

WALTHAM FOREST SCHOOLS FORUM

TERMS OF REFERENCE

The Schools Forums (England) Regulations 2012 state that the function of the Schools Forum be reconstituted by 1st October 2012 to be compliant and proceedings from that date will need to meet new requirements on public access and transparency

<http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schools/revenuefunding/schoolsforums/a0070290/guidance-for-schools-forums-on-their-role>

Schools Forum powers

1. Schools Forum generally has a consultative role. However, there are situations in which they have decision-making powers. 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) 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 and/or free school meals.
 - 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 DfE if the Schools Forum rejects its proposal.

- 1.2 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 Forum. As a result the local authority cannot delegate its decision making powers to Schools Forum, e.g. decisions on the funding formula.
- 1.3 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
 - arrangements for the use of pupil referral units and the education of children otherwise than that at school
 - arrangements for early years provision
 - administrative arrangements for the allocation of central government grants paid to schools via the local authority
- 1.4 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.
- 1.5 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 1.5 and 1.6.
- 1.6 For 2014-15, local authorities will need to discuss with the Schools Forum any proposals to:
- vary the Minimum Funding Guarantee (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 need to be approved by the Secretary of State.