

**8 October 2014**

**Agenda Item**

**9**

**Changes to the operation of Schools Forum 2015-16 onwards**

*Report of the Director of Children's Services*

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**1. Purpose**

- 1.1 To update the Forum on proposed changes in the operation of Schools Forum from 2015/16 onwards.

**2. Background**

- 2.1 The Schools Forums Regulations 2012 introduced a number of changes regarding the size, independence, voting and publication arrangements for schools forums. We have adjusted our practice to take account of these. Nationally, the observation arrangements made by EFA have shown that the majority of schools forums are now compliant with the regulations.
- 2.2 DfE are now proposing some further minor changes to the existing regulations, which would come into effect in April 2015. Consultation on this closes on 17<sup>th</sup> October 2015, and DfE have invited comments in particular from various stakeholders including Schools Forums (in the form of the Chair).
- 2.3 Those elements of the proposed changes that relate to the membership and powers of Forum are set out below.

The principal changes to membership of the forum are:

- That if there are any special academies in the local authority's area, there must be at least one member representing them;
  - That if there are any alternative provision (AP) academies in the local authority's area, there must be at least one member representing them.
- 2.4 The purpose of these changes is to strengthen the representation on the forum of special provision and AP respectively.
- 2.5 In addition, more specificity is added to the provisions for the forum to discuss SEN and AP matters. In both cases, the forum must discuss places

to be commissioned by the local authority – and in the case of AP also by schools – and the arrangements for paying top-up funding. The purpose of these changes is to ensure that the forum discusses the detail of local SEN and AP arrangements.

### Response to consultation

- 2.6 The Council already works very closely with schools round the way in which High Level Needs block resources are managed and the implementation of the funding arrangements related to this. Complying with the suggested changes in the remit of Forum would raise little difficulty, depending on exactly what is meant by DfE.
- 2.7 As regards membership, currently we have one AP Academy and 3 Special Academies. It would seem disproportionate for each of these types of school to have a representative, when for the generality of schools we have about one forum member per 35 or so schools.
- 2.8 It is currently the case that, if there is no elected schools member in any given membership category, the Authority must appoint someone to fill that role.
- 2.9 Historically, Special Schools and ESCs have been happy to be represented collectively at Forum, with elections managed via the associations for each type of school, there being two representatives of Special Schools and one of ESCs. It may well be that both types of institution would be happy for this arrangement to continue. It is therefore proposed that Forum responds to the consultation by saying that we believe that Special Academies and AP Academies should have the ability to choose to be represented within a single membership category covering both maintained schools and academies, provided that majorities of both maintained and Academies agree that this should be the case. (In other words we would continue with separate representation of Special Schools and of ESCs, as now, but with no distinction between maintained and Academies).

## **3. Conclusions and recommendations**

- 3.1 That Forum supports the proposal set out above, and responds to the consultation as follows:

“we believe that Special Academies and AP Academies should have the ability to choose to be represented within a single membership category covering both maintained schools and academies, provided that majorities of both maintained and Academies agree that this should be the case.”