



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)
Matthew Apsley	Primary Academy Governor
David Dilling	Primary Academy Governor
Richard Edmunds	Primary Academy Head Teacher
Patrick Foley	Primary Maintained Head Teacher
Neil Miller	PRU Head Teacher
Paul Murphy	Secondary Academy Head Teacher
Sam Parrett	Non-School Representative (14-19 Partnership)
Karen Raven	Secondary Academy Head Teacher
Andrew Rees	Secondary Maintained School Acting Head Teacher
Keith Seed	Special Head Teacher/Governor
1 x vacancy	Primary Academy Head Teacher
1 x vacancy	Non-School Representative (Catholic Church)
1 x vacancy	Non-School Representatives (Joint Teacher Liaison Committee)
1 x vacancy	Non-School Representative (Early Years)
2 x vacancy	Primary Academy Governor
David Wilcox	Secondary Academy Governor

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 11 JANUARY 2018 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 23 NOVEMBER 2017 (Pages 3 - 8)**
- 4 2018/19 DEDICATED SCHOOLS GRANT (Pages 9 - 36)**

**5 SCHOOLS FORUM CONSTITUTION (Pages 37 - 84)**

**6 ANY OTHER BUSINESS**

**7 DATE OF NEXT MEETING**

The Programme of meetings for 2018/19 has not yet been finalised. Members of the Schools' Forum will be notified as soon as dates for future meetings are available.

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## SCHOOLS' FORUM

Minutes of the meeting held at 4.30 pm on 23 November 2017

### Present:

Andrew Downes (Chairman)	Secondary Academy Governor
David Bridger (Vice-Chairman)	Non-School Representative (Church of England)
Richard Edmunds	Primary Academy Head Teacher
Patrick Foley	Primary Maintained Head Teacher
Angela Leeves	Non-School Representative (Early Years)
Neil Miller	PRU Head Teacher
Karen Raven	Secondary Academy Head Teacher
Keith Seed	Special Head Teacher/Governor

### Also Present:

David Bradshaw	Head of ECHS Finance
Gillian Palmer	Interim Director: Education
Amanda Russell	Head of Schools Finance Support
Kerry Nicholls	Democratic Services Officer

### 16 APOLOGIES FOR ABSENCE

Apologies for absence were received from David Dilling and Andrew Rees.

Apologies for absence were also received from Councillor Peter Fortune.

The Chairman noted that Alison Register, Non-Schools Representative (Early Years) had recently stood down, and led Members in thanking Alison for her excellent contribution to the Schools' Forum over many years.

### 17 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 18 MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2017

The minutes of the meeting held on 21<sup>st</sup> September 2017 were approved, and signed as a correct record.

### 19 2018/19 DEDICATED SCHOOLS GRANT CONSULTATION WITH SCHOOLS

#### Report ED18035

Members of the Schools' Forum considered a report providing an update on a recent consultation undertaken with schools regarding the Dedicated Schools Grant 2018/19. The report also outlined proposals for a further consultation with

schools to decide whether the existing Bromley or national funding formula should be used to calculate schools funding for 2018/19.

The indicative Dedicated Schools Grant 2018/19 was based on 2017/18 pupil numbers and would be uplifted in December 2017 to reflect the October 2017 census. In terms of the allocation of funding, the Dedicated Schools Grant 2018/19 would be divided into four blocks comprising Early Years, Schools, Central Schools and High Needs. No information had been published to date regarding the Early Years Block for 2018/19; however it was anticipated that this Block would be balanced as in previous years to ensure that expenditure matched expected income. Funding for the Schools Block would be calculated using the National Funding Formula funding for each school plus an additional amount based on the Local Authority's funding for growth and rates outside the National Funding Formula. A potential shortfall of approximately £164k had been identified within the Central Schools Block for 2018/19, which funded a range of services including Access and Admissions and Schools' Central Licensing costs, and for which savings would need to be identified by the Local Authority. There continued to be significant pressure within the High Needs Block due to a number of reasons including an ongoing increase in pupil numbers. It was hoped that the SEND4Change Review would realise considerable savings within the Block for future years through the transformation of special educational provision, but this was not expected to alleviate the potential shortfall of £1.7M identified within the High Needs Block for 2018/19.

Members were advised that although the Schools Block would be ring-fenced from 2018/19, local authorities retained limited flexibility to transfer up to 0.5% of Schools Block funding to another block, with the approval of the Schools' Forum or via the submission of a disapplication request to the Secretary of State for Education where the Schools' Forum was not supportive of the proposal to transfer funds. Having considered the indicative Dedicated Schools Grant 2018/19, the Local Authority had requested that consultation be undertaken with schools seeking agreement to transfer £1M from the Schools Block to the High Needs Block to reduce the predicted funding shortfall to £700k, which would equate to 0.49% of Schools Block funding. 17 responses had been received to this consultation, three of which had supported the proposal to transfer funds and nine of which were not supportive. Five respondents had not indicated a preference. The Secondary Academy Head Teacher noted that as a group, the Secondary Head Teachers were not in favour of the proposal.

The Head of Education, Care and Health Services Finance advised the Schools' Forum that the budgetary pressures within the High Needs Block had been driven by a significant increase in demand for specialist provision in Bromley as well as the requirement to provide specialist education provision up to 25 years. Work to reduce the reliance on costly out-of-Borough provision had also increased the demand for in-Borough special school and specialist unit places. The proposed transfer of £1M from the Schools Block to the High Needs Block could be actioned as a sum to be repaid or as a permanent transfer of funds. Another alternative to achieve a balanced budget would be to identify savings from within the High Needs Block for 2018/19 which would have a significant impact on the provision of special schools and specialist units. In response to a question from a Member of

the School's Forum, the Head of Education, Care and Health Services Finance confirmed that it was theoretically possible to run the High Needs Block as a deficit budget with the aim of recouping funds via future savings, but that this would create additional cost pressures for 2019/20 and beyond, and was therefore unlikely to be supported by Local Authority Members. It was noted that in previous years, surplus funding had been transferred from the High Needs Block to the Schools Block to reduce cost pressures in relation to mainstream education provision.

In discussion, the Primary Maintained Head Teacher was concerned that the current funding settlement did not meet the needs of Bromley schools, including special schools and specialist units for the most vulnerable pupils, and proposed that the shortfall of Dedicated Schools' Grant funding for 2018/19 be raised with the Local Authority. This was supported by the Secondary Academy Head Teacher who underlined that pupils in mainstream education should not be disadvantaged by a funding shortfall within the High Needs Block, and that the Local Authority should be approached to fund the shortfall via its reserves. The Vice-Chairman suggested that the Local Authority might be able to offer some form of 'bridging' funding to offset the budget shortfall whilst a more sustainable model of special education provision was put in place. The Interim Director: Education noted Bromley had traditionally been a high statementing Local Authority in which resources were linked to individual pupils rather than held within the High Needs and Schools Blocks, and there was a need to ensure that the High Needs Block was sufficiently resourced to fund the required specialist provision for the most vulnerable pupils. The Secondary Academy Head Teacher highlighted that individual Blocks should have separate deficit recovery plans.

The Local Authority's proposal to transfer £1M from the Schools Block to the High Needs Block was put to the vote. Of those Members present with voting rights, two Members supported the proposal and three were against it with two abstentions, following which the motion FAILED and it was resolved that the Schools' Forum would not support the Local Authority's proposal.

In reviewing the proposal to undertake further consultation with schools to decide whether the existing Bromley or national funding formula should be used to calculate schools funding for 2018/19, Members of the Schools' Forum considered whether the consultation should use an indicative figure of £197.5M or £198.5M for the Schools Block (dependent on whether the Local Authority chose to submit a disapplication request to the Secretary of State to transfer up to 0.5% of Schools Block funding to the High Needs Block). The Primary Maintained Head Teacher emphasised the need to encourage schools to support the funding models which delivered the most positive outcomes for the overarching Bromley education offer for children and young people, and the Primary Academy Head Teacher agreed that mainstream and special schools needed to work together more closely. Following general discussion, Members agreed that schools should be consulted on Options 2, 3, 4, 5 and 6 which provided a range of models using both the existing Bromley and national funding formulas with differing ceilings and Minimum Funding Guarantee amounts. Members of the Schools' Forum agreed that consultation should be undertaken on the indicative figure of £198.5M with an explanatory note regarding the potential for a disapplication request to be made to

the Secretary of State to transfer up to 0.5% of Schools Block funding to the High Needs Block. The outcome of the consultation would be reported to the next meeting of the Schools' Forum on 11<sup>th</sup> January 2018.

**RESOLVED that:**

- 1) The report be noted;**
- 2) Members' comments on the proposed request by the Local Authority to dis-apply EFA Regulations be noted; and,**
- 3) The proposal to consult with schools regarding the introduction of the National Funding Formula be agreed;**
- 4) The proposal to transfer £1M from the Schools Block to the High Needs block not be agreed.**

**20 HARRIS ASPIRE FUNDING: RESPONSE TO QUESTION RAISED AT PREVIOUS MEETING**

The Head of Schools Finance Support gave an update to Members of the Schools' Forum in response to a query raised at the Schools' Forum meeting on 21<sup>st</sup> September 2017 relating to the proportion of Bromley pupils at Harris Aspire Academy, and whether the school was subject to the same scrutiny and financial pressures as other schools within the Borough.

Members of the Schools' Forum were advised that the Local Authority was working with Harris Aspire Academy and the Education and Skills Funding Agency to establish a robust process for agreeing the number of places for Bromley pupils at Harris Aspire Academy on an annual basis and to identify which agency had responsibility for commissioning and funding these places.

**RESOLVED that the report be noted.**

**21 RECOUPMENT OF FUNDING FOR EXCLUDED PUPILS - RESPONSE TO QUESTION RAISED AT PREVIOUS MEETING**

The Head of Education, Care and Health Services Finance gave an update to Members of the Schools' Forum in response to a query raised at the Schools' Forum meeting on 21<sup>st</sup> September 2017 relating to the number of permanent exclusions of secondary pupils, and whether any funding was recouped in relation to these pupils and, if so, how it was used.

Members of the Schools' Forum were advised that operational guidance from the Department for Education required the Local Authority to deduct funding from school budgets in line with the formula relating to the age and personal circumstances of a permanently excluded secondary pupil on a pro rata basis for the number of complete weeks remaining in the financial year. This funding was then used to support the continued educational provision for the pupil, such as via a Pupil Referral Unit, and was held within the High Needs Block.

