



MEETING:

DATE: Monday 23 September 2019

TIME: 1.30 pm

VENUE: Formby Professional Development Centre, Park Road, Formby

**Member**

**Substitute**

Dorothy Lee-Ogden  
Councillor Hands  
Nigel Bellamy  
Mike McSorley  
Brenda Porter  
Catherine Earley  
Sue Clare  
Jon Horrocks  
Wendy Corless  
Mary Johnson  
Sharon Cowey  
Sue Kerwin  
Isobel Macdonald-Davies  
Danny Macreavy  
Bernie Coxon  
Malcolm Parry  
Simon Penney  
Niki Craddock  
Ian Raikes  
Matt Symes  
Mary Wall  
Nicola Walsh  
Jones

COMMITTEE OFFICER: Colette Jones  
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**If you have any special needs that may require arrangements to**

**facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.**

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# **A G E N D A**

1. **Apologies for Absence**

2. **Agenda**

(Pages 5 - 62)

## Sefton Schools' Forum

23<sup>rd</sup> September 2019 at 1.30pm

PDC, Formby

### AGENDA

	1	Apologies	<u>Name</u> Chair
For Approval	2	Minutes of the Last Meeting	Chair
<b>Items for Approval or Consultation / For Information Only</b>			
For Information	3	Growth Funding	KB
For Information	4	High Needs Budget Monitoring and High Needs Financial Sustainability	KB
For Information	5	Schools Financial Health	MC
For Consultation	6	DSG Block Transfers (Verbal) - Schools Block Transfers - Early Years Reserve	MC
For information	7	Government Funding Announcements (Ministerial Statement)	MC
For Information	8	Facilities Time	MC
For Information	9	School Forum Guidance	MC
<b>AOB</b>			

## Sefton Schools Forum Minutes

### Minutes of Sefton Schools' Forum Meeting

Monday 1<sup>st</sup> July 2019

1.30pm

PDC, Formby

#### **Forum Members present: -**

**Dorothy Lee Ogden (Chair)**, Malcolm Parry, Anna James, Niki Craddock, Julian Ward, Matt Symes, Nicky Walks, Lynda McQueen, Sue Kerwin, J Taylor, Gil Bourgade,

#### **In attendance:**

Mike McSorley – Head of Education (MM)  
Kevin McBlain - Corporate Finance (KM)  
Maggie Vandermeer – Cover for Clerk

- 1. Apologies**  
Cathy Early, Isobel Macdonald-Davies

- 2. Minutes of the last meeting**

Forum agreed the minutes from the previous meeting with the amendment of Early Years Outcomes Fund be changed to Early Years Sub Group

- 3. Matters arising**

- 6) Due to Cathy Early not attending today's meeting, we have no further update on this item.

- 4. Dedicated Schools Grant (DSG) Outturn 2018/19**

Kevin McBlain explained the purpose of report. He reported on a reduction in Schools Balances over the year of £2.127m and that the non-schools Centrally Retained balances had gone from a surplus of £0.515m at the start of 2018/19 to a net deficit of £0.230m by the end of the year. He briefly went through some of the variations including underspending on Early Years of £1.3m largely due to some extra funding related to 2017/18 (£0.733m) and underspending on 2-4-year-old childcare. Central support service areas underspent by £0.150m (£0.044m on Trade Union Facility time take up). High Needs overspent by £2.2m which took the centrally retained balances into a deficit. Kevin advised Forum that a continued overspending across High Needs in 2019/20 (expected to be £2.1m in 19/20) may take the retained balances into a significant deficit in excess of £2m, which might take the level above the 1% DSG Threshold, sufficient to trigger a report from the Local Authority, and 3-year plan of action to the DfE

to reduce spending and recover the position back towards a break even.

The Forum agreed to note the 2018/19 outturn position and level of balances carried forward into 2019/20.

**5. DSG Central Schools Services; Growth Funding 2019/20**

Kevin McBlain delivered report explaining DSG settlement for 2019/20 included a Pupil Growth funding of £0.577m (£0.350m allocated for Pupil Growth in 2019/20) and how this might be allocated beyond the Infant Pupil Growth of previous years, to schools who experience pupil growth during the year. The report suggested how the funding might be expanded to these schools, but proved to be a little unclear on the details of how it would work.

The forum agreed to

- (a) note the decision taken at the 14<sup>th</sup> January 2019 Schools Forum meeting, to increase the central Growth Funding contingency from £0.150m to £0.350m to meet basic needs provision in 2019/20.
  
- (b) Requested a clearer paper on criteria described in para 3.2 be brought to back to Schools Forum for the next meeting.

**6. Proposal to change the Early years Sub Group of Schools Forum**

The Forum was asked to agree the draft Terms of Reference, which have been agreed but with a request for an Independent Chair for the group. Kevin McBlain and Lynda McQueen outlined the ToR and how the group might operate. Forum agreed there should be an independent Chair of the new group and agreed to disband the existing Early Years sub group in favour of the new Group which would start up in September 2019 following recruitment to membership over the summer. Early Years representatives on Schools Forum to be automatic members of the new group and to be the link between Forum and the new group for feedback etc. Agreed.

**7. Scheme for Financing Local Authority Maintained Schools and Schools Financial Regulations**

Schools Forum noted the consultation with Maintained Schools on the Scheme for Financing Schools and Schools Financial Regulations and approved the updated scheme. This will now be published on the Council's Internet website/and or SLA On-Line system for access by every school. Schools will be informed when and where these documents are available.

**8. Notes on the National Fair Funding Conference**

Kevin McBlain shared his report following his attendance at the National Fair Funding Conference held in Manchester in May. Kevin mentioned that a consultation on a High Needs “call for evidence” was available and requested as many as possible to access and complete the questionnaire, stating the closing date for consultation is July 31st. Link below for accessing the questionnaire.

Also attached, are the Slides of the workshops, which Kevin mentioned in the meeting.

