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**Meeting:** Schools Forum

**Date:** 28 June 2010

**Subject:** Schools Forum Regulations 2010

**Summary:** The report sets out details of the Schools Forum (England) Regulations 2010 which will lead to changes to the Central Bedfordshire Schools Forum membership requirements of its Constitution and Terms of Reference.

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**Advising Officer:** Kathrin John, Head of Democratic Services

**Contact Officer:** Mel Peaston, Interim Committee Services Manager

**Public/Exempt:** Public

**Wards Affected:** all

**Function of:** Central Bedfordshire Schools Forum

**Key Decision** No

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

Educating, protecting and providing opportunities for children and young people.

### **Financial:**

The Schools Forum takes decisions and provides a response to consultation on School Funding Formula, contracts, financial issues and other matters.

### **Legal:**

This report responds to legislative requirements on the composition of the Schools Forum.

### **Risk Management:**

Not applicable

### **Staffing (including Trades Unions):**

Not applicable

### **Equalities/Human Rights:**

Not applicable

**Community Safety:**

Not applicable

**Sustainability:**

Not applicable

**RECOMMENDATIONS:**

1. that the Central Bedfordshire Schools Forum Constitution and Terms of Reference be amended by:
  - (a) deleting reference to the Learning and Skills Council as this body has ceased to exist;
  - (b) adding provision for a representative of the Academy under the category of "School Members", bringing the number of School Members up to 13;
  - (c) changing the number of meetings required per year from 3 to 4.
2. that the Central Bedfordshire Schools Forum notes that arrangements will be put in place for the appointment of a representative of All Saints Academy to be a member of the Forum by 1 September 2010.

*Reason for Recommendation(s):* To respond to recent legislation.

**Executive Summary**

This report sets out the main requirements of the new Schools Forum Regulations and their impact on the membership requirements of the Central Bedfordshire Schools Forum's Constitution and Terms of Reference.

**The Schools Forum (England) Regulations 2010**

1. The provisions of the Schools Forum (England) Regulations 2010 ("the Regulations") came into force on 1 April 2010.
2. The Regulations require the Central Bedfordshire Schools Forum to be reconstituted by 1 September 2010 taking into account the new requirements set out in the Regulations.

## **Main Changes of the Regulations**

3. The main changes of the Regulations relate to the membership of the Forum, specifically to the representation of Academies and non-school members.
4. Where there is at least one Academy in a local authority's area there is now a requirement for at least one Academy member on the Schools Forum.
5. The Academy member represents the governing body of the Academy so does not necessarily have to be a Principal or governor.
6. The budgets of Academies are calculated on the basis of their local authority's formula for funding schools and are therefore directly affected by decisions of the Schools Forum.
7. The requirement is consistent with that for nursery and special schools, which must have representation if there are any such schools in an authority's area.
8. Where there are no non-school members the Regulations now require the appointment of specific members in this category. Central Bedfordshire Schools Forum already meets the requirements specified in the Regulations, as follows:-
  - one representative of Early Years Private, Voluntary and Independent Sector – Carol Leggatt, Potton Woodentops Pre-School
  - one representative of 14-19 Partnership – Chris Vesey, Headteacher, Central Bedfordshire College.
9. The Regulations have deleted reference to the Learning and Skills Council as it ceased to exist from 1 April 2010. Reference to this can now therefore be deleted from the Central Bedfordshire Schools Forum Terms of Reference (section 1 referring to the membership of the Forum, at the paragraph headed Observers (non-voting), 2<sup>nd</sup> bullet point).
10. The Regulations also require School Forums to meet at least 4 times per year. The Central Bedfordshire Schools Forum's terms of reference previously stated 3 times per year, so this has been amended. Arrangements will be made in 2010/11 for 4 meetings to be held.
11. The Terms of Reference, amended to show the proposed changes, are attached at **Appendix A**.

## **Academies Representation**

12. As there is an Academy in the area (All Saints Academy, Dunstable) arrangements must be made for its representation on the Schools Forum.
13. At the moment there is only one Academy, but if more come into existence it will be necessary to review the number of places available on the Schools Forum for Academy representation.

14. The budgets of Academies are calculated on the basis of their authority's formula for funding schools and they are therefore affected by the decisions that Schools Forums take.
15. Arrangements for the clawback of funding for Academies for permanently excluded pupils are also being brought further into line with other maintained schools. Once Schools Forums have been reconstituted to include Academy members, the liability to pay the authority if a pupil is permanently excluded will be extended to cover not just an amount equal to the statutory deduction but also any local "top-up" amounts payable by schools under "hard to place" or "managed moves" protocols.

### **Election of an Academy Member**

16. It is for the Governing Body of the Academy to select its representative on the Schools Forum and an approach will be made to All Saints Academy Board of Governors accordingly. The Board will be asked to advise the local authority of its nominee by Monday 19 July 2010 so that the membership can be in place by 1 September
17. If for any reason the Board of Governors is unsuccessful in appointing a representative, for example if there is an election at which there is a tie, the local authority make take the decision, taking into account details such as individuals' previous membership and experience.

### **Wider Amendment to the Membership of the Schools Forum**

18. At its meeting on 8 March 2010 the Schools Forum considered a paper by the Chairman on possible improvements to the Schools Forum.
19. It was agreed that a working group would be established to consider how to improve the effectiveness of the Forum.
20. The outcome of that working group should take into account the need to comply with the provisions of the Schools Forum (England) Regulations 2010.

### **Conclusion and Next Steps**

21. In view of the provisions of the Schools Forum (England) Regulations 2010 there is a need for representation on the Forum of the Academy.
22. The Forum's Constitution and Terms of Reference will be amended accordingly, and will also be amended to delete the provision for a representative of the Learning and Skills Council.
23. All Saints Academy will be asked to nominate a representative to fill the place on the Schools Forum for an Academy member.

### **Appendices:**

Appendix A – Constitution and Terms of Reference of the Central Bedfordshire Schools Forum, indicating proposed amendments.

**Background Papers:** (open to public inspection)  
none