



Thursday 27th September 2012
2:00 pm to 4:00 pm

Conference Room 1, Building 1,
Saltisford Office Park
Warwick

Schools Forum

No	Item	Purpose	Officer Lead
1.	Apologies		
2.	Minutes from Previous Meeting and Matters Arising		
3.	School Funding Reforms – Introduction and Context (Verbal update)	Information	Simon Smith
4.	School Funding Reforms – Options Paper (Paper Attached)	Comment	Sara Haslam
5.	School Funding Reforms – Centrally Managed Services (Paper Attached)	Comment	Sara Haslam
6.	School Forum Regulations (Paper Attached)	Information	Sara Haslam
7.	LA Block LACSEG – Consultation Response (to follow)	Information	Simon Smith
8.	Forward Plan (paper attached)	Information	Simon Smith
9.	Chair's Business		

Date of Next Meeting:

18th October 2012, 2pm – 5pm
Conference Room, Northgate House, Warwick. 2pm

Schools Forum

May 17th 2012 - Minutes

PRESENT:	
Diana Turner	Governor
Chris Smart	Governor
Peter Reaney	Governor
David Kelham (substitute)	Governor
Latika Davis	Governor
Cathy Clarke	Primary Headteacher
Stella Saje	Primary Headteacher
Gill Humphriss	Primary Headteacher
Chris Errington	Primary Headteacher
Karen Ferguson	Primary Headteacher
Ramjit Samra	Secondary (Maintained) Headteacher
Tony Wilmot	Secondary (Maintained) Headteacher
Patsy Weighill	Secondary (Academy) Headteacher
Iain Blaikie	Secondary (Academy) Headteacher
Philip Hamilton	Secondary (Academy) Headteacher
Judith Humphrey	Special School Headteacher
Rachel Gillett	Nursery School Head Teacher
Sybil Hanson	Diocesan Board of Education
Laurel Penrose	14-19 Representative
Steve Dyke	PVI Representative
Cllr Clive Rickhards	Elected Member
Ian Froggett	Union Representative NAS/UWT, Chair of ATP
John Collins	Union Representative
David Hazeldine	County Secretary ASCL
Max Hyde	County Secretary NUT
Sam Kinkaid	County Secretary NAS/UWT
Wendy Fabbro	Director, People Group
Mark Gore	Head of Service – Learning & Achievement
Lorrie Cooper	Primary and Early Years Phase Manager
John Betts	Head of Corporate Finances
Simon Smith	Strategic Finance Manager
Sara Haslam	Schools Funding & Strategy Manager
Clare Morris	Budget Planning Officer, Schools Funding Team

1. Apologies – Apologies were received from the following:

Ramesh Sirvastava	Governor
Philip Johnson	Governor
June Tandy	Governor
Larry Granelly	Governor
Phil Clucas	Governor
Cllr Ross	Elected Member
Cllr Robbins	Elected Member
Cllr Timms	Elected Member
Mick Haynes	Trade Union Representative
Adrian Ross	Trade Union Representative
Paul Hamilton	Trade Union Representative
Sam Kincaid NAS/UWT and Max Hyde NUT	Present at the meeting but apologies as had to leave early to attend another meeting.

2.0 Welcome New Members

2.1 Mark Gore welcomed the new members to Schools Forum.

3.0 Election of Chair and Vice Chair

3.1 Diana Turner, Governor was elected as the new Chair. Stella Sage, Primary Headteacher was elected as the new Vice Chair.

4.0 Minutes from Previous Meeting and Matters Arising

4.1 The minutes were agreed as accurate.

4.2 Matters arising:

4.2.1 The minutes from previous meeting recorded that additional information was to be presented at this meeting regarding:

Item 5.2 – SEN and Out County Provision

Item 7.4 – The Kooth Contract

Item 7.6 - Update regarding The Key

These items were not on the agenda but Simon confirmed the additional information would be provided at Schools Forum meeting in October, when accounts for 2011/12 will be finalised.

4.2.2 Further comments were made regarding item 6 - EMAG/EAL Funding. The new funding reforms indicate that new arrivals only require EAL support a maximum of 3 years. After this period if they still require support it is an SEN issue. It is important that capacity building is within the remit of the central team. Mark Gore confirmed that there is no evidence that EMAG/EAL pupil numbers are falling and therefore one of the priorities of the central team will be to focus on capacity building.

5.0 School Funding Reforms for 2013/14

5.1 Simon provided a presentation regarding the recently published Schools Funding Reforms for 2013/14. School Funding Reform: Next steps towards a fairer system.

5.2 The issue of academy funding for redundancy costs from the DSG was raised. Simon agreed to look into this.

6.0 School Funding Reforms 2013/14 – Key changes and Project Management.

6.1 Sara presented a report.

6.2 It was agreed in principle to no movement of funding in the modelling of the impact of schools funding reforms between the nursery, primary, secondary and special school sectors.

6.3 The following comments were made regarding the project management approach being taken in this schools funding review:

- It was proposed that there should be a Primary Head representative on the Project Board.

Agreed: Jill Humphriss, Primary Headteacher will be included on the Project Board.

- There is also not a Special school representative on the Project Board but Sara confirmed that Jessica Nash will be reporting to the Board.
- It is important that Governors are well informed. Headlines of minutes should be provided to Governor Forums.
- There will be opportunities to discuss issues at Headteacher meetings Patch Meetings and Governors Forum. It is important to make clear the statutory nature of the funding reforms and which elements can be influenced.
- Views from the wider consultation will be reported back to Schools Forum.
- The strategy of project management was supported by Schools Forum.

6.4 The following comments were made regarding the issues and implications identified in the report:

- The changes to SEN funding requires more funding that Warwickshire currently allocates to SEN.
- There needs to be clarity regarding what is included currently in the centrally retained funds. This needs to be specifically identified in the consultation.
- The impact of changes on individual schools should be made available. It would also be helpful to show the impact of the changes made as a result of the April 2012 formula changes thus highlighting the cumulative effect of changes over both years. Sara confirmed that the regulations state the need to be clear about the impact of the changes.

7.0 School Funding Reforms 2013/14 – Consultation Response

7.1 A draft consultation response was provided for discussion.

7.2 It was agreed that additional comments should be included regarding the ABP level of £8000.

7.3 The further comments section on the DfE consultation document should be used to ensure officials understand the implications on individual schools and to raise issues not covered by the questions in the consultation.

8.0 School Funding Reforms 2013/14 – Impact on the Schools Forum

8.1 Details of the potential future changes to voting membership and processes of the schools forum were provided in a report and were noted.

9.0 Schools Balances as at March 31st 2012

9.1 Sara presented a report.

9.2 A proposal was made that in light of the turbulence of formula changes that the School Balance Policy be put on hold for one year to enable schools to prepare and recover from changes in funding. The following comments were made in response to the proposal:

- There is no equity between clawback regulations for Academy and maintained schools. Academy regulations apply to balances in excess of 12% whereas the current maintained regulations apply to balances in excess of 8% for Primary, Nursery and Special schools and 5% for Secondary schools. However, the DfE are expected to issue further guidance regarding balance control procedures in the future.
- The LA is accountable for balances and will need to report to the DfE regardless of whether a clawback policy is in place. Therefore the LA still requires information from schools regarding balances.
- Schools Forum should not send out a message that balances are acceptable. If reserves continue to increase the case of the F40 group is hampered and it gives the wrong political message.
- Schools Forum can only make recommendations regarding the continuation or suspension of a clawback policy.

