice chair will act in the absence of the chair. The vice chair will have the same powers as the chair in relation to the organisation and running of the meetings
- 6.4 Decisions are taken via a majority vote. In the event of a tie the chair will have the casting vote.
- 6.5 Each member is entitled to 1 vote (subject to paragraphs 1.1 and 1.2 above). Alternate members may vote in the place of the specific forum member that they are replacing at a schools forum meeting.
- 6.6 The quorum is 40%. The meeting can continue if inquorate but any advice given to the LA as a result of such a meeting would not have to be taken into account by the Authority.
- 6.7 The forum may have working groups but any advice formally passed to the LA must be approved by the forum as a whole.
- 6.8 Members of the forum must make declarations of interest when relevant, for example, when the forum is considering matters relating to service contracts.

7. Working Groups

- 7.1 The forum will make use of working groups when carrying out its business. Working groups will identify and discuss matters that need to be taken to the forum for a decision.
- 7.2 The working groups will be formulated as required and will consist of a mixture of main forum, alternative forum, observers LA representatives and other specific experts.
- 7.3 The working groups will have no voting rights or decision making powers, but will provide an advisory role to the main body of the forum.

8. Confidentiality

- 8.1 Confidential items, such as commercially sensitive information regarding contracts or personal information, should normally be discussed by forum members only.

9. Attendance

- 9.1 If a member of the forum or their nominated alternative member has not attended for two consecutive meetings the clerk shall contact those members. If their reason for non-attendance is deemed inadequate by the chair then an election should be arranged to replace them.

10. Administration

- 10.1 The LA will provide a clerk for the meetings of the forum.
- 10.2 Papers for meetings of the forum will be circulated to members during the week before a meeting, preferably at least 5 working days in advance.
- 10.3 All papers will be sent electronically by email.
- 10.4 The minutes and relevant papers of meetings (unless confidential) of the forum will be made available on the Council website.
- 10.5 The LA will pay the reasonable expenses of members of the forum.

11. Training

- 11.1 Any new forum members must receive training from the local authority on finance matters within two months of taking up the position. Regular attendance at other updates will be required. Further updates will be offered by the LA when appropriate. This applies to the main forum members as well as the alternative members.

12. Statutory Instrument

- 12.1 The constitution and terms of reference should be read in conjunction with the Statutory Instrument number 2261 (The Schools Forums (England) Regulations 2012).



Education
Funding
Agency

Schools forum

Operational and good practice guide

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Introduction

1. This guide is designed to provide local authority officers and school forum elected members with advice and information on good practice in relation to the operation of schools forums.
2. It is organised in two sections:
 - Section 1 provides information on the constitutional and organisational requirements for schools forums; and
 - Section 2 covers a number of key aspects of the operation of schools forums at local level, drawing on good practice from a number of schools forums.
3. The guide draws on the experience and knowledge of schools forum members, local authority members and officers and the Department and its partners. Other than where it is describing requirements set out in the Schools Forum Regulations 2012 it is not designed to be prescriptive – what is good practice in one schools forum may not be appropriate in another, given the diverse circumstances of local areas. However, it is hoped the guide will stimulate some debate within schools forums and contribute to their ongoing development.
4. The Department hopes that schools forums and local authorities find this guide useful. It has been the subject of consultation with a wide variety of external partners. In particular, members of the Department’s Schools and Academies Funding Group, made up of representatives from central and local government, teaching associations, unions representing support staff as well as organisations representing academies and governors, have provided valuable input and advice on the content of the guide. The Department is grateful for their assistance.
5. The Department’s website contains details of all the announcements, documents and other information relating to school funding and schools forums. This website also has a range of useful links to other sites that may be of relevance to schools forum members.
6. A short [guide to the schools forum for schools and academies](#), which may be helpful to stakeholders and the wider school family, is available on GOV.UK.
7. If you have any queries about the operation of schools forums please contact [schools forum team](#) at the Education Funding Agency

The postal address is:

Education Funding Agency
Sanctuary Buildings
Great Smith Street
Westminster
London
SW1P 3BT

Section 1 – schools forum regulations: constitution and procedural issues

Regulations

8. [National regulations](#)¹ govern the composition, constitution and procedures of schools forums. Local authorities can provide schools forum members with a copy of these regulations or alternatively they can be accessed at:
9. A short [guide to the schools forum for schools and academies](#) is also available to provide a wider understanding of the work of schools forums.

Schools forum powers

10. Schools forums generally have a consultative role. However, there are situations in which they have decision-making powers. The respective roles of schools forums, local authorities and the DfE are summarised in [schools forum powers and responsibilities](#). The overarching areas on which schools forums make decisions on local authority proposals are:

- De-delegation from mainstream schools budgets (separate approval will be required by the primary and secondary phase members of schools forum), for prescribed services to be provided centrally.
- To create a fund for significant pupil growth in order to support the local authority's duty for place planning (basic need), including pre-opening and diseconomy of scale costs, and agree the criteria for maintained schools and academies to access this fund.
- To create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for maintained schools and academies to access this fund.
- Continued funding at existing levels for prescribed historic commitments where the effect of delegating this funding would be destabilising.
- Funding for the local authority in order to meet prescribed statutory duties placed upon it. Approval is required to confirm the amounts for each duty and no new commitments or increases in expenditure from 2013/14 are permitted unless agreed by the Secretary of State.
- Funding for central early years expenditure, which may include funding for checking eligibility of pupils for an early years place, the early years pupil premium and/or free school meals.