[Education Secretary confirms plans to simplify school accountability - GOV.UK](#)

[Funding for SEND and those who need AP: Call for evidence - Department for Education - Citizen Space](#)

**9. Proposed Dates of Meetings for year 2019/2020**

23<sup>rd</sup> September  
4<sup>th</sup> November  
13<sup>th</sup> January (2020/21 budget meeting)  
16<sup>th</sup> March  
29<sup>th</sup> June



## Sefton Schools Forum Report

Date of Meeting:	23 <sup>rd</sup> September 2019
Title of Report:	<b>DSG Central Schools Services; Growth Funding 2019/20</b>
Presenting Officer:	Mike McSorley/Kevin McBlain
Reason for Submission to Forum:	(1) ITEMS FOR APPROVAL & (4) ITEMS FOR INFORMATION
Executive Summary:	<p>At Schools Forum on 1 July 2019, members received a report to approve the extended application of Pupil Growth contingency funding, in particular, towards any school with expanding numbers of pupils during a year, A set of criteria was proposed, which would be in addition to that currently applied in respect of funding towards infant class pupil growth and schools where their PAN was increased at the Local Authority's request.</p> <p>The report put before members, seemed a little unclear as to how the additional funding criteria would be applied, and members asked if a further report could be brought to the next meeting to clarify, before approval can be given to its application. This report is therefore to explain more clearly the workings of the additional application and seek Member's formal approval.</p> <p>The report explains the background for the change and offers the basis for calculating the level of support available with examples.</p>
Budget/Risk Implications:	None
Recommendations:	<p>The Schools Forum is asked to note/ and or agree the following recommendations:</p> <p><b><u>ITEMS FOR NOTING BY SCHOOLS FORUM</u></b></p> <ul style="list-style-type: none"> <li>Note the decision taken at the 14<sup>th</sup> January 2019 Schools Forum meeting, by unanimous vote of all Members to increase the central Growth Funding contingency to £0.350m to meet basic need provision in 2019/20.</li> </ul> <p><b><u>ITEMS REQUIRING A VOTE OF FORUM REPRESENTATIVES AS NECESSARY</u></b></p> <ul style="list-style-type: none"> <li><b>To agree by a vote</b>, the additional support to schools facing significant increases in pupil numbers being funded from any residual growth funding contingency based on the criteria described in <b>Para 3.1 (ALL Schools to vote)</b></li> </ul>
Appendices (to be attached)	None

# Agenda Item 2

Schools Forum - 23<sup>rd</sup> September 2019  
Agenda Item 3

Background Papers (available on request)	DSG Funding Allocation Report 2019/20 – 14 January 2019
Report Originator and Contact Details	Name: Kevin McBlain Tele: 0151 934 3434 E-mail: kevin.mcblain@sefton.gov.uk

SCHOOLS' FORUM POWERS & RESPONSIBILITIES	
1	ITEMS FOR APPROVAL (DfE can adjudicate where Forum does not agree LA proposal)
2	ITEMS FOR CONSULTATION (Forum provides a view on LA proposal but LA decides)
3	ITEMS FOR CONSULTATION (Forum provides a view on LA proposal but DfE decides)
4	ITEMS FOR INFORMATION (No formal view of the Forum is sought)

## 1.0 Background

- 1.1 Local authorities are permitted to hold a pupil growth fund contingency from the DSG in advance of allocating school budget shares. The growth fund is ring fenced, so that it is only used for the purpose of supporting growth in pupil numbers to meet basic need and to support additional classes needed to meet the infant class size regulations. The use of the contingency must be based around clear criteria, approved by Schools Forum, to identify the circumstances upon which payments are made.
- 1.2 This funding is used to bridge the September-April gap between additional children arriving on roll in the September and the Pupil Led funding catching up with the new October census data in April. This funding is deducted from the DSG to reduce its impact on budgets overall.
- 1.3 As part of the Schools Block allocations for 2019/20, the DfE have adopted a new method of allocating Pupil Growth funding, based on actual movement of pupils over the last two years, and using the data from the October 2018 school Census, rather than on a historic funding basis. This change has seen Sefton's pupil growth funding increase from £0.150m to £0.577m in 2019/20.
- 1.4 The DfE are not prescriptive as to whether all of this funding should be managed centrally towards pupil growth, or whether a smaller figure may be set aside. This is a decision taken by each Local Authority in conjunction with their Schools and Schools Forum.
- 1.5 The Local Authority is already supporting schools with increasing infant places above the statutory 30, as well as a number of schools who have been asked to increase their PAN to support additional population bulges within the borough. The implementation of the Sefton Local Plan is now underway and as a result there is a need to increase school places in specific areas to support increasing pupil population numbers where new estates are being developed.
- 1.6 The Local Authority recommended in January 2019, that Schools Forum agree to increase the current growth funding contingency by £0.200m (from £0.150m to £0.350m) when setting the 2019/20 School Block allocation. The additional £0.227m growth funding was delegated to schools through the local formula funding to support ongoing pressures within the education system.

**Regulation 9(7)** *requires local authorities to put any unspent money from the growth and infant class size funds back into the individual schools' budget, so that it is recycled to schools. As this is fully utilized in 2018/19 nothing was included in the schools formula for 2019/20.*

## **2.0 Current Growth funding criteria explained**

### **2.1 Infant Class Size Funding**

Infant Class Size funding is allocated to schools following an application process in the Spring term and is based on the need for an additional class from the September intake, due to additional infant pupils attending the school above 30. Funding is allocated for the salary cost of up to: 1 fte teacher (M5) for the period September to March and the cost of up to 0.5fte learning assistant (level 2); plus up to £5,000 to support additional equipment/teaching resources (£37,879).

### **2.2 Expanding schools where there is an agreed increase in the School's PAN**

This funding relates to basic need provision, and is already applied by Sefton from the growth fund, as required.

Additional funding will be made available to schools and academies in circumstances where there is an increase in the school's PAN as a result of a formal consultation process by the Council.

Allocated funding will generally be in respect of the period September to March. Where the increase in the school's PAN results in the need for an additional class, the funding allocated will be equivalent of up to the cost of 1 fte teacher (M5) for the period September to March and where necessary, the cost of up to 0.5fte learning assistant (level 2) plus up to £5,000 to support additional equipment/teaching resources (£37,879). This funding is the same as that applied to infant class size growth.

Exceptional Pupil Growth funding related to a school's PAN will be provided to a primary school where:

- (a) the Council agree that exceeding PAN (temporarily) or increasing the PAN (permanently) is necessary to meet population growth (not simply popularity growth or one school's desire to increase capacity);
- (b) The Council agree that the creation of an additional class is necessary and is directly related to exceeding PAN;
- (c) The class is additional if it requires a change in the school's current or historical class organisation or number of classes;
- (d) Schools that have historically operated mixed age classes or have a PAN in a multiple of 15 would be normally expected to operate some mixed-age classes. (The growth funding cannot be used only to reduce class sizes.)
- (e) A school's compulsory school-age range is increased the additional classes created would be funded. (e.g. when an infant school is converted into a primary school, it would be funded for each additional junior class created.
- (f) Funding would be provided only for the first academic year that an additional class is created.
- (g) Where one additional class was needed in an area but agreement cannot be reached to fund one school, the funding allocation may be split between two or more schools.

- (h) Schools must comply with the infant class size legislation (and any school funded would not also receive separate infant class size funding).

Growth fund will apply to primary academies on an academic year basis.

- 2.3 In future years, where the increase in the PAN would not provide sufficient funding through the school funding formula to cover the costs associated with the additional class, growth funding will continue to be allocated net of any formula funding allocation applicable to the increase in places until the extra class has worked through the school.

