

Minutes of the Schools Forum Meeting held on 18 October 2018

Present: Steve Barr (Chairman)

Attendance

Jane Rutherford	Kevin Allbutt
Richard Osborne	Steve Swatton
Wendy Whelan	Judy Wyman
Richard Redgate	Nicky Crookshank
Stuart Jones	Jennie Westley
Philip Tapp (Vice-Chairman)	Lesley Morrey (Substitute)
Kirsty Rogers	Sarah Sivieri (Substitute)
Ally Harvey	Neil Probert (Substitute)
Sara Bailey	
Chris Wright	

Observers: Philip White and Richard Hinton

Also in attendance: Sara Pitt, Will Wilkes, Julie Roberts, Andrew Marsden, Tim Moss, Michelle Williams, Graham Pirt and Jo Galt

Apologies: Wendy Keeble, Philip Siddell, Karen Dobson, Claire Evans, Liz Threlkeld, Matthew Baxter, Richard Lane and Anita Rattan

PART ONE

15. Election of Chairman and Vice-Chairman

On nominations being requested, Ms Judy Wyman proposed that Mr Steve Barr be elected Chairman for the ensuing year and that Mr Philip Tapp be elected as Vice Chairman for the same period.

There being no other nominations it was:

RESOLVED – That Mr Steve Barr and Mr Philip Tapp be elected as Chairman and Vice Chairman respectively for the ensuing year.

16. Declarations of Interest

The Chairman, Steve Barr, and Judy Wyman both declared an interest in minute 22, being in receipt of some Union Duties funding.

17. Minutes of the meeting held on 3 July 2018

RESOLVED – That the minutes of the Schools Forum meeting held on 3 July 2018 be confirmed and signed by the Chairman.

18. Matters Arising and Decisions taken by the Chairman

The Chairman reported that there was to be widespread consultation on the Staffordshire Education and Skills Strategy in November 2018, and that Schools Forum was listed as a stakeholder.

In relation to the Constitution, a considerable amount of work had been done on this, particularly around membership, and a revised version would be brought to a future meeting. Elections were currently being run by Entrust to fill the current vacancies.

Steve Swatton raised concerns about blanket orders and how these were dealt with under the My Finance system. It was reported that this issue was to be investigated by the working group which had been established.

19. Education Welfare Services Update

[Karl Hobson, County Manager – Targeted Services in attendance for this item]

In October 2017 Schools Forum had agreed to reduce the funding to the local authority provided Education Welfare Service (EWS) to a statutory “core offer”. As the council’s EWS offer reduces it was acknowledged that some schools may wish to commission the council to provide enhanced EWS support above the statutory offer. The council had agreed to circulate potential commissioning options to all schools.

The current position was that Education Welfare Workers remained within the management structure of the Local Support Teams (LSTs). Since April 2018 they had implemented the core offer to schools and therefore their presence in schools had significantly reduced. Whilst the service remained under the management of the LSTs there were some limitations on the transition to the full core offer. However, it was hoped that within the next year they would transfer to the direct line management of the county manager for targeted education services. The information reported to Forum therefore covered a period during which this transition took place.

The local authority remained responsible for delivering the statutory requirements for attendance, children missing education and elective home education including:

- a) Reviewing and processing cases for prosecution for irregular attendance. The Forum received details of the numbers of cases dealt with and the outcomes of these. They were informed that in relation to children missing out on education a new live platform would be available for schools to enter the details of all students who were on reduced or alternative timetables. Education Welfare Workers would be contacting schools to ensure that the appropriate and suitable level of education was being offered to students and that it was properly reviewed and progressed.
- b) Issuing penalty notices for: unauthorised leave in term time; persistent absence and lateness; and being in a public place during the first five days of exclusion.
- c) Undertaking police and criminal evidence interviews for section 444 (1A) prosecutions.
- d) Initiating and processing School Attendance Orders for pupils not on a school roll.