Agreed: In view of turbulence to funding, Schools Forum recommends that the LA considers that the clawback process be put on hold for 1 year.

10.0 Forward Plan

10.1 A Forward Plan containing a provisional programme of possible issues for Schools Forum to consider over the next year was provided.

11.0 Academies Update

11.1 An updated list of Warwickshire Academies was provided.

11.2 A request was made for a list of Federations to also be provided at the next meeting. Sara confirmed there had been no recent changes to the schools involved in federations, however a list will be provided at the next meeting.

12.0 Chair's Business

12.1 None.

13.0 Next Meeting.

13.1 The next meeting will be held on 27th September, Building One, Conference Room One and Two, Saltisford Office Park, Warwick at 2pm.

Schools Forum 27th September 2012

The Schools Funding Reforms – Impact on the Main Schools Funding Formula from April 2013

This report is relevant to both maintained and academy schools

Recommendation

The Schools Forum are requested to

- note the work undertaken to establish 4 options for consideration by all schools and academies
- comment on the results of the consultation
- suggest any further analysis that should be considered before a final option is presented to the Schools Forum in October for recommendation to the Cabinet

1.0 Introduction

1.1 This report updates the Schools Forum on the progress to date on the implementation of the school funding reforms, as directed by the Department of Education (DfE), to be implemented by April 2013. This follows on from previous reports brought to the Forum in March and May.

2.0 Key Issues

2.1 The DfE publication in March this year entitled “School Funding Reform: Next steps towards a fairer system” and then “School funding reform: Arrangements for 2013-14” released in July detail the following main points of the reform:

- At the outset we should keep in mind that there will be no additional Dedicated Schools Grant allocation to the authority as part of these reforms. Consequently, any changes to the options outlined in the report would have an impact on other areas of the formula.
- There are now limited headings that can be used for allocating funding to schools, shown as follows:
 1. Basic Per Pupil Entitlement (Mandatory)
 2. Deprivation (Mandatory)
 3. Low cost, high incidence SEN
 4. Lump sum
 5. Looked After Children
 6. English as an additional language

7. Split sites
8. Rates

- There is also limited methodology within some of those headings
 1. Deprivation – use of Free School Meals /Free School Meals (FSM) ever 6 years and/or Income Deprivation Affecting Children Index (IDACI)
 2. Additional Needs - Prior attainment either use of Early Years Foundation Stage Score less than 73 or 78 and level 3 or below in KS2 SATS in Maths and English.
- An annual pro-forma needs to be submitted to the DfE at the end of October which details each schools budgets based on the agreed formula. The tight timescales have meant formal agreement through Cabinet will not have been reached ahead of this deadline and discussions will be help with the EFA in the event of any changes to the proforma that is shared.
- New role of the Education Funding Agency (EFA) to uphold fairness in the local decision making process around schools funding
- Revised arrangements with regard to Schools Forum
- A move to delegate more funding from the Schools Block to schools

2.2 The latter two points are subject to further reports in this agenda.

3.0 Approach taken

3.1 Project Management Structure

3.2 As is best practice, a Project Team (consisting of head teachers from all sectors, governors and a diocese representative) have been working on the detailed options and this work is then reported to the Project Board (consisting of head teachers and governors from across the sectors, Portfolio Holder for Children and Schools and senior Local Authority officers)

3.3 Regular communication has taken place with relevant Local Authority officers, in particular with the Special Educational Needs (SEN) Team to ensure that the impact of the funding reforms in terms of SEN is considered and managed appropriately.

3.4 Elected members are also being kept abreast of the progress and the implications.

3.5 It is intended that following the Schools Forum final recommendation in October, a report will be taken to the Children and Young Peoples Overview and Scrutiny Board in November and then to Cabinet for final approval on December 13th.

4.0 Development of the Options

4.1 The Project Board agreed there was insufficient evidence locally to indicate that either the primary or the secondary sector are under or over funded in Warwickshire. This agreement was further supported by the ratio of funding between these sectors being in-line with the national position. As such, it was decided that modelling should take place on the basis that the overall funding in 2012/13 in each sector should be retained in 2013/14. Inevitably, this has an impact on the unit values assigned in each sector.

4.2 Whilst a review of the main schools funding formula was carried out last year, this reform agenda provides the opportunity to clarify core funding rates used in Warwickshire and match them against typical costs. The approach taken was to start with the lump sum, calculate a basic per pupil rate and then consider additional needs funding.

4.3 Lump Sum

4.4 The one consistent factor that runs through all schools funding, regardless of size or sector, and is intended to cover fixed costs, is that of the lump sum, which was used as the start point.

4.5 The new regulations state that all schools, regardless of sector, should receive the same lump sum value. This is a new arrangement to Warwickshire (and in fact most local authorities) where the secondary sector had previously received larger lump sums.

4.6 The lump sum aims to cover core school costs that may not be directly affected by pupil numbers. This could be the cost of a head teacher, some administration and caretaking provision. Work undertaken last year looked at a sample of primary school costs and identified an above average lump sum level of £95,000. The Project Board considered this still to be relevant and, as such, will be included for all schools in the new formula.

4.7 A lump sum is not mandatory but there is a detrimental impact on smaller schools without this element. This level has been included in all of the options.

4.8 Basic Per Pupil Entitlement

4.9 With fewer headings available, this is an ideal opportunity to consider the core pupil values to ensure that in the current climate, the funding per pupil reflects, to some degree, the basic per pupil funding.

4.10 This is not a straightforward exercise as schools tend to organise themselves in different ways which results in differing costs. However, analysis was undertaken to identify universal costs (head teacher salaries according to size and school sector, average teacher costs and number of classes etc) and then average 3-year running costs that may be attributable to all pupils. This analysis was considered by the Project Team and adjustments were made based on professional advice and random schools were chosen to test specific schools costs.

4.11 With schools being of different sizes, “one size” funding will not always fit all schools. However, with a lump sum funding of £95,000, the following core per pupil values offered the majority of schools sufficient basic funding:

Primary	£2,500
Key Stage 3	£3,480
Key Stage 4	£4,640

4.12 In practice, the KS3 and KS4 rates were identified as a combined approach as schools costs are not split in such a manner. However, the ratio of funding that had been historically used was retained to differentiate the two staged values.

4.13 With the government’s clear intention that money should follow pupils, the modelling looked to use these basic pupil values as a basis but increased them where possible, taking into account the fact that there still needs to be funding for additional needs pupils.

4.14 Additional Needs

4.15 The new regulations state that additional needs can be identified in a school in a limited number of ways. These are:

- **Deprivation** - Free School Meal take up (either current or ever in the last 6 years) and/or IDACI (a postcode deprivation indicator)
- **Attainment** - Prior Attainment (Early Years Foundation Stage Score of less than 73 or 78 and a KS2 SATS level 3 or below in maths and English)

4.16 The Deprivation element is mandatory in the new formula and head teacher feedback and statistical correlation analysis indicates that Free School Meals ever 6 years is the most appropriate indicator to identify pupils with additional needs in Warwickshire. This methodology is therefore included in all of the options.

4.17 In terms of prior attainment there is criticism that funding schools with poor results is a perverse incentive to improve and where primary schools conduct their own Early Years Foundation Stage tests, there is the issue of objectivity in these scores where the results will impact on the schools future funding. That said, the data is a way of allocating funds to pupils with lower attainment, and therefore with “additional needs”.