***Note that Schools funded by this method will not be eligible to receive class sizes of 30 funding or significant increases in pupil numbers funding***

### **3.0 Growth contingency for Expanding Schools**

It is proposed that the use of the growth contingency is now expanded to include schools having a significant growth in numbers between census years.

#### **3.1 Expanding Schools – Proposed funding criteria where there is a significant increase in pupil numbers**

Schools are funded for the financial year, based, on the previous October census. If a school's pupil numbers have increased significantly by the following October census, funding may be awarded for the period September to March. This would be based on the DfE's calculation of AWPU as applied in the new National Funding Formula, For 2019/20, this calculation would be based on 7/12ths of £2,746.99 for each Primary pupil and 7/12ths of £3,862.65 per secondary pupil.

The criteria for award of this funding, would be based on every pupil at or over 10 additional pupils for a Primary School; and at or over 20 additional pupils at a Secondary school, or, if there is an overall increase of at least 10% in a school's pupil numbers. Schools would only receive funding for the number of pupils at or over the stated threshold.

Below are some examples:

School A is a Primary school. At October 2017 census, the headcount was 252 pupils, at October 2018 census, numbers had increased to 267, an increase of 15 pupils year on year. Additional funding would be based on :

$£2,746.99 / 12 * 7 \text{ months} = £1,602.41 \text{ per pupil (Sept to March)}$

Funding would be awarded from and including the 10<sup>th</sup> additional pupil (i.e at 262) up to 267 so = 6 pupils x £1,602.41 = total additional funding from growth contingency would be = £9,614.46

School B is a Secondary school. At October 2017 census, the headcount was 570 pupils, at October 2018, this had risen to 594, an increase of 24 pupils year on year. Additional funding would be based on :

$\text{£}3,862.65 / 12 * 7 \text{ months} = \text{£}2,253.21$  per pupil (Sept to March)

Funding would be awarded from and including the 20<sup>th</sup> additional pupil (at 590) up to 594 so = 5 pupils x  $\text{£}2,253.21 =$  total additional funding from growth contingency would be =  $\text{£}11,266.05$

Where a smaller school has an increase of more than 10% of its pupil numbers the criteria would apply to the number of extra pupils at or over the 10% threshold.

For example :

School C is a small Primary school. At October 2017 census, the headcount was 70 pupils, at October 2018, this had risen to 79, an increase of just 9 pupils, so not reaching the normal threshold of 10 or more pupils for a Primary school. However, this increase represents a 12.85% increase on pupil numbers. A 10% increase would be 7 pupils, so growth funding would be based on the 7<sup>th</sup> pupil up to the 9<sup>th</sup>, so funding would be given for 3 pupils.

$\text{£}2,746.99 / 12 * 7 \text{ months} = \text{£}1,602.41$  per pupil (Sept to March). Funding awarded would be 3 pupils x  $\text{£}1,602.41 = \text{£}4,807.23$ .

## 4.0 Summary

- 4.1 The Local Authority has received requests for support from schools facing financial challenges due to significant increases in pupil numbers. Members will be aware that schools are funded for the financial year based on the previous October census. There are occasions where some schools have seen a significant increase in pupil by the following October census and in these circumstances schools have had to meet in-year increases to running costs without any additional funding until the following April funding settlement.
- 4.2 It is proposed that any residual growth funding available, after allocating out funding for Infant Class Size Funding and expanding schools through their PAN, is used to support schools with significant increases in pupil numbers in accordance with the criteria explained above.
- 4.3 A review of the current school population information showed that if this amendment to the growth funding was in operation in 2018/19, then 5 primary schools and 7 secondary schools would have received additional support using the above criteria and it would have cost circa  $\text{£}0.255\text{m}$  without any scaling factor being administered.

## 5.0 Recommendations

- 5.1 The Schools Forum is asked to note/ and or agree the following recommendations:

## **ITEMS FOR NOTING BY SCHOOLS FORUM**

- Note the decision taken at the 14<sup>th</sup> January 2019 Schools Forum meeting, by unanimous vote of all Members to increase the central Growth Funding contingency to £0.350m to meet basic need provision in 2019/20.

## **ITEMS REQUIRING A VOTE OF FORUM REPRESENTATIVES AS NECESSARY**

- **To agree by a vote**, the additional support to schools facing significant increases in pupil numbers being funded from any residual growth funding contingency based on the criteria described in **Para 3.1 above** **(ALL Schools to vote)**



## Sefton Schools Forum Report

Date of Meeting:	23rd September 2019
Title of Report:	<b>High Needs budget monitoring forecast as at July 2019 and related issues for consideration</b>
Presenting Officer:	Kevin McBlain / Vicky Buchanan
Reason for Submission to Forum:	(2) ITEM FOR CONSULTATION (4) ITEM FOR INFORMATION
Executive Summary:	To discuss the current forecast overspending on High Needs and spending related issues; and to consult with Early Years providers on restating centrally retained DSG balances between the Early Years and High Needs Funding Blocks in 2019/20.
Budget/Risk Implications:	2019/20 High Needs overspending is forecast to be between £2.1m and £2.5m. At this level, it would place the DSG into an overall deficit position in excess of £2m (i.e above 1% of DSG Funding) by the year end, including Central Schools and Early Years forecasts and including the DSG net deficit on reserves brought forward from 2018/19 (£0.230m).
Recommendations:	<ul style="list-style-type: none"> <li>• Forum Members are asked to note the report and the forecast overspending position on High Needs of between £2.1m and £2.5m this year.</li> <li>• Note the intention of the Local Authority to seek Schools Forum agreement to continue with the same level of support from the Schools Block (i.e. 0.5% Block funding c.£0.795m – this fig would vary with the 2020/21 schools funding) and Early Years Block contribution (£0.200m) towards High Needs budget pressures in 2020/21.</li> <li>• Note the 2019/20 forecast deficit position of the DSG centrally retained reserves for High Needs; Central Schools Block and Early Years, and agree a re-statement of Early Years and High Needs reserves as part of a review of High Needs, as discussed in Paragraph 4.5 in the report</li> <li>• Note the development of a remedial High Needs action plan by the end of October for 2019/20, to prevent an in-year overspend on High Needs of greater than £1.7m. This to be done in conjunction with High Needs stakeholders.</li> <li>• Note the potential requirement to provide a deficit recovery plan for the DfE by June 2020, should the level of the DSG deficit exceed 1% of DSG funding (c. £2m)</li> <li>• Note the intention, in the Autumn, to consider a High Needs cost recovery plan from April 2020 in conjunction with all partners across a range of areas.</li> </ul>
Appendices (to be attached)	None