¹ Schools Forums (England) Regulations 2012 (S.I. 2012/2261) (as amended)

- Authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure that is to be carried forward from a previous funding period.
- In each of these cases, the local authority can appeal to the Secretary of State if the schools forum rejects its proposal.

11. Local Authorities should be aware that the provisions of the [Local Government Act 2000](#) restrict the delegation of local authority decisions to Cabinet, a member of Cabinet, a Committee of Cabinet or an officer of the Council, which would not include schools forums. As a result the local authority cannot delegate its decision making powers to schools forum, e.g. decisions on the funding formula.

12. Regulations state that the local authority must consult the schools forum annually in connection with various schools budget functions, namely:

- amendments to the school funding formula, for which the voting is restricted by the exclusion of non-schools members except for PVI representatives
- arrangements for the education of pupils with special educational needs in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding
- arrangements for the use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding
- arrangements for early years provision
- administrative arrangements for the allocation of central government grants paid to schools via the local authority

There is no specific definition of these consultation requirements over and above the wording in the regulations. It is a matter for the local authority to decide on the appropriate level of detail it needs to generate a sufficiently informed response from schools forum.

13. Consultation must also take place when a local authority is proposing a contract for supplies and services which is to be funded from the Schools Budget and is in excess of the EU procurement thresholds. The consultation must cover the terms of the contract at least one month prior to the issue of invitations to tender.

14. The schools forum has the responsibility of informing the governing bodies of all schools maintained by the local authority of the results of any consultations carried out by the local authority relating to the issues in paragraphs 12 and 13 above.

15. Local authorities will need to discuss with the schools forum any proposals that they intend to put to the Secretary of State to:

- vary the MFG,
- use exceptional factors
- vary pupil numbers
- allow additional categories of, or spending on, central budgets

- amend the sparsity factor
- vary the lump sum for amalgamating schools
- vary the protection for special schools and special academies

Proposals will then need to be approved by the Secretary of State.

Membership

16. The Schools Forums Regulations provide a framework for the appointment of members, but allow a considerable degree of discretion in order to accommodate local priorities and practice. A quick guide to the [structure of the schools forums](#) is available.

17. There is no maximum or minimum size of a schools forum. Authorities will wish to take various issues into account in deciding the actual size, including the need to have full representation for various types of school, and the local authority's policy on representation of non-schools members. However, care should be taken to keep the schools forum to a reasonable size to ensure that it does not become too unwieldy.

18. Types of member: schools forums must have 'schools members', 'academies member(s)' if there is at least one academy in the local authority's area and 'non-schools 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, so the structure of Forum should be regularly reviewed, e.g. annually. Academies members must represent mainstream academies and, if there are any in the LA area, special academies and alternative provision academies. There is no requirement for academies members to represent specific primary and secondary phases, but it may be encouraged to ensure representation remains broadly proportionate to pupil numbers. Academy members must be separately elected and designated from maintained school representatives.

19. Schools forum members will need the skills and competencies to manage Forum business (as detailed in [school forum powers and responsibilities](#)) and to take a strategic view across the whole education estate whilst acting as representative of the group that has elected them. Furthermore, they should be easily contactable and pro-active in raising the profile of issues and communicate decisions, and the reasons behind them, effectively.

Term of office

20. The term of office for each schools member and academies member should be stipulated by the local authority at the time of appointment. Such stipulation should follow published rules and be applied in a consistent manner between members. They need not have identical terms – there may be a case for varied terms so that there is continuity of experience rather than there being a complete change in the membership at a single

point. The term of office should not be of a length that would hinder the requirement for the structure of the schools forum to mirror the type of provision in light of the pace of academy conversions. Examples of how this may work include:

- Holding vacancies until the schools forum structure is reviewed providing that this does not mean holding vacancies for an unreasonable length of time
- Increasing the size of the schools forum temporarily to appoint additional academy members, then delete schools member posts at the end of a term of office or when a vacancy arises
- Consider continuity of service – where an academy conversion affects the school of a current schools member, would academies consider appointing that person as an academies member?

21. The length of term of office for non-schools members is at the discretion of the local authority. Schools and academies must be informed, within a month of the appointment of any non-schools member, of the name of the member and the name of the body that that member represents.

22. As well as the term of office coming to an end, a member ceases to be a member of the Schools Forum if he or she resigns from the schools forum or no longer occupies the office by which he or she became eligible for election, selection or appointment to the schools forum. For example, a secondary schools member must stand down if their school converts to an academy. A schools member representing community primary school governors who is no longer a governor of a community primary school in the relevant local authority must cease to hold office on the schools forum even if they remain a governor of a school represented by another group or sub-group. Other situations in which membership of the schools forum ends are if a member gives notice in writing to the local authority and, in the case of a non-schools member, the member is replaced by the local authority, for example at the request of the body which the member represents.

Schools members

23. Schools members represent specified phases or types of maintained schools within the local authority. As a minimum, schools forums must contain representatives of two groups of schools: primary and secondary schools, unless there are no primary or secondary schools maintained by the LA. Middle schools and all through schools are treated according to their deemed status.

24. Where a local authority maintains one or more special schools the schools forum must have at least one schools member from that sector. The same applies to nursery schools and pupil referral units (PRUs).

25. The local authority then has discretion to divide the groups referred to in paragraph 16 and 17 into one or more of the following sub-groups:

- headteachers or headteachers' representatives in each group;
- governors in each group;
- headteachers or headteachers representatives and governors in each group;
- representatives of a particular school category, e.g. voluntary aided.

