

SCHOOLS FORUM REGULATIONS

1. The main changes to these regulations relate to the membership of the Forum, and specifically to Academies and non-school members. The regulations will come into force on 1 April 2010, and Schools Forums will need to be reconstituted by 1 September 2010.
2. There is a new requirement that there must be at least one Academy member on a Schools Forum where there are Academies in the local authority's area. Academies are growing in number and their budgets are calculated on the basis of their local authority's formula for funding schools and are therefore directly affected by decisions the Schools Forum may take. In some authorities, the proportion of secondary age pupils in Academies is significant and it is only right, therefore, that these pupils' needs are represented. 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
3. Arrangements for the clawback of funding from 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. The liability should be reflected in a local agreement as set out in the Department's letters of 12 March and 14 November 2008.
4. There may need to be more than one Academy member on the Forum if the pupil numbers in Academies justify this on a basis of broad proportionality, and local authorities will need to review this as the number of Academies increases. The Academy member(s) represents the governing bodies of the Academies situated in the authority's area, so does not necessarily have to be a Principal or a governor. It is for the governing bodies of the Academies concerned to elect the member(s); if there is only one Academy in the authority's area, its governing body will select the member. The local authority will, however, need to inform the Academies of the change to the regulations, and may need to assist the Academies in setting up the process for an election if there are no existing meetings at which Academies gather together.
5. A small number of Schools Forums do not have non-schools members. It will now become a requirement for them to appoint members in this category; non-schools members must include a representative of the early years private, voluntary and independent (PVI) sector, and of the 14-19 partnership. With the introduction of the Early Years Single Funding Formula (EYSFF), it is particularly important that there is PVI

representation on all Forums. Representation of the 14-19 partnership is being required because of policy developments in this area, in particular diplomas.

6. There is a new requirement on local authorities to appoint a schools or Academy member where an election for these members does not take place by any date set by the authority or an election results in a tie between two or more candidates. Authorities should, therefore, set deadlines by which schools or Academy member elections should take place, ensuring that there is a reasonable time left prior to the new term of office starting. Where an authority has to take a decision on the appointment of a schools or Academy member, they might wish to have regard to individuals' previous membership and attendance, their competences and skills, and the balance of membership between different types of school.
7. Reference to the Learning and Skills Council (LSC) and its observer status has been removed because it ceases to exist from 1st April 2010 and those of its functions most relevant to Schools Forums transfer to local authorities from that date. The representation of the 14-19 partnership will be sufficient to ensure that non-school providers have a voice.

For further information on these regulations, please contact Keith Howkins (keith.howkins@dcsf.gsi.gov.uk or 0207 227 5163).