

## Minutes of the Schools Forum Meeting held on 4 July 2019

Present: Steve Barr (Chairman)

### Attendance

Philip Siddell	Liz Threlkeld
Richard Redgate	Richard Lane
Stuart Jones	Anita Rattan
Philip Tapp (Vice-Chairman)	Vicki Lewis
Chris Wright	Julie Rudge
Steve Swatton	Anne Tapp
Judy Wyman	

**Observers:** Philip White

**Also in attendance:** Alison Barnes, Tim Moss, Michelle Williams, Melanie Scott and Natasha Moody

**Apologies:** Jane Rutherford, Richard Osborne, Wendy Whelan, Kirsty Rogers, Karen Dobson, Ally Harvey, Sara Bailey, Kevin Allbutt, Mark Sutton, Jennie Westley and Keith Hollins

### PART ONE

#### 46. Declarations of Interest

There were none at this meeting.

#### 47. Minutes of the meeting held on 28 March 2019

**RESOLVED** – That the minutes of the Schools Forum held on 28 March 2019 be confirmed and signed by the Chairman.

#### 48. Matters arising and Decisions taken by the Chairman

The Chairman reported that in response to an invitation to Schools Forum to nominate a representative to sit on the newly formed Staffordshire Education and Skills Strategic Group Vicki Lewis had volunteered. As Vicki had been unable to attend the inaugural meeting on 20 June 2019 the Chairman had attended. Notes from the meeting would be circulated, and the next meeting was scheduled for 2 October 2019.

It was confirmed that there were no current plans to change terms and conditions around redundancies. A member commented that payments in Staffordshire were significantly higher and more generous than elsewhere. They queried why the consultation had not gone ahead. The Cabinet Member for Learning and Employability responded that this had been across the whole authority, not just education and

undertook to bring a brief update to the October meeting. A review of the school pay policy was being undertaken and a questionnaire was to be included in the school bag. Members were urged to respond to the questionnaire and ask other headteachers to respond.

With regard to Early Years Funding, this would be part of the outturn report presented to Forum in October. A member requested that when that statement was provided it would give a clear indication of where all of the funding was being spent and commented that it would be helpful for PVI sector nurseries to have the early years information sooner. They reiterated that only 5% should be retained centrally and the remainder passed to providers and requested further information about whether the contingency contributes to the percentage retained centrally.

#### **49. Notices of Concern**

Members noted that there had been no new Notices of Concern issued since the last meeting.

Notices of Concern had been removed for Two Gates Community Primary School, Winshill Village Primary School, Holy Rosary Catholic Primary School and Chaselea Pupil Referral Unit, following their conversion to Academy status. A Notice of Concern had also been removed for The Bridge Short Stay School, following the implementation of an agreed Licensed Deficit Plan. There were currently four schools with Notices of Concern in place, three as a result of Academy Orders being issued by the DfE and one due to a revenue deficit with no recovery plan.

Members were informed that the report on Notices of Concern to the October meeting would contain more detailed narrative.

**RESOLVED** – That the report be noted.

#### **50. Procurement Regulations Oral Update**

Members were informed that the Procurement Regulations, approved at the meeting of Schools Forum in January 2018, had been cross referenced to the Staffordshire Scheme for Financing Schools and Finance Regulations and remained valid. The Procurement Regulations would be uploaded to the Schools Learning Net after the meeting.

**RESOLVED** – That the oral update be noted.

#### **51. Early Help Dedicated Schools Grant Update**

Members were reminded that the new arrangements had come into place in April 2018. The service was receiving an increasing number of referrals from schools, with 707 referrals received in 2018/19. Often the needs of these families were complex and therefore the time taken to achieve referrals could be longer, but again these were starting to be achieved at increasing pace. There had been positive engagement with the family support providers and the SEND prototype work, the DIPs and other local arrangements to ensure that the Family Support Providers were available within

schools' existing arrangements to meet the needs of families. The Family Support Contract was in place prior to schools buying into this support. Procuring a new service jointly would allow schools a greater involvement in shaping the design of the service they required. It had been agreed that Schools Forum would be regularly updated in relation to Early Help delivered on behalf of schools across the County. Members received a brief overview of the service that had been commissioned and an overview of the performance to date. They were requested to commit to continue with the existing arrangements, allowing districts/boroughs to be involved in co-designing the service going forward. Schools Forum were required to make an annual decision on the use of DSG funding. This decision was due to be in October. However, from a commissioning perspective this created tight timelines to work with providers and was particularly the case as a procurement of this size would take a minimum of 12 months. Therefore an early decision would help in any planning for the coming year.

