



Brent

SCHOOLS FORUM

Queens Park Community School

Wednesday 24th June 2015 18:00 – 20:00

(Refreshments from 17:30)

AGENDA

| NO. | ITEM. | OFFICER | TIME |
|-----|---|-----------------|-------|
| | Introductions (if appropriate) Apologies for Absence | | |
| 1 | Declarations of Interests | | 18:00 |
| 2 | Minutes of Previous Meeting – 25 th February 2015 | | 18:05 |
| 3 | Update on Cost Implications to Send SEN Pupils Out-Borough | Carmen Coffey | 18:10 |
| 4 | Brent Outreach Autism Service: Increasing Caseload and Future Provision | Carmen Coffey | 18:30 |
| 5 | Further Update on the New Inclusion and Alternative Education Service | Janet Lewis | 18:50 |
| 6 | Dedicated Schools Grant – Outturn 2014/15 and Budget 2015/16 | Ravinder Jassar | 19:10 |
| 7 | Schools Forum Revised Terms of Reference and Constitution | Norwena Thomas | 19:30 |
| 8 | AOB | | 19:50 |

Dates of Future Meetings

Wednesday 16th September 2015
 Wednesday 21st October 2015
 Wednesday 2nd December 2015
 Wednesday 13th January 2016
 Wednesday 24th February 2016

Venue

The Village School
 Queens Park Community School
 The Village School
 Queens Park Community School
 The Village School



Brent Schools Forum

**Minutes of the Schools Forum held on
Wednesday 25 February 2015 at The Village School**

Attended by Members of the Forum:

Governors:

Martin Beard (MB)
Sue Knowler (SK)
Richard Martyn (RM)
Cllr Lesley Jones (LJ)
Helga Gladbaum(HG)
Umesh Raichada(UR)
Herman Martyn (HM)

Head Teachers:

Rose Ashton (RA)
Terry Molloy (TM) - Chair
Sylvie Libson (SL)
Lesley Benson (LB)
Andy Prindiville (AP)
Kay Charles (KC)

PRU:

Terry Hoad (TH)

PVI Sector:

Paul Russell (PR)

Trade Unions:

Lesley Gouldbourne (LG)

14-19 Partnership:

Pam Bairstow (PB)

Observer:

Lead Member (C&YP):

Officers:

Gail Tolley (GT)
Sara Williams (SW)
Minesh Patel (MP)
Norwena Thomas (NT)
Devbai Patel (DP)
Sue Gates (SG)

| ITEM | DISCUSSION | ACTION |
|-------|--|-------------------|
| | The Forum commenced at 6.10pm. | |
| 1.0 | <u>Apologies</u> Gill Bal Mike Heiser Matthew Lantos Titilola McDowell Cllr Ruth Moher Sabina Netty–Retrospectively Cllr Ketan Sheth | |
| 1.2 | <u>Absences</u> Rabbi Yitzchak Freeman | |
| 2.0 | Minutes of the meeting held on 14 January 2015 and Matters Arising | |
| 2.1 | <u>Accuracy</u> | |
| 2.1.1 | There were no corrections to be made to the minutes which were therefore approved as an accurate record. | |
| 2.2 | Matters Arising | |
| 2.2.1 | <u>Write to Schools Forum Members who have missed three or more Schools Forums consecutively</u> – SW said she has had a response from the two members. PB was substituting Marc Jordan for 14-19 Partnership and Cllr Ketan Sheth said he was going to be arriving late but did not attend. | |
| 2.2.2 | <u>Benchmarking of End to End process and cost per pupil in processing admissions application</u> – This will be brought to the June/September Forum. | SW / C. Coffey |
| 2.2.3 | <u>Update on VAT as to why the VA schools are not exempted from paying VAT on the governors’ liability of capital funding and Academies are exempted</u> – SW said that LA has formally written to DfE making representation for VA schools. The letter was signed by Chair and SW. | SW/ MP |
| 2.2.4 | <u>School Meals budget – officers to find out from other authorities if their schools have funding issue for meals that have to pureed and for kosher meals</u> – LA has formally written to DfE. | SW |
| 2.2.5 | <u>Follow up with Legal on when the settlement agreement policy</u> | |

- will be available to schools – This has been written and sent to Legal for checking. LB asked if it will be available on Schools Extranet before the year end. NT said that it would be available in the next couple of weeks and be applicable from 2015-16. NT
- 2.2.6 Update on cost implications to send SEN pupils out-borough – This will be brought to June 15 Forum. SW / C. Coffey
- 2.2.7 Review of CIN and CWD Funding – This was on the agenda for this Forum.
- 2.2.8 Consult academy heads for nominations to represent at Schools Forum – This was no longer necessary as ML would be leaving after June 15. There will be movement required within the current membership. DP
- 2.2.9 Check if sixth form pupil number were included in the last membership calculations – this is still outstanding to be confirmed at the next Forum. NT
- 2.2.10 Seek nominations to fill PVI and Nursery Governor vacancies – DP has tried by emailing the nursery heads to forward the request to their governors but no nominations were received. It was suggested bringing it up at the Chair of Governors meeting and at Early Years conference on 27 February 2015. DP has asked SG to find a PVI representative. DP
- 2.2.11 Respond to council on the proposed cuts to services – SW confirmed that a response from schools forum has been made. It was requested that a copy of the response was provided to schools forum members. SW
- 3.0 Update on the funding allocation and place take up for under 5's supported nursery places.**
- 3.1 SG presented this report. GT clarified that there was a mismatch between the title of the report and agenda but the item number was correct. For this service, funded places are allocated by panel members. Children with Disability (CWD) places are 15 hours a week but term-time only and Children in Need (CIN) places are 15 hours per week all year around. Decisions are made by the panel's multi agency practitioners. There are challenges in filling CIN places but the CWD places are rising and continue to do so.
- 3.2 The Early Years sub-group met on 7 January 2015 and changed CWD places to make it clearer. There was an error in the report - Annexes 1 indicated places allocated and Appendix 5 should state £20,172 is for full time place not 15 hours place. The total is correct.

- 3.3 SW said the report is being brought to Schools Forum as part of transparency on the use of DSG and not for a specific recommendation on funding.
- 3.4 LB said that she has repeatedly brought up the issue of funding CWD, as these should be funded from the High Needs block rather than Early Years. It's currently funded from Early Years. The High Needs block now covers 0-25 year olds.
- 3.5 TM said it depends on whether it is a fact or opinion and LB said to her it is a fact. TM asked officers to respond. NT said that this has been raised at both SEN and Early Years Sub Groups but no resolution had been reached.
- 3.6 SK said that it was necessary to know historically why Children with Disabilities (CWD) and Children in Needs (CIN) funding was taken from High Needs block.
- 3.7 The last criteria in point 1.2 indicates that the eligibility criteria for entitlement to a supported nursery place is that the family has no recourse to public funds. It was questioned if this was a criterion on its own or in conjunction with one of the others. SG confirmed that this was a criterion on its own. It's something that should be identified by the setting.
- 3.8 LB said that there is additional discrepancy of funding in that only two nursery schools are allocated this funding and have places. Children in PVI are not getting the same funding. It has been agreed by the panel to provide additional SEN funding to PVI providers but they are still not funded. PR confirmed that this was correct and said that 15 hours of funding does not cover SEN children's needs. He added that funding for children with additional needs needs to be allocated to PVIs. Although it is expected that children with specialist needs should attend the designated units, it is very difficult for the providers to move them afterwards. Parents do not inform the providers of their specialist needs before they start. The CAF could identify children's needs but these are completed at settings. If these were completed earlier, children would be sent to the suitable setting from the start.
- 3.9 LB said that special schools have 1:1. KC said special schools have moved away from 1:1 and are moving towards the Kingston formula, 1:7 ratio but never at 1:1.
- 3.10 LB said that CIN places have not been filled and this is a poor use of resources. There needs to be flexibility between moving funding between CWD and CIN. It needs to be referred back to the sub-group for approval to be able to do this.

4.0 Implementation of the Early Years Pupil Premium

- 4.1 SG presented this report. From April 2015 3 & 4 year old disadvantaged children who are accessing nursery grant will benefit from the Pupil Premium Grant.
- 4.2 A request for a full-time post was made – to be funded from the Early Years block. The post-holder would provide training to PVI providers, would carry out eligibility checks, liaise with providers & parents, and promote PPG to ensure that PVI children benefit. It was confirmed that PPG funding cannot be used to fund the post. SL opposed the request for a fulltime person. SW said that Early Years PPG is different from mainstream PPG and is complicated and has landed on LA's. Applications come from parents and systems are not set up to pay small providers. LB thought full-time resource was excessive. TM said that in Brent, schools require more than one post between the 12 secondary schools. SK referred to Appendix 1 and said a lot of things are already checked for free school meals, and asked if it wouldn't be efficient to have the same sort of eligibility checks for 3 & 4 year olds as for those above 4 year old. It would be easier to incorporate into the current services.
- 4.3 GT said that as a Strategic Director and from her experience in other boroughs, that she did not think this was over resourced for the heavily bureaucratic process.
- 4.4 TM asked what the risk was if the post was not funded. SW said that Brent will not be making the full use of the grant and it will have to be returned. LG said if money is to be lost can it not be compromised that the post is funded for six months and then reviewed.
- 4.5 SK suggested that the post was created to work with the existing team so that the work can be integrated once the post ends.
- 4.6 It was suggested that the post was fixed for one year. RM suggested that the budget was set for a year but could be reviewed after six months. If the post was to continue, the funding would be available for the remaining six months.
- 4.7 It was confirmed that the post was to be funded from the Early Years block and not from deprivation factor funding.
- 4.8 The following recommendations were approved:
- (i) Approve the commencement of the process to implement



the EYPP in Brent in April 2015;

- (ii) Endorse Brent's recommendations to providers for use of the EYPP to best support disadvantaged children;
- (iii) Note Brent's plans for training and support to providers;
- (iv) Note that a full review will be carried out at the beginning of 2016 to assess the effectiveness of the initial roll-out and the findings brought back to the Schools Forum with proposals for any further amendments or adaptations;
- (v) Approve funding for additional FTE post on fixed term basis to administer the EYPP. A budget was agreed for a year but to be reviewed after six months. It was requested that a report be brought back to the Schools Forum in September 2015, with a review of the impact of the post.

SG

5.0 Schools Budget 2015-16

- 5.1 NT presented this report. The schools block of funding was brought to the last Forum. It has since been submitted to DfE and a change was requested which affects two all-through schools.
- 5.2 High Needs budget is being brought to the Schools Forum for consultation. There is no change from previous years, except for an increase in Band 6 at special schools which was previously approved. Woodfield School is now an academy and will receive its base funding directly from the EfA. There is no change to ARP units. Pupil Referral Units are now allocated with £10k base funding, an increase of £2k. However the top-up has decreased by the same amount, therefore this is only a movement between base-funding and the top-up with no impact/increase in the PRUs budget.
- 5.3 SEN protection ends this year but targeted high needs funding continues and the same two schools as last year continue to benefit. Early Years funding is indicative for Spring 2015, and this will be updated in March when the final data will available.
- 5.4 AP asked if PPG indicative budget was made available and NT said it was possible to calculate this.
- 5.5 TH said that PRUs have been affected badly from the structural change and the allocation is not sufficient. There is need for teachers' assessments and classes without scope to do so with the current funding. They will run into serious problems, and it is very difficult to set a realistic budget. SW said that at the next



Schools Forum, officers are aiming to bring a report on AP funding and PRUs can be part of that report. AP agreed that PRUs are at capacity at the moment. SL said that there are very few spaces at KS1 for excluded pupils and asked where do 5 year olds go when they have been excluded. She asked that this provision be included in the report.

SW/Janet
Lewis

5.6 SK asked that the presentation of the reports be changed - rather than numbers e.g. A1, A2, if a title of the report could be displayed.

DP

5.7 LB asked when the final Early Years budget would be available. NT said we are still waiting for Spring data to calculate Spring final and IDACI allocation. LB thought this was taking too long as the data was submitted in January. DP said that the data has to be cleansed before submitting to DfE and this final approval on data is not received until the middle of March.

5.8 Schools Forum was formally consulted on the following:

- a) the Special Schools, ARPs and PRUs budgets;
- b) the SEN statemented funding and targeted funding;
- c) the Early Years budgets (indicative, subject to Spring : actual hours of take-up and updated IDACI data).

6.0 Update on the DSG Deficit Recovery Plan

6.1 MP presented this report. This report provided an update on the DSG deficit recovery plan. The repayment of the deficit is ahead of the plan and will be repaid by March 2015. This has been achieved despite meeting the cost of redundancies and clearing a deficit of £1.9m of a school that converted to academy. There is now a robust plan in place for schools in deficit to avoid them being funded from DSG should a school convert to academy while in deficit. Currently there are six schools in deficit and five have an agreed deficit recovery plan. One was requested to resubmit and this has also been received. The forecasted surplus on DSG at the end of 2014-15 is £3m.

6.2 The following points were noted:

- a) Forecast outturn on the DSG for 2014-15
- b) Agree payment of the final instalment of the deficit in accordance with the deficit recovery plan.

7.0 AOB

7.1 None.



7.2 The Forum ended at 7.40pm.

ACTION LOG

| Item No. | Action | Complete by | Owner |
|-----------------|--|--------------------|-----------------|
| 1 | Update on VAT – If a response has been received to the LA’s letter on why the VA schools are not exempted from paying VAT on the governors’ liability of capital funding and Academies are exempted. | Jun 15 | SW/ NT |
| 2 | Update on additional School Meals funding for pureed and kosher meals. | Jun 15 | SW |
| 3 | Update on settlement agreement policy for schools – is this now available on Schools Extranet? | Jun 15 | NT |
| 4 | Update on Schools Forum membership. | Jun 15 | DP |
| 5 | Check if sixth form pupil number were included in the last membership calculations. | Jun 15 | NT/ DP |
| 6 | Provide a copy of the response to Council on the proposed cuts to services | Feb 15 | SW |
| 7 | Update on cost implications to send SEN pupils out-borough. | Jun 15 | SW/ C.Coffey |
| 8 | Benchmarking of End to End process and cost per pupil in processing admissions application. | Sept 15 | SW |
| 9 | Review of Alternative Provisions funding | Jun 15 | J. Lewis |
| 10 | Review of impact of funding a full-time post to manage Early Years Pupil Premium Grant. | Sep 15 | SG |



Schools Forum

24 June 2015

Report from the Strategic Director of Children
and Young People

For Information

3: Update on Cost Implications to Send SEN Pupils Out-Borough

1. Summary

1.2 The School Forum has requested an update on the cost implications when statemented pupils are placed in out borough schools. This report details the expenditure on out borough specialist independent and residential placements over the last three years, and describes the expansion programme in Brent's mainstream special schools to alleviate reliance on out borough independent placements.

1.3 The cost of placements in out borough maintained and special schools are in line with in borough provision, and other than a comparison of special school placement costs with a small number of other boroughs in Appendix 2 is not examined in this report.

2.0 Background and detail

2.1 Historically there has been a shortage of SEN specialist places in Brent which led to dependence on out borough specialist and independent placements. This led to an over spend in the DSG. The DSG over spend was eliminated in 2014/15.

2.2 Expenditure on independent places for the last three years:

| | |
|-----------|------------|
| 2014/2015 | £6,224,946 |
| 2013/2014 | £6,096,291 |
| 2012/2013 | £6,589,307 |

The highest cost independent placement in 2014/2015 was £104,000.00

The lowest cost independent placement in 2014/2015 was £ 25,692.00

The average cost of an independent place in 2014/15 was £40,482.95

2.3 Expenditure on residential placements for the last 3 years

| | |
|-----------|------------|
| 2014/2015 | £642,120 |
| 2013/2014 | £826,319 |
| 2012/2013 | £1,457,960 |

The highest cost residential placement in 2014/15 was £120,165.00

The lowest cost of residential placement in 2014/5 was £28,529.97

The average cost of a residential placement in 2014/15 was £59,652.33

2.4 The highest cost placement in a Brent special school is Band 6 and is £27,220 in 2015/16. The cost of placements in out borough maintained and special schools are in line with, and some times less costly, than in borough provision. Place costs in Brent special schools and ARPs are set out in Appendix 1. Place costs in neighbouring boroughs are set out in Appendix 2.

2.5 From September 2014 new SEN legislation was introduced through the Children and Families Act which will see statements of SEN transferred to Education, Health and Care plans (EHCP) over a three year period to April 2018.

2.6 The legislation is intended to improve services for children with SEND and make it easier for their families to access the support they need. The legislation also aims to provide greater choice and control for families to decide how support should be delivered. There is a new responsibility on council's to support children and young people from 0 to 25. This will increase the number of EHCPs over time.

2.7 Parents have a right to appeal to SENDIST (SEN tribunal) if they disagree with the provision offered by the LA. This can lead to costly independent placements if parents are successful at tribunal. The council can defend tribunals successfully with the support and attendance at the tribunal of schools. The number of tribunals lodged has remained fairly steady over the last four years

| | |
|------|----|
| 2015 | 15 |
| 2014 | 10 |
| 2013 | 22 |
| 2012 | 18 |

2.8 A key transition point is when children transfer from the primary phase of education to secondary. Historically this is when a significant number of children were placed in independent settings. This has usually meant that these children remained in the independent sector for the whole of their secondary education, and on occasion up to 19 years of age. Efforts have been made to reduce the number of children transferring to the independent sector at this transition point. The numbers transferring at 11+ to independent provision for the last five years are as follows:

| | |
|------|----|
| 2015 | 4 |
| 2014 | 3 |
| 2013 | 4 |
| 2012 | 0 |
| 2011 | 17 |

- 2.9 The overall numbers of pupils on roll in Brent schools has increased by 4.4 per cent since January 2013, with a corresponding increase in the number of children with SEND.

January census 2015 – 47,789
 January census 2014 – 46,590
 January census 2013 – 45,766

However, due to stringent gatekeeping the rate of increase in statements was 1.2 per cent over the three years, less than the increase in the school population.

- 2.10 Pupil numbers with a statement (and EHCP from September 2014)

31st March 2015 1690
 31st March 2014 1645
 31st March 2013 1670

- 2.11 Pupils attending independent and residential settings

31st March 2015 - 166
 31st March 2014 - 167
 31st March 2013 - 174
 31st March 2012 – 209

- 2.12 The Gender breakdown of the March 2015 cohort of statemented pupils i.e. 1690, was 1202 (71%) male and 488 (29%) female. The gender breakdown of pupils in independent placements at the end of March 2015 is 129 male and 28 female, while the split in residential places is more even with four male and five female.

- 2.13 To manage expenditure on independent and residential placements a programme of demand management and expansion of special school places has been undertaken. By September 2015 all four of Brent's special schools will have expanded, and additional places have been created at Additionally Resourced Provisions (ARPs). All four special schools now cater for a wide range of SEN, which will over time see a reduction on reliance on some of the out borough independent places.

2.14 However, there is likely to continue to be a requirement for specialist placements for a number of pupils due to the complex nature of their needs, where a specialist provider could be more cost effective than developing provision in borough.

