

## **Schools Forum**

Tuesday, 5 July 2016

**2.00 pm**

Kingston Centre, Fairway, Stafford ST16 3TW

John Tradewell  
Director of Strategy, Governance and Change  
27 June 2016

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## **A G E N D A**

### **Part One**

1. **Apologies**
2. **Minutes of the meeting held on 23 March 2016** (Pages 1 - 10)
3. **Matters Arising and Decisions taken by the Chairman**
4. **LST Review progress** (Pages 11 - 36)  
Report of the Deputy Chief Executive and Director for Families and Communities
5. **Growth Fund - Allocation of Funding 2016/17** (Pages 37 - 48)  
Report of the Deputy Chief Executive and Director for Families and Communities
6. **SEND Assessment and Planning Process** (Pages 49 - 54)  
Report produced on behalf of the Deputy Chief Executive and Director for Families and Communities
7. **Notices of Concern Protocol** (Pages 55 - 70)



Report produced on behalf of the Deputy Chief Executive and Director for Families and Communities

8. **Notices of Concern** (Pages 71 - 72)

Report produced on behalf of the Deputy Chief Executive and Director for Families and Communities

9. **Procurement Regulations** (Pages 73 - 96)

Report produced on behalf of the Deputy Chief Executive and Director for Families and Communities

10. **Staffordshire Scheme for Financing Schools** (Pages 97 - 100)

Report produced on behalf of the Deputy Chief Executive and Director for Families and Communities

11. **Schools Membership Annual Review** (Pages 101 - 106)

Report of the Director for Strategy, Governance and Change

12. **Facilities Time** (Pages 107 - 114)

Report requested by Forum Members at their 23 March 2016 meeting.

13. **Fairer Funding**

Oral report of the Director of Finance and Resources

14. **Work Programme** (Pages 115 - 118)

15. **Date of next meeting**

That the next Schools Forum meeting is scheduled for 4 October 2016, 2.00pm, Kingston Centre, Stafford.

## **Part Two**

The Chairman to move:

'That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraph of Part 1 of schedule 12A of the Local Government Act 1972 indicated below'

nil

### **Membership**

Philip Siddell

David Ellison

Richard Redgate	Chris Wright
Claire Shaw	Karen Burns
Alison Gibson	Jonathan Jones
Stuart Jones	Steve Barr (Chairman)
Philip Tapp (Vice-Chairman)	Kevin Allbutt
Simon Turney	Linda James
Kirsty Rogers	Steve Swatton
Sharron Cartwright	Derek Watson
Karen Dobson	Judy Wyman
Wendy Horden	Ben Adams (Observer)
Shelley Sharpe	John Francis (Observer)
Ally Harvey	Claire Evans
Sara Bailey	

### **Core Officers**

Chris Kiernan	Rachel Spain
Helen Phillips	Will Wilkes
Sara Pitt	Karen Coker
Alison Barnes	



### Minutes of the Schools Forum Meeting held on 23 March 2016

Present: Steve Barr (Chairman)

#### Attendance

Philip Siddell	Jonathan Jones
Richard Redgate	Kevin Allbutt
Claire Shaw	Steve Swatton
Stuart Jones	Derek Watson
Philip Tapp (Vice-Chairman)	Judy Wyman
Kirsty Rogers	Ben Adams (Observer)
Wendy Horden	Paul Woodhead
Shelley Sharpe	John Francis (Observer)
Sara Bailey	Claire Evans

**Also in attendance:** Alison Wood, Helen Phillips, Anna Halliday, Rachel Spain, Helen Riley and Will Wilkes

**Apologies:** Alison Gibson, Karen Dobson, Ally Harvey, David Ellison, Chris Wright, Mike Donoghue and Daniel Beard

#### PART ONE

#### 40. Welcome

The Chairman welcomed the following new Members to the Forum:

- Claire Evans – Primary Head Teacher’s Forum
- Claire Shaw – Lichfield Diocese
- Richard Redgate – Special Schools
- Philip Siddell – Early Years PVI

He also welcomed Helen Riley, Deputy Chief Executive and Director for Families and Communities, and informed Members that Chris Kiernan, Interim Commissioner for Education would be starting full time in April.

Anna Halliday, Commissioner for Education and Wellbeing, was leaving the Authority at the beginning of April and the Chairman thanked her for her invaluable support and wished her well for her future.

#### 41. Minutes of the meeting held on 9 December 2015

**RESOLVED** – That the minutes of the Schools Forum meeting held on 9 December 2015 be confirmed and signed by the Chairman.

## 42. Matters Arising

Capacity and costs for academy conversions had been considered at the 9 December meeting, with concern raised at the short timescale within which the contribution was being introduced. Following these concerns the implementation date had been changed from 1 January to 1 April 2016.

The Schools Forum and Families First Review of the impact of Local Support Teams on outcomes for school age children and young people had helped develop a pilot around proposed new ways of working. The pilot was due to conclude at Easter and would then be rolled out. Members wished to ensure that the outcomes of the pilot would be evaluated and consideration given to the outcomes achieved to identify whether roll out across the county was appropriate. Members noted an interim report was due to be brought to their July meeting.

### a) Sponsored Academy Deficits

In light of the 58.4% academy deficit reported at the 9 December Forum meeting Members now received a report explaining the unusual circumstances around this deficit and the process for issuing notices of concern.

Members were informed that the issue of a notice of concern would not guarantee avoiding a school deficit. A school in deficit that chose to convert to an academy would take their deficit with them, however a sponsored academy conversion would leave any deficit for the Local Authority (LA) to pick up.

The particular case that raised Forum concerns was exacerbated in the way special school funding impacted on the timing of the conversion. Whilst this was a unique case it was wise to be prudent and Members agreed to consider changes to the protocol so that notices of concern could be issued earlier.

**RESOLVED** – That a report be brought to the July Forum meeting on changes to the protocol around issuing notices of concern.

## 43. Governor Database

*[Karen Coker, Relationship Manager (Education & Wellbeing), Russ Sheldon (County Manager for Education) and Shaun Smith (Entrust), in attendance for this item]*

At their meeting of 9 July 2015 the Forum requested information regarding how up to date and accurate the governing body records were that Entrust held and maintained on behalf of the County Council. As school governing bodies had to be reconstituted in September 2015, and Entrust contact schools in December to update their database in January each year, it had been agreed that the Forum would receive details of the records held at their March 2016 meeting.

The Forum now received an overview of governor places and vacancies in maintained schools across the county, by phase and category of governor, and by district. Whilst all those schools purchasing Entrust governor clerking services were up to date and

accurate, some schools purchasing private clerking services had not provided Entrust with details of their new membership. Governing bodies should publish up to date details of their governance arrangements on their websites and therefore this was a useful source of information to help update the Entrust database. However some examples had been identified where the information was not available.

Although an annual check on the database was undertaken in December Members were informed that where vacancies were held regular contact was made to check whether these had been filled and ensure the database was as current as possible.

The number of vacancies shown for staff governors was surprising bearing in mind schools were now only able to have one staff governor. The likely reason for this is the time between a term of office coming to an end and formal notification of a new appointment made, rather than a long term vacancy remaining unfilled.

All schools governing bodies had reconstituted from 1 September 2015 and Entrust had received Instruments of Government for all maintained schools, with the database updated to reflect this. The changes to the database and reporting would now make it easier to identify which school governing body's records were not up to date, which in turn would make it easier for Entrust to chase those schools. Whilst Entrust try to keep academy governing body data up to date academies don't have to give them this information and some reports (such as the one Members received today) will not include these details.

The importance of good governance was emphasised and the need to invest in appropriate training and support. Peer support systems had been set up by Paul Woodhead, Parent Governor Representative, and training was available to purchase from Entrust or alternative providers.

It was anticipated that a certain vacancy rate would always be present due to general changes in circumstance. The vacancy rate across the Country was between 12 and 13%.

Some concern remained with receiving responses from those governing bodies that chose not to purchase Entrust governor clerking services. The Cabinet Member asked Entrust colleagues to inform him of any schools who failed to respond, offering to write to them and address this issue.

**RESOLVED** – That the update on the accuracy of governing body records held by Entrust on behalf of the County Council is noted.

#### **44. Schools Budget 2016-17**

At its 9 December 2015 meeting the Forum had considered indicative levels of planned central expenditure and had agreed the indicative budget amounts. Members now received final figures used within that approval.

There remained three categories of centrally retained budgets within the Schools Budget, one of these being de-delegated items managed on behalf of maintained

schools following the vote of the Schools Forum. At its meeting of 7 October the Forum voted to leave unchanged the areas which were de-delegated in 2015-16.

The other two categories of centrally held budget were Central Services and Central Schools Expenditure. Members received details of the Central Services 2015-16 budgeted value, including the indicative values discussed at the December Forum meeting and the final value used to set the schools budget:

	2015-16 £	Indicative 2016-17 £	Final 2016-17 £
Admissions & appeals	786,050	786,050	786,050
Maintenance and servicing of Schools Forum	11,780	11,780	11,780
CERA (capital expenditure from revenue)	2,340,470	2,340,470	2,340,470
Prudential borrowing	924,130	924,130	924,130
Termination of Employment Costs	1,400,000	1,400,000	1,400,000
Combined Services:			
Families First - Local Support Teams	1,448,000	1,448,000	1,448,000
Entrust - School Improvement Services	818,280	818,280	818,280
SEN transport	250,140	250,140	250,140
	<b>7,978,850</b>	<b>7,978,850</b>	<b>7,978,850</b>

Central Schools Expenditure areas were relatively limited and included:

	2015-16 £	Indicative 2016-17 £	Final 2016-17 £
Infant Class Size	95,000	95,000	95,000
Significant Pupil Growth/ New building funding	750,000	500,000	500,000
Falling rolls fund	n/a	n/a	n/a
	<b>845,000</b>	<b>595,000</b>	<b>595,000</b>

Individual School Budgets represented the largest part of the funding for the majority of schools. It was based on the formula approved by Cabinet in 2014. There had been no significant changes introduced to the funding system this year and therefore overall levels of funding available remained constant with a cash flat grant settlement maintaining the per pupil level of funding.

The Forum were informed that a combination of a cash flat Dedicated Schools Grant (DSG) settlement and the continued pressures on the High Needs funding block had resulted in no headroom within the Schools Budget funding block. Members received a summary of Schools Budgets for 2016-17 with a comparison to 2015-16 budgets.

The Forum received details of the Early Years funding block which was determined using historic spend. Staffordshire received £3,515 for each full time equivalent pupil, which was one of the lowest funding rates amongst shire counties. The Early Years budget consisted of expenditure on pupils in: Private, Voluntary and Independent (PVI) providers; primary schools; nursery schools; 2 year olds places and trajectory funding; and Central expenditure.



The Forum had a consultative role in the financial arrangements for pupils with Special Educational Needs (SEN). There had not been any significant changes to High Needs funding arrangements and Staffordshire remained poorly funded in comparison with other authorities.

Members noted that funding rates for PVI provider were based on the funding model introduced in 2011-12, with the model being reviewed and updated annually to reflect cost pressures. They sought clarification on the extent of this annual review and were informed that a re-assessment was made annually taking account of increases in business rates and staffing costs. Members were reminded that DSG was cash flat and that there was no extra funding from Government for 2016-17. Concerns were expressed at the cost pressures for PVI providers around “free” childcare for two year olds.

The Forum also expressed concern at the poor funding Staffordshire received on High Needs. The number of Special Educational Needs (SEN) pupils in Staffordshire was not dissimilar to other counties, however the mix and balance of provision was.

Members raised concerns at the cost of independent school places to the County, this being £6m. There were more children with complex needs, particularly around emotional and behavioural needs. Special schools had no legal right to turn an out of county pupil away if they had a place and therefore there were instances of Staffordshire pupils being placed out of county with Staffordshire special schools accommodating out of county pupils'. Members felt the process in identifying a pupils need for a special school place was lengthy and had an impact on appropriate place provision. The purpose behind the SEND reforms had been to produce a faster system and a more local offer. Members felt there was a need for better tactical thinking to ensure Staffordshire special school places were predominantly for Staffordshire pupils as far as possible.

With reference to the Schools Budget Comparison 2016-17 – 2015-16 at appendix 1 Members asked for clarification on the variance in the capping gains and MFG. There was a complex formula used to identify this figure. An explanatory note would be emailed to Members after the meeting which showed how variances were calculated.

**RESOLVED** – That :

- a) the report be noted; and
- b) an explanatory note on MFG, capping and how variance was calculated as at Appendix 1 be circulated to Members after the meeting.

#### **45. Update on the Procurement Regulations for Schools**

The Procurement Regulations for Schools detailed the regulations and procedures that schools must follow in order to demonstrate proper safeguards and controls to ensure best value in purchasing decisions, safeguarding governors and staff when making such decisions. The Procurement Regulations had been updated to:

- take account of the formation of Entrust;
- include changes stated in the Public Contract Regulations 2015 & Transparency Code on Staffordshire Council Procurement dated 31 January 2015; and
- include the New Threshold Values for 2016 as published on the Gov.Uk website.

Members received a copy on the revised scheme that had been expected to go out for consultation from 21 March to 20 May 2016. However the timescales had been altered, with consultation now beginning on 11 April 2016.

The results of the consultation would be brought to the July Forum meeting.

**RESOLVED** – That consultation on the revised Procurement Regulations for Schools be noted.

#### **46. Update to the Staffordshire Scheme of Financing Schools**

The Staffordshire Scheme for Financing Schools (SSFS) set out the financial relationship between the authority and each Staffordshire maintained school. The scheme was last updated in 2012, however the Department for Education (DfE) had issued directed revisions to SSFS in 2013, 2014 and 2015 and Members received a summary of the directed revisions. The scheme also needed to take account of the cost sharing agreement on Redundancy/Early Retirement costs. Consultation with all schools on the updated Scheme had been due to start on 21 March but would now start on 11 April 2016, with the outcome of this consultation being brought to the July Forum.

**RESOLVED** – That the Forum notes the consultation being undertaken on the amended Staffordshire Scheme for Financing Schools.

#### **47. Growth Fund Policy**

*[Andrew Marsden (County Commissioner for Access to Learning) in attendance for this item]*

At their meeting of 9 December 2015 the Forum had agreed to extend the Basic Need Growth Fund criteria to support exceptional pupil growth in secondary and middle schools. The Forum also asked for further consideration to be given to the Growth Fund Policy allowing for the non-funding of schools holding excessive balances. However with increasing numbers of academies, trusts and federations with individual or pooled budgets, operating within different definitions, financial years and reporting mechanisms, it was not practicable to apply a budget control scheme mechanism consistently or fairly.

In light of this it was proposed that, to be considered for the Growth Fund schools must provide a self declaration for each of the three previous financial years (notwithstanding any previous changes in school designation, governance or status).

**RESOLVED** – That approval be given for all schools being considered for Growth Fund completing a self declaration of financial information with commentary.

#### **48. Early Years funding**

*[Matt Biggs (Childcare Sufficiency Manager) in attendance for this item.]*

At its 23 September 2014 meeting the Forum approved in principle the carry forward of Trajectory Funding into 2015-17 for quality improvements in the childcare sector, marketing and communication strategies and data management. Members now

received details of the utilisation of funding for the final year of this carry forward funding. The core of the projected £237,000 carry over for 2016-17 would be invested in further outreach activity. Whilst take up had steadily increased there remained approximately 14% of families across Staffordshire not taking advantage of their free entitlement. Ofsted had selected Staffordshire as an example of good practice in working with deprived areas.

A considerable number of Private, Voluntary and Independent (PVI) childcare settings had raised concerns at the projected rise in 2016-17 projected costs as a result of national minimum wage increases and employer contributions to staff pension schemes. The Government had indicated their intention of increasing the hourly rate from 2017-18 but had not provided additional funding for 2016-17 via Dedicated Schools Grant (DSG) to support the rising costs. To help bridge the gap in this funding the County Council aimed to support viability and sustainability in the sector by increasing rates in 2016-17 prior to DfE increasing rates in 2017-18.

Members sought clarification over the use of DSG to support the rising PVI costs and whether DSG was intended for maintained school settings only. DSG was in three blocks with an element for Early Years. They were assured that it was appropriate that some of the top sliced DSG be used for Early Years PVI settings.

The cost of “free child care” for two year olds was raised again with concerns that the funding was not enough to cover the cost of the places and hours required. Whilst there was an understanding that the county council was unable to offer more support than it currently did, the concern remained that this was not sustainable. The importance of PVI settings raising their concerns directly with Government was stressed, along with the need for all setting to respond to consultation so that the Minister was made aware of their concerns.

Matt Biggs informed Members that he had a meeting with the Minister next week and the Chairman asked that any information pertinent to the Forum be shared as soon as possible on the outcome of this meeting.

At its meeting of 9 December 2015 the Forum had requested information on how Early Years DSG was used in relation to the Council’s Service Delivery Agreement (SDA) with Entrust. Members now received this information.

**RESOLVED – That:**

- a) the planned utilisation of Trajectory Funding for less advantaged two year olds for 2016-17 be noted;
- b) the increased rates for PVI childcare providers for 2016-17 be noted;
- c) the update on the utilisation of Early Years funding as part of the SDA with Entrust is noted; and
- d) any details pertinent to the Forum resulting from Matt Biggs meeting with the Minister, be forwarded to Forum members.

**49. School Improvement in Staffordshire**

At their December 2015 meeting the Forum noted the £818,280 Central Services expenditure allocation to “Combined Service – Entrust” and requested clarification on

the respective roles of the LA and Entrust in regard to School Improvement and detail on delivery secured through the Central Services funding. Members now received details of the commissioning of services, including the range of services within the Entrust Service Delivery Agreement (SDA), and the resources that fund this. Members heard that the full value of the School Support and Intervention Services currently commissioned was £1,192,390. The county council also funds costs linked to the school improvement team, so makes a significant combined contribution to school improvement.

Strategic performance information was shared, with England comparison data given. Comparison data was also shared indicating schools that had received support from the county council's school improvement service showed a higher proportion had improved their year-on-year results than those schools that had not received support.

The Cabinet Member, Learning and Skills, suggested Members may wish to consider what they most valued in the support provided and what areas they wished to be delivered in future.

It was noted that primary exclusions were rising and Members asked why this was, particularly in light of the school improvement work undertaken. There were a range of different reasons for this, including aspects linked to behaviour. The council's working group on attendance, inclusion and participation was exploring the detail and approaches such as District Inclusion Panel options for primary and alternative or short stay facilities for primary aged children which had not previously been required but may now need to be developed. Members were informed that the Select Committee had also highlighted this issue.

**RESOLVED** – That the update on arrangements for School Improvement in Staffordshire be received.

#### **50. Notices of Concern**

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

Horninglow Primary	Conversion to a sponsored academy
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The notice was issued on 5 February 2016 with the planned conversion on 1 May. The Forum were advised that the school had used all its reserves and was predicting a deficit budget by the end of the year.

**RESOLVED** – That the issue and withdrawal of Notices of Concern to Horninglow Primary Schools listed above be noted.

#### **51. Fairer Funding Update**

The Forum received a briefing note on schools fairer funding which highlighted:

- consultation on the introduction of a National Funding Formula from 2017/18 where the funding each pupil attracts to their school will be determined nationally and to move to funding this direct to schools from 2019/20 onwards;

- the redesigned DSG into four blocks instead of three, creating a dedicated block for LA Central Services to undertake their reformed functions as set out in the consultation;
- the requirement for LA's to release all Schools Block funding to schools, removing the opportunity to agree top slices or de-delegated funds and requiring discretionary LA services to be offered on a traded basis;
- streamlining the number of factors in the national formula compared to current requirements of the local formula, treating differently the three factors linked to Looked After Children, pupil mobility and post 16; and
- consult on parallel on the High Needs Block of DSG, and to follow on with consultation on Early Years block during spring 2016.

Consultation on the Schools National Funding Formula would be in two phases:

- Stage 1 – launched on 7 March and closing on 17 April. This set out the underpinning principles and the intention of the reform;
- Stage 2 – detail the formula weightings, model the , model and impact on school budgets and set out the transition arrangements that would apply, informed by the first phase responses.

Members were urged to respond to the consultation and to encourage all schools to respond.

The Forum were informed that the Government had signalled their intention to consult on the Early Years block but that no date had been given for this. The Government had also not yet confirmed the rate for the additional 15 hours. The Chairman asked that this detail be circulated to Forum Members as soon as it became available.

F40 had produced a briefing note which would be forwarded to Forum Members after the meeting. F40 also intended to produce a response to the consultation and this would also be forwarded to Forum Members.

The Forum may consider setting up a small sub-group to look in more detail at the proposals, particularly looking at Stage 2 of the consultation.

The Cabinet Member, Learning and Skills, advised the Forum that he anticipated the duties of the LA would change from as soon as 12 months. It would be helpful to have Forum's views on these changes to help support the transition process.

**RESOLVED** – That,

- a) the oral report and briefing be noted;
- b) details on Early Years consultation and funding rates be forwarded to Forum Members as soon as these are available; and
- c) the briefing note be circulated electronically to all Forum Members.

## **52. Work Programme**

There are a number of items that the Schools Forum considers annually and these formed the basis of its work programme. The "Schools Forums : operational and good practice guide" (October 2013) states that:

*Local; authorities should as far as possible be responsive to requests from their Schools Forum and their members. Schools Forums themselves should also be aware of the resource implications of their requests.*

Members are therefore able to suggest an item for consideration at a future Forum meeting as long as it is within the remit of the Forum. Any Member request must be agreed by the Schools Forum before being included on the work programme. Each Forum agenda is set by the Chairman in consultation with the Clerk and the Director. The scheduling of items included on the work programme would therefore be agreed through this process, taking account of resource implications and agenda management.

Two suggestions were received:

- a sub group to consider Forum issues around the future of school improvement;
- an LMSCC report on Facilities Time Funding

**RESOLVED** – That the work programme be noted and the suggested additions to the work programme be scheduled appropriately.

### **53. Date of next meeting**

**RESOLVED** – That the next Forum meeting is scheduled for Tuesday 5 July 2016, 2.00pm, Kingston Centre, Stafford.

**Chairman**

**Schools Forum – 5 July 2016****Schools Forum and Families First  
Update on the work of Local Support Teams and their impact on  
outcomes for school-age children and young people****Recommendations:**

1. That Schools Forum notes progress made by Families First in partnership with Headteacher representatives, since the report to the Forum meeting in December 2016.
2. That Schools Forum agrees to receive a further report at its next meeting on the outcome of the repeated Survey to School Leaders on their views of the effectiveness of Local Support Team work to support school aged children and their families.
3. That Schools Forum identify any additional information that they would require for their next meeting, to enable the Forum to resolve on the allocation from the DSG for the continued provision of early help by Local Support Teams.

**PART A****Reasons for recommendations:**

1. At the meeting on 9 December 2015 the Schools Forum agreed to allocate £1.44m from the Dedicated Schools Grant to Families First for the continued provision of support for children and young people in need of 'early help'. This decision was informed by a full report on the outcome of a value for money review of the Local Support Team work on outcomes for children and young people of school age.
2. Schools Forum requested that an update report on progress with the work that had been initiated by the Group be brought to the last meeting before the end of the 2015/16 academic year.