26. Headteachers can be represented by other senior members of staff within their school. Governors can include interim executive members of an interim executive board. The sub-groups do not have to be of equal size – for example, there may be more representatives of headteachers of primary schools than governors of such schools, or vice versa. The membership structure of the schools forum should ensure there is sufficient representation of each type of schools member in each group to ensure that debate within the schools forum is balanced and representative. As a minimum, there must be at least one representative of headteachers and one representative of governors among the schools members.

27. Whatever the membership structure of schools members on a schools forum, the important issue is that it should reflect most effectively the profile of education provision across the local authority to ensure that there is not an in-built bias towards any one phase or group.

Election and nomination of schools members

28. The relevant group or sub-group is probably best placed to determine how their schools members should be elected.

29. It is good practice for those who draw up the scheme to ensure that a vacancy amongst a represented group would be filled by a nominee elected according to a process that has been determined by all those represented in that group, e.g. community primary school headteachers, or secondary school governors, ensuring that everyone represented has had the opportunity to stand for election and/or vote in such an election. The process must be restricted to the group in question – a headteachers phase group could only vote as a whole for headteacher members if the voting excluded academies, as academies members form a separate group.

30. It is not appropriate for a single person to be elected to represent more than one group or sub-group concurrently, i.e. 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.

31. The purpose of ensuring that each group or sub-group is responsible for their election process is to guarantee that there is a transparent and representative process by which members of schools forums are nominated to represent their constituents.

32. Appropriate support to each group or sub-group to manage their election processes should be offered by the clerk of a schools forum, or the committee/democratic services of a local authority. This may just include the provision of

advice but may also consist of providing administrative support in actually running the elections themselves.

33. As a minimum, we would recommend that the clerk of a schools forum make a record of the process by which the relevant schools within each group and sub-group elect their nominees to the schools forum and be able to advise the Chair of the schools forum and local authority on action that needs to be taken, where necessary, to seek new nominees.

34. In determining the process by which elections should be operated it is perfectly legitimate for a local authority to devise, in consultation with their schools forum, a model scheme for the relevant schools within a group or sub-group to consider and be invited to adopt. However, such a model scheme cannot be imposed on that body of schools: adaptations and/or alternative schemes may be adopted. A single scheme need not be adopted universally.

35. Care should be taken to ensure that every eligible member of a group or sub-group has an opportunity to be involved in the determination of their group's election process, is given the opportunity to stand for election if they choose to do so, and is involved in the election of their representative(s).

36. It would not be compliant with the regulations for the steering committee or Chair of a 'parent' group simply to make a nomination to represent their group or sub-group on a schools forum. Schools members must be elected, subject to paragraph 39 below.

37. The local authority may set a date by which the election should take place and must appoint the schools member if the election has not taken place by that date. The person appointed should be a member of the relevant group.

38. We would recommend that any scheme takes into account a number of factors:

- the process for collecting names of those wishing to stand for election;
- the timescale for notifying all constituents of the election and those standing;
- the arrangements for dispatching and receiving ballots;
- the arrangements for counting and publicising the results;
- any arrangements for unusual circumstances such as only one candidate standing in an election; and
- whether existing members can stand for re-election.

39. In the event of a tie between two or more candidates, then the local authority must appoint the schools member instead. The local authority may decide to appoint someone else rather than one of the candidates and might wish to take into account the experience or expertise of the individuals, and the balance between the different types of school represented on the schools forum.

Election and nomination of academies members

40. Academies members must be elected by the proprietor bodies of the academies in the local authority's area, and they are probably best placed to determine the process. Academies members are there to represent the proprietor bodies of academies and are, therefore, not necessarily restricted to principals, senior staff or governors. The same factors should be taken into account as for the election of schools members, set out in paragraphs 28 to 39. For the avoidance of doubt, Free Schools, University Technical Colleges and Studio Schools are classed as academies for this purpose. There is no distinction between sponsored, non-recoupment and converter academies.

41. There are three sub-groups for academy members: mainstream academies, special academies and alternative provision academies and it is for the proprietors of academies within each of these sub-groups to elect their representatives. It is not appropriate, therefore, for headteacher phase groups to determine representation unless the academy proprietors have agreed and even then the voting would need to exclude maintained school representatives. There is no requirement for academies members to be split into primary and secondary sub-groups. However, local authorities may wish to encourage academies to consider the pupil proportions across all academies when electing their representatives.

42. Where there is only one academy in a sub-group in the local authority's area, then their proprietor body must select the person who will represent them.

43. It is possible that a single person be appointed as an academies member to more than one schools forum, for example if an academy chain is located across multiple local authorities, providing they are elected on each occasion in accordance with the agreed election process for each separate schools forum.

44. As with schools members, the local authority may set a date by which the election should take place and must appoint an academies member if the election does not take place by that date, or if an election results in a tie between two or more candidates.

Non-schools members

45. Non-schools members may number no more than a third of a schools forum's total membership (excluding observers – see paragraph 58). A representative of providers of 16-19 education must be elected from those providers. This includes those in the FE sector (FE and sixth form colleges) and other post-school institutions that specialise in special education needs (SPNs), where 20% or more of their students reside in the local authority's area. As with academies the providers are probably best placed to determine the election process.

46. The local authority must appoint at least one person to represent early years providers from the private, voluntary and independent (PVI) sector. Early years PVI settings need to be represented because funding for the free entitlement for three and

four year olds and eligible two year olds comes from the Dedicated Schools Grant, and all settings are funded through the Early Years Single Funding Formula (EYSFF).