4.18 Two of the options included prior attainment and two options concentrated on the use of FSM ever 6 years only for additional needs.

4.19 Looked After Children

4.20 The regulations allow for Looked after Children (LAC) to be identified within a new formula, due to the lower attainment of this specific group. This relates to around 300 children in Warwickshire. The Project Board agreed that as this is an issue in Warwickshire also, they should be considered in the new formula.

4.21 These children will not be receiving free schools meals due to the income levels of their carers and so, in the option where only FSM allocates funding to represent additional needs, LAC are included as a separate element. Where both FSM and prior attainment is included, to avoid the potential for double funding, the prior attainment data will be used to capture these pupils.

4.22 English as an Additional Language

4.23 The regulations also allow the new formula to identify those pupils where English is an additional language (EAL) and allocate funding on this basis. This equates to between 800 and 2,000 pupils in Warwickshire who show on the pupils census as EAL for either the first, second or third year.

4.24 The Project Board considered these pupils and concluded that an increased basic per pupil funding could be used to fund these pupils where necessary. In addition, the centrally retained funding could be used to offer support to schools with these pupils.

4.25 Split Site

4.26 In the initial consultation, there was little support for the option including split site funding but this was inevitable as it relates to so few schools. The Project Team and Board took an objective view and decided that these schools face different circumstances in practice and therefore merit some specific consideration.

4.27 The current split site calculation has not been reviewed for a number of years now and so this is an ideal opportunity to consider the criteria for funding split sites.

4.28 The Project Team asked those schools on split sites to detail the education provided on each site and the additional costs incurred. In most case, each site provided for different educational stages and some of the costs sited, such as additional maintenance contracts, could well be the case for larger schools having been built in different stages. Both the Team and Board considered it more important to concentrate on the practical implications of operating dual site schools.

4.29 The new proposed criteria is as follows:

Split Site Funding	£	
Additional Reception/administration (one on each site)	9,500	£8 per hour for 25 hrs a week, 39 weeks a year with 22% on costs (Scale 2 post)
Additional caretaking or cleaning (one on each site)	9,500	£8 per hour for 25 hrs a week, 39 weeks a year with 22% on costs (Scale 2 post)
Additional mid day supervision (with split playgrounds)	2,000	£8 per hour for 5 hrs a week, 39 weeks a year with 22% on costs
Possible increased teacher responsibility for senior management on 2nd site	2,500	Representing a TLR

Dual catering/hall/PE site costs or movement of pupils/staff/meals where catering/hall/PE is all on one site	15,000	Lump sum contribution to additional costs
TOTAL	38,500	

4.30 The Project Team thought that neither the size of the school nor the number of pupils was relevant to take into account. It was also recognised that funding may not be an exact replication of the schools costs but that this was a contribution to these costs.

4.31 In terms of the criteria to attract this funding, the team thought that the following would be suitable to distinguish when additional costs are likely to be incurred:

- More than one distinct set of premises,
- One DfE establishment number,
- Providing education within the same sector (i.e. primary or secondary)
- A distance of 0.25 miles apart (from one main school entrance to the other as the crow flies), and
- Having duplicate facilities or shared facilities requiring staff/pupil transfer between sites

4.32 This would reduce the allocation of split site funding from around £915,000 to £150,000 with the money released being putd back into the basic entitlement per pupil.

4.33 Rates

4.34 The Dedicated Schools Grant will continue to meet the NNDR charges for each school in full.

5.0 Other funding options

5.1 In addition to the core pupil information, the DfE has provided additional data that LA's can use to further define the way in which schools are funded. These are as follows:

5.2 January reception pupil changes

5.3 The DfE have provided data on those schools where there are reception pupils showing on the January census but not that in October. This data is provided to highlight those schools that have children that do not start school until January and so will not be identified on the October census that will now drive the funding.

5.4 This relates to around 60 pupils in Warwickshire. The pupils identified in the data may well be because of normal school moves and, as such, the Project Board did not feel that this was an accurate reflection of the January reception starters and so should not be used in the formula calculations.

5.5 Mobility

5.6 The DfE have also identified schools with pupils who regularly have children admitted at periods other than the normal in-take dates. There are around 1,000 pupils each year in Warwickshire. Having looked at the schools with the movement in pupils, there are no consistent patterns of behaviour and as such it is difficult to develop a strategy to fund only certain groups.

5.7 Including these pupils in addition to the main registered pupils already used in the calculation of the overall funding options would mean that the basic amount per pupil funding would need to be diluted to ensure affordability. However inclusion would mean that those schools with these changing numbers would be compensated financially.

6.0 Notional SEN Budget

6.1 Whilst schools in Warwickshire have always had a clearly defined Notional SEN Budget within the section 251 Funding Statement, with the changes to the methodology for allocating SEN funds, will result in a greater emphasis on this notional element.

6.2 In effect, this part of a schools budget should be notionally assigned to funding pupils with additional needs. This should cover all lower level educational needs (such as School Action or School Action Plus), lower level statement pupils and, where a child has higher needs, funds a contribution of up to £6,000. For provision over this financial level, an agreement will need to be made with the LA for additional "top up" funding. The overall notional SEN budget allocation is not being reduced, but there will be variances on a school by schools basis.

6.3 It is recognised that this is an area of significant culture change and every effort is being made to ensure the correct level of consultation is being carried out, with SENCos and Headteachers and Governors to ensure there is maximum awareness of any future proposals around this.

6.3 A separate work stream is being managed by Local Authority SEN Officers to determine the provision that should be funded from the schools notional SEN budget and that which is for higher needs and will be funded by the LA.

7.0 MFG and Capping

7.1 The DfE regulations state that a school should not lose more than 1.5% funding per pupil compared to the previous year (Minimum Funding Guarantee - MFG) and this level is being retained for 2013/14 and 2014/15.

7.2 The Local Authority is now allowed to cap gains if necessary in order to make the new formula affordable.

7.3 Due to the protection required to mitigate the impact of these reforms on a school by school basis, the MFG has risen from the current £2m to almost £6m in one option. As such, to offset the additional cost of MFG capping of 1.5% on those schools

gaining has been included in each of the options. This means that no school will lose more than 1.5% per pupil and no school will gain more than 1.5% per pupil..

8.0 The Options

8.1 Details of the 4 final options, including summary information on the impact on schools, are included in Appendix A. It shows the unit values assigned to the chosen headings, the overall cost of the option the % of per pupil basic funding, the geographical movement of funding, the number of schools affected in each sector by the options and the impact on small schools.

8.2 Of the 120 schools seeing reductions in funding as a result of option one or two, 73 of these saw an increase in funding as a result of the changes to the main schools funding formula last year. Of the 136 losing funding in option three, 82 had an increase last year and of the 124 losing out in option four, 78 saw an increase last year.

8.3 The differences in them essentially relate to 2 key areas:

- The use of prior attainment in addition to FSM ever 6 years to allocate additional needs funding
- A differing relationship between the per pupil base entitlement and the additional needs unit rate.

8.4 Taking into account the national parameters, the need for overall affordability, preference to retain the primary and secondary funding at the same levels and to have a reasonable and relative relationship between the basic per pupil entitlement and additional needs funding rates, the unit values in the options presented meet these criteria. Any significant changes to the unit values in the options would mean that one of the parameters was not adhered to.

9.0 Consultation

9.1 The DfE have made it explicitly clear in their guidance that schools should be consulted on these options and in all instances, the financial impact on schools should be made clear.