**PART B****Background:**

3. At the meeting on 31 March 2015 the Schools Forum requested a review of the quality and impact of the work of Local Support Teams on outcomes for school-age children and young people. The outcome of the review informed Schools' Forum decision-making on the allocation to Families First from the Dedicated Schools Grant (DSG) of £1.44m. This figure has remained unchanged from the previous year. Historically, this financial transfer was agreed at the point of the conclusion of the Extended Schools' programme in 2012, with the principle that it would facilitate the collective funding of

'family/parent support' – that being a key part of the (then) DfES programme. This arrangement has not been formally monitored or reviewed to date, nor has a specific accountability framework been established as part of a commissioner (Schools Forum) and provider (Families First) relationship. The opportunity to work with schools to review the impact of Local Support and Targeted Intervention and to address this deficit was therefore welcomed by Families First.

## **Update on Joint Working with schools to improve the quality and accountability of Local Support Team early help provision**

4. The Reference Group of Headteachers, who volunteered to be involved, steered the work of the Group and signed off the progress and final reports to Schools Forum. The group has continued to meet in order to progress the work that was agreed as an outcome of the Review, has changed its title to the Schools and Local Support Team Partnership Working Group and its Terms of Reference were revised: these are attached as Appendix 1.

### **5. Survey to School Leaders**

One of the main elements of the Review was a county-wide survey to schools and analysed the results. A web-based survey targeting Headteachers, Pastoral Leads and Governors took place during October 2015 and provided an opportunity for Staffordshire schools across all phases to share their views on a range of relevant issues and to evaluate the extent to which the Local Support Teams currently provide value for money. Headteachers took the lead on developing the methodology and questions for the survey. In total 119 completed questionnaires across all school phases were returned. The majority of responses were submitted by Primary Schools (79).

This survey is due to be repeated in June 2016, and the analysis will track changes in the perception and evaluation by headteachers of the work of Local Support Teams.

6. The consistent and overarching priority for the Review was to better understand the impact that the work of Local Support Teams have on **Outcomes for children and young people**, and to ensure that we secured a clear understanding of how schools and LSTs could better work together to secure continuous improvement in the achievement of the most effective support for children and families. As part of this, three themes emerged from each of the consultation processes. These highlighted the need to secure improvement in:

- **Consistency** - of practice by Local Support Teams across all 8 districts, and a county-wide focus on improving the quality of that practice.
- **Capacity** - ensuring that there is a clear and shared understanding of the role of Local Support Teams, and that there is sufficient capacity for them to be able to fulfil that role.
- **Communication** - improving communication between schools and Local Support Teams as an essential component for improved collaboration when working with children and families.



7. Whilst discussing the issues to be explored in the review, the Reference Group identified some actions that were programmed with immediate effect. These have been mainstreamed into LST practice in order to promote communication and consistency, and to secure effective accountability with schools. This has included:

- **Feedback from Children, Young People and Families**

The Voice Project, managed externally to the Local Support Teams in the Families First Business Improvement and Development Team (BIDT), supported the review by securing the views of LST involvement from children, young people and families. This work has continued in two ways:

- (i) Termly consultation with a sample of children and young people.
- (ii) Analysis of feedback questionnaires from children, young people and their parents/carers. These are sent out when involvements are concluded, with a pre-paid envelope. The outcomes are reported in the Local Support Team Data Report Card (see below).

- **Consultation with schools about individual cases**

Amendments are being made to LST business process to ensure that routine consultation with schools takes place at the point of closure of LST involvement: the purpose is to gauge the view of the school on the impact of that involvement.

- A **protocol** for the resolution of disagreement between LST and school staff has been drafted and is awaiting 'sign off' by the Partnership Working Group.
- The practice of jointly auditing case work with headteacher colleagues, using the **Quality Audit** tool that is used for all LST case-file auditing purposes. The tool is attached for information as Appendix 3. This work has been slow to progress and greater emphasis has been placed with LST district management upon the importance of this initiative.
- The production of a termly **Local Support Team Data Report Card** for consideration by the Partnership Working Group. The first report card has been produced in line with agreed timescales and is attached as Appendix 4. This will be presented to the Partnership Working Group at its meeting in June 2016. The report card is currently being disaggregated at district level, so that local conversations can also be had with headteachers about the performance and issues for their district.

## **Proposed Changes to the National Funding Formula**

8. The Local Government Information Unit/Children's Services Network has summarised the implications for the Dedicated Schools Grant [www.lgiu.org.uk](http://www.lgiu.org.uk) This is summarised below:

*On 7 March 2016 the DfE launched its latest plans on introducing a National Funding Formula for schools to redistribute £31 bn of school funding.*

*The intention to move to a national funding formula by 2019/20 is set out but for the next two years and to ease the transition Local Authorities will be allocated the nationally calculated sum for their schools but will use their existing local formula to distribute that sum – the so called 'soft' national funding formula.*

*The DfE are then proposing, as a result of having more “accurate” allocations for DSG Blocks, that the LA Schools Block is 100% allocated to schools with no central retention by LAs.*

*The paper states that LAs will have continuing responsibilities in three main areas:*

- **Securing that sufficient school places are available**, ensuring fair access through admissions and working with schools to develop local transport policies, and taking a lead in crisis management and emergency planning.

- **Ensuring the needs of vulnerable pupils are met**: identifying, assessing and making provision for all children with SEN and disabilities; promoting attendance; and making sure that alternative provision is available for children and young people excluded from school or otherwise unable to attend a mainstream school; leading on safeguarding for those pupils in un-regulated settings, educated at home, tracking children missing education as well as those at risk of extremism; working with schools to ensure they understand and discharge their safeguarding duties; acting as a corporate parent for looked-after children and those adopted from care.

- **Acting as champions for all parents and families**: listening and promoting the needs of parents children and the local community; supporting parents in navigating the system and ensuring children do not fall through the gaps; supporting children, young people and parents to navigate local SEND arrangements (such as providing information, advice and support); and championing high standards locally.

*The DfE recognises that LAs may have insufficient funding to fulfil these responsibilities and that it may need to agree with maintained schools a top slice of their DSG in order to contribute to the costs of these responsibilities.*

9. At present, Staffordshire County Council co-funds the integrated Families First Local Support Teams. For every £1 that DSG contributes, the County Council adds a further £5 so that Local Support Teams (LSTs) can deliver interventions with families with children that have a number of additional needs. These are needs that cannot be met by a single service but that do not meet the threshold for specialist safeguarding intervention as defined in the thresholds set out by the Staffordshire Safeguarding Children Board –SSCB -Thresholds for Intervention.
10. Notwithstanding the outcome of the national consultation on the White Paper, Families First will need to maintain and enhance its accountability to schools if it is to secure continued financial support for provision of early help services through Local Support Teams into the future – and certainly beyond 2019. The work done thus far has established a sound basis upon which to navigate the next two years and determine the most effective way for future partnership working to deliver the best outcomes for children and young people in need of early help.

**Report author:**

Sue Coleman, Strategic Lead – Families First Targeted Services  
Tel. No: 01785 278062

**List of background papers:** None

## **Schools and Local Support Teams Partnership Working Group**

### **Terms of Reference**

**Reporting to:** The Schools Forum (Steve Barr – Chair)  
Families First Management Team (FFMT) (Richard Hancock - Head of Families First)

**Sub-Group(s):** To be established as and when required.

#### **1. Purpose**

To enable Staffordshire schools and Families First to jointly secure continuous improvement in the delivery of support to children and young people with additional and unmet need.

#### **2. Context**

A joint review of the impact of LSTs on children, young people, families and schools across Staffordshire was commissioned by the Schools Forum in March 2015: the review reported back to the Forum in December 2015. A Head Teacher Reference Group was established to steer the review: the Group was supported by officers from Families First.

The consistent and overarching priority for the Review was to better understand the impact that the work of Local Support Teams has on **Outcomes for children and young people**, and to ensure that schools and Families First could jointly secure a clear understanding of how LSTs could better work with schools to secure continuous improvement in the achievement of the most effective support for children and families. As part of this, three themes emerged from each of the consultation processes. These highlighted the need to secure improvement in:

- **Consistency** - of practice by Local Support Teams across all 8 districts, and a county-wide focus on improving the quality of that practice
- **Capacity** - ensuring that there is a clear and shared understanding of the role of Local Support Teams, and that there is sufficient capacity for them to be able to fulfil that role.
- **Communication** - improving communication between schools and Local Support Teams as an essential component for improved collaboration when working with children and families.

A key outcome for the Review was also the development of a framework to secure accountability to schools for addressing these issues, and for clearly demonstrating the impact of the involvement of LSTs on outcomes for children and families.

Schools Forum asked that the Head Teacher Reference Group be expanded and charged to work on its behalf with Families First to oversee the implementation of the

agreed joint actions, evaluate the impact and to ensure continued momentum for continuous improvement.

### 3. Objectives

The Partnership Working Group’s objectives (not an exclusive list and subject to review) could include:

- Successfully implement a new joint Performance Framework;
- Monitor progress towards agreed joint performance targets;
- Ensure regular engagement with children, young people, parents/carers, School colleagues and LST practitioners (in line with the performance framework);
- Analyse and evaluate the findings from engagement and other insight to understand challenges, gaps, strengths and achievements;
- Implement an agreed joint action plan to resolve issues and gaps and to build on strengths and innovative best practice across the county;
- Finalise and review annually the Joint Working Protocol;
- Seek examples of innovative and best practice nationally;
- Share updates on regional and national developments such as policy changes;
- Engage on relevant future proposed internal changes that may impact on the partners and promote co-design opportunities, such as changes to ways of working and documentation;
- Regularly update the Schools Forum, FFMT and the Strategic Commissioner for Education and Wellbeing on progress and challenges and adapt action plans accordingly based on feedback.

### 4. Deliverables

The deliverables of the group to include (not an exhaustive list and subject to change):

- Presentation of an annual report on performance by Local Support Teams and on joint developments, to Schools Forum (next report due: July 2016)
- Commission the annual survey of school leaders on the impact of the work of Local Support Teams, analyse and report on the findings, as part of this report.
- Regular monitoring of county-wide performance using the agreed Joint Performance Framework;
- Act as a consultative body for the Families First Local Support Team Offer to Schools.
- Agree and drive a Joint Action Plan , including the piloting of innovation and changes to business processes, workforce and organisational development;
- Relevant joint communications to Schools, LSTs and other partners as applicable (such as following co-development of new processes);
- Development of an agreed Joint Working Protocol;

### 5. Membership

The membership of the group to include:

<b>School Representatives</b>	Representatives from each district and stage (including a Special School and PRU)
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	<ul style="list-style-type: none"> <li>• Head Teachers</li> <li>• Deputy Head Teachers</li> <li>• Pastoral/Inclusion Leads</li> </ul>
<b>Families First Representatives</b>	Strategic Lead for Targeted Services County Manager Targeted Services (East) Business Improvement and Development Team Manager
<b>SCC Commissioner Representative</b>	County Improvement Manager for Education Inclusion
<b>SCC Finance</b>	Senior Finance Business Partner (as and when required)

## 6. Responsibilities of the Joint Chairs

The Partnership Working Group Joint Chairs will be responsible for:

- Sharing updates and reports with the Schools Forum, FFMT and the Strategic Commissioner for Education and Wellbeing;
- Overseeing the implementation of the Joint Action Plan;
- Promoting open, positive and constructive discussions;
- Nominating leads for pieces of work as and when applicable.

## 7. Responsibilities of the Group Members

The Partnership Working Group members will be responsible for:

- Actively participating in the group through attendance, discussion and review of papers;
- Represent the collective views and opinions of their colleagues, sharing their expertise and experience;
- Promote open, positive and constructive discussion and debate;
- Progress any actions allocated to them in accordance with agreed timescales and with appropriate updates to the Partnership Working Group as applicable.

## 8. Frequency of Meetings

The Partnership Working Group will meet on a half termly basis. Any necessary changes to the scheduled meeting dates or additional meetings required will be confirmed by the Joint Chairs.



# Targeted Services

LST Schools Consultation Spring 2016

May 2016



The Voice Project is a consultation and Engagement service that offers its services across the whole of Families First. Our aim is to ensure the voices of children, young people and families are embedded in Staffordshire's approach to planning, design, delivery and evaluation of services.

### **Background**

The Voice Project agreed a consultation framework with the LST management team at the start of 2016. Following the success of the school LST consultation pilot in autumn 2015 this has been included in the framework. This consultation is now open to all LST districts; the districts have been split into the school terms meaning all districts will have a consultation session within the year. This term we have covered South Staffs and Moorlands in the last 2 months.

During this 2 week consultation we meet with 16 young people aged between 8 & 16 years old. We visited 8 schools including, primary, middle and secondary, some of which are academies.

The aim of this consultation was to gain feedback from young people whose cases were closed following support from the Local Support Teams in South Staffs and Moorlands.

### **Methodology**

The service leads in South Staffs and Moorlands were sent out a report showing all cases closed in the last 2 months in their area. They were given two dates in which a Voice Project member of staff would be available in their area for interview. They then booked appointments directly with the schools for Voice Project staff to undertake. It was done this way as it is felt the locality teams have the relationship with the schools.

These appointments were then passed to the Voice Project team to undertake direct consultation work with young people.

At the informal sessions young people were all asked the same set of questions, notes were taken by Voice Project staff. After all the interviews the Voice Project staff inputted information gathered into a table.



## Findings Snapshot ▼

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### What we do well

- They talked to me and involved my mum in the work we did.
- It was nice to have someone to talk to outside of the family.
- Nice to have the support whilst waiting for CAMHS.
- Having someone to talk to who treats you like an adult.
- Helped with my feelings.
- Helped me be more confident.
- Talked to teachers for me to help me get more support.
- She was very kind and happy.

### What we could do better

- Support in place earlier would have been better.
- Explain why I was having these feeling more.
- Have the support for a bit longer.
- Had a number of support workers, so could not build up a relationship.
- Advice given did not help.
- Work with whole family as it affected them too.
- School did not know what was going with LST support.

## Feedback Summary ▼

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### Things that we did well...

Young people spoken to in first and primary education were very positive about the support they had received from their LST and worker. They enjoyed the group work they took part in and the work that was done with them.

Although the cases were closed they were told they could ask to see their LST worker again if they felt they needed more support or things started to become unsettled again.

Some young people liked having someone outside the family to talk to who could give them support and answer questions, this made them feel listened to and happier.

### Things could have been better if...

The project visited 5 secondary schools, the feedback from here is not as positive as the first and middle schools. Young people felt the advice and support given did not

help improve their situation, or the support came in too late. One young person felt her parents were not involved in the work and support which they believed would have helped, were as another felt that their views were not sought before meeting with everyone.

Overall the young people in secondary did not feel they built such a strong relationship with the LST worker, they were nice but not that helpful to their situation they were called in to support with.

### **I would change...**

Having support earlier on than offered, as may have been easier to sort out before it became too big.

The information given was not very relevant to specific situations, so felt it was not very helpful.

Communication between LST, young person and school could be better, some appointments had been missed, workers changed without discussion with young people. A few were unaware the LST involvement has finished and wondered why they hadn't seen them for a while.

### **What's changed at school and for the family...**

Many commented on how things had improved at home, their parents were happier and not so stressed which made things calmer.

Some explained that due to the work and advice they have been given they controlled their anger more and used ways they had been taught to work through their feelings before they became too much.

A few felt nothing had changed for them, these were generally older in age and attending the secondary schools we visited.

### **If you needed advice or support where would you go...**

Teachers and support staff are a popular link for information for all ages of young people. They feel safe talking to them and they see them daily so have many opportunities to request information or support.

Parents are another place young people will go for help, advice and support, this also included other family members like grandparents and older siblings.

A member of the Voice Project team went out to visit teams in the localities taking part in this consultation to give them general feedback from the school visits and get their views on the responses.

- Things that went well....

The team were really pleased to hear the positive feedback received from the young people and felt it was nice to hear, they strive to have a “family approach” the support they give.

- Things that could have been better...

Schools to refer earlier where possible so they can work with the child and family before it reaches a crisis point, doing this may mean it does not escalate. They do not have referrals from families themselves, are they aware they can self-refer? Could posters be made advertising how to self-refer?.

Staff absence and long term sick does mean workers are changed at last minute or meeting cancelled, this is out of the team’s control.

Waiting lists for CAMHS support makes staff feel they are “babysitting” when specialist support is needed. Gaps in services, hardly any voluntary service to refer to and target support with large waiting list.

- In general the younger children spoken to were happier with the support and felt it helped them, but the secondary school age did not feel as supported or feel the support met their needs as much.

Feel we do not have the capacity to do what we consider to be a good job, seem to spend more time gathering data to justify the work load.

Teenagers are harder to engage with in general, we sometimes feel the school thinks we have a “magic wand” and we can fix everything quickly which is not the case and may not be in the time scales they want. Do they know they can refer themselves? They may want to engage more if they feel they are in control of the referral?.

Secondary schools are harder to engage with, we find it hard to get into the schools to work with them unlike primary and middle.

Schools do not have a clear understanding of what LST service offer, so unrealistic expectations. Mental Health issues seem to be prominent in the secondary schools which can mean specialist support is needed.

- Clear action plans to be written for all young people working with the LST which can be shared with others who are supporting the plan and work with the young person and family. (*same as Autumn 2015*)
- Communication mechanisms to be reviewed between the school, parents/young people and LST workers. (*same as Autumn 2015*)
- LST workers to be trained on a range of methods to use with young people and their families, this will mean young people who are referred back to the service will not have to do the same work twice. This also gives varied methods to use as not all young people are the same and have different learning styles. (*same as autumn 2015*)
- To look at promotion of self-referral for young people and parents/carers.
- To give LST leads 3 week window to book appointments; this should mean more appointments booked leading to more feedback.
- To give the LST coordinators a more structure request for certain young people so we get more of a mixture of age, sex and areas.
- To exclude young people who worked with LST only for attendance as they do not have much feedback to give as only maybe a couple of sessions. (*agreed by Sue Coleman 15.4.16*)

## Local Support Team Quality Assurance Tool

Single Agency Response

Multi-Agency Response

<b>Child/young person</b>	Click here to enter text.	<b>ID number</b>	Click here to enter text.
<b>DoB/EDD</b>	Click here to enter text.	<b>Gender</b>	Click here to enter text.
<b>Ethnicity</b>	Click here to enter text.	<b>Disability</b>	Choose an item.
<b>Case holder:</b>	Click here to enter text.	<b>Person checking file:</b>	Click here to enter text.
<b>Date of check:</b>	Click here to enter text.	<b>LST number:</b>	Click here to enter text.
<b>Type of audit</b>	Choose an item.		
<b>Agency starting EHA</b>	Click here to enter text.		

## Assessment

Initial concerns for the assessment are evident on the EHA form	Choose an item.
Evidence confirms that each section of the EHA has been considered	Choose an item.
The family's culture, religion and heritage are recognised and have been considered	Choose an item.
Additional needs arising from learning difficulties, disability, health impairment or mental illness, for the child, young person and/or family have been taken into consideration	Choose an item.
The assessment discussion has been clearly recorded	Choose an item.
It is clear which partner agencies are working with the family	Choose an item.
The child/young person has contributed to the assessment and the evidence is clear	Choose an item.
The parents/carers have contributed to the assessment and the evidence is clear	Choose an item.
Professionals involved with the child or family have contributed to the assessment	Choose an item.
The practitioner has reflected upon and considered all of the information available, including historical information, to support analysis of the root cause(s) of concerns	Choose an item.
Risk has been appropriately considered	Choose an item.
The assessment clearly recognises the identified strengths and resilience of the family and their wider community	Choose an item.
The assessment is reflective of the needs of all of the children in the family	Choose an item.

**Actions and comments:**

[Click here to enter text.](#)

**Plan**

Is there an action plan	Choose an item.
The action plan reflects the assessment	Choose an item.
The plan is SMART <sup>1</sup>	Choose an item.
The voice of the child is evident and influential	Choose an item.
The family are active partners in the plan	Choose an item.
The roles and responsibilities of all individuals or agencies in the plan are clearly identified	Choose an item.
The plan builds on the strengths and resilience of families and households, and the support available in their communities	Choose an item.
Outcomes are clearly identified	Choose an item.
The plan is reflective of the identified needs of all of the children in the family/household	Choose an item.
The plan has been reviewed appropriately	Choose an item.

**Actions and comments:**

[Click here to enter text.](#)

**Intervention**

Appropriate partner agencies are actively engaged in the Family Plan	Choose an item.
Interventions are evidence informed and outcome focused	Choose an item.
Direct face-to-face work is done with children and young people	Choose an item.
The case is managed in a timely manner and drift is avoided	Choose an item.
If the child/family is refusing to engage there is evidence of practitioners using different techniques to (re)-engage them	Choose an item.
Key management decisions are recorded where appropriate	Choose an item.

**Actions and comments:**

[Click here to enter text.](#)

**Outcomes**  
**Closed cases only**

All appropriate professionals are satisfied that positive outcomes have been achieved	Choose an item.
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<sup>1</sup> Specific, measureable, achievable, realist, time bound.

**CONFIDENTIAL**

The child/young person feels that positive outcomes have been achieved  
Parents/carers are satisfied that positive outcomes have been achieved  
There is evidence that all TAF members agree that the needs of the family have been addressed

Choose an item.  
Choose an item.  
Choose an item.

The conclusion of LST involvement is carefully planned for the sustainability of positive change

Choose an item.

**Children of statutory school age only**

Choose an item.

There is evidence that the subject child's school agree that there is no further role for the Local Support Team

Name of the school

Click here to enter text.

**Actions and comments:**

Click here to enter text.

**Final audit grade**

1 outstanding       2 good       3 requires improvement       4 inadequate





# Local Support Team Data (1 January 2016 - 31 May 2016)

## QUALITY

### Performance Management

Families First Local Support Teams are performance managed for quality of practice through monthly data report cards, regular casework audits, focussed staff supervision and feedback from young people/parents/carers. The Head of Families First reviews performance on a quarterly basis based on information provided by County Managers for the service supported with evidence from the Families First Business Improvement & Development Team. Local Support Teams have moved their case recording to a new configuration of their IT system to reflect the support being provided to children and their families in need of Early Help. The revised recording process captures one involvement per family case, rather than one involvement per child as previously.

### The Quality of Casework Practice

Using the LST Quality Audit Tool: District Leads to audit jointly with head teachers. One case per district : randomly selected.

To be reported in future reports.