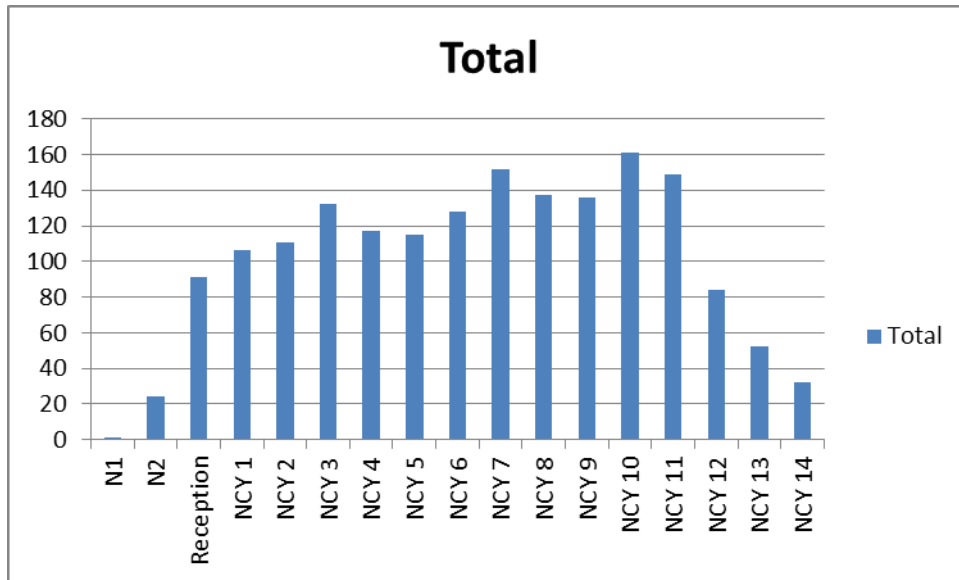
2.15 A significant number of independent places are taken up by pupils with an SEN of BESD as shown in the table below. 50% of the placements in independent schools are for ASD and 21% are for BESD. Out of these total placements 38% of the ASD pupils are in independent Secondary school provision and 12% are in primary independent provision. Similarly 18% of BESD pupils are in independent secondary provision and 3% are in primary independent provision.

| January 2015 Placements at Independent and Non Maintained Schools | | | | | | | | | | | Grand Total |
|---|-----------|-----------|----------|-----------|----------|----------|-----------|----------|----------|----------|-------------|
| | ASD | BESD | HI | MLD | PD | PMLD | SLCN | SLD | SPLD | VI | |
| Independent Day Special | 61 | 28 | 1 | 3 | 2 | | 11 | | 3 | | 109 |
| Independent Day Special - Social Care Funded | | 2 | | | | | | | | | 2 |
| Independent Other | 3 | 2 | | 1 | | | 1 | | | | 7 |
| Non-Maintained Special Day | 12 | | | 8 | 2 | 4 | 2 | 3 | | 1 | 32 |
| Grand Total | 76 | 32 | 1 | 12 | 4 | 4 | 14 | 3 | 3 | 1 | 150 |
| Secondary | | | | | | | | | | | |
| Independent Day Special | 49 | 25 | | 3 | | | 10 | | 2 | | 89 |
| Independent Day Special - Social Care Funded | | 2 | | | | | | | | | 2 |
| Independent Other | 2 | 1 | | 1 | | | | | | | 4 |
| Non-Maintained Special Day | 7 | | | 6 | 1 | | 2 | 2 | | | 18 |
| Total Secondary | 58 | 28 | 0 | 10 | 1 | 0 | 12 | 2 | 2 | 0 | 113 |
| Primary | | | | | | | | | | | |
| Independent Day Special | 12 | 3 | 1 | | 2 | | 1 | | 1 | | 20 |
| Independent Other | 1 | 1 | | | | | 1 | | | | 3 |
| Non-Maintained Special Day | 5 | | | 2 | 1 | 4 | | 1 | | 1 | 14 |
| Total Primary | 18 | 4 | 1 | 2 | 3 | 4 | 2 | 1 | 1 | 1 | 37 |

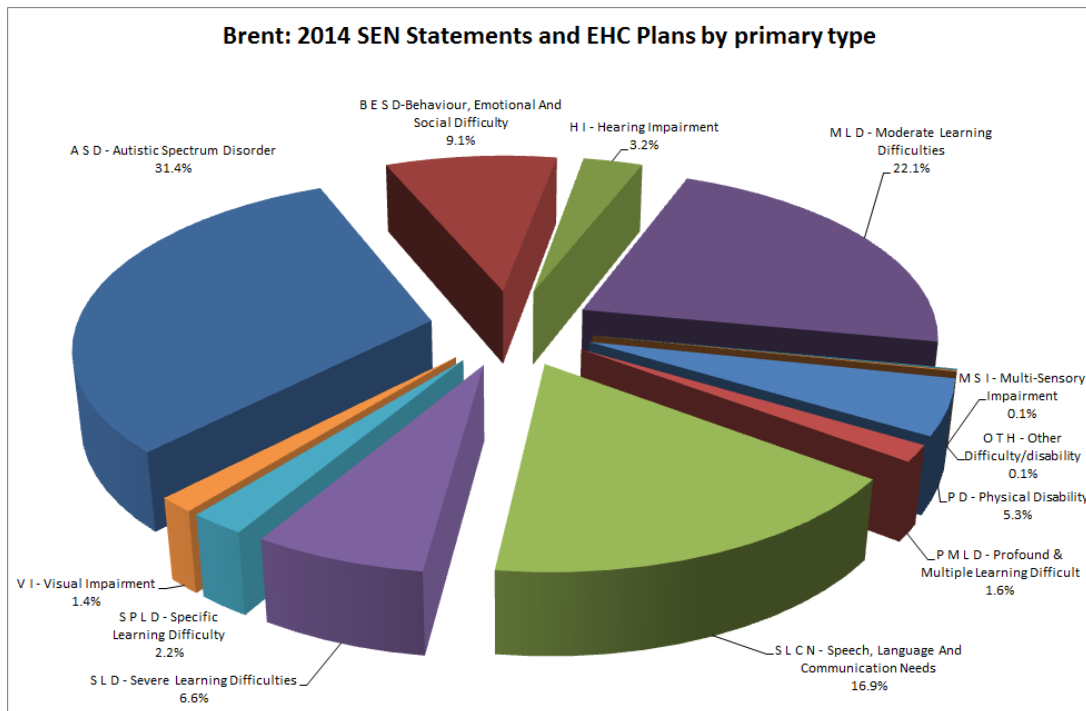
2.16 Pupils with Autism in independent provision generally have the most complex or severe needs, with ASD identified as their primary need, but generally presenting with other SEN as secondary needs, often extreme behaviour that cannot be managed in mainstream or special schools.

2.17 There will always be a need for a small number of residential placements as the majority are jointly funded by education and social care, with social needs being the primary driver for a residential placement.

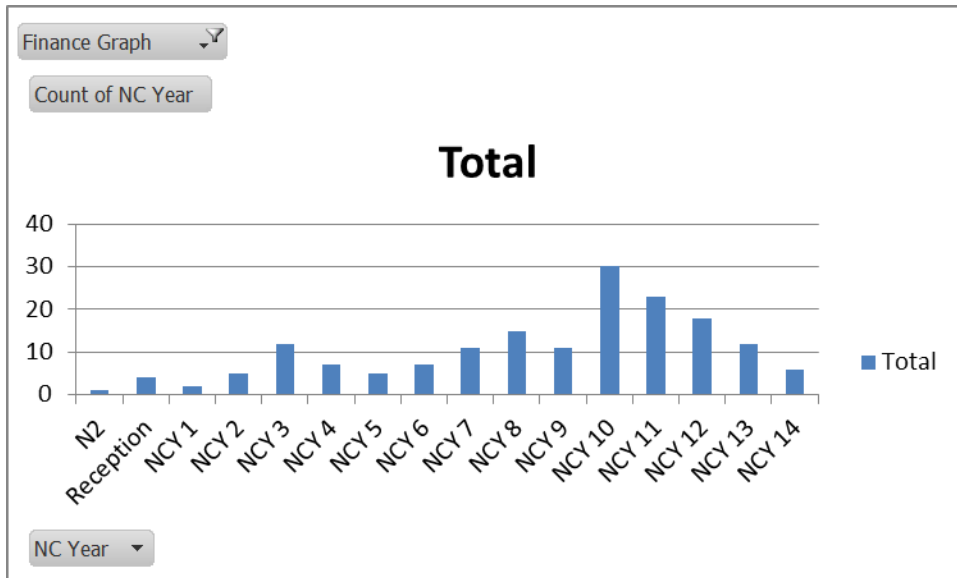
2.18 The total number of Brent pupils with Statements of SEN or Education Health and Care Plans at 31st March 2015 was 1690. Below is a graph showing all Brent stated pupils broken down by NC Year group.



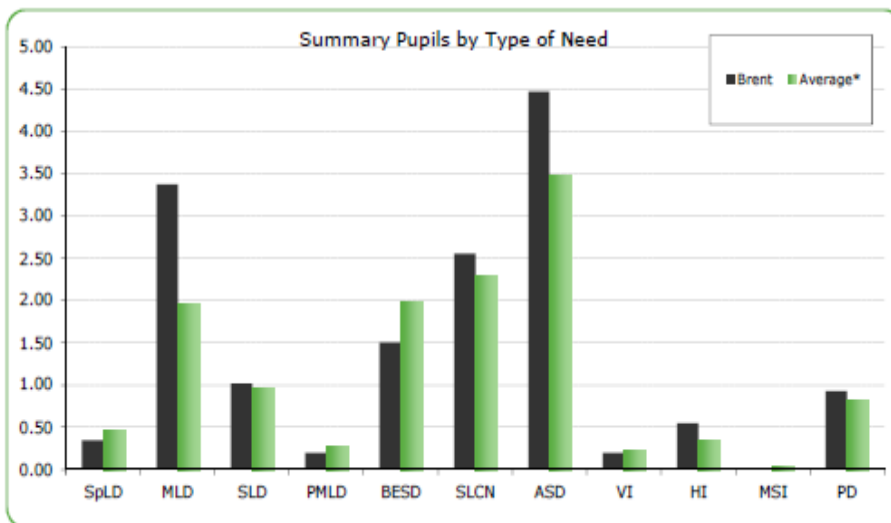
2.19 The range of SEN across all statements



2.20 Graph showing NC year group of pupils currently attending out borough independent and residential provision. This shows highest numbers are in Years 10 and 11, often due to placement breakdown.



2.21 Graph to show the average number of stated children by type of need, compared to 31 Local Authorities that participated in a CIPFA benchmarking exercise in 2014/15.

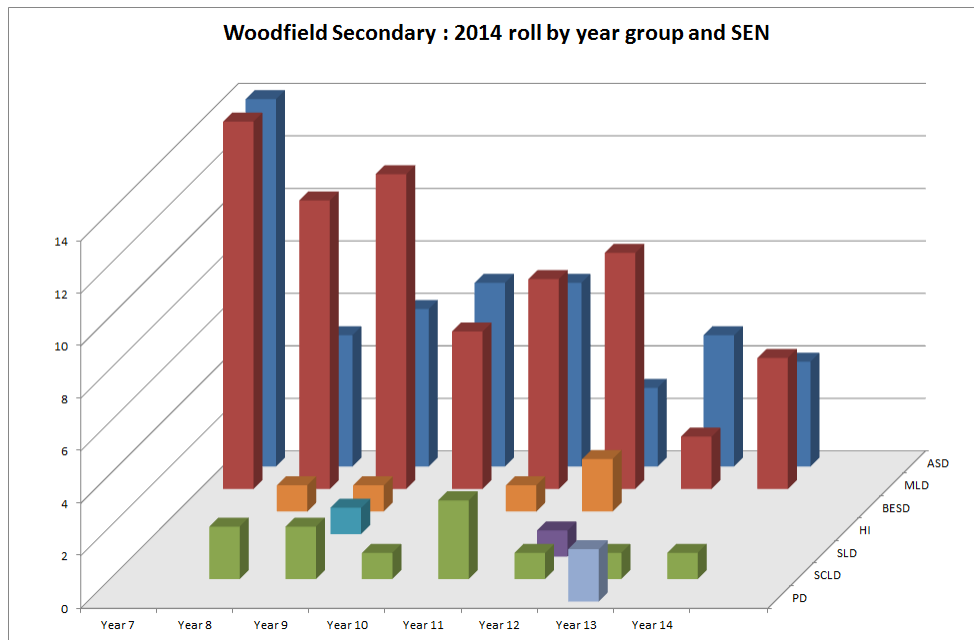


3.0 Special School Expansions

3.1 Brent's Special Schools have worked closely with the council to provide additional places.

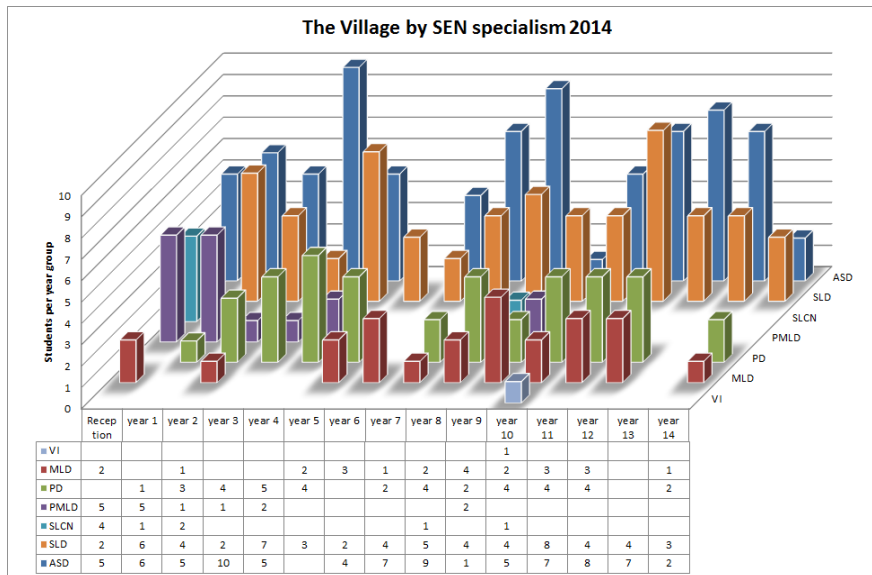
3.2 Woodfield School

Woodfield will provide an additional 40 places when fully expanded. Woodfield provides for broad spectrum of need including SCLD, SLD, BESD, and PD. The graph below shows the range of need of current pupils by year group and SEN.



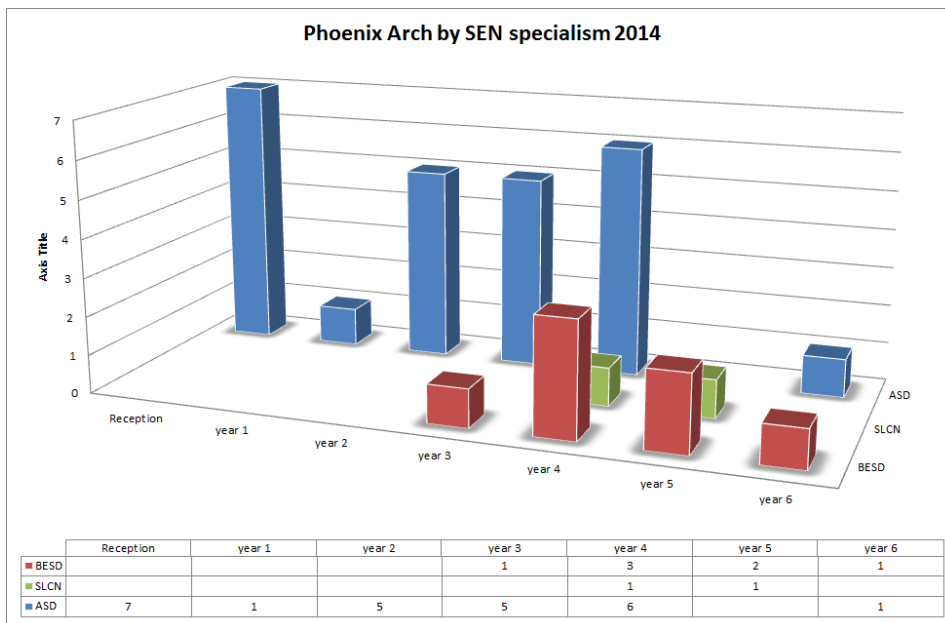
3.3 The Village School

The Village has expanded beyond its original admission number to accommodate a growth in demand. The council is undertaking a statutory consultation to increase places at the Village School to 270. When the Village School was rebuilt it was with a planned admission number of 235. The Village school provides for a wide range of SEN from visual impairment to SLD, complex multiple needs, ASD and sensory impairment.



3.4 Phoenix Arch School

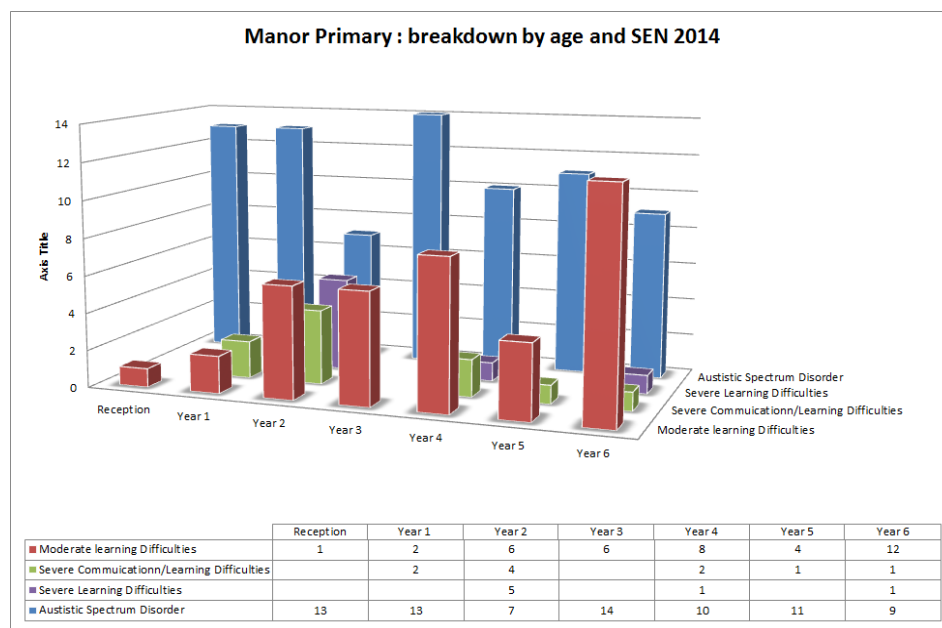
Phoenix Arch is a primary phase school which is now able to take 36 pupils, and has successfully broadened its designation to ASD/BESD. In practice 25 out of the 34 pupils on roll have a principal diagnosis of ASD with 7 BESD and 2 SLCN.



3.5 Manor School

Manor Primary Special School offers provision for pupils with MLD, SLD, ASD and SLCN. 77 of the pupils on roll have ASD, and 13 of these are in reception, 39 of the pupils have MLD, and these are in the older year groups. Manor is undergoing an expansion from 132 places to 170 from September 2015, and the school has agreed to admit an additional 6 pupils in all year groups

needed by the council in September. The graph below shows the SEN and age of pupils in Manor.



4.0 Conclusion

- 4.1 Independent and residential placements are more costly than in borough or out borough mainstream or special school provision. The borough's policy is to pursue inclusion in mainstream schools wherever that is right for the child, and there is cross boundary movement into neighbouring boroughs in part by need but also by parental choice. The introduction of EHCPs means that parental preferences are likely to have more weight. Parents are making more requests for independent placements. Placements to special schools have been rising both in Brent and in England as a whole between 2011 and 2015.
- 4.2 There are strong arguments for the borough to place students within its own boundaries. Apart from the cost of the placement and the cost of transport, the time taken to travel to more distant schools can be stressful to children and young people, especially those with physical needs, with more risk of traffic delays leading to loss of education. They are also less likely to develop friendship groups in their own communities, and the parents less able to take part in their support networks.
- 4.3 There will continue to be a need for independent placements and a small number of residential placements, but there is scope to reduce the numbers attending Independent provision and invest at least part of the current independent spend in further developing in borough provision.
- 4.4 Over the last three years the emphasis has been on expanding places in special schools, and the expansion of one primary ARP for ASD/SLC and the creation of one secondary ARP for pupils with MLD. Both of these ARPs have been successful in meeting the needs of children.