**RESOLVED that the report be noted.**

## **22 SEND4CHANGE REVIEW**

Members of the Schools' Forum considered a verbal update on the review of provision for children and young people with special educational needs and disabilities that was currently being undertaken by SEND4Change with a view to identifying how funding could be refocused within the High Needs Block

The SEND4Change Review brought schools together with key partners to identify if there was a common understanding of how High Needs funding was spent in Bromley and whether Bromley was using High Needs funding to the best effect. The vision for the review was to build a culture of strong partnership working across all key partners to ensure the provision of a high quality special educational needs and disabilities education offer to children and young people in Bromley. The review also aimed to develop a fair and transparent way of distributing resources held in the High Needs Block to ensure an equitable and sustainable approach to special educational needs funding into the future. This included early years settings, mainstream schools and specialist schools and units, as well as any other provision which met the wide-ranging education needs of children and young people with special educational needs and disabilities.

The Primary Maintained Head Teacher advised the Schools' Forum that the SEND4Change Review had identified a number of recommendations to promote closer working and support the development of an holistic and sustainable model of special educational needs and disabilities education in Bromley. An analysis of the key issues would shortly be presented to the SEN Reforms Governance Board. This would include details of the number and cost of existing SEN places, types of pupil need, possibilities for reinvestment of resources, routes into specialist independent non-maintained placements and future options for service provision, as well as examine the role of partners such as through joint commissioning. Following the presentation of this analysis, a strategic delivery plan would be developed which would include consultation with the Schools' Forum where appropriate.

In response to a question from the Interim Director: Education, the Primary Maintained Head Teacher confirmed that an issue had been identified around the disparity in funding for health needs that was only provided up to the age of 18 years whilst education and social care funding continued to the age of 25 years.

**RESOLVED that the report be noted.**

## **23 ANY OTHER BUSINESS**

The Head of Education, Care and Health Services Finance confirmed that the Schools' Forum membership had a number of vacancies. The Primary Academy Head Teacher was requested to seek nominations for Primary sector representatives at the next meeting of the Primary Head Teacher's Forum, and

*Schools' Forum*  
*23 November 2017*

the Head of Education, Care and Health Services Finance would approach the Octavo Partnership regarding vacancies for Academy Governors. The Schools' Forum Constitution would be considered at the next meeting of the Schools' Forum on 11<sup>th</sup> January 2018.

The Head of Schools Finance Support advised the Schools' Forum that the Department for Education had recently launched a consultation on proposals for free school meals and early years pupil premium eligibility under Universal Credit. The consultation would close on 11<sup>th</sup> January 2018 and schools were requested to respond individually to the consultation at the following link as there was insufficient time to compile a collaborative response for Bromley:

<https://consult.education.gov.uk/healthy-pupil-unit/fsm/>

**RESOLVED that the issues raised be noted.**

#### **24            DATE OF NEXT MEETING**

The next meeting of the Schools' Forum would be held at 4.30pm on Thursday 11<sup>th</sup> January 2018.

The Meeting ended at 6.20 pm

Chairman

Report No.  
ED18041

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:**        **SCHOOLS' FORUM**

**Date:**                    **Thursday 11<sup>th</sup> January 2018**

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

**Title:**                    **2018/19 DEDICATED SCHOOLS GRANT**

**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);

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1.    Reason for report

This report outlines the proposed Dedicated Schools Grant budget for 2018/19 and the options for funding formula allocations.

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2.    **RECOMMENDATION(S)**

2.1   **The Schools Forum is asked to discuss the 2018/19 Dedicated Schools Grant proposed budget and;**

2.2   **To recommend the funding formula to be used for 2018/19.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact:
- 

### Corporate Policy

1. Policy Status: Not Applicable Existing Policy New Policy: Further Details
  2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Supporting Independence Vibrant, Thriving Town Centres Healthy Bromley Regeneration Not Applicable: Further Details
- 

### Financial

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable: Further Details
  3. Budget head/performance centre: Dedicated Schools Grant
  4. Total current budget for this head: £267m
  5. Source of funding:
- 

### Personnel

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: Statutory Requirement Non-Statutory - Government Guidance None: Further Details
  2. Call-in: Applicable Not Applicable: Further Details
- 

### Procurement

1. Summary of Procurement Implications:
- 

### Customer Impact

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

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

3.1 The Department for Education has now confirmed the Dedicated Schools Grant (DSG) Allocation for 2018/19 as follows:

High Needs Block	Early Years Block	Schools Block	Central School Services Block	Total
£39,021,736	£21,149,813	£205,351,587	£1,964,910	£267,488,046

Full details of the allocation can be found at the following link and is also detailed in full at Appendix 1

Nb these figures do not reflect the disapplication request to move £1million from the Schools Block to the High Needs Block

<https://www.gov.uk/government/publications/dedicated-schools-grant-dsg-2018-to-2019>

3.2 The Local Authority has looked at each of the four blocks individually to identify any financial pressures;

3.3 Early Years Block

<b>Income</b>	<b>£000s</b>	<b>£000s</b>
'3/4 Year Old Funding	(14,639)	
Additional 15 Hours Funding	(4,700)	
2 Year Old Funding	(1,649)	
EY Pupil Premium	(92)	
EY Disability Access Fund	(70)	
<b>Total</b>		<b>(21,150)</b>
<b>Expenditure</b>		
'3/4 Year Olds	13,748	
Additional 15 Hours Funding	4,530	
2 Year Old Funding	2,085	
EY Pupil Premium	92	
EY Disability Access Fund	70	
SEN Support in Pre Schools	450	
Central Costs	175	
<b>Total</b>		<b>21,150</b>
<b>Over/(Underspend)</b>		<b>0</b>

3.4 The Early Years (EY) Block is shown to be self-funding, although there are some areas which are deemed to be over spent but are being supported from underspends within the same block. Estimated expenditure also allows for any potential clawback as the EY Block is subject to adjustment should the number of pupils decrease during the year.

### 3.5 High Needs Block

<b>Income</b>	<b>£000s</b>	<b>£000s</b>
Baseline allocation	(42,834)	
Per Pupil funding	(3,599)	
Net Import/(export) adjustment	(201)	
High Needs Block Restated		(46,634)
High Needs Block adjustment (academy recoupment)		7,612
<b>18/19 High Needs Block Total</b>		<b>(39,022)</b>
<b>Expenditure</b>		
Delegated budgets	15,719	
LA Centrally managed	25,303	<b>41,022</b>
<b>Over/(Underspend)</b>		<b>2,000</b>

3.6 As anticipated, the High Needs Block is projecting an overspend of £2m. At the last meeting of the Schools Forum in November, the Schools Forum considered the outcome of the recent consultation with schools regarding the LAs proposal to move £1m from the Schools Block to the High Needs Block to support the overspend. The Schools Forum did not support this proposal and the LA has submitted an application to the Secretary of State, in line with the DfE guidelines to formally request a disapplication of the regulations which would allow the £1m funding to be moved from the Schools Block to the High Needs Block without the support of the Forum. The LA is awaiting the final decision from the Secretary of State, although it is hoped that this will be received shortly.

3.7 If the disapplication is agreed, it is proposed that the remaining £1m overspend will be funded by a contribution of £1m from the Revenue Support Grant, subject to the final approval of Members. If the disapplication is not agreed then the funding will be used in the Schools Block and the shortfall in funding would have to come from the carried forward balance in the first instance.

3.8 The LA will continue to work with SEND4change to undertake a full review of current SEND spend and any savings that are identified will then be used to invest in the transitional period as we move towards effecting the proposed changes that have already been identified in the review as the LA moves towards a more cost effective and more sustainable High Needs Block position.

3.9 There is therefore still some uncertainty around the final figures for the Schools Block at this stage. Depending on the outcome of the decision from the Secretary of State there will be either £203.4m or £202.4m to be allocated to schools. The table below has been prepared based on the assumption that the approval will be granted.

## Schools Block

<b>Income</b>	<b>£000s</b>	<b>£000s</b>
Primary Funding	(114,364)	
Secondary Funding	(86,644)	
Growth / Premises (Rates) Funding	(4,344)	
<b>Total</b>		<b>(205,352)</b>
<b>Expenditure</b>		
Delegated funding	202,444	
Growth funding	1,908	
<b>Total</b>		<b>204,352</b>
<b>Over/(Underspend)</b>		<b>(1,000)</b>

Nb – if approval is not granted by the Secretary of State then the delegated funding figure will increase to £203.444m

- 3.10 The LA has the option to either move to the National Funding Formula for 2018/19 (and also for 2019/20) prior to the planned introduction of the NFF in 2020/21, or to remain with the Bromley Funding Formula. The LA has consulted with schools regarding which formula should be used for 2018/19. The responses were as follows:

43 responses from Primary schools in favour of Option 5 (BFF)

8 responses from Secondary schools in favour of Option 1 (NFF)

1 response from a Special school

Full details of all the comments from schools can be seen at Appendices 2, 3 and 4.

- 3.11 The LA has modelled four options based on the options that were selected, using the final DSG calculations as follows;

Option 1a	NFF (based on Option 1)	Cap = +1.45%/ MFG = +0.3%	£202.443m
Option 1b	NFF ( based on Option 1)	No cap /MFG = +0.5%	£203.440m
Option 5a	BFF(based on Option 5)	No cap /MFG = +0.5%	£202.443m
Option 5b	BFF (based on Option 5)	No cap /MFG = +0.5%	£203.441m

Full details of each option showing the allocations on a school by school basis can be seen at Appendix 5. The option to be used will depend on the outcome of the decision by the Secretary of State which will impact the amount of funding available, and the views of the Schools Forum as to which funding formula should be used.

- 3.12 As the existing Bromley Funding Formula does not fully allocate the amount of funding available, the AWPU levels have been increased as follows:

AWPU funding	2017/18 funding	Option 3	Option 4
Primary	£2,930	£2,990	£3,020
Key Stage 3	£4,160	£4,223	£4,270

Key Stage 4	£4,550	£4,625	£4,670
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3.13 Central School Services Block

<b>Income</b>	<b>£000s</b>	<b>£000s</b>
Central School Services Funding		(1,965)
<b>Expenditure</b>		2,138
<b>Over/(Underspend)</b>		<b>173</b>

3.14 LA Officers have reviewed the expenditure and believe that there are no immediate savings that can be made in the short term and therefore it is proposed that the projected overspend in this Block will be met from any commensurate underspend of DSG in 2017/18.