- e) Undertaking Parenting Orders and assessments requested by magistrates.
- f) Preparing papers to put before Family Court for an Education Supervision Order and to then manage the order.
- g) Casework for children identified as Children Missing Education. The Forum received details of the numbers of cases dealt with and the outcomes of these.
- h) Annual register inspections (now maintained schools only).
- i) Child Employment and Licensing, which involved: administration and issuing of work permits and visits to workplaces; administration and issuing of licenses for children to participate in entertainment performances; administration and issuing of licensing chaperones for children in entertainment; and undertaking venue checks for children in entertainment.

The service was now approaching schools with its traded offer. Following consultation with schools it had been agreed to offer:

- a) Half day attendance clinics to be run in the school; and
- b) A telephone support line which would provide expert advice on attendance issues, what processes to follow and how to complete the paperwork needed for statutory action. It would also offer standard template and bespoke letters to address irregular attendance.

A guidance document had also been developed for all schools to assist them in considering what statutory action they could use to address poor attendance. There was development work to be done in respect of child employment and children taking part in entertainment. The service would also be developing the function of parental contracts, which could be used to address poor attendance. There would be a focus on fairness, parity and consistency in using sanctions for persistent absence. It would continue to support schools in improving school attendance and supporting vulnerable children within and outside education.

RESOLVED – That the work done by Education Welfare Workers to deliver the core offer for education be noted.

20. High Needs Block 0.5% Transfer

At their meeting in July 2018 Schools Forum considered a paper indicating options for the recovery of the High Needs Block overspend. At that time the overspend was in the region of £4.14m, although if demand for special educational needs remained at the same level then this could rise to between £5m and £7m. This would mean that there would be insufficient money in DSG balances to cover an overspend. At the meeting members were notified of the likelihood of a request being made for a switch of 0.5% of the Schools' Block being transferred to the High Needs Block. Since that time a consultation had taken place with schools seeking their views on such a switch. This consultation had subsequently been extended, with a deadline of 15 October and a paper on the responses was tabled at the meeting.

The increase in demand on the High Needs Block had mainly arisen from a significant increase in a range of areas. These included:

- a) Additional needs requests.
- b) An increase in pupil numbers requiring EHCPs.

- c) The extension of the age group to 25 for those with EHCPs.
- d) An increase in out of county placements and associated costs.
- e) An increase in Matrix funding for special schools.
- f) Increased numbers of exclusions from mainstream schools.
- g) The funding of increased numbers of pupils out of education.

There were separate proposals for recovery of the High Needs Block overspend. If the recovery strategy was unsuccessful the DSG balances would be brought into deficit. The current financial pressures within the County Council meant that there would not be funding available from the local authority once current balances were exhausted. This was a situation that a majority of local authorities in the in country were facing and there was national pressure on the government to review the allocation of High Needs funding. Previously, across England in the majority of local authorities, there had been a position where extra requirements for High Needs funding had been transferred from balances of the DSG. The basis of this decision was that the pupils with the higher needs were pupils of the authorities' schools and academies and therefore needed the support. A change in the blocks of the DSG and subsequent pressure on the Schools' Block had led to the government significantly restricting the ability to make these transfers. However, the result was that historic funding drawn down from the Schools' Block was still, in many cases, committed to pupils who remained in the system. Consequently much of any overspend was not accessible to immediate savings or reallocation.

Schools Forum noted the responses which had been received from 77 schools to the consultation document. In general, the response was that schools budgets were already overstretched and that a further 0.5% would place them in greater difficulty. In considering the request to approve the 0.5% switch, members commented that the low response rate to the consultation was not due to apathy but desperation and the belief that there was no real choice in the matter. They acknowledged that the local authority would be making representations to the Secretary of State for the transfer to take place, but felt that it was an important message to the government that schools were struggling with funding and that the Schools Forum could not agree to this reduction in schools' budgets. They also believed that it was important for the Secretary of State to see the comments from schools about the effects of underfunding. Forum members voted on the proposed 0.5% transfer, with 15 votes against it and one abstention.