- 4.5 Although the planned extra special school places will yield sufficient capacity for primary until after 2020, there is likely to be greater pressure in the secondary phase where most of the out borough placements occur. Additional ARP units in secondary schools could alleviate this pressure. This would be in line with a number of other London LAs, and would create sufficient headroom in borough special schools to meet the needs for many students who might otherwise have to be placed in an independent school outside the borough.
- 4.6 The council will explore the potential for more students to be supported in ARPs rather than a special school. Evidence from other boroughs suggests that this is achievable, and with the right provision the proportion of pupils in special schools might be reduced. This would support an inclusion policy, and by releasing places in special schools into ARPs, places would be released in special schools to accommodate students who might otherwise have to be placed in an independent school outside of Brent.

Background papers attached

- 1 Special schools and ARP funding 2015/16
- 2 Other borough place funding 2014/15

Contact Officers

Carmen Coffey
Head of Pupil and Parent Services

SPECIAL SCHOOLS FUNDING 2015-16

| | THE VILLAGE | MANOR | PHOENIX ARCH | WOODFIELD | TOTAL |
|--|-------------|-------|--------------|-----------|-------|
|--|-------------|-------|--------------|-----------|-------|

| Top-Up funding by band (Total allocation per place less Base funding) | £ | £ | £ | £ |
|---|--------|--------|--------|--------|
| Band 1 | 3,946 | 3,946 | 3,946 | 3,946 |
| Band 2 | 6,432 | 6,432 | 6,432 | 6,432 |
| Band 3 | 10,081 | 10,081 | 10,081 | 10,081 |
| Band 4 | 13,740 | 13,740 | 13,740 | 13,740 |
| Band 5 | 17,400 | 17,400 | 17,400 | 17,400 |
| Band 6 | 27,220 | 27,220 | 27,220 | 27,220 |

ARP FUNDING 2015-16

| | FAWOOD ASD | KINGSBURY GREEN HI | KINGSBURY HIGH HI | OAKINGTON MANOR S&L | OAKINGTON MANOR ASD | PRESTON MANOR S&L | PRESTON MANOR ASD | GRANVILLE PLUS ASD | ALPERTON MLD |
|--|---------------|--------------------------|-------------------------|---------------------------|---------------------------|-------------------------|-------------------------|--------------------------|-----------------|
|--|---------------|--------------------------|-------------------------|---------------------------|---------------------------|-------------------------|-------------------------|--------------------------|-----------------|

| | | | | | | | | | |
|--------------------------|------------|------------|------------|-----------|-----------|-----------|------------|------------|-----------|
| Top-Up Funding Per Place | £10,167.27 | £10,014.12 | £10,014.12 | £2,402.95 | £8,635.39 | £6,276.66 | £12,673.17 | £10,898.48 | £9,836.75 |
|--------------------------|------------|------------|------------|-----------|-----------|-----------|------------|------------|-----------|

ITEM 3: Appendix 2

| Brent Special Schools Comparison of Banding with Neighbouring LA's (2014) | | | | | | | | |
|---|-----------|-------------------|----------------|----------------|----------------|-----------------|---------------------|----------|
| | | | Standard | Complex | | | | |
| Barnet | Primary | Northway | £ 5,198 | £ 8,187 | | | | |
| | Primary | Oakleigh | £ 11,161 | £ 17,620 | | | | |
| | Secondary | Oak Lodge | £ 2,036 | £ 8,251 | | | | |
| | Secondary | Mapledown | £ 6,635 | £ 21,272 | | | | |
| | | | Lower band | Higher band | | | | |
| Camden | 5 to 19 | Swiss Cottage | £ 16,120 | £ 23,395 | | | | |
| | | | Nursery level1 | Pre 16 level 1 | Pre 16 Level 2 | Post 16 Level 4 | Post 16 Level 5 | |
| Ealing | Secondary | Belvue School | | £ 11,615 | £ - | £ 11,615 | £ 21,615 | |
| | Primary | Castlebar School | | £ 14,132 | £ 16,516 | £ - | £ - | |
| | Primary | Mandeville School | £ 31,598 | £ 21,598 | £ 24,622 | | | |
| | Secondary | St Ann's School | | £ 24,965 | £ - | £ 24,965 | £ 34,965 | |
| | | | LD/EBD | Special Autism | PMLD/MDVI | SLCD | Behavioural support | |
| Harrow | Primary | Alexandra | £ 9,068 | £ 16,019 | | | | |
| | Primary | Kingsley | £ 18,869 | | £ 18,869 | | | |
| | Secondary | Kingsley | £ 15,128 | | | £ 15,128 | | |
| | Secondary | Shaftesbury | £ 5,183 | £ 10,028 | | | | £ 13,006 |
| | Primary | Woodlands | | £ 15,587 | £ 17,591 | £ 13,510 | | |
| | | | Band 1 | Band 2 | Band 3 | Band 4 | Band 5 | Band 6 |
| Brent | 4 to 19 | Village | £ 3,946 | £ 6,432 | £ 10,081 | £ 13,740 | £ 17,400 | £ 24,720 |
| | 11 to 19 | Woodfield | £ 3,946 | £ 6,432 | £ 10,081 | £ 13,740 | £ 17,400 | £ 24,720 |
| | Primary | Manor | £ 3,946 | £ 6,432 | £ 10,081 | £ 13,740 | £ 17,400 | £ 24,720 |
| | Primary | Phoenix Arch | £ 3,946 | £ 6,432 | £ 10,081 | £ 13,740 | £ 17,400 | £ 24,720 |

Comparison of Brent banding with highest level banding neighbouring special schools

Village School banding compared with other boroughs

Woodfield School banding compared with other boroughs

Manor school banding compared with other boroughs



SCHOOLS FORUM

24th June 2015

Report from the Strategic Director of Children
and Young People

For Action

4: Brent Outreach Autism Service: Increasing Caseload and Future Provision

1. Summary

- 1.1 Brent Outreach Autism Team (BOAT) is a specialist educational peripatetic service for children and young people (CYP) aged 0-19yrs with a diagnosis on the autism spectrum (ASD), currently supporting 393 children and young people on the spectrum. The demands for this specialist service have increased significantly in recent years and developments in the service now need to be considered.
- 2.2 BOAT is requesting a funding increase of £60,000 to continue to improve positive outcomes for children and young people on the autism spectrum.

2. Background and Context

BOAT aims to make a positive difference to the children in terms of their educational outcomes and wellbeing and ensure that these children have equality of opportunity alongside their peers. The service was established in 2001 with an initial caseload of 11 primary aged students attending mainstream settings.

3. Costs of the service

The service is centrally funded via the DSG¹ High Needs Block. The service has a budget of £227,173 which has remained the same for the past six years. This does not reflect the significant increase in pupil numbers and prevalence of autism in the Brent population.

¹ Dedicated Schools Grant

4. Staffing

- 4.1 There are 2.0FTE specialist and experienced teachers, one of whom has recently completed a master's degree in autism, and 1.0FTE specialist speech and language therapist who holds a master's degree in autism and manages the team. In addition there is a BOAT support worker who supports the delivery of specific interventions, resources and training for settings.
- 4.2 The staff numbers within BOAT have remained the same since January 2009. Back then, the ratio of teaching staff to pupils was **1 to 72 children**. The current ratio of teaching staff to pupils is **1 to 131 children**. The increase in caseload per staff member has led to increased waiting times for visits to settings and longer response times to communication via email and telephone. In addition the service has had to prioritise those children with greater needs leading to less provision for others and less training on offer.

5. Caseload

- 5.1 Despite national data showing that annual incidence rates for each year are now steady at approximately 1.2/1000 boys and 0.2/1000 girls, more and more children in Brent are being given a diagnosis on the autism spectrum. The latest prevalence studies of autism indicate that 1.1% of the population in the UK may have autism.
- 5.2 There are currently **393** children, aged 2-19, on the BOAT caseload (April 2015). The children on the BOAT caseload attend mainstream Brent schools, early years settings or are pre-school age and unplaced. The caseload also includes 39 children, with statements of SEN or EHC plans, who attend out-borough schools.
- 5.3 The BOAT caseload does not include children who attend schools with on-site specialist ASD expertise such as special schools for autistic children, Brent generic special schools and local ASD additionally resourced provisions (ARPs) attached to mainstream schools.
- 5.4 The caseload comprises children from age 2 to young people in Y14. This is shown in the table below.

| Unplaced pre-school | Nursery | Rec | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 |
|---------------------|---------|-----|--------|--------|--------|--------|--------|--------|
| 3 | 72 | 59 | 62 | 25 | 14 | 13 | 28 | 30 |

| Year 7 | Year 8 | Year 9 | Year 10 | Year 11 | Year 12 | Year 13 | Year 14 | Total |
|--------|--------|--------|---------|---------|---------|---------|---------|------------|
| 19 | 17 | 17 | 13 | 11 | 6 | 3 | 1 | 393 |

- 5.5 78% of the children are currently in early years or primary settings meaning they are unlikely to be discharged from the service for the next 5 years or more.
- 5.6 Numbers of referrals to BOAT have increased year on year, since the service started thirteen years ago. The rate of referral has shown significant growth in the last 18 months.

| | 2008-09 | 2009-10 | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-current |
|-------------------|---------|---------|---------|---------|---------|---------|--------------|
| Referrals | 56 | 88 | 91 | 85 | 104 | 131 | 143 |
| Discharges | 45 | 47 | 54 | 57 | 73 | 82 | 83 |

- 5.7 There continues to be a marked disparity between the number of children coming into the service and those leaving the service resulting in an **overall increase in caseload** year on year, as shown in the table below.

| | April 2010 | April 2011 | April 2012 | April 2013 | April 2014 | April 2015 |
|---------------------------------|------------|------------|------------|------------|------------|------------|
| Total caseload | 228 | 256 | 276 | 294 | 333 | 398 |
| Yearly caseload increase | - | +28 | +20 | +18 | +39 | +65 |

6. Discharges

BOAT is committed to providing continuity and consistency of input for settings and families. The flexible banding system has meant that children are not discharged from the service. This allows schools and parents to ring/email for advice when needed and lessen any anxiety associated with supported a child with ASD. This continued access to the service is highly valued by settings and families (BOAT management review 2014). Children are only discharged from the service when they leave school or when they attend an out-borough school and do not have a statement/EHCP. In this case they receive the local offer by that local authority for children with autism.

7. Working in Partnership with Students and their Settings

- 7.1 BOAT provides face to face visits to educational settings based upon a banding system which reflects the needs of the individual child and / or the training needs of the setting. Regularity of support is reviewed at each visit which allows the service to meet the changing profile of the child and the high turnover of staff within settings.

“We know that with the advice and support of BOAT our teachers and LSAs are doing all they can to meet the needs of children with ASD. Sometimes it’s good to know your support is working well and other times it’s helpful to brainstorm around behaviour and emotional or learning issues.” (Brent school, BOAT review, 2014)

- 7.2 Where possible BOAT will provide telephone/email support but this is not always sufficient to address the needs of children. Maintaining the required number of visits based upon the current banding system is proving challenging for the team leading to less frequent visits and support for staff. This means less frequent delivery of specialist training and tailored advice based on observations; targets set and reviewed less often; inability to attend some annual reviews, extended waiting times for sessions which support children’s access to the curriculum and in accepting their diagnosis. The number of peer support sessions, which empower and educate the peers of children on the spectrum, has also declined. These sessions not only educate peers and staff, but also lead to improved social understanding and interactions, especially during unstructured times in the school day.
- 7.3 BOAT has delivered 54 INSETs to settings since September 2014. It provides a range of training tailored to each school’s current cohort of students. This is a vital part of the service as staff can have limited knowledge and understanding of autism. The impact of a reduction in regular training to schools would lead to staff feeling ill-equipped to meet the needs of the children and to parents questioning the ability of staff to meet the needs of their child.
- 7.4 Historically we have seen that where parents lack confidence in schools they tend to gravitate towards choosing a placement in particular schools whose knowledge of ASD is well-documented e.g. Malorees Infants School and Preston Manor. This can lead to certain schools having disproportionate numbers of ASD statemented children.

8. Working in Partnership with Families

- 8.1 BOAT strives to provide an open door for parents. This is a time-consuming endeavour with parents at varying points on their journey to understanding the needs of their child in relation to their autism. Support is offered to parents which includes explanation of autism, sign posting to resources, advice in how best to liaise with the school and how to support their child and his/her siblings in terms of understanding the diagnosis. With the rise in referrals, the amount of time BOAT can dedicate to parents through this emotional and often stressful time has decreased and this will continue with increasing caseload size and current staff capacity.

“Knowing I can pick up the phone or can email and they will provide support and guidance in times of difficulty has made all the difference.” (Brent parent, BOAT review, 2014).

- 8.2 BOAT also holds annual celebrations for families who are supported by the service and these provide a rare opportunity to relax with other parents who understand. Both these events and parent training events are currently at risk of discontinuation.

9. Working in Partnership with other Professionals

- 9.1 BOAT works closely with other teams in the Children and Young People's Department, including SENAS, Alternative Education Inclusion Team, Social Care, Educational Psychology Service, Early Years Inclusion Support Team, Portage and School Improvement Service SEN professionals. There are consistent links and training provided to Health colleagues including speech and language therapists, occupational therapists, paediatricians, enuresis clinicians and CAMHS. Referrals are made to BOAT by both paediatricians and CAMHS immediately following a diagnosis on the autism spectrum. With increases in referrals, the waiting time for input from BOAT for families and settings at this vulnerable time is steadily increasing which can result in considerable anxiety.
- 9.2 BOAT are a key component of the Early Years specialist nursery placement panel liaising with range of professionals to advise on appropriate placement and support. BOAT staff also support schools around transition planning for children with ASD. This type of work often requires tailored intervention including photographic books, visits, and detailed sensitive preparatory work with the child.
- 9.3 BOAT also supported the development of specialist provision in-borough including training staff at Phoenix Arch special school and at Oakington Manor ASD Additionally Resourced Provision. This means that more children's needs can be met within the borough.

10. Increased Demand

- 10.1 In recent years, BOAT has eliminated any waiting list for accessing its service and efficiently responds to requests for support, especially new referrals. Two-thirds of its monthly referrals are under 5yrs of age - a family and setting of a newly diagnosed child both require intensive early intervention. With monthly referrals steadily increasing, and cutting back on family support activities, the challenge is how to continue this quality input. In addition, autism by its very nature incorporates predictable periods of challenge e.g. transition between classes / schools, but also those that cannot be planned or predicted. It is both BOAT's flexibility and quick response at these times that we believe is valued by schools. However BOAT no longer has the capacity to continue to quickly intervene and provide advice at these times.
- 10.2 Alongside the increase in referrals to BOAT, children's needs have become more complex at a time when access to other services are reduced. Most children on the BOAT caseload do not meet the criteria to access specialist services from

occupational therapists, CAMHS and Social Care. Consequently BOAT tends to become the only practical service to support settings and families and is increasingly being consulted on children's mental health needs. The National Autistic Society 'You Need to Know' campaign (2010), highlighted that 71% children and young people on the autism spectrum are developing mental health issues and that good understanding of autism and support leads to good mental health for the child and their families.

- 10.3 Historically all children in Brent with a diagnosis on the autism spectrum were given a Statement of SEN which ensured that they started in mainstream schools with a level of dedicated adult support. For the past two years this has no longer been the case and Brent schools are expected to meet the needs of these children up to the equivalent of 15 hours teaching assistant support before recourse to additional funds.
- 10.4 Although this is a huge challenge for schools, the level of support is not always the most important factor in meeting the needs of autistic pupils. Support must be effective and come from someone with the knowledge and skills in autism-friendly practice. Whilst many Brent schools have improved their skills over the years in meeting the needs of the mainstream cohort of children with ASD, the turnover of staff in London schools means that tailored training will continue to be needed from professionals with specialist expertise. There is a range of vastly differing presentations of autism. Experience of working with one child with autism does not 'create' an autism specialist.
- 10.5 One of the additional support services BOAT continues to provide is mediation support between families and settings. Many settings call upon BOAT to support parents in their liaison with school leading to positive relationships and outcomes between home and school. Increasing demands on BOAT has reduced the amount of the meetings BOAT can attend with parents and settings. This has led to a reduction in joined-up strategies used effectively by both school staff and by parents in the home.

11. Outcomes

- 11.1 The outcomes desired by BOAT for children with a diagnosis of autism are not just related to academic outcomes but are rather driven by the holistic needs of the children. BOAT staff recognises that a mainstream setting is often a real challenge for a child with autism.
- 11.2 One key aim of the BOAT service is to maintain successful placements in mainstream settings. When a child with a diagnosis is doing well in a school the BOAT service 'bands' the child accordingly, providing less input. However, when a child's behaviour becomes inappropriate or challenging, when a child is severely anxious such as self-harming, and when staff are struggling to know what to do, BOAT intervenes and the child is consequently re-banded to reflect his difficulties at that time.

- 11.3 This allows BOAT to provide a higher level of tailored support when it is needed. Outcomes might include a reduction in inappropriate behaviour, a calmer, less anxious child, a staff which knows how to implement changes in the curriculum to engage the child and reduce his anxieties.
- 11.4 It is difficult to tease out the particular contribution of a specialist outreach service to the academic achievement of a child, especially when that service might visit only a few times a term. When the caseload has been migrated onto the LA tribal database later this summer, BOAT will be able to analyse the end of key stage data for all the children with autism and link this to exclusion and attendance data. Unfortunately this data specifically relating to the BOAT caseload is not yet available.
- 11.5 However, each visit to a setting by a BOAT worker includes a record of observation and specific recommendations to improve a child's access to all aspects of school life and lessen any difficulties associated with his autism. Desired outcomes are reviewed at subsequent visits and meetings. With increases in caseload numbers, the availability of BOAT staff to review and provide recommendations is reduced, leaving students at the risk of plateauing or regressing.
- 11.6 Recently BOAT staff have undertaken baseline assessments for all children referred to the service in the early years. The plan is to roll this assessment process out to all new children and to review this on an annual basis following intervention to monitor progress.
- 11.7 Feedback from the recent review of BOAT evidences that this early intervention offered by the BOAT service has a positive impact on both staff in schools, the parents and the children and young people involved.

12. Exclusions

- 12.1 The number of exclusions for children supported by BOAT is low because schools know to contact BOAT quickly and have confidence in implementing their particular advice. Out of 393 children there have been 13 children excluded during this academic year. This number includes a significant group of children whose parents have taken the decision to choose a mainstream placement when professionals view is that this is not necessarily the most appropriate setting to meet their child's needs.
- 12.2 In addition there are a small number of children, particularly in the early years, who are attending a school on a reduced timetable to minimise the risk of exclusion and support positive outcomes. This requires regular assessments, visits and reviews by the BOAT team in collaboration with the setting and parents. Because BOAT develops such positive relationships with parents and settings, the team members are usually able to pre-empt placement breakdowns and support parents in looking towards solutions or alternative provision where necessary.

13. Benchmarking

- 13.1 It is difficult to compare autism services across London as there is no standard model of delivery and there are different eligibility criteria. Anecdotally however, BOAT is considered to be a flagship service and its coordinator, Clare Henshaw, has been advising the Autism Education Trust for two years around ASD outreach support into mainstream schools.
- 13.2 Some examples of ASD outreach teams in neighbouring boroughs are outlined below for benchmarking purposes.

| Borough | Caseload | Staff | Eligibility |
|----------------|-----------------|--|--|
| Harrow | 230 | 1.4FTE teachers | Only children with ASD with an EHCP /statement |
| Barnet | 800 | 3.0FTE teachers currently as staff have left service | Only children with ASD who are at risk |
| Lambeth | 335 | 5.0FTE specialist teachers | All children with ASD |
| Brent | 393 | 2.0FTE teachers, 1.0FTE Speech and language therapist and 1.0FTE TA. | All children with ASD |

- 13.3 If BOAT funding remains as it is, in the light of increased demand the service will have to raise the eligibility threshold for access to BOAT support. This would include raising the threshold for initial support and reviewing the length of interventions with the ability to discharge children following a fixed period of intervention. This would significantly alter the delivery and practice of the current service. It is likely to result in a perceived diminution of the local offer for children with autism by both parents and schools.

