



Schools Forum Meeting Agenda

Thursday, 5 December 2013 at 9.00 am
to be held in Board Room, Town Hall, Torquay, TQ1 3DR

Membership

Jeanne Cook
James Evans
Roger Hughes
Colin Kirkman

Mike Lock
David Theobald
Frances Ward
Debbie Main

1. **Apologies/Changes to Membership**
2. **Minutes** (Pages 1 - 4)
To confirm as a correct record the minutes of the meeting held on 17th October 2013
3. **Matters Arising**
4. **2014/15 Delegation** (Pages 5 - 18)
School Forum decision required
5. **2013/14 DSG underspend** (Pages 19 - 22)
School Forum advice requested
6. **Outcome of Secondary lump sum consultation** (Page 23)
School Forum advice requested
7. **School Budget Return 2** (Pages 24 - 29)
School Forum to note
8. **School Forum good practice guide**
School Forum to discuss

For information relating to this meeting or to request a copy in another format or language please contact:

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[http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefu
for-schools'-forums-on-their-role](http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefu
for-schools'-forums-on-their-role)

9. Future Meeting Dates

9th January 2014 0900-1130 Boardroom Town Hall

6th March 2014 0900-1130 Boardroom Town Hall



Minutes of the Schools Forum

17 October 2013

-: Present :-

Schools: Primary Roger Hughes, Debbie Main, , **Schools: Secondary:** Daneian Rees,
Non-School: Early Years Jean Cook, **Non-Schools: 14-19** Daneian Rees, **School**
PRU: James Evens , **Officers:** Matt Redwood, Suzie Franklin, Rob Parr
(Also in attendance: Dorothy Hadleigh and Susan Moses (notes)

1. Apologies/Changes to Membership

Apologies were received from Jessica Humphry and David Theobald

Daneian Rees was asked by the Chair to be the Secondary representative for the meeting.

The Chair welcomed both Debbie Main, Primary representative and Dorothy Hadleigh, Service Manager, SEND to the meeting.

2. Matters Arising

None

3. Minutes

The Minutes of the meeting of the School's Forum held on 4th July 2013 were agreed to be a true record.

4. Update on SEN high cost places and Joint funded places- Report on updated position for 2013/14.

Dorothy Hadleigh, Service Manager SEND introduced a paper regarding High Cost SEN Placements following a request from School Forum for an update on 7th March 2013.

The School Forum was given the opportunity to question the two elements relating to :-

Joint Funded Places: Budget £840k due to higher placement levels. All residential placements budget costs are shared between Education, Social Care and Health. These residential placements are for secondary age pupils with very significant needs. A Panel assesses individual child's needs.

Independent Special Schools: Budget £1,060 to reflect the number of placements. 42 pupils are currently placed at 8 schools across the Country.

Suzie Franklin, Head of Schools, informed the School Forum that there was a growing concern about the number of social care referrals for primary school children pointing out that there were not so many packages available for primary children with complex needs and questioned whether the Chestnut provision could meet this need.

The Chair thanked Dorothy for her contribution to the School Forum

5. Feedback from FAR7 and consultation on proposed changes to the 2014/15 Torbay school funding formula

The School Forum noted that FAR 7 had meet and considered the position on using pupil mobility rates within the formula and using the new flexibility with regard to school lump sums and set a different primary and secondary lump sum.

The School Forum acknowledge and considered the FAR 7 recommendations that:-

- mobility is not used in the 2014/15 funding formula and supports the idea of using mobility in the formula, but given the constraints of the current DfE regulations the view was that this was not appropriate for Torbay funding formula at this time.
- no change is made to the primary school lump sum but that the secondary lump sum should revert to the level of 2011/12 before the national changes imposed in 2013/14.

The School Forum considered and noted the spreadsheet details relating to the comparison between remaining at 13/14 lump sum level or going back to different levels of lump sum for Primary and Secondary.

Following discussion the School Forum were happy to endorse the recommendations of FAR 7.

The School Forum noted that the timetable for Consultation on this change would be in October 2013 followed by the results being reported to School Forum on 5th December.

Action

- i) Consultation on changes to the Torbay Schools Funding Formula 2014/15 to be brought back to meeting on 5th December**

6. Projected 2013/14 DSG outturn

The School Commissioning Manager informed the School Forum that the Dedicated Schools Grant (DSG) was forecasted to underspend by £1.1m due to further DSG funding being received after April 13. He outlined the main areas of under/overspends and asked the School Forum for agreement to a detailed debate at the Dec 5th meeting on how the funding should be used.

The School Forum agreed to the proposal and reminded members the importance of attendance at next meeting.

Action

- i) **Detailed report on options outlining for DSG underspend to be prepared for School Forum meeting on December 5th.**

7. Use of the planned pupil growth contingency-Report on the use of this contingency.

The Head of School Commissioning asked the School Forum to consider changes to the funding criteria for planned pupil growth in year due to pressure on primary places in Paignton and Torquay. Two examples illustrated using the budget in a slightly different way.

The School Forum acknowledge the changes to the criteria for use of the planned pupil growth funding to ensure that there were enough school places available for children across Torbay.

8. Securing appropriate representation on School Forum

The Chair asked everyone to consider the existing membership and vacancies for School Forum.

The following representatives were discussed:-

Primary School: Jessica Humphry has resigned. Debbie Main new representative
 Primary Governor: Maurice Codd to be invited to re-join School Forum
 Secondary Academy Governor: vacant – consideration to be given to all schools but Academy preferred
 14-19 Provider: to be sought from Studio School or South Devon Collage

Action

- i) **Secondary academy governor vacancy to be sent out to all secondary schools. 14-19 representative invitation to be sent to South Devon College (MR)**

9. Appropriate protocol for dissemination of information from school forum

The Chair recommended to School Forum that action points from decisions of School Forum meeting should be sent out via the Primary School newsletter and distributed to secondary schools.

Action

- i) **Both Primary and Secondary Schools to receive copy of newsletter which will include actions of the School Forum (Chair)**

- ii) **What's New newsletter produced by Children's Services Finance Team to include internet link to School Forum papers and agendas (RP)**

10. Future Meeting Dates

Next meeting: 5th December 2013

School Forum 5th December 2013

As part of the changes to school funding School Forum have to decide on a range of delegated, de delegated budgets for maintained schools and centrally spent budgets for 2014/15.

The table below outlines how centrally allocated budgets can now be treated.

(a) Has to be allocated through formula but can be de-delegated for maintained schools (approval is by the relevant phase members of the schools forum)

1. Contingencies (including previous amounts for schools in financial difficulties)
2. Free school meals eligibility
3. Insurance
4. Staff costs – supply cover
5. Support for minority ethnic pupils and underachieving groups

(b) Can be centrally retained before allocating formula with agreement of schools forum

1. Funding for significant pre-16 pupil growth (any underspend has to be added to the following year's formula allocations)

(c) Can be centrally retained before allocating formula but no new commitments or increases in expenditure from 2012-13 (schools forum approval is required to confirm the amounts on each line)

1. Admissions
2. Servicing of schools forum
3. Capital expenditure funded from revenue

Optional de-delegation for maintained schools

There are some services where the Schools Forum on behalf of maintained schools are able to decide that some funding should be taken out of their pre-16 formula budgets before they receive them and moved to central funding. These are:

- a. contingencies (including support for schools supporting schools networks, TGA and NNDR re evaluations);
- b. administration of free school meals (FSM) eligibility;
- c. insurance;
- d. staff costs – trade union facilities agreement;
- e. support for minority ethnic pupils or underachieving groups;

For each of these, it is be for the schools forum members in the relevant phase (primary or secondary) to decide whether that service should be retained centrally. The decision will apply to all maintained schools in that phase and will mean that the funding for these services was removed from the formula before school budgets were issued. There could be different decisions made for each phase. Academies can buy back into local authority services, as is the case for maintained schools where funding remains delegated. There is an issue here that if only some schools buy back a service the delivery of the service may not be viable and will not be available to any schools.

A1. Contingencies – Schools Supporting Schools network- £165,000 , NNDR re-evaluations- £39,000 and TGA- £211

National Non Domestic Rates(NNDR) contingency

National Non Domestic Rates (NNDR) contingency is for in year support to schools who have rate re evaluations and have to pay higher rates as a result. The higher amount is fed into the following years formula allocation this is just for the in year increases which can be substantial. Delegation will mean that schools who have in year re evaluations will have to pay for these and any previous years back payments from within their formula allocation. These can be substantial.

Schools supporting schools network .

Subscription to this service provides access to:

- all curriculum networks- literacy network, maths network, ICT network, SEN and Inclusion network, Curriculum Development network.
- school evaluation partner annual data/head teachers performance management visit.
- activities outlined for the school leadership Academy which supports newly qualified head teachers, aspirant leaders
- support for all primary and special school NQTs including additional support for those not making appropriate progress.

Torbay Governors Association

This funding is to contribute towards the administration costs of TGA to aid the communication between TGA, schools and the LA.

A2. Administration of free school meals (FSM) eligibility- £9,000

Introduction

A parent or guardian can claim free school meals for their child if they meet specific criteria related to benefit entitlement and level of income. This is to ensure that children from low income families receive a nutritious meal each day to maximise their capacity for learning. For every child who receives free school meals the school can claim a pupil premium to pay for the additional support these children are likely to need. This is currently worth £630 per year for each pupil who has been entitled to free school meals at any time in the last 6 years and has risen to £900 in 2013/14. It is therefore in a school's interest to ensure that all pupils who are entitled to free school meals are identified. It is also worth noting that more than £4m is distributed through the Torbay Schools Funding Formula according to the numbers of pupils in a school eligible for free school meals.