In the first quarter of the current year 300-400 referrals had been made and if this demand was met over a full year the whole of the budget would be used. Providers were paid on receipt of the service, based on a payment by results model. It was recognised that this method was valuable in terms of ensuring outcomes were achieved. However, there was a balance to be struck, as utilising this model of payment had resulted in the providers being unable to recruit additional staff to meet the demands being placed upon the service as they could not afford to pay staff in the absence of outcomes payments.

Members stressed the importance of evaluation to ensure that the funding was spent as effectively as possible. Reference was made to the development of a protocol around the work being undertaken in Leek and South Staffordshire. The learning from the rolling out of the service would be applied and there would be flexibility in working with each of the Districts.

Members were pleased that the service would be looking at attendance. Officers confirmed that they would investigate whether they were having referrals and if interventions were having an impact. A member had visited the Moorlands SEND hub and the South Staffordshire SEND hub and commented how different they had been, for example all headteachers attended the South Staffordshire meetings. It was acknowledged that some hubs might need more Family Support than others, and that more joined up working would be helpful.

A member questioned how providers were selected and was informed that this was done through a competitive procurement process. In relation to a question around the capacity of providers it was acknowledged that it may be beneficial to offer them more funding upfront. There was an issue of short-term recruitment in East Staffordshire. Members also questioned how schools would be engaged in re-designing the service. They were informed that this would be done via the school bag and attendance at District Inclusion Panels and other meetings. The Chairman suggested that members may also wish to contact Natasha Moody directly.

**RESOLVED – That:**

- a) The financial position be noted, recognising that although all allocated money had not been spent it was committed to utilising payment by results and as such had been carried over to year two;

- b) It be noted that due to the procurement regulations in place for contracts of this value a 12-month lead in was required to have a service in place; and
- c) It be agreed in principle that the work jointly with Staffordshire County Council on a district footprint delivering family support covering all phases be continued.

## 52. High Needs Block Update

Forum had requested regular updates on the latest position of the High Needs Block including the impact of the additional DfE funding of £1.7m in 2019/20 and the transfer of £2.4m (0.5%) from the Schools Block to the High Needs Block.

Members were informed that the forecast outturn for the 2019/20 High Needs Block was a £2.54m overspend. The table below illustrates the effect of the High Needs Block on the overall DSG balances:

<b>DSG Reserves</b>	<b>2019-20 £m</b>	<b>2020-21 £m</b>
Opening Balance	3.95	1.41
High Needs forecast Overspend	(2.54)	(4.81)
	1.41	0
<b>Closing Balance</b>	<b>1.41</b>	<b>(3.40)</b>

The outcome of the Local Area SEND Inspection had resulted in the requirement to produce a written statement of action. Forum had agreed that the written statement of action should inform any further savings within the High Needs Block. In order to stabilise the SEND workforce and enable the SEND system to respond effectively to the Local Area Written Statement of Action the local Authority was making an in-year investment of £262k. This was made up of an investment of £162K for additional SEND key workers and an in-year sum of £100k to commission additional capacity to update and amend current Education Health and Care Plans (EHCPs), and to provide support to produce additional EHCPs and to manage current demand.