9.2 Initial consultation was carried out in June on preliminary options and, following on from the responses received and further DfE guidance issued, the 4 options in Appendix A were presented to all schools and academies in September. With the very tight deadlines set by the DfE to undertake these reforms, inevitably the time for schools to reply has been restricted. However, to aid the understanding of the issues, 4 county wide workshop sessions were carried out in the middle of September where in excess of 250 head teachers, governors and business managers attended.

9.3 These consultations, alongside further discussions through the Project team and the Project Board, have directly resulted in the options included in this report.

10.0 Consultation Responses

10.1 Out of the 227 schools that these reforms relate to, there were 120 responses to the latter consultation. This is a 53% response rate.

10.2 The results of the schools are as follows:

	Number of schools voting the option as favourite	Number of pupils represented by the favourite option
Option One	45	14,818
Option Two	32	9,085
Option Three	19	5,399
Option Four	26	10,479

10.3 Analyses of the schools that have taken part in the consultation are as follows:

	Number of responses		Preferred option
Primary Schools	94		Option One
Secondary Schools	25		Option One
	Number of respondents	Number of schools in this area	% of schools responded
North	35	74	47.3%
Central	29	55	52.7%
East	19	41	46.3%
South	36	57	63.2%

10.4 Option One is clearly the most popular with the schools that responded to the consultation and represents the largest number of pupils from the respondents also. Whilst this option has a significant amount following each pupil, it allocates all additional needs funding out on a FSM ever 6 years basis, albeit recognising also that LAC require additional support.

11.0 Conclusion

11.1 Each of the options results in a basic per pupil entitlement in excess of the current Warwickshire formula, in line with the government policy, whilst offering additional funding for pupils indicative of having additional needs. Whilst there is no national guidance on the level of the per pupil funding or deprivation levels, option one and two offer a basic per pupil funding of 83.56%, options three and four are slightly lower at 78.23%

11.2 Each of the options complies with the DfE guidance and, due to the significant changes to the allocation methodology from that used currently, results in a shift in

funding on a school by school basis, although this is mitigated by the MFG. Each of the options moves funding to a degree between areas of the county and have differing impacts on small schools.

11.3 When presented to schools, option one was most preferred with those schools replying to the consultation.

Background papers

“School Funding Reform: Next steps towards a fairer system” – DfE March 2012
 “School funding reform: Arrangements for 2013-14” - DfE July 2012

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Portfolio Holder	Cllr Heather Timms	cllrtimms@warwickshire.gov.uk

Option One

SUMMARY OF KEY VALUES			
AWPU	Primary		2,855
	KS3		3,740
	KS4		4,985
Lump sum			95,000
Additional Needs (FSM ever 6)	Primary		1,180
	Secondary		1,390
Additional Needs (Prior Attain)	Primary		0
	Secondary		0
LAC			1,590
Split Site Rates	£38,500 base as actuals		

Option Two

AWPU	Primary		2,855
	KS3		3,740
	KS4		4,985
Lump sum			95,000
Additional Needs (FSM ever 6)	Primary		680
	Secondary		950
Additional Needs (Prior Attain)	Primary		680
	Secondary		950
LAC			0
Split Site Rates	£38,500 base as actuals		

Option Three

AWPU	Primary		2,640
	KS3		3,540
	KS4		4,720
Lump sum			95,000
Additional Needs (FSM ever 6)	Primary		2,400
	Secondary		2,600
Additional Needs (Prior Attain)	Primary		0
	Secondary		0
LAC			2,800
Split Site Rates	£38,500 base as actuals		0

Option Four

AWPU	Primary		2,640
	KS3		3,540
	KS4		4,720
Lump sum			95,000
Additional Needs (FSM ever 6)	Primary		1,460
	Secondary		1,780
Additional Needs (Prior Attain)	Primary		1,460
	Secondary		1,780
LAC			0
Split Site Rates	£38,500 base as actuals		

Proposal	Primary Funding	144,295,879
	Secondary Funding	136,521,851
	TOTAL	280,817,730

Primary Funding	144,289,240
Secondary Funding	136,533,844
TOTAL	280,823,084

Primary Funding	144,278,484
Secondary Funding	136,553,667
TOTAL	280,832,150

Primary Funding	144,306,731
Secondary Funding	136,525,233
TOTAL	280,831,965

% AWPU	Primary	77.26%
	Secondary	90.21%
	Overall	83.56%

Primary	77.27%
Secondary	90.21%
Overall	83.56%

Primary	71.45%
Secondary	85.38%
Overall	78.23%

Primary	71.44%
Secondary	85.40%
Overall	78.23%

Variance in geog area	
North	-0.07%
Central	-0.02%
South	0.12%
East	-0.02%

Variance in geog area	
North	-0.05%
Central	-0.03%
South	0.11%
East	-0.03%

Variance in geog area	
North	0.07%
Central	-0.03%
South	0.02%
East	-0.04%

Variance in geog area	
North	0.08%
Central	-0.05%
South	0.04%
East	-0.05%

PRIMARY	
Number of schools losing	103
Number of schools gaining	89
Max loss	-30,259
Max gain	19,238
Average loss	-8,086
Average gain	9,440
SECONDARY	
Number of schools losing	17
Number of schools gaining	18
Max loss	-90,483
Max gain	85,276
Average loss	-52,704
Average gain	50,062

Number of schools losing	103
Number of schools gaining	89
Max loss	-30,259
Max gain	20,987
Average loss	-8,181
Average gain	9,475
Number of schools losing	17
Number of schools gaining	18
Max loss	-90,483
Max gain	85,276
Average loss	-53,045
Average gain	51,051

Number of schools losing	118
Number of schools gaining	74
Max loss	-19,603
Max gain	30,259
Average loss	-6,957
Average gain	10,957
Number of schools losing	18
Number of schools gaining	17
Max loss	-90,483
Max gain	85,276
Average loss	-47,226
Average gain	52,179

Number of schools losing	106
Number of schools gaining	86
Max loss	-19,603
Max gain	30,259
Average loss	-7,279
Average gain	9,183
Number of schools losing	18
Number of schools gaining	17
Max loss	-90,483
Max gain	87,199
Average loss	-47,722
Average gain	51,031

Secondary schools less than 600 pupils and primary schools less than 100 pupils	-147,758
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Secondary schools less than 600 pupils and primary schools less than 100 pupils	-147,758
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Secondary schools less than 600 pupils and primary schools less than 100 pupils	-280,072
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Secondary schools less than 600 pupils and primary schools less than 100 pupils	-336,865
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Schools Forum September 27th 2012

The Schools Funding Reforms – Delegation of Centrally Managed Funding

This report only relates to maintained schools

Recommendation

- That the Schools Forum notes the result of the consultation with schools regarding the de-delegation of centrally managed funding
- That the Schools Forum requests further details regarding this centrally managed funding to be brought to the meeting in October where the maintained schools members of the Forum will need to vote on de-delegation

1.0 Introduction

1.1 As noted in the report relating to the main schools funding formula elsewhere on the agenda, part of the Department for Education's schools funding reforms is that certain funding, historically held centrally by the Local Authority, must now be delegated to schools and included in their core schools budget. However, if a sector of maintained schools would prefer for the Local Authority to retain that funding, then the funding can be "de-delegated"

1.2 This report details the central budgets that this relates to, the impact of the funding being delegated to schools and the responses from consultation with schools regarding de-delegation.