#### What This Data Tells Us

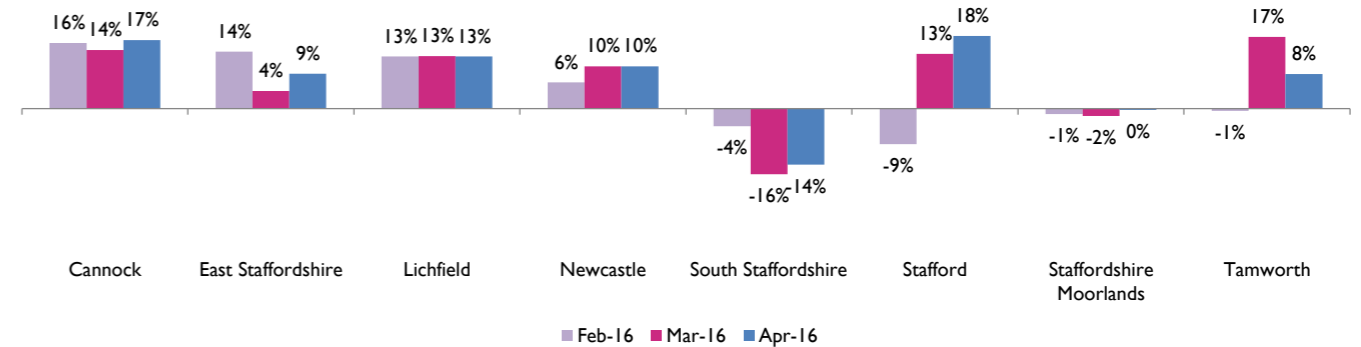
- Termly report on:
- % of audits where it was agreed that casework was good or better.
  - Key headline findings.

#### Actions to Improve

Progress to action joint audits has been far too slow and has now been highlighted with all District Leads as a priority.

### Maximising and Managing Staffing Capacity

#### LST Staffing Levels (FTE) - Variance Against 75% Target



#### What This Data Tells Us

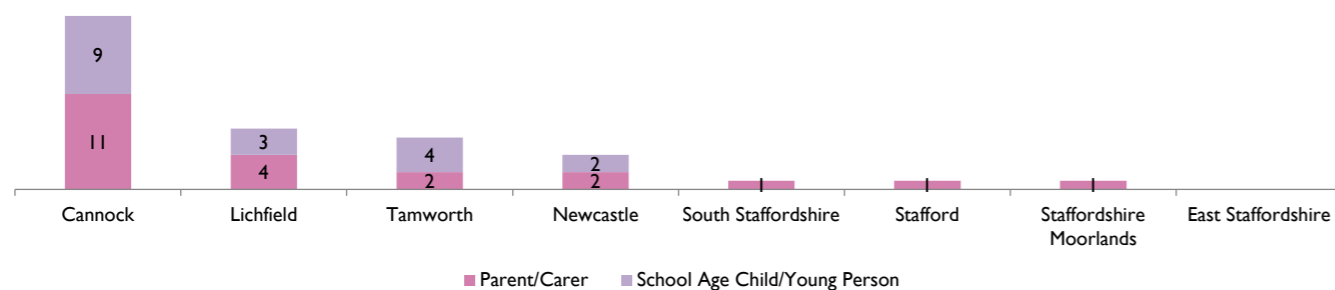
In April 2016, South Staffordshire had a staffing level of 61%. This was impacted by vacant posts and long-term sickness. Staffing levels improved in Cannock and East Staffordshire due to staff returning to work following long-term sickness. Recruitment has increased the staffing level in Stafford. The staffing level in Tamworth decreased as staff left the service and posts became vacant. These are now being recruited. The staffing information for May 2016 is not yet available.

#### Actions to Improve

- All appropriate action is being taken to manage absence, including the re-distribution of resources wherever possible.
- All vacant posts are in the process of being filled.
- All temporary posts are in the process of being reviewed by HR with a view to achieving permanency where possible, thus promoting the stability of the service.
- Schools have been notified of all cases open to staff who are absent for more than three days.
- Arrangements are confirmed for the cover of those cases open to staff whose absence is deemed to be 'long term'.

### Children and Families are Actively Engaged and Influence the Progress of LST Involvement

#### Number of Parents/Carers and School Age Children/Young People that Completed the Feedback Questionnaire



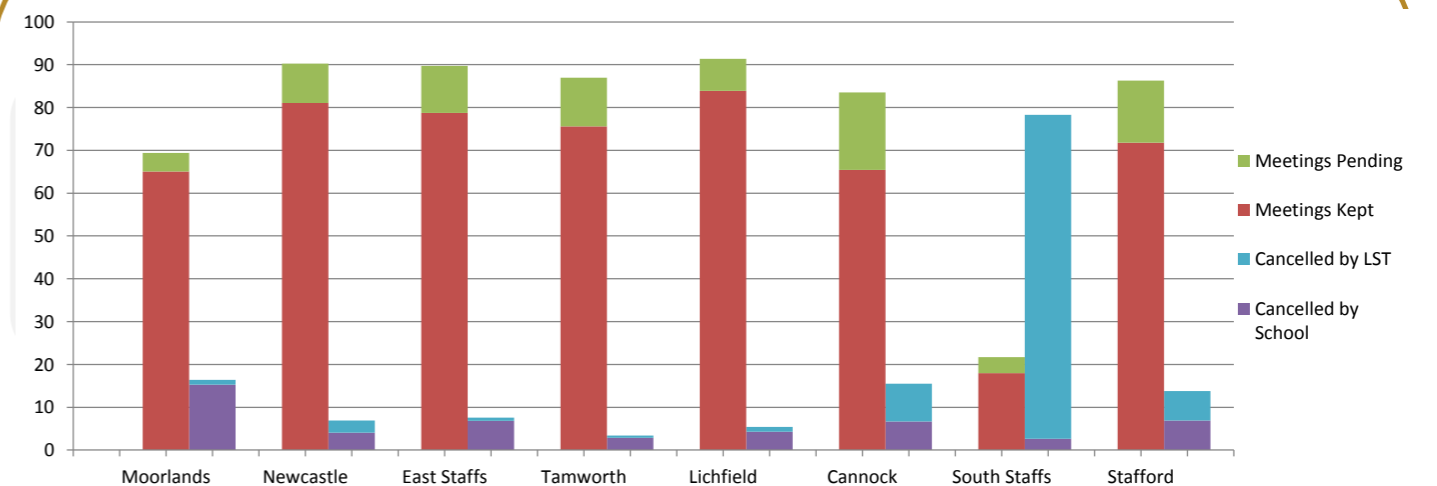
#### What This Data Tells Us

There was a delay in implementing the Feedback Questionnaire and this process commenced from May. Across the service, 40 Feedback Questionnaires have been received by the Business Improvement and Development Team from parents/carers and children/young people involved with LSTs. LSTs ceased to work with 91 school-aged children in May. 38 of the 40 respondents were happy with the service from LSTs. 34 of the 40 respondents thought that the support received from LSTs would make a positive change in their lives.

#### Actions to Improve

Numbers are too small at the moment to rely upon for analysis, and the process has yet to become fully embedded as custom and practice across the county. Further work is needed to be sure that this begins to generate the feedback that we need to be able to refer to with confidence. This will be raised with Districts at a service-wide development workshop on 10 June 2016.

### Communication & Engagement With Schools: Link Meetings undertaken as arranged during the current academic year, up to 10 June 2016.



This data is being presented for the first time, and data quality issues are largely resolved. The information is taken from local spreadsheets which 'track' the Link Worker meetings and recording has not been consistent across the county up until this point. Overall the pattern for the % of meetings that have taken place as scheduled is very positive, albeit that there is local variation.

Now that there is a clear way of ensuring the Link Meetings take place with schools as arranged, then the focus can be on the extent to which schools find the Link meetings to be of value. This information can be drawn from the annual Survey to School Leaders which is being sent out to schools in June 2016.



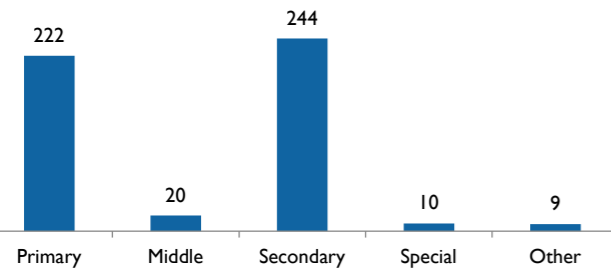
# Local Support Team Data (1 January 2016 - 31 May 2016)

## QUANTITY

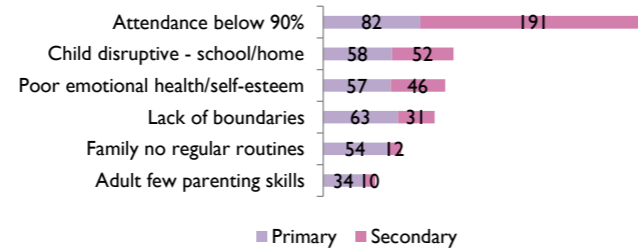
Local Support Teams have moved their case recording to a new configuration of their IT system to reflect the support being provided to children and their families in need of Early Help. The revised recording process captures one involvement per family case, rather than one involvement per child as previously.

### Requests for Support for Local Support Teams Made By Schools

Requests for Support from Schools



Requests for Support from Schools - Top 6 Focuses for LST Engagements with Children



#### What This Data Tells Us

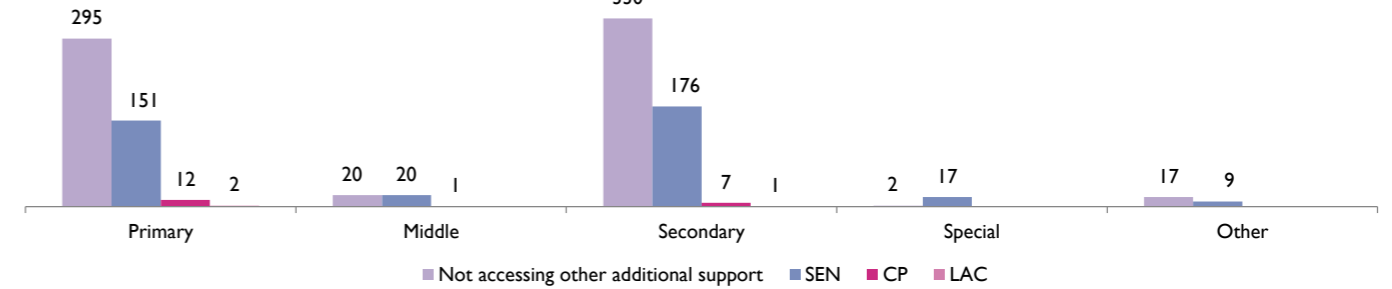
40% (505) of all requests for support were received from schools. These figures do not include the issue of penalty notices for unauthorised leave of absence during term time. For children in all school phases, schools submitted the highest number of requests for support to Local Support Teams. For open requests for support from schools, attendance below 90% was the top focus for LST engagement with children, followed by child disruptive at school/home and poor emotional health.

#### Actions

It is unsurprising that the most common issue of concern is related to school attendance. It is interesting that schools request support for both disruptive, and withdrawn, behaviour at similar rates, and it will be important for the LSTs to ensure that they retain the capacity in terms of skills to be able to respond. This information - if demonstrated by a consistent pattern, should also be used to inform commissioners of services - in particular those focussed on emotional well-being.

### Local Support Team Involvement with Children who are Subject to Other Additional Support

Number of Open LST Engagements with Children



#### What This Data Tells Us

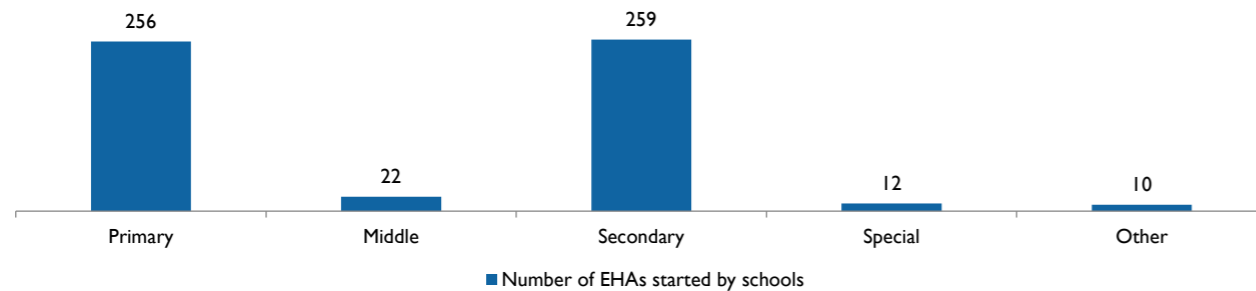
At the end of the reporting period, LSTs are working with three Looked After Children and 19 children subject of a Child Protection Plan. 12 of the 19 children subject of a Child Protection Plan are in the primary school phase. Most pupils with Special Educational Needs are in the primary and secondary school phases. Most pupils that LSTs are working with are not accessing other additional support. Two pupils at a special school do not have a SEN status.

#### Actions

The proportion of children with a SEN is higher than anticipated and this data will inform work to ensure that the synergy between LSTs and ENTRUST is as effective as it should be, in order to avoid duplication and maximise the effective use of resources. Further analysis of the focusses of the work with children with SEN will also inform these discussions. The 2016/17 Business Plan priorities for Local Support mean that the proportion of involvements with children who are already known to Safeguarding or LAC teams will increase over time as LSTs support work to prevent placement breakdown and help children and young people return home.

### Requests for Support from Schools

Number of Early Help Assessments Started By Schools



#### What This Data Tells Us

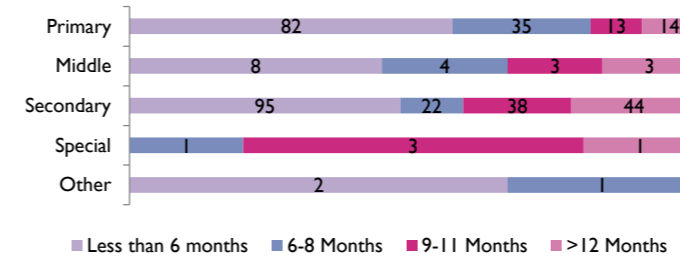
559 Early Help Assessments were started by schools. Schools are leading on 54 of their own Early Help Assessments. Of the Early Help Assessments started by schools, 20% were from Newcastle schools, followed by 16% from Cannock schools. 8% were from Stafford and South Staffordshire schools. Numbers varied across school phases. In Tamworth, primary schools started two thirds of Early Help Assessments. In Staffordshire Moorlands, secondary schools started two thirds of Early Help Assessments.

#### Actions

Schools are leading on 10% of early help work that is supported by the Early Help Assessment - although it is assumed that this is an under-proportion and dependent upon notification, which may not always happen. Further reports can be produced, if required, with information about District variations in the numbers of Early Help Assessments started by schools.

### Length of time of Local Support Team Involvement

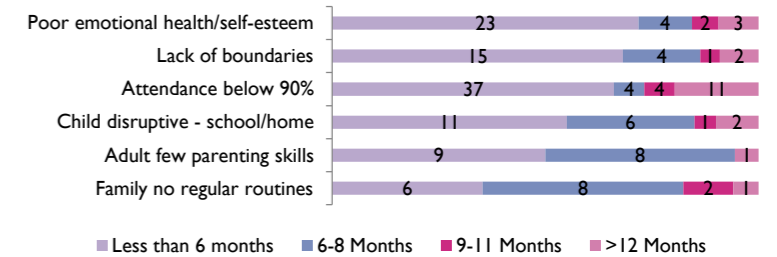
Duration of Closed LST Involvements with School-Age Children



#### What This Data Tells Us

LSTs ceased to work with 369 school-aged children in the period. Half of all involvements had a duration of less than six months. Over half of involvements with primary phase pupils had a duration of less than six months. Of those with a focus of poor emotional health, nearly three quarters of pupils' engagements lasted less than 6 months. One in five involvements with secondary phase pupils had a duration of more than 12 months. One fifth of pupils' engagements with an attendance below 90% focus also had a duration of more than 12 months.

Duration of Top 6 Closed Focuses for LST Engagements with School-Age Children



#### Actions

Work to improve school attendance would appear from these figures to be the most likely reason for those involvements that extend beyond 12 months. This may however also reflect some 'drift', and we will interrogate these further to explore any patterns that indicate differential practice. Further reports have been requested on the focuses of the work with the 82 involvements with secondary age pupils where the involvement exceeded nine months. If there is a significant bias on one or two issues, then this will be further explored through case audit.



# Local Support Team Data (1 January 2016 - 31 May 2016)

## IMPACT I

Local Support Team practitioners maintain a record of the range of issues for the families with whom they work, and these are summarised to facilitate service management and planning. The following have been selected as proxy indicators for work to address these issues:

This data shows the numbers of LST involvements closed, where closure is agreed by managers as appropriate as the work that was planned has been completed and, in the view of the manager and practitioner, has helped the child and family to achieve the required progress.

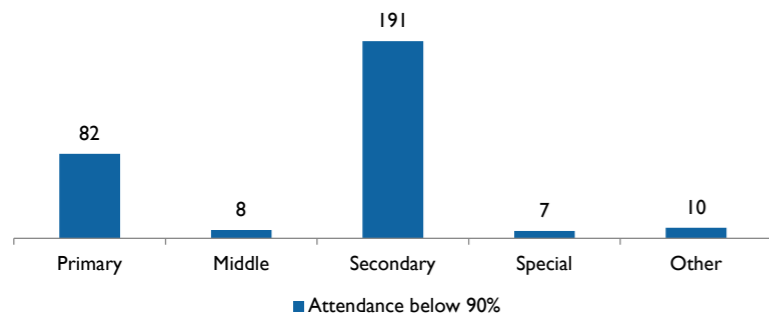
Page 33

### Attendance

Is Local Support accessible and engaged with the right issues?

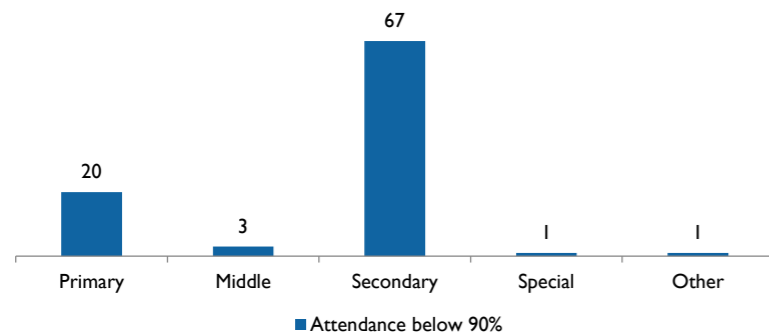
FoE: attendance below 90%

Number of LST Engagements Still Open with Attendance Focus



What is the impact of Local Support in relation to attendance issues?

Number of Closed LST Engagements with Attendance Focus: LST work completed



#### What This Data Tells Us

Closure is in line with the overall spread of work on attendance issues across the sector.

#### Actions to improve

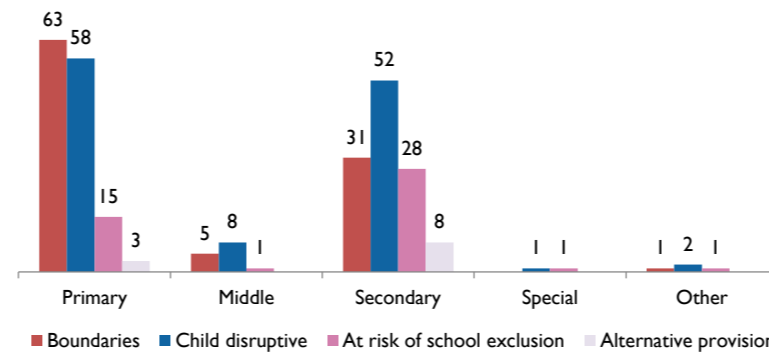
Additional data is being generated through a bespoke Capita domain for attendance which will track progress through 'real-time' attendance data for individual children. At present there are data quality issues but it is hoped that reports will be available by the end of June.

### Behaviour

Is Local Support accessible and engaged with the right issues?

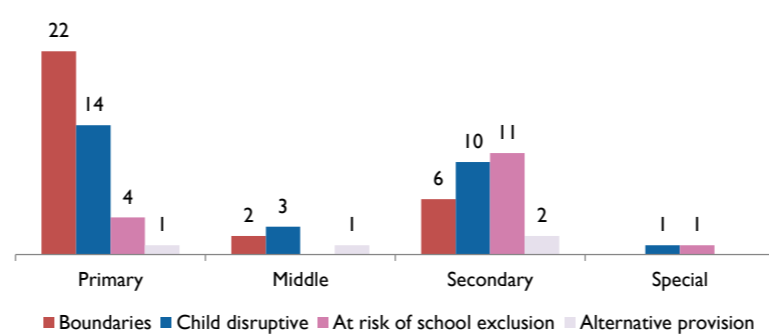
FoE: boundaries, child disruptive, at risk of school exclusion, alternative provision

Number of LST Engagements Still Open with Behaviour Focus



What is the impact of Local Support in relation to behaviour issues?

Number of Closed LST Engagements with Behaviour Focus: LST work completed



#### What This Data Tells Us

Successful closure reflects the overall spread of issues across phases, with the exception of work with young people whose behaviour is described as 'disruptive' in secondary schools. For the 16 pupils at risk of school exclusion, 13 pupils have not been excluded since LST work was completed. Of the three pupils, one was permanently excluded before, one during and one after an LST involvement.

#### Actions to Improve

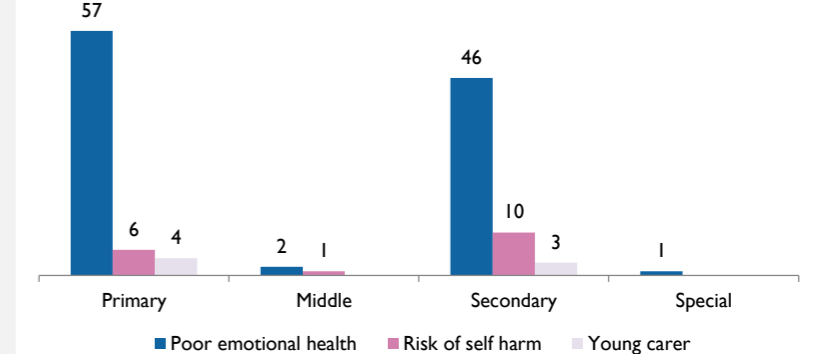
If this is considered to be a pattern then further work is needed to assess the capacity in LSTs to undertake work with this issue successfully. Data has been generated in the past to show the proportion of children in this population that have subsequently been excluded from school. An update of this report has been requested.

### Emotional Well-Being

Is Local Support accessible and engaged with the right issues?

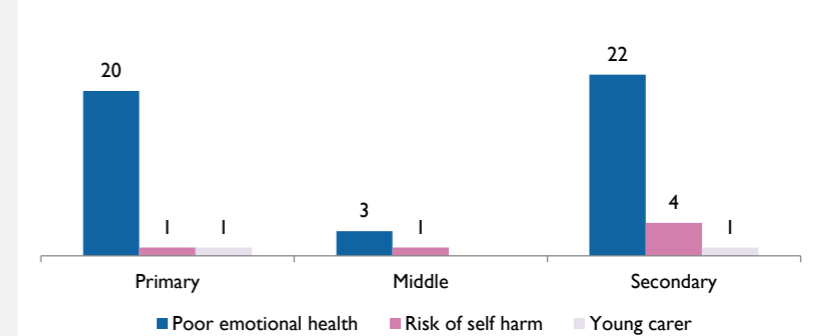
FoE: poor emotional health, risk of self harm, young carer

Number of LST Engagements Still Open with Emotional Well-Being Focus



What is the impact of Local Support in relation to emotional well-being issues?