Members were informed that the additional contribution of £1.7m and the transfer of £2.4m had led to a budget for the High Needs Block in 2019/20 of £79m. This included £28m for planned places allocated to schools. Members requested a breakdown of the figure of £28m from the County Commissioner for School Quality Assurance and Intervention. The main areas of forecast overspend within the High Needs Block in 2019/20 are outlined in the table below:

High Needs Budget	2019/20 Budget	Forecast Outturn 19/20	2019/20 Under / (Over) spend
Staffordshire Special Schools and Academies	13,875,972	15,289,609	(1,413,637)
Staffordshire Mainstream Schools	9,735,481	10,727,299	(991,818)
Pupils in other LA Special & Mainstream Schools & Academies	1,098,880	1,210,830	(111,950)
Independent Schools Mainstream	753,793	830,587	(76,794)
Independent Schools Special	9,427,469	10,387,908	(960,439)

Owing to the significant increase in demand for EHCPs, within the County Council the current minimum caseload was 364 cases per full-time equivalent (FTE) SEND keyworker. The current DfE recommendation was 200 cases per FTE. Therefore, an additional SEND keyworker capacity was required to bring caseloads to around 200 and stabilise the workforce and their workflow. Members were informed that there was a 20-week statutory timeframe to complete an EHC planning process. This was a key national indicator. Within the County Council the increased workload had meant a significant decline in performance, which was currently at 30% compared with 64% during 2018. The recruitment of Educational Psychologists was a major issue nationally and the County Council currently had six vacancies. Officer confirmed that that the Authority was using the services of an Educational Psychology Company to assist with statutory assessments. It was also queried whether the Authority was working with training providers to increase the supply of Educational Psychologists. It was confirmed that Year 2 and Year 3 students were completing their training as well as supporting the service. It was suggested that as Universities were self-governing it would be helpful to have a dialogue with them about this issue and encourage them to take steps to address the situation. Officers confirmed that consideration was also being given to the opportunities which could be made available via the route of apprenticeships. A member commented that it would be helpful to have the support of Educational Psychologists at the SEND Hubs. This was part of the development of the SEND Hubs but capacity could be a challenge.

A member asked that if the 0.5% transfer was going to be requested again that schools should be given early notification. Officers responded that this was not thought to be an option as approval would not be given for this for a second year by the Secretary of State.

**RESOLVED** – That:

- a) The update to the High Needs Block be noted; and

- b) The additional in-year investment of £264k by the Local Authority to stabilise the SEND workforce and enable the SEND system to respond effectively to the Local Area Written Statement of Action be noted.

### **53. Growth Fund - Allocation of Funding 2019-20**

In accordance with the DfE's schools' revenue funding operational guidance growth fund can be used to: support growth in pre-16 pupil numbers to meet basic need; support additional classes needed to meet the infant class size regulation; and meet the cost of new schools. In January 2018 the Forum revised the policy for new free schools opened by Staffordshire County Council through its free school presumption process, separate from the "wave" process followed by the DfE to open free schools. In October 2018 the Forum approved the 2019/20 Growth Fund budget of £95,000 to support compliance with infant class size legislation and £500,000 to support basic needs growth and costs of new schools.

Members received details of growth fund allocations and financial self-declarations as follows:

- a) In accordance with the infant class size criteria, £84,232 would be allocated to five schools based on an agreed number of additional infant teachers;
- Ashcroft Infant and Nursery School, Tamworth, £3,303 towards the cost of a fifth infant class teacher
  - Baldwin's Gate CE (VC) Primary School, Newcastle, £21,471 towards the cost of a third infant class teacher
  - Rushton CE (C) Primary School, Staffordshire Moorlands, £13,213 towards the cost of one infant class teacher
  - St. Leonard's CE (VA) First School, Ipstones, Staffordshire Moorlands, £21,471 towards the cost of one infant class teacher
  - The Meadows Primary School, Newcastle, £24,774 towards the cost of a second infant class teacher
- b) In accordance with the basic need growth criteria, £177,150 would be allocated to five schools that worked with the Local Authority to meet exceptional population growth locally by creating an additional class (in primary schools) or exceeding PAN by at least 5% (by middle and secondary schools);
- Bishop Lonsdale CE (VC) Primary School, Stafford, £35,430 for one additional infant class teacher
  - Penkridge Middle School, South Staffordshire, £35,430 allocation
  - Walton Priory Middle School, Stone, £35,430 allocation
  - Sir Graham Balfour High School, Stafford, £35,430 allocation
  - Weston Road High School, Stafford, £35,430 allocation
- c) In accordance with the new schools' criteria, £114,500 would be allocated to two new free schools opening in 2019/20;
- Streethay Primary School Free School, Lichfield, £57,250 towards post-opening costs
  - Poppyfield Primary Academy, Cannock Chase, £57,250 towards post-opening costs

The allocation of £84,232 for infant class size legislation represented an underspend of £10,768, against the budget of £95,000. The total allocation of £291,650 for basic need growth and for new schools represented an underspend of £208,350, against the budget of £500,000. These underspends would be carried forward for use in the Schools Budget 2020/21.