2.0 Key Issues

2.1 In line with the schools funding reforms, there is a move to maximise the delegation of certain funding to school from April 2013 onwards.

2.2 The guidance states the following:

"Several budget headings which can currently be retained centrally **will have to be delegated through the formula from 2013/14**. For each of these, LA's will need to identify how funding will be delegated through allowable factors".

2.3 As a result, this funding must initially be allocated to schools as part of the Individual School Budget but can then be de-delegated back to the Local Authority to be held centrally on behalf of maintained schools, should they choose to do so. In a practical sense academy budgets will no longer have a DSG LACSEG element, which will be replaced by this additional allocation. While academies will not be in a position to agree de-delegation of these funds, the Local Authority may offer the service on a traded basis.

2.4 The delegated funding headings that relate to Warwickshire are as follows:

- 14-16 practical learning options
- Contingencies – School Improvement and General Contingency
- Administration of free school meal eligibility
- Support for minority ethnic pupils and underachieving groups
- Staff costs – supply cover (LT sickness, maternity, trade union and public duties)
- Behaviour support services

2.5 As part of the recent consultation with schools regarding the final school funding options, feedback was also sought on the preference to delegate this central funding.

2.6 75 primary schools responded to the consultation and 4 maintained secondary schools. The Forum members will need to vote at the meeting in October to de-delegate funding back to the LA from the sector that they represent. However, should the remaining funding be insufficient to fund the service and the risk of a trading service being viable too high, then the Local Authority has the right to decide not to continue with the service.

2.7 These budget headings are included in the Section 251 budget return submitted annually to the DfE. The values are allocated to each sector based on pupil numbers to the early years, primary, secondary and special schools. However, funding included in the Special Schools column must be added to the High Needs Block and used for top up funding. This cannot be de-delegated due to the revised way in which these schools will be funded

2.8 Funding included in the Early Years column can be retained centrally, should the Schools Forum recommend this approach.

2.9 Each of the funding streams will be considered individually.

3.0 14-16 practical learning options

3.1 Delegated value per pupil: £12.63

3.2 This funding cannot be de-delegated to the Local Authority. This funding currently funds 4 or 5 staff who carry out roles in relation to the secondary schooling sector, such as intervention, raising the participation age, post 16 bursary work etc.

3.3 The Learning and Achievement Unit will need to assess this service in relation to its other priorities and resource it from current Local Authority funding if this work is to continue.

4.0 Contingencies

4.1 This funding is an amalgamation of several sub headings but as there are several distinct funding issues involved, it warrants separate consideration of each.

A. School Improvement

4.2 Delegated value per pupil : £7.53 (Primary sector only)

4.3 This funding buys in support for schools where some intervention or assistance may be required. It does not support staffing but without the funding, the staff employed by the Local Authority to carry out statutory intervention work would have no resources to offer practical support to schools.

4.4 Whilst there is a risk to vulnerable schools if this funding is delegated, the Local Authority would still be able to carry out its statutory functions.

4.5 Result of the consultation:

4.6 The consultation responses were that 53 primary schools would prefer to de-delegate the funding to the Local Authority to continue to provide the service as opposed to 23 schools that would prefer the funding to be delegated.

B. General contingency

4.7 Delegated value per pupil : £5.24

4.8 Whilst the spirit of these reforms is to delegate out to schools funding which is non-specific, the Local Authority is allowed to retain a general contingency for either

1. schools in financial difficulty
2. unforeseen circumstances, or
3. assist schools in mergers and amalgamations.

4.9 The Local Authority recommends that funding is not retained to cover the first 2 instances but that, due to the uncertain consequences of the funding reforms generally on smaller, more vulnerable schools, that a certain level should be retained to provide support for schools wanting to restructure. It is suggested that an amount of £100,000 is retained, offering the ability to offer £50,000 for 2 schools per year if required. If this was acceptable, the revised delegated value per pupil would be £3.77.

4.10 This issue was not included as part of the recent consultation.

5.0 Administration of Free School Meals Eligibility

5.1 Delegated value per pupil : £0.83

5.2 Warwickshire County Council offers the Free School Meals eligibility checking service providing both on-line and telephone checking of eligibility against the DfE's live data on the Eligibility Checking Service. Eligible applications are automatically transferred to Warwickshire's central Free School Meals Database. Schools are normally informed on the same day of a successful application but where eligibility cannot be established electronically Warwickshire County Council liaises directly with the applicant regarding appropriate proof of benefit .All eligible applicants are notified

in writing and weekly lists are sent electronically to schools detailing all students entitled to Free School Meals. On-going eligibility is checked throughout the year – there is no need for parents to reapply and schools receive access to the Free School Meals administrative service for advice and guidance.

5.3 Result of the consultation:

5.4 The consultation responses were that 63 primary schools would prefer to de-delegate the funding to the Local Authority to continue to provide the service as opposed to 11 schools that would prefer the funding to be delegated. Of the secondary school responses, 3 of the 4 would prefer the funding to be de-delegated also.

6.0 Support to underperforming ethnic minority groups and bilingual learners

6.1 This budget currently funds both the Gypsy Romany Travellers (GRT) Service along with the English as an Additional Language (EAL). It is more useful to consider the services separately.

A. Gypsy Romany Travellers (GRT)

6.2 Delegated value per pupil : £3.30

6.3 In terms of GRT, the current funding provides one social worker and four others who provide a liaison with schools and GRT families to encourage and support their participation in school. This is a vulnerable group of children and the relationships between the current WCC officers and these families have taken a long time to establish.

6.4 If this service was not provided centrally, then schools may well see an increase in special needs costs with these children attending less and having lower attainment. Someone from the school would need to contact/visit these families to get the pupil back into school and it would mean that the relationships and understanding of the culture of these families would need to be available in many schools. There is a significant safeguarding issue at stake; if these vulnerable children are not being kept track of in schooling, then there is the increase potential that they may fall outside of the LA radar.

6.5 There are 51 schools with GRT children, with a wide geographical spread including 227 pupils in total. A further 76 are home educated. Other Local Authorities who have disbanded their GRT services are calling Warwickshire for assistance, but unfortunately we do not have the capacity to assist.

6.6 The Local Authority recommends that this funding is de-delegated to retain a central provision for these vulnerable pupils.

6.7 Result of the consultation:

6.8 The consultation responses were that 45 primary schools would prefer to de-delegate the funding to the Local Authority to continue to provide the service as opposed to 29 schools that would prefer the funding to be delegated. Of the secondary school responses, 2 of the 4 would prefer the funding to be de-delegated.

B. English as an additional language (EAL)**6.9 Delegated value per pupil : £4.70**

6.10 In terms of English as an Additional Language, there are 4.2 FTE teachers employed in addition to 2.3 FTE intervention workers. Support includes initial language assessment and reports, meetings with parents, guidance on admission and induction arrangements, short term targeted intervention and advice at no cost to the school. During 2011/12, the service worked with 163 pupils from 53 schools. There is also a traded service which offers provision for Advanced EAL learners.

6.11 There are around 200 new EAL children in Warwickshire and these are again vulnerable children in the new OFSTED regime with issues of safeguarding if they are not monitored in schools.

6.12 There is a traded service established that allows schools to buy in extra EAL support over and above the core assessment and report. This may be extended to trade with academy schools for the whole process.

6.13 The Local Authority recommends that this funding is de-delegated to retain a central provision for these vulnerable pupils.