Entitlement Process

The Department for Education has a database, the Eligibility Checking Service, that organisations can use to check eligibility of individual parents and guardians. The process involves inputting national insurance number, parent's date of birth and surname. The system then checks against listed benefit claimants and indicates whether there is a match with the data on the system.

Options

Schools have the option of purchasing an eligibility checking service that will undertake the above process very cheaply. However, this is generally where the service stops.

Torbay Council's Free School Meals Service, however, will contact any parent who has applied for free school meals and who is not found on the system and will invite them to provide other proof of entitlement e.g. a letter from the relevant government department. This is important because there is often a considerable time lag between date of entitlement and listing on the database.

Often the parent has made a simple error, e.g. an incorrect digit in their national insurance number. The council checks these details with parents who believe that they should be entitled.

The council notifies schools of all pupils who are recorded as being entitled to free school meals and all pupils where a query is being followed up.

The council checks all claimants periodically to verify their continued entitlement and again, will pursue any claimant who is shown as no longer entitled. Schools are notified about these parents and encouraged to support them in providing new evidence if their claim should be ongoing.

When the last check was made against the database, of approximately 3,200 children there were 328 queries, i.e. where the database indicated no entitlement. When these were followed up individually 33 pupils were found to still be entitled to free school meals i.e. 10% of rejected claims.

Equality issues

It is important that children who are entitled to free school meals receive them; also that parents who are no longer entitled to claim are identified and asked to pay for school meals. The council undertakes to check eligibility during the second part of the summer term for existing pupils and in September for new pupils so that schools have accurate data for the October census date. Additional checks are undertaken during the winter months. The council checks eligibility for all children at the same time, including siblings attending different schools. This ensures consistency.

Conclusion

A centralised free school meals service is good value and supports

- Children from low income families in receiving regular nutritious meals

- Parents in receiving the financial help to which they are entitled
- Schools in receiving appropriate funding for the entitled pupils who are more likely to need additional support

A 3. Insurance. £106,000

School Insurance Service

The Council's dedicated Insurance and Claims Handling Team is responsible for arranging and administering the Council's Corporate insurances as well as providing advice and guidance with all insurance/claims related matters, general risk management and dealing with all aspects of civil liability.

Structure and Functions of the Insurance and Claims Handling Team

The Insurance team will:

- arrange placement of a comprehensive package of insurances
- information and clarification on existing policy cover.
- advice and guidance regarding insurance implications for events and activities, property issues, school trips and hiring of school facilities.
- advice on potential claims and management of claims along with associated correspondence.
- undertake mid term adjustments, additions and deletions in cover required to reflect risk exposure as well as arrangements and management of engineering inspection reports.
- Upon request, the team can assist in scrutinising legal documentation, such as contracts with third parties, to ensure that as far as possible any residual risk is transferred through appropriately worded indemnities.
- arrange statistical reporting and claims analysis

The Civil Litigation Claims Handling will:

In the event a liability claim arises, a legally qualified member of the claims handling team will deal with all correspondence with Solicitors and third parties and undertake a

detailed investigation into the causes of the incident. This may involve interviewing staff and inspecting the accident location by prior arrangement with the school.

The Insurance and Claims Handling teams are based at the Town Hall in Torquay. However, there may be occasions when attendance at schools is appropriate and these visits can be arranged by appointment.

Advantages of the Council's Corporate Insurance and Claims Handling Services

There are many advantages of being part of the Council's corporate insurance and claims handling service, not least because of:-

- The economy of scale and managed risk profile ensures that Torbay Council are able to pass on to Schools the advantageous premium costs and insurance terms obtained.
- The provision of a comprehensive range of insurance policies with high levels of indemnity to ensure financial risk protection of key exposures which includes:- public and employer's liabilities (including Governors liability whilst acting on behalf of the LA), motor, officials' indemnity, fidelity guarantee, property (buildings and contents), school journey and personal accident insurance – all arranged through a competitive tender in accordance with industry best practice, EU Service Procurement Directives and Financial regulations.
- Financial security for schools with excess payments being centrally met by the Council.
- management of all corporate insurance claims related matters
- advice and guidance regarding insurance implications for events and activities, property issues, school trips and hiring of school facilities
- reinstatement valuations of LA properties
- Regulatory engineering inspections
- guidance and support on day to day management of risks and Insurance implications
- mid term adjustments, additions and deletions in cover required to reflect risk exposure
- Continuity of service.
- Proven track record for schools with existing local knowledge of specific insurance and claim requirements enabling closer communications.
- Support and access to the Council's corporate services.

Please note that when funding for insurance is delegated to any school, the school shall demonstrate at the time of application for delegated funds, to the satisfaction of the Section 151 Officer (Executive Head of Finance), that cover relevant to the Council's insurable interests, under a policy/policies to be arranged by the Governing Board, is as good as the relevant minimum cover arranged by Torbay Council and is sufficient to protect Torbay Council.

Failure to comply with the minimum levels of insurance cover may result in additional costs being recharged to Schools.

A 5. Staff costs – supply cover (trade union) £10,000.

The only budget funded from this area is the Teacher Unions Facilities funding which releases union representatives to negotiate with the Council to resolve disputes and produce draft school policies.

A6. English as an Additional Language support service. Support for minority ethnic pupils or underachieving groups - £32,000

Gypsy Roma and traveler education. £9,000

Local context	Need for central EAL service	Risks of not providing a service
Approximately 2% of the school population across Torbay (children of compulsory school age have EAL. This figure varies greatly between schools, some having up to 20% EAL. Between 35 and 40 different first languages are	Because Torbay has a relatively small EAL, it is difficult for individual schools to develop and maintain specialist knowledge about supporting the acquisition of English language skills, and the needs of pupils from many different cultural and linguistic backgrounds. Local authorities have the	Specialist knowledge lost Funding not targeted to areas of most need.

represented within the EAL group at any one time.	discretion to retain funding to continue to run a centralised service in cases where local school forums consider that this would be appropriate. Funding would be spread too thinly if it was all funding devolved to schools.	
Raising attainment	Need for central service	Risks of not providing a service
Local and national aims are to maintain improvement in the numbers of pupils gaining 5 or more A* to C grades including English and mathematics, improvement in KS2 result for English and maths and to ensure that fewer pupils leave school with no qualifications.	It is essential that an Ethnic Minority Achievement Service is retained in its current form. Taking immediate steps to 'mainstream' EAL funding will not support the government's aim of ensuring 'funding reflects pupil characteristics more closely' and jeopardises the academic progress and well being of many of our most vulnerable learners. It is more cost-effective to maintain a central service to help schools to meet the needs of bilingual learners and to support schools in narrowing achievement.	Pupils who arrive at upper KS2 beyond would not receive adequate or appropriate support and may not reach full potential for academic progress.
Quality of provision	Need for central service	Risks of not providing a service
Effective use of data Specialist advice, support and intervention	Data collection and analysis – <i>spreadsheet design, comparing like with like, identifying problems</i> Specialist support. <i>Advisory teacher and TA - Targets, assessment, monitoring impact, resources – T&L materials, schemes of work, lesson plans</i>	Data relating to EAL children will not be collected and analysed as a group. Problems will not be identified or addressed appropriately. Specialist knowledge and expertise lost. Effectiveness of

<p>EAL assessment</p> <p>Rapid response to requests for information and advice</p> <p>Access to resources</p> <p>Training</p>	<p>Assessing impact of support – <i>impact sheets shared with school</i></p> <p>EAL assessment – <i>materials linked to national scale, training, monitoring, targets</i></p> <p>Availability – <i>close links with EAL coordinators for telephone/email advice. Quick response</i></p> <p>Training – <i>central training sessions to reflect national initiatives, local need (responsive)</i></p>	<p>intervention will not be measured.</p> <p>EAL assessment in line with national guidelines not carried out.</p> <p>Schools may not know where to access information and resources. Time wasted.</p> <p>Opportunities for CPD through annual programme of training sessions at PDC lost. Knowledge and expertise in schools diminished</p>
<p>Efficient use of funding</p>	<p>Need for central service</p>	<p>Risks of not providing a service</p>
<p>Government guidelines now state that EAL funding to schools should be for the first 3 years only. (This seems to assume that children arrive in pre-school or KS1)</p>	<p>Every year, a significant number of children arrive at upper KS2, KS3 and KS4 with little English. It potentially takes these children 5-7 years to reach the level of English required for academic proficiency. They need to be monitored and given appropriate support throughout their school life. Learners of EAL have, on average, lower levels of attainment than pupils whose first language is</p>	<p>Children who arrive 'late' will develop adequate understanding and communication skills for every day use but they may not receive targeted and adequate support for reading and writing skills. SAT's and GCSE</p>

	English	results will be lower.
Vulnerable children	Need for central service	Risks of not providing a service
Refugees/asylum seekers EAL children who also have SEN	<p>When these children arrive in schools, it is essential that a sensitive induction procedure is followed which includes all agencies involved. EAL/EMA service has knowledge and experience in this area – with flexibility to attend multi-agency meetings. As there are only a few of these children, schools do not have the capacity to develop this experience.</p> <p>It is important that these children accurately identified and receive the support/funding to which they are entitled. The EAL service has developed a list of procedures and comprehensive questionnaires/checklists to ensure that this is the case. This includes an assessment of first language skills through an interpreter. Central EAL funding covers the cost of an interpreter. The EAL service also has close liaison with educational psychologists, SEN department and with advisory teachers and speech and language therapists.</p>	<p>Specialist knowledge and experience lost</p> <p>Schools will find it difficult to follow the necessary procedures. Interpreters may not be used. EAL children may be identified as SEN inappropriately. EAL children who have SEN may not be recognised.</p>
Dealing with racism	Need for central service	Risks of not providing a service
Publicly-funded schools remain under a statutory duty to promote	The Ethnic Minority Achievement services is able to collect and analysis racist incident report	Some racist bullying in schools may not be identified.