14. Recommendations

- 14.1 In order to continue improving outcomes for all children and young people who require this service and to maintain the quantity of the training and support visits, the forum is requested to consider the following options:
1. Increase the staffing in BOAT with the equivalent of one full time specialist member of staff to provide specialist advice, support and training for Brent schools and families. Including on costs, this is an increase in funding from the Forum of £60,000.

This will increase the capacity of BOAT to meet the increase in caseload and its complexity, respond quickly to requests for help, and reintroduce the range of support and training sessions currently not delivered due to capacity constraints.

£60,000 will include a substantial element of specialist teaching hours plus an element of occupational therapy input and some clinical psychologist hours.

The service would ideally like to recruit the following:

| | |
|---|---------|
| 0.6FTE specialist teacher (focusing on Early Years) | £36,000 |
| 0.2FTE occupational therapist (Band 6/7) | £11,000 |
| 0.2FTE qualified clinical psychologist | £13,000 |

15. Contact Officers

Clare Henshaw – Autism Outreach Coordinator for Brent Outreach Autism Team
Carmen Coffey - Head of Pupil and Parent Services



SCHOOLS FORUM

24 June 2015

Report from the Strategic Director of Children
and Young People

For Consultation & Information

5. FURTHER UPDATE ON THE NEW INCLUSION AND ALTERNATIVE EDUCATION SERVICE

1.0 SUMMARY/INTRODUCTION

- 1.1 This report provides the Schools Forum with an update on key aspects of the delivery of the new Inclusion and Alternative Education Service and their related financial implications.
- 1.2 On 26th February 2014 the Schools Forum considered an update report on the newly introduced Alternative Education, Attendance and Behaviour Services model, now Inclusion and Alternative Education Service and the related financial implications. This report provides a further update following eighteen months' implementation of the new structure.
- 1.3 The report is structured as follows:
- **Section 3** provides background and context for the report;
 - **Section 4** gives an overview of the service's implementation since February 2014 and sets out the financial implications of the service moving forward and the funding required to maintain the quality of that service;
 - **Section 5** explores the possibilities for future prevention work for pupils at risk of exclusion.

2.0 RECOMMENDATIONS

- 2.1 The Schools Forum is requested to approve:
- a. the increases to the budgets of Brent River College and Ashley College following the end of their first financial year.
Voting is open to all Schools Forum members
 - b. the funding of appropriate long term education for permanently excluded pupils who are not, following intervention and assessment, deemed suitable to return to mainstream school.
Voting is open to all Schools Forum members

- c. the introduction of a discrete Day 6 provision for permanently excluded KS3 and KS4 pupils to enable the LA to meet its statutory duty.

Voting is open to all Schools Forum members

2.2 The Schools Forum is further requested to note the following:

- a. note the current continuing rise in school exclusions from both in and out borough schools;
- b. note the development of intervention short-term placements by the Brent School Partnership (BSP) for KS1 and KS2 pupils;
- c. note the current situation with regard to the provision of timely short-term intervention programmes for KS3 and KS4 pupils to reduce the risk of their becoming permanently excluded.

3.0 BACKGROUND AND CONTEXT

3.1 The Inclusion and Alternative Education Service in Brent underwent a major re-structure in Autumn 2013 to reshape services to meet a complex range of policy, financial and operational challenges, including changes to the funding framework for alternative education, new service and demographic trends, and a need to develop a service model more closely focussed on prevention and support to children in school. Currently Brent has one of the fastest expanding pupil population in the country: 12% rise in demand for school places in Brent over next 5 years (Source: GLA); a proportion of which will require alternative provision.

3.2 The new structure for the Inclusion and Alternative Education Service, introduced from January 2014, was broadly designed to achieve:

- 3.2.1 Further reductions in the number of fixed term and permanent exclusions.
- 3.2.2 A greater focus on preventative work in primary schools and transition work between primary and secondary schools, with access to a wider range of support to address behavioural, social and mental health issues.
- 3.2.3 A more cost efficient and focused model of service delivery thereby reducing the planned place costs of Pupil Referral Units and freeing up resources to invest in preventative and exclusion services.
- 3.2.4 The creation of a smaller Health Needs Education Team , with a specific focus on pupils absent from schools for more than 15 days due to physical or mental health problems. The service will be developed in partnership with one of Brent's Special Schools, allowing pupils (and teachers) better access to health resources and specialist expertise and facilities.
- 3.2.5 An extended remit for the Pupil Referral Unit which includes a strong core offer of commissioned services and dual registration.
- 3.2.6 A more co-ordinated approach to the commissioning and quality assurance of alternative providers from the private and voluntary sectors on behalf of schools and the Local Authority.

- 3.2.7 Strong links between the newly amalgamated Inclusion and Alternative Education Service, the Special Educational Needs/Disability Service and Early Help Family Support Service through either hub and spoke arrangements or co-location of staff/services.
- 3.2.8 Much closer partnership working on behaviour and attendance between schools, supported by the development of a clear Behaviour and Attendance Strategy.
- 3.2.9 Improved specialist assessment and support for particular group of vulnerable pupils and those newly arrived in order to prevent an escalation of difficulties and to avoid high-cost Borough specialist placements.
- 3.2.10 An increased focus on working with designated teachers, school governors and the Council's Corporate Parenting Group to raise the profile of looked after children education issues.

4.0 IMPLEMENTATION OF THE NEW IAES STRUCTURE

- 4.1 This report focuses on the implementation of the first 6 bullet points above and their financial implications.

2008-13 Permanent Exclusion Figures

| Academic Year | 2008/9 | 2009/10 | 2010/11 | 2011/12 | 2012/13 |
|--|--------|---------|---------|---------|---------|
| Number of Brent resident pupils permanently excluded from school | 72 | 60 | 49 | 30 | 42 |

Further Reductions in the Number of Permanent and Fixed-Term Exclusions

- 4.2 The provisional figures for primary and secondary fixed term and permanent exclusions of Brent residents for 2013/14 were:

| September 2013 – August 2014 | | Brent Resident | |
|------------------------------|------------|----------------|------------------|
| | | Brent School | Non-Brent School |
| Key Stage 1 & 2 | Perm | 2 | 2 |
| | Fixed-Term | 188 | 2 |
| Key Stage 3 & 4 | Perm | 30 | 20 |
| | Fixed-Term | 979 | 21 |

- 4.3 In this academic year since September 2014 there have been the following primary and secondary permanent and fixed term exclusions of Brent residents:

| September 2014 – 17 th June 2015 | | Brent Resident | |
|---|------------|----------------|------------------|
| | | Brent School | Non-Brent School |
| Key Stage 1 & 2 | Perm | 3 | 3 |
| | Fixed-Term | 244 | 1 |
| Key Stage 3 & 4 | Perm | 30 | 13 |
| | Fixed-Term | 706 | 7 |

- 4.4 The new service model was intended to promote a preventative approach and was expected to have a positive impact on the rate of permanent exclusions in the longer-term. However the service acknowledged in the report to Schools Forum in February 2014, a likely increase in the short-term, of rates of permanent exclusion and the subsequent need for commissioned alternative placements, details of which are below.

Current Provision for Permanently Excluded Pupils in Brent - KS1 and KS2

- 4.5 The report to Schools Forum in February 2014 confirmed the current provision for KS1 and KS2 permanently excluded pupils:

| | | |
|------------------------|---|------|
| KS 1 / KS 2 placements | The new service model does not have an in-house provision for excluded KS 1/2 pupils but has retained resources to purchase specialist support best suited to the needs of an individual child - current market rates at approximately £30-40k per placement. | 200k |
|------------------------|---|------|

- 4.6 Currently 8 permanently excluded KS1 and KS2 pupils are placed by IAES at the Family School in Islington (6), at South Over Partnership (1) and at Fresh Start Education (1). The £200k budget identified to support KS1 and KS2 PEX is under severe pressure. The very young and complex pupil at Fresh Start Education is a significantly high cost placement which will have implications for the budget moving forward. Recently the service has seen a small increase in the number of very young pupils being permanently excluded.
- 4.7 Although an excellent provision with a focus on both academic and therapeutic progress the Family School takes pupils from other boroughs and has limited capacity. Its geography also means a long daily journey for young pupils and presents challenges in terms of successful implementation of re-integration programmes for the pupils back into mainstream school in Brent.
- 4.8 The minutes of the February 2014 meeting of the Schools Forum record an undertaking that if any of the £200k allocated to support permanently excluded pupils was unused it would go back into DSG for reallocation to other priorities. Given the current numbers of KS1 and KS2 pupils requiring alternative provision and the high costs of some of these placements no savings will be accrued and an overspend is highly likely.
- 4.9 The February 2014 report proposed the delegation of £100k to the Brent School Partnership (BSP) to develop in-borough intervention programmes to support the risk of exclusion for KS1 and KS2 pupils.
- 4.10 The minutes of the Schools Forum meeting of 26th February 2014 confirms that the decision was agreed to devolve not only the £100k but the total £300k to the BSP for the partnership to take responsibility for commissioning the provision for KS1 and KS2 permanently excluded pupils and the development of in-borough intervention programmes.
- 4.11 Following a number of meetings to discuss and agree this provision, in January 2015 the BSP agreed for the medium term future to pursue only the option to provide intervention provision (£100k) from April 2015. IAES supported the BSP in bringing forward appropriate proposals for this short

term intervention provision and up to 6 places are now being provided at Preston Park Primary and Roe Green Primary with 2 more primary schools, Chalkhill and Stonebridge, preparing to offer places from September 2015. In addition intervention provision continues to be provided for KS1 and KS2 pupils at PETS run by Roe Green Primary. Schools pay for these places directly.

- 4.12 Access for primary schools (and indeed secondary schools) to a wide range of in-school and family support to address behavioural, social and mental health issues is in place via referral to the borough's Inclusion Support Panel. Feedback from schools on the quality and effectiveness of these interventions is very positive. Since September 2014 the panel has taken around 260 referrals. As part of this work IAES is contributing financially to the borough's TAMH's project (Targeted Adolescent Mental Health) which is also funded by a number of schools that buy in to the project.
- 4.13 The above outcomes realises in some part, section 3.2.2: *A greater focus on preventative work in primary schools and transition work between primary and secondary schools, with access to a wider range of support to address behavioural, social and mental health issues.* However more remains to be done to support the successful transition of vulnerable and challenging pupils from KS2 to KS3.

KS3 and KS4

- 4.14 The expectation in the re-structure was that the majority of permanently excluded KS3 and KS4 pupils would automatically attend the newly created Brent River College (BRC) and with falling numbers of permanent exclusions the College would have the capacity to offer short term intervention programmes.
- 4.15 However, because of the continued number of permanently excluded pupils, from both in and out-of-borough schools, and relatively low numbers of re-integration back to mainstream; since September 2014 3 pupils have been successfully re-integrated with a further 2 pupils currently on trial placements, the service is currently supporting an additional cohort of 43 permanently excluded KS3 and KS4 pupils. These pupils cannot be accommodated at BRC because the College is currently full, predominately with older pupils (years 9-11) most of whom are unlikely to be reintegrated to mainstream schools. From September 2015, following the departure of Year 11 pupils, a few of this additional cohort of 43 will be able to be accommodated at BRC.
- 4.16 The cost of appropriate provision for this additional secondary PEX cohort since April 2014 is approximately £400k at an average cost of £23k per academic year to provide 25 hours education. Additionally this cohort is dispersed across a number of alternative provisions the majority of which are out of borough meaning that many young people have to travel considerable distances each day. We are working with the provisions we use to expand on sites in Brent. Recently one of these provisions: Transforming Lives for Good (TLG), has opened an annexe in Wembley. All provisions used by IAES are quality assured and are either registered with the DfE or are in the process of being registered.

Day 6 Provision for Permanent Excluded KS3 and KS4 Pupils

- 4.17 Currently the service is failing consistently to meet its statutory duty to provide pupils with appropriate education from the 6th day of their exclusion. The 2013 re-structure of the service closed the Day 6 (Kingsbury) Assessment Centre, the intention being that Day 6 provision would be provided by the newly amalgamated PRU. This has not been possible to implement because of the numbers of pupils.
- 4.18 Therefore the service needs to create a new Day 6 provision in the borough. The approximate annual running cost for this provision is £100k. The service is proposing that this provision will be offered from September 2015 at Roundwood Youth Centre alongside, but totally separate from, the existing fixed term exclusion Day 6 provision that secondary head teachers fund at the Centre. This proposal is currently out for consultation with secondary head teachers.

The Future Financial Implications

- 4.19 If permanent exclusion of KS3 and KS4 pupils from both in and out of borough schools continue at the current rate, in order to meet fairly the needs of these vulnerable KS3 and KS4 pupils the service needs to extend its in-borough PRU/AP provision. In so doing it faces 2 significant challenges: securing sufficient resources and appropriate accommodation.
- 4.19.1 A more cost-efficient and focused model of service delivery thereby reducing the planned place costs of Pupil Referral Units and freeing up resources to invest in preventative and exclusion services;
- 4.19.2 An extended remit for the Pupil Referral Unit which includes a strong core offer of commissioned services and dual registration;
- 4.19.3 Creation of a smaller Health Needs Education Service, with a specific focus on pupils absent from schools for more than 15 days due to physical or mental health problems.
- 4.20 The 2013 re-structure of both the secondary PRU provision and the Brent Education Tuition Service (BETs) was intended to reduce the costs of places alongside falling exclusion rates and a plan to ensure that the needs of pupils who had previously accessed BETs would be met by mainstream and other specialist settings. Although this remains the aim of IAES, currently given the continuing rates of permanent exclusions and the high levels of demand for placements with the Health Needs Education Service (HNES) it is not possible to achieve. IAES will continue to work with both settings to ensure the delivery of the most cost effective and quality provision. However it is important to acknowledge that quality placements outside mainstream education come at a cost.
- 4.21 Both the secondary PRU, Brent River College (BRC) and the Health Needs Education Service, Ashley College (AC) have just completed the first year of their new budget models with 2014/15 being treated in line with DfE guidance as a transition year. Both have DfE compliant Management Committees in place and therefore from April 2015 will be treated as schools with fully delegated budgets.
- 4.22 The secondary PRU Brent River College (BRC) continues, under strong leadership and management, to make good progress. Planned place costs at

the secondary PRU (BRC) were initially achieved but because of the increase in secondary permanent exclusions as described above these savings have been significantly eroded. Therefore the funding, previously identified from these savings, has not been available to invest in preventative and exclusion services.

- 4.23 BRC's development is further restricted because of its current accommodation. Both the Stag Lane and Poplar Grove sites are at full capacity. This means that for the immediate future BRC will be unable to extend its remit to include a strong core offer of commissioned services and dual registration. At present the priorities for BRC are to consolidate the good and outstanding practice being developed with new staff and to ensure that the young people on its permanent roll achieve the best possible outcomes. IAES will continue to support the college including meeting the costs (up to £100k) of a much needed ICT upgrade.
- 4.24 Furthermore the Management Committee of BRC has identified and agreed to additional in-year operating costs to enable the College to continue to maintain and further develop the improved standard of education it is currently providing. These costs amount to £200k.
- 4.25 Ashley College (AC), the re-structured Health Needs Education Service, currently has 36 young people on roll, a proportion of who are receiving home tuition; 16 more than intended by the re-structure. It is providing a service highly valued by schools and parents. The intention behind the re-structuring of this service was similar to that of the PRUs: to reduce costs, divert savings to intervention programmes and to have a clearer focus on pupils with significant health needs who remain on their school roll. However the 2013 re-structure did not take sufficiently into account the demand managed requirement for home tuition for a steady and increasing number of pupils who are too ill to attend either school or Ashley College. Consequently in order to meet the current level of demand and for the LA to fulfil its statutory duty with regard to the education of children who are ill, AC's Management committee has also identified and agreed to additional in-year operating costs of £250k. Further work with AC will be required to agree a maximum number of full-time equivalent pupils.
- 4.26 The original intention to have a joint MC for both PRUs was not feasible. The revised budgets for both BRC and AC will be fully delegated and the colleges will be expected to work within these agreed budgets in line with other schools from April 2015.

Projection of Additional PEX Cohort Numbers 2015/16

- 4.27 Based on current exclusion and re-integration trends we expect that BRC will continue to have limited capacity for provision other than that for permanently excluded pupils. That means IAES will need to continue placing permanently excluded pupils in other alternative provisions resulting in a corresponding amount of additional expenditure.
- 4.28 IAES is currently working with SEN in Brent on a forecast of need for SEND pupils and those requiring alternative provision in the future. This predicted level of need will be addressed in a revised SEN Strategy for Brent.

4.29 Details of the additional funding required by IAES for its 2015/16 budget are as follows:

| Provision | Amount £'000 |
|----------------------------|-------------------------|
| Brent River College | 200 |
| Ashley College | 250 |
| Day 6 Provision | 100 |
| Additional PEX funding | 300 |
| TAMHs Project Contribution | 105 |
| TOTAL | 955 |

4.30 IAES has in its budget £700k (carried forward from the re-structure savings and the closure of the Church Lane PRU) that will be used to offset this increase. Therefore the service asks Schools Forum to approve an additional £250k for 2015/16.

4.31 Any underspend will be allocated to support secondary intervention and out reach programmes.

5.0 PREVENTION WORK FOR PUPILS AT RISK OF EXCLUSION

A more coordinated approach to the commissioning and quality assurance of alternative providers from the private and voluntary sectors on behalf of schools and the Local Authority

5.1 At KS1 and KS2 IAES will continue to offer support to the BSP in expanding and developing its respite/intervention provision across the identified 4 primary schools.

5.2 At KS3 and KS4 the capacity for respite/intervention programmes in-borough is limited. Schools will continue to have access to some provision at Right Track. IAES has done a considerable amount of work over the last year to ensure that schools have information about a wide range of quality assured Alternative Provision and Enrichment Activities. A revised directory will be published in September 2015. Schools pay for this alternative provision separately. We acknowledge that pupils' outcomes are considerably improved if they can remain in mainstream education or where that is not appropriate their transition to alternative provision is planned and agreed by both the pupil and his/her parents.

5.3 IAES is keen to work with Brent secondary schools to explore other ways of providing high quality local alternative provision in order to reduce the number of permanent exclusions. One possible option is the sponsorship by the secondary schools of an Alternative Provision Free School; similar to the Jubilee Academy in Harrow.

CONTACT OFFICERS

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SCHOOLS FORUM
24 June 2015

Report from the Strategic Director of Children &
Young People

For Information & Decision

6: Dedicated Schools Grant – Outturn 2014/15 and Budget 2015/16

1.0 Background

- 1.1 This report sets out the Dedicated Schools Grant (DSG) outturn for 2014/15. An update is included for both the Individual Schools Budget (delegated budgets) and for the central expenditure budgets of the DSG.
- 1.2 An update on the latest provisional DSG settlement for 2015/16 is provided. The final announcement will be made later in the year and will be subject to further change as it does not yet fully account for all academy conversions, funding for disadvantaged two year olds and funding for free entitlement for three and four year olds.
- 1.3 The report also provides an update on new commitments for 2015/16 made in previous Schools Forums.
- 1.4 The report also includes a new request for the DSG to make a contribution to the Schools Finance Team.

2.0 Recommendations

- 2.1 The Schools Forum is requested to:
 - a. Note the outturn for delegated schools revenue balances for 2014/15;
 - b. Note the outturn for central expenditure elements of the DSG for 2014/15;
 - c. Note and agree the provisional DSG budget for 2015/16;
 - d. Note and agree the DSG contribution to the Schools Finance Team.

3.0 Individual Schools Budgets – Outturn 2014/15

3.1 The table below compares schools delegated balances for 2013/14 against 2014/15, by sector. These are the cumulative revenue surpluses and deficits held by each individual school at the end of the financial periods to 31st March of each year.