RESOLVED – That Schools Forum does not agree to the proposed 0.5% transfer from the Schools' Block of the DSG to the High Needs Block.

High Needs Block Recovery 2018-2020

At the meeting held on 3 July, Schools Forum received a report indicating options for the recovery of the High Needs Block overspend. Meetings had taken place with the High Needs Recovery Task Force, the High Needs Recovery Group, the SEND Transformation Group, the Locality Based Working Task and Finish Group and other groups. The options presented in the July paper were based on the fact that that the overspend should be a priority for recovery.

The local authority had a strategic vision of increasing the opportunities for districts to have greater management of funding through locality arrangements in order to provide

early intervention for need, as well as a consequent reduction in administrative costs, over time, to both schools and the local authority. These included options to develop Resource Centres and Contact Bases in mainstream schools. A number of these options were being considered and developed, through the SEND Transformation Programme, in order to prevent later higher cost needs and pupils being referred into statutory processes.

In order to achieve the recovery of the overspend a number of proposals had been examined. A key component of the decisions had been to avoid any direct impact on pupils receiving support. A significant number of the expenditure commitments were not statutory requirements and these had been included in the recovery plan. The savings were outlined as follows:

AEN Funding	
Proposal	Estimated Saving
From September 2018 to end AEN funding for new non EHCP pupil referrals	2018-19 - £23,000 2019-20 - £50,000 2010-21 - £50,000
From September 2018 to reduce AEN allocation for new EHCP pupils by a reduction in hours allocated, term time only appointments or alternative inputs for pupils.	2018-19 – £273,000 2019-20 - £410,000 2020 -21 - £800,000
	2018-19 - £296,000 2019-20 - £460,000 2020-21 - £850,000

Note:

The removal of funding for non-EHCP pupils will be compensated by the locality funding through the Transformation Project where early intervention and support will be managed by locality panels.

Entrust de-commissioning – already agreed	
Proposal	Saving
Decommissioning of SEND Learning Support	2018-19 - £512,000 2019-20 - £879,000

Note:

This de-commissioning had now been agreed as from September 2018.

Virtual School	
Proposal	Saving
The Headteacher of the Virtual School to be paid from Staffordshire Central Budget. The remainder of the team to be funded from HNB with the potential for a further 10% reduction in team size to match the MTFs savings process.	2019-20- £75,000 Potential for further 10% equates to £40,000
	2019-20 - £115,000

Specialist Support Service	
Proposal	Saving
To remove Autism Support Service from the High Needs Block	2019-20 - £1,000,000

Note:

Work was underway to examine how this service could be funded separately from the High Needs Block through a traded element. This did not include the Autism Resource Centres or work that was identified through an EHCP.

Early Years' SENCOs	
Proposal	Saving
a. To de-commission the service	2019-20—approx £1,155,000

Note:

It was being explored how funding could be allocated via the locality based system so that there was still some provision for early years, although not via a SENCO.

Physical Difficulties Advice & Guidance	
Proposal	Saving
To de-commission the service from Entrust	2019-20 approx £20,842

Note:

We will look to commission a service from a special school as this service is mainly signposting to providers and resources.

Dyslexia Outreach	
Proposal	Saving
To de-commission the service from Entrust	2019-20 approx £354,145

Note:

The demands for this to be met through the locality early intervention.

Special Educational Needs Advisory	
Proposal	Saving
To de-commission the service from Entrust	2019-20 approx £78,604

Note:

This was a service that provided information to the LA about performance and monitoring of special schools and attendance at Ofsted feedback. A different format would be examined for this.

Bespoke days	
Proposal	Saving
To de-commission the service from Entrust	2019-20 approx £53,735

Note:

This service was an agreed number of days that could be used by the LA and would no longer be utilised.

Total savings in 2018 -19 equates to approx. £808,000.
Total savings in 2019 -20 equates to approx. £4,116,326
Total Savings £4,924,326

It should be noted that the savings detailed were gross. Mention had been made that some of the savings identified would be used to recommission the services required and also reinvest in alternative provision identified through the Transformation programme. This in turn, should impact as a consequence of different ways of working, on the financial pressures without affecting outcomes.