community cohesion. It is for schools themselves to decide how to fulfil this duty in the light of their local circumstances.	forms and to provide central or INSET sessions to help schools to recognise and address issues of racism. Pupil voice sessions organised in schools by EMA empower children to talk about their experiences.	Schools often do not feel confident about addressing wider issues of racism. Racism in schools may not be addressed.
Home school liaison	Need for central service	Risks of not providing a service
Providing information and advice Facilitating meetings	The EAL service provides leaflets in a range of languages for parents about the requirements of the English education system and how to find a school in Torbay + additional advice about attendance. The EAL service provides funding for the use of interpreters and advice about how to access interpreters	Parents/carers may not be able to access appropriate information. We have recently become aware of a small number of children being kept out of school beyond the statutory school age due to the parents' lack of awareness. Parents and teachers may not be able to access interpreters when they need to.
Gypsy Roma Traveller children	Need for central service	Risks of not providing a service
Traveller achievement service currently bought in from Devon EMA. Contract to be reviewed.	Torbay EMA has capacity to carry out this work which involves: visiting temporary traveller sites to carry out education checks Supporting 'guest pupil' school admission Liaising with 'base' schools Providing education packs to support literacy and numeracy. Monitoring and supporting settled	Education checks may not be carried out. GRT children may not obtain school places. Movements and progress may not be monitored.

	GRT in schools.	
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These budgets can be centrally retained before allocating funding through the formula with the agreement of Schools Forum

B.1 Significant pre 16 pupil growth £134,000

In 2012/13 there is £134,000 to allocate 7/12ths AWPU to those primary schools who have agreed to expand mid year to take more pupils, Cockington, White Rock, Torre, Warberry, St Margaret Clitherow and Ellacombe. This recognises that the in year growth is planned but that the additional pupils will not be funded until the following years pupil census although the schools have to make additional provision.

The recommendation is that this funding continues to be held centrally and allocated to these schools which have planned pupil growth. This budget will have to increase slightly if 7/12ths of the 2013/14 per pupil entitlement is used .

The budgets in section D can be held centrally at the same level as 2013/14 but the amounts need approval of Schools Forum.

C.1 School Admissions Service £94,000

Services provided

Services provided by the school admission service include:

- Co-ordination and planning of consultation on admission arrangements – legal requirement
- Review and advice re admission policies for other admission authorities – legal requirement
- Preparation, publication and distribution of range of booklets related to admissions processes – legal requirement
- Preparation and publication of range of other information to alert parents to admissions process
- Provision and monitoring of online application process
- Management and delivery of allocation processes for all Reception and year 7 places – legal requirement
- Allocation of school places for Community and VC schools

- Allocation of school places to all people moving to Torbay; liaison with other LAs for pupils moving out of Torbay; processing of applications to transfer between schools in Torbay – legal requirement until September 2013; requested by majority of schools to continue after this date
- Management of process to allocate places for difficult to place and vulnerable children – legal requirement
- maintaining a database of children being home educated
- Preparation for and presentation of statements at admission appeals for community and VC schools – legal requirement
- Preparation and publication of booklet for parents re exclusions
- Advice, guidance and maintenance of records re exclusions from school

Funding

As can be seen, many of the services provided by Admissions are statutory and therefore have to be maintained. Currently Academies can choose to buy in to the admission service; this buy-in secures completion of the entire admission process and preparation for/presentation of appeals.

If this funding is not available for 2013/14 there will have to be a very significant reduction in the admission service. This would inevitably result in a less responsive service and place a greater burden on schools e.g. there would potentially be more excepted pupils in reception classes because of higher levels of error, and higher numbers of appeals for all schools. It would result in a less responsive service for both parents and schools.

C 2. Servicing the School Forum £53,000

This is an amount which is used to offset costs of a range of staff including the Head of Schools Commissioning, Children's Services Group Accountant, Children's Services Principle Accountant and support of democratic Services.

C 3 Capital Expenditure funded from Revenue £9,000

In 2012/13 there is a budget of £9k. This was used to contribute to the management and delivery of a range of capital initiatives across the whole Children Services (schools) capital Programme. The proposal is to allocate the same level of funding for 2013/14

Recommendations for School Forum

1. School Forum decide on behalf of maintained schools for the financial year 2014/5 on funding for centrally provided services.
 - a. School Improvement for the schools supporting schools networks (primary)
 - b. Contribution to TGA (secondary)
 - c. Free School Meals eligibility service(primary and secondary)
 - d. School Insurance (primary and secondary)
 - e. Support for Minority Ethnic service (primary and secondary)
 - f. Support for Gypsy, Roma and Traveller service (primary and secondary)

2. School Forum decide on behalf of all schools for the financial year 2014/5 provided services(all schools)
 - a. Funding for significant pre 16 planned growth

3. School Forum decide on level of central funding for services outlined below (all schools)
 - a. Admissions service
 - b. Servicing the School Forum
 - c. Capital Expenditure funded from Revenue

Schools Forum – 5th December 2013

2013/14 Dedicated Schools Grant (DSG) – Forecast Outturn

The DfE confirmed that the 2012/13 Dedicated Schools Grant (DSG) is £86m of which an estimated £40m is deducted to fund Academy Schools leaving £46m for maintained schools and education services.

Dedicated Schools Grant (DSG) funded activities are forecast to underspend by £1.1m. This is mainly due to further DSG funding received after April 13. The 2012/13 outturn was an underspend of £126k which Schools Forum agreed to add to reserves.

At the October Forum meeting the following position was reported.

'The overall forecast is an underspend of £1.1m. This includes further allocations to Torbay for post 16 SEN pupils totalling £600k. Independent special school costs are a volatile area and the current forecast underspend could quite easily turn into a significant overspend. Any DSG underspend can be carried forward to 14/15.'

*In-Year Adjustments (NNDR, planned pupil growth) underspend £100k
 DSG – additional DfE funding underspend £500k
 Post 16 funding from EFA underspend £400k
 Interim Tuition (incl hospital) overspend £100k
 Special School places overspend £50k
 Independent School Fees underspend £100k
 Joint funded placements breakeven
 Delegated Statementing breakeven'*

The position has changed slightly with the underspend on Post 16 SEN falling to £300k and the EFA have recognised that they had the wrong figures for Combe Pafford and so are seeking £120k to be returned. The EOTAS overspend has fallen and there have been other minor movements such that the projected end of year position has fallen from a £1.1m underspend to a £900,000 underspend.

There are a range of options on which the Director of Children's Services is seeking the views and advice of School Forum.

Option 1.

Note the level of underspend and carry this forward into 2014/15 and allocate this funding with the 2014/15 allocations.

This has the advantage of allowing for further volatility in the budget and a final definite figure will be known for 2014/15. The treatment of this funding will have to be carefully considered as inclusion in the schools base funding may cause a problem in MFG calculations.

Option 2

Allocate a proportion of the underspend mid year to schools.

This is poor practice as outlined by the EFA but is distributing DSG to schools where approaching 50% would have been allocated, excluding the High Needs block element, if the current budget position had been clear in February 2013.

Option 3

Allocate £400,000 to schools on pupil numbers and the £500,000 from the High Needs Block being used to develop services for supporting vulnerable children specifically with emotional and mental health difficulties.

There is increasing concern amongst head teachers and GPs regarding the mental health of young people in our schools.

The issues range from self-harming, eating disorders through to extremely complex mental health issues. We are also encountering more families where mental health issues within the family are having an impact on school age children.

The current CAMHS provision is not meeting the needs of many young people. There is much frustration in schools who are finding that children who are referred to CAMHS do not yet meet the criteria or there is an unacceptably long waiting list.

The proposal is that we use the projected underspend in the High Needs Block to address this mental health issue and we set up a project accessible by all schools, academies and maintained.

The project would use that money over 3 years. There would be an evaluation after Year 1 and if the project is not proving to be effective with good outcomes it will cease at the end of Year 1 and the finance either distributed to schools or on agreement used in another way.

The set up would be similar to the one we have in place for Family Support Workers and Educational Psychologists, which is working well across the Bay.

The project would provide:

1. Primary mental health workers who would be based in schools and have an allocated time slot in each school
2. Schools would refer their pupils and their families to their worker
3. These workers would have a better opportunity to access the full CAMHS service
4. Provision of supervision for staff undertaking Thrive in our schools
5. Training of peer mentors to provide emotional resilience for pupils

As schools would be funding the development of the service we would be better placed influence the service model and hold the service to account for the outcomes it delivers. There are also early indications from health that they would be prepared to remodel the existing service to reflect this delivery model and add additional capacity.

The proposal would also enable schools to work more closely with GPs. As they now have a key role in commissioning health services this would serve to increase understanding of the health needs schools have identified among their children and young people.

There has been some consultation with schools regarding this proposal as follows;

- a) A meeting of Secondary Heads was hosted by Jane English on Tuesday 26th November. The proposal was put to them and their views sought. This resulted in all those present (6) agreeing unanimously that this proposal would represent the best way forward in meeting the needs of schools and children and young people across the Bay and would provide best value for money. It has their full support.
- b) Richard Williams outlined the principle of the proposal to Primary Heads at the last TAPS meeting. There was a consensus among those present that this was a much needed service and general support for the principle. Funding was not discussed in detail.

Recommendation

School Forum is requested for its recommendations to the Director of Children's Services.