3.15 The Schools Forum is asked to consider the views of schools as provided by the consultation responses and to agree which option should be recommended to Members for final approval – if no decision has been communicated from the Secretary of State then two options may need to be proposed.

2018/19 DSG

Appendix 1

High Needs Block

<b>Income</b>		
Baseline		42,834,493
HN Pupil numbers	827.5	
Baseline £ Per Pupil	4348.33	3,598,243
import/export		201,000
<b>High Needs Block Restated</b>		46,633,736
Academy Units		-2,070,000
PRU Places Recoupment		-1,460,000
High Needs Recoupment		-2,060,000
Academy Post-16 Units		-1,170,000
		-270,000
		-582,000
		-7,612,000
<b>DSG Grant Amount</b>		<b>39,021,736</b>

Expenditure

Delegated budgets

Special Schools - Pre 16		7,948,690
Riverside nursery		171,000
Special school growth - 25 places		510,417
Glebe top up		1,325,980
Glebe places		410,000
BTA Top Up		1,462,725
BBA top up		1,802,820
BBA Growth		145,833
Units - Maintained Places		120,000
- LA Funded Academy Places (Vacant)		48,667
- Maintained Top Up		83,383
- Academy Top Up		1,418,625
Unit Growth - 28 places		270,667

LA Centrally Managed

Darrick Wood HIU		338,970
Darrick wood Deaf centre		495,410
Pupil Referral Costs		-175,000
Progression Courses		377,840
Home and Alternative Provision		609,040
SEN Support in Mainstream		231,450
Matrix Funding		2,700,000
Social Communication Difficulties Team		209,080
Sensory Support		952,100
Outreach and Inclusion		219,190
Specialist Support and Disability		238,950
Complex Needs Team		284,980
Phoenix Pre School Service		1,479,348
Early Support Programme		86,970
SEN Transport		230,000
Special Central		41,489
Other Statemented		54,940
SEN Out of Borough Fees		12,534,612
SEN in Further Education Colleges		4,382,000
Special Capital		11,560
		<b>41,021,736</b>

Total

**-2,000,000**

Early Year Block

EY Pupil numbers	5,231
Baseline £ Per Pupil	4.91
	570
3 & 4 Years Old Funding	14,638,880
3 & 4 Years Old Additional 15 Hrs	4,699,577
2 Year Old Funding	1,649,448
EY Pupil Premium	91,798
EY Disability Access Fund	70,110
	<b>21,149,813</b>

Maintained 105,000

PVI	13,642,730
Additional 3 & 4 Year Old Hours	4,530,125
2 Year Old Cost	2,085,100
EY Pupil Premium	91,798

Central Costs

EY Admin Team 174,950

SEN Support in Pre Schools 450,000

EY Disability Access Fund 70,110

**21,149,813**

**0**

Schools Block

Primary Pupil Numbers	27,267
Baseline £ Per Pupil	4,194
Total Primary Funding	114,363,797
Secondary pupil numbers	16,928
Baseline £ Per Pupil	5,118
	86,643,937
growth, Premises and mobility	4,343,854
	<b>205,351,587</b>

Academy Recoupment  
Primary SBS  
Secondary SBS

202,443,550

Growth

1,908,037

**204,351,587**

**1,000,000**

Central Schools Services Block

Pupil Numbers	44,195
Baseline £ Per Pupil	44
Central Schools Services Funding	1,964,910
	<b>1,964,910</b>

Access and Admissions	522,740
Licences	228,000
Capital	75,350
	4,940
Schools Forum	1,000
Pupil Support Advisory Team	228,760
Support to Schools	46,180
Business Support	102,190
Workforce Development	29,980
Schools standard	157,430

Formerly ESG Funding

Education Welfare Service	394,750
Asset Management - Education	92,631
Statutory / Regulatory Duties - Edu	254,090
Overheads (Finance / HR / etc.)	

**2,138,041**

**-173,131**

253,950,234

**267,488,047**

**268,661,177**

**-1,173,130**

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## 43 responses in favour of Option 5 (BFF)

## Comments:

- I am concerned by the funding cuts presented and the continued cuts that schools are facing over the next three years. As a result, schools will be under greater pressure to provide the best education that they can, while having less resources to do so. I am also concerned by the unfairness of the Secondary to Primary ratio (especially in the NFF, it is noted that this are reduced in the Bromley formula). Primary schools are key to a child's early development and it is disappointing that this does not seem to be reflected. It is of great concern that the reduced funding to specialist provisions comes at a time where there is more need than ever and when all schools are required to implement the proposed changes across SEND provision. Option 5 provides the best options for all schools. Those that gain will gain the most they can. Those that loose will lose the least.
- I have chosen Option 5 because I believe that, as many schools have had a reduction in their budgets for this financial year (2017-18), having another year to get used to managing on this new budget would help with stability in schools. I also think that it is not helpful to primary schools to move to the national funding formula before we actually need to – this allows us time to plan for it, knowing that many of us may be facing a further cut at this point.
- Bickley Primary School has chosen the Bromley Funding Formula as we feel this offers the best financial outcome for Bromley Primary Schools. As we understand it, the National Funding Formula will in effect shift funding from Primary to Secondary Schools and this is not in our best interest. Whilst we want the best outcomes for **all** Bromley children, the NFF, while offering protection with the MFG, is not the preferred choice for Bickley.
- As a Head teacher of two schools, I have taken both schools into account when considering the funding formulas. For Dorset Road Infant School,

the fact that the lump sum is larger under the BFF will be better for the small school. For Castlecombe, I do think that the school would be better off with the NFF (as pupil support is calculated using FSM and IDACI.) However, under the BFF the FSM payment is higher than the NFF. Therefore, for both schools together, I believe that the BFF would be better for 2018-19 than the NFF.

- As Bromley primary schools, this is the only choice for us for the next two years. We are already in very hard times, and the NFF when implemented in two years' time, looks set to exacerbate that.
- Firstly, to remain with the Bromley funding enables Primary schools a greater level of flexibility in the short term to continue to focus on Early Intervention that is nationally recognised as an area of importance. As a group of schools with a moral purpose to support all children in Bromley, I believe we need to focus on being proactive (early Intervention) rather than reactive (intervention as needed at a later time). Secondly, we all acknowledge that the NFF will mean that Primary Schools are generally worse off and I think we need to stay with the Bromley funding to give schools time to plan for these cuts.
- I feel that the Bromley funding Formula will give us time to plan for the reductions in funding which is crucial in ensuring sustainability for all primary schools in Bromley.
- After careful consideration, DWJS believes that the Bromley Funding Formula represents the best option both for us as a school and for Bromley schools in a wider sense, particularly those operating provision at KS1&2. As we know, the intention with the review of school funding and the resulting formulae, was to address a disparity between school funding at primary and secondary levels; this disparity is best addressed via the Bromley formula. Pursuing the National Funding Formula in 2018/19 would represent a backward step in this respect and would unfairly favour secondary schools over primaries, exacerbating the significant pressures already being placed on primary school budgets. Taking a more narrow view, the NFF will negatively impact DWJS relative to the Bromley Funding Formula and we see no merit in introducing such a change sooner rather than later. Having already seen a reduction in our budget of over £35,000 this year, it makes no sense for the school to

recommend a funding path that reduces our budget further and, therefore, presents a significant obstacle in the school offering the highest quality of provision that it can for its pupils. In a wider sense, with similar reductions in funding being felt proportionally by primary schools across Bromley, and with cuts to staffing now being made as a result, it is crucial that we pursue a funding path that secures provision for primary age children across the authority.

- I attended the briefing by Mandy Russell yesterday – Thank you for doing that. It was, as they always are, very clearly expressed and informative which is of great help when trying to understand a complex situation. I appreciate the time that the Finance Department put in to assist and advise schools in these difficult times of budget constraints. I do not really think that any of these options meet the needs of any schools. I believe that all schools are being under funded and that it will have a very negative effect on the education and life chances of our children. I think that the staff in schools at all levels work very hard and have continued to do so in very difficult times, demonstrating great professionalism and good will, putting the needs of children first. Downe has made cuts this current year including the loss of support staff and dinner staff. To balance the budget going forward, more cuts will have to be made. There is a limit to the amount of cuts that can be made. Every cut has a detrimental effect on the morale and workload of current staff, the necessary training to ensure professional development and actual resources for children. All of which makes it even harder to provide the same high standards that we continuously aim for. We are already providing more for less.
- Although option 5 is by no means the best for my individual school I think it is the best option for Bromley as a group of schools until we have total clarity on NFF and if and when it is to take place. The date has changed regularly and therefore does not give me a great deal of confidence in the new NFF so far. I also think that since we are all suffering under the financial crisis in education, to make the move back to national unfairness in the Secondary to Primary ratio is not something I would be rushing to do as I believe in early intervention, which then makes children better equipped to move on to Secondary schools successfully.

With weighted ratios expected to increase with the NFF I think it will make it harder for primary schools to meet all of the growing needs they face and provide for all children.

I think it is outrageous that despite the cuts primary schools already face, they are still being asked for more due to supporting the growing SEND hi-needs budget. All schools and provisions are becoming stretched too thinly. We all need to have government and LA commitment to ensuring that we have the resources to provide the best education for all children.

- We would like to opt for the continuation of the Bromley funding formula as we strongly believe it is the most appropriate option for children at Green Street Green. This formula was established to rectify a previous disparity between Primary and Secondary funding and this disparity continues to be in place. Pursuing the National Funding Formula in 2018/19 will prevent any further progress in 'closing the gap' and reintroduce the previous model favouring secondary funding over primary. There remains a degree of uncertainty around the National Funding Formula. Its introduction is taking place at a time of political upheaval, and we must therefore be cautious. It is set for a period which will be 'post-Brexit' and there may even be a general election before 2020. We do not believe it would be prudent to make a decision which will result in drastic changes to Primary school funding in Bromley against such a backdrop. The NFF will negatively impact Green Street Green Primary School relative to the Bromley Funding Formula and we see no merit in introducing such a change sooner rather than later. For our school the difference between option 1 and option 5 equates to approximately £23,000, which is about the cost of a class teacher for three days a week. At a time when budgets have already been reduced in 'real terms' the quality of our provision would be significantly affected should we need to reduce the teaching team **even** further. Finally, as a school with a specialist Speech and Language provision attached, we are deeply concerned about the impact of further budget reductions on our ability to meet the needs of all of our children. We have already struggled this year with a significant decrease in speech and language therapy support. A powerful review of SEND provision in Bromley is about to be published which will make recommendations that will require additional funding if they are to be met effectively. To further reduce Primary school funding unnecessarily at this point will impact

significantly on the capability of all schools to address and meet those recommendations.