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Agenda Item 4

Background Papers (available on request)	None
Report Originator and Contact Details	Name: Kevin McBlain Tele: 0151934 4049 E-mail: kevin.mcblain@sefton.gov.uk

## SCHOOLS' FORUM POWERS & RESPONSIBILITIES

- 1 ITEMS FOR APPROVAL (DfE can adjudicate where Forum does not agree LA proposal)
- 2 ITEMS FOR CONSULTATION (Forum provides a view on LA proposal but LA decides)
- 3 ITEMS FOR CONSULTATION (Forum provides a view on LA proposal but DfE decides)
- 4 ITEMS FOR INFORMATION (No formal view of the Forum is sought)

## 1.0 Purpose of the report:

- 1.1 To apprise members of Schools Forum of the latest budgetary forecast for High Needs 2019/20 and to consider the impact of this on the DSG Centrally Retained Reserves by the end of the year
- 1.2 To consult on, and to seek approval to move part of the Early Years Block retained DSG reserve brought forward from 2018/19 into High Needs to off-set the significant High Needs accumulative deficit in 2019/20.
- 1.3 To inform members of the consequences of High Needs overspending and the need to take some remedial actions by the end of September to prevent an in-year overspend of more than £1.7m, which would trigger the requirement for a recovery plan to be submitted to the ESFA by the end of June 2020.
- 1.4 To inform members of a review of High Needs funding arrangements to mainstream and special schools in the Autumn with a planned implementation from April 2020.
- 1.5 To seek early School Forum agreement to secure the same level of Schools and Early Years Block contributions towards High Needs into 2020/21, as that provided in 2019/20.

## 2.0 Background

- 2.1 The outturn High Needs budget position, reported in July 2019 was an overspend of £2.3m. The position this year suggests an in-year overspend of between £2.1m - £2.5m this financial year.
- 2.2 The July 2019 forecast shows a £2.3m overspend in 2019/20, an increase of £0.400m on June's forecast of £1.9m due mainly to extra places agreed from September and SEN panel top ups awarded to schools.
- 2.3 There are some additional costs to be incurred this year, and future years, due to the development of a new in-house 20 place complex needs Resourced Unit at Redgate Primary School, Formby, from September; there are also 2 additional places at the Grange Resourced Unit and 2 at Presfield Special school. In addition, there will be a new class for 8 reception-aged children with PMLD, at Rowan Tree school, which is a new annex of Rowan Park Special school, to operate out of the former Sand Dunes Nursery site from September 2019.
- 2.4 This extra provision will help contain the sharp increase in numbers of pupils being placed at expensive out of borough non-maintained special schools. Placements numbers at independent special schools are a serious cause for concern, currently accounting of 50% of the high needs budget overspend.
- 2.5 Increasing demand for SEND support and rising costs, coupled with insufficient growth to school budgets, continues to be an issue for many mainstream schools regarding their ability to fund SEND cost pressures within their school's budget allocations. Top up payments for pre-16 to schools are therefore continuing to rise, in particular, for pupils without EHC Plans, where schools request extra funding through the SEN funding panel

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Schools Forum – 23<sup>rd</sup> September 2019  
Agenda Item 4

process. However, a new triage service is in place to discuss, with schools, their funding options for children with low incidence High Needs. This may include advice and support on the better use of limited resources and better understanding of the 'notional' SEN budgets contained within their schools' formula, to cover the first £6k of SEND provision for children in mainstream school.

- 2.6 Schools are reminded that there is an amount included within their basic schools' formula funding allocation, which is identified towards the first £6k of any additional funding for children with a low incidence of SEND before recourse to top up funding from the High Needs budget. Schools should earmark this funding towards their SEND children in the first instance, before requesting additional funding from High Needs. Similarly, schools with healthy balances should be expected to contribute more towards the costs of managing these children before seeking extra funding support.
- 2.7 There also appear to be growing numbers of young people, who attend non-maintained special schools, out of borough, who are going on to 6<sup>th</sup> Form (16-18 age group) from pre-16 at their existing institute. These Post 16 costs have increased substantially from c. £250k in 2018/19, to a forecast of over £500k in 2019/20.
- 2.8 The budget variation analysis below shows the key variances in the latest forecast for High Needs:

<b><u>2019/20 High Needs Forecast Budget variations as at July 2019</u></b>	<b><u>£0.000m</u></b>
Day Placements	1.040
Residential Placements	-0.086
Primary school & Resourced Unit Place costs	0.090
Primary school & Resourced Unit top-ups – panel decisions	0.409
Secondary school & Resourced Unit Place costs	0.035
Secondary school & Resourced Unit top-ups – panel decisions	0.029
Maintained Special schools – Place costs	0.158
Maintained Special schools – Top-Up costs	0.101
Post 16 Top ups to Special schools (16-18)	0.546
Other net reductions/savings	-0.010
<b>Net variations in forecast spending as at July 2019</b>	<b>2.312</b>

### 3.0 Funding concerns

- 3.1 There are obvious concerns over High Needs, some of which will need to be addressed in the coming months and some longer term. Levels of funding over the last 7 years have increased by just 9% (£2.3m) and have not kept up with costs, which over the same period, have risen by 18% (£5m) leading to the accumulated funding gap we have today.

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- 3.2 A Local Authority is not obliged by statute, to support the additional costs of children in mainstream education from its High Needs funding, without an Education Health and Care Plan, unless in exceptional circumstances. Many local authorities have never supported top ups for children without a Plan since the Children’s Act 2014 legislation came into force.
- 3.3 This extra funding is identified within the school’s formula as the Notional SEN Budget, used for children, with what the DfE consider, as having a low incidence of special needs. Schools will need to be more cognisant of this funding when setting their annual budgets, though it is recognised, that many of the more inclusive schools, who do take in children with low levels of SEND will need to request top up funding from High Needs budgets when basic resources are exhausted.
- 3.4 Over the last three years, the numbers of children in mainstream schools, supported through Top Up from High Needs, has increased substantially, and this is evident from rising costs and increasing numbers year on year. (See table below.)
- 3.5 Improvements to the way top ups are funded are being made to make for more efficient use of resources. As referred to above, the SEN assessment team are now conducting a triage approach towards schools requesting top-up funding and consideration is being made regarding economies of scale.

## **Mainstream pupils supported through High Needs Top-up funding 2017-2020**

	Total No. of Pupils Supported	Total No. of pupils with an EHCP	Total No. of pupils without an EHCP	Cost to High Needs (£m)
<b>2017/18</b>				
Primary	263	38	225	£2.713
Secondary	71	60	11	£1.283
<b>2018/19</b>				
Primary	293	41	252	£3.411
Secondary	112	53	59	£1.328
<b>2019/20</b>				<b><u>19/20 Forecast (July)</u></b>
Primary	346	55	291	£3.209
Secondary	129	48	81	£1.174

- 3.7 The whole process of awarding top up funding, needs consistency and transparency across High Needs, and when limited resources are scarce, the issues are around how they can be used to best effect by a school, to achieve maximum outcome for the child for the least cost.