Agenda Item 5

Appendix 1

Potential in-year allocation to schools of projected DSG underspend in 13/14 based on pupil numbers

DfE No.	School Name	Pupil Numbers Oct 12	Funding allocated by Pupil Nos. £
2407	Furzeham Primary and Nursery School	251	6,132
2434	Curledge Street Academy	378	9,235
2438	Oldway Primary School	640	15,635
2439	White Rock Primary School	419	10,236
2453	Cockington Primary School	436	10,652
2454	Ellacombe Academy	220	5,375
2455	Homelands Primary School	210	5,130
2456	St. Margaret's Academy	382	9,332
2460	Watcombe Primary School	196	4,788
2464	Preston Primary School	309	7,549
2468	Shiphay Learning Academy	419	10,236
2469	Sherwell Valley Primary School	630	15,391
2473	Roselands Primary School	285	6,963
2474	Barton Hill Academy	471	11,507
3103	Brixham C of E Primary School	212	5,179
3119	Iisham Academy	175	4,275
3120	Upton St. James Primary	100	2,443
3121	Warberry C of E Primary School	332	8,111
3600	Galmpton C of E Primary School	218	5,326
3601	St. Margaret Clitherow Catholic Primary School	115	2,810
3613	Sacred Heart Catholic Primary and Nursery School	197	4,813
3614	Queensway Catholic Primary School	189	4,617
3615	All Saints Babbacombe C of E Primary School	203	4,959
3616	St. Marychurch C of E Primary School	276	6,743
3617	Priory Roman Catholic Primary School	183	4,471
3618	Torre C of E Primary School	232	5,668
3619	Collaton St. Mary C of E Primary School	204	4,984
3751	Eden Park Primary Academy	339	8,282
3752	Kings Ash Academy	362	8,844
5200	Hayes School	391	9,552
	TOTAL PRIMARY SCHOOLS	8,974	219,239
4114	Torquay Grammar School for Girls	602	14,707
4115	Torquay Academy	783	19,129
4116	Churston Ferrers Academy	652	15,929
4117	Westlands School & Technology College	1,039	25,383
4118	Brixham College	959	23,429
4119	Paignton Community & Sports Academy	1,293	31,589
4601	St Cuthbert Mayne Joint Catholic and C of E School	883	21,572
5401	Torquay Boys' Grammar School	775	18,934
	TOTAL SECONDARY SCHOOLS	6,986	170,671
7041	Combe Pafford Academy	181	4,422
7042	Mayfield School	132	3,225
7046	Torbay School	48	1,173
1106	Pupil Referral Unit	52	1,270
	TOTAL SPECIAL SCHOOLS & PRU	413	10,090
	OVERALL TOTALS	16,373	400,000
		£	
	Funding to allocate	400,000	
	Funding per pupil	24.43	

School Forum 5th December 2013.

Proposed Change to the Torbay School Funding Formula 2014/15

Following discussion at FAR7 and advice to the School Forum they were asked to review the use of mobility and lump sums in the Torbay School Funding formula.

At their meeting in October School Forum supported a single proposed change to the Torbay school funding formula for 2014/15

no change is made to the primary school lump sum but that the secondary lump sum should revert to the level of 2011/12 before the national changes imposed in 2013/14.

Consultation has taken place with all schools via e-mail about this proposed change. One response was received to the consultation supporting the proposed change.

Recommendation.

The Director of Children's Services who has delegated power to make amendments to the Torbay School Funding Formula be informed of the outcome of the consultation and view of the School Forum.

Agenda Item 7

SCHOOL BUDGET RETURN (SBR2) SCHOOLS FORUM 5TH DECEMBER 2013

Background

As part of the Scheme for Financing Schools, all Torbay Schools are required to submit a twice yearly return detailing how the previous year's unspent balance is to be utilised in the coming year, together with a forecast balance for the current year. The returns are called SBR1 (to be submitted by 31st May each year) and SBR2 (to be submitted by 31st October each year). This paper is reporting on data submitted by all maintained schools for the SBR2.

2012/13 Overall Findings and Conclusions

The level of unspent balances as at 31st March 2012 was £2.8m (column 1). The Primary phase had the largest balances totalling £1.4m. Secondary Schools were holding balances of £1.3m. Special schools were holding total balances of £0.2m.

The balances shown are for maintained schools only, academy balances as at 31st March 2013 have been excluded.

2013/14 Overall Findings and Conclusions

The forecast level of unspent balances at the end of 2013/14 is £1.9m (column 6). This is the same level as the previous year. It is generally the case that schools are pessimistic in their forecasting at this time of the financial year. There is an assumption that any capital works will finish on schedule.

The Primary phase is forecasting that balances will be £0.8m – a decrease of £0.6m since March '13. Within this forecast is small deficit for Preston Primary School. The forecast deficit has been brought to the attention of the Council.

For the Secondary phase, there is a forecast balance of £0.9m. – a decrease of £0.4m since March '13.

Special Schools are forecasting a total unspent balance of £0.2m, broadly in line with the balances as at the end of 2012/13. The distribution of the balances between the three special schools has shifted considerably.

Use of the forecast 2013/14 unspent balances

The budget return requests that schools identify how the forecast balance is made up, in order to identify which schools have drawn forward capital funding and which schools are holding balances on behalf of the school with in Torbay for specific networks.

The budget return also requests that schools consider how their forecast unspent balances for 13/14 will be utilised in the future. The DfE are keen that schools do not accumulate excessive balances without a clear view as to their future use. Therefore in columns 12 to 17, schools are asked to analyse how their forecast unspent balances will be used. In the vast majority of schools, the operational contingency is considered to be the most appropriate use. This aims to cover instances of schools with falling rolls with their balances being used to smooth out the effect of reorganisation of classes.

Schools have also identified £0.2m for improvements in premises and facilities, which is a reflection on the decreased level of Devolved Formula Capital Funding.

The Level of Forecast 2013/14 Unspent Balances

Both the Torbay Scheme for Financing Schools and the DfE state that where possible surplus balances for Primary and Special Schools, should be no more than 8% of that year's revenue budget (column 21). For Torbay, Collaton St Mary is the only school to have a balance forecast to be greater.

For Secondary Schools, the recommended level of surplus balances is 5% (column 21). At this stage, both Torbay secondary schools surplus balance is greater than this level.

Amanda Haley
Principal Accountant Schools – Children's Services
01803 208284
6th November 2013

SCHOOL BUDGET RETURNS - SBR2 2013/14 FOR SCHOOLS FORUM DECEMBER 5TH 2013

DfE No.	School Name	1	2	3	4	5	6	7	11	12	13	14	15	16	17	18	
		Year End Forecast - Budget Summary					Assignment of forecast SBS Balances by category										
	B/fwd from 12/13	Current Funding	Anticipated budget adjustments	Total Forecast Funding 2013/14	Total Forecast Expenditure 2013/14	Total Predicted Carry Forward	School Budget Share	Total Predicted Year End Balance 2013/14	Investment in curriculum initiatives	Improvements in Premises & Facilities	Repairs & Maintenance (Planned Maintenance Responsibilities)	Operational Contingency	PFI related items	Uncommitted Revenue Balances	Total Predicted Year End Balances 2013/14		
2407	Furzeham Primary	74,897	1,027,540	0	1,102,437	1,096,617	5,820	5,820	5,820	0	0	0	0	0	5,820		
2438	Oldway Primary	82,263	2,288,063	0	2,370,326	2,290,000	80,326	80,326	40,326	10,000	0	30,000	0	0	80,326		
2439	White Rock Primary	171,057	1,384,863	0	1,555,920	1,448,296	107,624	107,624	0	10,000	0	97,624	0	0	107,624		
2455	Homelands Primary	83,460	970,033	0	1,053,493	1,000,581	52,912	52,912	40,548	0	0	0	12,364	0	52,912		
2460	Watcombe Primary	62,892	1,107,587	3,119	1,173,598	1,170,678	2,920	2,920	0	0	0	2,920	0	0	2,920		
2464	Preston Primary	27,369	1,283,035	0	1,310,404	1,314,215	0	(3,811)	0	0	0	0	0	0	0		
2469	Sherwell Valley	123,435	2,338,962	0	2,462,397	2,404,810	57,587	57,587	38,467	4,120	0	15,000	0	0	57,587		
2473	Roselands	83,244	1,125,911	0	1,209,155	1,132,053	77,102	77,102	0	0	0	77,102	0	0	77,102		
3103	Brixham C of E Primary	91,421	957,129	700	1,049,250	1,004,272	44,978	44,978	10,000	10,500	5,000	15,500	0	3,978	44,978		
3120	Upton St James	81,954	515,131	0	597,085	557,710	39,373	39,373	0	0	0	39,373	0	0	39,373		
3121	Warberry	40,392	1,281,764	0	1,322,156	1,305,520	16,636	16,636	0	0	0	16,636	0	0	16,636		
3600	Galmpton	23,305	761,760	0	785,065	781,435	3,630	3,630	0	0	0	3,630	0	0	3,630		
3601	St Margaret Clitherow	69,269	494,460	0	563,729	520,499	43,230	43,230	0	0	0	43,230	0	0	43,230		
3613	Sacred Heart	69,309	873,479	0	942,788	888,179	74,609	74,609	2,000	0	0	72,609	0	0	74,609		
3614	Queensway	38,911	816,488	0	855,399	850,978	4,421	4,421	0	0	0	4,421	0	0	4,421		
3615	Babbacombe	28,168	776,610	1,375	806,153	757,197	48,956	48,956	10,925	33,031	0	5,000	0	0	48,956		
3616	St Marychurch	107,027	1,197,801	0	1,304,828	1,249,318	55,510	55,510	0	0	0	55,510	0	0	55,510		
3617	Priory RC Primary	64,233	740,758	0	804,991	775,226	29,765	29,765	10,418	0	0	19,347	0	0	29,765		
3619	Collaton St Mary	95,310	728,528	0	823,838	717,076	106,762	106,762	33,000	5,000	5,000	63,762	0	0	106,762		
	Totals - Primary	1,417,916	20,669,902	5,194	22,093,012	21,244,660	848,352	852,161	191,504	72,651	10,000	561,664	12,364	3,978	775,059		
	Secondary Schools																
4117	Westlands	789,561	7,226,606	0	8,016,167	7,384,139	632,028	632,028	0	157,000	20,000	150,000	0	305,028	632,028		
4601	St Cuthbert Mayne	507,153	5,006,844	0	5,513,997	5,216,563	297,434	297,434	0	0	0	297,434	0	0	297,434		
	Totals - Secondary	1,296,714	12,233,450	0	13,530,164	12,600,702	929,462	929,462	0	157,000	20,000	447,434	0	305,028	929,462		
	Special Schools																
1106	Torbay PRU	59,166	926,665	0	985,831	964,250	21,581	21,581	0	0	0	21,581	0	0	21,581		
7042	Mayfield	100,654	3,032,943	0	3,133,597	2,972,987	42,508	160,610	140,030	20,580	0	0	0	0	160,610		
7046	Torbay EBD	13,313	1,145,114	0	1,158,427	1,154,126	4,301	4,301	0	0	0	4,301	0	0	4,301		
	Totals - Specials	173,133	5,104,722	0	5,277,855	5,091,363	68,390	186,492	140,030	20,580	0	25,882	0	0	186,492		
	Overall Total	2,887,763	38,008,074	5,194	40,901,031	38,936,725	1,964,306	1,968,115	331,534	250,231	30,000	1,034,980	12,364	309,006	1,891,013		