- The Bromley funding formula is our preferred option as it retains the lump sum at a higher level than the NFF.  
The Bromley funding formula will ensure that we can support our most vulnerable pupils including pupil premium children who in our setting have a double disadvantage.  
I feel that investing in primary education across the borough will have a positive impact on all children.
- I am concerned that SEND spend has been an issue for a number of years and has not been addressed by the Local Authority despite lots of discussion. In order to ensure permanent change and not continual patches investment will be needed on behalf of the Local Authority to ensure that out borough placements are minimised. In addition cuts in funding to schools will create additional pressure as schools deal with more children with complex needs in mainstream settings. This combination will inevitably lead to huge challenges to individual schools which will have an impact on the overall development of all children in Bromley.
- Option 5 would be the best formula for our school going forward
- This consultation is set against a grossly unfair settlement for schools nationally and for schools in Bromley.  
It needs to be noted that schools nationally are suffering a £4billion cut in real terms by 2020. This is unsustainable nationally and unsustainable in Bromley. All Bromley primaries face a real cut in funding year on year over the next 3 years to an extent where for some schools providing a safe and high quality education may become impossible. To implement the proposed changes across SEND provision will require resources and training. Early intervention for all children in Bromley must be an aim. Any further cuts in Primary funding will inevitably put increased pressure on less resource. I am ambivalent about the use of the NFF or Bromley formula.

The NFF institutionalises national unfairness in the Secondary to Primary ratio, which the Bromley formula has addressed. A move to the NFF, though, would be a less turbulent process for all schools.

Option 5 provides the best options for all schools. Those that gain will gain the most they can. Those that lose will lose the least.

We should have a process that enables the misleading announcements from the Secretary of State, that all schools will gain 0.5% per child funding, to be followed as closely as possible. This promise has proved to be incorrect and unaffordable for Bromley schools. At least option 5 means no school will lose money per child.

- Option 5 is most suited for both Midfield and Leasons because although these schools will be better off with the NFF ( as pupil support is calculated using IDACI) at least the FSM element is higher with the BFF than the NFF for 2018-19
- The Bromley FF provides the best option for all schools. At least option 5 means that no school will lose money per child. We appreciate that this is a difficult position for all and the “pot” of money is only getting smaller.
- **Nexus Education Schools Trust has a range of schools across the trust from 1 form entry to schools with a resource and all will be affected adversely under the National Funding Formula. Option 5 will enable schools to have a year of stability whilst the LA reviews High Needs funding and schools can begin to plan for the long term implications of the hard NFF which will impact significantly on the education of primary school children in Bromley.**
- Modelling in scenario 5 means 95% of primary schools would be in a financially more positive situation than scenarios 1-4. Primary education builds the foundations of children’s future success and reducing primary funding even further jeopardises children’s long term life chances.
- Option 5 I feel is the best option for Bromley as a group of schools until we have confirmation on the National Funding Formula. I also believe that investing early in children’s education is cost effective rather than playing ‘catch up’ once at secondary school. I do not think it is fair that secondary schools receive so much more funding per pupil. This is historic in Bromley and certainly working in a school with a high

percentage of deprivation it has made our job very difficult indeed. We have two classes of severely autistic children and we have to subsidise this through our mainstream budget in order to meet their needs. The money we receive for 1:1 or 2:1 does not match the costs and yet the parents expect it because it is on their Education Health Plan. I urge our councillors to encourage the government to review funding for our primary children's education so that the National Funding Formula enables us to.

- I believe option 5 is the best option for Bromley as a group of schools until we have total clarity on the National Funding Formula and if and when it is to take place. Option 5 will keep the differential between primary and secondary as it is. A few years ago we fought to have the differential lowered as primary schools were inadequately funded and it was impacting on our ability to provide a breadth and depth of experiences for our children. This was changed last year and the gap widened slightly, again. A move to widen the differential even further will have a negative impact on primary schools. Early intervention is essential and adequate funding at primary will ensure that children are better equipped to move on to secondary schools successfully. Changes to SEND high needs proposals will impact on Bromley schools for those with bases and EYFS. There will be a lag in funding as prior attainment will not be an option. Investment in the Primary phase supports early intervention and impacts on long term gains for pupils' educational career. The costs associated to primary schools are the same as secondary but the pupil numbers and weighting impacts on primary budgets. Primary budgets have little room to absorb even small minus amounts to budgets.
- I strongly believe the most appropriate option to be continuation of the Bromley Funding Formula. This formula was established to rectify a previous disparity between Primary and Secondary funding and this disparity remains in place. Pursuing the National Funding Formula in 2018/19 will prevent any further progress in 'closing the gap' and reintroduce the previous model favouring secondary funding over primary. There remains a degree of uncertainty around the National Funding Formula. Its introduction is taking place at a time of political upheaval, and we must therefore be cautious. It is set for a period which will be 'post-Brexit' and there may even be a general election before 2020. We do not believe it would be prudent to make a decision which will result in drastic changes to Primary school funding in Bromley

against such a backdrop. The NFF will negatively impact Pratts Bottom Primary School relative to the Bromley Funding Formula and we see no merit in introducing such a change sooner rather than later. At a time when budgets have already been reduced in 'real terms' the quality of our provision would be significantly affected should we need to reduce the teaching team even further. The need for fresh investment in SEND in Bromley is clear with the LA being rated as 'Special measures' in this area. To implement the proposed changes across our SEND provision will require greatly enhanced resources and staff training. Early intervention for all children in Bromley must be addressed. Any further cuts in Primary school funding will inevitably put increased strain on this already significantly disadvantaged group.

- I think option 5 is the best option for Bromley as a group of schools. Option 5 keeps the ratio of funding in favour of primary schools. I believe in the importance of early intervention, which in order to be effective needs to be properly funded. With appropriate support and intervention at primary level to avoid learning gaps developing, children are better equipped to move on to Secondary schools successfully. With weighted ratios expected to increase with the NFF I think it will make it harder for primary schools to meet all of the growing needs they face and continue to provide a broad and balanced curriculum for all children.  
I think it is outrageous that despite the cuts primary schools already face, they are still being asked for more due to supporting the growing SEND hi-needs budget. All schools and provisions are becoming stretched too thinly. We all need to have government and LA commitment to ensuring that we have the resources to provide the best education for all children. I agree with the philosophy of children's SEND being met in mainstream schools, however in order for this model to be implemented effectively in ALL Bromley schools there needs to be adequate funding, to ensure all staff have the necessary expertise and to ensure that children's needs are actually being met.  
I am concerned that under new funding proposals there will be a lag in funding for schools with provisions, as the prior attainment element of the funding will not be available for children entering reception.
- Early Intervention is the key therefore we should be directing our finances towards primary schools.

- I have selected option 5 because; Hayes and Dorset Road because Option 5 retains the lump sum at a higher level than the NFF  
Option 5 for Midfield, St Mary Cray, Leasons and Castlecombe because although these schools will be better off with the NFF (as pupil support is calculated using the IDACI), at least the FSM element is higher with the BFF than the NFF for 2018-19.

I believe that staying with the BFF for 2018-19 will be better for the LA budget because many of our disadvantaged pupils come into school with very low prior attainment. If we do not provide an outstanding EYFS education they will not stand a chance of achieving in line with national by the time they are 16. Furthermore, some of them face permanent exclusion because their SEMH needs are so high, we cannot meet them in mainstream without investing in significant nurture provision as an early intervention.

We invest in 'nurture' type provision in all our schools to ensure pupil's wellbeing is catered for. We are working towards having parity of access for counselling, psychological diagnosis and support and speech and language therapy in all our schools. This is a key area in The Spring Partnership Strategic plan. The weight of funding must be loaded at the start of many of these pupil's lives or they will not be able to access mainstream education however 'inclusive' our schools are in KS2, 3 and 4.

- Anything other than Option 5 would negatively impact the quality of the education at my school. Despite my school losing-out from the move to the NFF, I think Option 4 could be argued as being the fairest for our Borough's children. Whilst I do concede that secondary schools have had a 'raw deal' in terms of funding for the past few years, and that the NFF looks set to address this, any option from 1-3 would have a catastrophic and all too sudden impact on primary school finances. The economies of scale are simply not available in primary schools, particularly small ones, to deal with any sizeable reduction in funding. If a move away from BFF was to happen, and as a move to NFF looks inevitable, I believe that a soft introduction in the form of Option 4 could be fairest for our Borough's children and would find some middle ground in the primary versus secondary debate which this subject will inevitably provide. For my school specifically, which looks set to be in a budget-deficit this year (for the first-time ever), anything other than Options 1-3 would result in redundancies, and more importantly, a potentially unsafe environment for our children.

- The BFF for 1 year would allow all schools to maintain a relative status quo and provide at least 12 months of onward relative financial stability.
- Although I am disheartened by either of the proposed funding formulae, at this stage I prefer the Bromley option as it appears to provide the best outcome for all bar a handful of schools across Bromley and keeps the differential between primary and secondary as it is. In particular, if I have understood correctly, the Bromley Funding Formula appears to be more favourable to schools with higher numbers of disadvantaged pupils. The costs associated to primary schools are the same as secondary but the pupil numbers and weighting impacts on primary budgets. Primary budgets have little room to absorb even small minus amounts to budgets. Small schools are particularly vulnerable. The need for fresh investment in SEND in Bromley is clear and to implement the proposed changes across our SEND provision will require greatly enhanced resources and training. Early intervention for all children must be addressed and any further cuts in funding will inevitably put increased strain on this already significantly disadvantaged group.

