

SCHOOLS FORUM**19th June 2019****Report of the Executive Director for Children's Services****Schools Forum Membership and role****1. Purpose of the Report**

- (i) To advise the Schools Forum of changes to the membership of the Schools Forum following further conversions to academy status;
- (ii) To invite Forum members to discuss other membership-related issues and the likely work programme for 2019/20.

2. Information and Analysis**2.1 Membership update**

The Schools Forums (England) Regulations 2012 (as amended) which govern the operation of the Schools Forum require that the Forum's membership is reviewed periodically to ensure that the allocation of mainstream school places between maintained schools and academies remains broadly representative of the position within each local authority. The current membership of the Schools Forum is shown in the table below.

Table 1 – Current Schools Forum Membership

	Head	Governors	Other	Total
Primary	6	5		11
Secondary	2	1		3
Academy - mainstream*	*	*	*8	8
Sub Tot – Mainstream places	8	6	8	22
Nursery	1	1		2
Special	1			1
Academy – special			1	1
Support centres			1	1
Total – School places	10	7	10	27
Diocesan			2	2
Unions			4	4
16-19			1	1
Non maintained early years			2	2
Total – Non school places	-	-	9	9
Total	10	7	*19	36

* Mainstream academy representation is across phases

The school places must be at least 2/3rds of the Membership, (Derbyshire has 3/4.) In addition there are “observer” places on the Forum for LA Elected Members, the Parent Partnership and the Education and Skills Funding Agency.

Based on a review of the October 2018 pupil census and individual institutions' status as at 1st April 2019, the following revised picture emerges:

Table 2 – Revised mainstream school/academy pupil populations

Phase	Sector	NOR (pre/ post 16)	% of total	Pro rata places	Proposed revised places	Current places	Change
Primary	Maintained	47,360	45.4%	9.98	10.00	11.00	-1.00
Secondary	Maintained	15,854	15.2%	3.34	3.00	3.00	-
Pri/Sec	Academy	41,139	39.4%	8.67	9.00	8.00	+1.00
TOTAL		104,354	100.00%	22.00	22.00	22.00	-

It is proposed that the above changes to the representation of schools and academies be implemented from 1 September 2019 and the Forum's Constitution amended accordingly.

2.2 Other Membership issues including future role

At the end of the last meeting of the Forum in January, Forum Members asked if the Schools Forum would be required in the future as the tenure of members had been extended on the assumption that the Forum would be dissolved in 2020-21. It was agreed that the issue would be discussed at the June meeting.

On the question of the requirement to have a Schools Forum, there has been no indication, either formally or informally, from the DfE that there will be a change in policy in the near future. The current national framework still has school forums as key advisory and decision making groups, including helping to set the local funding formulae for 2020-21. A full list of the roles and responsibilities is provided at Appendix 1.

It is correct that the current terms of office were extended until 31 August 2020 on the basis that a "hard" national funding formula was likely from April 2020. Whilst the hard national funding formula has been delayed for at least a year there are still major local issues to consider, not least those around SEND which have been the discussed earlier this evening. Financial year 2020-21 will also be the first year of the next national spending review, which will bring its own opportunities and challenges.

The Authority believes it is in the best interests of the wider school community that the accumulated collective expertise of the current Schools Forum membership be retained at this critical time for school funding. The Authority therefore proposes to retain the current membership terms: the Authority hopes that the existing members will continue to give their time, knowledge and experience to the work of the Forum over the coming months.

Some of the key issues facing the Forum over the next two terms include:

- Consideration of the options to address the high needs shortfall, including a possible LA request to transfer funds from the Schools Block:
- Further implementation of the national funding formulae:
- Consideration of the implications of the next Comprehensive Spending Review:
- Consideration of the Minimum Funding Guarantee (MFG) rate:

- Determination of central early years and Central School Services Block spend:
- Decisions on growth fund and contingencies

3. **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.

4. **Background Papers** None.

5. **Executive Director's Recommendations**

That the Schools Forum:

- 5.1 Notes the change to the membership of the Forum from September 2019; and
- 5.2 Gives its views on the membership issues set out in section 2.2.

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Executive Director for Children's Services

Schools Forum – summary of Schools Forum role

Appendix 1

Issue	Role of the Forum
Formula change (including redistributions)	Must be consulted [voting restrictions apply – see schools forum structure document] and informs the governing bodies of all consultations
Movement of up to 0.5% from the schools block to other blocks	Decides
Contracts (where the local authority is entering a contract to be funded from the schools budget)	Gives a view and informs the governing bodies of all consultations
Financial issues relating to: <ul style="list-style-type: none">• 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• 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• arrangements for early years provision, administration arrangements for the allocation of central government grants	Gives a view and informs the governing bodies of all consultations
Minimum funding guarantee (MFG)	Gives a view
Carry forward a deficit on central expenditure to the next year to be funded from the schools budget	Decides
Any brought forward deficit on de-delegated services which is to be met by the overall schools budget.	Decides

De-delegation for mainstream maintained schools for: <ul style="list-style-type: none"> • contingencies, administration of free school meals • insurance, licences/subscriptions • staff costs – supply cover, support for minority ethnic • pupils/underachieving groups, behaviour support services • library and museum services, School improvement 	Maintained primary and secondary school member representatives will decide for their phase. Middle schools are treated according to their deemed status
General Duties for maintained schools – Contribution to responsibilities that local authorities hold for maintained schools	Would be decided by the relevant maintained school members (primary, secondary, special and PRU).
Central spend on and the criteria for allocating funding from: <ul style="list-style-type: none"> • funding for significant pre-16 pupil growth, including new schools set up to meet basic need, whether maintained or academy • funding for good or outstanding schools with falling rolls where growth in pupil numbers is expected within three years 	Decides
Central spend on: <ul style="list-style-type: none"> • early years block provision funding to enable all schools to meet the infant class size requirement, back-pay for equal pay claims • remission of boarding fees at maintained schools and academies • places in independent schools for non-SEN pupils , admissions • servicing of schools forum, contribution to responsibilities that local authorities hold for all schools 	Decides
Central spend on: <ul style="list-style-type: none"> • capital expenditure funded from revenue – projects must have been planned & decided on prior to April 2013 i.e. no new projects charged • 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 • existing termination of employment costs (costs for specific individuals approved prior to April 2013 i.e. no new redundancy costs) • prudential borrowing – the commitments approved prior to April 2013 	Decides

Central spend on: <ul style="list-style-type: none"> • high needs block provision • central licences negotiated by the Secretary of State 	None, but good practice to inform forum
Scheme of financial management changes	Approves (schools members only)
Membership: length of office of members	None (but good practice would suggest that they gave a view)
Voting procedures	Determine voting procedures
Chair of schools forum	Elects (may not be an elected member of the Council or officer)

Table drawn from DfE Sept 2018 publication – Schools forum powers and responsibilities which can be found at:

<https://www.gov.uk/government/publications/schools-forums-operational-and-good-practice-guide-2015>