SCHOOL BUDGET RETURNS - SBR2 2013/14 FOR SCHOOLS FORUM DECEMBER 5TH 2013

DfE No.	School Name	19	20	21	22	23	MEMORANDUM ITEMS		
		Operational Contingency Carry Fwd % of Total Budget	Operational Contingency Carry Fwds > 8% Prim & Spec; > 5% for Secs	TOTAL C/fwd % of Total budget	TOTAL Carry Fwds > 8% Prim & Spec; > 5% for Secs	Capital works due for completion 2013/14	Carry Forwards after Adjustment for School Loans £	Difference btw Unspent Balance 31st March 13 & forecast balance 31st March 14 + = incl () = decr £	Difference btw Unspent Balance 31st March 13 & forecast balance 31st March 14 + = incl () = decr %
2407	Furzeham Primary	0.00%	no	0.53%	no		5,820	(69,077)	-92%
2438	Oldway Primary	1.27%	no	3.39%	no		80,326	(1,937)	-2%
2439	White Rock Primary	6.27%	no	6.92%	no		107,624	(63,433)	-37%
2455	Homelands Primary	0.00%	no	5.02%	no		52,912	(30,548)	-37%
2460	Watcombe Primary	0.25%	no	0.25%	no		2,920	(59,972)	-95%
2464	Preston Primary	0.00%	no	0.00%	no		0	(27,369)	-100%
2469	Sherwell Valley	0.61%	no	2.34%	no		57,587	(65,848)	-53%
2473	Roselands	6.38%	no	0.00%	no		0	(83,244)	-100%
3103	Brixham C of E Primary	1.48%	no	4.29%	no	7,500	44,978	(46,443)	-51%
3120	Upton St James	6.59%	no	6.59%	no	9,967	39,373	(42,581)	-52%
3121	Warberry	1.26%	no	1.26%	no		16,636	(23,756)	-59%
3600	Gaimpton	0.46%	no	0.46%	no		3,630	(19,675)	-84%
3601	St Margaret Clitherow	7.67%	no	7.67%	no		43,230	(26,039)	-38%
3613	Sacred Heart	7.70%	no	7.91%	no		74,609	5,300	8%
3614	Queensway	0.52%	no	0.52%	no		4,421	(34,490)	-89%
3615	Babbacombe	0.62%	no	6.07%	no		48,956	20,788	74%
3616	St Marychurch	4.25%	no	4.25%	no		55,510	(51,517)	-48%
3617	Priory RC Primary	2.40%	no	3.70%	no		29,765	(34,468)	-54%
3619	Collaton St Mary	7.74%	no	12.96%	**YES**		106,762	11,452	12%
	Totals - Primary						775,059	(642,857)	-45%
	Secondary Schools								
4117	Westlands	1.87%	no	7.88%	**YES**		632,028	(157,533)	-20%
4601	St Cuthbert Mayne	5.39%	**YES**	5.39%	**YES**		297,434	(209,719)	-41%
	Totals - Secondary						929,462	(367,252)	-28%
	Special Schools								
1106	Torbay PRU	2.19%	no	2.19%	no		21,581	(37,585)	-64%
7042	Mayfield	0.00%	no	5.13%	no		160,610	59,956	60%
7046	Torbay EBD	0.37%	no	0.37%	no		4,301	(9,012)	-68%
	Totals - Specials						186,492	13,359	8%
	Overall Total						1,891,013	(996,750)	-35%

Analysis of forecast year end expenditure for Maintained School salary costs

DfES No.	School Name	Teaching Staff	Admin Staff	LSA	MTA	Nursery Staff	Cleaning & Premises Staff	Technicians	Kitchen Staff
2407	Furzeham Primary	520,424	54,937	193,738	27,957	90,497	31,522	-	-
2438	Oldway Primary								
2439	White Rock Primary	747,022	79,372	234,558	32,799	-	-	23,672	-
2455	Homelands Primary	449,396	41,595	178,362	22,027	-	-	-	-
2460	Watcombe Primary	581,925	54,157	246,140	11,410	15,645	30,840	-	32,095
2464	Preston Primary	569,998	71,132	234,375	18,794	-	-	5,115	-
2469	Sherwell Valley	1,216,106	87,413	462,003	51,444	-	59,934	-	-
2473	Roselands	549,984	48,977	248,919	22,804	-	28,852	-	-
3103	Brixham C of E Primary	508,555	48,400	181,938	16,244	-	-	-	-
3120	Upton St James	250,045	32,092	81,660	11,245	-	11,245	-	-
3121	Warberry	659,414	68,523	204,816	24,825	20,856	-	18,000	-
3600	Galmpton	406,716	41,441	137,467	10,310	-	18,698	-	-
3601	St Margaret Clitherow	264,310	32,875	105,121	11,617	-	11,461	-	-
3613	Sacred Heart	428,806	43,049	196,723	18,970	-	-	-	-
3614	Queensway	458,550	30,669	174,060	15,801	-	-	-	-
3615	Babbacombe	374,506	43,092	155,762	14,964	-	-	-	-
3616	St Marychurch	597,211	71,465	227,277	19,304	20,544	-	-	-
3617	Priory RC Primary	404,094	43,210	122,498	14,092	-	-	-	-
3619	Collaton St Mary	364,242	32,335	119,358	7,723	-	-	-	-
	Totals - Primary								
	Secondary Schools								
4117	Westlands	3,906,954	407,601	783,907	25,507	-	-	119,491	-
4601	St Cuthbert Mayne	3,003,664	439,567	320,851	14,512	-	127,106	235,777	-
	Totals - Secondary								
	Special Schools								
1106	Pupil referral Unit	440,033	73,169	227,630	-	-	-	10,080	-
7042	Mayfield	998,902	176,568	823,655	17,875	18,540	20,285	-	-
7046	Torbay EBD	589,274	77,854	164,143	-	-	42,192	10,800	22,979
	Totals - Specials								
	Overall Total								

Figures taken from the submitted reports

SCHOOL CARRY FORWARD COMPARISON BETWEEN 2012/13 CONFIRMED CARRY FORWARD AND FORECAST CARRY FORWARD ON SBR1 AND SBR 2 RETURNS

DfES No.	School Name	B/fwd from 12/13	SBR1 Forecast Budget Balance at end of 13/14	SBR2 Total Predicted Carry Forward at end of 12/13	Difference between 12/13 C/fwd and SBR2 Forecast (- = Increase)	Difference between SBR1 and SBR2 Forecasts (- = Increase)
2407	Furzeham Primary	74,897	16,387	5,820	69,077	10,567
2438	Oldway Primary		41,838	80,326	(80,326)	(38,488)
2439	White Rock Primary	171,057	85,929	107,624	63,433	(21,695)
2455	Homelands Primary	83,460	34,010	52,912	30,548	(18,902)
2460	Watcombe Primary	62,892	1,331	2,920	59,972	(1,589)
2464	Preston Primary	27,369	5,814	(3,811)	31,180	9,625
2469	Sherwell Valley	123,435	16,787	57,587	65,848	(40,800)
2473	Roselands	83,244	84,041	77,102	6,142	6,939
3103	Brixham C of E Primary	91,421	53,735	44,978	46,443	8,757
3120	Upton St James	81,954	81,956	39,375	42,579	42,581
3121	Warberry	40,392	28,048	16,636	23,756	11,412
3600	Galampton	23,305	4,245	3,630	19,675	615
3601	St Margaret Clitherow	69,269	67,524	43,230	26,039	24,294
3613	Sacred Heart	69,309	65,126	74,609	(5,300)	(9,483)
3614	Queensway	38,911	6,904	4,421	34,490	2,483
3615	Babbacombe	28,168	48,740	48,956	(20,788)	(216)
3616	St Marychurch		66,810	55,510	(55,510)	11,300
3617	Priory RC Primary	64,233	34,397	29,765	34,468	4,632
3619	Collaton St Mary	95,310	114,065	106,762	(11,452)	7,303
	Totals - Primary	1,228,626	857,687	848,352	380,274	9,335
	Secondary Schools					
4117	Westlands	789,561	807,083	632,028	157,533	175,055
4601	St Cuthbert Mayne	507,153	280,408	297,434	209,719	(17,026)
	Totals - Secondary	1,296,714	1,087,491	929,462	367,252	158,029
	Special Schools					
1106	Pupil referral Unit	59,166	22,166	21,581	37,585	585
7042	Mayfield	100,654	100,654	160,610	(59,956)	(59,956)
7046	Torbay EBD	13,313	13,313	4,301	9,012	9,012
	Totals - Specials	173,133	136,133	186,492	(13,359)	(50,359)
	Overall Total	2,698,473	2,081,311	1,964,306	734,167	117,005



Education
Funding
Agency

Schools Forums: operational and good practice guide

**For local authorities and members of
Schools Forums**

October 2013

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Executive summary

The two tables in this section are provided as a summary of the structure of Schools Forums and the decision making powers of the local authority (LA) and the Schools Forum according to Regulations.

