

Members of Schools Forum (including academies) are concerned about the growing level of school balances in local authority schools in Herefordshire and will be seeking for Schools Forum to re-introduce the balance claw back scheme into the scheme of delegation for local authority schools. We removed the claw back in 2010 when relaxed by DfE.

Q1. Can academy members of Schools Forum vote on re-introducing the claw back to LA schools? (this is similar to the de-delegation vote which only concerns LA schools and academies cannot vote).

DfE: No, only maintained schools vote on the Scheme for Financing Schools

Q2. Can Schools Forum bind Herefordshire academies to the same balance claw back scheme either by the regulations or by voluntary agreement? Would the DfE/EFA honour any voluntary agreement?

DfE: You can't bind academies to a claw back scheme, but there is nothing to stop them from agreeing to participate in the arrangement

Q3. If Schools Forum agrees the balance claw back scheme and we actually recover any monies – if this is shared out to schools then can the distribution be restricted to only LA schools if the claw back has been recovered from only LA schools.

DfE: The claw back would become part of the DSG and therefore should be distributed to all schools and academies

Q4. Depending on your advice how does it fit with the principles of natural justice – whereby LA schools vote on LA school matters and claw backs collected from LA schools should be distributed to LA schools only.

DfE: The claw back scheme is not mandatory, so there is no requirement for you to implement such a scheme

Q5. What is the EFA policy re academy balances?

DfE: EFA does not have a claw back scheme for academies

Q6. The balances of local authority schools are public information via CFR and S251 outturn but academy balances are not. The EFA have agreed to provide comparable information for Schools Forum to consider in their role of allocating Herefordshire's DSG for the benefit of ALL schools in the county.

DfE: All academies are required to publish their annual accounts, so information is available, although not in the same format as for maintained schools.