6.14 Result of the consultation:

The consultation responses were that 43 primary schools would prefer to de-delegate the funding to the Local Authority to continue to provide the service as opposed to 32 schools that would prefer the funding to be delegated. Of the secondary school responses, all of the 4 would prefer the funding to be delegated.

7.0 Staff costs – supply cover**7.1 Delegated value per pupil : £3.27**

7.2 The Trade Union and Labour Relations (Consolidation) Act 1992 creates a statutory right for Union Representatives of recognised unions to reasonable paid time off from employment to carry out trade union duties and to undertake trade union training.

7.3 In order to comply with these Regulations, WCC operates a county wide “pool” arrangement covering all maintained schools, whereby appointed union representative of each of the recognised unions attend consultative meetings on a county basis and are also called upon to represent members in individual schools. This avoids schools needing to establish individual bargaining arrangements for each school.

7.4 Where appointed representatives are absent from the classroom to attend to their union duties, the school where they are employed are reimbursed for the cost of a supply/cover teacher from this centrally held DSG budget.

7.5 The implications of this budget being delegated to schools would be that there would be no further reimbursement of supply cover arrangements which would have a disproportionate effect on the schools that employ union representatives leaving these schools financially disadvantaged.

7.6 Some union representatives are retired from teaching and are paid directly from the centrally held budget, as they are not attached to a school.

7.7 Result of the consultation:

7.8 The consultation responses were that 36 primary schools would prefer to de-delegate the funding to the Local Authority to continue to provide the service as opposed to 38 schools that would prefer the funding to be delegated. Of the secondary school responses, only 1 of the 4 would prefer the funding to be de-delegated.

8.0 Behaviour Support Services

8.1 Delegated value per pupil : £0.94

8.2 This money goes directly into primary schools for non-statement pupils at risk of permanent exclusion or following a managed transfer. Last year this money enabled additional school based staff support to compliment the commissioned support from Early Intervention Service with 29 pupils.

8.3 Often the pupils concerned are unexpected arrivals with very complex home circumstances and it has been crucial to ensure the child, school and family get appropriate support rapidly.

8.4 The team already trades with schools and it maybe that this process can be included in the traded offer.

8.5 Result of the consultation:

8.6 The consultation responses were that 56 primary schools would prefer to de-delegate the funding to the Local Authority to continue to provide the service as opposed to 20 schools that would prefer the funding to be delegated. Of the secondary school responses, only 1 of the 4 would prefer the funding to be de-delegated.

9.0 Other centrally managed funding

9.1 In addition to these centrally managed budgets to be delegated to schools, the Local Authority has the option to top slice funding for pupil increases due to basic need in both the primary and secondary sector before the overall grant is allocated to schools. However, the value and the criteria for allocation needs to be approved by the Schools Forum and a separate work stream, in conjunction with Learning and Achievement Officers, is underway to develop this policy, which will be brought to the Schools Forum for approval in October.

10.0 Conclusion

10.1 Whilst the inference is that these centrally held budgets should be included in the schools budgets, there are instances where both the Local Authority and the schools that have responded to the consultation would prefer for the funding to be de-delegated so that the central service can be retained.

10.2 The response from the primary sector was more extensive and in favour of de-delegation. There was little response in this consultation exercise from the secondary sector and when this issue was included in the initial consultation in June, most secondary schools indicated that they would prefer the funding to be included in their budgets.

10.3 The Schools Forum will need to vote by sector in October as to whether each of these funding streams should be de-delegated back to the Local Authority.

Background papers

“School Funding Reform: Next steps towards a fairer system” – DfE March 2012
 “School funding reform: Arrangements for 2013-14” - DfE July 2012

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Schools Forum September 27th 2012

The Schools Funding Reforms – Revision to the Schools Forum Constitution

Recommendation

That the Schools Forum notes the revision to the Schools Forum (England) Regulations 2012 and that Warwickshire complies

1.0 Introduction

1.1 Included in the main schools funding reforms, there are changes to the make-up and voting rights of Schools Forum to ensure that there is accurate representation on the Forum with clearer decision making processes.

1.2 In Warwickshire, the Forum was reconstituted in May where new members were elected for a one year period including academy representatives.

2.0 Key Issues

2.1 The regulations come into force on October 1st 2012 and are included in their entirety as Appendix A.

2.2 The main points of the 2012 regulations are as follows:

- primary, secondary and academy schools must be broadly proportionately represented on the forum, having regard to the number of pupils registered at them

2.3 Appendix B shows the number of Children expected to be educated as at October 1st in all types of schools in Warwickshire. This shows that the make-up of this Forum is broadly proportionate.

- Where the authority maintain one or more special schools, at least one schools member must be a representative of a special school and where the authority maintain one or more nursery schools, at least one schools member must be a representative of a nursery school.

2.4 The Warwickshire Schools Forum includes both a Special School and Nursery School Head.

2.5 The regulations note that elected school members are voted for by their own sector and that representative can be head teachers and/or governors. Academy members must be elected by the proprietors of the academy schools in the authority's

area.

- The Local Authority must also consider the election of non-school members, in particular one or more representatives from the LA 14-10 partnership and one or more representatives of early year's providers. The Local Authority can also appoint other non-school members and should consider the Diocesan Board of Education for any diocese any part of which is situated in the authority's area, the Bishop of any Roman Catholic Diocese any part of which is situated in the authority's area and where there are any schools or Academies within the authority's area that are designated under section 69(3) of the Act(a) as having a religious character (other than Church of England or Roman Catholic schools), the appropriate faith group in respect of any such school or Academy.

2.6 Warwickshire Schools Forum includes such representation.

- The Schools Forum meetings must be public meetings.

2.7 The Schools Forum dates are published on the WCC website alongside all other committee meeting dates and should members of the public wish to attend any of the meetings, most of the conference rooms used would be big enough to accommodate public attendees. However, in the future, this will need to be considered when booking meeting rooms.

- the following people may speak, even though they are not members of the forum
 - director of children's services
 - chief finance officer
 - elected members with responsibility for children's services, education or resources
 - any person invited by the forum to provide financial or technical advice
 - any person presenting a paper on the meeting's agenda, but their right to speak will be limited to that subject

2.8 This will result in fewer Local Authority members attending Schools Forum meetings.

- The chair of the forum must decide upon an agenda for the meeting of the forum following consultation with members of the forum.

2.9 This can be carried out in Warwickshire under the "Forward Plan" agenda item in addition to the opportunity that all Forum members have of contacting the Chair at any time to add agenda items.

- Non-schools members, other than those who represent early year's providers, must not vote on matters relating to the formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers in accordance with regulations made under sections 47 and 47ZA of the Act.

2.10 This will result in a change of practice in Warwickshire as representatives of the Diocese, Catholic Church and 14-19 Partnership will no longer be able to take part in formula funding voting.

Conclusion

The Schools Forum in Warwickshire was re-constituted in May taking into account the expected changes to the regulations. As such, the Local Authority is compliant.

Background papers

The Schools Forum (England) Regulations 2012
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2012 No. 2261

EDUCATION, ENGLAND

The Schools Forums (England) Regulations 2012

Made - - - - *3rd September 2012*

Laid before Parliament *7th September 2012*

Coming into force - - *1st October 2012*

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The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 47A and 138(7) of the School Standards and Framework Act 1998(a):

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Schools Forums (England) Regulations 2012 and come into force on 1st October 2012.

(2) These Regulations apply only in relation to England.