47. Before appointing additional non-schools members to the schools forum, the local authority must consider whether the Church of England and Roman Catholic dioceses situated in the local authority's area; and, where there are schools or academies in the area with a different religious character, the appropriate faith group, should be represented on the schools forum. If diocesan authorities nominate members for appointment as non-schools members they may wish to consider what type of representative would be most appropriate – schools-based such as a headteacher or governor, or someone linked more generally with the diocese, e.g. a member of the education board.

48. It is also good practice for local authorities to ensure that the needs and interests of all the pupils in the local authority are adequately represented by the members of a schools forum. The interests of pupils in maintained schools can be represented by schools members. Some pupils in a local authority, however, are not in maintained schools but instead are educated in hospitals, independent special schools and non-maintained special schools. Certain types of non-schools members can play an important role in representing the interests of these groups of pupils. They can also play a role in representing the interests and views of the services that support those groups of vulnerable and at-risk pupils who nevertheless are on the roll of maintained schools, such as looked after children and children with special educational needs.

49. The purpose of non-schools members is also to bring greater breadth of discussion to schools forum meetings and ensure that stakeholders and partners other than schools are represented. Organisations which typically provide non-schools members are trades unions, professional associations and representatives of youth groups. Parent groups could also be considered. However, as there are clearly limited numbers of non-schools members able to be on a schools forum, care should be taken to ensure that an appropriate representation from wider stakeholders is achieved.

Other membership issues

50. There are three restrictions placed on who can be a non-schools member of a schools forum. The local authority cannot appoint:

- an elected member of the local authority who is appointed to the executive of that local authority (a lead member/portfolio holder) 'executive members',
- the Director of Children's Services or any officer employed or engaged to work under the management of the Director of Children's Services, and who does not directly provide education to children (or manage those who do) ('relevant officer' (a) and (b)),
- other officers with a specific role in management of and/or who advise on funding for schools ('relevant officer' part (c)).

51. Schools forums have the power to approve a limited range of proposals from their local authority: the restrictions ensure that there is no conflict of interest between the proposing body (the local authority) and the approving body (the schools forum).

52. However, non-executive elected members and those officers who are employed in their capacity as headteachers or teachers and those who directly manage a service which provides education to individual children and/or advice to schools on, for example, learning and behavioural matters are eligible to be members of schools forums.

53. In the case of non-executive elected members, they may be a schools member (by virtue of them being a school governor), an academies member or a non-schools member. As a non-schools member they may be well placed to fulfil the broader overview and scrutiny role they have within the local authority in general.

54. However, the inclusion of non-executive elected members and certain officers is not a requirement. Many schools forums do not have such members on them and it is for each local authority and schools forum to consider how best to ensure the right balance of school and non-school representation on the schools forum, taking into account their local circumstances and preferences.

The role of executive elected members

55. A schools forum needs to ensure that there are systems in place for executive members of the Council to be aware of its views on specific issues and, in particular, any decisions it takes in relation to the Schools Budget and individual budget shares.

56. Executive members with responsibility for education/children's services or resources of the local authority are able to participate in schools forum meetings. By doing so such elected members are able to contribute to the discussion and receive first-hand the views of the schools forum: it is clearly good practice for this to be the case and the regulations provide the right for executive members to attend and speak at schools forum meetings. However, there is no requirement for this to happen so at the very least there should be clear channels of communication between the schools forum and executive members. Communication may also be assisted if schools forum members attended relevant Cabinet meetings as members of the public, e.g. when the funding formula is decided.

Recording the composition of schools forums

57. Each local authority must make a written record of the composition of its schools forum detailing the numbers of schools members and by which group or sub-group they were elected, the number of academies members and the number of non-schools members, their terms of office, how they were chosen and whom they represent. This record should also indicate the term of office for schools and academies members. It

would be helpful if this were published on the schools forum website so schools and wider stakeholders can easily find who their representatives are.

Observers

58. The Regulations provide that the Secretary of State can appoint an observer to attend and speak at schools forum meetings, e.g. a representative from the Education Funding Agency (EFA). This allows a conduit for national policy to be discussed at a local level and provide access for schools forum to an additional support mechanism, e.g. where there are highly complex issues to resolve.

Participation of local authority officers at meetings

59. Only specific officers can speak at meetings of the schools forum. These officers are:

- Director of Children's Services or their representative
- Chief Financial Officer or their representative
- Any person invited by the schools forum to provide financial or technical advice
- Any person presenting a paper to the schools forum but their ability to speak is limited to the paper that they are presenting.

60. In the majority of cases schools forums are supported by a specific officer. In the course of their work, however, schools forums will be required to consider a whole range of issues and they may consider it appropriate that other officers attend for specific items of business. Where this is the case, the local authority should meet the schools forum's requests as far as possible.