- We strongly believe the most appropriate option to be continuation of the Bromley Funding Formula. This formula was established to rectify a previous disparity between Primary and Secondary funding and this disparity remains in place. Pursuing the National Funding Formula in 2018/19 will prevent any further progress in 'closing the gap' and reintroduce the previous model favouring secondary funding over primary.

There remains a degree of uncertainty around the National Funding Formula. Its introduction is taking place at a time of political upheaval, and we must therefore be cautious. It is set for a period which will be 'post-Brexit' and there may even be a general election before 2020. We do not believe it would be prudent to make a decision which will result in drastic changes to Primary school funding in Bromley against such a backdrop. The NFF will negatively impact Tubbenden Primary School relative to the Bromley Funding Formula and we see no merit in introducing such a change sooner rather than later. For our school the difference between option 1 and option 5 equates to approximately £34,000, which is about the cost of a teacher. At a time when budgets have already been reduced in 'real terms' the quality of our provision would be significantly affected should we need to reduce the teaching team

even further. Finally, as a school with a specialist provision attached, we are deeply concerned about the impact of further budget reductions on our ability to meet the needs of all of our children. A powerful review of SEND provision in Bromley is about to be published which will make recommendations that will require additional funding if they are to be met effectively. To further reduce Primary school funding unnecessarily at this point will impact significantly on the capability of all schools to address and meet those recommendations.

- After managing significant recent cuts, the funding settlement for 2018/2019 presents further challenge. The NFF itself has not achieved what we had been led to believe ie that there would be at least a 0.5% increases for all schools. After the response to the national consultation, there have been adjustments to the formula but this has not gone far enough. Whilst any further changes to the NFF are largely out of our hands, the wider picture continues to be an uncertain one - the NFF continues to be a moving target the shape of which continues to be subject to further consideration and potential change. In Bromley the introduction of the NFF at this early stage would have serious repercussions for primary schools. Further cuts will inevitably see provision adversely affected and potentially children's outcomes. Bromley primary schools have been for many years relatively poorly funded when compared to the secondary sector and it has only been relatively recently that this inequity has been addressed. The move towards a more inclusive in-borough provision for SEND is laudable. This strategy will however require adequate resources in mainstream primary schools so high quality teaching and learning is provided with additional support when required. Special needs will therefore be addressed as early as possible and children as well prepared for the transition into their respective secondary settings. Early intervention is an essential principle behind the SEND strategy, cuts to primary budgets will jeopardise its success. Whilst times are changing fast, careful and considered management of change must be an overriding aim for all Bromley schools. The use of the Bromley formula for the 2018/2019 budget would provide exactly that.

- This consultation appears to be grossly unfair in terms of settlement for schools nationally and in particular for schools in Bromley. It also prejudices against primaries versus secondaries. A £4billion cut in school funding by 2020 is unsustainable nationally as well as in Bromley. All Bromley primary schools face a real cut in funding year on year over the next 3 years – this will lead to some schools struggling to provide a safe learning environment and to maintain a high quality educational provision. The changing demographic of Bromley suggests that we need greater funding not less and our 76 primary schools are under increasing pressure to take more and more children with less and less resources – how can we hope to sustain our high performance when under such strain? The need for fresh investment in SEND in Bromley is clear with the LA being rated as ‘Special measures’ in this area. To implement the proposed changes across our SEND provision will require greatly enhanced resources and staff training. Early intervention for all children in Bromley must be addressed. Any further cuts in Primary school funding will inevitably put increased strain on this already significantly disadvantaged group. Bromley have reached their ‘rainy day’ when it comes to the SEND sector and now is the time to release their reserves and invest in this area over the next 3 years. New money is needed – robbing Peter to pay Paul is a farce!

I am disheartened by either of the proposed funding formulae but of the two at this stage I prefer the Bromley option. My rationale for this is that it seems to provide the best options for all bar 4/5 primary schools across Bromley. Those that gain will gain the most they can. For those that lose it will not be devastating as they are part of a very large MAT and can access central resources and funding. Bromley Primary Schools are rated within the top 10% in the UK and as such prepare children well for our secondary colleagues, who don’t want to be playing catch-up when the new year 7s arrive. We need more funding not less

- I am not sure any of the options are good. We are being made to make a decision with no real clarity on the NFF. The date has changed regularly and therefore does not give me a great deal of confidence in the new NFF so far. Although I am in a MAT with secondary schools I do not know if they will support us financially or have the capacity to. I think it is outrageous that despite the cuts primary schools already face, they are still being asked for more due to supporting the growing SEND hi-needs budget. All schools and provisions are becoming stretched too thinly. We all need to have government and LA

commitment to ensuring that we have the resources to provide the best education for all children.

The SEND Reform team will not be able to bring back the money form out of borough unless policy changes at council level! Until policy changes we go around in circles!

- This consultation is set against a grossly unfair settlement for schools nationally and for schools in Bromley.

For an improving school, seeking to make sustainable changes in the safety provisions and quality of education, the best option for securing effective funding is Option 5; although it will continue to create a financial pressure in meeting the needs of all pupils successfully. It has the assurance that at least no school will lose money per child.

Recent educational evidence has suggested for effective learning outcomes for pupils, issues must be addressed at the start of schooling and that requires appropriate funding. Primary funding has been reducing for the last three years. The initiative to move towards NFF supports funding in secondary schools which has required a rebalance of funding. However the current proposals do not support the increasing demands placed upon primary schools. Therefore, Option 5 could be argued as being the fairest for our Borough's primary children. Those that gain will gain the most they can. Those that lose will lose the least. However, if the proposed move to NFF looks inevitable, I believe that a soft introduction in the form of Option 4 could be the fairest for our Borough's children and would be a less turbulent process for all schools.

- Valley Primary has already had to make cuts to staffing to produce a balanced budget for 2017-18 academic year. In the current climate and to allow a gradual reduction in school budgets, Option 5 appears to be the most appropriate. Option 5 allows the school a similar level of funding in the near future which will us to maintain standards of education and care we afford our pupils. Secondary schools in the London Borough of Bromley have fared much better than primary schools for many years and the NFF would allow this continue which totally compromises the notion of ensuring sufficient funding for early intervention. While NFF 4 might be worth considering in the longer term, in the short term, we have no option but to choose Option 5 due to the fact that the London Borough of Bromley might not agree for the school to take an additional class in September 2018, the £18,000 deficit we will already face due to the vacancies across the school on Census Day and the lack of funding foe SEN means that the school will not be

able to deliver the quality of education it is well known for in the area. From looking at the projected figures for all primary schools, Option 5 also seems the fairer option for all schools.

- I have chosen to support the Bromley (Option 5) because:  
In a climate of multi-pressure on Primary schools e.g. recruitment; SEND funding etc. this represents the best deal for the Primary sector and keeps a more favourable ratio 1:1.25

The NFF is still some way off and, in political terms, a very long way off. There could be further changes to the NFF and a more equitable ratio would allow Primaries more time to prepare for changes either way. I don't see the advantage in anticipating a move to a formula (NFF) that is yet to be clearly defined and still not providing the scope for planning ahead much beyond a year.

8 Responses in favour of NFF with Option 1 as the first choice and Option 2 as the second choice

- This school has been severely underfunded for a number of years and it is impossible to provide the level of results and breadth of curriculum at current levels. As staffing costs in this area are high this should be reflected in the level of funding received otherwise it will become impossible to recruit staff to many of the most critical subjects. As a school that has also suffered from the lagging of the increased intake from 4 years ago this has left the school with increased costs and restricted funding, when combined with the heavy reductions in sixth form funding and increasing costs related to supporting students with diverse needs leaves the school in a difficult financial position.
- As quickly as possible, we need to address the historic underfunding in Bromley of secondary schools compared to primary schools. Only the NFF options do this and our preference is to move to the NFF as quickly as possible where it would appear from the modelling that our funding needs will be better met (Option 1).
- Coopers School would support the LA using the NFF to allocate funding to schools for 2018/19
- We would not be happy for the Bromley Funding Formula to be implemented as it proposes an inadequate amount of funding for schools, particularly Secondary schools such as ours for yet another year. This is contrary to the principles of the NFF, which was devised to address long standing unfairness. The BFF proposal removes money from the Schools Block – which has already seen a significant reduction to fund growth. Further removal of funds from the schools block to fund high needs or other areas will make it more or less impossible for school such as ours to continue to offer a good quality of education. The proposed reduction in the schools block as suggested by the BFF is much too significant in the current difficult financial context and therefore not supportable. Schools are not in position to provide a good education given the paucity of current funding, this proposal will just compound the existing financial problems.

There is a need to ensure that the NFF is implemented as far as is possible so that some fairness can be restored, something that has been lacking in Bromley in recent years. The issue of High needs funding needs an injection of investment from the council reserves; then to be recovered over a period of time via the savings made.

- With a large number of Pupil Premium students, from very challenging circumstances Harris Academy Orpington requires funding that its students deserves. As a secondary provider we are also currently under funded and this needs to be rectified as soon as possible. Standards and outcome will drop, if the correct funding is not provided. The National Funding formula needs to be introduced as soon as possible.
- I feel that it is important to move towards the NFF as soon as possible, For schools like us which are significantly underfunded in comparison to the NFF it is essential that we move to a level playing field with other schools.
- The NFF should be used as soon as possible. The re-balancing of secondary funding to be at the national rate should start as soon as possible. The increased funding in recognition of different schools need to be maximised.
- The cumulative impact of the relative underfunding in Bromley of secondary schools in comparison to primaries when compared to national averages is something which needs to be addressed. The “point” about staying with the Bromley formula being less turbulent for schools is disingenuous for those (secondary) schools which have been relatively underfunded as a result of the Bromley formula in recent years. Moreover the fact that when the NFF is modelled Bromley is one of very few London Boroughs where schools benefit only reinforces just how harsh the Bromley formula has been.

- From our schools point of view, we feel that it is essential to support the HN budget for 2018/19 with the £1m otherwise we are extremely concerned about the implications of a £1.7 million deficit in the HN Block and how this will be balanced. Therefore any funding model that can support this, we will support.