(3) In these Regulations—

“the Act” means the School Standards and Framework Act 1998;

(a) 1998 c.31. Section 47A was inserted by section 43 of the Education Act 2002 (c.32) and has been amended by paragraph 7 of Schedule 16 to the Education Act 2005 (c.18); paragraphs 2(1), (3) and (4) of Schedule 5 and Part 6 of Schedule 18 to the Education and Inspections Act 2006 (c.40); section 165 of and Schedule 2 to the Education and Skills Act 2008 (c.25), section 194 of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22) and S.I. 2010/1158. For the meaning of “prescribed” and “regulations” see section 142(1) of the School Standards and Framework Act 1998.

“Academies member” means a member who represents the proprietors of the Academies situated in the authority’s area;

“authority” means the local authority in whose area the schools forum is established;

“early years providers” means—

- (a) persons who are registered as early years childminders or other early years providers under Chapter 2 of Part 3 of the Childcare Act 2006^(a) (which provides for the compulsory registration of persons providing early years provision) or are exempt from compulsory registration by order of the Secretary of State under section 33(2) or 34(3) of that Act,
- (b) independent schools, and
- (c) non-maintained special schools,

who provide early years provision;

“early years provision” has the meaning given by section 20 of the Childcare Act 2006;

“executive member” means any elected member of the authority appointed to the executive of that authority;

“governor” includes any interim executive member of an interim executive board constituted in accordance with paragraph 2 of Schedule 6 to the Education and Inspections Act 2006^(b);

“nursery school” means a nursery school maintained by the authority;

“primary school” means a primary school maintained by the authority;

“representative” means either a head teacher or a senior member of staff representing a head teacher or a governor of a school maintained by the authority, save for in regulation 8 where it means a representative of the positions mentioned in that regulation;

“school” means a school maintained by the authority;

“school category” means one of the following categories of school—

- (d) community schools,
- (e) foundation schools,
- (f) voluntary aided schools,
- (g) voluntary controlled schools,

as described in Chapter 1 of Part 2 of the Act;

“secondary school” means a secondary school maintained by the authority;

“senior member of staff” means a principal, deputy head teacher, bursar or other person responsible for the financial management of the school;

“special school” means a community special school or a foundation special school.

(4) In these Regulations, a reference to a governing body does not include a reference to the temporary governing body of a new school and a reference to a governor does not include a reference to a member of the temporary governing body of a new school, where “new school” has the meaning given by section 72(3) of the Act^(c).

Revocation

2. The Schools Forums (England) Regulations 2010^(d) are revoked.

(a) 2006 c.21.

(b) 2006 c.40.

(c) Section 72(3) was amended by section 215(1) of, and paragraph 106 of Schedule 21 to, the Education Act 2002.

(d) S.I. 2010/344, amended by S.I. 2010/1172.

Constitution of schools forum

3. Every authority must ensure that the schools forum for their area is constituted in accordance with regulations 4 to 7 by 1st October 2012.

Membership: general

4.—(1) Subject to the following paragraphs of this regulation, an authority may determine the size and composition of their schools forum and the forum members' terms of office.

(2) A forum must comprise—

- (a) schools members elected in accordance with regulation 5;
- (b) if there are any Academies in the authority's area, at least one Academies member elected or selected in accordance with regulation 6; and
- (c) non-schools members appointed in accordance with regulation 7.

(3) If, for any reason, an election for a schools member under regulation 5(1) or an Academies member under regulation 6(1) does not take place by any date set by the authority or any such election results in a tie between two or more candidates, the authority must appoint the schools member or Academies member to their schools forum instead.

(4) Schools members and Academies members must together comprise at least two thirds of the membership of the forum.

(5) At least one member must be a representative of the governing bodies of maintained schools and at least one member must be a representative of the head teachers of such schools.

(6) Subject to paragraphs (7) to (10), primary schools, secondary schools and Academies must be broadly proportionately represented on the forum, having regard to the total number of pupils registered at them.

(7) Where the authority maintain one or more secondary schools, at least one schools member must be a representative of a secondary school.

(8) Where the authority maintain one or more special schools, at least one schools member must be a representative of a special school.

(9) Where the authority maintain one or more nursery schools, at least one schools member must be a representative of a nursery school.

(10) Where the authority maintain one or more pupil referral units, at least one schools member must be a representative of a pupil referral unit^(a).

(11) An authority may determine that the number of members representing schools in a particular school category must be broadly proportionate to the total number of schools in that category when compared with the total number of schools.

(12) A forum member remains in office until—

- (a) the member's term of office expires;
- (b) the member ceases to hold the office by virtue of which the member became eligible for election, selection or appointment to the forum;
- (c) the member resigns from the forum by giving notice in writing to the authority; or
- (d) in the case of a non-schools member, the member is replaced by the authority, at the request of the body which the member represents, by another person nominated by that body
- (e) whichever comes first.

(13) The authority must maintain a written record of the composition of their forum, to include—

- (a) the number of schools members and by which group or sub-group they were elected;

(a) "Pupil referral units" has the meaning given in section 19(2B) of the Education Act 1996.

- (b) the number of Academies members; and
- (c) the number of non-schools members, their terms of office, how they were chosen and whom they represent.

Schools members

5.—(1) Schools members must be elected to the schools forum by the members of the relevant group, or sub-group, in the authority's area.

(2) The groups are—

- (a) representatives of nursery schools, where there are any such schools in the authority's area;
- (b) representatives of primary schools other than nursery schools;
- (c) representatives of secondary schools;
- (d) representatives of special schools, where there are any such schools in the authority's area; and
- (e) representatives of pupil referral units, where there are any such schools in the authority's area.

(3) Each group referred to in paragraph (2) may consist of one or more of the following sub-groups—

- (a) where the authority exercises its discretion under paragraph (4)(a), representatives of head teachers of schools in each group;
- (b) where the authority exercises its discretion under paragraph (4)(b), representatives of governors of schools in each group;
- (c) where the authority exercises its discretion under paragraph (4)(c), representatives of head teachers and governors of schools in each group.

(4) The authority may determine that a certain number of representatives of each group must be—

- (a) head teachers or head teachers' representatives;
- (b) governors; or
- (c) head teachers or head teachers' representatives and governors.

Academies members

6.—(1) Academies members must be elected to the schools forum by the proprietors of the Academies in the authority's area.

(2) Where there is only one Academy in the authority's area, the proprietor of the Academy must select the person who will represent them on the schools forum.

Non-schools members

7.—(1) The authority must appoint non-schools members to their schools forum comprising—

- (a) one or more persons to represent the local authority 14-19 partnership^(a); and
- (b) one or more persons to represent early years providers.

(2) Subject to paragraph (3) and regulation 4(4), the authority may appoint additional non-schools members to their forum to represent the interests of other bodies.

(a) Section 85(2) and (3) of the Education and Skills Act 2008 (c.25) requires local authorities to include arrangements in respect of 14-19 education and training, in their local collaboration arrangements under section 10 of the Children Act 2004 (c.31).

(3) Prior to making any appointment under paragraph (2), the authority must consider whether the following bodies should be represented on their forum—

- (a) the Diocesan Board of Education for any diocese any part of which is situated in the authority's area;
- (b) the Bishop of any Roman Catholic Diocese any part of which is situated in the authority's area;
- (c) where there are any schools or Academies within the authority's area that are designated under section 69(3) of the Act^(a) as having a religious character (other than Church of England or Roman Catholic schools), the appropriate faith group in respect of any such school or Academy.

(4) The authority may not appoint any executive member or relevant officer of the authority to their forum as a non-schools member.