A member queried who decided how money raised via Section 106 Agreements was spent. Officers confirmed that this funding had to be used to offset the effects of the development concerned. The special schools' representatives expressed concern that when planning took place around new developments consideration was only given to mainstream education and not to places for special needs pupils. Rather than being reactive to demand it would be much better to be able to plan provision. The Chairman suggested that an item be included on the Work Programme on the possibility of funding for special schools from the Growth Fund.

Forum requested a more detailed note on the allocations of £57,250 towards the post-opening of two new free schools.

**RESOLVED** – That the allocations of Growth Funding listed above, and the schools' financial self-declarations, be noted.

#### **54. Revised Constitution**

Members were informed that the Constitution had not been reviewed for a number of years, and needed to be updated to reflect several changes, most notably around membership and the need to respond to the rate of academy conversions. Several meetings had been held with colleagues from the Legal Services Team, who reviewed the Constitution and added some amendments to the document to ensure that it was in line with the Schools Forum (England) Regulations 2012 and where necessary having regard to the Education and Skills Funding Agency Operational and Good Practice Guide.

Of the suggested considerations put forward, the following had been incorporated in the Constitution:

- To temporarily increase the size of the Schools Forum in order to appoint additional academy representatives, then taking out maintained school representative vacancies when one arises; and
- Where the school of a maintained school representative has converted to an academy, the Forum could consider appointing this member as an academies' member until their current term of office ends.

These proposals were intended to preserve continuity and experience in membership whilst maintaining broadly proportionate representation. Good practice suggestions made by the Education and Skills Funding Agency included reviewing membership of the Forum as a standing item for each meeting. In response to this it was suggested that a calculation on pupil numbers on roll be made in advance of each meeting, rather than the existing Annual Review of Membership agreed in July 2015. A report would only be taken to Forum should this calculation indicate a need for a change in membership.

The chairman commented that he felt the revised Constitution was now fit for purpose and thanked Officers for their time and effort on this. However, he did have concerns that in relation to schools' membership there was a conflict between the need to be broadly proportionate and the requirement for every category of school to be represented. The Chairman confirmed that further advice was being sought from teaching trade unions.

**RESOLVED** – That:

- a) The revised Constitution be noted; and
- b) The Annual Review of Membership be replaced with a meeting by meeting reassessment of numbers on roll, to ensure that the membership remains broadly proportionate and in line with Regulations.

## **55. Membership**

Members were informed that a calculation on the most recent pupil numbers on roll had been made and owing to a sufficient change in numbers this had indicated the need for one additional primary academy and one less maintained primary school representative. In addition, the terms of office of a number of Forum representatives were coming to an end. Nominations would therefore be sought to fill these vacancies.

**RESOLVED** – That Entrust be requested to write to the relevant categories of schools to seek nominations.

## **56. Work Programme**

The Chairman referred to an item in a recent School Bag on the Asset Lease Review and suggested that an update on this should be included on the Work Programme. He informed members that an item on School Improvement Monitoring and Brokering Grant had also been included, in order to look at the amount received by Staffordshire and how this was spent.

The Chairman reminded Forum that the election of Chairman and Vice-Chairman would be on the agenda for the next meeting in October and encouraged members to give serious consideration to succession planning.

**RESOLVED** That:

- a) The Work Programme be noted; and
- b) An item on the Asset Lease Review and an item on the possibility of funding for special schools from the Growth Fund be added to the Work Programme, at the request of the Chairman.

## **57. Date of next meeting**

**RESOLVED** – That the next meeting of Schools Forum be scheduled for Thursday 17 October 2019 at 2.00 pm in the Oak Room, County Buildings.

**Chairman**