Note that schools that have converted to academy status prior to 31st March 2015 have been excluded from the cumulative numbers for both years, to allow for a full comparison.

| SECTOR | CLOSING BALANCES | | IN YEAR MOVEMENT |
|--------------|-------------------|-------------------|-----------------------------|
| | 2013-14 | 2014-15 | Surplus +ve/ Deficit -ve |
| NURSERY | 963,109 | 484,008 | (479,102) |
| PRIMARY | 17,061,861 | 16,840,800 | (221,061) |
| SECONDARY | 335,157 | 998,642 | 663,485 |
| SPECIAL | 1,818,956 | 1,937,287 | 118,332 |
| TOTAL | 20,179,083 | 20,260,737 | 81,654 |

3.2 The table shows that these balances have increased by £81,654 between years. This compares to an increase last year of £2.7m from the previous year.

3.3 Further details for individual schools are shown in Appendix A.

3.4 At the end of 2013/14 six schools which are currently maintained were in deficit, totalling £580,498. There has been positive movement again this year with Lyon Park Infant School, Malorees Junior School and Newman Catholic College now in surplus. At the end of 2014/15 three schools reported a deficit, which totalled £340,156. They are Sinai Jewish Primary, Malorees Infants and Salusbury Primary School. Deficit recovery plans are currently being reviewed with these schools by the Schools Finance Team.

4.0 Central Expenditure Budgets – Outturn 2014/15

4.1 The final outturn on the central budgets was an underspend of £349,429. In accordance with the DSG financial regulations, this underspend was placed in a ring fenced earmarked reserve. It is proposed to hold this reserve as a contingency for any in-year pressures on the central budgets.

4.2 As reported to the Schools Forum in February 2014, the accumulated deficit on the DSG (£7.2m in 2011/12) was planned to be repaid by March 2015. The final instalment of £1.1m was fully funded and the deficit has now cleared.

4.3 In order to mitigate against the risk of another deficit, it is proposed to build a contingency within the central budget (inclusive of the underspend from 2014/15) to ensure funding is available to contain any in-year pressures.

5.0 Provisional DSG Settlement and Schools Budget for 2015/16

5.1 In March 2015 the DfE updated the DSG settlement figure for all local authorities. The provisional amount for Brent has been set at **£202.484m** after recoupment of academies and direct funding for High Needs places. This is however subject to change throughout the year as academy conversions materialise during the financial year 2015/16. A breakdown by block is shown below:

| 2015/16 DSG Allocations | £'000 |
|--|----------------|
| Schools Block | 129,765 |
| High Needs Block | 52,432 |
| Early Years Block | 20,238 |
| 2 Year Olds Early Years Funding | 6,762 |
| Funding for Induction for Newly Qualified Teachers | 58 |
| Total DSG Allocation | 202,484 |

5.2 Please note the following technical adjustments, which will change the DSG allocation during the year:

5.2.1 Funding for the three and four year old entitlement to 15 hours free education.

The amount per pupil for the early years free entitlement is the same as for 2014/15. Initially, this has been multiplied by pupil numbers from the January 2014 early years census and school census to produce a provisional allocation. This will be updated in:

- **July 2015** based on January 2015 pupil numbers; and
- July 2016 based on 5/12ths of the January 2015 pupil numbers (to cover the April 2015 to August 2015 period) and 7/12ths of the January 2016 pupil numbers (to cover the September 2015 to March 2016 period).

This means that the final allocation for three and four year olds for 2015 to 2016 will be based on $5/12 \times$ January 2015 pupil numbers plus $7/12 \times$ January 2016 pupil numbers.

5.2.2 Participation funding for disadvantaged two year olds.

The 2015/16 per child hourly rates for disadvantaged two-year-olds were published in October 2014.

Initial allocations for the funding of two year olds will be announced in **June 2015**. The allocations will be based on number of eligible children participating in early education as recorded in the January 2015 early years census and school census.

Finally, the allocations will be updated in June 2016, based on 5/12ths of the January 2015 participation numbers (to cover the April 2015 to August 2015 period) and 7/12ths of the January 2016 participation numbers (to cover the September 2015 to March 2016 period).

This means that the final allocations for the funding for two year olds will be based on $5/12 \times$ January 2015 participation numbers plus $7/12 \times$ January 2016 participation numbers.

5.3 Reconciling the DfE's DSG figures has become increasing difficult over the last few years due to the number of academy conversions and adjustments relating to funding for two, three and four year olds. The increase in adjustments means that the DSG figure is subject to continuous change throughout the year. Officers will continue to reconcile the DSG as required, but it is not anticipated that there will be any further material impact on the DSG for 2015/16.

5.4 Please note the central budgets remain at the same level as 2014/15 apart from the following items agreed at previous Schools Forums:

- Gordon Brown Outdoor Education Centre £10,000
- Schools Causing Concern £74,000
- SEN - Increase in band 6 funding £192,500
- Increase in NEG 3 & 4 rate £503,170
- *Brent Outreach Autism Team*
(Subject to agreement at this meeting) £60,000
- *Contribution to the Schools Finance Team*
(Subject to agreement at this meeting) £285,000
- *Inclusion & Alternative Education*
(Subject to agreement at this meeting) £250,000

- 5.5 In addition, by repaying the deficit on time, the DSG that was previously set aside to make these repayments will be available to spend in 2015/16. The total amount currently available (after allowing for the commitments above) is £502,356.
- 5.6 In this context, the Council requests a contribution from the DSG to fund the financial management services provided by the Council that support the DSG. This includes the Education Business Partner Team, which supports the financial management of the DSG, and the Schools Finance Team, which provides a number of essential services to Brent schools. The amount requested is £285,000. A number of Local Authorities receive a contribution from the DSG to fund key financial services that support the DSG. In Brent, while the DSG has been in deficit (since 2009/10) there has not been the capacity to fund these services through the DSG and the teams have had to be fully funded from the Council's core General Fund budget. Therefore, given the current budget surplus in the DSG forecast for 2015/16, it is the appropriate time to redress this.
- 5.7 Based on the latest DSG settlement figures, Appendix B sets out the overall DSG budget for 2015/16 (after allowing for the commitments above).

Appendices

- A. Schools' Balances 2014/15;
- B. DSG Settlement 2015/16 (as at March 2015);

Contact Officers

Ravinder Jassar
Senior Finance Analyst

Norwena Thomas
Senior Finance Analyst

| SCHOOL | 2013/14 CARRY FORWARD | 2014/15 CARRY FORWARD | 2014/15 CARRY FORWARD |
|---------------------------------|-----------------------------|-----------------------------|-----------------------------|
| | | | AS % OF BUDGET SHARE |
| College Green | 296,193 | 99,073 | 22.0% |
| Curzon Crescent | 214,161 | 148,392 | 24.6% |
| Fawood | 286,749 | 162,117 | 21.0% |
| Granville Plus | 166,008 | 74,426 | 10.5% |
| NURSERY SCHOOLS | 963,109 | 484,008 | 38.0% |
| Anson | 392,990 | 548,233 | 27.8% |
| Barham | 527,691 | 667,119 | 16.8% |
| Braintcroft | 304,014 | 390,386 | 10.4% |
| Brentfield | 611,918 | 419,774 | 13.4% |
| Byron Court | 326,842 | 512,941 | 17.5% |
| Carlton Vale Infants | 158,967 | 176,947 | 15.1% |
| Chalkhill | 916,649 | 984,502 | 38.1% |
| Christchurch | 13,938 | 68,606 | 6.6% |
| Convent of Jesus & Mary Infants | 39,193 | 7,901 | 0.5% |
| Donnington | 182,723 | 139,120 | 11.2% |
| Elsley | 126,765 | 186,546 | 8.6% |
| Fryent | 529,528 | 475,592 | 15.0% |
| Furness | 873,545 | 1,335,667 | 49.4% |
| Harlesden | 155,530 | 163,980 | 10.8% |
| Islamia | 686,093 | 686,482 | 32.6% |
| John Keble | 1,008,165 | 310,499 | 13.9% |
| Kilburn Park | 36,337 | 72,975 | 6.3% |
| Kingsbury Green | 220,295 | 261,824 | 7.5% |
| Leopold | 133,142 | 132,192 | 4.0% |
| Lyon Park Infants | -49,404 | 15,643 | 0.7% |
| Lyon Park Juniors | 9,533 | 91,558 | 4.0% |
| Malorees Infants | -47,413 | -52,386 | -4.4% |
| Malorees Juniors | -4,015 | 81,197 | 6.7% |
| Michael Sobell Sinai | -162,248 | -285,043 | -11.2% |
| Mitchell Brook | 496,628 | 416,844 | 14.7% |
| Mora | 358,608 | 275,907 | 12.1% |
| Mount Stewart Infants | 71,748 | 111,298 | 7.2% |
| Mount Stewart Juniors | 98,126 | 116,394 | 7.6% |
| Newfield | 427,874 | 304,516 | 13.0% |
| Northview | 196,076 | 157,976 | 12.3% |
| Oakington Manor | 1,655,372 | 1,517,352 | 39.2% |
| Oliver Goldsmith | 217,575 | 261,106 | 12.2% |
| Our Lady of Grace Infants | 129,521 | 51,482 | 4.4% |
| Our Lady of Grace Juniors | 163,567 | 63,467 | 5.1% |
| Our Lady of Lourdes | 77,592 | 107,922 | 8.9% |
| Park Lane | 491,749 | 459,326 | 20.9% |
| Preston Park | 252,763 | 293,103 | 7.8% |
| Princess Frederica | 178,475 | 39,048 | 2.0% |
| Roe Green Infants | 275,726 | 330,191 | 11.4% |
| Roe Green Juniors | 829,487 | 485,175 | 23.0% |
| Salisbury | -69,220 | -2,728 | -0.1% |
| St Margaret Clitherow | 129,081 | 105,508 | 8.4% |
| St Andrew and St Francis | 219,731 | 175,009 | 7.9% |
| St Joseph's | 180,057 | 180,751 | 7.1% |
| St Joseph's Infants | 487,328 | 510,606 | 39.2% |
| St Joseph's Juniors | 461,519 | 650,771 | 48.2% |
| St Mary Magdalen's | 77,444 | 112,606 | 6.6% |
| St Mary's (CE) | 178,680 | 174,516 | 10.6% |
| St Mary's (RC) | 109,134 | 52,380 | 2.6% |
| St Robert Southwell | 85,627 | 6,385 | 0.3% |
| Stonebridge | 523,858 | 711,459 | 23.0% |

| SCHOOL | 2013/14 CARRY FORWARD | 2014/15 CARRY FORWARD | 2014/15 CARRY FORWARD | AS % OF BUDGET SHARE |
|--------------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------|
| Torah Temimah | 50,016 | 20,810 | | 2.3% |
| Uxendon Manor | 258,710 | 137,589 | | 6.2% |
| Wembley | 853,786 | 962,184 | | 23.6% |
| Wykeham | 604,448 | 659,590 | | 24.2% |
| TOTAL PRIMARY SCHOOLS | 17,061,861 | 16,840,800 | | 14.1% |
| Jewish Free School | 237,473 | 23,494 | | 0.2% |
| Newman Catholic College | -248,198 | 407,512 | | 7.8% |
| St Gregory's | 345,883 | 567,636 | | 8.6% |
| TOTAL SECONDARY SCHOOLS | 335,157 | 998,642 | | 1.5% |
| Manor | 374,957 | 416,844 | | 11.8% |
| Phoenix Arch | 707,701 | 254,870 | | 27.4% |
| The Village | 736,298 | 1,265,573 | | 17.0% |
| TOTAL SPECIAL SCHOOLS | 1,818,956 | 1,937,287 | | 15.3% |
| TOTAL ALL SCHOOLS | 20,179,083 | 20,260,737 | | 12.8% |

| DEDICATED SCHOOLS BUDGET 2015-16 | |
|---|---------------------------------|
| BUDGET DESCRIPTION | 2015-16 BUDGET £ |
| GRANTS | |
| Dedicated Schools Grant | (202,484,000) |
| Sixth Form Funding | (4,724,169) |
| TOTAL INCOME | (207,208,169) |
| DEVOLVED RESOURCES | |
| Schools ISB (Including 6th Form) | 158,087,691 |
| TOTAL DEVOLVED RESOURCES | 158,087,691 |
| CENTRAL EXPENDITURE | |
| Educational Psychology | 252,850 |
| SEN Assessment Service | 199,130 |
| SEN Placements | 11,202,500 |
| Statemented Pupils in IB Mainstream | 2,202,752 |
| Medical Needs | 177,512 |
| Early Years - Inclusion Support Team | 167,444 |
| SEN Transport | 936,597 |
| Academies Statementing Support | 5,154,131 |
| Post 16 High Needs Service - NMSS (Non Maintained Special Schools) | 1,800,266 |
| Schools Causing Concern | 250,000 |
| BDHIS Brent Deaf and Hearing Impaired Service | 314,404 |
| BEDOS Brent Education Disabilities of Sight | 340,606 |
| <i>BOAT Brent Outreach Autism Team (Proposed)</i> | <i>287,173</i> |
| School Improvement - Core | 635,107 |
| Approved Body for NQTs | 57,000 |
| Wembley Learning Zone | 81,000 |
| SEN Advisory | 162,959 |
| Education Welfare Service | 51,348 |
| <i>Inclusion and Alternative Education Services</i> | <i>4,958,099</i> |
| Gordon Brown Outdoor Education Centre | 60,000 |
| SEN Commissioning | 93,564 |
| The Virtual School (Looked After Children Education Team) | 419,800 |
| Residential School Placements | 698,610 |
| Youth Offending Team | 114,000 |
| Speech & Language Therapy | 346,116 |
| Early Years Payments - NEG 2, 3 &4 | 7,239,569 |
| Early Years Service - Children In Need & Children with Disabilities | 1,758,085 |
| Premature Retirement Costs | 603,580 |
| Maternity & Jury Service | 348,107 |
| Schools Forum | 33,696 |
| Subscriptions | 160,966 |
| Rising Rolls Contingency | 1,129,952 |
| CERA (Capital Expenditure from Revenue) | 1,240,000 |
| SEN Communication & Support Services | 447,381 |
| Targeted School Meals | 28,384 |
| Out of School - Pupils Without a Place | 3,757,512 |
| School Admissions Team | 439,988 |

| DEDICATED SCHOOLS BUDGET 2015-16 | |
|---|---------------------------------|
| BUDGET DESCRIPTION | 2015-16 BUDGET £ |
| Home to School Travel | 10,699 |
| Other Sixth Form Expenditure (Bursaries) | 42,569 |
| Children & Young People management | 129,666 |
| <i>Schools Finance Team (Proposed)</i> | <i>285,000</i> |
| <i>Dedicated Schools Grant (Central Expenditure Budget holding)</i> | <i>502,356</i> |
| | |
| TOTAL CENTRAL EXPENDITURE | 49,120,478 |
| | |
| TOTAL EXPENDITURE | 207,208,169 |
| | |
| BALANCE | 0 |



SCHOOLS FORUM

24th June 2015

Report from the Strategic Director of Children
and Young People

For Consultation

7: SCHOOLS FORUM REVISED TERMS OF REFERENCE & CONSTITUTION

1.0 SUMMARY

1.1 This report proposes changes to the Schools Forum Terms of Reference and Constitution, which includes improvements to the current Schools Forum arrangements.

2.0 RECOMMENDATIONS

2.1 The Schools Forum is being formally consulted on the following:

- a. the revised Terms of Reference of the Schools Forum;
- b. the revised Constitution of the Schools Forum.

3.0 DETAIL

3.1 The current Schools Forum Rules and Procedures are attached as Background Paper 1. It is proposed to replace this with a Terms of Reference and Constitution which sets out clearly the responsibilities of the Schools Forum, its make up and how its activities should be run. Some elements of both documents are already known but have not been formally written.

3.2 The proposed changes are:

Membership

3.2.1 There are no changes here, except to set out clearly the membership composition and who can represent as an elected member of the Schools Forum. The membership composition and names of members will be published on the Schools Forum section of the public website in future, as per recommended practice.

Appointment

- 3.2.2 A clear process for election of representatives is set out here, in order to improve the current process.
- 3.2.3 Where vacancies remain open for more than three months, Brent shall have the right to appoint a candidate.
- 3.3 Each new member of the Schools Forum shall complete a Declaration of Interest Form, and this will also be included as a standing item at the beginning of every meeting, to allow members the opportunity to declare any pecuniary interests.
- 3.4 All new members of the Schools Forum shall receive an induction pack which includes sufficient material to enable their understanding of the new role, how the Schools Forum is run in Brent, and the context of funding within Brent.

Tenure

- 3.4.1 There are no changes to this, except to refine the procedures.
- 3.4.2 All members of the Schools Forum are appointed for a period of three years. Membership lists have been updated to clearly show when a member's tenure ends, and to ensure that elections are executed in a timely manner. There continues to be no limit on how many consecutive terms of office a member can represent, provided elections take place. There are a number of members whose tenure is now coming to an end and an election will need to take place to re-elect or replace these members.
- 3.4.3 Where a member does not attend for two consecutive meetings, a letter will be sent to the member to remind them of the rule in 2.3.5. At the third consecutive meeting the Schools Forum will be asked to vote on whether this member should be removed and thus an election instigated to find a replacement.

Substitutes

- 3.4.4 A Schools Forum member, who is unable to attend a meeting, may send a substitute in place, provided that the substitute holds a similar position in the same sector. e.g. only a primary head teacher can substitute for a primary head teacher that is a representative on the Schools Forum.

Meetings

- 3.4.5 **Administration:** As stated above, a standing item shall be included at the start of each meeting to give the opportunity for declarations of conflicts of interest.
- 3.4.6 **Administration:** In addition, the format of Schools Forum papers will be standardised to the format of this report. This will include recommendations/requests at the start of the paper, financial, legal, diversity and staffing implications, where appropriate. Under each recommendation that requires an approval, the voting requirements will be clearly stated to ensure that the decision is correctly taken.
- 3.4.7 **Minutes:** Draft minutes will be published on the Schools Forum section of the website, within three weeks of the meeting being held. This will then be updated with the final minutes after ratification at the next meeting.

3.4.8 **Chair and Vice Chair:** The Operational and Good Practice Guide suggests that Chairs and Vice Chairs should not be elected for a period of more than two years. The proposal is therefore to change the length of tenure for the Chair and Vice Chair, to two years, but that this will not exceed the length of time remaining as a member of the Schools Forum.

3.4.9 **Quorum:** This clarifies the position on quorum, and states that an inquorate meeting can go ahead if the attending members wish, but no decisions can be legally taken.

4.0 LEGAL IMPLICATIONS

4.1 Schools Forums are established under s47A of the School Standards and Framework Act 1998 (as amended) and the Schools Forums (England) Regulations 2012 states that every authority must ensure that the schools forum for their area is constituted in accordance with the regulations set out there in.

4.2 The proposed changes to the Terms of Reference and the Constitution are in accordance with the statutory framework, the *Schools Forums (England) Regulations 2012* and the *Schools Forum: Operational and Good Practice Guide* issued in March 2015 by the Education Funding Agency.

5.0 BACKGROUND PAPERS

1. *EFA Schools Forum: Operational and Good Practice Guide* (March 2015);
2. The Schools Forums (England) Regulations 2012;
3. *Brent Schools Forum Rules and Procedures*.