## **4.0 Financial synopsis and balances position**

- 4.1 Change in funding processes is required, based on the simple equation that resources are scarce and not increasing in line with either demand or costs. Given the latest deficit forecast for High Needs (between £2.1m-£2.5m), there is a financial responsibility placed on the Local Authority to contain costs, as far as possible, and it is proposed therefore that a remedial High Needs action plan should be developed by the end of October, to reduce the impact on this year's forecast deficit, and to try to contain it within a maximum £1.7m overspending.
- 4.2 This is based around the fact that, at current levels of overspending the overall net deficit will exceed the DfE's 1% threshold for a deficit over and above a Local Authority's DSG funding, triggering the need to provide a 3-year deficit recovery plan of action to get back to a balanced position.
- 4.3 This action plan would include working with all partners – education providers, health, social care and the VCS to determine the best use of available resources over the next six months.
- 4.4 It is further proposed that a review of High Needs funding arrangements to mainstream special schools will take place through the autumn, with recommendations and consultation planned in a timeframe, that enables implementation of any changes from April 2020. This would include looking at:
- Mainstream schools use of the Notional SEN budget to fund the first £6k of SEND provision
  - Special school funding rates, which have remained constant over the last five years and need to be reviewed
  - A transparent and consistent methodology for the award of top-up funding across all sectors
  - Clear guidance in support of approvals of funding SEN support.
- 4.5 At outturn 2018/19, the centrally retained DSG balances showed a net deficit position of £0.230m, which belied significant accumulated underspending across the Central Schools Block (£0.375m) and Early Years Block (£3.038m) offset by a large accumulated net overspending on High Needs (£3.643m). Although the DfE views these balances from a whole DSG perspective for the purpose of exceeding the 1% threshold mentioned above, the Local Authority considers that the current balances should be re-stated, and are proposing to take a proportion of the Early Year balances (£2.7m) and transfer them into High Needs in 2019/20 to help offset the expected overspending in the year. Such a transfer must be done in consultation with Early Years providers and Schools Forum, and is therefore requested for approval subject to debate at the Early Years Development Group. This would reduce the accumulated surplus on Early Years to £0.338m in 2019/20, which would still be available for use by the sector; whilst reducing the accumulated deficit on High Needs to £0.943m.
- 4.6 It is expected that the outcome for Early years in 2019/20 could be an underspend of £0.298m in-year; whilst for High Needs, there could be a deficit in excess of £2.1m in year. The change proposed above, is to equalise resources between the two funding Blocks. This would leave Early Years with a revised accumulated surplus of £0.636m

and High Needs with a revised accumulated deficit balance of around £3m. Unless High Needs spending is reduced as suggested, there is every possibility that the LA will have to produce a deficit recovery plan to the DfE by next June 2020.

- 4.7 Given the position of High Needs in 2019/20, the Local Authority will be seeking early approval from Schools and Early Years, to maintain their current level of contribution towards High Needs pressures in 2020/21. The DfE are again allowing Local Authorities to ask schools for up to 0.5% of their Schools Block funding as a contribution towards High Needs.

## **5.0 Recommendations:**

- 5.1 Forum Members are asked to note the report and the current forecast overspending position on High Needs of between £2.1m and £2.5m this year.
- 5.2 Note the intention of the Local Authority to seek Schools Forum agreement to continue with the same level of support from the Schools Block (i.e 0.5% Block funding c.£0.795m – this figure would vary with the 2020/21 schools funding) and Early Years Block contribution (£0.200m) towards High Needs budget pressures in 2020/21.
- 5.3 Note the 2019/20 forecast deficit position of the DSG centrally retained reserves for High Needs; Central Schools Block and Early Years, and agree a re-alignment of the Early Years and High Needs reserves as part of a review of High Needs.
- 5.4 Note the development of a remedial High Needs action plan by the end of October for 2019/20, to prevent an in-year overspend on High Needs of more than £1.7m. This to be done in conjunction with High Needs stakeholders.
- 5.5 Note the potential requirement to provide a deficit recovery plan for the DfE by June 2020, should the level of the DSG deficit exceed 1% of DSG funding (c. £2m).
- 5.6 Note the intention in the Autumn, to consider a High Needs cost recovery plan from April 2020, in conjunction with all partners across a range of areas.



Education & Skills  
Funding Agency

# Schools Forum

Operational and good practice guide

September 2018

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## Introduction

1. This guide is designed to provide local authority officers and schools forum elected members with advice and information on good practice in relation to the operation of schools forums.
2. It is organised in two sections:
  - section 1 provides information on the constitutional and organisational requirements for schools forums
  - section 2 covers a number of key aspects of the operation of schools forums at local level, drawing on good practice from a number of schools forums
3. The Department's website (GOV.UK) contains details of all the announcements, documents and other information relating to school funding and schools forums, including the National funding formula (NFF) This website also has a range of useful links to other sites that may be of relevance to schools forum members.
4. A short [guide to the schools forum for schools and academies](#), which may be helpful to stakeholders and the wider school family, is available on GOV.UK.
5. If you have any queries about the operation of schools forums please contact the Education and Skills Funding Agency (ESFA) using the [ESFA enquiry form](#).

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

### Regulations

6. [National regulations](#)<sup>1</sup> govern the composition, constitution and procedures of schools forums. Local authorities can provide schools forum members with a copy of these regulations or alternatively they can be accessed at:

<http://www.legislation.gov.uk/ukxi/2012/2261/contents>

7. A short [guide to the schools forum for schools and academies](#) is also available to provide a wider understanding of the work of schools forums.

### Schools forum powers

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

- de-delegation from mainstream maintained schools budgets (separate approval will be required by the primary and secondary phase members of schools forum), for prescribed services to be provided centrally
- to create a fund for significant pupil growth in order to support the local authority's duty for place planning (basic need), including pre-opening and diseconomy of scale costs, and agree the criteria for maintained schools and academies to access this fund
- to create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for maintained schools and academies to access this fund
- agreeing other centrally retained budgets, including for local authority statutory responsibilities (where these relate to maintained schools only, voting is by the primary, secondary, special and PRU members of schools forum)
- funding for central early years expenditure, which may include funding for checking eligibility of pupils for an early years place, the early years pupil premium and/or free school meals

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

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- authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure, or from de-delegated services, which is to be carried forward from a previous funding period in the 2018 to 2019 funding year the schools block is ring-fenced. Local authorities require schools forum approval in order to move up to 0.5% from the schools block to other blocks
- in each of these cases, the local authority can appeal to the Secretary of State if the schools forum rejects its proposal.