Procedures

61. Many procedural matters are not prescribed in the regulations and are at the discretion either of the local authority or the schools forum itself. However, there are requirements in the regulations relating to:

- **Quorum:** A meeting is only quorate if 40% of the total membership is present (this excludes any observers, and it is 40% of the current membership excluding vacancies). If a meeting is inquorate it can proceed but it cannot legally take decisions (e.g. election of a Chair, or a decision relating to funding conferred by the funding regulations). An inquorate meeting can respond to local authority consultation, and give views to the local authority. It would normally be good practice for the local authority to take account of such 'unofficial' views, but it is not legally obliged to do so. In practice, the arrangements for meetings should be made to reduce the chance of a problem with the quorum. The quorum stipulation is in the regulations to help ensure the legitimacy of decisions;

- **Election of a Chair:** Under the Regulations, if the position of Chair falls vacant the schools forum must decide how long the term of office of the next Chair will be. This can be for any period, but the schools forum should consider carefully whether a period exceeding two years is sensible. A long period will also cause problems if the member elected as Chair has a term of office as a member which comes to an end before their term of office as Chair ends. The schools forum must elect a Chair from amongst its own members, so it is not possible to elect an independent Chair. In addition any elected member of the local authority or officer of the local authority who is a member of a schools forum may not hold the office of Chair. Schools forums can also appoint to a position of vice Chair to provide cover if the Chair is absent or the post vacant;
- **Voting procedures:** The Regulations provide that a schools forum may determine its own voting procedures save that voting on:
 - the funding formula is limited to schools members, academies members and PVI representatives
 - de-delegation will be limited to the specific primary and secondary phase of maintained schools members.
- **The powers which schools forums** have to take decisions on a range of funding matters increase the importance of clear procedures, e.g. decisions are made on a simple majority or the threshold to be met if higher. These procedures should take account of any use of working groups by the schools forum – for example a decision might be taken by voting to accept and adopt a report by a working group (see paragraph 65). As part of any voting procedure there should be clarity in the procedures for recording the outcome of a vote, and any resolutions a schools forum makes in relation to any vote taken;
- **Substitutes:** The local authority must make arrangements to enable substitutes to attend and vote (where appropriate) at schools forum meetings. This applies to schools members, academies members and non-schools members. The arrangements must be decided in consultation with schools forum members.
- **Defects and vacancies:** The Regulations provide that proceedings of the schools forum are not invalidated by defects in the election or appointment of any member, or the appointment of the Chair. Nor does the existence of any vacancy on the schools forum invalidate proceedings (see paragraph 61 on quorum).
- **Timing:** schools forums must meet at least four times a year

62. Where the regulations make no provision on a procedural matter, local discretion should be exercised. It is for the local authority to decide how far it wishes to establish rules for the schools forum to follow, in the form of standing orders. While it is entitled to do so, it is of course good practice to allow the schools forum to set its own rules so far as possible.

Public access

63. Schools forums are more than just consultative bodies. They also have an important role to play in approving certain proposals from their local authority and are therefore involved in the decision making process surrounding the use of public money at local level. As a result schools forums are required to be open to the public. Furthermore papers, agendas and minutes must be publicly available well in advance of each meeting. It is good practice that notification that the schools forum is a public meeting is included on the website and papers are published at least a week in advance. Local authorities should ensure that the websites are accessible and easy to find.

64. Some schools forums already operate very much along the lines of a local authority committee. This is perfectly legitimate and will provide a consistent framework for the running of meetings that are open to the public, and the publishing of papers and agendas well in advance of the meeting and minutes published promptly as required under Regulation 8(13) of the Schools Forum Regulations 2012.

Working groups

65. It is open to a schools forum to set up working groups of members to discuss specific issues, and to produce draft advice and decisions for the schools forum itself to consider. The groups can also include wider representation - for example, an early years reference group can represent all the different types of provider to consider the detail of the early years single funding formula. The reference group would then be able to give its considered view on the local authority's proposals to the schools forum. The schools forum should not delegate actual decisions or the finalisation of advice to a working group, as this may have the effect of excluding legitimate points of view.

Urgent business

66. It is good practice for the local authority to agree with its schools forum an urgency procedure to be followed when there is a genuine business need for a decision or formal view to be expressed by the schools forum, before the next scheduled meeting. The local authority may of course call an unscheduled meeting; but it may also wish to put in place alternative arrangements such as clearance by email correspondence or some other means. Such instances should be avoided so far as possible but are legitimate provided all members of the schools forum have an opportunity to participate, the logistics provide a reasonable opportunity for consideration and the local authority policy on data security is not compromised.

67. It is not legal for the Chair to take a decision on behalf of the schools forum, no matter how urgent the matter in question; but a schools forum may wish to put in place a procedure for the Chair to give the local authority a view on an urgent issue.

Resources of the schools forum

68. The costs of a schools forum fall in the centrally retained budget portion of the Schools Block of local authorities.

69. It is legitimate to charge the running costs of schools forums to this budget including any agreed and reasonable expenses for members attending meetings, the costs of producing and distributing papers and costs room hire and refreshments and for clerking of meetings. Beyond these costs some schools forums have a budget of their own to use for activities such as commissioning research or other reports. The [2015 School and Early Years Finance Regulations](#) provide that the level of resource devoted to running schools forums in 2015-16 is limited to 2014-15 levels unless the Secretary of State agrees an increase.

Section 2 – effective schools forums

Introduction

70. As the previous section outlined, local authorities have responsibility for establishing schools forums. They also have an ongoing responsibility to provide them with appropriate support, information and guidance in carrying out their functions and responsibilities.

71. The following outlines some aspects of what local authorities and schools forums should consider in ensuring that their schools forums are as effective as possible. The pace of academy conversions in particular means that this significant sector must be properly represented and feel that it is able to play a meaningful part in the discussions of the schools forum.