6.0 APPENDICES

- A. *Brent Schools Forum Terms of Reference and Constitution* (June 2015);
- B. *Brent Schools Forum Membership List with Tenure details*;

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Education
Funding
Agency

Schools forum

Operational and good practice guide

March 2015

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Introduction

1. This guide is designed to provide local authority officers and school forum elected members with advice and information on good practice in relation to the operation of schools forums.
2. It is organised in two sections:
 - Section 1 provides information on the constitutional and organisational requirements for schools forums; and
 - Section 2 covers a number of key aspects of the operation of schools forums at local level, drawing on good practice from a number of schools forums.
3. The guide draws on the experience and knowledge of schools forum members, local authority members and officers and the Department and its partners. Other than where it is describing requirements set out in the Schools Forum Regulations 2012 it is not designed to be prescriptive – what is good practice in one schools forum may not be appropriate in another, given the diverse circumstances of local areas. However, it is hoped the guide will stimulate some debate within schools forums and contribute to their ongoing development.
4. The Department hopes that schools forums and local authorities find this guide useful. It has been the subject of consultation with a wide variety of external partners. In particular, members of the Department’s Schools and Academies Funding Group, made up of representatives from central and local government, teaching associations, unions representing support staff as well as organisations representing academies and governors, have provided valuable input and advice on the content of the guide. The Department is grateful for their assistance.
5. The Department’s website contains details of all the announcements, documents and other information relating to school funding and schools forums. This website also has a range of useful links to other sites that may be of relevance to schools forum members.
6. A short [guide to the schools forum for schools and academies](#), which may be helpful to stakeholders and the wider school family, is available on GOV.UK.
7. If you have any queries about the operation of schools forums please contact [schools forum team](#) at the Education Funding Agency

The postal address is:

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Section 1 – schools forum regulations: constitution and procedural issues

Regulations

8. [National regulations](#)¹ govern the composition, constitution and procedures of schools forums. Local authorities can provide schools forum members with a copy of these regulations or alternatively they can be accessed at:
9. A short [guide to the schools forum for schools and academies](#) is also available to provide a wider understanding of the work of schools forums.

Schools forum powers

10. Schools forums generally have a consultative role. However, there are situations in which they have decision-making powers. The respective roles of schools forums, local authorities and the DfE are summarised in [schools forum powers and responsibilities](#). The overarching areas on which schools forums make decisions on local authority proposals are:

- De-delegation from mainstream schools budgets (separate approval will be required by the primary and secondary phase members of schools forum), for prescribed services to be provided centrally.
- To create a fund for significant pupil growth in order to support the local authority's duty for place planning (basic need), including pre-opening and diseconomy of scale costs, and agree the criteria for maintained schools and academies to access this fund.
- To create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for maintained schools and academies to access this fund.
- Continued funding at existing levels for prescribed historic commitments where the effect of delegating this funding would be destabilising.
- Funding for the local authority in order to meet prescribed statutory duties placed upon it. Approval is required to confirm the amounts for each duty and no new commitments or increases in expenditure from 2013/14 are permitted unless agreed by the Secretary of State.
- Funding for central early years expenditure, which may include funding for checking eligibility of pupils for an early years place, the early years pupil premium and/or free school meals.

¹ Schools Forums (England) Regulations 2012 (S.I. 2012/2261) (as amended)

- Authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure that is to be carried forward from a previous funding period.
- In each of these cases, the local authority can appeal to the Secretary of State if the schools forum rejects its proposal.

11. Local Authorities should be aware that the provisions of the [Local Government Act 2000](#) restrict the delegation of local authority decisions to Cabinet, a member of Cabinet, a Committee of Cabinet or an officer of the Council, which would not include schools forums. As a result the local authority cannot delegate its decision making powers to schools forum, e.g. decisions on the funding formula.

12. Regulations state that the local authority must consult the schools forum annually in connection with various schools budget functions, namely:

- amendments to the school funding formula, for which the voting is restricted by the exclusion of non-schools members except for PVI representatives
- arrangements for the education of pupils with special educational needs in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding
- arrangements for the use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding
- arrangements for early years provision
- administrative arrangements for the allocation of central government grants paid to schools via the local authority

There is no specific definition of these consultation requirements over and above the wording in the regulations. It is a matter for the local authority to decide on the appropriate level of detail it needs to generate a sufficiently informed response from schools forum.

13. Consultation must also take place when a local authority is proposing a contract for supplies and services which is to be funded from the Schools Budget and is in excess of the EU procurement thresholds. The consultation must cover the terms of the contract at least one month prior to the issue of invitations to tender.

14. The schools forum has the responsibility of informing the governing bodies of all schools maintained by the local authority of the results of any consultations carried out by the local authority relating to the issues in paragraphs 12 and 13 above.

15. Local authorities will need to discuss with the schools forum any proposals that they intend to put to the Secretary of State to:

- vary the MFG,
- use exceptional factors
- vary pupil numbers
- allow additional categories of, or spending on, central budgets

- amend the sparsity factor
- vary the lump sum for amalgamating schools
- vary the protection for special schools and special academies

Proposals will then need to be approved by the Secretary of State.

Membership

16. The Schools Forums Regulations provide a framework for the appointment of members, but allow a considerable degree of discretion in order to accommodate local priorities and practice. A quick guide to the [structure of the schools forums](#) is available.

17. There is no maximum or minimum size of a schools forum. Authorities will wish to take various issues into account in deciding the actual size, including the need to have full representation for various types of school, and the local authority's policy on representation of non-schools members. However, care should be taken to keep the schools forum to a reasonable size to ensure that it does not become too unwieldy.

18. Types of member: schools forums must have 'schools members', 'academies member(s)' if there is at least one academy in the local authority's area and 'non-schools members'. Schools and academies members together must number at least two-thirds of the total membership of the schools forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category, so the structure of Forum should be regularly reviewed, e.g. annually. Academies members must represent mainstream academies and, if there are any in the LA area, special academies and alternative provision academies. There is no requirement for academies members to represent specific primary and secondary phases, but it may be encouraged to ensure representation remains broadly proportionate to pupil numbers. Academy members must be separately elected and designated from maintained school representatives.

19. Schools forum members will need the skills and competencies to manage Forum business (as detailed in [school forum powers and responsibilities](#)) and to take a strategic view across the whole education estate whilst acting as representative of the group that has elected them. Furthermore, they should be easily contactable and pro-active in raising the profile of issues and communicate decisions, and the reasons behind them, effectively.

Term of office

20. The term of office for each schools member and academies member should be stipulated by the local authority at the time of appointment. Such stipulation should follow published rules and be applied in a consistent manner between members. They need not have identical terms – there may be a case for varied terms so that there is continuity of experience rather than there being a complete change in the membership at a single

point. The term of office should not be of a length that would hinder the requirement for the structure of the schools forum to mirror the type of provision in light of the pace of academy conversions. Examples of how this may work include:

- Holding vacancies until the schools forum structure is reviewed providing that this does not mean holding vacancies for an unreasonable length of time
- Increasing the size of the schools forum temporarily to appoint additional academy members, then delete schools member posts at the end of a term of office or when a vacancy arises
- Consider continuity of service – where an academy conversion affects the school of a current schools member, would academies consider appointing that person as an academies member?

21. The length of term of office for non-schools members is at the discretion of the local authority. Schools and academies must be informed, within a month of the appointment of any non-schools member, of the name of the member and the name of the body that that member represents.

22. As well as the term of office coming to an end, a member ceases to be a member of the Schools Forum if he or she resigns from the schools forum or no longer occupies the office by which he or she became eligible for election, selection or appointment to the schools forum. For example, a secondary schools member must stand down if their school converts to an academy. A schools member representing community primary school governors who is no longer a governor of a community primary school in the relevant local authority must cease to hold office on the schools forum even if they remain a governor of a school represented by another group or sub-group. Other situations in which membership of the schools forum ends are if a member gives notice in writing to the local authority and, in the case of a non-schools member, the member is replaced by the local authority, for example at the request of the body which the member represents.

Schools members

23. Schools members represent specified phases or types of maintained schools within the local authority. As a minimum, schools forums must contain representatives of two groups of schools: primary and secondary schools, unless there are no primary or secondary schools maintained by the LA. Middle schools and all through schools are treated according to their deemed status.

24. Where a local authority maintains one or more special schools the schools forum must have at least one schools member from that sector. The same applies to nursery schools and pupil referral units (PRUs).

25. The local authority then has discretion to divide the groups referred to in paragraph 16 and 17 into one or more of the following sub-groups:

- headteachers or headteachers' representatives in each group;
- governors in each group;
- headteachers or headteachers representatives and governors in each group;
- representatives of a particular school category, e.g. voluntary aided.

26. Headteachers can be represented by other senior members of staff within their school. Governors can include interim executive members of an interim executive board. The sub-groups do not have to be of equal size – for example, there may be more representatives of headteachers of primary schools than governors of such schools, or vice versa. The membership structure of the schools forum should ensure there is sufficient representation of each type of schools member in each group to ensure that debate within the schools forum is balanced and representative. As a minimum, there must be at least one representative of headteachers and one representative of governors among the schools members.

27. Whatever the membership structure of schools members on a schools forum, the important issue is that it should reflect most effectively the profile of education provision across the local authority to ensure that there is not an in-built bias towards any one phase or group.

Election and nomination of schools members

28. The relevant group or sub-group is probably best placed to determine how their schools members should be elected.

29. It is good practice for those who draw up the scheme to ensure that a vacancy amongst a represented group would be filled by a nominee elected according to a process that has been determined by all those represented in that group, e.g. community primary school headteachers, or secondary school governors, ensuring that everyone represented has had the opportunity to stand for election and/or vote in such an election. The process must be restricted to the group in question – a headteachers phase group could only vote as a whole for headteacher members if the voting excluded academies, as academies members form a separate group.

30. It is not appropriate for a single person to be elected to represent more than one group or sub-group concurrently, i.e. if they were a governor at a primary and secondary school. They can stand for election from either group but can be appointed to represent only one of those groups.

31. The purpose of ensuring that each group or sub-group is responsible for their election process is to guarantee that there is a transparent and representative process by which members of schools forums are nominated to represent their constituents.

32. Appropriate support to each group or sub-group to manage their election processes should be offered by the clerk of a schools forum, or the committee/democratic services of a local authority. This may just include the provision of

advice but may also consist of providing administrative support in actually running the elections themselves.

33. As a minimum, we would recommend that the clerk of a schools forum make a record of the process by which the relevant schools within each group and sub-group elect their nominees to the schools forum and be able to advise the Chair of the schools forum and local authority on action that needs to be taken, where necessary, to seek new nominees.

34. In determining the process by which elections should be operated it is perfectly legitimate for a local authority to devise, in consultation with their schools forum, a model scheme for the relevant schools within a group or sub-group to consider and be invited to adopt. However, such a model scheme cannot be imposed on that body of schools: adaptations and/or alternative schemes may be adopted. A single scheme need not be adopted universally.

35. Care should be taken to ensure that every eligible member of a group or sub-group has an opportunity to be involved in the determination of their group's election process, is given the opportunity to stand for election if they choose to do so, and is involved in the election of their representative(s).

36. It would not be compliant with the regulations for the steering committee or Chair of a 'parent' group simply to make a nomination to represent their group or sub-group on a schools forum. Schools members must be elected, subject to paragraph 39 below.

37. The local authority may set a date by which the election should take place and must appoint the schools member if the election has not taken place by that date. The person appointed should be a member of the relevant group.

38. We would recommend that any scheme takes into account a number of factors:

- the process for collecting names of those wishing to stand for election;
- the timescale for notifying all constituents of the election and those standing;
- the arrangements for dispatching and receiving ballots;
- the arrangements for counting and publicising the results;
- any arrangements for unusual circumstances such as only one candidate standing in an election; and
- whether existing members can stand for re-election.

39. In the event of a tie between two or more candidates, then the local authority must appoint the schools member instead. The local authority may decide to appoint someone else rather than one of the candidates and might wish to take into account the experience or expertise of the individuals, and the balance between the different types of school represented on the schools forum.

Election and nomination of academies members

40. Academies members must be elected by the proprietor bodies of the academies in the local authority's area, and they are probably best placed to determine the process. Academies members are there to represent the proprietor bodies of academies and are, therefore, not necessarily restricted to principals, senior staff or governors. The same factors should be taken into account as for the election of schools members, set out in paragraphs 28 to 39. For the avoidance of doubt, Free Schools, University Technical Colleges and Studio Schools are classed as academies for this purpose. There is no distinction between sponsored, non-recoupment and converter academies.

41. There are three sub-groups for academy members: mainstream academies, special academies and alternative provision academies and it is for the proprietors of academies within each of these sub-groups to elect their representatives. It is not appropriate, therefore, for headteacher phase groups to determine representation unless the academy proprietors have agreed and even then the voting would need to exclude maintained school representatives. There is no requirement for academies members to be split into primary and secondary sub-groups. However, local authorities may wish to encourage academies to consider the pupil proportions across all academies when electing their representatives.

42. Where there is only one academy in a sub-group in the local authority's area, then their proprietor body must select the person who will represent them.

43. It is possible that a single person be appointed as an academies member to more than one schools forum, for example if an academy chain is located across multiple local authorities, providing they are elected on each occasion in accordance with the agreed election process for each separate schools forum.

44. As with schools members, the local authority may set a date by which the election should take place and must appoint an academies member if the election does not take place by that date, or if an election results in a tie between two or more candidates.

Non-schools members

45. Non-schools members may number no more than a third of a schools forum's total membership (excluding observers – see paragraph 58). A representative of providers of 16-19 education must be elected from those providers. This includes those in the FE sector (FE and sixth form colleges) and other post-school institutions that specialise in special education needs (SPNs), where 20% or more of their students reside in the local authority's area. As with academies the providers are probably best placed to determine the election process.

46. The local authority must appoint at least one person to represent early years providers from the private, voluntary and independent (PVI) sector. Early years PVI settings need to be represented because funding for the free entitlement for three and

four year olds and eligible two year olds comes from the Dedicated Schools Grant, and all settings are funded through the Early Years Single Funding Formula (EYSFF).

47. Before appointing additional non-schools members to the schools forum, the local authority must consider whether the Church of England and Roman Catholic dioceses situated in the local authority's area; and, where there are schools or academies in the area with a different religious character, the appropriate faith group, should be represented on the schools forum. If diocesan authorities nominate members for appointment as non-schools members they may wish to consider what type of representative would be most appropriate – schools-based such as a headteacher or governor, or someone linked more generally with the diocese, e.g. a member of the education board.

48. It is also good practice for local authorities to ensure that the needs and interests of all the pupils in the local authority are adequately represented by the members of a schools forum. The interests of pupils in maintained schools can be represented by schools members. Some pupils in a local authority, however, are not in maintained schools but instead are educated in hospitals, independent special schools and non-maintained special schools. Certain types of non-schools members can play an important role in representing the interests of these groups of pupils. They can also play a role in representing the interests and views of the services that support those groups of vulnerable and at-risk pupils who nevertheless are on the roll of maintained schools, such as looked after children and children with special educational needs.

49. The purpose of non-schools members is also to bring greater breadth of discussion to schools forum meetings and ensure that stakeholders and partners other than schools are represented. Organisations which typically provide non-schools members are trades unions, professional associations and representatives of youth groups. Parent groups could also be considered. However, as there are clearly limited numbers of non-schools members able to be on a schools forum, care should be taken to ensure that an appropriate representation from wider stakeholders is achieved.

Other membership issues

50. There are three restrictions placed on who can be a non-schools member of a schools forum. The local authority cannot appoint:

- an elected member of the local authority who is appointed to the executive of that local authority (a lead member/portfolio holder) 'executive members',
- the Director of Children's Services or any officer employed or engaged to work under the management of the Director of Children's Services, and who does not directly provide education to children (or manage those who do) ('relevant officer' (a) and (b)),
- other officers with a specific role in management of and/or who advise on funding for schools ('relevant officer' part (c)).

51. Schools forums have the power to approve a limited range of proposals from their local authority: the restrictions ensure that there is no conflict of interest between the proposing body (the local authority) and the approving body (the schools forum).

52. However, non-executive elected members and those officers who are employed in their capacity as headteachers or teachers and those who directly manage a service which provides education to individual children and/or advice to schools on, for example, learning and behavioural matters are eligible to be members of schools forums.

53. In the case of non-executive elected members, they may be a schools member (by virtue of them being a school governor), an academies member or a non-schools member. As a non-schools member they may be well placed to fulfil the broader overview and scrutiny role they have within the local authority in general.

54. However, the inclusion of non-executive elected members and certain officers is not a requirement. Many schools forums do not have such members on them and it is for each local authority and schools forum to consider how best to ensure the right balance of school and non-school representation on the schools forum, taking into account their local circumstances and preferences.

The role of executive elected members

55. A schools forum needs to ensure that there are systems in place for executive members of the Council to be aware of its views on specific issues and, in particular, any decisions it takes in relation to the Schools Budget and individual budget shares.

56. Executive members with responsibility for education/children's services or resources of the local authority are able to participate in schools forum meetings. By doing so such elected members are able to contribute to the discussion and receive first-hand the views of the schools forum: it is clearly good practice for this to be the case and the regulations provide the right for executive members to attend and speak at schools forum meetings. However, there is no requirement for this to happen so at the very least there should be clear channels of communication between the schools forum and executive members. Communication may also be assisted if schools forum members attended relevant Cabinet meetings as members of the public, e.g. when the funding formula is decided.

Recording the composition of schools forums

57. Each local authority must make a written record of the composition of its schools forum detailing the numbers of schools members and by which group or sub-group they were elected, the number of academies members and the number of non-schools members, their terms of office, how they were chosen and whom they represent. This record should also indicate the term of office for schools and academies members. It

would be helpful if this were published on the schools forum website so schools and wider stakeholders can easily find who their representatives are.

Observers

58. The Regulations provide that the Secretary of State can appoint an observer to attend and speak at schools forum meetings, e.g. a representative from the Education Funding Agency (EFA). This allows a conduit for national policy to be discussed at a local level and provide access for schools forum to an additional support mechanism, e.g. where there are highly complex issues to resolve.

Participation of local authority officers at meetings

59. Only specific officers can speak at meetings of the schools forum. These officers are:

- Director of Children's Services or their representative
- Chief Financial Officer or their representative
- Any person invited by the schools forum to provide financial or technical advice
- Any person presenting a paper to the schools forum but their ability to speak is limited to the paper that they are presenting.

60. In the majority of cases schools forums are supported by a specific officer. In the course of their work, however, schools forums will be required to consider a whole range of issues and they may consider it appropriate that other officers attend for specific items of business. Where this is the case, the local authority should meet the schools forum's requests as far as possible.

Procedures

61. Many procedural matters are not prescribed in the regulations and are at the discretion either of the local authority or the schools forum itself. However, there are requirements in the regulations relating to:

- **Quorum:** A meeting is only quorate if 40% of the total membership is present (this excludes any observers, and it is 40% of the current membership excluding vacancies). If a meeting is inquorate it can proceed but it cannot legally take decisions (e.g. election of a Chair, or a decision relating to funding conferred by the funding regulations). An inquorate meeting can respond to local authority consultation, and give views to the local authority. It would normally be good practice for the local authority to take account of such 'unofficial' views, but it is not legally obliged to do so. In practice, the arrangements for meetings should be made to reduce the chance of a problem with the quorum. The quorum stipulation is in the regulations to help ensure the legitimacy of decisions;

- **Election of a Chair:** Under the Regulations, if the position of Chair falls vacant the schools forum must decide how long the term of office of the next Chair will be. This can be for any period, but the schools forum should consider carefully whether a period exceeding two years is sensible. A long period will also cause problems if the member elected as Chair has a term of office as a member which comes to an end before their term of office as Chair ends. The schools forum must elect a Chair from amongst its own members, so it is not possible to elect an independent Chair. In addition any elected member of the local authority or officer of the local authority who is a member of a schools forum may not hold the office of Chair. Schools forums can also appoint to a position of vice Chair to provide cover if the Chair is absent or the post vacant;
- **Voting procedures:** The Regulations provide that a schools forum may determine its own voting procedures save that voting on:
 - the funding formula is limited to schools members, academies members and PVI representatives
 - de-delegation will be limited to the specific primary and secondary phase of maintained schools members.
- **The powers which schools forums** have to take decisions on a range of funding matters increase the importance of clear procedures, e.g. decisions are made on a simple majority or the threshold to be met if higher. These procedures should take account of any use of working groups by the schools forum – for example a decision might be taken by voting to accept and adopt a report by a working group (see paragraph 65). As part of any voting procedure there should be clarity in the procedures for recording the outcome of a vote, and any resolutions a schools forum makes in relation to any vote taken;
- **Substitutes:** The local authority must make arrangements to enable substitutes to attend and vote (where appropriate) at schools forum meetings. This applies to schools members, academies members and non-schools members. The arrangements must be decided in consultation with schools forum members.
- **Defects and vacancies:** The Regulations provide that proceedings of the schools forum are not invalidated by defects in the election or appointment of any member, or the appointment of the Chair. Nor does the existence of any vacancy on the schools forum invalidate proceedings (see paragraph 61 on quorum).
- **Timing:** schools forums must meet at least four times a year

62. Where the regulations make no provision on a procedural matter, local discretion should be exercised. It is for the local authority to decide how far it wishes to establish rules for the schools forum to follow, in the form of standing orders. While it is entitled to do so, it is of course good practice to allow the schools forum to set its own rules so far as possible.