Number of Closed LST Engagements with Emotional Well-Being Focus: LST work completed



#### What This Data Tells Us

Across all school phases, poor emotional health has been identified as an issue from assessments. 45 action plans for poor emotional health were completed with outcomes met across all schools.

#### Actions to Improve

For the first time we have a sense of the extent to which the implications of caring responsibilities are recognised by schools and drawn to the attention of LSTs. An audit will be requested of those involvements with primary school age children where there is felt to be a risk of self harm.



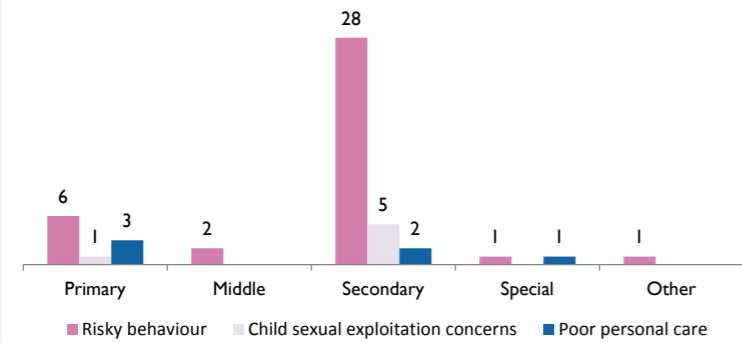
Local Support Team practitioners maintain a record of the range of issues for the families with whom they work, and these are summarised to facilitate service management and planning. The following have been selected as proxy indicators for work to address these issues : This data shows the numbers of LST involvements closed, where closure is agreed by managers as appropriate as the work that was planned has been completed and, in the view of the manager and practitioner, has helped the child and family to achieve the required progress.

## Physical Well-Being

Is Local Support accessible and engaged with the right issues?

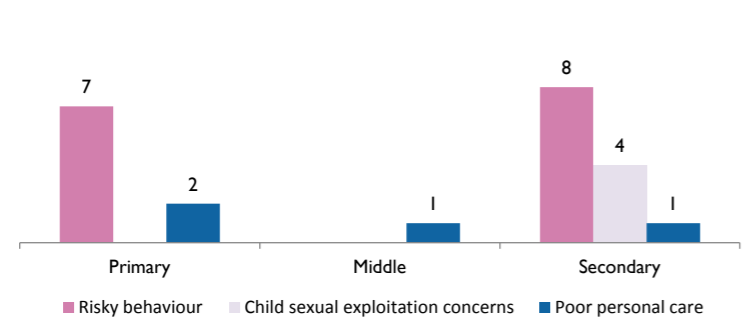
FoE: risky behaviour, child sexual exploitation concerns, poor personal care

Number of LST Engagements Still Open with Physical Well-Being Focus



What is the impact of Local Support in relation to physical well-being issues?

Number of Closed LST Engagements with Physical Well-Being Focus  
Focus: LST work completed



### What This Data Tells Us

Risky behaviour has been identified as an issue mostly by secondary schools.

The numbers for 'Poor Personal Care' are far lower than anticipated.

### Actions to Improve

The effectiveness of work with secondary school age young people engaged in 'risky behaviour' is an issue which will need to be monitored as, proportionately, these involvements would appear to be slow to close.

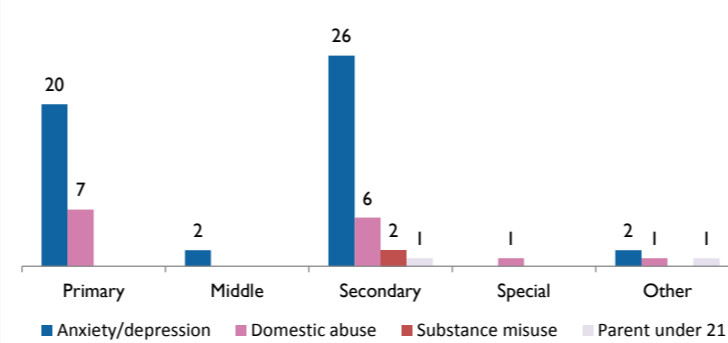
'Poor personal care' features much less than anticipated. Given a recent focus on improving identification of low level neglect, then this may be an area for further discussion.

## Parental Well-Being

Is Local Support accessible and engaged with the right issues?

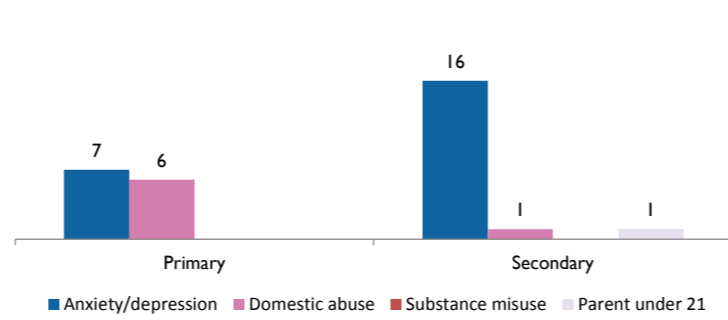
FoE: anxiety/depression, domestic abuse, substance misuse, parent under 21

Number of LST Engagements Still Open with Parental Well-Being Focus



What is the impact of Local Support in relation to parental well-being issues?

Number of Closed LST Engagements with Parental Well-Being Focus  
Focus: LST work completed



### What This Data Tells Us

Parental anxiety/depression has been identified as an issue mostly by primary and secondary schools.

### Actions to Improve

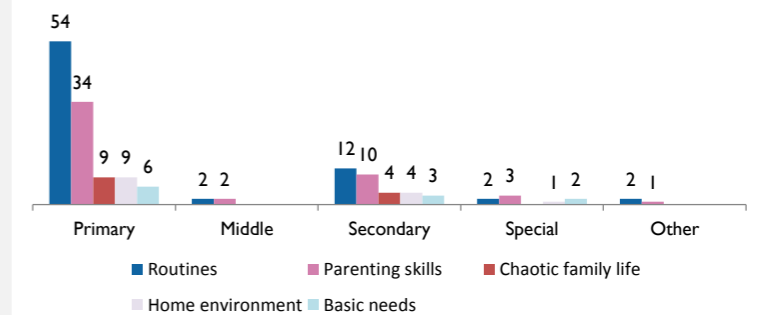
There is a lesser proportion of closures where anxiety and depression are issues for parents, in the primary sector. If this becomes a trend, then an audit should help to understand why this is the case. The data may indicate that schools' confidence in recognising parental substance misuse is low. Given the relevance of this issue for identifying a risk factor for neglect - particularly for primary school age children - then this may signal the need for awareness-raising and support.

## Family Life

Is Local Support accessible and engaged with the right issues?

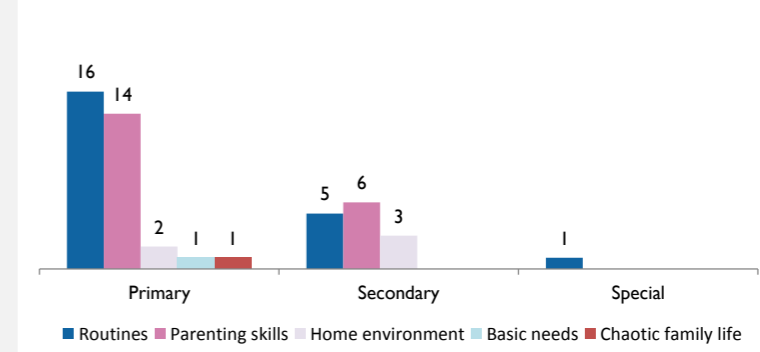
FoE: routines, parenting skills, chaotic family life, home environment, family having difficulty in providing for basic needs

Number of LST Engagements Still Open with Family Life Focus



What is the impact of Local Support in relation to family life issues?

Number of Closed LST Engagements with Family Life Focus  
Focus: LST work completed



### What This Data Tells Us

No regular routines and parenting skills have been identified as issues mostly by primary schools

For the primary and secondary phases, 21 action plans for family routines were completed with outcomes met. For these school phases, 20 actions plans for parenting skills were completed with outcomes met.

### Actions to Improve

The relatively lower rate of closures for Lack of Routines in the primary sector will require further investigation if this becomes a trend.

An additional indicator that could be investigated would be the % of this population that went on to Social Work Assessment, where concerns are reflective of neglect.





## Schools Forum – 5<sup>th</sup> July 2016

### Growth Fund - Allocation of Funding 2016/17

#### Recommendations

- 1) That the Schools Forum notes the allocations of Growth Funding and, where appropriate, the schools' financial self-declarations requested by Forum.
  - a. funding for Infant class size legislation: 3 primary schools;
  - b. funding for basic need growth: 2 primary schools for exceptional growth; 12 primary schools funded for planned growth; 4 secondary schools for exceptional growth
  - c. funding for basic need growth: rectification of underfunding for 2016/17: 2 primary schools

#### Report of the Deputy Chief Executive and Director for People:

#### Why is it coming here – what decision is required?

- 2) In February 2013, when Schools Forum agreed to establish Growth Fund criteria members asked to be advised of all funding allocations.
- 3) In October 2015, Forum agreed the 2016/17 Growth Fund budget of £95,000 to support compliance with infant class size legislation and £500,000 to support Basic Need growth in the population (with any underspend returned to the overall Schools Budget for 2017/18).
- 4) On 23 March 2016, Forum requested that schools that receive funding should complete a financial self-declaration for Forum.

#### Reasons for recommendations:

#### 5) Funding for Infant Class Size Legislation

- a) In accordance with the infant class size criteria, £35,292 from the £95,000 budget will be allocated to 3 schools on the basis of an agreed number of infant teachers (see Appendix A for the schools' self declarations).
  - The Meadows Primary school, Newcastle  
£13,810 towards the cost of a 2<sup>nd</sup> infant class teacher
  - Ashcroft Infant and Nursery school, Tamworth  
£6,138 towards the cost of a 5<sup>th</sup> infant class teacher.
  - Tittensor CE (VC) First school, Tittensor  
£15,344 towards the cost of a 3<sup>rd</sup> infant class teacher.

## 6) Funding for Basic Need Growth

a) **Funding for exceptional growth in primary:** In accordance with the Growth Fund criteria, £64,940\* will be allocated to 2 schools that worked with the LA to create additional classes in response to Basic Need growth (see Appendix B for the schools' self declarations).

- Bishop Lonsdale CE (VC) Primary School, Eccleshall  
£32,470\* for one additional Year 4 class teacher.
- Perton Sandown First School, Perton  
£32,470\* for one additional Reception class teacher.

*\* These figures are indicative as they based on the allocation for 2015/16; Finance are working to finalise the 2016/17 allocation.*

b) **Funding for planned growth in primary:** Finance have streamlined the process for existing primary schools that have been permanently expanded and for year-on-year growth of brand new primary schools. This means that school budgets will be increased through the pupil-led funding process not separately through Growth Funding budget. On this basis, no self declaration has been sought from the eligible schools:

- Rykneld Primary School, Burton
- Victoria Community School, Burton
- St Modwen's Catholic Primary School, Burton
- Christ Church Primary School, Burton
- Scientia Academy, Burton
- Five Spires Academy, Lichfield
- Gnosall St Lawrence CE Primary Academy, Gnosall
- Veritas Primary Academy, Stafford
- Parkside Primary School, Stafford
- Two Gates Community Primary school, Tamworth
- St Giles' and St George's CE Academy, Newcastle
- Hempstalls Primary School, Newcastle

c) **Funding for exceptional growth in secondary:** in accordance with the new Growth Fund criteria for middle and secondary schools, £129,880\* will be allocated to 4 secondary schools that worked with the LA to provide at least 5% of additional places in response to Basic Need growth (see Appendix C for the schools' self declarations).

- Paulet High School & Sixth Form College
- John Taylor High School – A Science and Leadership Academy
- Blessed Robert Sutton Catholic Sports College
- Abbot Beyne School

7) **Funding for Basic Need:** Rectification of underfunding for 2016/17

- a) Funding provided in readiness for the 2016/17 budget through Basic Need Planned Growth (6b) was underpaid by 5 places at Victoria Community School and 7 places at Christ Church Primary school. It has been requested that this shortfall be rectified through the Basic Need exceptional growth fund; the shortfall amount is £14,534 for Victoria Community School and £20,348 for Christ church Primary School.

**Total expenditure**

- 8) The allocation of £229,702\* for exceptional pupil growth (including the rectification of the underfunding for planned growth) is within the budget of £500,000. This represents an underspend of £270,298\* largely due to planned growth funding being allocated into school budgets through pupil led funding (see 6b. above). This underspend, along with the £59,708 underspend on infant class size funding will be carried forward for use in the Schools Budget 2017-18.

**Report author:**

Andrew Marsden, County Commissioner for Access for Learning  
Ext. No.: 01785 278787

Appendix A – Infant Class Size Self-Declaration Responses Received - Summarised

Application for Infant Class Size Funding 2016/17 Self Declaration Form			Tittensor CE(VC) First School, Tittensor	
Previous three financial years	* (a) Total revenue budget £ (incl. reserves)	* (b) Total expenditure/ actual spend £	%age between expenditure and budget (b/a)*100	Commentary on the size and use of balances in each year NB this is intended to allow schools to explain to Forum where balances are high
2015/16	422,660	386,242	91%	£56,680 revenue balances used to supplement budget. This academic year saw 16 pupils leave to middle school and only 9 enter reception leaving us with a shortfall of pupil numbers. In addition there was a lot of mobility in the Y1 cohort leaving us with only 9 pupils. We have over the year gained pupils however not enough to address the issue. We had rightly predicted numbers to rise again for the year 16/17 so staffing stability was vital. Governors were in support of not disrupting classes by reducing teaching staff as they believed this would be damaging to the schools reputation and possibly reduce numbers even further. We have this year supported a small cohort of 9 in Y1 but it has impacted on budget.
2014/15	439,060	406,320	93%	£25,870 revenue balances used to supplement budget. The reasons for this were: high proportion (over 25%) of SEN in our Y4 cohort so additional support had to be provided; member of staff on maternity leave; member of staff who had long term sickness; we employed a temporary teacher to ensure pupils had stability. Our budget was impacted through high staffing costs.
2013/14	395,330	380,412	96%	

\* As the year end for academies is 31 August the most recent year end for an academy will be 2014/15.

\*\* Where possible show the individual school budget and expenditure figures (but where necessary show pooled budget figures).

**Commentary on the school's need for an allocation of infant class size funding for 2016/17**

Our lovely little rural church school has mixed classes. Numbers are small but growing and we anticipate this to be the case in future years. Currently we have a very small cohort in Y1 of only 9 pupils. To ensure stability in progress and also in parent view it is important to keep a teacher in front of each class and not have to combine and confuse year groups further. In coming years this does not look like it will be an issue as increasing numbers lower down school feed through we may even need to expand and consider another class. It would be very damaging to the school and progress if we cannot support the classes that we already have. Governors support the need to ensure stability with a careful eye on finances. Additional small class funding will enable us to do this.

Application for Infant Class Size Funding 2016/17 Self Declaration Form			Ashcroft Infant and Nursery School, Tamworth	
Previous three financial years	* (a) Total revenue budget £ (incl. reserves)	* (b) Total expenditure/ actual spend £	%age between expenditure and budget (b/a)*100	Commentary on the size and use of balances in each year NB this is intended to allow schools to explain to Forum where balances are high
15/16	671,130.00	666,800.42	99%	For the last few years reserves have been used to set the budget. There have been building issues that required work and I have made several bids and achieved joint funded projects for these. Staffing is highly skilled and we are able to achieve consistently high standards. Along with this are increased staffing costs of the majority of staff are now UPS. We have increasing numbers of pupils requiring additional support due to SEND and TA support has needed to be allocated in this way. To offset some of these costs we now run governor run wraparound provision and income from these last financial year came to around £34,000 before staffing costs but provides a small income. I have continued to identify where redundancies need to be made to ensure costs remain within the allocation of the financial resources.
14/15	666,810.00	643,601.00	97%	Numbers on roll have continued to decrease over the last couple of years. The decision was made to decrease the number of classes in Key Stage One from 4 classes to 3. Two classes remain in Reception due to infant class size restrictions. I sought advice whether I could create a Reception and Nursery unit but numbers were too high across the classes to do this.
13/14	624,400.00	596,368.00	96%	Redundancies were issued for TA posts and the previous Headteacher resigned from his post enabling the governors to appoint on a starting salary scale for a new Headteacher. This enabled the school to use the financial resources to carry forward in the next financial year.

\* As the year end for academies is 31 August the most recent year end for an academy will be 2014/15.

\*\* Where possible show the individual school budget and expenditure figures (but where necessary show pooled budget figures).

#### Commentary on the school's need for an allocation of infant class size funding for 2016/17

The Headteacher and governors have made decisions to enable a budget to be set each year. We have made reductions in classes, staffing and made redundancies where possible. The funding application has been put forward to enable the school allocate the additional funding towards staffing costs. Numbers on roll have decreased over the last three years from 136 to 126 and will be 122 in September 2016. However a total of 41 reception pupils have admitted which means we require two teachers for these classes. We will have a total of 78 pupils across KS1 and 23 pupils in Nursery.

*This School had already provided information during the infant class size application and therefore is presented in a different format.*

**Application for Infant Class Size Funding 2016/17  
Self Declaration Form**

**The Meadows Primary School, Newcastle**

Our PAN is 14. Our new intake for 2016 is just 10 pupils. It is not possible to organise our classes so that they are mixed with another year group due to the size of the other cohorts. For example in Class 2 there will be 27 pupils. The school has no alternative but to organise The Reception class as a single age class. If the class size legislation did not limit the class size to 30 all 36 pupils would be taught by one FTE teacher with 2 TAs. This would save a considerable amount of money.

Due to the unique physical restraints of the teaching space in the Reception class, a full time teacher and part time TA will be employed for just 9 pupils. The space is divided into 3 small areas by a chimney breast and dividing wall. Visibility is very poor and the toilets are not within this area. Children have to leave the classroom and walk down the corridor. For these reasons 2 members of staff are needed for the majority of the teaching time. As you will appreciate this is extremely costly and a disproportionate use of financial resources. We have consulted with the LA regarding the suitability of the interior layout, but unfortunately they have been unable to suggest an alternative or indeed support and adjustments to the building.

I have included budget information below which evidences the school's difficulties in setting a balanced budget. Currently our budget is being reduced each year by 1.5% under the minimum funding guarantee. The Meadows is very unique as it is housed in a privately owned building. We have a full repair lease and are charged £7800 rent per year. This is paid in full from the school's budget. Furthermore the school does not have a hall so we have to hire the community centre for PE and hire a coach each week to transport the children. This costs £4155 and is paid for directly from the school's budget. These various factors put additional financial pressures on the school, making our circumstances quite exceptional.

Year	Budget (inc. use of reserves)	Actual Spend	% Diff	Carry Forward	Salary Cost	% of Budget
2016-17	£484,989		0%		£366,500	76%
2015-16	£496,488	£465,728	94%	£30,759	£356,444	72%
2014-15	£482,399	£470,321	97%	£12,077	£362,617	75%
2013-14	£507,645	£478,089	94%	£29,555	£356,239	70%

The above figures reflect the school's struggle to manage a decreasing budget with significantly increasing staffing costs since 2014. The acceptable level of salary costs v budget is 70% and as you will note this is becoming increasing more difficult to achieve. The following points should also be noted:

- A significant reduction in staffing costs has been achieved over the last twelve months by restructuring the school office and the lunch-time supervisors.
- Staffing costs are increasing for 2016-17 due to the introduction of the Living Wage and the withdrawal of the NI subsidy for employees on the Pension Scheme.

The school has also been unable to make any significant investment in its physical development, i.e. refurbish the library space, due its limited funding. The budget has been spent on simply maintaining the status quo and ensuring that all areas comply with the latest Health and Safety requirements.

Appendix B – Completed Self-Declaration Forms for Exceptional Growth in Primary Funding

<b>Growth Fund Policy - 2016/17 Allocation Self Declaration Form</b>				<b>Bishop Lonsdale CE (VC) Primary School, Eccleshall</b>
<b>Previous three financial years</b>	<b>* (a) Total revenue budget £ (incl. reserves)</b>	<b>* (b) Total expenditure/ actual spend £</b>	<b>%age between expenditure and budget (b/a)*100</b>	<b>Commentary on the size and use of balances in each year</b> NB this is intended to allow schools to explain to Forum where balances are high
16/17	769,210	111, 892.45	77%	Replaced DHT with two assistant heads, minimised support staff hours.
15/16	799,650	875,329.35	96%	Need for a non-teaching DHT for a short period of time.
14/15	832,630	861, 556.46	85%	Part of capital build, governors held balanced on account to add as necessary to the build size and quality e.g. refurbishment of the school kitchen, suspended ceilings in the corridors and carpeting.

\* As the year end for academies is 31 August the most recent year end for an academy will be 2014/15.

\*\* Where possible show the individual school budget and expenditure figures (but where necessary show pooled budget figures).

<b>Commentary on the school's need for an allocation of Growth Fund for 2016/17</b>
The growth fund allocation is required to fund one additional year 4 teacher.

Growth Fund Policy - 2016/17 Allocation Self Declaration Form				Perton Sandown First School, Perton
Previous three financial years	* (a) Total revenue budget £ (incl. reserves)	* (b) Total expenditure / actual spend £	%age between expenditure and budget (b/a)*100	Commentary on the size and use of balances in each year NB this is intended to allow schools to explain to Forum where balances are high
15/16	861,050 151,868 – rev 2,511 – cap 1,015,429 - total	831,583	97%	Savings made on staffing lines due to changes in leadership and to staffing structure. Balances required to contribute to project to improve Early Years outdoor provision and safeguarding measures. Funds committed for the purchase of a new server.
14/15	842,820 99,399 – rev 1,951 – cap 944,170 - total	790,351	94%	£21000 reserves needed to support budget due to impact on budget of low reception numbers in September 13. Staffing changes after budget set resulted in savings on costs. Balances used to change use of rooms to create additional classroom space for reception children due to increase in numbers in September 14
13/14	752,100 No information on reserves available	696,567	93%	Part funded project to improve school reception area and create meeting room

\* As the year end for academies is 31 August the most recent year end for an academy will be 2014/15.

\*\* Where possible show the individual school budget and expenditure figures (but where necessary show pooled budget figures).

#### Commentary on the school's need for an allocation of Growth Fund for 2016/17

School Organisation Team have requested school takes an additional 15 pupils and have given a temporary increase in PAN for September 2016. Additional funding required to maintain satisfactory staffing ratios, with a need for an additional teaching assistant and lunchtime supervisor. There is also a need for additional basic resources to ensure provision for the additional children in the class groups.