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

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

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

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

11. 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.

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

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

- vary the MFG
- use exceptional factors
- vary pupil numbers (Secretary of State approval is no longer required for increases relating to changes in admission limits or reorganisations)
- allow additional categories of, or spending on, central budgets
- amend the sparsity factor
- vary the lump sum for amalgamating schools
- vary the protection for special schools and special academies
- move up to 0.5% from the schools block, where the schools forum do not agree, or move more than 0.5% from the schools block

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

## Membership

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

15. 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.

16. Types of member: schools forums must have 'schools members', 'academies member(s)' if there is at least one academy in the local authority's area and 'non-schools members'. Schools and academies members together must number at least two-thirds of the total membership of the schools forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category, so the structure of Forum should be regularly reviewed, we would suggest good practice is to review the membership as a standing agenda item at each meeting. Academies members must represent mainstream academies and, if there are any in the local authority area, special academies and alternative provision academies. There is no

requirement for academies members to represent specific primary and secondary phases, but it may be encouraged to ensure representation remains broadly proportionate to pupil numbers. Academy members must be separately elected and designated from maintained school representatives, please see paragraph 28.

17. Schools forum members will need the skills and competencies to manage Forum business (as detailed in [school forum powers and responsibilities](#)) and to take a strategic view across the whole education estate whilst acting as representative of the group that has elected them. Furthermore, they should be easily contactable and pro-active in raising the profile of issues and communicating decisions, and the reasons behind them, effectively. Good practice for schools forums would be to offer training to new or existing members who may benefit from this.

## Term of office

18. The term of office for each schools member and academies member should be stipulated by the local authority at the time of appointment. Such stipulation should follow published rules and be applied in a consistent manner between members. They need not have identical terms – there may be a case for varied terms so that there is continuity of experience rather than there being a complete change in the membership at a single point. The term of office should not be of a length that would hinder the requirement for the structure of the schools forum to mirror the type of provision in light of the pace of academy conversions. Examples of how this may work include:

- holding vacancies until the schools forum structure is reviewed providing that this does not mean holding vacancies for an unreasonable length of time, for example, we would expect this vacancy to be filled for the following term
- increasing the size of the schools forum temporarily to appoint additional academy members, then deleting schools member posts at the end of a term of office or when a vacancy arises
- considering continuity of service; where an academy conversion affects the school of a current schools member, would academies consider appointing that person as an academies member

19. 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.

20. 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;

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- 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

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

22. 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).

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

- headteachers or headteachers' representatives in each group
- governors in each group
- headteachers or headteachers representatives and governors in each group
- representatives of a particular school category, for example, voluntary aided

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

25. 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**

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

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

28. It's not appropriate for a single person to be elected to represent more than one group or sub-group concurrently, for instance, if they were a governor at a primary and secondary school. They can stand for election from either group but can be appointed to represent only one of those groups.

29. 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.

30. 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.

31. 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.

32. 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.



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33. 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).

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

35. 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.

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

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

37. 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**

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



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

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

41. 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.

42. 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

43. Non-schools members may number no more than a third of a schools forum's total membership (excluding observers, see paragraph 58). A representative of providers of 16-19 education must be elected from those providers. This includes those in the FE sector (FE and sixth form colleges) and other post-school institutions that specialise in special education needs (SPiS), 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.

44. The local authority must appoint at least one person to represent early years providers from the private, voluntary and independent (PVI) sector. Early years PVI settings need to be represented because funding for the free entitlement for three and four year olds and eligible two year olds comes from the Dedicated Schools Grant, and all settings are funded through the Early Years Single Funding Formula (EYSFF).

45. 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

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headteacher or governor, or someone linked more generally with the diocese, for example a member of the education board.

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

47. 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

48. 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))

49. 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).

50. 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.

51. 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.

52. 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**

53. 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.

54. 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, for example, when the funding formula is decided.

## **Recording the composition of schools forums**

55. Each local authority must make a written record of the composition of its schools forum detailing the numbers of schools members and by which group or sub-group they were elected, the number of academies members and the number of non-schools members, their terms of office, how they were chosen and whom they represent. This record should also indicate the term of office for schools and academies members. It would be helpful if this were published on the schools forum website so schools and wider stakeholders can easily find who their representatives are.

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## Observers

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

## Participation of local authority officers at meetings

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

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

58. In the majority of cases schools forums are supported by a specific officer. In the course of their work, however, schools forums will be required to consider a whole range of issues and they may consider it appropriate that other officers attend for specific items of business. Where this is the case, the local authority should meet the schools forum's requests as far as possible. It is best practice to record attendance at meetings as well as membership to ensure elected members are attending and contributing to discussions.

## Procedures

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

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

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made to reduce the chance of a problem with the quorum. The quorum stipulation is in the regulations to help ensure the legitimacy of decisions

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

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60. 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

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

62. 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

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

## Urgent business

64. It's good practice for the local authority to agree with its schools forum an urgency procedure to be followed when there is a genuine business need for a decision or formal view to be expressed by the schools forum, before the next

scheduled meeting. The local authority may of course call an unscheduled meeting; but it may also wish to put in place alternative arrangements such as clearance by email correspondence or some other means. Such instances should be avoided so far as possible but are legitimate provided all members of the schools forum have an opportunity to participate, the logistics provide a reasonable opportunity for consideration and the local authority policy on data security is not compromised.

65. It's not legal for the Chair to take a decision on behalf of the schools forum, no matter how urgent the matter in question; 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**

66. The costs of a schools forum fall in the Central School Services Block of the Dedicated Schools Grant (DSG).

67. It's legitimate to charge the running costs of schools forums to this budget including any agreed and reasonable expenses for members attending meetings, the costs of producing and distributing papers and costs room hire and refreshments and for clerking of meetings. Beyond these costs some schools forums have a budget of their own to use for activities such as commissioning research or other reports.

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## Section 2 – effective schools forums

### Introduction

68. 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.

69. 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.

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

- partnership: having a shared understanding of the priorities, issues and concerns of schools, academies and the local authority
- effective support: the business of the schools forum is supported by the local authority in an efficient and professional manner
- openness: it's important that a schools forum feels it 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

71. 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

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

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

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

74. 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

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

76. Training will need to be provided in response to any changes in the role of the schools forum and national developments in respect of school funding, to ensure that members can be fully effective when detailed discussions are taking place.

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## Agenda setting

77. 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.

78. The frequency and timing of meetings of the schools forum should be agreed in advance of each financial or academic year; these should take into consideration deadlines for the local authority such as disapplication requests and the submission of the authority proforma tool (APT). It's good practice to publish the dates of meetings on the schools forum website. In drawing up this cycle of meetings, in consultation with the schools forum, the local authority should provide a clear overview of the key consultative and decision-making points in the school funding cycle. These will be drawn from a combination of national and local information and should inform the basic agenda items that each meeting needs to cover. For instance meetings will need to be scheduled at appropriate points to enable the schools forum to consider the outcomes of local consultations and national announcements.