TABLE 1: SCHOOLS FORUM STRUCTURE			
Category	Schools Members	Academies Members	Non-School Members
Represented groups	Where the LA maintains the following types of school, they must be represented on the Schools Forum:- <ul style="list-style-type: none"> • Secondary Schools • Special Schools • Nursery Schools • PRUs There is no specific requirement in Regulations for a primary rep, but this is captured by requiring membership to be based on pupil proportions	No specific groups, but academies members will represent academies, free schools, UTCs and Studio Schools	16-19 providers Early years Private, Voluntary and Independent (PVI) providers Before considering other groups, the LA must consider diocesan representation
Type of member	Within each of the five groups above there are the following types of member:- <ul style="list-style-type: none"> • Headteachers (or their representative) • Governors • Headteachers and Governors In overall terms there must be at least one headteacher (or their representative) and one governor	Any	Any

Category	Schools Members	Academies Members	Non-School Members
Schools Forum Structure	<p>Schools members and academies members must comprise at least 2/3rds of the Schools Forum membership</p> <p>Primary schools, secondary schools and academies must be broadly proportionately represented on Schools Forum, based on the total number of pupils registered at them</p>		
Voting	<p>Only primary representatives can vote on primary school de-delegation</p> <p>Only secondary representatives can vote on secondary school de-delegation</p> <p>All schools members can vote on any other Schools Forum business, including the consultation on the funding formula</p>	<p>No voting on de-delegation</p> <p>All academies members can vote on any other Schools Forum business, including the consultation on the funding formula</p>	<p>No voting on de-delegation</p> <p>Only PVI representatives can vote on the consultation on the funding formula.</p> <p>All non-school members can vote on any other Schools Forum business</p>
Elected by	<p>The relevant sub-group of the relevant type of school e.g. primary school governor representatives are elected by the governors of primary schools, secondary school headteachers are elected by the</p>	<p>Proprietors of academies</p>	<p>Election only applies to the representative for the 16-19 providers, who is elected by all 16-19 providers¹</p>

¹ This is a change proposed in the draft 2013 School and Early Years Finance Regulations, expected to come into force in January 2014. Further information on the representative for 16-19 providers can be found in paragraph 1.38

	headteachers of secondary schools.	
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Category	Schools Members	Academies Members	Non-School Members
LA appointment of members	Only if no election takes place by the agreed date or in the event of a tie	Only if no election takes place by the agreed date or in the event of a tie	Can appoint a 16-19 representative only if no election takes place by the agreed date or in the event of a tie For all other non-schools members the LA appoints, but it is good practice to seek nominations from the relevant bodies
Other attendees who are permitted to contribute to a Schools Forum meeting	An observer appointed by the Secretary of State The Director of Children's Services The Executive Member for Children's Services The Executive Member with responsibility for resources	The Chief Financial Officer Officers providing financial & technical advice to Schools Forum Presenters (restricted to the paper they are presenting)	

TABLE 2 - SCHOOLS FORUMS: POWERS AND RESPONSIBILITIES 2014-15

Function	Local Authority	Schools Forum	DfE Role
Formula change (including redistributions)	Proposes and decides	Must be consulted [Voting restrictions in table 1 above] and informs the governing bodies of all consultations	None
Contracts	Propose at least one month prior to invitation to tender, the terms of any proposed contract	Gives a view and informs the governing bodies of all consultations	None
Financial issues relating to: arrangements for pupils with special educational needs; arrangements for use of pupil referral units and the education of children otherwise than at school; arrangements for early years provision; administration arrangements for the allocation of central government grants	Consult annually	Gives a view and informs the governing bodies of all consultations	None
Minimum funding guarantee (MFG)	Proposes any exclusions from MFG for application to DfE	Gives a view	Approval

Function	Local Authority	Schools Forum	DfE Role
<p>De-delegation for mainstream schools for:</p> <ul style="list-style-type: none"> contingencies administration of free school meals insurance licences/subscriptions staff costs - supply cover support for minority ethnic pupils/underachieving groups behaviour support services library and museum services 	<p>Proposes</p>	<p>Primary and secondary school member representatives will decide for their phase</p>	<p>Will adjudicate where Schools Forum does not agree LA proposal</p>
<p>Central spend on and the criteria for allocating funding from:</p> <ul style="list-style-type: none"> growth fund (to meet requirements for basic need and infant class size regulations) falling rolls fund for surplus places in good or outstanding schools where a population bulge is expected in 2-3 years 	<p>Proposes</p>	<p>Decides</p>	<p>Adjudicates where Schools Forum does not agree LA proposal</p>
<p>Central spend on:</p> <ul style="list-style-type: none"> funding for significant pre-16 pupil growth equal pay back-pay places in independent schools for non-SEN pupils early years expenditure 	<p>Proposes</p>	<p>Decides</p>	<p>Adjudicates where Schools Forum does not agree LA proposal</p>

Function	Local Authority	Schools Forum	DfE Role
Central spend on: admissions servicing of schools forum	Proposes up to the value committed in 2013-14	Decides for each line	Adjudicates where Schools Forum does not agree LA proposal
Central spend on: capital expenditure funded from revenue contribution to combined budgets schools budget centrally funded termination of employment costs schools budget funded prudential borrowing costs special education needs transport costs	Proposes up to the value committed in 2013/14 and where expenditure has already been committed.	Decides for each line	Adjudicates where Schools Forum does not agree LA proposal
Carry forward a deficit on central expenditure to the next year to be funded from the schools budget	Proposes	Decides	Adjudicates where Schools Forum does not agree LA proposal
Scheme of financial management changes	Proposes and consults the governing body and Head of every School	Approves	Adjudicates where Schools Forum does not agree LA proposal
Membership: length of office of members	Decides	None (but good practice would suggest that they gave a view)	None
Voting procedures	None	Determine voting procedures	None
Chair of Schools Forum	Facilitates	Elects <i>(may not be an elected member of the Council or officer)</i>	None

Introduction

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

The postal address of the agency is:
Education Funding Agency
Department for Education
Sanctuary Buildings
Great Smith Street
London SW1P 3BT

Section 1 – Schools Forum Regulations: Constitution and Procedural Issues

Regulations

- 1.1. National regulations² 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 are available from the [Department's website](#).
- 1.2. A [Quick guide to Schools Forums](#) for schools and academies is also available on the department's website. This explains the role of Schools Forums and the responsibilities of schools and academies.

Schools Forum powers

- 1.3. Schools Forums generally have a consultative role. However, there are situations in which they have decision-making powers. The respective roles of Schools Forums, local authorities and the DfE are summarised in Table 1 on pages 3-5. The overarching areas on which Schools Forums make decisions on local authority proposals are:
 - De-delegation from mainstream schools budgets (separate approval will be required by the primary and secondary phase members of Schools Forum), for prescribed services to be provided centrally.
 - To create a fund for significant pupil growth in order to support the local authority's duty for place planning (basic need) and agree the criteria for maintained schools and academies to access this fund.
 - To create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for maintained schools and academies to access this fund.
 - Continued funding at existing levels for prescribed historic commitments where the effect of delegating this funding would be destabilising.
 - Funding for the local authority in order to meet prescribed statutory duties placed upon it. Approval is required to confirm the amounts for each duty and no new commitments or increases in expenditure from 2013/14 are permitted unless agreed by the Secretary of State.
 - Funding for central early years expenditure, which may include funding for checking eligibility of pupils for an early years place and/or free school meals.

² Schools Forums (England) Regulations 2012 (S.I. 2012/2261)

- Authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure that is to be carried forward from a previous funding period.

In each of these cases, the local authority can appeal to the DfE if the Schools Forum rejects its proposal.

- 1.4. Local Authorities should be aware that the provisions of the Local Government Act 2000 restrict the delegation of local authority decisions to Cabinet, a member of Cabinet, a Committee of Cabinet or an officer of the Council, which would not include Schools Forums. As a result the local authority cannot delegate its decision making powers to Schools Forum, e.g. decisions on the funding formula.
- 1.5. 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
 - arrangements for the use of pupil referral units and the education of children otherwise than at school
 - arrangements for early years provision
 - administrative arrangements for the allocation of central government grants paid to schools via the local authority
- 1.6. 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.
- 1.7. 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 1.5 and 1.6.
- 1.8. For 2014-15, local authorities will need to discuss with the Schools Forum any proposals to:
 - vary the Minimum Funding Guarantee (MFG)
 - use exceptional factors
 - vary pupil numbers
 - allow additional categories of, or spending on, central budgets
 - amend the sparsity factor
 - vary the lump sum for amalgamating schools
 - vary the protection for special schools and special academies
 - Proposals will need to be approved by the Secretary of State.