Members requested that a report on the implementation of the proposals be brought back to Schools Forum in 2019.

RESOLVED – That:

- a) The changes being made to expenditure from the High Needs Block in order to recover the overspend in the years 2018/19 and 2019/20 be noted; and
- b) A report on the implementation of the proposals for savings be brought back to Schools Forum in 2019.

22. Schools Budget 2019-20: De-delegation, Central Expenditure and Education Functions

The Schools Forum is required by the Finance Regulations to annually approve:

- Central Expenditure budgets
- The amount of funding to be retained centrally to fund services previously funded by the ESG retained duties.

Maintained school members only are required annually to:

- Vote on each de-delegated budget heading by phase
- Approve a levy per pupil to fund duties performed by the Local Authority (LA) and previously funded by the ESG general duties rate.

For 2019-20 the allocations to local authorities would again be made using the National Funding Formula (NFF). DSG allocations would not be known until December and local authorities needed to submit school budgets to the EFA by 21 January 2019. This timescale meant decisions on budget areas need to be made at this time to enable schools and services time to plan for their budgets and responsibilities for 2019-20.

De-delegation

Under the national funding arrangements the government wanted schools to have the opportunity to have as much funding and responsibility delegated to them as possible. Each year the Schools Forum representatives for maintained primary and secondary schools were required to vote on behalf of the schools they represented to determine whether or not a range of costs currently met centrally would transfer to maintained schools for them to manage themselves. The budget for these costs would transfer to schools on a formula basis. Academies were not part of these arrangements since these responsibilities and the funding for them were automatically delegated to academies through the EFA use of the local funding formula.

The budget areas de-delegated last year are set out in the table below. The values were estimated for all primary and secondary schools (ie including academies) to provide the context of values involved. Actual figures for 2019-20 were not yet known

and would be finalised over the next few months as the settlement and school census became available.

Areas proposed for de-delegation for 2019-20

Budget Area	Primary	Secondary (including middle)
	£m	£m
Insurances (mainly premises related)	2.284	3.099
Staff costs (Maternity Pay)	1.189	1.010
Staff costs (Union Duties)	0.142	0.060
School Specific Contingency	0.390	0.185
Support for ethnic minority pupils or under-achieving groups	0.877	0.319
Licences and Subscriptions	0.505	0.205
Behaviour Support Services	0.529	Delegated
FSM eligibility	0.055	0.029

Having considered these areas, the voting Forum Members for each phase agreed for these budget areas to be de-delegated for 2019-20.

Central School Services Block

There were some areas of central expenditure which needed to be considered by the Schools Forum and the draft Finance Regulations set out the requirements for approvals/consultation. It was noted that final regulations had not yet been issued, so in the event that final regulations were different, the content of the budget report may need to change as a result. Funding in the Central Schools Block was split into Historic Commitments and Ongoing Functions.

Historic Commitments

For historic commitments the following rules applied:

- a) The level of expenditure could not be increased above 2017-18 levels.
- b) The expenditure against these budgets must be as a result of arrangements that already existed before 1 April 2013.
- c) The Schools Forum must approve the amount of the budget set for each heading.

These budgets were fully funded within the Central Schools Services Block for 2019-20. However, the ESFA had indicated that from 2020-21 it would start to reduce funding for historic commitments where local authority expenditure had not reduced. The headings under which Staffordshire currently retained funding for historic commitments are set out in the table below, together with indicative 2019-20 budget levels. The Families First LST funding had already been approved by Schools Forum at their July meeting.

	2018-19	2019-20 indicative £
Prudential borrowing Combined Services	924,130	924,130
Families First - Targeted Services (LST)	1,448,000	1,448,000
	2,372,130	2,372,130

Schools Forum approved the continued funding of these areas centrally at no higher than the indicative amounts, with final values to be confirmed at the meeting in March 2019.