Appendix C – Completed Self-Declaration Forms for Exceptional Growth in Secondary Funding

<b>Growth Fund Policy - 2016/17 Allocation Self Declaration Form</b>				<b>Paulet High School, Burton</b>
<b>Previous three financial years</b>	<b>* (a) Total revenue budget £ (incl. reserves)</b>	<b>* (b) Total expenditure/ actual spend £</b>	<b>%age between expenditure and budget (b/a)*100</b>	<b>Commentary on the size and use of balances in each year</b> NB this is intended to allow schools to explain to Forum where balances are high
15/16	4,186,923	4,058,031	97	Whilst we have identified a small contingent sum in our 2016/17 budget, we anticipate that our remaining revenue reserve will be exhausted by March 2018 as we increase staffing to meet the needs of our growing cohort. For Sept 2015 we were requested to increase our PAN to 150 from 130.
14/15	4,175,063	3,832,659	92	
13/14	4,173,983	3,765,500	90	

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\* As the year end for academies is 31 August the most recent year end for an academy will be 2014/15.

\*\* Where possible show the individual school budget and expenditure figures (but where necessary show pooled budget figures).

<b>Commentary on the school's need for an allocation of Growth Fund for 2016/17</b>
See above comment re revenue reserve leaving us with very little by way of contingency in our revenue budget.

Growth Fund Policy - 2016/17 Allocation Self Declaration Form				John Taylor High School – A Science and Leadership Academy
Previous three financial years	* (a) Total revenue budget £ (incl. reserves)	* (b) Total expenditure/ actual spend £	%age between expenditure and budget (b/a)*100	Commentary on the size and use of balances in each year NB this is intended to allow schools to explain to Forum where balances are high
14/15	7,295,000 Res: 540,000	7,309,000 Res: 540,000	100.19%	£540k of reserves used to build 6 classroom block opened January 15
13/14	7,182,000	7,165,000	99.76%	
12/13	7,404,000	7,344,000	99.19%	

\* As the year end for academies is 31 August the most recent year end for an academy will be 2014/15.

\*\* Where possible show the individual school budget and expenditure figures (but where necessary show pooled budget figures).

#### Commentary on the school's need for an allocation of Growth Fund for 2016/17

In September 2015, JT was asked to take an additional FE and therefore the Yr 7 intake was 262 against PAN of 258 (increase of 13% on September 14 PAN of 232) and this will be the same for September 2016. This has resulted in additional classrooms, teaching periods and staff being required to cope with these numbers.

Growth Fund Policy - 2016/17 Allocation Self Declaration Form				Blessed Robert Sutton Catholic Sports College
Previous three financial years	* (a) Total revenue budget £ (incl. reserves)	* (b) Total expenditure/ actual spend £	%age between expenditure and budget (b/a)*100	Commentary on the size and use of balances in each year NB this is intended to allow schools to explain to Forum where balances are high
12/13	£3,638,890	£3,582,840	98.45%	706/50 (Pupils/Teachers) Used £40,860 of the reserve and £30k Lettings
13/14	£3,628,474	£3,737,314	103.00%	705/50 (Pupils/Teachers) Used £108,900 of the reserve and £30k lettings
14/15	£3,726,448	£3,825,770	102.67%	714/52 (Pupils/Teachers) Used £18k of the reserve and £35k lettings
15/16#	£3,404,910	£3,422,918	100.5%	#CFR not yet available, figures are based on SAP Used all reserve £42k to clear previous year's deficit and £30k sinking fund to support the budget, outturn £18k deficit

\* As the year end for academies is 31 August the most recent year end for an academy will be 2014/15.

\*\* Where possible show the individual school budget and expenditure figures (but where necessary show pooled budget figures).

#### Commentary on the school's need for an allocation of Growth Fund for 2016/17

Due to providing additional places for Year 7 for the 2016-2017 academic year, pressure has been placed on class sizes, teacher allocations, curriculum provision and support. The additional funding will help to alleviate some of these pressures by providing additional teacher and TA capacity.

Growth Fund Policy - 2016/17 Allocation Self Declaration Form				Abbot Beyne School
Previous three financial years	* (a) Total revenue budget £ (incl. reserves)	* (b) Total expenditure/ actual spend £	%age between expenditure and budget (b/a)*100	Commentary on the size and use of balances in each year NB this is intended to allow schools to explain to Forum where balances are high
15/16	4,326,016	3,915,346	91%	<p>Reserves have been used to smooth out the impact of</p> <ul style="list-style-type: none"> <li>a) Falling Roll</li> <li>b) Changes in the funding formula for Post 16 and Main Grant</li> </ul> <p>The school and governors have been very proactive in reducing costs whilst having to fund the running of a split site school with the duplication of costs that this entails.</p> <p>The following steps have been undertaken:</p> <ul style="list-style-type: none"> <li>a) Staff Redundancies</li> <li>b) Restructured Teaching Establishment – removal of several TLR positions</li> <li>c) Restructured Support Staff Establishment – several staff moved to term time only contracts</li> <li>d) Cost cutting in non-staff costs</li> <li>e) Limited capital investment</li> <li>f) Exploring the possibility of moving to 1 site</li> </ul> <p>The projected figures for 2016/17 are Revenue (inc. reserves) £ 4,108,259, expenditure £3,868,256 equals 94% and for 2017/18 Revenue (inc. reserves) £4,018,919, expenditure £4,016,655 equals 100%</p>
14/15	4,367,662	3,752,346	86%	
13/14	4,745,318	4,165,572	88%	

\* As the year end for academies is 31 August the most recent year end for an academy will be 2014/15.

\*\* Where possible show the individual school budget and expenditure figures (but where necessary show pooled budget figures).

#### Commentary on the school's need for an allocation of Growth Fund for 2016/17

Abbot Beyne School has been asked by the authority to increase its PAN to meet the needs of the Pupil Place Plan in Burton and have accordingly put in place a staffing structure to meet this increased need.

## Schools Forum – 5 July 2016

### SEND Assessment and Planning Process

#### Background

1. The Children's and Families Act 2014, set out the need for wide ranging changes to the way in which children and young people with SEND are supported to learn and achieve and lead full and fulfilling lives. 'Doing things differently' was a programme of transformational change that ran up to autumn 2014 to enable Staffordshire to respond to the reforms as required.
2. The Children's and Families Act set out clear changes that needed to be implemented from September 1<sup>st</sup> 2014. These included:
  - The introduction of a single assessment and person centred support plan across education, health and social care for 0-25 year olds with SEND to replace Statements of Special Educational Needs.
  - The publication of a 'Local Offer' making it clear what support is available to support children and young people with SEND, and how this support can be accessed.
  - The introduction of joint commissioning across education, health and social care, to ensure that partners are planning in a joined up and coherent manner across the whole system.
  - Personal budgets where families want them, really enabling people to have maximum personal choice and control about how they are supported.
  - That all existing Statements of Educational Need are converted to an Education, Health and Care Plan by 2018.
3. Staffordshire's approach to the reform programme is set out in "Achieving Excellence in Learning and Skills: Implementing the 0-25 Special Educational Needs System – Strategic Development Plan 2014-2016" (see background papers). This establishes eight critical success factors for the delivery of the reform and link to an action plan that sets out what success will look like. The eight success factors are:
  - Seamless Joint Commissioning – Education, Social Care and Health Commissioners working together to improve the assessment and planning to meet need, and commissioning provision to meet that need
  - Appropriate Local Offer – a clear and accessible directory of what is available to children, young people and their families
  - Strong Provider Collaboration – professionals working together in a team around the child to provide early help and tailored support
  - Children, Young People and their families as equal partners – shaping the design of the system to work for them, engaged and active partners in the local system
  - Single Integrated Assessment – combining all aspects of a child's special educational need, including health and social care elements
  - Effective Personalised Plan – focused on outcomes and supporting the child or young person to achieve to their full potential
  - Greater Choice and Control – with clarity over choices and control over decisions and opportunity to manage a personal budget, where eligible

- Positive Resolution to Difficulties – where problems arise they are resolved together or through mediation to avoid recourse to tribunals
4. Across the country a number of pathfinders piloted the SEND reforms and the Department of Health produced in July 2015 a Final Impact Research Report that has evaluated the SEND pathfinders Programme. The key findings are as follows:-
    - Higher overall satisfaction with the family- centred approach and that the process of having an EHCP had improved.
    - No change in the extent to which families thought that the decisions reached about their child were fair.
    - There still remain a number of families who are still not satisfied and enter a formal tribunal process.
    - A positive improvement in relation to choice and the sufficiency of provision however stated there is further work to do.
    - Little evidence was found in relation to significant improvements in parental outcomes or in either children’s health or quality of life.
  5. The evaluation concluded that the Department for Education and Local Authorities need to undertake ongoing work in taking the reforms forward and further refining and improving local delivery. Staffordshire has made positive progress in implementing the reforms and in making progress toward the success factors, however, in line with national findings, we recognise that there is still further to go to complete the implementation of the reforms and to unlock the full benefits that are intended.
  6. Staffordshire developed and implemented a new person centred pathway and redesigned the existing team to work in a more person centred manner that keeps the child, young person and their families at the heart of all we do. The pathway was implemented in September 2014, and the newly formed team was finally in place by October 2014. The team have undertaken a full induction programme and to date they have completed and issued 509 Education, Health and Care Plans with a further 176 assessments ongoing.
  7. The percentage of statements/EHCP’s maintained by Staffordshire County Council continues to be relatively stable around 3%- this is in keeping with statistical and national averages. Requests for new EHC needs assessments are increasing however again this is consistent with the National picture.
  8. As per the recommendations of The Code of Practice, Staffordshire has commissioned an external lead market provider in order to deliver person centred practices and tools to all practitioners whom are involved in the assessment, planning and support process to ensure the child / young person and their parents / carers are able to express their wishes, outcomes and aspirations and enable them to fully participate in the decision making process, thus preparing them effectively for adulthood.
  9. To date, Staffordshire has delivered person centred practice training to 160 colleagues across education, health and social care, including Social Workers, teachers (including nursery, primary, secondary, special and FE staff), Nurse Practitioners, CAMHS practitioners and our Specialist Support Services, with a further 120 colleagues scheduled to attend before the end of the current financial year.

10. In order to promote future sustainability in regards to the delivery of person centred values and practices, Staffordshire has commissioned the external provider to deliver its 'train the trainer' package to 8 specifically identified colleagues, who will lead the delivery of person centred practice training, with the support of our multi-professional Person Centred Work Champions, across education, health and social care in future.

## 11. Performance measures

Staffordshire has continued to maintain a high performance rate in relation to the new SEND assessment process and the new performance measures. Overall since the implementation of the SEND Reforms in September 2014, the percentage of new Education, Health and Care plans issued within 20 weeks without exceptions is 90% and the number of new Education, Health and Care Plans issued including exceptions is 87.9%. Further national and regional benchmarking data sets are not yet available as Dfe data collections are currently taking place and benchmarking comparisons will be published later this year however informal intelligence via feedback from regional workshops indicates that Staffordshire's performance remains comparatively high.

## 12. Tribunals

Feedback from families in relation to their overall experience of the new system remains largely positive. Staffordshire has taken part in the trial of the Personal Evaluation Outcomes Tool (POET) developed by In Control which has been designed to assess the process of obtaining an education, health and care plan and in some cases, a personal budget, for children and young people, families and practitioners' and the outcomes of having a plan. It is an authoritative, nationally recognised method to understand the experiences of families and children and young people of the process and impact on day-to-day life of having an education, health and care plan. The number of surveys returned as at the end of December 2015 for Staffordshire was as follows;

14 parents/carers

39 practitioners

3 children and young people

This pattern was consistent with the average number of returns both regionally and nationally. Parents are involved in two parent steering groups and have taken part in parent workshops. Parents were considered to be largely well engaged in strategic planning and co-production of SEND services as reported in the DfE SEN Reforms Autumn 2015 Local Implementation Survey.

A small number of parents have disagreed with the Local Authority's decision made in relation to their child's education, health and care needs assessments or EHC Plans. In these cases, parents have the right to appeal to a special educational needs tribunal. Tribunal rates are measured by the number of appeals registered per 10,000 of the school population. In the academic year 13/14, Staffordshire's Tribunal rate was slightly lower than the national average and marginally higher than the regional average. In the academic year 14/15, Staffordshire's Tribunal rate was higher than both the national and regional averages but the actual rate in Staffordshire has remained relatively constant.

**Table: Appeals Registered per Local Authority per 10,000 of the School Population**

	Academic Year 13/14	Academic Year 14/15
Staffordshire	4.5	4.6
West Midlands	4.4	4.0
England	4.9	3.7

**Source:**

<https://www.gov.uk/government/statistics/schools-pupils-and-their-characteristics-january-2015> LA and Regional Tables SFR16/2015, and GAPS2

## Transfers

The Local Authority is required where appropriate to transfer statements of special educational needs to Education, Health and Care plans. In Staffordshire, transfer reviews are taking place in a person centred manner in line with the SEND reform. In Staffordshire there are approximately 3,500 statements to transfer. A transfer plan has been produced which takes into account Government priorities for transfer groups. To date 432 statements have been converted to Education, Health and care plans, with 524 currently in the process of being transferred.

It should be noted that during the first year, the number completed did not reach expected levels. This was largely due to delays in staff recruitment. The figures for the current academic year show that a total of 28% of transfers have been completed. This means that Staffordshire is behind schedule. We have a total of 2874 transfers left to complete by 2018. An increase of two temporary full time members of staff has been agreed to address this gap and recruitment to these posts is underway with anticipated start dates of February and March 2016. Retention of the 8.0 FTE staff until March 2018 will increase output and ensure that statutory requirements are met. Resourcing for additional workload has been made available from the SEND Reform Grant. Progress is being monitored by the new Head of SEND and the Transfer Manager.

13. Close monitoring of the transfer process has been implemented. The head of the assessment and planning service alongside senior officers are looking at what options there are to improve the performance of the transfers. The options currently been looked at are; examining if we can implement more efficient ways of working to speed up the process and exploring if there is any additional capacity within the service to assist with the transfers.
14. The Staffordshire Local Offer went live on 1<sup>st</sup> September and can be found on the Staffordshire Marketplace. Further information, advice and guidance was also added to the Staffordshire Cares website to enable families to have a better understanding of the work that was being undertaken and how to access other support available in their local communities. The local offer is now going to be reviewed to ensure that there is equity and the correct support, services and provision available for children and young people to access.
15. Following this initial work on the SEND reforms, Staffordshire County Council have recognised that further improvement work on systems and processes are required



and therefore have recently instigated a transformation programme that addresses the concerns raised by the school forum. Please see attached presentation.

16. To conclude, Staffordshire's response to the Children's and Families Act 2014 has seen the successful implementation of new ways of working and has provided a solid foundation to now build upon. Significant progress has been made in undertaking fundamental reform to the way children with a special educational need are supported to achieve their learning goals. We will now continue to develop and improve our approach and have launched the next phase to further develop and expand on these reforms in the wider context of system and process change and are mindful of the areas for further development so that the full ambitions of the reform programme can be delivered.

### **Contact Officer**

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## Schools Forum – 5 July 2016

### Review of Notice of Concern protocol

#### Recommendation

1. Schools Forum approve Option 1, an amendment to the protocol in connection with the issuing of a Notice of Concern to schools.

#### Report of the Deputy Chief Executive and Director for People:

#### PART A

#### Why is it coming here – what decision is required?

2. Any amendments to the Notice of Concern protocol should be approved by Schools Forum.

#### Reasons for recommendation

3. To reduce the risk of deficit from any phase of sponsored Academy, members could consider reviewing the protocol for issuing the notice of concern to an earlier stage in the process.
4. This would protect the dedicated schools grant contingency pot at an earlier stage and therefore reduce the risk of deficits on transfer to sponsored academy.
5. This should either be:
  - a. Option 1 – When judged to be Requiring Improvement or Special Measures by Ofsted.
  - b. Option 2 – When judged to be in Special Measure by Ofsted

#### PART B

#### Background:

6. Following receipt of a breakdown of Schools Specific Contingency for 2014/15 a query arose as to the reasons for a significant schools deficit being charged to this budget when a school became a sponsored academy
7. The query was in relation the reasons why a notice of concern
8. The query was in relation the reasons why a notice of concern did not prevent the deficit occurring.
9. A notice of concern is not able to guarantee prevention of a deficit but is designed to minimise the risk of a deficit occurring.

10. To reduce the risk of deficit from any phase of sponsored Academy, members could consider reviewing the protocol for issuing the notice of concern to an earlier stage in the process
11. A Notice of Concern is currently issued upon receipt of a sponsored academy order
12. Academy orders are generally issued less than 2 months from conversion so give little time to take any corrective budget action.
13. Reports to Schools Forum usually have only 1 notice being issued at any time however this month 5 have been issued due to directive academy orders and therefore indicates a rise in the likelihood of deficits occurring.
14. Table of school in Requiring Improvement or Special Measures categories

	<b>Requiring Improvement</b>	<b>Special Measures</b>	<b>Total</b>
<b>No of School</b>	45	5	50
<b>No concern</b>	27	3	30
<b>Slight Concern</b>	8	1	9
<b>Medium concern</b>	8	1	9
<b>High Concern</b>	2		2

15. The table above would indicate that in both Requiring Improvement and Special Measures categories the number of schools within a category and also showing at least slight concern financially is on average 40%. There is therefore a significant risk of deficits resulting from Requiring Improvement category schools which would be charged to central contingency if they were to become sponsored academies.
16. Currently under the Service Delivery Agreement Entrust Finance deals with an average of 5 Notices of Concern per year.

<b>Year</b>	<b>No of Notice of concerns issued</b>
2010	7
2011	4
2012	3
2013	9
2014	8
2015	2
2016	5

17. Whilst a change to Option 1 would only result in no additional Notice of Concern being issued they would have been issued at an earlier stage. Option 2 would result in an additional 45 Notices of Concern being issued.

**Report author:**

Author's Name: Alison Wood, Head of Education Finance Services, Entrust Support Services Ltd

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**List of background papers:**

Protocol for the Issue of a Notice of Concern Feb 2012



## **Protocol for the Issue of a Notice of Concern**

### **Background**

The local authority has a role to protect the financial position of each individual school, Staffordshire schools as a community and the local authority. This role is recognised and supported by the Schools Forum as any irrecoverable financial liabilities incurred by an individual school would be charged to the Dedicated Schools Grant (DSG) and therefore reduces the monies available to all schools. The Schools Forum has repeatedly indicated that they expect each school to manage their own budget appropriately. The aim of issuing Notices of Concern, in line with this stewardship role, is to protect the funds available to every single pupil in Staffordshire in order that they may experience the highest quality teaching and learning.

On 1 January 2007 the DCSF issued a directed revision to the Scheme for Financing Schools (SSFS) for all local authorities which introduced a right to issue a Notice of Concern. An extract from the SSFS including this provision is included as Appendix 1.

Local authority officers aim to offer support and advice to schools on a number of financial issues and would consider the issue of a notice of concern only when the normal methods of supporting, training and encouraging schools in their financial management have failed. Officers feel it helpful to have available a protocol that gives schools clear examples of certain occasions which may give rise to a Notice of Concern and appropriate measures that may be implemented to help the school overcome any difficulties. It is hoped that such notices will not be issued widely but that increased clarity over their purpose and use would be helpful to schools and the local authority.

The purpose of this protocol is to set out guidelines as to when a Notice of Concern may be issued. It is not meant to be comprehensive as situations may occur that are not covered by the protocol where a Notice of Concern would be appropriate, and alternatively, a protocol may suggest a Notice of Concern but mitigating circumstances could indicate that it is not appropriate. Therefore each case will be decided on its merits within the overall framework.

As detailed in the SSFS each Notice of Concern will set out the reasons and evidence for it being made and will place on the governing body restrictions, limitations or prohibitions in relation to the management of funds delegated to it. The issue of a Notice of Concern does not remove the right of the local authority to de-delegate the school.

### **Foreseeable Situations where a Notice of Concern may be issued**

1. Revenue deficits where there is no recovery plan
2. An internal audit report which assesses the school financial procedures as giving only limited assurance
3. When a school is scheduled for closure, amalgamation or to become a sponsored academy
4. Breach of Procurement Regulations for Schools.

## **1. Revenue Deficits where there is no Recovery Plan**

Each year a number of schools close the financial year with a revenue deficit. Governors then have two options; to pay the deficit back fully in the following year or to enter into a licensed deficit scheme with the local authority to pay the deficit back over a number of years (up to 5). Early identification of the deficit and planning is essential so that staffing structures for September can be drawn up in good time.

- Schools Accountants from the Schools Financial Services team will visit all schools with an expected or actual revenue deficit as at 31 March by no later than 31 May each year. Typically these visits will take place between January and May and the focus will be to identify what action needs to be taken; to ascertain the viability of any recovery plan and to set the licensed deficit up where required. Although the Schools Financial Services team have mechanisms to identify when a school may be going into deficit, the responsibility is for head teachers or governors to notify the Schools Financial Services team of their concerns as early as possible.
- If a viable recovery plan has not been agreed by governors and the Schools Financial Services team by 31 May, a Notice of Concern will be issued on the grounds that a school should not set a deficit budget (section 4.5 and 4.9 of SSFS) and the school's inability to set a balanced budget is a clear financial risk for the individual school, the wider schools community and local authority. The action required will be to agree a recovery plan by the end of the summer term.
- If a recovery plan has still not been agreed by the end of the summer term or repayments under a previously agreed recovery plan have not been met then a Notice of Concern will be issued with additional actions required. An example is given as Appendix 2b.

## **2. An internal audit report which assesses the school financial procedures as giving only limited assurance**

Under the instruction of the Director of Finance and Resources, the authority's internal audit department carry out planned visits to schools to ensure that controls are operating correctly. Following the visit, the school receives a report which gives an audit opinion of either substantial assurance, adequate assurance or limited assurance. In giving an opinion of limited assurance, internal audit consider that there is a significant breakdown of controls and at least one matter is high risk and requires immediate attention and priority action.

Following the issue of the audit opinion, the report must be presented to governors and an approved action plan sent to internal audit to show that the issues have been addressed.

A notice of concern is not issued in every case where the audit opinion is of limited assurance. Some examples of other factors which would be taken into account follow:

1. A lack of response to the audit report or an unwillingness to take action
2. Where the audit report highlights concerns of a medium or high risk where similar concerns have been highlighted in previous audit reports. This demonstrates that any previous action plan has not been successfully implemented
3. Where the audit report highlights significant discrepancies from the annual financial self-assessment carried out by governors under the Schools Financial Value Standard (SFVS). This indicates that the self-assessment may be flawed and that governors may not fully understand the control environment in the school.



The Notice of Concern must specify the actions required to recover the control environment in the school. These actions are likely to be different in each case, but will specify what needs to be done for the Notice of Concern to be lifted.