Public access

63. Schools forums are more than just consultative bodies. They also have an important role to play in approving certain proposals from their local authority and are therefore involved in the decision making process surrounding the use of public money at local level. As a result schools forums are required to be open to the public. Furthermore papers, agendas and minutes must be publicly available well in advance of each meeting. It is good practice that notification that the schools forum is a public meeting is included on the website and papers are published at least a week in advance. Local authorities should ensure that the websites are accessible and easy to find.

64. Some schools forums already operate very much along the lines of a local authority committee. This is perfectly legitimate and will provide a consistent framework for the running of meetings that are open to the public, and the publishing of papers and agendas well in advance of the meeting and minutes published promptly as required under Regulation 8(13) of the Schools Forum Regulations 2012.

Working groups

65. It is open to a schools forum to set up working groups of members to discuss specific issues, and to produce draft advice and decisions for the schools forum itself to consider. The groups can also include wider representation - for example, an early years reference group can represent all the different types of provider to consider the detail of the early years single funding formula. The reference group would then be able to give its considered view on the local authority's proposals to the schools forum. The schools forum should not delegate actual decisions or the finalisation of advice to a working group, as this may have the effect of excluding legitimate points of view.

Urgent business

66. It is good practice for the local authority to agree with its schools forum an urgency procedure to be followed when there is a genuine business need for a decision or formal view to be expressed by the schools forum, before the next scheduled meeting. The local authority may of course call an unscheduled meeting; but it may also wish to put in place alternative arrangements such as clearance by email correspondence or some other means. Such instances should be avoided so far as possible but are legitimate provided all members of the schools forum have an opportunity to participate, the logistics provide a reasonable opportunity for consideration and the local authority policy on data security is not compromised.

67. It is not legal for the Chair to take a decision on behalf of the schools forum, no matter how urgent the matter in question; but a schools forum may wish to put in place a procedure for the Chair to give the local authority a view on an urgent issue.

Resources of the schools forum

68. The costs of a schools forum fall in the centrally retained budget portion of the Schools Block of local authorities.

69. It is legitimate to charge the running costs of schools forums to this budget including any agreed and reasonable expenses for members attending meetings, the costs of producing and distributing papers and costs room hire and refreshments and for clerking of meetings. Beyond these costs some schools forums have a budget of their own to use for activities such as commissioning research or other reports. The [2014 School and Early Years Finance Regulations](#) provide that the level of resource devoted to running schools forums in 2015-16 is limited to 2014-15 levels unless the Secretary of State agrees an increase.

Section 2 – effective schools forums

Introduction

70. As the previous section outlined, local authorities have responsibility for establishing schools forums. They also have an ongoing responsibility to provide them with appropriate support, information and guidance in carrying out their functions and responsibilities.

71. The following outlines some aspects of what local authorities and schools forums should consider in ensuring that their schools forums are as effective as possible. The pace of academy conversions in particular means that this significant sector must be properly represented and feel that it is able to play a meaningful part in the discussions of the schools forum.

72. Central to the effectiveness or otherwise of a schools forum will be the relationship between it and its local authority. The local authority will have a significant influence on this: the support it provides; the resources it devotes and the weight it gives to the views of schools forums all contribute to the nature of the relationship. There are therefore a number of characteristics of this relationship that are particularly important:

- Partnership: Having a shared understanding of the priorities, issues and concerns of schools, academies and the local authority.
- Effective Support: The business of the schools forum is supported by the local authority in an efficient and professional manner.
- Openness: It is important that a schools forum feels it is receiving open, honest and objective advice from its local authority.
- Responsiveness: Local authorities should as far as possible be responsive to requests from their schools forums and their members. Schools forums themselves should also be aware of the resource implications of their requests.
- Strategic view: Members of schools forum should consider the needs of the whole of the educational community, rather than using their position on a schools forum to advance their own sectional or specific interests.
- Challenge and Scrutiny: schools forums may be asked to agree to proposals from their local authority that will have an effect on all schools and academies in the local area. The extent to which schools forums can scrutinise and challenge such proposals is an important aspect of their effectiveness.

73. The characteristics identified above are just some of the aspects that will contribute to an effective schools forum. The following provides more detail on some of the specific issues that local authorities and schools forums may wish to consider in thinking about their own arrangements.

Induction of new members

74. When new members join the schools forum appropriate induction materials should be provided. These might include material relating to the operation of the schools forum together with background information about the local and national school funding arrangements. Typically they might comprise:

- the constitution of the schools forum
- a list of members including contact details and their terms of office
- any locally agreed terms of reference explaining the relationship between the schools forum and the local authority
- copies of minutes of previous meetings
- the programme of schools forum meetings for the year
- the local schools forum web address

75. This Operational and Good Practice Guide, suitably supplemented by local material, should also be provided to new members on their appointment.

76. Where there is sufficient turnover of schools forum members in any particular year the local authority may wish to organise a one-off induction event to brief new members. Such an event would usefully include an outline of the role of the schools forum and the national funding arrangements for schools and local authorities. It might also include an explanation of the local funding formula and any proposals for review. The opportunity could also be taken to explain the main reporting requirements for school and local authority expenditure.

Training

77. Ideally schools forum members should be able to use some of the budget set aside for schools forum running costs for accessing relevant training activities. Some training will be provided by officers of the local authority but members may wish to attend national or regional events, the costs of which, where necessary, can be supported from the schools forum budget. Local and national bodies have a key role to play in developing the competencies of forum members.

78. Training will need to be provided in response to any changes in the role of the schools forum and national developments in respect of school funding.

Agenda setting

79. The process by which the agenda for a meeting or cycle of meetings is set is in many respects one of the key determinants of the effectiveness or otherwise of a schools forum.

80. The frequency and timing of meetings of the schools forum should be agreed in advance of each financial or academic year. In drawing up this cycle of meetings, in

consultation with the schools forum, the local authority should provide a clear overview of the key consultative and decision-making points in the school funding cycle. These will be drawn from a combination of national and local information and should inform the basic agenda items that each meeting needs to cover. For instance meetings will need to be scheduled at appropriate points to enable the schools forum to consider the outcomes of local consultations and national announcements.

81. Although the business of schools forums must be open and transparent, it is recognised that from time to time items of a confidential nature will need to be discussed. It is recommended that authorities apply the same principles that they apply to Council/Cabinet meetings when judging an item to be confidential and adopt similar practices for dealing with those reports in the meeting, e.g. placing them together at the end of the agenda.

Preparation for a schools forum meeting

82. It is vital that the schools forum is transparent, open and has clear communication lines to all of the members that are represented. This ensures the wider school family are aware of the business discussed, the impact on their setting and the reasons for the decisions.

83. The vast majority of a schools forum's business will be transacted on the basis of prepared papers. It is therefore important that these are concise, informative and produced in a timely and consistent manner. Recommendations should be clearly set out at the beginning of each report. It is also helpful if the front of the report confirms whether the report is for information or decision and who is eligible to vote where relevant.

84. It is good practice for the schools forum and local authority to agree a standard for papers. It is usual for papers to be dispatched at least one week prior to the meeting at which they will be discussed to allow members to consider them and if necessary canvass views from the group they are representing. Papers should be published on the local authority's website at this time to enable representations to be made to schools forum members.

85. Consistency in the presentation of papers also contributes to the effectiveness of meetings: it helps set the tone of meetings, facilitate the engagement of all members and signal the importance the local authority attaches to the work of the schools forum. Ideally such a standard should be agreed between the schools forum and local authority. The publishing of papers as a single pdf file is helpful as it saves time and avoids accessing multiple documents both in advance of, and during, the meeting. An Executive Summary of the reports can provide schools forum members and members of the public with an overview of the agenda and the decisions required.

86. The publishing of papers on a publicly available website well in advance of the meeting ensures that all interested parties are able to access papers. Some schools forums ensure that each represented group meets in the days immediately prior to the

schools forum meeting to ensure the agenda is discussed and schools forum members are properly briefed by the group they represent. Although on occasions it is inevitable that schools forums will receive late, or tabled reports it does create some difficulty for members as they will not have been able to seek the views of those they represent.

87. Schools forums can consider adopting a flexible arrangement for time immediately prior to the meeting. For example it could be used for training of new members, or as a drop-in session for members to ask items of clarification, or for members to meet without officers to discuss the agenda.

Chairing the schools forum

88. The Chair of a schools forum plays a key role in setting the tone, pace and overall dynamic of the schools forum. They should provide an environment within which all members are able to contribute fully to discussions and guide the schools forum to making well informed decisions.

89. The relationship between the Chair and the local authority is therefore vital. The Chair should be very clear on the substance of the agenda items, understand the issues involved and the decisions and/or actions that need to be taken in respect of School Forum business. It is good practice for there to be a pre-meeting between the senior officer of the local authority supporting the schools forum and the Chair of the schools forum to ensure that all the issues are clearly understood.

90. Equally, the Chair has the responsibility of representing the views of the schools forum back to the local authority: for instance, they should, where appropriate, take the initiative to make suggestions for improvements to the way the business is conducted, and, in exceptional cases and with support of the members of the schools forum take the view that they do not have sufficient information on which to base a decision and ask that an item is deferred until further information is available. However, in doing so, the Chair and schools forum should be fully aware of the consequences of deferral.

91. The independence of the schools forum is paramount. Enhancing the role of Chair to a paid position, rather than the reimbursement of reasonable expenses, could blur the lines of independence. Similarly, if the Chair undertakes significant work for the LA in another capacity, e.g. as an external consultant, they could be viewed as equivalent to an officer of the local authority.

92. Local authorities could consider if sharing contact details of the schools forum Chair with neighbouring authorities would be helpful for peer support and improving networking opportunities.

Clerking the schools forum

93. Clerking of a schools forum should be seen as more than just writing a note of the meeting. A good clerk provides an invaluable link between the members of the schools

forum, the Chair and the local authority. It is a role often undertaken by an employee of the local authority though we would recommend consideration is given to the use of an independent clerk.

94. Clerks should manage the logistics of the meeting in terms of ensuring dispatch of papers and producing a note from the meeting. In considering the style of meeting notes consideration should be given to making them intelligible enough for non-attendees to get a sense of the discussion as well as clearly indicating the conclusion and action agreed in relation to each agenda item. Verbatim reports of a schools forum's discussion, however, are unlikely to be very useful. Schools forums may consider whether a simple action log should be maintained by the clerk to ensure all action points agreed are followed up.

95. Beyond this a good clerk can:

- provide the route by which schools forum members can access further information and co-ordinate communication to schools forum members outside of the formal meeting cycle;
- respond to any queries about the business of the schools forum from headteachers, governors and others who are not on the schools forum themselves;
- be responsible for ensuring contact details of all members are up to date;
- maintain the list of members on the schools forum and advise on membership issues in general;
- assist with the co-ordination of nomination/election processes run by the constituent groups;
- keep the schools forum website up to date: e.g. by posting latest minutes and papers etc;
- monitor, on a regular basis, the schools forum and general Schools Funding section of the Department for Education (DfE) website or the gov.uk website; and arrange for the distribution of any relevant DfE information to schools forum members;
- if appropriate, provide technical advice in relation to the schools forum regulations and in relation to the operation of a schools forum's local constitution; and
- organise, operate and record any voting activity of the schools forum in line with the provisions of its local constitution.

96. Not all of these tasks may be able to be undertaken by the schools forum clerk. However, each one is important and there should be arrangements in place to ensure they are discharged adequately.

Good practice for schools forum meetings

97. Schools forums should ensure there is a clear debate of all agenda items. Whilst sub-group meetings are valuable in working through detailed issues, schools forums

should consider that the level of debate held at the schools forum meeting and recorded in the minutes will be the official reflection of the level of challenge and discussion on each issue.

98. The use of nameplates for schools forum members also showing which group they are representing can be helpful to members of the public and presenters of papers. In addition the use of coloured cards or coloured nameplates can be helpful when specific members of a schools forum are eligible to vote on specific items, e.g. de-delegation or changes to the funding formula.

99. Consultations with the schools forum are a key responsibility of a local authority, ranging from the funding formula to the letting of contracts. Each consultation will be different and depend on the subject being consulted on, but local authorities should consider the following factors as good practice for effective consultation:

- Plan and consult early
- Allow reasonable timescales for response (as Forum members may need to consult the groups they represent)
- An open and honest approach
- Fully inclusive
- Allow for ongoing dialogue
- Provide feedback
- Clear communications.

Meeting notes and recording of decisions

100. A vital part of the effective operation of a schools forum is to ensure that an accurate record of the meeting is taken. This must include the clear recording of votes where there are contrary views. Recommendations to, and decisions of, schools forums must be clearly set out.

101. Notes or minutes of each schools forum meeting should be produced and put on the website as soon after the meeting as possible to enable members and others to see the outcome of any discussions and decisions/votes. It is good practice to formally agree the accuracy of the note/minutes at a subsequent meeting but the publication of the draft minutes should not be delayed as a result.

102. In order to provide clarity about representation at each meeting, it is good practice for the minutes to record the group and/or subgroup that each member represents against their name.

Communication

103. Communication to the wider educational community of the discussions and debates of, and decisions made by, the schools forum is fundamental to their effective operation. The more schools and other stakeholders know about the proceedings of the

schools forum, the more their work will be an important and central part of the context of local educational funding. This is particularly important given the decision making role that the schools forum has. Local authorities should consider the operational differences between the types of stakeholders and plan their communications accordingly. For example ensuring effective communications across the PVI sector may be more difficult than with schools, who are more likely to have existing channels of communication e.g. headteacher meetings.

104. Each schools forum should therefore be clear what its channels of communication are. It is fundamental that each member of schools forum represents the views of the group or sub-group that they represent and that all those with an interest in funding work together to ensure that their views are taken into account. Therefore communications directly between members and those they represent is essential; professional associations and phase groups could be suitable channels. This will ensure that schools forum members have an ongoing dialogue with the constituents of their group or sub-group and are therefore well able to represent their views at schools forum meetings. However, the schools forum should also consider additional communication processes. These could include:

- drawing schools' attention to the fact that all its agenda, minutes and papers are publicly available on the local authority's website (this should include the publication of formula consultation documents);
- an annual report on the proceedings of the schools forum;
- attendance by the Chair, or other schools forum member, at other relevant consultative or management groups such as any capital working group; or senior management meetings of the Children's Services Department; or
- a brief email to all schools, early years providers and other stakeholders after each schools forum meeting informing them of the discussions and decisions with a link to the full papers and minutes for further information
- a schools forum newsletter can be a less formal and more interesting way of communicating forum business and raising the profile of the schools forum and its members.

News updates

105. Most, but not all, members of the schools forum will already be in receipt of regular information on school funding matters from the local authority and DfE. Other schools forum members should be copied into such information flows so that they can be kept abreast of developments between meetings.

106. Many local authorities have already established dedicated schools forum websites on which they post key information for schools forum members and other interested parties.



Education
Funding
Agency

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Reference: EFA-00134-2015



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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.

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STATUTORY INSTRUMENTS

2012 No. 2261

EDUCATION, ENGLAND

The Schools Forums (England) Regulations 2012

£5.75

E4404 09/2012 124404T 19585

ISBN 978-0-11-152845-7



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SCHOOLS FORUM RULES AND PROCEDURES

1 Overview

- 1.1 The Schools Forum is not a Committee of the Local Authority, it is a separate statutory body set up to provide a formal mechanism for schools' views on funding and other issues to be brought to the attention of the Local Authority (LA) under the Schools Forum (England) Regulations 2012.

2 Membership

- 2.1 In carrying out their duties, members of the Forum are representing the interests of their sectors rather than their individual school and should tailor their views accordingly. They are expected to act in accordance with the ten principles of public life: selflessness, integrity, honesty, objectivity, accountability, openness, leadership, respect for others, duty to uphold the law and stewardship.
- 2.2 There will be 28 full members of the Forum, representing the following:

| Representation | Number |
|-----------------------------------|---------------|
| <i>Schools members</i> | |
| Primary Heads | 5 |
| Primary Governors | 5 |
| Secondary Heads | 1 |
| Secondary Governors | 1 |
| Special School Head | 1 |
| Special Schools Governor | 1 |
| Nursery School Head | 1 |
| Nursery School Governor | 1 |
| PRU Head/Governor | 1 |
| <i>Academies members</i> | |
| Academy Head | 3 |
| Academy Governors | 3 |
| <i>Non-schools members</i> | |
| Early Years PVI Sector | 2 |
| Trade Unions | 1 |
| 14-19 Partnership | 1 |
| Primary School Advisor | 1 |
| TOTAL | 28 |

3 Election

- 3.1 Each Forum member will be elected by their peer group and will serve for 3 years from the day of election

- 3.2 The election process will be carried out by the LA:
- Head Teachers and governors will be asked to nominate themselves for the Forum by a closing date of not less than one month prior to the date of the next meeting of the Forum.
 - Heads Teachers and Governing Bodies of each category of school will be sent a voting paper by the LA setting out the nominations within their peer group.
 - Each Head/Governing Body will be able to vote for the number of candidates equal to the number of Forum seats available to their peer group (e.g. each primary head may vote for up to 5 primary head candidates).
- 3.3 There is no limit to the number of consecutive terms of office individuals can serve as Forum members.
- 3.4 Elected Members of the Local Authority can be voting members of the Forum in their capacity of governor at a school.
- 3.5 The LA will end the appointment to the Forum of any Forum member who ceases to hold the office by virtue of which they became eligible for membership (i.e. a head teacher who ceases to be a head in the LA or a governor who ceases to be a governor of a school in the relevant category). In such eventuality, the LA will immediately seek nominations from the sector for a replacement to serve the remainder of the three year term and initiate the voting process.
- 3.6 If a Forum member ceases to attend three consecutive meetings, the Forum can agree (by vote) to ask the LA to remove them from membership and seek a replacement from the appropriate sector to serve the remainder of the three year term.

4 Meetings

- 4.1 The Forum will elect its Chair and vice Chair from within its membership at its first meeting, if necessary by a majority of votes cast by individual members.
- 4.2 If neither the Chair nor vice Chair is present at a meeting, those representatives present shall elect a Chair for the duration of the meeting.
- 4.3 The quorum for the meeting will be 40% of appointed Forum members.
- 4.4 The Forum meetings will be open to the public.

- 4.5 Anyone wishing to speak at a Forum meeting who is not a member of the Forum may only do so with the permission of the Chair, except the Director of Children & Families or their representative and the Executive Member for Children & Families shall be entitled to address a meeting of the Forum (through the Chair) to contribute to the discussion.
- 4.6 There shall be a minimum of 4 meetings each year.
- 4.7 Dates, times and locations of Forum meetings will be decided by the Forum at its meetings.
- 4.8 An emergency meeting of the Forum can be called by the Chair or vice Chair but must be held at least five clear working days after being called.
- 4.9 All discussion and debate at Forum meetings must be through the Chair.
- 4.10 If a vote is required, all relevant members of the Forum attending the meeting shall have one vote each (including the Chair) and in the event of a tie, the Chair shall be entitled to use their casting vote. Non-schools members except for Early Years representatives cannot vote on schools formula matters.
- 4.11 If one of the voting members on the Forum asks that the question be put to a vote, the Chair shall immediately seek a vote of the Forum members and, if a majority agree, there will be an immediate vote on the issue under discussion and the meeting will move to the next item of business.