Membership

- 1.9. The Regulations provide a framework for the appointment of members, but allow a considerable degree of discretion in order to accommodate local priorities and practice.

- 1.10. 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.
- 1.11. Types of member: Schools Forums must have 'schools members' (para 1.16-1.32), 'academies member(s)' if there is at least one academy in the local authority's area (para 1.33-1.37) and 'non-schools members' (para 1.38-1.42). Schools and academies members together must number at least two-thirds of the total membership of the Schools Forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category, so the structure of Forum should be regularly reviewed, e.g. annually. There is no requirement for academies members to represent specific phases, but it may be encouraged to ensure representation remains broadly proportionate to pupil numbers.
- 1.12. Schools Forum members will need the skills and competencies to manage Forum business (as detailed in Table 2 on pages 6-8) and to take a strategic view across the whole education estate whilst acting as representative of the group that has elected them. Furthermore, they should be easily contactable and pro-active in raising the profile of issues and communicate decisions, and the reasons behind them, effectively

Term of office

- 1.13. 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 as between members. They need not have identical terms – there may be a case for varied terms so that there is continuity of experience rather than there being a complete change in the membership at a single point. The term of office should not be of a length that would hinder the requirement for the structure of Schools Forum to mirror the type of provision in light of the pace of academy conversions. Examples of how this may work include:-
- Holding vacancies until the Schools Forum structure is reviewed providing that this does not mean holding vacancies for an unreasonable length of time
 - Increasing the size of Schools Forum temporarily to appoint additional academy members, then delete schools member posts at the end of a term of office or when a vacancy arises
 - Consider continuity of service – where an academy conversion affects the school of a current schools member, would academies consider appointing that person as an academies member?
- 1.14. 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.

1.15. 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

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

1.17. 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).

1.18. The local authority then has discretion to divide the groups referred to in paragraph 1.16 and 1.17 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 the particular school category.

1.19. Headteachers can be represented by other senior members of staff within their school. Governors can include interim executive members of an interim executive board. The sub-groups do not have to be of equal size – for example, there may be more representatives of headteachers of primary schools than governors of such schools, or vice versa. The membership structure of 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.

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

Election and nomination of schools members

- 1.21. The relevant group or sub-group is probably best placed to determine how their schools members should be elected.
- 1.22. It is good practice for those who draw up the scheme to ensure that a vacancy amongst a represented group would be filled by a nominee elected according to a process that has been determined by all those represented in that group, e.g. community primary school headteachers, or secondary school governors, ensuring that everyone represented has had the opportunity to stand for election and/or vote in such an election.
- 1.23. It is not appropriate for a single person to be elected to represent more than one group or sub-group concurrently, i.e. if they were a governor at a primary and secondary school. They can stand for election from either group but can be appointed to represent only one of those groups.
- 1.24. 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.
- 1.25. Appropriate support to each group or sub-group to manage their election processes should be offered by the clerk of a Schools Forum, or the committee/democratic services of a local authority. This may just include the provision of advice but may also consist of providing administrative support in actually running the elections themselves.
- 1.26. As a minimum, we would recommend that the clerk of a Schools Forum make a record of the process by which the relevant schools within each group and sub-group elect their nominees to the Schools Forum and be able to advise the Chair of the Schools Forum and local authority on action that needs to be taken, where necessary, to seek new nominees.
- 1.27. In determining the process by which elections should be operated it is perfectly legitimate for a local authority to devise, in consultation with their Schools Forum, a model scheme for the relevant schools within a group or sub-group to consider and be invited to adopt. However, such a model scheme cannot be imposed on that body of schools: adaptations and/or alternative schemes may be adopted. A single scheme need not be adopted universally.
- 1.28. 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).
- 1.29. 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 1.30 below.

- 1.30. 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.
- 1.31. We would recommend that any scheme takes into account a number of factors:
- a. the process for collecting names of those wishing to stand for election;
 - b. the timescale for notifying all constituents of the election and those standing;
 - c. the arrangements for dispatching and receiving ballots;
 - d. the arrangements for counting and publicising the results;
 - e. any arrangements for unusual circumstances such as only one candidate standing in an election; and
 - f. whether existing members can stand for re-election.
- 1.32. 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

- 1.33. 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 1.21 to 1.32. For the avoidance of doubt, Free Schools, University Technical Colleges and Studio Schools are classed as academies for this purpose. There is no distinction between sponsored, non-recoupment and converter academies.
- 1.34. Where there is only one academy in the local authority's area, then their proprietor body must select the person who will represent them.
- 1.35. There is no requirement for academies members to be split into specific sub-groups. e.g. primary, secondary, special, alternative provision. However, local authorities may wish to encourage academies to consider the pupil proportions across all academies when electing their representatives.
- 1.36. It is possible that a single person be appointed as an academies member to more than one Schools Forum, for example if an academy chain is located across multiple local authorities, providing they are elected on each occasion in accordance with the agreed election process for each separate Schools Forum.
- 1.37. 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

- 1.38. Non-schools members may number no more than a third of a Schools Forum's total membership (excluding observers – see paragraph 1.51). 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 institutions that specialise in special education needs (SEN) and learning difficulties and disabilities (LDD) provision (ISPs), 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.
- 1.39. 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 comes from the Schools Budget, and all settings are funded through the Early Years Single Funding Formula (EYSFF) including funding for the free entitlement for disadvantaged two-year-olds.
- 1.40. Before appointing additional non-schools members to the Schools Forum, the local authority must consider whether the Church of England and Roman Catholic dioceses situated in the local authority's area; and, where there are schools or academies in the area with a different religious character, the appropriate faith group, should be represented on the Schools Forum. If diocesan authorities nominate members for appointment as non-schools members they may wish to consider what type of representative would be most appropriate – schools-based such as a headteacher or governor, or someone linked more generally with the diocese, e.g. a member of the education board.
- 1.41. It is also good practice for local authorities to ensure that the needs and interests of all the pupils in the local authority are adequately represented by the members of a Schools Forum. The interests of pupils in maintained schools can be represented by schools members. Some pupils in a local authority, however, are not in maintained schools but instead are educated in hospitals, independent special schools and non-maintained special schools. Certain types of non-schools members can play an important role in representing the interests of these groups of pupils. They can also play a role in representing the interests and views of the services that support those groups of vulnerable and at-risk pupils who nevertheless are on the roll of maintained schools, such as looked after children and children with special educational needs.
- 1.42. 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

- 1.43. 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)).
- 1.44. 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).
- 1.45. 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.
- 1.46. 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.
- 1.47. However, the inclusion of non-executive elected members and certain officers is not a requirement. Many Schools Forums do not have such members on them and it is for each local authority and Schools Forum to consider how best to ensure the right balance of school and non-school representation on the Schools Forum, taking into account their local circumstances and preferences.

The role of executive elected members

- 1.48. 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.
- 1.49. Executive members with responsibility for education/children's services or resources of the local authority are able to participate in Schools Forum meetings. By doing so such elected members are able to contribute to the discussion and receive first-hand the views of the Schools Forum: it is clearly good practice for this to be the case and the regulations provide the right for executive members to attend and speak at Schools Forum meetings. However, there is no requirement for this to happen so at the very least there should be clear channels of communication between the Schools Forum and executive members.

Communication may also be assisted if Schools Forum members attended relevant Cabinet meetings as members of the public, e.g. when the funding formula is decided.

Recording the composition of Schools Forums

- 1.50. 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.

Observers

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

Participation of local authority officers at meetings

- 1.52. 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 Schools Forum to provide financial or technical advice
 - Any person presenting a paper to Schools Forum but their ability to speak is limited to the paper that they are presenting.
- 1.53. In the majority of cases Schools Forums are supported by a specific officer. In the course of their work, however, Schools Forums will be required to consider a whole range of issues and they may consider it appropriate that other officers attend for specific items of business. Where this is the case, the local authority should meet the Schools Forum's requests as far as possible.

Procedures

- 1.54. 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:
 - a. quorum: A meeting is only quorate if 40% of the total membership is present (this excludes any observers, and it is 40% of the current

membership excluding vacancies). If a meeting is inquorate it can proceed but it cannot legally take decisions (e.g. election of a Chair, or a decision relating to funding conferred by the funding regulations). An inquorate meeting can respond to local authority consultation, and give views to the local authority. It would normally be good practice for the local authority to take account of such 'unofficial' views, but it is not legally obliged to do so. In practice, the arrangements for meetings should be made to reduce the chance of a problem with quora. The quorum stipulation is in the Regulations to help ensure the legitimacy of decisions;

- b. election of a Chair: Under the Regulations, if the position of Chair falls vacant the Schools Forum must decide how long the term of office of the next Chair will be. This can be for any period, but the Schools Forum should consider carefully whether a period exceeding two years is sensible. A long period will also cause problems if the member elected as Chair has a term of office as a member which comes to an end before their term of office as Chair ends. The Schools Forum must elect a Chair from amongst its own members, so it is not possible to elect an independent Chair. In addition any elected member of the local authority or officer of the local authority who is a member of a Schools Forum may not hold the office of Chair. Schools Forums can also appoint to a position of vice Chair to provide cover if the Chair is absent or the post vacant;
- c. voting procedures: The Regulations provide that a Schools Forum may determine its own voting procedures save that voting on:-
- the funding formula is limited to schools members, academies members and PVI representatives
 - de-delegation will be limited to the specific primary and secondary phase of maintained schools members.