79. 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's recommended that authorities apply the same principles that they apply to Council or Cabinet meetings when judging an item to be confidential and adopt similar practices for dealing with those reports in the meeting, for example placing them together at the end of the agenda.

## Preparation for a schools forum meeting

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

81. 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's also helpful if the front of the report confirms whether the report is for information or decision and who is eligible to vote where relevant.

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

83. 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.

84. The publishing of papers on a publicly available website well in advance of the meeting ensures that all interested parties are able to access papers. Some schools forums ensure that each represented group meets in the days immediately prior to the schools forum meeting to ensure the agenda is discussed and schools forum members are properly briefed by the group they represent. Although on occasions it's inevitable that schools forums will receive late, or tabled reports it does create some difficulty for members as they will not have been able to seek the views of those they represent.

85. 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

86. 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.

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

88. 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.

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

90. 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

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

92. 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.

93. Beyond this a good clerk can:

- provide the route by which schools forum members can access further information and co-ordinate communication to schools forum members outside of the formal meeting cycle
- respond to any queries about the business of the schools forum from headteachers, governors and others who are not on the schools forum themselves
- be responsible for ensuring contact details of all members are up to date
- maintain the list of members on the schools forum and advise on membership issues in general
- assist with the co-ordination of nomination or election processes run by the constituent groups
- keep the schools forum website up to date, for example by posting latest minutes and papers

- monitor, on a regular basis, the schools forum and general schools funding pages on the GOV.UK website; and arrange for the distribution of any relevant DfE information to schools forum members
- if appropriate, provide technical advice in relation to the schools forum regulations and in relation to the operation of a schools forum's local constitution
- organise, operate and record any voting activity of the schools forum in line with the provisions of its local constitution

94. 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

95. Schools forums should ensure there is a clear debate of all agenda items. Whilst sub-group meetings are valuable in working through detailed issues, schools forums should consider that the level of debate held at the schools forum meeting and recorded in the minutes will be the official reflection of the level of challenge and discussion on each issue.

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

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

- plan and consult early
- allow reasonable timescales for response (as Forum members may need to consult the groups they represent)
- an open and honest approach
- fully inclusive
- allow for ongoing dialogue
- provide feedback

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- clear communications

## Meeting notes and recording of decisions

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

99. Notes or minutes of each schools forum meeting should be produced and put on the website as soon after the meeting as possible to enable members and others to see the outcome of any discussions and decisions and, or votes. It is good practice to formally agree the accuracy of the note and minutes at a subsequent meeting but the publication of the draft minutes should not be delayed as a result and we would recommend no later than five days following the meeting for the publication of these.

100. 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

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

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

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

## News updates

103. 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.

104. Many local authorities have already established dedicated schools forum websites on which they post key information for schools forum members and other interested parties and updated on a regular basis.

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Education & Skills  
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## Schools forum powers and responsibilities

A summary of the powers and responsibilities of schools forums.

Function	Local authority	Schools forum	DfE role
Formula change (including redistributions)	Proposes and decides	Must be consulted [voting restrictions apply - see schools forum structure document] and informs the governing bodies of all consultations	Checks for compliance with regulations
Movement of up to 0.5% from the schools block to other blocks	Proposes	Decides	Adjudicates where schools forum does not agree local authority proposal
Contracts (where the local authority is entering a contract to be funded from the schools budget)	Proposes 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

Function	Local authority	Schools forum	DfE role
<p>Financial issues relating to:</p> <ul style="list-style-type: none"> <li>• arrangements for pupils with special educational needs, in particular the places to be commissioned by the local authority and schools and the arrangements for paying top-up funding</li> <li>• arrangements for use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the local authority and schools and the arrangements for paying top-up funding</li> <li>• arrangements for early years provision</li> <li>• administration arrangements for the allocation of central government grants</li> </ul>	<p>Consults annually</p>	<p>Gives a view and informs the governing bodies of all consultations</p>	<p>None</p>
<p>Minimum funding guarantee (MFG)</p>	<p>Proposes any exclusions from MFG for application to DfE</p>	<p>Gives a view</p>	<p>Approval to application for exclusions</p>
<p>Carry forward a deficit on central expenditure to the next year to be funded from the schools budget</p>	<p>Proposes</p>	<p>Decides</p>	<p>Adjudicates where schools forum does not agree local authority proposal</p>

Function	Local authority	Schools forum	DfE role
Any brought forward deficit on de-delegated services which is to be met by the overall schools budget.	Proposes	Decides	Adjudicates where schools forum does not agree local authority proposal
De-delegation for mainstream maintained schools for: <ul style="list-style-type: none"> <li>contingencies</li> <li>administration of free school meals</li> <li>insurance</li> <li>licences/subscriptions</li> <li>staff costs – supply cover</li> <li>support for minority ethnic</li> <li>pupils/underachieving groups</li> <li>behaviour support services</li> <li>library and museum services</li> <li>School improvement</li> </ul>	Proposes	Maintained primary and secondary school member representatives will decide for their phase. Middle schools are treated according to their deemed status	Will adjudicate where schools forum does not agree local authority proposal
General Duties for maintained schools <ul style="list-style-type: none"> <li>Contribution to responsibilities that local authorities hold for maintained schools</li> </ul>	Proposes	Would be decided by the relevant maintained school members (primary,	Adjudicates where schools forum does not agree local authority proposal

Function	Local authority	Schools forum	DfE role
(please see <a href="#">pre 16 schools funding operational guide</a> for more information)		secondary, special and PRU).	
Central spend on and the criteria for allocating funding from: <ul style="list-style-type: none"> <li>• funding for significant pre-16 <a href="#">pupil growth</a>, including new schools set up to meet basic need, whether maintained or academy</li> <li>• funding for good or outstanding schools with <a href="#">falling rolls</a> where growth in pupil numbers is expected within three years</li> </ul>	Proposes	Decides	Adjudicates where schools forum does not agree local authority proposal
Central spend on: <ul style="list-style-type: none"> <li>• early years block provision funding to enable all schools to meet the infant class size requirement</li> <li>• back-pay for equal pay claims</li> <li>• remission of boarding fees at maintained schools and academies</li> <li>• places in independent schools for non-SEN pupils</li> <li>• admissions</li> <li>• servicing of schools forum</li> </ul>	Proposes	Decides	Adjudicates where schools forum does not agree local authority proposal