5 Functions

- 5.1 The Forum will set its own work programme, subject to the Director of Children & Families having the right to put any report to the Forum if it covers a matter on which the LA has a statutory duty to consult the Forum (see below). The agenda for each Forum meeting will be agreed by the Chair in consultation with the clerk to the Forum and the Director of Children & Families.
- 5.2 The Forum may commission work in relation to appropriate school funding issues.
- 5.3 The Forum shall have the right to consider and make recommendations to the Council on the following issues:
- The Schools Budget

- The Scheme of Delegation and any proposed changes to it
- The funding formula and any proposed changes to it
- Arrangements for Special Educational Needs within the Schools Budget
- Arrangements for the Pupil Referral Units and out of school education
- Arrangements for early years education
- School related insurance
- Administrative arrangements for grants paid via the LA
- The funding of Free School Meals
- Service contracts to be let by the LA where the contract is paid or will be paid from the Authority's schools budget
- The schools' Asset Management Plan
- Any other financial issues affecting schools

6 Expenses

- 6.1 All costs of the Forum shall be met from the Schools' Budget. The Forum shall make an estimate each year prior to the Council's budget setting process of the Forum's following year's expenditure and will keep its expenditure for that following year within that budget.
- 6.2 The reasonable costs incurred by each of the 28 members on the forum in attending meetings of the Forum shall be reimbursed by the LA and charged to the Schools Budget. These will include (where relevant) travel costs, supply cover (heads), loss of earnings (governors) and childcare. As meetings are likely to be held in the evening, it is anticipated that only travel and (possibly) childcare costs will apply.

7 Reporting

- 7.1 The Forum is obliged to give schools an account of consultations carried out and action taken or not taken by the LA in consequence. It is for the Forum to decide how this feedback to schools should be given. Individual Forum members should arrange "feed-back" for the sector that elected them.
- 7.2 The LA shall provide a clerk to the Forum who will minute meetings and circulate minutes and reports not less than one week before the next meeting.

8 Voting

- Schools members can vote on all Schools Forum business including consultation on the funding formula. However only primary representatives can vote on primary school de-delegation, and only secondary representatives can vote on secondary school de-delegation. Schools members, as defined previously, are primary, secondary, special, nursery and PRU representatives.
- Academy members can vote on all Schools Forum business (including consultation on the funding formula) except de-delegation, as de-delegation is not an option for academies.
- Non-school members cannot vote on de-delegation. Only PVI representatives can vote on consultation on the funding formula. All non-school members can then vote on anything else..

9 Other regulations

- 9.1 All other rules and procedures of the Forum shall be set by the Forum itself.
- 9.2 Further information can be found at the following webpage:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251521/2013_Schools_Forum_Operational_Guide.pdf



SCHOOLS FORUM

TERMS OF REFERENCE & CONSTITUTION

1. TERMS OF REFERENCE

- 1.1. The Terms of Reference for the Schools Forum are drawn from The Schools Forums (England) Regulations 2012, attached as *Appendix A*.
- 1.2. The Schools Forum has powers and responsibilities in accordance with The School Forum (England) Regulations 2002, a summary of which is attached as *Appendix B*.
- 1.3. The Schools Forum is established by the London Borough of Brent under powers contained within the Education Act 2002.
- 1.4. The Schools Forum is a statutory consultative body which shall be consulted by the London Borough of Brent on:
 - a. any schools' funding formula change.
 - b. service contracts funded by the schools' budget, which is of an amount requiring adherence to relevant Public Services Contracts Regulations.
 - c. financial issues (annually) relating to:
 - i. arrangements for pupils with special educational needs;
 - ii. arrangements for use of pupil referral units and the education of children otherwise than at school;
 - iii. arrangements for early years' provision;
 - iv. administration arrangements for the allocation of central government grants.
 - d. any proposed application to the DfE with regards to exclusions from the Minimum Funding Guarantee (MFG).
- 1.5. The Schools Forum shall agree central spend on:
 - a. growth funding (Pre-16);
 - b. falling rolls funding (Pre-16) for surplus places in good or outstanding schools where a population bulge is expected in 2-3 years;
 - c. equal pay back-pay;
 - d. places in independent schools for non-SEN pupils;

- e. early years expenditure;
 - f. admissions;
 - g. servicing of schools forum;
 - h. capital expenditure funded from revenue;
 - i. contributions to combined budgets;
 - j. schools budget centrally funded termination of employment costs;
 - k. schools budget funded prudential borrowing costs;
 - l. special education needs transport costs.
- 1.6. The Schools Forum schools' representatives shall annually agree the following delegations, for their phase:
- a. contingencies;
 - b. administration of free school meals
 - c. insurance
 - d. licences/subscriptions
 - e. staff costs – supply cover
 - f. support for minority ethnic pupils/underachieving groups
 - g. behaviour support services
 - h. library and museum services
- 1.7. The Schools Forum shall also agree:
- a. any carry forward of a deficit on central expenditure to the next year, to be funded from the schools' budget;
 - b. Scheme for financial management changes.
- 1.8. The Schools Forum may request detailed information to assist it in carrying out its functions and the London Borough of Brent shall use its best endeavours to provide such information.
- 1.9. The Schools Forum will abide by any changes to statutory provisions or changes to the regulatory framework for schools' funding. The Terms of Reference will be amended to reflect any such requirements.
- 1.10. The Schools Forum must represent the interest of their sectors, rather than their individual school.
- 1.11. The Schools Forum must act in accordance with the seven principles of public life as set out in the report of the Government Committee on Standards in Public Life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

2. CONSTITUTION

2.1. Membership

2.1.1. The Schools Forum shall consist of 27 members, made up of 23 school and academy members and 4 non-school members. The school and academy membership shall be split proportionally dependent on the student population in October each year.

School and Academy Membership

- 2 nursery representatives (1 head teacher, 1 governor);
- 18 primary and secondary representatives (9 head teachers, 9 governors), across the maintained and academy sector;
- 2 special school representatives (1 head teacher, 1 governor), one each from the maintained and academy sector;
- 1 pupil referral representative.

Non-School Membership

- 2 early years' PVI (private, voluntary or independent sector) representative;
- 1 14-19 partnership representative;
- 1 trade union representative.

2.1.2. The following officers shall regularly attend and speak at meetings of the Schools Forum, but are not members and have no voting rights.

- Lead Member – Children & Young People;
- Strategic Director – Children & Young People;
- Operational Director – Early Help & Education;
- Head of Finance – Adult Social Services and Children & Young People;
- Senior Finance Analyst – Schools;
- Schools Budget Manager.

2.1.3. The following officers may also attend and speak at meetings of the Schools Forum, but are not members and have no voting rights.

- The Chief Finance Officer;
- Officers providing financial and technical advice to the Schools Forum;
- Presenters;
- Education Funding Agency observer.

2.1.4. Non-School Membership cannot exceed one third of the total membership.

- 2.1.5. Elected members who hold an executive role in the London Borough of Brent (a Lead Member or portfolio holder) are barred from being a Schools Forum member.
- 2.1.6. Other Elected Members of the London Borough of Brent can be voting members of the Schools Forum in their capacity as governor at a school within Brent.
- 2.1.7. Officers employed by the London Borough of Brent who have a role in the strategic resource management of the authority shall not be eligible for membership of the Schools Forum.
- 2.1.8. No two Schools Forum members can be from the same school.
- 2.1.9. No Schools Forum member can represent more than one sector at the same time.
- 2.1.10. The London Borough of Brent will maintain a written record of the composition of its Schools Forum, detailing the numbers of members and their names and the group/sub-group that they represent. This will also indicate the term of office of each member. This will also be published on the Schools Forum section of the Brent website.

2.2. Appointment

School and Academy Membership

- 2.2.1. London Borough of Brent shall appoint persons elected as a result of votes cast in the following manner:
 - Head Teachers: shall be elected through the Head Teachers groups. This will be communicated to all eligible Head Teachers directly, and also via the bi-weekly Head Teachers' bulletin.
 - Governors: nominations shall be sought through the Governor Support Service. This shall also be communicated by emailing Head Teachers of the relevant category, and via the bi-weekly Head Teachers bulletin, so that Head Teachers can also communicate this to their governors. The category to be represented shall be clearly identified and all governors meeting the eligibility criteria shall be free to nominate themselves. Where more nominations are received than places available, votes will be invited from relevant governors.

Non-School Membership

- 2.2.2. London Borough of Brent shall appoint persons elected as a result of votes cast in the following manner:
- Early Years' PVI: nominations will be sought from the PVI sector. Where this is not practical, the Head of Early Years will nominate a member from this sector.
 - 14-19 Representative: nominations will be sought from the 14-19 sector. Where this is not practical, the Head of Schools Effectiveness will nominate a member from this sector.
 - Trade Union Representative: nominations will be sought from the Teachers Panel.
- 2.2.3. In the event of a tie between two or more candidates, then London Borough of Brent shall appoint a member instead.
- 2.2.4. Where a vacancy arises, this must be filled within three months using the process set out in 2.2.1. and 2.2.2. above. Where a vacancy has not been filled within this time, the London Borough of Brent shall appoint a member instead.
- 2.2.5. Members of the Schools Forum shall make declarations of interests on appointment and at each meeting if the Forum is considering matters for which they may have a pecuniary interest.
- 2.2.6. All new members of the Schools Forum shall be provided with appropriate induction materials. This shall include material relating to the operation of the Schools Forum, and any background information about the local and national school funding arrangements including:
- The Constitution of the Schools Forum;
 - The Terms of Reference of the Schools Forum;
 - A list of current members, including contact details and their terms of office;
 - Copies of minutes of previous meetings;
 - The Schools Forum Forward Planner for the year.

2.3. Tenure

- 2.3.1. Each Schools Forum member will serve for a term of three years from the day of appointment, unless:
- they cease to hold office by virtue of which the member was elected;
 - the member resigns from the Schools Forum by giving notice in writing to the London Borough of Brent;
 - the London Borough of Brent replaces the member at the request of the body which the member represents;

- paragraph 2.3.4. applies;
 - paragraph 2.3.5. applies.
- 2.3.2. Schools Forum Members that reach the end of their term of office shall be eligible for re-appointment.
- 2.3.3. There is no limit to the number of consecutive terms of office individuals can serve as Schools Forum members.
- 2.3.4. Membership may be terminated by the London Borough of Brent, where pupil number variations between each sector is reviewed annually, and membership requirements are rebalanced. Where this results in a reduction in membership for a particular sector, the member with the shortest length of membership may be removed from office at the last meeting of the academic year, unless another member volunteers to be removed. If there are two or more members with the same length of membership, the member who received the least votes at the time of election, will be removed.
- 2.3.5. If a Schools Forum Member fails to attend three consecutive meetings, the Schools Forum can agree (by vote) to ask the London Borough of Brent to remove them from membership and seek a replacement from the appropriate sector to serve the remainder of the three year term. Reasonable efforts will be made to alert members that are at risk, before the potential third meeting.

2.4. Substitutes

- 2.4.1. A Schools Forum member, who is unable to attend a meeting, may arrange for a substitute to attend to represent the same sector and to have voting powers. This must be notified in writing at least three working days in advance of the meeting, to the Clerk of the Schools Forum.
- 2.4.2. A Schools or Academy member may only nominate a substitute member from the same sector, with the same role within a school.
- 2.4.3. A Non Schools member may only nominate a substitute member from the relevant representative group.

2.5. Meetings

- 2.5.1. The Schools Forum shall meet at least four times a year.

- 2.5.2. The proceedings of the Schools Forum are not invalidated by:
- any vacancy among their number;
 - any defect in the election or appointment of any member;
 - any defect in the election of the chair.
- 2.5.3. The Terms of Reference, Constitution and Membership of the Schools Forum, shall be reviewed annually by the Schools Forum in consultation with the officers allocated to advise the Schools Forum.
- 2.5.4. Administration
- 2.5.4..1. The London Borough of Brent shall provide a clerk for all meetings of the Schools Forum.
- 2.5.4..2. Papers for meetings of the Schools Forum shall be circulated to members five working days in advance of the meeting.
- 2.5.4..3. Papers for meetings of the Schools Forum shall be sent electronically by email.
- 2.5.4..4. Papers for meetings of the Schools Forum shall be made available on the London Borough of Brent’s website, five working days in advance of the meeting.
- 2.5.4..5. The agenda for meetings of the Schools Forum shall be set by the LA, in consultation with the Chair of the Schools Forum.
- 2.5.4..6. The Schools Forum may commission work in relation to appropriate school funding issues.
- 2.5.4..7. An annual cycle of meetings (Schools Forum Forward Planner) shall be set up to include agenda items which routinely arise.
- 2.5.4..8. There shall be an agenda item at the beginning of each meeting of the Schools Forum to give members the opportunity to declare conflicts of interest.
- 2.5.4..9. Each item on the agenda of the Schools Forum shall be timed, and the timing extended only at the Chair’s discretion.

2.5.5. Minutes

- 2.5.5.1. Minutes of the meetings of the Schools Forum shall be made available on the London Borough of Brent's website within three weeks of the Schools Forum meeting, in draft form.
- 2.5.5.2. Minutes of the meeting of the Schools Forum shall be approved at the following Schools Forum meeting and shall then be made available on the London Borough of Brent's website immediately after the meeting, as final.
- 2.5.5.3. Minutes shall for each item state whether the item was for decision, information or consultation.
- 2.5.5.4. All decisions taken by the Schools Forum shall be recorded.
- 2.5.5.5. Any actions agreed shall be recorded, with the action allocated to an officer.

2.5.6. Chair and Vice Chair

- 2.5.6.1. The Schools Forum shall appoint a Chair and a Vice-Chair from its membership.
- 2.5.6.2. The term of office for both the Chair and Vice-Chair shall be two years, but must not exceed the member's remaining term of office as a Schools Forum member.
- 2.5.6.3. A non-executive elected member or London Borough of Brent officer who is a member of the Schools Forum cannot hold the office of chair.
- 2.5.6.4. In the absence of both the Chair and the Vice-Chair, a temporary Chair shall be elected from amongst those voting members present.

2.5.7. Quorum

- 2.5.7.1. The Schools Forum meeting shall only be quorate if 40% of the total membership is present. This excludes observers, and excludes vacancies. This equates to eleven members when there are no vacancies.

2.5.7..2. If a meeting is inquorate, members present may by majority vote decide to continue the meeting and thus be able to offer advice to the London Borough of Brent and/or respond to any consultation.

2.5.7..3. An inquorate meeting cannot legally make decisions.

2.5.8. Conduct

2.5.8..1. All discussions and debate at the Schools Forum meetings shall be through the Chair.

2.5.8..2. For decision-making and consulting purposes, each Schools Forum member shall be entitled to one vote subject to:

- Funding Formula: This is limited to all Schools and Academy members and Early Years PVI representatives. Other Non School members cannot vote.
- Early Years Single Funding Formula: This is limited to all Nursery, Primary School members and Early Years PVI representatives. Secondary, Academy members and other Non School members cannot vote.
- De-Delegation: This is limited to the specific primary and secondary phase of maintained schools. Maintained nurseries, maintained special schools, PRUS, academies, and Non School members cannot vote on de-delegation matters.
- Scheme for Financing Schools: This is limited to schools' members.
- Other matters: All members can vote on any other matters.

2.5.8..3. A resolution shall be taken by a simple majority.

2.5.8..4. Where a vote is required and there are an equal number of votes for and against the proposal, the Chair shall have the casting vote.

2.5.8..5. Once a decision has been made, all Schools Forum members shall be bound by it, but any member may request for their opinion to be recorded in the minutes.

2.5.8..6. Each Schools Forum member shall consider the needs of the whole educational community within London Borough of Brent, rather than using their position on the Schools Forum to advance their own sectional or specific interests.

2.5.8..7. The Schools Forum must appropriately challenge and scrutinise the London Borough of Brent's decisions, proposals or existing arrangements.

2.5.8..8. In carrying out their functions, each Schools Forum member shall act in accordance with the seven principles of public life set out in the report of the Government Committee on Standards in Public Life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

2.5.9. Expenses

2.5.9..1. All costs of the Schools Forum shall be met from the Schools' Budget.

2.5.9..2. Reasonable costs incurred by each Schools Forum member shall be reimbursed by the London Borough of Brent, and charged to the Schools' Budget. As meetings are held in the evening, it is anticipated that only travel and (possibly) childcare costs would apply.

2.5.10. Sub-Groups

2.5.10..1. The Schools Forum currently has three sub-groups: Early Years, SEN and Schools.

2.5.10..2. Membership and clerking of the sub-groups shall be reviewed annually by the Schools Forum.

2.5.11. Observers and Public Access

2.5.11..1. All meetings of the Schools Forum shall be open to members of the public, unless there is good reason for the business to be conducted in private. Members of the public shall only attend the meeting, by contacting the Clerk to the Schools Forum, in advance of the meetings, so that the necessary administrative and health and safety arrangements can be made.

2.5.11..2. Members of the public may only speak with the permission of the Chair.

2.5.11..3. Papers, Agendas and Minutes of the Schools Forum shall be publicly available through the London Borough of Brent's website.

ITEM 7: APPENDIX A – REVISED TERMS OF REFERENCE & CONSTITUTION

- 2.5.11..4. Dates and locations of forthcoming meetings shall be publicly available through the London Borough of Brent's website.
- 2.5.11..5. Minutes of meetings shall be placed on the London Borough of Brent's website, and all schools and associated groups shall be notified when new minutes are available.

MEMBERSHIP & VOTING RIGHTS

| NAME | REPRESENTING | VOTING RIGHTS | | | | | CURRENT TENURE | | Sub Groups | | |
|----------------------------|-----------------|---------------|---|---|---|---|------------------|-----------|------------|--|--|
| | | A | B | C | D | E | DATE OF ELECTION | DATE ENDS | | | |
| SCHOOL MEMBERS | | | | | | | | | | | |
| Nursery | | | | | | | | | | | |
| Christine Starkl | Governor | | | | | | Jun-2015 | May-2018 | | | |
| Lesley Benson | Head | | | | | | Sep-2012 | Sep-2015 | | | |
| Primary | | | | | | | | | | | |
| Sue Knowler | Governor | | | | | | Jun-2014 | May-2017 | | | |
| Herman Martyn | Governor | | | | | | Sep-2012 | Sep-2015 | | | |
| Helga Gladbaum | Governor | | | | | | Sep-2012 | Sep-2015 | | | |
| Umesh Raichada | Governor | | | | | | Sep-2012 | Sep-2015 | | | |
| Lesley Jones (Cllr) | Governor | | | | | | Jun-2013 | May-2016 | | | |
| Rabbi Yitzchak Freeman | Head | | | | | | Sep-2012 | Sep-2015 | | | |
| Sylvie Libson - Vice-Chair | Head | | | | | | Sep-2012 | Sep-2015 | | | |
| Sabina Nettey | Head | | | | | | Sep-2012 | Sep-2015 | | | |
| Rose Ashton | Head | | | | | | Sep-2012 | Sep-2015 | | | |
| <i>Vacant</i> | Head | | | | | | | | | | |
| Secondary | | | | | | | | | | | |
| Richard Martyn | Governor | | | | | | Jun-2014 | May-2017 | | | |
| Andy Prindiville | Head | | | | | | Apr-2013 | Mar-2016 | | | |
| Special | | | | | | | | | | | |
| Kay Charles | Head | | | | | | Feb-2013 | Feb-2016 | | | |
| PRU | | | | | | | | | | | |
| Terry Hoad | Management Team | | | | | | Oct-2013 | Sep-2016 | | | |

A - Funding Formula

B - Early Years Single Funding Formula

C - De-Delegations, Primary Maintained

D - De-Delegations, Secondary Maintained

E - Other Schools Forum Business

Early Years Sub Group

Schools Funding Sub Group

SEN Sub Group