The powers which Schools Forums have to take decisions on a range of funding matters increase the importance of clear procedures, e.g. decisions are made on a simple majority or the threshold to be met if higher. These procedures should take account of any use of working groups by the Schools Forum – for example a decision might be taken by voting to accept and adopt a report by a working group (see 1.58). 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;

- d. 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.
- e. 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 1.52(a) on quorum).

- f. timing: Schools Forums must meet at least four times a year
- 1.55. Where the Regulations make no provision on a procedural matter, local discretion should be exercised. It is for the local authority to decide how far it wishes to establish rules for the Schools Forum to follow, in the form of standing orders. While it is entitled to do so, it is of course good practice to allow the Schools Forum to set its own rules so far as possible.

Public access

- 1.56. Schools Forums are more than just consultative bodies. They also have an important role to play in approving certain proposals from their local authority and are therefore involved in the decision making process surrounding the use of public money at local level. As a result Schools Forums are required to be open to the public. Furthermore papers, agendas and minutes must be publicly available well in advance of each meeting. It is good practice that notification that Schools Forum is a public meeting is included on the website and papers are published at least a week in advance.
- 1.57. 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

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

Urgent business

- 1.59. It is good practice for the local authority to agree with its Schools Forum an urgency procedure to be followed when there is a genuine business need for a decision or formal view to be expressed by the Schools Forum, before the next scheduled meeting. The local authority may of course call an unscheduled meeting; but it may also wish to put in place alternative arrangements such as clearance by email correspondence or some other means. Such instances should be avoided so far as possible but are legitimate provided all members of the Schools Forum have an opportunity to participate, the logistics provide a

reasonable opportunity for consideration and the local authority policy on data security is not compromised.

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

Resources of the Schools Forum

- 1.61. The costs of a Schools Forum fall in the centrally retained budget portion of the Schools Block of local authorities. Nationally there is variation in the level of funding local authorities identify against Schools Forum expenditure: the median budgeted expenditure in 2013-14 was £24,158.
- 1.62. It is legitimate to charge the running costs of Schools Forums to this budget including any agreed and reasonable expenses for members attending meetings, the costs of producing and distributing papers and costs room hire and refreshments and for clerking of meetings. Beyond these costs some Schools Forums have a budget of their own to use for activities such as commissioning research or other reports. The 2012 School and Early Years Finance Regulations provide that the level of resource devoted to running Schools Forums in 2013-14 is limited to 2012-13 levels unless the Secretary of State agrees an increase. Similar arrangements are in the draft 2013 Regulations.

Section 2 – Effective Schools Forums

Introduction

- 2.1. 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.
- 2.2. The following outlines some aspects of what local authorities and Schools Forums should consider in ensuring that their Schools Forums are as effective as possible. The pace of academy conversions in particular means that this significant sector must be properly represented and feel that it is able to play a meaningful part in the discussions of the Schools Forum.
- 2.3. Central to the effectiveness or otherwise of a Schools Forum will be the relationship between it and its local authority. The local authority will have a significant influence on this: the support it provides; the resources it devotes and the weight it gives to the views of Schools Forums all contribute to the nature of the relationship. There are therefore a number of characteristics of this relationship that are particularly important:
 - *Partnership: Having a shared understanding of the priorities, issues and concerns of schools, academies and the local authority.*
 - *Effective Support: The business of the Schools Forum is supported by the local authority in an efficient and professional manner.*
 - *Openness: It is important that a Schools Forum feels it is receiving open, honest and objective advice from its local authority.*
 - *Responsiveness: Local authorities should as far as possible be responsive to requests from their Schools Forums and their members. Schools Forums themselves should also be aware of the resource implications of their requests.*
 - *Strategic view: Members of Schools Forum should consider the needs of the whole of the educational community, rather than using their position on a Schools Forum to advance their own sectional or specific interests.*
 - *Challenge and Scrutiny: Schools Forums may be asked to agree to proposals from their local authority that will have an effect on all schools and academies in the local area. The extent to which Schools Forums can scrutinise and challenge such proposals is an important aspect of their effectiveness.*
- 2.4. 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

- 2.5. 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:
 - a. the constitution of the Schools Forum
 - b. a list of members including contact details and their terms of office
 - c. any locally agreed terms of reference explaining the relationship between the Schools Forum and the local authority
 - d. copies of minutes of previous meetings
 - e. the programme of Schools Forum meetings for the year
 - f. the local Schools Forum web address
- 2.6. This Operational and Good Practice Guide, suitably supplemented by local material, should also be provided to new members on their appointment.
- 2.7. 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

- 2.8. 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.
- 2.9. Training will need to be provided in response to any changes in the role of the Schools Forum and national developments in respect of school funding.

Agenda setting

- 2.10. 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.
- 2.11. The frequency and timing of meetings of the Schools Forum should be agreed in advance of each financial or academic year. In drawing up this cycle of meetings, in consultation with the Schools Forum, the local authority should provide a clear overview of the key consultative and decision-making points in the school funding cycle. These will be drawn from a combination of national and local information and should inform the basic agenda items that each meeting needs to cover. For instance meetings will need to be scheduled at appropriate points to enable the

Schools Forum to consider the outcomes of local consultations and national announcements.

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

Preparation for a Schools Forum meeting

- 2.13. It is vital that 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.
- 2.14. The vast majority of a Schools Forum's business will be transacted on the basis of prepared papers. It is therefore important that these are concise, informative and produced in a timely and consistent manner. Recommendations should be clearly set out at the beginning of each report. It is also helpful if the front of the report confirms whether the report is for information or decision and who is eligible to vote where relevant.
- 2.15. It is good practice for the Schools Forum and local authority to agree a standard for these. It is usual for papers to be dispatched at least one week prior to the meeting at which they will be discussed to allow members to consider them and if necessary canvass views from the group they are representing. Papers should be published on the local authority's website at this time to enable representations to be made to Schools Forum members.
- 2.16. 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.
- 2.17. The publishing of papers on a publicly available website well in advance of the meeting ensures that all interested parties are able to access papers. Some Schools Forums ensure that each represented group meets in the days immediately prior to the Schools Forum meeting to ensure the agenda is discussed and Schools Forum members are properly briefed by the group they represent. Although on occasions it is inevitable that Schools Forums will receive late, or tabled reports it does create some difficulty for members as they will not have been able to seek the views of those they represent.

- 2.18. 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

- 2.19. 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.
- 2.20. The relationship between the Chair and the local authority is therefore vital. The Chair should be very clear on the substance of the agenda items, understand the issues involved and the decisions and/or actions that need to be taken in respect of School Forum business. It is good practice for there to be a pre-meeting between the senior officer of the local authority supporting the Schools Forum and the Chair of the Schools Forum to ensure that all the issues are clearly understood.
- 2.21. Equally, the Chair has the responsibility of representing the views of the Schools Forum back to the local authority: for instance, they should, where appropriate, take the initiative to make suggestions for improvements to the way the business is conducted, and, in exceptional cases and with support of the members of the Schools Forum take the view that they do not have sufficient information on which to base a decision and ask that an item is deferred until further information is available. However, in doing so, the Chair and Schools Forum should be fully aware of the consequences of deferral.
- 2.22. The independence of Schools Forum is paramount. Enhancing the role of Chair to a paid position, rather than the reimbursement of reasonable expenses, could blur the lines of independence. Similarly, if the Chair undertakes significant work for the LA in another capacity, e.g. as an external consultant, they could be viewed as equivalent to an officer of the local authority.
- 2.23. 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

- 2.24. Clerking of a Schools Forum should be seen as more than just writing a note of the meeting. A good clerk provides an invaluable link between the members of the Schools Forum, the Chair and the local authority. It is a role often undertaken by an employee of the local authority though we would recommend consideration is given to the use of an independent clerk.
- 2.25. 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.

2.26. Beyond this a good clerk can:

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

2.27. 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

2.28. 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 Forum 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.

2.29. 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.

2.30. The use of coloured cards or coloured nameplates can be helpful when specific members of Schools Forum are eligible to vote on specific items, e.g. de-delegation or changes to the funding formula.

2.31. Consultations with 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

2.32. 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 Forum must be clearly set out.

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

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

Communication

2.35. Communication to the wider educational community of the discussions and debates of, and decisions made by, Schools Forum is fundamental to their effective operation. The more schools and other stakeholders know about the proceedings of the Schools Forum, the more their work will be an important and central part of the context of local educational funding. This is particularly important given the decision making role that the Schools Forum has. Local authorities should consider the operational differences between the types of stakeholders and plan their communications accordingly. For example ensuring effective communications across the PVI sector may be more difficult than with schools, who are more likely to have existing channels of communication e.g. headteacher meetings.

2.36. Each Schools Forum should therefore be clear what its channels of communication are. One channel is the requirement that all its agenda, minutes and papers are publicly available on the local authority's website. However, the Schools Forum should also consider additional communication processes. These could include:

- a. the reporting back by Schools Forum members to their 'parent' group of the business of the Schools Forum is a key responsibility of Schools Forum members. This can be a particularly useful method of ensuring 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;
- b. an annual report on the proceedings of the Schools Forum;
- c. attendance by the Chair, or other Schools Forum member, at other relevant consultative or management groups such as any capital working group; or senior management meetings of the Children's Services Department; or
- d. 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
- e. a Schools Forum newsletter can be a less formal and more interesting way of communicating forum business and raising the profile of Schools Forum and its members.

News updates

- 2.37. Most, but not all, members of the Schools Forum will already be in receipt of regular information on school funding matters from the local authority and DfE. Other Schools Forum members should be copied into such information flows so that they can be kept abreast of developments between meetings.
- 2.38. Many local authorities have already established dedicated Schools Forum websites on which they post key information for Schools Forum members and other interested parties.



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