Function	Local authority	Schools forum	DfE role
<ul style="list-style-type: none"> <li>Contribution to responsibilities that local authorities hold for all schools</li> </ul>			
<p>Central spend on:</p> <ul style="list-style-type: none"> <li>capital expenditure funded from revenue – projects must have been planned and decided on prior to April 2013 so no new projects can be charged</li> <li>contribution to combined budgets – this is where the schools forum agreed prior to April 2013 a contribution from the schools budget to services which would otherwise be funded from other sources</li> <li>existing termination of employment costs (costs for specific individuals must have been approved prior to April 2013 so no new redundancy costs can be charged)</li> <li>prudential borrowing costs – the commitment must have been approved prior to April 2013</li> </ul>	<p>Proposes up to the value committed in the previous financial year and where expenditure has already been committed.</p> <p>See table four page 31 to 35 for Information on historic commitments. Read <a href="#">establishing local authority DSG baselines</a> for more information.</p>	Decides for each line	Adjudicates where schools forum does not agree local authority proposal
<p>Central spend on:</p> <ul style="list-style-type: none"> <li>high needs block provision</li> <li>central licences negotiated by the Secretary of State</li> </ul>	Decides	None, but good practice to inform forum	None

Function	Local authority	Schools forum	DfE role
Scheme of financial management changes	Proposes and consults the governing body and Head of every school	Approves (schools members only)	Adjudicates where schools forum does not agree local authority 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 (may not be an elected member of the Council or officer)	None



## Schools forums structure

A summary of the structure of schools forums.

Category	Schools members	Academies members	Non-school members
Represented groups	<p>Where the local authority maintains the following types of school, they must be represented on the schools forum:</p> <ul style="list-style-type: none"> <li>• Primary Schools</li> <li>• Secondary Schools</li> <li>• Special Schools</li> <li>• Nursery Schools</li> <li>• PRUs</li> </ul>	<p>At least one academies member must be a representative of mainstream academies, which includes free schools, UTCs and Studio Schools. In addition, there must be one member for each of the following groups (if such exist in the local authority area):</p> <ul style="list-style-type: none"> <li>• Special academies, including free schools</li> <li>• Alternative provision academies, including free schools</li> </ul>	<p>16 to19 providers</p> <p>Early years Private, Voluntary and Independent (PVI) providers</p> <p>Before considering other groups, the local authority must consider diocesan representation</p>

Category	Schools members	Academies members	Non-school members
Type of member	<p>Within each of the five groups above there could be the following types of member:</p> <ul style="list-style-type: none"> <li>• Headteachers (or their representative)</li> <li>• Governors</li> <li>• Headteachers and Governors</li> <li>• In overall terms there must be at least one headteacher (or their representative) and one governor</li> </ul>	Any	Any
Schools forum structure	<p>Schools members and academies members must comprise at least two thirds 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>	<p>Schools members and academies members must comprise at least two thirds 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	Only primary representatives can	No voting on de-delegation or the	No voting on de-delegation or the



Category	Schools members	Academies members	Non-school members
	<p>vote on primary school dedelegation Only secondary representatives can vote on secondary school dedelegation All schools members can vote on the scheme for financing schools All schools members can vote on any other schools forum business, including the consultation on the funding formula.</p> <p>Maintained school members can vote on items relating to <a href="#">general duties and retained duties</a>.</p>	<p>scheme for financing schools All academies members can vote on any other schools forum business, including the consultation on the funding formula.</p> <p>Academy members can vote only on <a href="#">retained duties</a>.</p>	<p>scheme for financing schools 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 headteachers of secondary schools.</p>	<p>The relevant proprietors of academies elect for their group, e.g. mainstream academies, special academies and alternative provision academies</p>	<p>Election only applies to the representative for the 16 to 19 providers, who is elected by all eligible 16 to 19 providers</p>

Local authority 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	<p>Can appoint a 16 to 19 representative only if no election takes place by the agreed date or in the event of a tie.</p> <p>For all other non-schools members the local authority appoints, but it's good practice to seek nominations from the relevant bodies</p>
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**Other attendees who are permitted to contribute to a schools forum meeting:**

- an observer appointed by the Secretary of State
- the Chief Financial Officer
- the Director of Children's Services
- officers providing financial & technical advice to schools forum
- the Executive Member for Children's Services
- presenters (restricted to the paper they are presenting)
- the Executive Member with responsibility for resources



## Schools forum self-assessment toolkit

This toolkit provides local authority officers and elected members with a framework for assessing the strengths and weaknesses of their schools forum. The toolkit is designed as a set of questions which can be considered by individuals or the forum as a whole.

Question	Yes / No	Notes
1. Are meeting dates set in well advance and details (including time and venue) published in an accessible manner to enable interested parties to plan their attendance?		
2. Are meetings timed to coincide with key dates? (e.g. reporting of funding formula)		
3. Are meetings held in an accessible venue to enable observers to attend easily?		
4. Is there a dedicated website link for schools forum, is it current and regularly updated?		
5. Are the agenda and papers publicly available on the authority's website at least 6 working days in advance of the meeting?		
6. Are the papers published as a single document, so that users can download easily?		
7. If papers are tabled at the meeting, are they published on the website promptly after the meeting?		
8. Are draft minutes published a reasonable time (e.g. within 2-3 weeks) after the meeting, rather than waiting until the following meeting?		
9. Are the minutes clear and unambiguous, with sufficient detail to		

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Question	Yes / No	Notes
illustrate the discussions, without reporting verbatim every point made?		
10. Is the constitution clear and appropriate? Including eg <ul style="list-style-type: none"> <li>- a clear process for ensuring proportional representation</li> <li>- the process for electing members and their tenure</li> <li>- the timescale for review is clearly set out</li> <li>- the process for dealing with repetitive non attenders</li> </ul>		
11. Is there an induction pack or training programme available for new members?		
12. Is the election process clear and transparent? i.e. representatives are elected only by the group they are representing, whether phase-specific for maintained schools, or by the proprietors of academies for academy members.		
13. Do the papers contain clear recommendations and indicate in a consistent manner whether the item is for information, consultation or decision?		
14. Is it clear to observers who attendees at the forum are representing? (eg by use of name plates, indicating sector)		
15. Does the chair manage the meeting well, ensuring that all are able to contribute to the agenda items, that no bias towards any sector is evident and that no single person or organisation is able to dominate the discussion?		
16. Is there inclusive participation in discussions for all phases and types of members?		
17. Do members actively canvass views and objectively represent their whole peer group at the forum and provide feed back after meetings?		

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Question	Yes / No	Notes
18. Where votes are required, is it clear who is eligible to vote for different items?		
19. Where votes are required, are the arrangements for recording the votes clear and unambiguous?		
20. Is there a system in place for a decision if votes are tied?		
21. Is the operational & good practice guide used to regularly review the forum's adherence to good practice?		

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