72. Central to the effectiveness or otherwise of a schools forum will be the relationship between it and its local authority. The local authority will have a significant influence on this: the support it provides; the resources it devotes and the weight it gives to the views of schools forums all contribute to the nature of the relationship. There are therefore a number of characteristics of this relationship that are particularly important:

- Partnership: Having a shared understanding of the priorities, issues and concerns of schools, academies and the local authority.
- Effective Support: The business of the schools forum is supported by the local authority in an efficient and professional manner.
- Openness: It is important that a schools forum feels it is receiving open, honest and objective advice from its local authority.
- Responsiveness: Local authorities should as far as possible be responsive to requests from their schools forums and their members. Schools forums themselves should also be aware of the resource implications of their requests.
- Strategic view: Members of schools forum should consider the needs of the whole of the educational community, rather than using their position on a schools forum to advance their own sectional or specific interests.
- Challenge and Scrutiny: schools forums may be asked to agree to proposals from their local authority that will have an effect on all schools and academies in the local area. The extent to which schools forums can scrutinise and challenge such proposals is an important aspect of their effectiveness.

73. The characteristics identified above are just some of the aspects that will contribute to an effective schools forum. The following provides more detail on some of the specific issues that local authorities and schools forums may wish to consider in thinking about their own arrangements.

Induction of new members

74. When new members join the schools forum appropriate induction materials should be provided. These might include material relating to the operation of the schools forum together with background information about the local and national school funding arrangements. Typically they might comprise:

- the constitution of the schools forum
- a list of members including contact details and their terms of office
- any locally agreed terms of reference explaining the relationship between the schools forum and the local authority
- copies of minutes of previous meetings
- the programme of schools forum meetings for the year
- the local schools forum web address

75. This Operational and Good Practice Guide, suitably supplemented by local material, should also be provided to new members on their appointment.

76. Where there is sufficient turnover of schools forum members in any particular year the local authority may wish to organise a one-off induction event to brief new members. Such an event would usefully include an outline of the role of the schools forum and the national funding arrangements for schools and local authorities. It might also include an explanation of the local funding formula and any proposals for review. The opportunity could also be taken to explain the main reporting requirements for school and local authority expenditure.

Training

77. Ideally schools forum members should be able to use some of the budget set aside for schools forum running costs for accessing relevant training activities. Some training will be provided by officers of the local authority but members may wish to attend national or regional events, the costs of which, where necessary, can be supported from the schools forum budget. Local and national bodies have a key role to play in developing the competencies of forum members.

78. Training will need to be provided in response to any changes in the role of the schools forum and national developments in respect of school funding.

Agenda setting

79. The process by which the agenda for a meeting or cycle of meetings is set is in many respects one of the key determinants of the effectiveness or otherwise of a schools forum.

80. The frequency and timing of meetings of the schools forum should be agreed in advance of each financial or academic year. In drawing up this cycle of meetings, in

consultation with the schools forum, the local authority should provide a clear overview of the key consultative and decision-making points in the school funding cycle. These will be drawn from a combination of national and local information and should inform the basic agenda items that each meeting needs to cover. For instance meetings will need to be scheduled at appropriate points to enable the schools forum to consider the outcomes of local consultations and national announcements.

81. Although the business of schools forums must be open and transparent, it is recognised that from time to time items of a confidential nature will need to be discussed. It is recommended that authorities apply the same principles that they apply to Council/Cabinet meetings when judging an item to be confidential and adopt similar practices for dealing with those reports in the meeting, e.g. placing them together at the end of the agenda.

Preparation for a schools forum meeting

82. It is vital that the schools forum is transparent, open and has clear communication lines to all of the members that are represented. This ensures the wider school family are aware of the business discussed, the impact on their setting and the reasons for the decisions.

83. The vast majority of a schools forum's business will be transacted on the basis of prepared papers. It is therefore important that these are concise, informative and produced in a timely and consistent manner. Recommendations should be clearly set out at the beginning of each report. It is also helpful if the front of the report confirms whether the report is for information or decision and who is eligible to vote where relevant.

84. It is good practice for the schools forum and local authority to agree a standard for papers. It is usual for papers to be dispatched at least one week prior to the meeting at which they will be discussed to allow members to consider them and if necessary canvass views from the group they are representing. Papers should be published on the local authority's website at this time to enable representations to be made to schools forum members.

85. Consistency in the presentation of papers also contributes to the effectiveness of meetings: it helps set the tone of meetings, facilitate the engagement of all members and signal the importance the local authority attaches to the work of the schools forum. Ideally such a standard should be agreed between the schools forum and local authority. The publishing of papers as a single pdf file is helpful as it saves time and avoids accessing multiple documents both in advance of, and during, the meeting. An Executive Summary of the reports can provide schools forum members and members of the public with an overview of the agenda and the decisions required.

86. The publishing of papers on a publicly available website well in advance of the meeting ensures that all interested parties are able to access papers. Some schools forums ensure that each represented group meets in the days immediately prior to the

schools forum meeting to ensure the agenda is discussed and schools forum members are properly briefed by the group they represent. Although on occasions it is inevitable that schools forums will receive late, or tabled reports it does create some difficulty for members as they will not have been able to seek the views of those they represent.

87. Schools forums can consider adopting a flexible arrangement for time immediately prior to the meeting. For example it could be used for training of new members, or as a drop-in session for members to ask items of clarification, or for members to meet without officers to discuss the agenda.

Chairing the schools forum

88. The Chair of a schools forum plays a key role in setting the tone, pace and overall dynamic of the schools forum. They should provide an environment within which all members are able to contribute fully to discussions and guide the schools forum to making well informed decisions.