### **3. School scheduled for closure, amalgamation or to become a sponsored Academy**

When a school closes or amalgamates it legally closes, even if a successor school opens on the same site. When a school closes any balance reverts to the local authority (s. 4.8 of the SSFS). There is a danger that schools may close with a significant deficit which would then fall on the local authority and be funded from the DSG. This would reduce the amount that can be allocated to all schools through the funding formula.

When a school becomes a sponsored academy under formal brokered sponsorship arrangements, any budget surplus is paid to the successor academy but any deficit falls on the local authority and is funded from the DSG. This would reduce the amount that can be allocated to all schools through the funding formula.

In Staffordshire we have been relatively fortunate in that recent school closures and amalgamations have not led to large deficits being written off in this way. This is due to the integrity of the governors and head teachers of closing schools, the work of the Schools Financial Services team in advising closing schools and the practice within Staffordshire that on amalgamation any surplus balances are reallocated as an opening balance for any successor school.

Unfortunately, colleagues in other authorities have made us aware that they have regularly experienced school closures which have resulted in large amounts being written off to DSG and also large sums of public money being spent inappropriately or in a way that does not achieve the best educational outcomes for all pupils in the local authority.

Some authorities have already implemented automatic Notices of Concern or de-delegation for closing schools which, combined with the appointment of an external member of staff to oversee the financial aspects of the closure, has significantly reduced the expected amounts being written off to DSG.

The Notice of Concern would be issued on confirmation that Cabinet has agreed a school closure, amalgamation or the DFE has approved conversion to a sponsored academy irrespective of their current financial position. An example together with suggested actions is included as Appendix 3.

### **4. Breach of Procurement Regulations for Schools**

Schools are required to comply with Procurement Regulations for Schools when entering into contracts over £15,000 (section 2.15 of the SSFS). As guardians of public money, this is an important obligation of the governors of each school. There are two potential breaches of Procurement Regulations for Schools which risk a large liability falling on the school. If it is not possible for the school to fund this, then the liability would eventually fall on the wider school community or on the local authority. The two areas where it has been identified that such a liability could occur are:

- Obligation to go out to European Tender

For large contracts (currently over £173,934 for supplies or services contracts) there is an obligation to go out to European tender. If this is not complied with it is possible for the local authority to be sued by any potential supplier of the goods or services within Europe and they have the right to be compensated for the loss they have incurred through not winning the contract. The amounts involved could be very significant

- Transfer of staff under TUPE

Where staff are transferred from one employer to another they retain employment rights including the right of access to benefits, including pension, that are at least as good as the benefits they already have. Typically schools experience this when changing the supplier of cleaning or catering services. The risk is that a member of staff will not be aware that TUPE legislation has been breached until they come to retire and so the potential liability could be very large.

Where a significant breach of Procurement Regulations for Schools occurs, a Notice of Concern will be issued and an example is given as Appendix 4.

### **Publishing of Notices of Concern**

The notice of Concern will be signed by the Director for People and Deputy Chief Executive and sent to the Chair of Governors at the address registered with Governor Services. Copies will be sent to:

- The Head Teacher at the school address
- The County Improvement Manager for the District in which the school is located
- The School Self-Evaluation Partner for the school
- Internal Audit

Information on notices issued will be provided to the Schools Forum on a termly basis. When a notice is withdrawn a copy of the withdrawal will be sent to the same people.

## Appendix 1

### Notice of Concern

The authority may issue a notice of concern to the governing body of any school it maintains where, in the opinion of the Director of Finance and the Corporate Director Children & Lifelong Learning, the school has failed to comply with any provisions of the scheme, or where actions need to be taken to safeguard the financial position of the local authority or the school.

Such a notice will set out the reasons and evidence for it being made and may place on the governing body restrictions, limitations or prohibitions in relation to the management of funds delegated to it. These may include :-

- insisting that relevant staff and governors undertake appropriate training to address any identified weaknesses in the financial management of the school;
- insisting that an appropriately trained/qualified person chairs the finance committee of the governing body;
- placing more stringent restrictions or conditions on the financial management of a school than the scheme requires for all schools – such as the provision of monthly accounts to the local authority;
- insisting on regular financial monitoring meetings at the school attended by local authority officers;
- requiring a governing body to buy into a local authority's financial management and/or HR systems;
- imposing restrictions or limitations on the manner in which a school manages extended school activity funded from within its delegated budget share – for example by requiring a school to submit income projections and/or financial monitoring reports on such activities; and
- insisting that the governing body considers, signs and publishes a Controls Assurance Statement, as defined in the Financial Management Standard in Schools.

The notice will clearly state what these requirements are and the way in which and the time by when such requirements must be complied with in order for the notice to be withdrawn. It will also state the actions that the authority may take where the governing body fails to comply with the notice.

The Schools Forum (or committee thereof) will act as arbitrator in relation to any dispute relating to an issued notice.

## Appendix 2a

### **NOTICE OF CONCERN (Revenue Deficit no recovery plan) ABC SCHOOL**

This Notice of Concern is being issued to ABC School in order to safeguard the financial position of the school, all schools maintained by the Authority and the Local Authority.

The Notice has arisen as a result of the school's deficit balance of £x as at 31 March 20XX. As at 31 July 20XX a recovery plan has not been agreed between the school and the Local Authority and so a Licensed Deficit is not in place and the school is in breach of the Staffordshire Scheme for Financing Schools. The Notice will remain in force until the a recovery plan is agreed and a licensed deficit plan put in place

The following conditions and limitations are being placed on the management of funds delegated to the school.

1. The Governing Body will work with the Schools Accountant, Schools Financial Services team, to agree a recovery plan that enables the school to set a budget for 20XX/YY and to recover the existing deficit within 5 years.

#### **Budget Monitoring**

2. The Head teacher and Business Manager will hold meetings on a half-termly basis to review the budget position. Minutes of these meetings together with a predicted outturn for the financial year and a revised 3-year model will be made available to the members of the Finance Committee, Chair of Governors and the Schools Accountant within 7 days of the meeting taking place and at least 7 days before the next meeting of the Finance Committee.
3. The Schools Accountant will visit the school on a termly basis. These visits will be paid for from the school's budget at the standard rate as detailed in the Schools Financial Services Service Level Agreement in accordance with s 6.2.19 of the SSFS. The purpose of the visit will be to advise on the robustness of the budget review, to offer professional advice to the business manager and head teacher and to provide up to date information to the Director for People and Deputy Chief Executive when required.

#### **Staffing**

4. Any change to the staffing profile that gives rise to additional costs compared to the staffing structure as at 31 July 20XX must be agreed by the Authority.
5. The supply budget will be closely monitored. Current and expected expenditure will be reported to Governors as part of the half-termly monitoring report.

#### **Non-Staffing**

6. A list of departmental budgets will be drawn up. Each budget will have a named budget holder, an agreed spending plan and an allocation of funds. Virements are allowed between budget holders but the Authority must be advised of any item that cannot be contained within the overall budget.

7. Details of any contracts that the school proposes to enter into with a value of over £15,000 must be notified to the Local Authority and written approval received before the contract is entered into.
8. The Governing Body will authorise all expenditure greater than £5,000.
9. The Headteacher can authorise expenditure up to £5,000, provided it has been allowed for in the budget.
10. A budget holder can authorise expenditure up to £1,000 provided it has been allowed for in the plan and that the school's finance team confirms that funding is available.

#### **Other**

11. The Governing Body may not enter into lease agreements unless they have permission from the Local Authority in writing.
12. The Authority will contact the Chair of Governors if it has any concerns about the financial management of the school.
13. The Authority reserves the right to apply to the Secretary of State to withdraw delegation if the agreed budget, recovery plan, and these conditions are not adhered to.

Director for People and Deputy Chief Executive

## Appendix 2b

### **NOTICE OF CONCERN (Deficit Recovery Plan not met) ABC SCHOOL**

This Notice of Concern is being issued to ABC School in order to safeguard the financial position of the school, all schools maintained by the Authority and the Local Authority.

The Notice has arisen as a result of the school failing to keep to the agreed recovery plan under the licensed deficit scheme. The school is therefore in breach of the Staffordshire Scheme for Financing Schools. The Notice will remain in force until a revised recovery plan is agreed and one repayment has been successfully made against this plan.

The following conditions and limitations are being placed on the management of funds delegated to the school.

- 1 The Governing Body will work with the Schools Accountant, Schools Financial Services team, to agree a revised recovery plan that enables the school to set a budget for 20XX/YY and to recover the existing deficit within X years.

#### **Budget Monitoring**

- 2 The Head teacher and Business Manager will hold meetings on a half-termly basis to review the budget position. Minutes of these meetings together with a predicted outturn for the financial year and a revised 3-year model will be made available to members of the Finance Committee, Chair of Governors and the Schools Accountant within 7 days of the meeting taking place and at least 7 days before the next meeting of the Finance Committee.
- 3 The Schools Accountant will visit the school on a termly basis. These visits will be paid for from the school's budget at the standard rate as detailed in the Schools Financial Services Service Level Agreement in accordance with s 6.2.19 of the SSFS. The purpose of the visit will be to advise on the robustness of the budget review, to offer professional advice to the business manager and head teacher and to provide up to date information to the Director for People and Deputy Chief Executive when required.

#### **Staffing**

- 4 Any change to the staffing profile that gives rise to additional costs compared to the revised recovery plan must be agreed by the Authority.
- 5 The supply budget will be closely monitored. Current and expected expenditure will be reported to Governors as part of the half-termly monitoring report.

#### **Non-Staffing**

- 6 A list of departmental budgets will be drawn up. Each budget will have a named budget holder, an agreed spending plan and an allocation of funds. Virements are allowed between budget holders but the Authority must be advised of any item that cannot be contained within the overall budget.

- 7 Details of any contracts that the school proposes to enter into with a value of over £15,000 must be notified to the Local Authority and written approval received before the contract is entered into.
- 8 The Governing Body will authorise all expenditure greater than £5,000.
- 9 The Headteacher can authorise expenditure up to £5,000, provided it has been allowed for in the budget.
- 10 A budget holder can authorise expenditure up to £1,000 provided it has been allowed for in the plan and that the school's finance team confirms that funding is available.

#### **Other**

- 11 The Governing Body may not enter into lease agreements unless they have permission from the Local Authority in writing.
- 12 The Authority will contact the Chair of Governors if it has any concerns about the financial management of the school.
- 13 The Authority reserves the right to apply to the Secretary of State to withdraw delegation if the agreed budget, recovery plan, and these conditions are not adhered to.

Director for People and Deputy Chief Executive

## **Appendix 3**

### **NOTICE OF CONCERN (closure) ABC SCHOOL**

This Notice of Concern is being issued to ABC School in order to safeguard the financial position of the school, all schools maintained by the Authority and the Local Authority.

The Notice has arisen as a result of the Authority's decision for the school to close/ amalgamate/ become a sponsored Academy with effect from 31/08/200X. The Notice will remain in force until the school closes/ amalgamates/ becomes a sponsored Academy. This Notice is not as a result of any action or breach made by the school, but is enacted as a matter of course for all schools in this situation to protect the financial position of all schools maintained by the Authority.

The following conditions and limitations are being placed on the management of funds delegated to the school.

- 1 The Governing Body will agree the budget for 200X/XX prepared by the Schools Accountant in conjunction with the school's senior leadership team.
- 2 The Authority acknowledges that variations may arise in respect of the key risk items identified during the budget setting process, and that further review may give rise to additional costs not allowed for in the budget. Any variations which increase the planned budget for 200X/XX must be agreed by the Authority.
- 3 A copy of the Authority's protocol for closing schools will be made available to all governors and members of the senior leadership team and should be adhered to at all times.

#### **Staffing**

- 4 Any change to the staffing profile that has not been identified in the budget, must be agreed by the Governing Body.
- 5 Any change to the staffing profile that gives rise to additional costs not allowed for in the budget must be agreed by the Authority
- 6 The staffing budget will be closely monitored. Any virements must be actioned where appropriate.
- 7 The supply budget will be closely monitored. Current and expected expenditure will be reported to Governors as part of the half-termly monitoring report.

#### **Non-Staffing**

- 8 A list of budgets will be drawn up. Each budget will have a named budget holder, an agreed spending plan and an allocation of funds. Virements are allowed between budget holders but the Authority must be advised of any item that cannot be contained within the overall budget.
- 9 The Governing Body will authorise all expenditure greater than £5,000.



- 10 The Headteacher can authorise expenditure up to £5,000, provided it has been allowed for in the budget.
- 11 A budget holder can authorise expenditure up to £1,000 provided it has been allowed for in the plan and that the school's finance team confirms that funding is available.

### **Budget Monitoring**

- 12 The Head teacher and Business Manager will hold meetings on a half-termly basis to review the budget position. Minutes of these meetings together with a predicted outturn for the financial year and a revised 3-year model will be made available to members of the Finance Committee, Chair of Governors and the Schools Accountant within 7 days of the meeting taking place and at least 7 days before the next meeting of the Finance Committee.
- 13 The Schools Accountant will visit the school on a termly basis. These visits will be paid for from the school's budget at the standard rate as detailed in the Schools Financial Services Service Level Agreement. The purpose of the visit will be to advise on the robustness of the budget review, to offer professional advice to the business manager and head teacher and to provide up to date information to the Director for People and Deputy Chief Executive when required.

### **Other**

- 14 The Governing Body may not enter into lease agreements running beyond August 20XX.
- 15 The Authority will contact the Chair of Governors if it has any concerns about the financial management of the school.
- 16 The Authority reserves the right to apply to the Secretary of State to withdraw delegation if the agreed budget and these conditions are not adhered to.

Director for People and Deputy Chief Executive

## Appendix 4

### **NOTICE OF CONCERN (Procurement Regulations for Schools) ABC SCHOOL**

This Notice of Concern is being issued to ABC School in order to safeguard the financial position of the school, all schools maintained by the Authority and the Local Authority.

The Notice has arisen as a result of the school failing to comply with Procurement Regulations for Schools. The school is therefore in breach of the Staffordshire Scheme for Financing Schools. The Notice will remain in force until the breach has been remedied and procedures have been put into place to ensure that Procurement Regulations for Schools are followed in future.

- 1 Specific actions to remedy the breach if this is possible (eg: to go to European tender or to fulfil all TUPE requirements regarding transfer of staff)
- 2 The Governing Body will authorise all expenditure greater than £5,000.
- 3 Details of any contracts that the school proposes to enter into with a value of over £15,000 must be notified to the Local Authority and written approval received before the contract is entered into.
- 4 The head teacher and/ or business manager will attend the next training session provided by the Local Authority on Procurement and Best Value

Director for People and Deputy Chief Executive

**Schools Forum – 5 July 2016**

**Notices of Concern**

**Recommendation**

1. Members note the issue of a Notice of Concern to the schools identified below.

**Report of the Deputy Chief Executive and Director for People:**

**PART A**

**Why is it coming here – what decision is required?**

2. No decision required.

**Reasons for recommendation**

3. The agreed protocol for issuing a notice of concern includes the provision that information on the issue and withdrawal of a notice of concern be provided to the Schools Forum on a termly basis.

**PART B**

**Background:**

4. Since the last meeting of the Schools Forum the County Council has issued the following Notice of Concern for the reason given:

Bishop Rawle	Directive Academy Order
Gentleshaw	Directive Academy Order
Picknalls	Directive Academy Order
St Benedict Biscop	Directive Academy Order
Thursfield	Directive Academy Order
Great Wyrley High School	Sponsored Academy Order

5. Having received a Directive Academy Order, Picknalls Primary have since had their Ofsted category amended to Good. The DfE are unable to withdraw the order so the Notice of Concern remains in place however having established the financial position as good there will be a light touch approach to this school.
6. Since the last meeting of the Schools Forum the County Council has not withdrawn any Notices of Concern.

**Report author:**

Author's Name: Alison Wood, Head of Education Finance Services, Entrust Support Services Ltd

Ext. No.: 07583 018216

**List of background papers:**

Schools Forum 8<sup>th</sup> February 2012 item 12 – Notices of Concern: revised protocol

## Schools Forum – 5 July 2016

### Update to the Procurement Regulations for Schools

#### Recommendation

1. The Schools Forum approve the revised Procurement Regulations for Schools (PRFS) as attached as Appendix 1.

#### Report of the Deputy Chief Executive and Director for People:

##### PART A

#### Why is it coming here – what decision is required?

2. Any amendments to the PRFS need to be approved by Schools Forum

#### Reasons for recommendation

3. The current scheme has become out of date as a result of revisions from the European Union and the creation of Entrust (OJEU) Joint Venture. Following consultation on the revised scheme, attached as Appendix 1, it is recommended that Schools Forum approve the updated scheme to take effect from 5<sup>th</sup> July 2016.

##### PART B

#### Background:

4. The PRFS lays down the detailed regulations and procedures that schools must follow in order to demonstrate proper safeguards and controls for ensuring Best Value in purchasing decisions and to safeguard the governors and staff of the school when making purchasing decisions. The scheme was last updated in 2012 and a copy of the current version is available on the Staffordshire Learning Net (SLN) to be viewed by any interested party.
5. The PRFS has been updated to take into account the formation of Entrust and to make it completely clear that schools can buy from Entrust without going through a full procurement (Appendix 1, Section N)
6. Changes as stated in the Public Contracts Regulations 2015 & Transparency Code on Staffordshire Council Procurement dated 31 January 2015 have been included where applicable to schools and academies. (Appendix 2) and the New Threshold Values for 2016 as published on the Gov.Uk website.
7. No comments were received during the consultation period.

#### Report author:

Author's Name: Alison Wood, Head of Education Finance Services, Entrust Support Services Ltd

Ext. No.: 07583 018216

#### List of background papers:



# Procurement Regulations for Schools

July 2016

## **Procurement Regulations for Schools**

### **Introduction by the Director of Finance and Resources**

These Procurement Regulations for Schools aim to:

- a protect you, the governors and staff of the school, when you are making decisions on buying goods and services;
- b ensure that you, the governors and staff of the school can demonstrate that you have provided value for money when buying goods and services and that you have done so in a clear and open manner, using absolute probity in spending public money; and
- c demonstrate that we, the County Council, have proper protection and controls in place for making sure schools provide value for money when buying goods and services.

When you apply these Procurement Regulations for Schools you must also take account of the Financial Regulations for Schools and The Disclosure of Pecuniary Interest Guidance document.

In Annex B we have provided a flow chart of the main procedures you need to follow under these Procurement Regulations for Schools.

If you are in any doubt about keeping to these procedures, please contact the Entrust Finance Services team.

Andrew Burns  
Director of Finance and Resources



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## Section A - General

### What is covered

- A1 These Procurement Regulations apply to all contracts with other organisations for the supply of goods and services using money from budgets delegated to you, or other money set aside by us, but not to contracts of employment.
- A2 “Other organisations” specifically excludes us as there cannot be a formal contract between a maintained school and the County Council in the technical sense because we cannot contract with ourselves. However, we can have formal arrangements with you through service-level agreements. “Other organisations” specifically include Entrust. Supply by us includes obtaining goods or services from another school we maintain.

### Definitions

- A3 “Supply” includes buying, leasing, hiring or any form of credit arrangement.
- A4 “Quotation” means a written offer for supply without needing to use the formal procedures of tendering (see paragraph E1).
- A5 “Tendering” means a formal procedure for getting written offers (tenders) for supply. Under these Procurement Regulations there are two tendering procedures - the full and the shortened procedure (see paragraphs G1 to G6).
- A6 A “Pecuniary Interest” is where a member of staff or member of the governing body has an interest in a person or business that could benefit from a procurement process.
- A7 A “Contract” is a legally binding agreement between two or more people or organisations.
- A8 “We” includes “Us” and “Our” and is defined as the Director of Finance and Resources. “You” includes “Your” and is defined as the governing body.

### Responsibility for contracts

- A9 Under the Staffordshire Scheme for Financing Schools, you, the governing body of the school, are responsible for contracts covered by these Procurement Regulations. Unless we state otherwise, you may delegate your responsibilities to committees, the head teacher or other staff within the school. As such, when we refer in these Procurement Regulations to you, it includes those committees and staff to whom you have delegated any of your

responsibilities.

- A10 To help you prepare a scheme of delegation, we have provided a schedule, of all areas that you could delegate to others. This is available on the Staffordshire Learning Net (SLN). You must review the schedule regularly (at least every year) to make sure that the delegations are still appropriate to the needs of the school.
- A11 While you may take decisions about contractual matters, putting those decisions into practice (for example, by placing orders or getting tenders) will be the responsibility of the head teacher or members of staff authorised by you in your scheme of delegation. You, the governing body, are not authorised to sign orders or other contract documents. Any head teacher, who is also a governor of the school, exercises these responsibilities in their capacity as head teacher.

## **Section B - Legal requirements**

- B1 Every contract you make on our behalf must comply with:
- a all relevant statutory or other legal requirements including those of the European Community;
  - b these Procurement Regulations for Schools unless there is an exemption under section D;
  - c the Staffordshire Scheme for Financing Schools; and
  - d Financial Regulations for Schools.
- B2 In some circumstances contracts may be governed by legal requirements particularly under European Community law. The most important European requirements for public bodies, including maintained schools, are that:
- a contracts for more than a predetermined value (£164,176 threshold values at January 2016) must be advertised in the Official Journal of the European Union (OJEU)); and
  - b you must not discriminate by requesting a nationally recognised standard (for example, British Standards Institute Standard) or to specify a particular product, unless you indicate that a product meeting an equivalent standard or equivalent specification will be acceptable.
- B3 You must have written evidence of every contract, which you must keep in



accordance with the Retention Guidelines for Schools on the SLN.

- B4 In legal terms, a contract can arise from a spoken arrangement just as much as from written documents. For contracts made across the counter and paid for at that time, for example buying items using petty cash or a procurement card, the written evidence will normally be a till or trader's receipt. For contracts made by placing an official order, after getting a spoken or written quotation, the order form and the resulting invoice will be the written evidence. Where there is a spoken request for goods a confirmation order must be issued to the supplier within 7 days. If the contract is made by accepting a tender, the written evidence will be your acceptance letter (which may be a purchase order) and the accepted tender documents.
- B5 If you are a community or controlled school and are considering carrying out any major work to the premises, our approval must be sought before you proceed. All construction and maintenance work should be carried out using a recognised standard form of building contract, for example, Joint Contracts Tribunal (JCT), which must be suitable for the size and complexity of the work to be undertaken.
- This paragraph does not apply to contracts at voluntary aided schools, foundation schools or trusts as it does not involve work on buildings that we own. In these instances the Diocese or Trustees will need to give approval.
- B6 In undertaking any building work you need to ensure the competency of consultants and contractors appointed. There is a pre-qualified contractors list on the SLN which is a list of contractors with minimum levels of approved insurance, health and safety checks and construction line accreditation. Schools still need to tender when using these contractors as no formal tender process has been carried out by the County Council.
- B7 If you place work with a contractor that is not "pre-qualified" you must ensure that the contractor has a limit of indemnity of £5 million for public liability insurance and £10 million for employers liability insurance and these insurance conditions should be contained in the conditions of contract. In addition, where design works are undertaken, you must ensure the contractor has a limit of indemnity of £5 million (each and every claim) for professional indemnity insurance and that this cover is maintained for a period of up to 6 years following termination of the contract.
- B8 You must include, or refer to, our general conditions of contract in all tenders other than those made across the counter or via the use of the procurement card. You should let prospective contractors or tenderers know about the general conditions before you make a contract. You should also include other

conditions that are specific to the contract.