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## Comparisons

## Appendix 5

School Name	MFG Capping	Option 1a	Option 1b	Option 5a	Option 5b
		NFF	NFF	BFF	BFF
		minus £1m	inc £1m	minus £1m	inc £1m
		+ 0.3%	+ 0.5%	+ 0.5%	+ 0.5%
		+1.45%	no cap	no cap	no cap
		£	£	£	£
Alexandra Infant School		904,503	905,361	904,943	904,943
Alexandra Junior School		1,065,985	1,067,019	1,067,493	1,068,415
Balgowan Primary School		2,423,226	2,425,742	2,464,168	2,484,478
Bickley Primary School		1,650,544	1,652,170	1,653,577	1,653,577
Biggin Hill Primary School		1,471,279	1,472,751	1,473,341	1,483,579
Bishop Justus CofE School		5,143,104	5,200,216	5,103,492	5,148,742
Blenheim Primary School		1,112,168	1,113,254	1,114,137	1,114,137
Bullers Wood School		5,477,022	5,537,979	5,459,212	5,510,377
Burnt Ash Primary School		1,981,687	1,983,722	1,985,143	1,985,143
Castlecombe Primary School		1,049,253	1,050,264	1,051,247	1,051,247
Charles Darwin School		5,858,168	5,923,487	5,790,891	5,842,822
Chelsfield Primary School		540,107	540,567	540,668	540,668
Chislehurst Church of England Primary		881,082	881,915	882,491	882,491
Chislehurst School for Girls		4,881,935	4,936,076	4,871,460	4,914,766
Churchfields Primary School		1,833,228	1,835,098	1,835,251	1,835,251
Clare House Primary School		1,500,247	1,501,744	1,501,964	1,501,964
Coopers School		6,350,936	6,421,797	6,274,590	6,327,413
Crofton Infant School		2,130,907	2,133,102	2,134,455	2,134,455
Crofton Junior School		2,543,601	2,546,246	2,598,194	2,619,524
Cudham Church of England Primary School		512,335	512,764	513,170	513,170
Darrick Wood Infant School		1,121,089	1,122,182	1,122,939	1,122,939
Darrick Wood Junior School		1,496,388	1,497,892	1,499,068	1,499,068
Darrick Wood School		6,273,753	6,344,272	6,257,232	6,316,895
Dorset Road Infant School		471,379	471,765	470,708	470,708
Downe Primary School		455,835	456,197	457,226	457,226
Eden Park high School		1,441,040	1,441,040	1,386,750	1,399,346
Edgebury Primary School		1,148,821	1,149,886	1,165,324	1,173,424
Farnborough Primary School		1,129,390	1,130,486	1,131,207	1,131,207
Gray's Farm Primary Academy		1,907,930	1,909,882	1,910,199	1,910,199
Green Street Green Primary School		1,668,906	1,670,595	1,671,472	1,673,795
Harris Academy Beckenham		5,077,413	5,133,970	5,016,537	5,016,537
Harris Academy Orpington		4,495,388	4,545,005	4,447,827	4,484,309
Harris Girls Academy Bromley		3,971,299	4,015,167	3,935,398	3,968,415
Harris Primary Academy Beckenham Green		978,395	979,333	978,027	978,027
Harris Primary Academy Crystal Palace		1,839,685	1,841,567	1,842,636	1,842,636
Harris Primary Academy Kent House		2,000,903	2,002,957	2,004,214	2,004,214
Harris Primary Academy Orpington		1,896,140	1,898,082	1,898,394	1,898,394
Harris Primary Beckenham		746,592	747,276	775,000	780,220
Harris Primary Schortlands		1,083,859	1,084,913	1,082,722	1,082,722
Hawes Down Primary		2,000,676	2,002,735	2,003,617	2,003,617
Hayes Primary School		2,364,658	2,367,105	2,369,153	2,369,153
Hayes School		5,837,310	5,859,413	5,782,848	5,838,570
Highfield Infants' School		1,091,090	1,092,151	1,092,881	1,099,451
Highfield Junior School		1,372,719	1,374,089	1,419,607	1,430,977
Holy Innocents Catholic Primary School		915,208	916,077	941,147	947,657
James Dixon Primary School		2,129,558	2,131,754	2,132,968	2,132,968
Kemnal Technology College		2,837,696	2,868,388	2,875,471	2,899,239
Keston Church of England Primary School		951,856	952,762	970,340	976,820
La Fontaine		1,434,836	1,436,274	1,434,959	1,434,959
Langley Park Primary		540,734	540,734	565,154	568,814
Langley Park School for Boys		5,355,422	5,408,404	5,338,335	5,388,952
Langley Park School for Girls		5,786,986	5,849,069	5,780,151	5,835,364
Leasons Primary School		1,499,132	1,500,642	1,501,102	1,501,102
Manor Oak Primary School		1,010,364	1,011,334	1,011,906	1,011,906
Marian Vian Primary School		2,476,620	2,479,196	2,491,636	2,511,316
Mead Road Infant School		521,604	522,042	521,961	521,961
Midfield Primary School		1,900,728	1,902,678	1,902,917	1,902,917
Mottingham Primary School		1,981,293	1,983,325	1,984,934	1,984,934
Newstead Wood School		3,793,009	3,834,577	3,793,145	3,830,060
Oak Lodge Primary School		2,281,401	2,283,759	2,317,565	2,336,135
Oaklands Primary Academy		2,056,405	2,058,520	2,059,788	2,059,788

Parish Church of England Primary School	2,406,141	2,408,639	2,443,305	2,462,115
Perry Hall Primary School	1,669,329	1,671,020	1,674,674	1,687,484
Pickhurst Infant Academy	1,460,930	1,462,394	1,463,627	1,463,627
Pickhurst Junior School	1,886,253	1,888,179	1,903,650	1,919,010
Poverest Primary School	1,619,570	1,621,190	1,620,445	1,620,445
Pratts Bottom Primary School	447,281	447,640	447,737	447,737
Raglan Primary School	1,700,601	1,702,329	1,702,847	1,707,705
Ravens Wood School	5,576,770	5,638,811	5,557,348	5,609,437
Red Hill Primary School	2,763,423	2,766,310	2,768,777	2,768,777
Scotts Park Primary School	2,018,054	2,020,127	2,021,984	2,021,984
Southborough Primary School	1,851,685	1,853,543	1,854,570	1,854,570
St Anthony's Roman Catholic Primary School	918,102	918,974	920,173	920,173
St George's, Bickley, Church of England Primary School	1,603,914	1,605,536	1,606,541	1,606,541
St James' Roman Catholic Primary School	858,612	859,417	859,867	859,867
St John's Church of England Primary School	1,191,162	1,191,162	1,214,453	1,222,253
St Joseph's Catholic Primary School	865,333	866,148	866,865	866,865
St Mark's Church of England Primary School	1,667,874	1,669,566	1,671,132	1,671,132
St Mary's Catholic Primary School	1,638,452	1,640,108	1,645,571	1,658,531
St Olave's and St Saviour's Grammar School	3,037,197	3,054,062	3,009,463	3,038,579
St Paul's Cray Church of England Primary School	1,309,072	1,310,335	1,311,081	1,311,081
St Peter and St Paul Catholic Primary School	997,789	998,749	999,632	999,632
St Philomena's Primary School	912,323	913,192	914,005	914,005
St Vincent's Catholic Primary School	982,957	983,901	984,139	984,139
St. Mary Cray Primary Academy	1,221,297	1,222,499	1,223,527	1,223,527
Stewart Fleming Primary School	1,925,806	1,927,779	1,929,195	1,929,195
The Highway Primary School	914,299	915,162	915,915	915,915
The Ravensbourne School	5,901,874	5,967,732	5,831,034	5,873,301
Trinity Church of England Primary School	1,953,423	1,955,424	1,957,653	1,957,653
Tubbenden Primary School	2,453,144	2,455,687	2,457,309	2,464,230
Unicorn Primary School	1,768,658	1,770,453	1,771,678	1,778,500
Valley Primary School	2,058,141	2,060,256	2,061,955	2,061,955
Warren Road Primary School	2,988,941	2,992,067	3,039,076	3,064,186
Wickham Common Primary School	1,576,341	1,577,926	1,582,493	1,595,243
Worsley Bridge Primary School	1,643,761	1,645,427	1,647,494	1,647,494

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primary :secondary  
ratio

1:1.33

1:1.33

1:1.24

1:1.24

AWPU

Primary

£2,972

£2,972

£2,990

£3,020

KS3

£4,179

£4,179

£4,223

£4,270

KS4

£4,745

£4,745

£4,625

£4,670

Report No.  
ED18040

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EDUCATION, CHILDREN AND FAMILIES BUDGET AND PERFORMANCE MONITORING SUB-COMMITTEE

**FOR PRE DECISION SCRUTINY BY THE SCHOOLS FORUM  
11<sup>TH</sup> JANUARY 2018**

**Date:** 17<sup>th</sup> January 2018

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

**Title:** CONSTITUTION OF THE SCHOOLS FORUM

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

**Chief Officer:** Deputy Chief Executive & Director of Education, Care and Health Services

**Ward:** (All Wards);

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1. Reason for report

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

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2. **RECOMMENDATION(S)**

2.1 **The Schools Forum and are asked to comment on the report**

2.2 **Subject to the comments of the Schools Forum, the Sub-Committee are asked to approve the constitution of the Schools Forum.**

### Corporate Policy

1. Policy Status: Not Applicable
  2. BBB Priority: Children and Young People
- 

### Financial

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Education Portfolio
  4. Total current budget for this head: £1k
  5. Source of funding: DSG
- 

### Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2017/18 budget reflects the financial impact of the Council's strategies, service plans etc. which impact on all of the Council's customers (including council tax payers) and users of the services
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

### **3. COMMENTARY**

- 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, Children and Families Budget and Performance 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. Current pupil numbers in each sector (primary/secondary/special, etc) have not changed significantly. However there has been further movement towards Academy conversion in the Special and PRU areas resulting in small amounts of pupils in these areas being in both Academy and Maintained settings.
- 4.2 Officers have been in contact with DfE. The advice is, much like the current arrangements with the Secondary settings, that there needs to be a representative for Maintained and Academy in Special and PRU settings, if there are settings within the borough.
- 4.3 This has meant that there needs to be an increase in the membership of the Schools Forum by two members, a Special Academy representative and a PRU Academy representative. The theory of this is that once all of these settings convert to Academy, then the representative would be deleted as there would only be a need for one representative in each area.
- 4.4 This would increase the schools element of the Forum by two to fifteen and the overall membership from eighteen to twenty.
- 4.5 All other representation remains the same.