89. The relationship between the Chair and the local authority is therefore vital. The Chair should be very clear on the substance of the agenda items, understand the issues involved and the decisions and/or actions that need to be taken in respect of School Forum business. It is good practice for there to be a pre-meeting between the senior officer of the local authority supporting the schools forum and the Chair of the schools forum to ensure that all the issues are clearly understood.

90. Equally, the Chair has the responsibility of representing the views of the schools forum back to the local authority: for instance, they should, where appropriate, take the initiative to make suggestions for improvements to the way the business is conducted, and, in exceptional cases and with support of the members of the schools forum take the view that they do not have sufficient information on which to base a decision and ask that an item is deferred until further information is available. However, in doing so, the Chair and schools forum should be fully aware of the consequences of deferral.

91. The independence of the schools forum is paramount. Enhancing the role of Chair to a paid position, rather than the reimbursement of reasonable expenses, could blur the lines of independence. Similarly, if the Chair undertakes significant work for the LA in another capacity, e.g. as an external consultant, they could be viewed as equivalent to an officer of the local authority.

92. Local authorities could consider if sharing contact details of the schools forum Chair with neighbouring authorities would be helpful for peer support and improving networking opportunities.

Clerking the schools forum

93. Clerking of a schools forum should be seen as more than just writing a note of the meeting. A good clerk provides an invaluable link between the members of the schools

forum, the Chair and the local authority. It is a role often undertaken by an employee of the local authority though we would recommend consideration is given to the use of an independent clerk.

94. Clerks should manage the logistics of the meeting in terms of ensuring dispatch of papers and producing a note from the meeting. In considering the style of meeting notes consideration should be given to making them intelligible enough for non-attendees to get a sense of the discussion as well as clearly indicating the conclusion and action agreed in relation to each agenda item. Verbatim reports of a schools forum's discussion, however, are unlikely to be very useful. Schools forums may consider whether a simple action log should be maintained by the clerk to ensure all action points agreed are followed up.

95. Beyond this a good clerk can:

- provide the route by which schools forum members can access further information and co-ordinate communication to schools forum members outside of the formal meeting cycle;
- respond to any queries about the business of the schools forum from headteachers, governors and others who are not on the schools forum themselves;
- be responsible for ensuring contact details of all members are up to date;
- maintain the list of members on the schools forum and advise on membership issues in general;
- assist with the co-ordination of nomination/election processes run by the constituent groups;
- keep the schools forum website up to date: e.g. by posting latest minutes and papers etc;
- monitor, on a regular basis, the schools forum and general Schools Funding section of the Department for Education (DfE) website or the gov.uk website; and arrange for the distribution of any relevant DfE information to schools forum members;
- if appropriate, provide technical advice in relation to the schools forum regulations and in relation to the operation of a schools forum's local constitution; and
- organise, operate and record any voting activity of the schools forum in line with the provisions of its local constitution.

96. Not all of these tasks may be able to be undertaken by the schools forum clerk. However, each one is important and there should be arrangements in place to ensure they are discharged adequately.

Good practice for schools forum meetings

97. Schools forums should ensure there is a clear debate of all agenda items. Whilst sub-group meetings are valuable in working through detailed issues, schools forums

should consider that the level of debate held at the schools forum meeting and recorded in the minutes will be the official reflection of the level of challenge and discussion on each issue.

98. The use of nameplates for schools forum members also showing which group they are representing can be helpful to members of the public and presenters of papers. In addition the use of coloured cards or coloured nameplates can be helpful when specific members of a schools forum are eligible to vote on specific items, e.g. de-delegation or changes to the funding formula.

99. Consultations with the schools forum are a key responsibility of a local authority, ranging from the funding formula to the letting of contracts. Each consultation will be different and depend on the subject being consulted on, but local authorities should consider the following factors as good practice for effective consultation:

- Plan and consult early
- Allow reasonable timescales for response (as Forum members may need to consult the groups they represent)
- An open and honest approach
- Fully inclusive
- Allow for ongoing dialogue
- Provide feedback
- Clear communications.

Meeting notes and recording of decisions

100. A vital part of the effective operation of a schools forum is to ensure that an accurate record of the meeting is taken. This must include the clear recording of votes where there are contrary views. Recommendations to, and decisions of, schools forums must be clearly set out.

101. Notes or minutes of each schools forum meeting should be produced and put on the website as soon after the meeting as possible to enable members and others to see the outcome of any discussions and decisions/votes. It is good practice to formally agree the accuracy of the note/minutes at a subsequent meeting but the publication of the draft minutes should not be delayed as a result.

102. In order to provide clarity about representation at each meeting, it is good practice for the minutes to record the group and/or subgroup that each member represents against their name.

Communication

103. Communication to the wider educational community of the discussions and debates of, and decisions made by, the schools forum is fundamental to their effective operation. The more schools and other stakeholders know about the proceedings of the

schools forum, the more their work will be an important and central part of the context of local educational funding. This is particularly important given the decision making role that the schools forum has. Local authorities should consider the operational differences between the types of stakeholders and plan their communications accordingly. For example ensuring effective communications across the PVI sector may be more difficult than with schools, who are more likely to have existing channels of communication e.g. headteacher meetings.