(5) Within one month of the appointment of any non-schools member, the authority must inform the governing bodies of schools maintained by them and of Academies within their area of the name of the member and the name of the body that member represents.

(6) In this Regulation "relevant officer" means—

- (a) the director of children's services of the authority,
- (b) any officer employed or engaged to work under the management of the director of children's services, other than one who directly provides education to children or who manages such a person, or
- (c) any officer whose work involves management of, or advice on, school funding.

Meetings and proceedings of schools forum

8.—(1) The schools forum must meet at least four times a year.

(2) All meetings of the schools forum must be public meetings.

(3) The meetings are quorate if at least two fifths of the total membership is present at the meeting.

(4) The following persons may speak at meetings of the forum, even though they are not members of the forum-

- (a) the director of children's services at the authority or their representative;
- (b) the chief finance officer at the authority or their representative;
- (c) any elected member of the authority who has primary responsibility for children's services or education in the authority;
- (d) any elected member of the authority who has primary responsibility for the resources of the authority;
- (e) any person who is invited by the forum to attend in order to provide financial or technical advice to the forum;
- (f) an observer appointed by the Secretary of State; and
- (g) any person presenting a paper or other item to the forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that the person is presenting.

(5) The members of the forum must elect a person as chair from among their number and determine the chair's term of office.

(6) The members of the forum may not elect as chair any member of the forum who is an elected member or officer of the authority.

(a) Section 69(3) also applies to independent schools (which includes Academies) by virtue of section 124B, which was inserted by regulations 2 and 3 of S.I. 2003/2037.

(7) The chair of the forum must decide upon an agenda for the meeting of the forum following consultation with members of the forum.

(8) The authority must make arrangements to enable substitutes to attend and vote at meetings of the forum on behalf of schools members, Academies members and non-schools members, in consultation with members of the forum.

(9) Apart from as provided for by paragraph (10) all members are entitled to vote on all matters put to a vote.

(10) Non-schools members, other than those who represent early years providers, must not vote on matters relating to the formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers in accordance with regulations made under sections 47 and 47ZA of the Act.

(11) Subject to paragraphs (8) to (10), the members of the forum may determine their own voting procedures.

(12) The proceedings of the forum are not invalidated by—

- (a) any vacancy among their number;
- (b) any defect in the election or appointment of any member; or
- (c) any defect in the election of the chair.

(13) The authority must promptly publish all papers considered by the forum and the minutes of their meetings on their website.

Consultation on contracts

9. The authority must consult the schools forum on the terms of any proposed contract for supplies or services (being a contract paid or to be paid out of the authority's schools budget^(a)) where the estimated value of the proposed contract is not less than the threshold which applies to the authority for that proposed contract pursuant to regulation 8 of the Public Contracts Regulations 2006^(b) at least one month prior to the issue of invitations to tender.

Consultation on financial issues

10.—(1) The authority must consult the schools forum annually in respect of the authority's functions relating to the schools budget, in connection with the following—

- (a) arrangements for the education of pupils with special educational needs;
- (b) arrangements for the use of pupil referral units and the education of children otherwise than at school;
- (c) arrangements for early years provision;
- (d) administrative arrangements for the allocation of central government grants paid to schools via the authority.

(2) The authority may consult the forum on such other matters concerning the funding of schools as they see fit.

Information about consultations

11. The schools forum must inform the governing bodies of schools maintained by the authority of any consultation carried out by the authority under regulation 9 or 10, as soon as it reasonably can.

(a) "Schools budget" has the meaning given in section 45A(2) of the Schools Standards and Framework Act 1998.

(b) S.I. 2006/5.

Charging of schools forum's expenses

12. The authority must pay the expenses of the schools forum and charge those expenses to the schools budget.

Members' expenses

13. The authority must reimburse all reasonable expenses of members in connection with their attendance at meetings of the forum and charge those expenses to the schools budget.

3rd September 2012

Jonathan Hill
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Schools Forums (England) Regulations 2010.

Regulations 3 to 8 provide for the constitution of a schools forum in every local authority in England, including the election of schools members, the election or selection of Academies members and the appointment of non-schools members to the schools forum, their meetings and proceedings. The restriction on non-schools members voting, and the Secretary of State observer status, are new.

Regulations 9 to 11 require the authority to consult their schools forum before entering into certain types of contract and annually in relation to a range of financial issues and the governing bodies of schools maintained by them to be informed of any such consultation.

Regulations 12 and 13 require the authority to pay the expenses of their schools forum out of the schools budget and the reasonable expenses of its members.

An impact assessment has not been produced for this instrument as no impact on the private sector or civil society organisations is foreseen. The impact on the public sector is minimal.

Current membership of Schools Forum:

				%	
				Representation on forum	% School Population
Primary Maintained					
Haselor School	Gill Humphriss	Head	Primary		
St Patricks Catholic Primary School	Karen Ferguson	Head	Primary		
Cubbington CE Primary School	Cathy Clarke	Head	Primary		
Glendale Infant	Stella Saje	Head	Primary		
St Michaels CE Primary School and	Chris Errington	Head	Primary		
Whitestone Infant	Philip Johnson	Governor	Primary		
Chilvers Coton Infant and Wembrook	June Tandy	Governor	Primary		
Kingsway Primary	Latika Davis	Governor	Primary		
Wellsbourne C of E Primary School	Larry Granelly	Governor	Primary		
St Mathews Bloxam	Phil Clucas	Governor	Primary		
Bilton School and Bilton Junior Scho	Diana Turner	Governor	Primary	55.00%	56.87%
Primary Academy					
No representation				0.00%	0.59%
Secondary Academy					
Bilton School	Patsy Weighill	Head	Secondary Academy		
Alcester Grammar School	Iain Blaikie	Head	Secondary Academy		
Polesworth School	Philip Hamilton	Head	Secondary Academy		
Rugby High School	Peter Reaney	Governor	Secondary Academy		
Myton School	David Kelham	Governor	Secondary Academy	25.00%	25.91%
Secondary Maintained					
Queen Elizabeth School	Tony Wilmot	Head	Secondary Maintained		
Southam College	Ranjit Samra	Head	Secondary Maintained		
Southam College	Chris Smart	Governor	Secondary Maintained		
The Avon Valley School	Ramesh Sirvastava	Governor	Secondary Maintained	20.00%	16.62%
Total:				100.00%	100.00%

Schools Forum – Forward Plan 2012

Forward Plan

The table below contains provisional items for the Schools Forum for the next year. This table will be updated and reported to each meeting of the Forum.

For Decision	For Information / Comment
18 October 2012	
<ul style="list-style-type: none"> • Revised 2013/14 Local Schools Funding Formula • School Balances and Claw back – Current position and Cabinet report • 2011/12 DSG Outturn Report 	<ul style="list-style-type: none"> • Update on academies • Consider if there is still a need to review any ad hoc funding policies • PRU Update – Financial Position of ABPs
6 December 2012	
<ul style="list-style-type: none"> • Review of the Schools Forum Constitution 	<ul style="list-style-type: none"> • Update on academies • National Funding Formula Update • Update on further ABP allocation methodology • Review of ad hoc schools funding policies (if relevant)
Dates of future Meetings	
<ul style="list-style-type: none"> • Thursday 18th October 2012 at 2.00pm – Conference Room, Northgate House, Warwick • Thursday 6th December 2012 at 2.00pm – Conference Room, Northgate House, Warwick 	

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