



Education
Funding
Agency

Chief Finance Officers,
Finance Officers,
Chairs and Clerks of Schools Forums.

School Forum Regulations 2010
13 June 2012

Dear Colleagues,

Consultation on changes to the Schools Forums regulations 2010:

On 26 March 2012 the Secretary of State published *School funding reform: next steps towards a fairer system*. This explains how the Department plans to proceed until the end of the current spending review period. The document can be downloaded below:

[School funding reform: Next steps towards a fairer system](#)

In **Section 1.6** we refer to Improved Schools Forum arrangements and the need for local decision-making to operate in a consistently fair and effective way and in consultation with schools and academies. We have therefore reviewed the legislation relating to Schools Forums, proposing to revoke and replace the Schools Forums Regulations 2010. Attached are proposed new draft regulations which are consistent with the decisions we have already announced.

For 2013-14 we have said that we will take the following steps to amend the Schools Forums Regulations as stated below:

1. We are removing the requirement to have a minimum of 15 people on a Forum
2. We are restricting other local authority attendees from participating in meetings unless they are a relevant Lead Member, Director of Children's Services (or their representative), Chief Finance Officer (or their representative), or are providing specific financial or technical advice (including presenting a paper to the Forum) (*regulation 8(3)*).
3. We are restricting the voting arrangements by allowing only schools and Academy members (and the private, voluntary and independent sector - PVI members) to vote on the funding formulae (*regulation 8(11)*). Additionally, draft regulation 8(12) covers the items we have announced which will be subject to de-delegation. These will be specified in the finance regulations and only the relevant maintained school members of the forum will be able to vote.
4. We are requiring local authorities to publish Forum papers, minutes and decisions promptly on their websites (*regulation 8(13)*).
5. We are requiring Forums to hold public meetings, as is the case with other Council Committees (*regulation 8(1)*).

We will also give the EFA observer status at School Forum meetings (*regulation 8(3f)*) with the right to participate in discussions. This will enable the EFA to support the local process and to provide a national perspective. .

As a result of other funding changes, we also propose to:

1. Include Pupil Referral Units as a separate group among schools members, to reflect their receipt of delegated budgets from April 2013 (*regulation 5(2)(e)*)
2. Remove the requirement for local authorities to consult schools forums annually about arrangements for free school meals and insurance as these are to be allocated through the formula in future (*current regulations 10(1)(d) and 10(1)(f)*).

To summarise:

- Regulations 3 to 8 provide for the constitution of a schools forum, including the election of schools members, the election or selection of Academies members and the appointment of non-schools members to the schools forum, their meetings and proceedings.
- Regulations 9 to 11 require the authority to consult their schools forum before entering into certain types of contract and annually in relation to a range of financial issues and the governing bodies of schools maintained by them to be informed of any such consultation.
- Regulations 12 and 13 require the authority to pay the expenses of their schools forum out of the schools budget and the reasonable expenses of its members.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

The draft Schools Forums (England) Regulations 2012 are attached .We are setting a four week consultation period, unfortunately this has to be a short period as the aim is for the regulations to be in force by early October 2012. Therefore, comments need to be returned by 11 July 2012.

Could you send your comments to EFA reformteam.funding@education.gsi.gov.uk
By 11 July 2012 please?

Yours sincerely,

Keith Howkins,
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