104. Each schools forum should therefore be clear what its channels of communication are. It is fundamental that each member of schools forum represents the views of the group or sub-group that they represent and that all those with an interest in funding work together to ensure that their views are taken into account. Therefore communications directly between members and those they represent is essential; professional associations and phase groups could be suitable channels. This will ensure that schools forum members have an ongoing dialogue with the constituents of their group or sub-group and are therefore well able to represent their views at schools forum meetings. However, the schools forum should also consider additional communication processes. These could include:

- drawing schools' attention to the fact that all its agenda, minutes and papers are publicly available on the local authority's website (this should include the publication of formula consultation documents);
- an annual report on the proceedings of the schools forum;
- attendance by the Chair, or other schools forum member, at other relevant consultative or management groups such as any capital working group; or senior management meetings of the Children's Services Department; or
- a brief email to all schools, early years providers and other stakeholders after each schools forum meeting informing them of the discussions and decisions with a link to the full papers and minutes for further information
- a schools forum newsletter can be a less formal and more interesting way of communicating forum business and raising the profile of the schools forum and its members.

News updates

105. Most, but not all, members of the schools forum will already be in receipt of regular information on school funding matters from the local authority and DfE. Other schools forum members should be copied into such information flows so that they can be kept abreast of developments between meetings.

106. Many local authorities have already established dedicated schools forum websites on which they post key information for schools forum members and other interested parties.



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Schools Forums Regulations 2012: departmental advice

This is departmental advice for local authorities and members of Schools Forums on [The Schools Forums \(England\) Regulations 2012](#).

The Schools Forums (England) Regulations 2012 (the 2012 Regulations) were laid before Parliament on 7 September 2012. The 2012 regulations replace the 2010 regulations and came into force on 1 October 2012. Schools Forums needed to be reconstituted by this date to be compliant and proceedings from that date need to meet new requirements on public access and transparency.

The Schools and Early Years Finance (England) Regulations 2012 and 2013 contained amendments to the Schools Forum Regulations 2012. We have provided an amended version of The Schools Forum Regulations 2012 with the amendments highlighted, which is provided as a supporting document to this advice.

Membership

The requirement that schools and academies should have broadly proportionate representation according to pupil numbers in each category is maintained (**regulation 4(6)**). There is concern that the composition of Schools Forums has not changed quickly enough to reflect the pace of academy conversions. Local authorities are required to ensure their Schools Forum is compliant with this requirement based on the pupil numbers in each category as of September 2012 and that this is updated as more conversions take place.

There is no longer a requirement to have a minimum of 15 people on Schools Forum. Smaller authorities in particular may therefore wish to review the total size of their Schools Forum.

Where there is at least one maintained secondary school in an authority, at least one schools member must be a representative of a secondary school (**regulation 4(7)**). This is consistent with the arrangements for academies, maintained nursery schools, maintained special schools and maintained Pupil Referral Units. Many authorities now have very few maintained secondary schools, so this will provide minimum representation as with other minority types of school.

In order to reflect their status of having a delegated budget from April 2013, where the authority maintains one or more Pupil Referral Units (PRUs) they are required to have a representative on the Schools Forum, who counts as a schools member (**regulations 4(10) and 5(2)(e)**).

Among the members representing maintained schools, at least one must be a representative of governing bodies and at least one must be a representative of headteachers (**regulation 4(5)**). This is a requirement of the primary legislation but has not previously been made explicit in the regulations.

Proceedings

There is a restriction on local authority members and officers who are not members of the Schools Forum taking part in its meetings (**regulation 8(4)**). Participation is limited to a Lead Member for

education, children's services or resources, Director of Children's Services (or their representative), Chief Finance Officer (or their representative) or officers who are providing specific financial or technical advice to Schools Forum. Other officers are able to participate where they are presenting a report, but their participation must be limited to their specific agenda item.

The Education Funding Agency (EFA) has been granted observer status at Schools Forum meetings (**regulation 8(4)(f)**). This will provide support to the local process and provide a national perspective if members think it helpful.

With regards to voting, the key change is with regard to the funding formulae. Only schools members (which includes mainstream schools, academies, special schools and PRUs) and representatives of the Private, Voluntary and Independent (PVI) sector will be able to vote on the funding formulae (**regulation 8(10)**).

Additional requirements for the transparency of Schools Forum include holding all Schools Forum meetings in public and publishing Schools Forum papers, minutes and decisions in public areas of the local authority website (**regulations 8(2) and 8(13)**).

In order to reflect the complete delegation of funding for some services, the requirement to consult Schools Forums annually about arrangements for free school meals and insurance has been removed.

Amendments arising from the Schools and Early Years Finance Regulations

[The Schools and Early Years Finance Regulations 2012](#) amended the Schools Forum Regulations to provide for maintained primary or secondary school members of schools forums to approve de-delegation proposals for their phase for maintained schools only (**regulations 9A and 9B**). These paragraphs have then been updated to reflect the latest provisions within the School and Early Years Finance Regulations 2013.

[The Schools and Early Years Finance Regulations 2013](#) amended the Schools Forum Regulations to require the election of a representative of providers of 16 to 19 education to the schools forum (**regulations 4(3) and 7(1)**), and to remove the inclusion of a representative of the local authority's 14 to 19 partnership on the forum. Eligible institutions are those in the FE sector (FE and sixth form colleges) and other post-school institutions that specialise in SEN and LDD provision (ISPs), where 20% or more of their students reside in the authority's area (**regulation 1(3)**).

Further information

Further details can be found in the Schools Forum Operational and Good Practice Guide on the [GOV.UK](#) website. A summary of the workings of schools forums for schools and academies is also available from [GOV.UK](#).

For further information on these regulations, please email DfE's Funding Reform Team: reformteam.funding@education.gsi.gov.uk.

Agenda Item 9

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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