#### **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

OLD NEW VACANT

### SCHOOLS

Special Maintained school representative governor/head	1	1	1
Special Academy school representative governor/head	0	1	0
PRU Maintained representative head/governor	1	1	1
PRU Academy representative head/governor	0	1	0
Primary Academy head representative	2	2	1
Primary Academy governor representative	3	3	2
Primary Maintained head representative	1	1	0
Secondary Maintained head/governor representative	1	1	0
Secondary Academy head representative	2	2	0
Secondary Academy governor representative	2	2	0
	<b>13</b>	<b>15</b>	<b>5</b>

### NON SCHOOLS

Early year provider (PVI)	1	1	0
14-19 partnership**	1	1	0
Diocese CofE**	1	1	0
Diocese Catholic**	1	1	1
Joint Teacher Liaison**	1	1	1
	<b>5</b>	<b>5</b>	<b>2</b>

### 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	
	<b>5</b>	<b>5</b>	

\*\* 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 seven vacancies on the Forum as follows. Two are as a result of the restructuring of the membership and the other five are due to unfilled places:-

- 1 x Special Maintained
- 1 x PRU Maintained
- 1 x Primary Academy Head teacher
- 2 x Primary Academy Governors
- 1 x Catholic Diocese
- 1 x Joint Teacher Liaison

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 minor amendments to the text.
- 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.

<b>Non-Applicable Sections:</b>	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**

AVAILABLE PLACES

15 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 MAINTAINED	356	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 ACADEMY	300	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 MAINTAINED	25	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 ACADEMY	135	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	1,678	4%	0
TOTAL IN REMAINING ACADEMY SCHOOLS	42,158	96%	10
	<b>43,836</b>	<b>100%</b>	<b>10</b>

	<u>NUMBER</u>	<u>%</u>	<u>EXACT PLACES</u>	<u>EXACT MAINTAINED</u>	<u>EXACT ACADEMY</u>
PRIMARY MAINTAINED	1,678	4%	0.38	0.38	
PRIMARY ACADEMY	25,747	59%	5.87		5.87
SECONDARY ACADEMY	16,411	37%	3.74		3.74
	<b>43,836</b>	<b>100%</b>	<b>10.0</b>	<b>0.38</b>	<b>9.62</b>

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

**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	1		1
PRU'S MAINTAINED	1	1	
PRU'S ACADEMY	1		1
	<b>15</b>	<b>4</b>	<b>11</b>

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## BROMLEY SCHOOLS FORUM

### CONSTITUTION AND TERMS OF REFERENCE

#### 1. Membership

##### SCHOOLS

Special Maintained school representative governor/head	1
Special Academy school representative governor/head	1
PRU Maintained representative head/governor	1
PRU Academy representative head/governor	1
Primary Academy head representative	2
Primary Academy governor representative	3
Primary Maintained head representative	1
Secondary Maintained head/governor representative	1
Secondary Academy head representative	2
Secondary Academy governor representative	2
	<b><u>15</u></b>

##### NON SCHOOLS

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

##### 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
	<b><u>5</u></b>

- 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 and Skills Funding Agency (ESFA) 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 2017. 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, The Special representatives and the PRU representatives. These members 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.
  - movement of up to 0.5% from the schools to other blocks.
- 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 & Skills  
Funding Agency

# Schools forum

Operational and good practice guide

September 2017

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## Introduction

1. This guide is designed to provide local authority officers and schools forum elected members with advice and information on good practice in relation to the operation of schools forums.
2. It's organised into 2 sections:
  - section 1 provides information on the constitutional and organisational requirements for schools forums
  - 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's describing requirements set out in the Schools Forum Regulations 2012 it's not designed to be prescriptive. However, we hope 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's 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 the Education and Skills Funding Agency (ESFA) using the [ESFA enquiry form](#).

## Section 1: schools forum regulations: constitution and procedural issues

### Regulations

8. [National regulations](#)<sup>1</sup> 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 online.
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 department 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 maintained 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
- agreeing other centrally retained budgets, including for local authority statutory responsibilities (where these relate to maintained schools only, voting is by the primary, secondary, special and PRU members of schools forum)
- 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

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<sup>1</sup> 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, or from de-delegated services, that is to be carried forward from a previous funding period

in the 2018 to 2019 funding year the schools block is ring-fenced. Local authorities require schools forum approval in order to move up to 0.5% from the schools block to other blocks

- 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, for example, 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 local authority 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 local authority 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's 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 (Secretary of State approval is no longer required for increases relating to changes in admission limits or reorganisations)
- 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
- move up to 0.5% from the schools block, where the schools forum don't agree, or move more than 0.5% from the schools block

Proposals will then need to be considered 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, we'd suggest good practice is to review the membership as a standing agenda item at each meeting. Academies

members must represent mainstream academies and, if there are any in the local authority 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, please see paragraph 28.

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 communicating 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 and 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, for example, we'd expect this vacancy to be filled for the following term
- increasing the size of the schools forum temporarily to appoint additional academy members, then deleting schools member posts at the end of a term of office or when a vacancy arises
- considering 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 local authority. 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, for example, 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 don't 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 isn't 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's 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, for example, 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's not appropriate for a single person to be elected to represent more than one group or sub-group concurrently, for instance, if they were a governor at a primary and secondary school. They can stand for election from either group but can be appointed to represent only one of those groups.

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 or 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'd 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's 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'd 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
- 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 and converter academies.

41. There are three sub-groups for academy members: mainstream academies, special academies and alternative provision academies and it's for the proprietors of academies within each of these sub-groups to elect their representatives. It's 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's 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 (SPiNs), 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, for example a member of the education board.

48. It's 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 isn't a requirement. Many schools forums don't have such members on them and it's 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's 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, for example, 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, for example a representative from ESFA. 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, for example, 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. It's best practice to record attendance at meetings as well as membership to ensure elected members are attending and contributing to discussions.

## 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's 40% of the current membership excluding vacancies). If a meeting is inquorate it can proceed but it cannot legally take decisions (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's 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's 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 is limited to the specific primary and secondary phase of maintained schools members
  - retaining funding for statutory duties relating to maintained schools only is limited to maintained primary, secondary, special and PRU members
- The powers which schools forums: have to take decisions on a range of funding matters increase the importance of clear procedures. For example, 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's 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's entitled to do so, it's 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's 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's 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. These have proved effective for larger local authorities. Examples of some working groups are for high needs and early years.

## Urgent business

66. It's 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 isn't compromised.

67. It's not legal for the chair to take a decision on behalf of the schools forum, no matter how urgent the matter in question. However, 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 central school services block of the dedicated schools grant (DSG).

69. It's 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.

## 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's 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's important that a schools forum feels it's 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, to ensure that members can be fully effective when detailed discussions are taking place.

## 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. It's good practice to also publish this on the website. 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's recognised that from time to time items of a confidential nature will need to be discussed. It's recommended that authorities apply the same principles that they apply to council and cabinet meetings when judging an item to be confidential and adopt similar practices for dealing with those reports in the meeting, for example placing them together at the end of the agenda.

## Preparation for a schools forum meeting

82. It's 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's 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's 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's good practice for the schools forum and local authority to agree a standard for papers. It's 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's 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's 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 don't 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 local authority in another capacity, for example 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's a role often undertaken by an employee of the local authority though we'd 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, for example by posting latest minutes and papers etc
- monitor, on a regular basis, the schools forum and [schools funding pages](#) on GOV.UK 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
- 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, for example, voting on 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 and, or votes. It's good practice to formally agree the accuracy of the note and minutes at a subsequent meeting but the publication of the draft minutes should not be delayed as a result and we'd recommend no later than five days following the meeting.

102. In order to provide clarity about representation at each meeting, it's 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, which are more likely to have existing channels of communication for example, headteacher meetings.

104. Each schools forum should therefore be clear what its channels of communication are. It's 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 agendas 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
- 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 the department. 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 and updated on a regular basis.



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Funding Agency

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**2012 No. 2261**

**EDUCATION, ENGLAND**

**The Schools Forums (England) Regulations 2012**

*Made* - - - - *3rd September 2012*

*Laid before Parliament* *7th September 2012*

*Coming into force* - - *1st October 2012*

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The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 47A and 138(7) of the School Standards and Framework Act 1998(a):

**Citation, commencement, application and interpretation**

1.—(1) These Regulations may be cited as the Schools Forums (England) Regulations 2012 and come into force on 1st October 2012.

(2) These Regulations apply only in relation to England.

(3) In these Regulations—

“the Act” means the School Standards and Framework Act 1998;

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(a) 1998 c.31. Section 47A was inserted by section 43 of the Education Act 2002 (c.32) and has been amended by paragraph 7 of Schedule 16 to the Education Act 2005 (c.18); paragraphs 2(1), (3) and (4) of Schedule 5 and Part 6 of Schedule 18 to the Education and Inspections Act 2006 (c.40); section 165 of and Schedule 2 to the Education and Skills Act 2008 (c.25), section 194 of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) and S.I. 2010/1158. For the meaning of “prescribed” and “regulations” see section 142(1) of the School Standards and Framework Act 1998.

“Academies member” means a member who represents the proprietors of the Academies situated in the authority’s area;

“authority” means the local authority in whose area the schools forum is established;

“early years providers” means—

- (a) persons who are registered as early years childminders or other early years providers under Chapter 2 of Part 3 of the Childcare Act 2006<sup>(a)</sup> (which provides for the compulsory registration of persons providing early years provision) or are exempt from compulsory registration by order of the Secretary of State under section 33(2) or 34(3) of that Act,
- (b) independent schools, and
- (c) non-maintained special schools,

who provide early years provision;

“early years provision” has the meaning given by section 20 of the Childcare Act 2006;

“executive member” means any elected member of the authority appointed to the executive of that authority;

“governor” includes any interim executive member of an interim executive board constituted in accordance with paragraph 2 of Schedule 6 to the Education and Inspections Act 2006<sup>(b)</sup>;

“nursery school” means a nursery school maintained by the authority;

“primary school” means a primary school maintained by the authority;

“representative” means either a head teacher or a senior member of staff representing a head teacher or a governor of a school maintained by the authority, save for in regulation 8 where it means a representative of the positions mentioned in that regulation;

“school” means a school maintained by the authority;

“school category” means one of the following categories of school—

- (d) community schools,
- (e) foundation schools,
- (f) voluntary aided schools,
- (g) voluntary controlled schools,

as described in Chapter 1 of Part 2 of the Act;

“secondary school” means a secondary school maintained by the authority;

“senior member of staff” means a principal, deputy head teacher, bursar or other person responsible for the financial management of the school;

“special school” means a community special school or a foundation special school.