- B9 Our general conditions of contract are published on the SLN and SCC website. It is not practical or possible to apply this requirement to across the counter contracts or purchases made on the World Wide Web using procurement cards. Purchase orders do refer to the general conditions of contract.
- B10 Any employee of the school or governor that has a pecuniary interest in a contract must declare their interest and abstain from any decision about the contract. This information needs to be appropriately recorded in governors' minutes and school records. Schools must ensure they keep a register of pecuniary interests in accordance with The Disclosure of Pecuniary Interest Guidance document on the SLN.
- B11 You should not accept any gifts or hospitality from anyone tendering for a contract.

### **Section C - Contract values**

- C1 You must decide on contract values in the following way.
- a. If the contract is to buy a single item, which is not related to buying other items, the value of the contract is the price, or estimated price of the item, including all related fees. You must not break up a single contract into smaller contracts to avoid contract value thresholds.
  - b. If the contract is to buy a related group of items, the value of the contract is the total price, or estimated total price, of all the items in the group. For example, this will apply if the contract is for a quantity of textbooks, computer equipment or for building repairs or a building project and the various items are priced separately, but you are buying them to be used together. It is in your interest to package contracts as you are likely to be able to take advantage of economies of scale when getting quotations or tenders.
  - c. If the contract is for specific services, the value of the contract is the price, or estimated price, of the services.
  - d. If the contract is for a fixed term with an option to extend, the value of the contract is the total price over the whole life of the contract, i.e. the initial term plus the extension period.



If the contract is for goods or services to be provided by lease or hire, the value of the contract is the capitalised value of the goods or services to be provided. You can work out the capitalised sum by multiplying the regular payment you will make to the lease or hire company by the minimum number of payments you will have to make under the contract. For example, when reviewing photocopier leases the contract value will be the amount you pay each month over the total number of years of the contract.

Schools must not enter into finance leases without the prior written agreement of both the Director of Finance and Resources and the Secretary of State for Education.

- f. If the contract is a framework agreement, (also known as call-off agreement) the value of the contract is the expected total value of goods or services that you will take under that contract during the life of the contract (see paragraph F4).

A framework agreement (or call-off agreement) is one where the terms of supply are fixed but it does not involve the supply of goods or services until you place an order for the supply. An example of this is where a school has a contract with an oil fuel supplier.

- g. If the contract is entered into by a group of schools “collaborative purchasing” the value of the contract is the total price of all the schools within the group over the whole life of the contract.

- C2 The value of a contract does not include VAT unless you cannot reclaim the VAT. Aided schools cannot recover the VAT on any capital purchases out of devolved formula capital or the revenue budget where the purchase is premises related and Governors responsibility. Foundation schools and Trusts will need to check with the VAT Manager if carrying out building projects.

## **Section D - Exemptions from getting quotations or tenders**

### **General**

- D1 Where the value of the contract is less than £15,000, the way in which you get goods or services needs to be decided by governors and recorded in your

scheme of delegation (see section E).

- D2 There are instances (listed below and further details available on the SLN) where a tender process has already been carried out. For these contracts you do not need to follow the tender procedure subject to your scheme of delegation. However, if using these, you still need to ensure you are getting value for money.
- Public Sector Buying Organisations (West Mercia Supplies, Eastern Shire Purchasing Organisation, Yorkshire Purchasing Organisation, Central Buying Consortium)
  - Staffordshire Procurement Approved Supplier List
  - Services transferred to Entrust under the original OJEU notice. Further guidance can be obtained from Staffordshire Procurement or from Entrust Finance Services.

The Property “pre-qualified contractor list” is not a list of contracts tendered.

- D3 You do not need to follow the tender procedure where in-house providers are being used or if these have been passported through Entrust, (other than when involved in a competitive exercise) or where goods and services are being provided by another Staffordshire maintained school (including Staffordshire school companies).

#### **Other exemptions from tendering**

- D4 If you meet the circumstances described in paragraphs D6 to D9 below, you can decide not to tender.
- D5 If you delegate the responsibility in D4 to the head teacher, the head teacher must report the full details of the contract and why they have decided not to tender to your next meeting of the governing body (or committee in accordance with your scheme of delegation).
- D6 Governors may grant an exception to these regulations for contracts under £40,000 using the waiver form at Annex A. This must be taken to a governors meeting for approval and appropriately recorded before any contract is entered into. You must not continually waive the same contract as this may break EU law. Lack of time caused by poor forward planning is not an appropriate reason for governors granting a waiver.
- D7 You do not have to tender if there is an unexpected emergency involving danger to life or health or serious damage to property, if the goods, work or services are needed more urgently than would be possible if the tender or

quotation procedure were followed.

- D8 You do not have to tender if you can achieve value for money by buying used vehicles, equipment or materials. However, there may be hidden costs in purchasing used goods and the decision to do so must be approved by the governing body.
- D9 You do not have to tender if for technical reasons, the goods, work or services can be bought from only one provider. This needs to be justified. You need to show that you tried various providers.

### **Section E - Your discretion to enter into contracts valued below £15,000**

- E1 You can decide how you obtain goods, work or services with a contract value below £15,000. However, you must document your arrangements within a written scheme of delegation that includes the:
- number of quotations or tenders you will be inviting;
  - method you will use for inviting quotations or tenders;
  - way you choose suppliers or contractors; and
  - staff authorised to accept tenders.
- E2 For low value items, you can show that you have achieved value for money by comparing prices across several suppliers using the SAP catalogue system or the internet. In order to demonstrate value for money on more significant purchases you may wish to get quotations in writing from at least three suppliers or contractors and also from any of our services or services from Entrust if we or Entrust offer the particular goods or services. You may also wish to consider tendering on some contacts valued below £15,000 where you feel this will give the best value for money.

### **Section F - When you must get tenders**

- F1 You must follow a formal tendering procedure for all contracts valued at more than £15,000, unless any of the exemptions under section D apply. Where services were not included in the original OJEU notice of the setting up of Entrust then schools will need to go out to tender on these goods/services.
- F2 If the value of a contract is more than £40,000 you must use the full tendering procedure set out in paragraphs G1 to G5.
- F3 If the value of a contract is between £15,000 and £40,000 you must use either the full tendering procedure or the shortened tendering procedure set out in



- F4 Each framework agreement (see C1 (f)) must not last for longer than three years and you must review it at least each year.

## **Section G - Tendering procedures**

### **Full procedure**

- G1 You can use the procedure set out in paragraphs G2 to G5 for all contracts (with the exception of EU contracts – see Section I). However, the procedure must be used if the value of a contract is more than £40,000 and when you choose not to use the shortened procedure for contracts valued between £15,000 and £40,000. If you expect the total value of a contract to approach the £40,000 limit then you should follow the full procedure.
- G2 You can invite tenders for the contract itself or, as a first step, you can invite applications using the pre-qualification questionnaire. We would normally expect you to invite applications for the pre-qualification questionnaire if the contract involves goods or services of a specific quality or if the character or standing of the successful contractor is particularly important.
- G3 When you give notice inviting people to tender or using the pre-qualification questionnaire, you must do so in one or more newspapers or trade journals available in the county or on an appropriate website, or both if you wish.
- G4 If the public notice invites people to apply using the pre-qualification questionnaire, the notice must meet the requirements of paragraph G7. After the closing date you must consider all the applications you receive. You must choose any applications from any of our business units, together with at least three other applicants (or all applicants if there are fewer than three).
- G5 If using the pre-qualification questionnaire, once you have selected the applicants, you must send out the tender documents as described in paragraph G8. If you are not using the pre-qualification questionnaire you must send your tender documents to each applicant as described in paragraph G8.

### **The shortened procedure**

- G6 If the value of the contract is less than £40,000 you do not need to invite tenders by public notice if you invite tenders in writing from at least three people together with any of our business units which offers the goods or services you require. This procedure allows you to get competitive tenders for

contracts under £40,000 without having to advertise publicly.

### **Tender documents**

G7 Every invitation to tender using a Pre-Qualification Questionnaire (PQQ) should include:

- a the nature and purpose of the contract and, if it applies, how long the contract will last;
- b an outline of the specification of the goods or services to be supplied;
- c a statement of the procedures for getting tenders (paragraph G9);
- d a requirement for the applicant to provide information about their technical, commercial and financial standing;
- e a closing date for receiving applications;
- e. the evaluation criteria (with weightings);
- f. an outline process and timetable; and
- h. a statement that we do not have to accept the lowest or any tender.

G8 Every invitation to tender must include:

- a the nature and purpose of the contract, start date and period of the contract;
- b a detailed specification and quantities of the goods or services to be supplied;
- c the times and places at which the goods or services will be supplied;
- d a copy of the conditions of contract which the successful contractor will have to comply;
- e. information on TUPE (if relevant);
- f. the evaluation criteria (with weightings) for awarding the contract;
- g. the closing time and date and address for receiving tenders; and
- h. a statement that we do not have to accept the lowest or any tender.



- G9 We have designed these rules to make sure that a contractor is fully aware of what the contract is about, what they are tendering for, what the contract will require of them, any formal documents needed, and what the tendering procedures are. Remember when putting your specification together that if you don't ask for something you can not assume it will be provided.

### **Procedures for getting tenders**

- G10 You must send to every person who wants to tender documents that satisfy the requirements of paragraph G8 together with a returnable tender form. The tender form must include:
- a the tenderer's offer price (or prices) for the goods or services;
  - b the tenderer's signature or seal;
  - c information that the tender form must be returned to the head teacher by a stated date and time;
  - d the condition that every tender must be sent in a plain envelope with the word TENDER on it and details of the subject to which the tender relates and the closing date for receiving tenders; and
  - e a condition that you will not consider any tender sent by fax or e-mail.
- G11 You must not be able to identify any tenderer before the tenders are officially opened. Wherever possible, you should allow at least 10 working days for the return of the tenders. You may want to help contractors by sending envelopes which meet the requirements of paragraph G8d with the tender documents.

### **Opening tenders and PQQ's (Pre-Qualification Questionnaires)**

- G12 You must keep all tenders you receive in a secure place until they are opened.
- G13 You must not open any tender you receive after the stated closing time under paragraph G8g or which does not comply with paragraphs G8d or e.
- G14 You must not open tenders before the stated closing date and time. They must all be opened at one time and only by a member of staff you have appointed in writing for the purpose. This must be done in the presence of another member of staff. The person opening the tenders must immediately record in writing the name of the tenderer and the amount of their tender. The record must then be signed and dated by both members of staff as complete

and correct. They must make a note on the record of the number of tenders, if any, not opened and the reasons for not opening them. We need these procedures to make sure we deal properly with tenders. The person opening the tenders must always be accompanied by another member of staff.

- G15 If you consider the circumstances are appropriate, you may delay for a reasonable period the closing date and time for receiving tenders. However, you must inform everyone invited to tender of the delay in the same way and you must not have opened any tenders. This condition will cater for circumstances, for example a postal strike, where you need to extend the closing date for receiving tenders. You should not delegate the powers in this paragraph to anyone other than a committee of you, the governing body.
- G16 You must not accept any amendment to any tender you receive. You must not allow any significant alteration or amendment to any tender you receive. This means that a tenderer must stand by, or withdraw, their tender, but cannot change it. You must check the tender to make sure the figures add up. If they do not, you must correct the figures to the true amount in order to decide which tender is in fact the lowest. However, the tendered prices or rates must not be changed.

## **Section H - Accepting quotations and tenders**

- H1 You must record in writing the results of the tender-evaluation process and the decision to award a contract.
- H2 You may accept the most suitable quotation or tender, subject to your evaluation criteria, whatever the value of the contract. Your evaluation criteria should include the criteria description, the scoring mechanism and the weighting applied. Further guidance can be found in the tender toolkit on the SLN.
- H3 If you have delegated responsibility for accepting tenders to the head teacher, you must receive at your next meeting full details of any contract where other than the lowest quotation or tender was accepted, including the estimated extra cost. You may use your discretion so that head teachers only have to report cases under this paragraph where the contract value is more than £15,000. Under normal circumstances you must accept the lowest quotation or tender
- H4 You may negotiate with a contractor to reduce the quotation or tender provided that the contractor has sent in the lowest quotation or tender which you could otherwise accept.

- H5 If you have delegated the responsibility for negotiating to reduce a tender to the head teacher, they must report full details of the negotiation process (including the amount of any reduction they have achieved) to your next meeting. You may wish to exercise your discretion so that head teachers are only required to report in cases where the contract value is over £15,000.
- H6 Where schools procure in accordance with the Public Contracts Regulations 2015 then the contract awarded can require the supply chain to pay on terms as stated in these Regulations, i.e. 30 days.

### **Section I - Tender Procedures (over the EU thresholds)**

- I1 This is a very complicated area and these Procurement Regulations for Schools only provide a summary.
- I2 If you are inviting tenders for contracts over or close to the EU procurement threshold then it is strongly advised that you seek professional procurement advice (which you may need to pay for) regarding the procurement procedure.
- I3 For all contracts tendered under EU directives you must have a 10-day standstill period between the decision to award and entering into any contract. Once a decision to award has been made you must write to each company that provided a tender with the outcome of the tender process, including:
- a. details of the criteria for awarding the contract;
  - b.
  - c. the score or ranking the company achieved against those criteria;
  - d. the score or ranking the winning company achieved;
  - e. the name of the winning company; and
  - f. a de-brief on the tender process.
- I4 You must announce all contracts awarded under the EU directive using a contract award notice in the OJEU, which must be sent no later than 48 calendar days after the date you award the contract.
- I5 It is very important that the rules regarding the EU directive are followed correctly as any financial penalty of not adhering to these rules would fall on the schools budget. Therefore it is strongly advised that you always get advice from procurement advisors in undertaking tenders in the EU.

## **Section J - Employment issues and Transfer of Undertaking Protection of Employment Regulations (TUPE)**

- J1 Entering into new contractual arrangements or changing existing arrangements can give rise to TUPE implications. You must contact the County Council HR advisor to ensure that any relevant TUPE arrangements are in place before starting the tender process. This ensures that the correct information is included in the tender.
- J2 The TUPE process can take 6 months or more. You need to ensure adequate time is available.
- J3 At the end of the contract, it is likely that there will need to be a further TUPE transfer. The contract must include conditions to ensure that information concerning employees is made available in good time prior to the end of the contract to allow this further TUPE transfer.
- J4 TUPE transfers will almost always give rise to pensions issues. You will need an actuarial statement on pension information for any proposed TUPE transfers. You can get this from the pensions section but it is your responsibility to get this and the cost will be charged to the school budget.

## **Section K - Federations, Trusts and Collaborations**

- K1 When applying these Procurement Regulations for Schools it is suggested that Governors of federated schools agree a single scheme of delegation that applies to all schools involved in the federation. The governing bodies of schools within a trust or collaboration must each individually agree their own scheme of delegation.
- K2 Where schools are procuring goods and or services together as a group, then the contract value is the total value over the life of the contract at all of the schools involved. It is expected that each of the schools follow their scheme of delegation and these procurement regulations.
- K3 All of the schools involved in a procurement process must have an agreed specification. It is also advised that where schools are collaborating that there is an agreement in place between the collaboration ensuring progress is reported by the lead school on a timely basis and what would happen should one school want to pull out of the arrangement. There is further guidance on the SLN regarding collaboration agreements.

## **Section L - School Companies**

- L1 Under the Education Act 2002, schools or groups of schools can form companies to purchase collectively goods and services or sell their expertise to other schools. As the “Supervising Authority” we are responsible for providing a protective financial framework. Therefore, any Staffordshire school company must follow these procurement regulations.

## **Section M - Lettings and Joint Ventures**

- M1 This section applies when allowing the school property to be used by an external provider. This could be arranged either as a letting (for a market rent or lower) or by you entering into a commercial agreement with a business partner.
- M2 Examples of this are where a school chooses to let space within the school to a nursery provider so that they can operate a (voluntary controlled) nursery on the school site or where rooms/facilities are let to a leisure company to operate a gym.
- M3 These procurement regulations do not apply when letting property that does not belong to us, for example, the use of a room at an aided school. However it is recommended that similar provisions are applied with the permission of the Diocese.
- M4 Income from such arrangements should be received into the school budget (except for the letting of buildings that belong to the governing body, e.g. aided schools).
- M5 If the income received over the life of the contract exceeds £15,000 then it is strongly recommended that you use formal tendering under Section G to obtain the most suitable business partner. However, you must substitute the word “highest” for “lowest” in paragraphs H2 – H5.
- M6 Whether or not formal tendering procedures have been followed you must ensure that a formal letting agreement is in place. This must include:
- a conditions of use;
  - b charges to be made; and
  - c insurance arrangements.

- M7 Costs attributable to the arrangement (e.g. energy, extra cleaning) should be taken into account when the agreement is made. For aided schools where the income is payable into governor fund, the governor fund must compensate the school budget for the costs paid from the school budget.
- M8 There are sample letting agreements on the SLN, however, where there is a regular or long term use it is strongly recommended that you get legal advice.

### **Section N – Entrust**

- N1 This section seeks to clarify the use of Entrust goods/services by Staffordshire schools.
- N2 Entrust is a company in its own right and was set up between SCC and Capita. To do this SCC carried out a competitive tender process which involved an OJEU notice being issued. This OJEU notice covered the provision of a number of services that would be novated over to the Entrust company, thus ensuring that schools could use these without the need for them to tender, see D2.
- N3 The contract that SCC holds with Entrust provides for the option to passport a number of SCC services through Entrust. This in effect means that Entrust act as subcontractor. Schools do not need to tender for the use of these passported services.
- N4 In the future Entrust may decide to expand into other areas of service provision that weren't contained within that original tender. If schools wanted to buy into these services then Entrust would need to be treated as any other private contractor and schools would need to ensure that they followed the procedures in this document.



## **Glossary**

BACS Banker's Automated Clearing Services, electronic transfer of money

DfE Department for Education

EU European Union

HMRC Her Majesty's Revenue & Customs, the tax collection agency for the UK

HR Human Resources

ICT Information and Communication Technologies

MLRO Money Laundering Reporting Officer

OJEU Official Journal of the European Union

PQQ Pre-Qualification Questionnaire

PSBO Public Sector Buying Organisation

PTA Parent Teacher Association, a fundraising organisation for the school

SAP The County Council's finance system

SCC Staffordshire County Council

SLN Staffordshire Learning Net, the intranet for schools in Staffordshire

SLT Staffordshire Learning Technology

TUPE Transfer of Undertaking Protection of Employment Regulations

VAT Value Added Tax

**Waiver Form for Schools Use**

We, the Governing Body of .....School  
approve to waive the need for a tender process for the contract to

.....

The length of the contract is.....

The proposed supplier is.....

The estimated value of the contract is.....

Has this contract been waived before? Y/N

Description as to why the waiver is required.....

.....

.....

.....

How have Governors ensured value for money?

.....

.....

.....

.....

**This waiver was discussed at the governors meeting  
on.....**

**Signed by Chair of  
Governors.....**

Date.....



# Procurement Regulations for Schools

<p><b>Purchase from: In house providers, Council contracts, or PSBO's</b></p>		<p>Schools do not need to ask for quotes or tenders but be mindful of your Scheme of Delegation</p>
<p><b>Up to £15,000</b></p>		<p>Schools must follow their Scheme of Delegation and be able to demonstrate value for money</p>
<p><b>£15,001 - £40,000</b></p>		<p><b>Shortened Procedure-</b> invite at least 3 companies to bid plus any “in house” Business Unit that can supply or using <b>Full Procedure-</b> invite tenders by public notice</p>
<p><b>Over £40,000</b></p>		<p>Use the <b>Full Procedure</b> - invite tenders by Public notice</p>
<p><b>Over £164,176</b></p>		<p><b>Full Procedure</b> –Invite tenders by Public Notice In Europe – <b>Contact Staffordshire Procurement for advice</b></p>



## Schools Forum – 5 July 2016

### Update to the Staffordshire Scheme for Financing of Schools

#### Recommendation

1. The Schools Forum approve the revised Staffordshire Scheme for Financing Schools (SSFS), see Appendix 1 which has been updated to reflect DfE directed revisions and the list of maintained schools covered by the scheme.

#### Report of the Deputy Chief Executive and Director for People:

#### PART A

#### Why is it coming here – what decision is required?

2. Any amendments to the SSFS require approval from Schools Forum.

#### Reasons for recommendation

3. The current scheme has become rather out of date as a result of revisions from the DfE. A consultation on the revised scheme was conducted the recommendation is that following no responses Schools Forum approved the revised scheme.

#### PART B

#### Background:

4. The SSFS sets out the financial relationship between the authority and each of the maintained schools in Staffordshire. The scheme was last updated in 2012 and a copy of the current version is available on the Staffordshire Learning Net (SLN) to be viewed by any interested party.
5. The DfE have issued directed revisions to the SSFS in 2013, 2014 and 2015. It was necessary to incorporate these revisions into the SSFS.
6. The scheme also needed to be updated due to the change to the cost sharing agreement on Redundancy/Early Retirement cost.
7. The SSFS includes, as annex A, a list of maintained schools to which the SSFS applies. Over the years, schools open, close, become academies or change names. This list has been updated to reflect the schools maintained by the authority as at 1 April 2016. It is planned to update this annex to the SSFS annually from now on.
8. A consultation with all schools produced no responses.

**Report author:**

Author's Name: Alison Wood, Head of Education Finance Services, Entrust Support Services Ltd

Ext. No.: 07583 018216

**List of background papers:**

**Appendix 1**                      Summary of revisions

## **Appendix 1 – Summary of revisions**

### **Directed revisions in respect of new funding arrangements from 1 April 2013**

Section 1.2.1 – Confirmation that legislation has already been amended to put maintained Pupil Referral Units (PRU's) in coverage

Section 1.4 – Only school forum members representing maintained schools should now approve scheme changes

Section 2.13 – Updated references to legislation

Section 3 – Confirmation that place led funding is included in arrangements for payments by instalment

Section 3.1 – Clarification that top up payments should be made monthly unless otherwise agreed

Section 4.7 - Funding to support schools in financial difficulty can only come from a de-delegated contingency for mainstream schools, or a central budget for special schools and PRU's

Section 5.5 - Clarification around bought in meals service, not centrally retained

Section 6 – Clarification that schools forum can agree de-delegation

Section 6.2.15 – Amended wording in relation to charging the school budget share if appropriate support has not been made for a HN pupil

Section 8.1 – Restriction to existing commitments for redundancy / PRC payments and removal of reference to non provision of LA services where funding has been provided to some schools only

Section 11.7 – Deletion of references to optional delegated funding

Section 12.4 – Deletion of provision for LA's to retain centrally retained money for R & M of school kitchens where funding for school meals has not been delegated

Section 1.1 – Clarification that school detail budgets are no longer included in S251 collection

Section 11.10 restriction of termination of employment costs funded from central schools budget to the value of previous year and existing commitments only

### **Directed revisions in February 2014**

Updated reference to legislation in the summary sheet

Section 2.13 – 'Academies' added – "These allow schools to spend their budgets on pupils who are on the roll of other maintained schools or academies".

