

SCHOOLS FORUM REGULATIONS 2012: DEPARTMENTAL ADVICE

Purpose of the Report

1. To bring Schools Forum's attention to an update to the Schools Forum Regulations 2012 published by the Department for Education (DfE) on 26th February 2014 and to consider any implications for the operation of the Wiltshire Schools Forum.

Main Considerations

2. On 26th February the DfE issued an update to the Schools Forums (England) Regulations (2012). The updated regulations can be accessed via the [DfE Website](#) which also provides an advice note detailing the changes. The advice note is attached as Appendix 1 to this report.
3. The main changes and implications for Wiltshire are as follows:
4. Membership
 - a. The requirement that schools and academies should have broadly proportionate representation according to pupil numbers in each category is maintained (regulation 4(6)). There is concern that the composition of Schools Forums has not changed quickly enough to reflect the pace of academy conversions. Local authorities are required to ensure their Schools Forum is compliant with this requirement based on the pupil numbers in each category as of September 2012 and that this is updated as more conversions take place. – *Wiltshire has reviewed its membership to ensure proportionate representation and will keep this under review.*
 - b. There is no longer a requirement to have a minimum of 15 people on Schools Forum. Smaller authorities in particular may therefore wish to review the total size of their Schools Forum. – *A full review of membership of the Wiltshire Schools Forum was carried out when the 2012 regulations were published.*
 - c. Where there is at least one maintained secondary school in an authority, at least one schools member must be a representative of a secondary school (regulation 4(7)). This is consistent with the arrangements for academies, maintained nursery schools, maintained special schools and maintained Pupil Referral Units. Many authorities now have very few maintained secondary schools, so this will provide minimum representation as with other minority types of school. – *Wiltshire Schools Forum includes representation from a maintained secondary school.*
 - d. In order to reflect their status of having a delegated budget from April 2013, where the authority maintains one or more Pupil Referral Units (PRUs) they are required to have a representative on the Schools Forum, who counts as a schools member (regulations 4(10) and 5(2)(e)). – *Wiltshire does not maintain a PRU and therefore does not include a representative within the Schools Forum membership*
 - e. Among the members representing maintained schools, at least one must be a representative of governing bodies and at least one must be a representative of headteachers (regulation 4(5)). This is a requirement of the primary legislation but has not previously been made explicit in the regulations. – *This is in place within Wiltshire.*
5. Proceedings
 - a. There is a restriction on local authority members and officers who are not members of the Schools Forum taking part in its meetings (regulation 8(4)).

Participation is limited to a Lead Member for education, children's services or resources, Director of Children's Services (or their representative), Chief Finance Officer (or their representative) or officers who are providing specific financial or technical advice to Schools Forum. Other officers are able to participate where they are presenting a report, but their participation must be limited to their specific agenda item. – *Officer participation at the Wiltshire Schools Forum is managed in order to comply with this element of the regulations with regular input from the Associate Director (Commissioning, Performance & School Effectiveness) and the Head of Finance with other input to provide financial and technical advice.*

- b. The Education Funding Agency (EFA) has been granted observer status at Schools Forum meetings (regulation 8(4)(f)). This will provide support to the local process and provide a national perspective if members think it helpful. – *the representative from the EFA is included on the list of members and receives all papers.*
 - c. With regards to voting, the key change is with regard to the funding formulae. Only schools members (which includes mainstream schools, academies, special schools and PRUs) and representatives of the Private, Voluntary and Independent (PVI) sector will be able to vote on the funding formulae (regulation 8(10)). – *This has been put in to practice within the Wiltshire Schools Forum*
 - d. Additional requirements for the transparency of Schools Forum include holding all Schools Forum meetings in public and publishing Schools Forum papers, minutes and decisions in public areas of the local authority website (regulations 8(2) and 8(13)). – *Wiltshire complies with this requirement*
 - e. In order to reflect the complete delegation of funding for some services, the requirement to consult Schools Forums annually about arrangements for free school meals and insurance has been removed. – *funding for FSM and insurance has been fully delegated to schools*
6. The DfE has also published a guide for schools and academies on the role of Schools Forum and the responsibilities of the Forum, schools and local authorities. This document was published in June 2013 and is included as Appendix 2 to this report. This document provides a useful summary of the roles and responsibilities and it is proposed that it should be circulated to all schools and also to chairs of governors.
 7. An operational and good practice guide for local authorities and members of Schools Forums has also been published (October 2013) and is attached as Appendix 3 to this report. This document includes a summary of the decision making powers and consultative responsibilities for all parties.

Proposals

1. Schools Forum is asked to note the advice issued by the DfE in February 2014 and the good practice documents that have been published in relation to the operation of Schools Forums.
2. Schools Forum is asked to agree that appendix 2 to this report be circulated to all schools and Chairs of Governors to increase understanding of the role of Schools Forum and the responsibilities of schools.

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