(4) In these Regulations, a reference to a governing body does not include a reference to the temporary governing body of a new school and a reference to a governor does not include a reference to a member of the temporary governing body of a new school, where “new school” has the meaning given by section 72(3) of the Act<sup>(c)</sup>.

## Revocation

2. The Schools Forums (England) Regulations 2010<sup>(d)</sup> are revoked.

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(a) 2006 c.21.

(b) 2006 c.40.

(c) Section 72(3) was amended by section 215(1) of, and paragraph 106 of Schedule 21 to, the Education Act 2002.

(d) S.I. 2010/344, amended by S.I. 2010/1172.

### **Constitution of schools forum**

3. Every authority must ensure that the schools forum for their area is constituted in accordance with regulations 4 to 7 by 1st October 2012.

### **Membership: general**

4.—(1) Subject to the following paragraphs of this regulation, an authority may determine the size and composition of their schools forum and the forum members' terms of office.

(2) A forum must comprise—

- (a) schools members elected in accordance with regulation 5;
- (b) if there are any Academies in the authority's area, at least one Academies member elected or selected in accordance with regulation 6; and
- (c) non-schools members appointed in accordance with regulation 7.

(3) If, for any reason, an election for a schools member under regulation 5(1) or an Academies member under regulation 6(1) does not take place by any date set by the authority or any such election results in a tie between two or more candidates, the authority must appoint the schools member or Academies member to their schools forum instead.

(4) Schools members and Academies members must together comprise at least two thirds of the membership of the forum.

(5) At least one member must be a representative of the governing bodies of maintained schools and at least one member must be a representative of the head teachers of such schools.

(6) Subject to paragraphs (7) to (10), primary schools, secondary schools and Academies must be broadly proportionately represented on the forum, having regard to the total number of pupils registered at them.

(7) Where the authority maintain one or more secondary schools, at least one schools member must be a representative of a secondary school.

(8) Where the authority maintain one or more special schools, at least one schools member must be a representative of a special school.

(9) Where the authority maintain one or more nursery schools, at least one schools member must be a representative of a nursery school.

(10) Where the authority maintain one or more pupil referral units, at least one schools member must be a representative of a pupil referral unit(a).

(11) An authority may determine that the number of members representing schools in a particular school category must be broadly proportionate to the total number of schools in that category when compared with the total number of schools.

(12) A forum member remains in office until—

- (a) the member's term of office expires;
- (b) the member ceases to hold the office by virtue of which the member became eligible for election, selection or appointment to the forum;
- (c) the member resigns from the forum by giving notice in writing to the authority; or
- (d) in the case of a non-schools member, the member is replaced by the authority, at the request of the body which the member represents, by another person nominated by that body
- (e) whichever comes first.

(13) The authority must maintain a written record of the composition of their forum, to include—

- (a) the number of schools members and by which group or sub-group they were elected;

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(a) "Pupil referral units" has the meaning given in section 19(2B) of the Education Act 1996.

- (b) the number of Academies members; and
- (c) the number of non-schools members, their terms of office, how they were chosen and whom they represent.

### **Schools members**

**5.**—(1) Schools members must be elected to the schools forum by the members of the relevant group, or sub-group, in the authority's area.

(2) The groups are—

- (a) representatives of nursery schools, where there are any such schools in the authority's area;
- (b) representatives of primary schools other than nursery schools;
- (c) representatives of secondary schools;
- (d) representatives of special schools, where there are any such schools in the authority's area; and
- (e) representatives of pupil referral units, where there are any such schools in the authority's area.

(3) Each group referred to in paragraph (2) may consist of one or more of the following sub-groups—

- (a) where the authority exercises its discretion under paragraph (4)(a), representatives of head teachers of schools in each group;
- (b) where the authority exercises its discretion under paragraph (4)(b), representatives of governors of schools in each group;
- (c) where the authority exercises its discretion under paragraph (4)(c), representatives of head teachers and governors of schools in each group.

(4) The authority may determine that a certain number of representatives of each group must be—

- (a) head teachers or head teachers' representatives;
- (b) governors; or
- (c) head teachers or head teachers' representatives and governors.

### **Academies members**

**6.**—(1) Academies members must be elected to the schools forum by the proprietors of the Academies in the authority's area.

(2) Where there is only one Academy in the authority's area, the proprietor of the Academy must select the person who will represent them on the schools forum.

### **Non-schools members**

**7.**—(1) The authority must appoint non-schools members to their schools forum comprising—

- (a) one or more persons to represent the local authority 14-19 partnership(a); and
- (b) one or more persons to represent early years providers.

(2) Subject to paragraph (3) and regulation 4(4), the authority may appoint additional non-schools members to their forum to represent the interests of other bodies.

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(a) Section 85(2) and (3) of the Education and Skills Act 2008 (c.25) requires local authorities to include arrangements in respect of 14-19 education and training, in their local collaboration arrangements under section 10 of the Children Act 2004 (c.31).

(3) Prior to making any appointment under paragraph (2), the authority must consider whether the following bodies should be represented on their forum—

- (a) the Diocesan Board of Education for any diocese any part of which is situated in the authority's area;
- (b) the Bishop of any Roman Catholic Diocese any part of which is situated in the authority's area;
- (c) where there are any schools or Academies within the authority's area that are designated under section 69(3) of the Act<sup>(a)</sup> as having a religious character (other than Church of England or Roman Catholic schools), the appropriate faith group in respect of any such school or Academy.

(4) The authority may not appoint any executive member or relevant officer of the authority to their forum as a non-schools member.

(5) Within one month of the appointment of any non-schools member, the authority must inform the governing bodies of schools maintained by them and of Academies within their area of the name of the member and the name of the body that member represents.

(6) In this Regulation "relevant officer" means—

- (a) the director of children's services of the authority,
- (b) any officer employed or engaged to work under the management of the director of children's services, other than one who directly provides education to children or who manages such a person, or
- (c) any officer whose work involves management of, or advice on, school funding.

#### **Meetings and proceedings of schools forum**

8.—(1) The schools forum must meet at least four times a year.

(2) All meetings of the schools forum must be public meetings.

(3) The meetings are quorate if at least two fifths of the total membership is present at the meeting.

(4) The following persons may speak at meetings of the forum, even though they are not members of the forum-

- (a) the director of children's services at the authority or their representative;
- (b) the chief finance officer at the authority or their representative;
- (c) any elected member of the authority who has primary responsibility for children's services or education in the authority;
- (d) any elected member of the authority who has primary responsibility for the resources of the authority;
- (e) any person who is invited by the forum to attend in order to provide financial or technical advice to the forum;
- (f) an observer appointed by the Secretary of State; and
- (g) any person presenting a paper or other item to the forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that the person is presenting.

(5) The members of the forum must elect a person as chair from among their number and determine the chair's term of office.

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

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(a) Section 69(3) also applies to independent schools (which includes Academies) by virtue of section 124B, which was inserted by regulations 2 and 3 of S.I. 2003/2037.

(7) The chair of the forum must decide upon an agenda for the meeting of the forum following consultation with members of the forum.

(8) The authority must make arrangements to enable substitutes to attend and vote at meetings of the forum on behalf of schools members, Academies members and non-schools members, in consultation with members of the forum.

(9) Apart from as provided for by paragraph (10) all members are entitled to vote on all matters put to a vote.

(10) Non-schools members, other than those who represent early years providers, must not vote on matters relating to the formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers in accordance with regulations made under sections 47 and 47ZA of the Act.

(11) Subject to paragraphs (8) to (10), the members of the forum may determine their own voting procedures.

(12) The proceedings of the forum are not invalidated by—

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

(13) The authority must promptly publish all papers considered by the forum and the minutes of their meetings on their website.

### **Consultation on contracts**

9. The authority must consult the schools forum on the terms of any proposed contract for supplies or services (being a contract paid or to be paid out of the authority's schools budget<sup>(a)</sup>) where the estimated value of the proposed contract is not less than the threshold which applies to the authority for that proposed contract pursuant to regulation 8 of the Public Contracts Regulations 2006<sup>(b)</sup> at least one month prior to the issue of invitations to tender.

### **Consultation on financial issues**

10.—(1) The authority must consult the schools forum annually in respect of the authority's functions relating to the schools budget, in connection with the following—

- (a) arrangements for the education of pupils with special educational needs;
- (b) arrangements for the use of pupil referral units and the education of children otherwise than at school;
- (c) arrangements for early years provision;
- (d) administrative arrangements for the allocation of central government grants paid to schools via the authority.

(2) The authority may consult the forum on such other matters concerning the funding of schools as they see fit.

### **Information about consultations**

11. The schools forum must inform the governing bodies of schools maintained by the authority of any consultation carried out by the authority under regulation 9 or 10, as soon as it reasonably can.

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(a) "Schools budget" has the meaning given in section 45A(2) of the Schools Standards and Framework Act 1998.

(b) S.I. 2006/5.

### **Charging of schools forum's expenses**

12. The authority must pay the expenses of the schools forum and charge those expenses to the schools budget.

### **Members' expenses**

13. The authority must reimburse all reasonable expenses of members in connection with their attendance at meetings of the forum and charge those expenses to the schools budget.

3rd September 2012

*Jonathan Hill*  
Parliamentary Under Secretary of State  
Department for Education

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations revoke and replace the Schools Forums (England) Regulations 2010.

Regulations 3 to 8 provide for the constitution of a schools forum in every local authority in England, including the election of schools members, the election or selection of Academies members and the appointment of non-schools members to the schools forum, their meetings and proceedings. The restriction on non-schools members voting, and the Secretary of State observer status, are new.

Regulations 9 to 11 require the authority to consult their schools forum before entering into certain types of contract and annually in relation to a range of financial issues and the governing bodies of schools maintained by them to be informed of any such consultation.

Regulations 12 and 13 require the authority to pay the expenses of their schools forum out of the schools budget and the reasonable expenses of its members.

An impact assessment has not been produced for this instrument as no impact on the private sector or civil society organisations is foreseen. The impact on the public sector is minimal.

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