Ongoing Functions

Ongoing Education Functions were funded by a combination of council tax and DSG. For Teachers Pensions Added Years there was an annual liability of circa £7.1m. Schools Forum members raised concerns following representation from an Academy trust. These included that the Teachers Pensions added years needed to remain as being funded by Council Tax and the reason for the level of increases stated between 2018/19 and 2019/20. It was confirmed that the Teachers pension added years would remain to be funded by Council tax and that the increases represented 2 years of increases in pay awards and contractual commitments (The figures weren't increased in 18/19 as the local authority only ever asks to retain the amount that is received through the central block and no more. At the time of the Forum meeting in October 2017 the level of expenditure exceeded the amount that was due to be received, therefore the expenditure figures had not been inflated from the 17/18 values). The uncommitted element of the central block of £379k was agreed to contribute towards the DSG balances. The Schools Forum approved the allocation in the central services block for ongoing functions to be used to fund these services and to contribute to the DSG balances.

Central Schools Expenditure

Schools Forum were informed that Staffordshire did not retain significant amounts of funding under this heading, to which the following rules applied:

- The Schools Forum must approve the amounts of funding to be retained centrally.
- For the pupil growth fund and infant class size funding any underspend from the previous year must be added to the ISB.
- For the pupil growth fund and falling roll fund the Schools Forum must approve the criteria used and receive regular updates on the use of funding.

	2018-19 £	2019-20 indicative £
Infant Class Size	95,000	95,000
Significant Pupil Growth / New school funding	500,000	500,000
Falling rolls fund	n/a	n/a
	595,000	595,000

Schools Forum approved the continuing use of the pupil growth and infant class size funds at the indicative levels set out above.

Central Early Years Expenditure

There was a requirement for the Schools Forum to approve the central expenditure. This was not the expenditure provided to settings for their running costs in providing the free entitlement for two, three and four year olds but was in respect of support services for providers of early years education. Following the introduction of the Early Years Funding Formula, central overheads were limited to 5% of the Early Years Block funding. For 2019-20, 5% was anticipated to be £2.1m. Members approved the proposed level of central support services for early years' provision.

Education Functions for Maintained Schools Only

Members considered a list of the functions provided to maintained schools only and previously funded by the general duties ESG rate, along with the levy per pupil that would be required to fund each of these services. Maintained Schools Forum members agreed to the levies per pupil outlined to fund the costs of the associated services.

RESOLVED – That:

- a) The areas proposed for de-delegation 2019-20 be approved by maintained Schools Forum members;
- b) The continued funding of historic commitments centrally, at no higher than the indicative amounts set above, with final values to be confirmed at the meeting in March 2019 be approved;
- c) The allocation in the central schools service block for ongoing functions be approved to fund the services outlined and to contribute towards DSG balances;
- d) The continuing use of the pupil growth and infant class size funds be approved at the indicative levels set out above;
- e) The proposed level of central support services for early years' provision be approved; and
- f) The proposed levies per pupil to fund the cost of the associated services be approved by maintained School Forum members.

23. Notices of Concern

Since the last Forum meeting the County Council had issued the following Notices of Concern:

Bridge Short Stay School Licenced deficit not agreed

Since the last Forum meeting the County Council has withdrawn the following Notices of Concern for the reason given:

Blessed Robert Sutton School Converted to academy

RESOLVED – That the issue/withdrawal of Notices of Concern to the schools listed above be noted.

24. Work Programme

Members requested that an update on the implementation of the savings proposals being made to recover the overspend on the High Needs block be brought back to Schools Forum in 2019.

RESOLVED – That this addition to the Work Programme be noted.

25. Exempt Minutes of the meeting held on 3 July 2018

RESOLVED – That the exempt minutes of the Schools Forum meeting held on 3 July 2018 be confirmed and signed by the Chairman.

26. Date of next meeting

RESOLVED – That the next Schools Forum meeting be scheduled for Thursday 10 January at 1.00 pm in the Oak Room, County Buildings, Stafford.

Chairman