

**DERBYSHIRE COUNTY COUNCIL****SCHOOLS FORUM****9<sup>th</sup> September 2012****Report of the Strategic Director for Children & Younger Adults****Changes to Forum Constitution & Membership****1. Purpose of the Report**

To inform the Forum of the changes necessary to the Schools Forum's Constitution to reflect the proposed Schools Forums (England) Regulations 2012.

**2. Information and Analysis**

The DfE recently consulted local authorities on changes to the membership and operation of Schools Forums in July 2012. Draft regulations accompanied the consultation with an expectation that LAs implement the changes by 1<sup>st</sup> October 2012. The main changes are summarised in Appendix 1. Many of the requirements are already in place in Derbyshire, the main proposals to note and/or consider are as follows:

- (i) Education Funding Agency – to be allocated a place as an observer;
- (ii) Pupil Referral Units – to allocate a place to reflect the delegation of budgets from April 2013. It is proposed that one such place be provided.
- (iii) Other Members – Regulation 7(3) allows the Authority to appoint additional non-schools members to their Forum to represent the interests of other bodies. Derbyshire's Forum currently includes 2 Diocesan and 4 union representatives. And these appointments will continue.

The proposed new regulations retain the requirement for local authorities to review the membership of their Forums to ensure they are broadly representative of the numbers of pupils and schools attending schools and academies. The membership of mainstream schools and academies has been reviewed in the light of the January 2012 pupil numbers and the following picture emerges:

**Current Membership (Mainstream)**

| Sector    |           | Heads | Governors | Total |
|-----------|-----------|-------|-----------|-------|
| Primary   | Schools   | 7     | 7         | 14    |
| Primary   | Academies | 0     | 0         | 0     |
| Secondary | Schools   | 4     | 5         | 9     |
| Secondary | Academies | 2     | 1         | 3     |
|           |           |       |           |       |
| Total     |           | 13    | 13        | 26    |

## Pro rata Membership

| Sector    |           | Pupils  | Pro rata | Rounded | Change |
|-----------|-----------|---------|----------|---------|--------|
| Primary   | Schools   | 58,977  | 13.9     | 14      | 0      |
| Primary   | Academies | 507     | 0.1      | 0       | 0      |
| Primary   | Total     | 59,484  | 14.0     | 14      | 0      |
|           |           |         |          |         |        |
| Secondary | Schools   | 31,594  | 8.0      | 8       | -1     |
| Secondary | Academies | 15,707  | 4.0      | 4       | +1     |
| Secondary | Total     | 47,301  | 12.0     | 12      | 0      |
| Total     | Total     | 106,785 | 26.0     | 26      | 0      |

In light of the above an additional academy place has been added to the Forum's Constitution. The terms of office is in line with existing school and academy places. To compensate, the number of secondary governor representatives should have been reduced by 1. However, it has been agreed that the secondary governor membership be retained at the current level until the next general Forum election (December 2014) or until a secondary school governor resigns, whichever is the sooner. This is to allow the current governor expertise to be retained at a time of significant change to schools' funding.

The Membership of the Forum from 1<sup>st</sup> October 2012 is now as follows:

| <b>Full Members</b> |           |       |           |       |       |
|---------------------|-----------|-------|-----------|-------|-------|
| Sector              | Category  | Heads | Governors | Other | Total |
| Primary             | Schools   | 7     | 7         | -     | 14    |
| Primary             | Academies | 0     | 0         | -     | 0     |
| Secondary           | Schools   | 4     | 5         | -     | 9     |
| Secondary           | Academies | 2     | 2         | -     | 4     |
| Special             | All       | 1     | 1         | -     | 2     |
| Nursery             | All       | 1     | 1         | -     | 2     |
| PRUs                | -         | -     | -         | 1     | 1     |
| Diocese             | -         |       |           | 2     | 2     |
| 14-19               | -         |       |           | 1     | 1     |
| Early Years         | -         |       |           | 2     | 2     |
| Unions              |           |       |           | 4     | 4     |
|                     |           |       |           |       |       |
| Total               |           | 15    | 16        | 10    | 41    |

| <b>Observers</b>         |  |  |  |   |   |
|--------------------------|--|--|--|---|---|
|                          |  |  |  |   |   |
| Elected Members          |  |  |  | 4 | 4 |
| Parent Partnership       |  |  |  | 1 | 1 |
| Education Funding Agency |  |  |  | 1 | 1 |
| Total                    |  |  |  | 6 | 6 |

The Forum's Constitution is a matter for the County Council and the above changes were considered and agreed by the Cabinet Member for Education on 3<sup>rd</sup>

September 2012. The Authority will now seek to fill the vacant places as soon as possible.

4. Other Considerations In preparing this report the relevance of the following factors has been considered: prevention of crime & disorder, equality of opportunity, finance, human resources, legal & human rights, environmental, health, property and transport considerations.
5. Background Papers Draft Schools Forums (England) Regulations 2012
6. Strategic Director's Recommendations

That the Forum notes the changes to the Forum's Constitution and Membership as set out in the report.

**IAN THOMAS**  
**Strategic Director for Children & Younger Adults**



## Summary of Required Forum Changes

## Appendix 1

| <b>Proposal</b>   | <b>Implication for Derbyshire</b>   |
|---|---|
| Remove the requirement to have a minimum of 15 people on a Forum.   | None, currently 39  |
| Restrict other local authority attendees from participating in meetings unless they are a relevant Lead Member, Director of Children's Services (or their representative), Chief Finance Officer (or their representative), or are providing specific financial or technical advice (including presenting a paper to the Forum) (regulation 8(3)).  | New requirement, no practical issues  |
| Restrict the voting arrangements by allowing only schools and Academy members (and the private, voluntary and independent sector - PVI members) to vote on the funding formulae (regulation 8(11)). Additionally, draft regulation 8(12) covers the items we have announced which will be subject to de-delegation. These will be specified in the finance regulations and only the relevant maintained school members of the forum will be able to vote. | New requirement, will reduce non-school members' involvement in formula votes |
| Require local authorities to publish Forum papers, minutes and decisions promptly on their websites 8(13).  | Already in place  |
| Require Forums to hold public meetings, as is the case with other Council Committees (regulation 8(1)).   | Already in the Constitution   |
| The EFA will have observer status at School Forum meetings (regulation 8(3f)) with the right to participate in discussions.   | New requirement, membership to be amended                                     |
| Include Pupil Referral Units as a separate group among schools members, to reflect their receipt of delegated budgets from April 2013 (regulation 5(2)(e)).   | New requirement, membership to be amended                                     |
| Remove the requirement for local authorities to consult Schools Forums annually about arrangements for free school meals and insurance as these are to be allocated through the formula in future (current regulations 10(1)(d) and 10(1)(f)).  | Only change is reference to delegation  |
| Under Regulation 6(1) Academies members must be elected to the schools forum by the governing bodies of the Academies in the authority's area.  | New requirement, Academies will have to elect rather than nominate membership |
| Under Regulations 9 to 11 require the authority to consult their schools forum before entering into certain types of contract and annually in relation to a range of financial issues and the governing bodies of schools maintained by them to be informed of any such consultation.   | New requirement is to inform governing bodies                                 |