Section 11.1 – Removed “This provision should not be broadened to attempt to create a general right of access to the school. Statutory guidance on that issue is contained in the Code of Practice on Local Authority / School Relations”.

### **2015 Directed revisions**

Section 6.2.25 – Costs incurred by the authority in administering admissions appeals, where the local authority is the admissions authority and the funding for admission appeals has been delegated to all schools as part of their formula allocation.

### **Amendments to the redundancy cost sharing agreement as previously agreed at Schools Forum.**

Section 11.10

- Schools are charged with 70% of the one-off costs of severance
- 30% of the one-off costs of severance are charged to a central budget within the Schools Budget
- 

### **Annex A Applicable Schools**

Updated to those schools of maintained status as at 1<sup>st</sup> April 2016



**Schools Forum – 5 July 2016**

**Schools Forum Membership Review**

**Recommendation**

1. That the Schools Forum:
  - a) Note the content of the report;
  - b) Consider whether changes to their membership are required to ensure it remains broadly proportionate.

**Report of the Director of Strategy, Governance and Change:**

**PART A**

**Why is it coming here – what decision is required?**

2. To ensure that representation on the Schools Forum remains proportionate and in line with The Schools Forums Regulations 2012.

**Reasons for recommendation**

3. The Schools Forum Regulations 2012 set out changes to the Forum Membership and required that schools and academies should have a broadly proportionate representation according to pupil numbers in each category (regulation 4 (6)). At its meeting of 9 July 2015 the Forum agreed to review its membership annually to ensure it remained broadly proportionate.

**PART B**

**Background**

4. At their meetings of 28 May and 16 July 2012, and 11 February 2013 the Schools Forum reviewed its membership and representation. Changes included ensuring that the membership was proportionate to the number of pupils in different types of school, defined as maintained primary, maintained secondary, and academies.
5. Membership was changed to reflect the number of pupils in academies and to ensure different school types were represented, whilst maintaining geographical links where possible.
6. Prior to the 2012 membership changes, representation had been on a district basis making it easier for schools to know their Schools Forum representative. Following the move away from district representation schools were advised of the new membership approach. To enable effective communication to be maintained with the establishments they represent the opportunity to set up a Staffordshire County Council (SCC) email address was offered. In order to set up an SCC email address those members who took up this opportunity signed the ICT Acceptable Use Policy Declaration and the Outlook Web Access Security Declaration.

7. Members need to ensure that their current membership remains broadly proportionate and in line with Regulations. The table below gives current pupil numbers (taken from the Schools Census January 2016) and the split between academy and maintained schools.

<b>Phase</b>	<b>No. Pupils</b>	<b>Maintained/Academy Split</b>
Nursery	77 pupils	100% maintained
Primary	65,745 pupils	80.2% maintained : 19.8% academies (52,722 pupils : 13,023 pupils)
Secondary (including Middle)	51,862 pupils	46.2% maintained : 53.8% academies (23,939 students : 27,923 students)
Special	2,339 pupils	72.8% maintained : 27.2% academies (1,703 pupils: 636 pupils)

8. The Regulations require representation from nursery schools, primary schools other than nursery schools, secondary schools, special schools and pupil referral units, as well as broadly proportional representation between academies and maintained schools. The table below gives the current pupil number on roll (NOR), the proportional membership and current membership for the required school categories in Staffordshire's maintained and academy schools.

<b>Sector</b>	<b>Pupil NOR</b>		<b>Proportional Membership</b>		<b>Current Membership</b>	
	<b>Academy (A)</b>	<b>Maintained (M)</b>	<b>A</b>	<b>M</b>	<b>A</b>	<b>M</b>
Nursery	0	77	0	1	0	1
Primary	13,023	52,722	2	7	1	8
Secondary	27,923	23,939	4	3	3	4
Special	636	1,703	0	2	0	2
PRU	0	144	0	1	0	1
<b>Total</b>	<b>37,598</b>	<b>82,569</b>	<b>6</b>	<b>14</b>	<b>4</b>	<b>16</b>

*Primary and Secondary Heads Forum representatives are not included in this table.  
The 13-18 secondary representative is counted in the maintained blocks here.*

9. Following their membership review the Staffordshire Schools Forum had agreed to include representation of different school types as far as possible, including infant, first, junior and primary schools within the primary allocation and 11-16, 11-18, 13-18 and middle schools within the secondary allocation. Appendix 1 gives the current membership.
10. The Middle School representative is nominated by the Middle Schools Forum, and although the current representative is from an academy, their Forum agreed his nomination as a representative of all middle schools.

11. The Primary Heads Forum is represented by their Chairman and therefore their representation tends to change more frequently than the four year term of office.
12. At their meeting of 31 March 2015 Members agreed that as there are only a small number of 13-18 schools, nominations should be sought from all 13-18 schools, both maintained and academy, when a vacancy occurs or an election is due. The current 13-18 school representative is Mr Philip Tapp, Headteacher, Wolgarston High School.
13. The Forum also has a number of non-school members. A vacancy has been held since 2013 for the Birmingham Diocesan Schools Commission. The Clerk contacts the Commission each year reminding the Commission of their vacancy and seeking their nomination. The Commission were last contacted in May 2015.
14. Current membership is also available on the County Council web site.
15. Elections are scheduled in 2017 for part of the Forum membership. The Constitution sets out the ideal timetable for the election process (Appendix 2). Governor Support Entrust colleagues administer the election process on the Forum's behalf. The current membership list at Appendix 1 highlights the representation that will be part of the 2017 elections.

**Report author:**

Author's Name: Helen Phillips, Scrutiny and Support Officer

Ext. No.: 276143

**List of background papers:**

Schools Forum Regulations 2012

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/283814/Schools\\_Forum\\_Regulations\\_2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/283814/Schools_Forum_Regulations_2012.pdf)

Schools Forums Regulations 2012: departmental advice

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/283814/Schools\\_Forum\\_Regulations\\_2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/283814/Schools_Forum_Regulations_2012.pdf)

Staffordshire County Council Schools Forum Constitution

<http://moderngov.staffordshire.gov.uk/documents/s48367/Schools%20Forum%20Constitution.pdf>

Appendix 1

Schools Forum Membership

Member Category	Forum Member	Representing		Term of office
		School type	Area	
Maintained primary	Sara Bailey (Oaklands Nursery, Newcastle)	Nursery schools	All maintained Nursery schools	2017
	Karen Burns (Head Teacher – Chadsmoor Community Infant & Nursery School))	Infants	All maintained infants	2017
	Vacancy pending election (following resignation)	First	South Staffs, Stafford, Cannock & Lichfield	2021
	Kevin Allbutt (Head teacher – Leek First School)	First	Newcastle, Moorlands, East Staffs & Tamworth	2017
	Shelley Sharp (Head Teacher – Thomas Russell Junior School)	Junior	All maintained Junior schools	2017
	Lesley Wells (Head teacher – Outwoods Primary School)	Primary	East Staffs & Tamworth	2021
	Wendy Horden (Headteacher – Scotch orchard Primary School)	Primary	Cannock & Lichfield	2019
	Steve Swatton (Chair of Governors)	Primary	Newcastle & Moorlands	2019
	Jonathan Jones (Head Teacher – Castlechurch Primary School)	Primary	Stafford & South Staffs	2019
	Claire Evans (Head teacher- St Chad’s Primary School, Lichfield)	Primary Heads Forum	n/a	**
Maintained secondary	Ally Harvey (Business Manager – Wolstanton High School)	11-16 Secondary	All 11-16 maintained	2017
	Stuart Jones (Headteacher – Chase Terrace Technology College)	11-18 Secondary	Cannock, Lichfield, East Staffs & Tamworth	2019
	Derek Watson (School Governor)	11-18 Secondary	Stafford & South Staffs, Newcastle &	2017

			Moorlands	
	Alison Gibson (Head Teacher – Endon High School)	Secondary Heads Forum	n/a	2017
<b>Special</b>	Linda James (Head Teacher - Chasetown Community School))	Special	All special schools	2017
	Richard Redgate (Headteacher – Loxley Hall School)	Special	All special schools	2019
<b>All 13-18 secondary schools</b>	Philip Tapp (Headteacher – Wolgarston High School)	13-18 Secondary	All 13-18 schools	2019
<b>All Middle Schools</b>	Chris Wright ( Head Teacher – Christchurch Academy)	Middle	All middle schools	2019
<b>PRU</b>	Kirsty Roger (Head Teacher – Kettlebrook PRU)	PRUs	All PRUs	2017
<b>Academies</b>	Sharron Cartwright Headteacher – Chadsmead primary School)	Primary academy	All primary academies	2017
	Simon Turney (Principal – Tamworth Enterprise College)	11-16 secondary academies	All secondary academies	2019
	Vacancy pending election (following resignation)	11-18 secondary academy	All secondary academies	2021
<b>Non-schools members</b>	Claire Shaw	Lichfield Diocesan Board of Education		2021
	Vacancy	Birmingham Diocesan Schools Commission		
	vacancy	Parent Governor Representative		n/a
	David Ellison	Early Years		2017
	Philip Siddell (Humpty Dumpty Day Nursery Ltd, Lichfield)	Early Years		2021
	Karen Dobson (Principal - Newcastle College)	16-19 Education		2017
	vacant	16-19 Education		
	Judy Wyman	Schools Consultative Groups		2019
	Steve Barr	Schools Consultative Groups		2017

### County Councillor Observers

Ben Adams, Cabinet Member for Learning & Skills and John Francis, Safe and Strong Communities Select Committee Chairman

### Appendix 2

## Membership

### Selection, Nomination and Appointment Timetable

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During an election year, the Council will, where possible, arrange for vacancies on the Forum to be filled in accordance with this Constitution and by the dates indicated below:

#### Spring term

- seek applications for schools members via a notice to head teachers and chairs of governing bodies requesting that the matter be raised with staff and governing bodies by no later than second week of spring term;
  
- seek nominations for non-schools members from the relevant bodies to be received by no later than the end of term;
  
- applications and nominations to be received by the end of the term.

#### Summer term

- confirm membership of nominees by no later than second week of summer term;
  
- confirm membership where one application per position received by no later than second week of summer term;
  
- carry out election in those groups where there is more than 1 application by no later than half-term break .

All members are appointed and attend their first meeting as soon as possible.

---

Local Members' Interest
N/A

## **Schools Forum – 5 July 2016**

### **Facilities Time Funding 2016-17**

#### **Recommendation**

That Members:

1. Consider the one-off use of part of a projected underspend in the central contingency to fund additional TU facilities time for the 2016/17 financial year, at a cost of £32,039.

#### **Report of the Deputy Chief Executive and Director for Families and Communities**

##### **PART A**

#### **Why is it coming here – what decision is required?**

2. Schools members of forum vote annually on whether to de-delegate (i.e. retain centrally) a number of budget lines of which facilities time for recognised trades union representatives to carry out their duties is one.
3. Under the Trade Union and Labour Relations (Consolidation) Act, 1992 schools must arrange facility time for trades unions they recognise. Schools forum can take the decision for maintained schools in its area to de-delegate funding for recognised unions to provide facilities to their members, and forum has agreed every year to date, including the current (2016/17) financial year, to do this.
4. However, an issue has arisen relating to the quantum of funding for the current year. This is because Staffordshire county council had, until 31 March 2016, included funding for non-teaching unions in schools in its overall funding for trades unions, under its own facilities time arrangements.
5. For the current year, Staffordshire county council has achieved a saving by removing funding for school support staff unions (specifically Unison) from the central county council budget. It took the justifiable view that the funding of school-based staff should be a matter for maintained schools (through schools forum de-delegation) and academy schools (through the purchase of services from the unions on an individual basis).
6. The effect of this decision is that the schools facilities time budget is now (with effect from 1 April 2016) required to fund Unison and therefore to cover the costs associated with six unions, rather than just the five teaching unions (as had been the case previously).
7. There are two separate budget reductions that affect the overall allocation to the trades unions representing teaching and non-teaching staff in Staffordshire schools. These are:
  - a. A £5,140 income shortfall as a result of falling pupil numbers in maintained schools as some of these have become academy schools, and therefore not subject to de-delegation; and

- b. A £32,039 reduction due to the removal of county council funding for Unison staff who work in maintained schools.
8. The adequacy of the per-pupil allocation is subjective: a head teacher whose 875 pupil school has had almost £1,500 taken from his/her delegated budget (of about £3.5m) by virtue of a forum decision might have a different view of a local trade union branch secretary.
  9. The best proxy measure, therefore, is to compare the per-pupil allocation with other 'similar' LA areas. Annex 1 to this report shows the allocations made in Staffordshire's 'statistical neighbours' (SNs). This is the group of 11 LAs (including Staffordshire) that the DfE regards as similar in terms of population and other characteristics.
  10. The annex contains two tables: the first lists all SNs, the second excludes those that made a 'zero' return – which has the effect of reducing the per pupil allocation since their pupil populations are listed. The second table shows that Stafford is the median LA in terms of per pupil cost, but is 13p (7.6 per cent) below the mean.
  11. The second two tables comprise west midlands (WM) LAs, again with the second table excluding LAs with zero returns. Compared with WM authorities, Staffordshire unions are less well funded – 57p (25 per cent) under the median and £1.29 (43 per cent) under the mean.
  12. The alternative to forum providing extra funding is to reduce the workload of trades union representatives. This is a matter for the unions to consider, should forum fail to agree the additional allocation of £32,039.

### **Reasons for recommendations**

13. The recommendation allows forum members to determine if they wish to allocate, on a one-off basis, £32,039 to maintain the level of facilities time for trades union representation in maintained schools. This sum matches that taken out of the allocation for Unison following the LA's decision not to fund union activities undertaken on behalf of schools.
14. The statistical and west midlands neighbour allocations gives members benchmarks to assist schools block members in making their determination about whether to allocate extra funds.
15. If forum decides to increase the allocation to this amount, the per-pupil allocation would be £2.04 –11 per cent above the mean for SNs, but still 32 per cent less than WM authority areas.
16. The provisional outturn for de-delegated funds for 2015-16 is anticipated to be £406,000 under the budget of £6.727m. The 2016-17 academy adjusted budget is £6.575m. Assuming the same level of underspend in 2016-17 an allocation of £32,000 for union duties would reduce this by 7.9 per cent to £374,000. The risk of the budget being overspent in the current financial year is negligible, but if this was to occur, the effect of this allocation would be to increase the overspend. In normal circumstances, this would result in an adjustment the following year, but the government's intention to commence the 'soft' national formula in the 2017/18 financial year creates uncertainty about this possibility.



## PART B

### Background

17. The background is set out in the main body of the report. In summary, there is a reduction in allocations to unions in the current financial year due to the council ceasing to fund Unison work relating to its members in maintained schools. The unions are seeking the schools block's support for a one-off contribution from the contingency to avoid mid-year cuts. It should be noted that the facilities time allocation for 2017/18 will be discussed in October 2016.

### Contact Officer

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## Annex 1: facilities per pupil funding against Staffordshire's west Midlands LAs

	Pupil Numbers 2015-16	S251 2015- 16 Gross Budget £	Per Pupil £	Pupil Numbers 2014-15	S251 2014- 15 Gross Budget £	Per Pupil £
Birmingham	128,926	403,155	3.13	129,747	0	0.00
Coventry	39,084	183,520	4.70	38,382	180,038	4.69
Dudley	37,346	156,445	4.19	39,059	187,317	4.80
Herefordshire	14,631	32,960	2.25	15,217	47,375	3.11
Sandwell	36,805	0	0.00	37,589	0	0.00
Shropshire	28,353	53,174	1.88	31,238	64,860	2.08
Solihull	22,188	123,570	5.57	22,912	120,250	5.25
<b>Staffordshire</b>	<b>94,438</b>	<b>160,813</b>	<b>1.70</b>	<b>98,786</b>	<b>167,810</b>	<b>1.70</b>
Stoke on Trent	19,607	31,758	1.62	21,288	34,164	1.60
Telford and Wrekin	21,228	54,682	2.58	20,837	0	0.00
Walsall	28,460	117,427	4.13	27,452	150,322	5.48
Warwickshire	50,305	115,319	2.29	54,325	137,802	2.54
Wolverhampton	25,803	0	0.00	30,146	0	0.00
Worcestershire	46,792	75,905	1.62	52,741	85,242	1.62
<b>mean</b>	<b>42,426</b>	<b>107,766</b>	<b>2.55</b>	<b>44,266</b>	<b>83,941</b>	<b>2.35</b>
<b>median</b>	<b>32,633</b>	<b>95,612</b>	<b>2.27</b>	<b>34,414</b>	<b>75,051</b>	<b>1.89</b>

### Removing Nil Return authorities

	Pupil Numbers 2015-16	S251 2015- 16 Gross Budget £	Per Pupil £	Pupil Numbers 2014-15	S251 2014- 15 Gross Budget £	Per Pupil £
Coventry	39,084	183,520	4.70	38,382	180,038	4.69
Dudley	37,346	156,445	4.19	39,059	187,317	4.80
Herefordshire	14,631	32,960	2.25	15,217	47,375	3.11
Shropshire	28,353	53,174	1.88	31,238	64,860	2.08
Solihull	22,188	123,570	5.57	22,912	120,250	5.25
<b>Staffordshire</b>	<b>94,438</b>	<b>160,813</b>	<b>1.70</b>	<b>98,786</b>	<b>167,810</b>	<b>1.70</b>
Stoke on Trent	19,607	31,758	1.62	21,288	34,164	1.60
Walsall	28,460	117,427	4.13	27,452	150,322	5.48
Warwickshire	50,305	115,319	2.29	54,325	137,802	2.54
Worcestershire	46,792	75,905	1.62	52,741	85,242	1.62
<b>mean</b>	<b>38,120</b>	<b>105,089</b>	<b>2.99</b>	<b>40,140</b>	<b>117,518</b>	<b>3.29</b>
<b>median</b>	<b>32,903</b>	<b>116,373</b>	<b>2.27</b>	<b>34,810</b>	<b>129,026</b>	<b>2.82</b>



## Annex 2: facilities time per pupil funding against Staffordshire's statistical neighbours

	Pupil Numbers 2015-16	S251 2015- 16 Gross £	Per Pupil £	Pupil Numbers 2014-15	S251 2014- 15 Gross £	Per Pupil £
Cheshire West and Chester	38,753	36,335	0.94	39,032	70,066	1.80
Derbyshire	89,917	270,936	3.01	94,077	281,795	3.00
East Riding of Yorkshire	39,366	82,040	2.08	40,822	85,330	2.09
Essex	108,780	186,293	1.71	118,152	206,866	1.75
Kent	135,361	201,854	1.49	144,927	218,046	1.50
Leicestershire	35,544	0	0.00	49,212	0	0.00
Northamptonshire	49,521	80,399	1.62	54,302	65,224	1.20
Nottinghamshire	67,085	86,173	1.28	71,471	0	0.00
<b>Staffordshire</b>	<b>94,438</b>	<b>160,813</b>	<b>1.70</b>	<b>98,786</b>	<b>167,810</b>	<b>1.70</b>
Warwickshire	50,305	115,319	2.29	54,325	137,802	2.54
Worcestershire	46,792	75,905	1.62	52,741	85,242	1.62
<b>mean</b>	<b>68,715</b>	<b>117,824</b>	<b>1.61</b>	<b>74,350</b>	<b>119,835</b>	<b>1.56</b>
<b>median</b>	<b>50,305</b>	<b>86,173</b>	<b>1.62</b>	<b>54,325</b>	<b>85,330</b>	<b>1.70</b>

### Removing Nil Return authorities

	Pupil Numbers 2015-16	S251 2015- 16 Gross £	Per Pupil £	Pupil Numbers 2014-15	S251 2014- 15 Gross £	Per Pupil £
Cheshire West and Chester	38,753	36,335	0.94	39,032	70,066	1.80
Derbyshire	89,917	270,936	3.01	94,077	281,795	3.00
East Riding of Yorkshire	39,366	82,040	2.08	40,822	85,330	2.09
Essex	108,780	186,293	1.71	118,152	206,866	1.75
Kent	135,361	201,854	1.49	144,927	218,046	1.50
Northamptonshire	49,521	80,399	1.62	54,302	65,224	1.20
<b>Staffordshire</b>	<b>94,438</b>	<b>160,813</b>	<b>1.70</b>	<b>98,786</b>	<b>167,810</b>	<b>1.70</b>
Warwickshire	50,305	115,319	2.29	54,325	137,802	2.54
Worcestershire	46,792	75,905	1.62	52,741	85,242	1.62
<b>mean</b>	<b>72,581</b>	<b>134,433</b>	<b>1.83</b>	<b>77,463</b>	<b>146,465</b>	<b>1.91</b>
<b>median</b>	<b>50,305</b>	<b>115,319</b>	<b>1.70</b>	<b>54,325</b>	<b>137,802</b>	<b>1.75</b>



### Schools Forum Work Programme

There are a number of items the Schools Forum considers annually and these are set out in the work programme below.

The “Schools Forums: operational and good practice guide” (October 2013) states that:

*Local authorities should as far as possible be responsive to requests from their School Forums and their members. Schools Forums themselves should also be aware of the resource implications of their requests.*

Forum Members are therefore able to suggest an item for consideration at a future Forum meeting as long as it is within the remit of the Forum. Any request must be agreed by the Schools Forum before being included on the work programme. Each Forum agenda is set by the Chairman in consultation with the Director and the Clerk. The scheduling of items included on the work programme will therefore be agreed through this process and taking account of resource implications and agenda management.

NB: There are two standard items that appear on each agenda, these being Notices of Concern and Fairer Funding Update.

Meeting	Item	Details
Spring term	Schools Budget (last financial year) : provisional outturn	Annual item
	Schools Budget (forthcoming financial year)	Annual item
	Fairer Funding Update	Standard item
	Notices of Concern	Standard item
Summer term 5 July 2016	Schools Forum Membership – annual review	At its meeting of 9 July 2015 the Forum agreed to review its membership annually to ensure it remained broadly proportionate.
	Schools Budget (last financial year) : Final outturn and Dedicated Schools Grant (DSG) Settlement	Annual item

Meeting	Item	Details
	Fairer Funding Update – oral update	Standard item
	Notices of Concern	Standard item
	LST Review – progress report and evidence of outcomes of pilot	Update requested at 9 December 2015 Forum meeting (pilot also discussed at 23 March Forum meeting)
	Protocol for issuing notices of concern	Requested at 23 March Forum meeting
	Procurement Regulations	Considered at 23 March Forum meeting – results of consultation will be considered at July meeting
	Staffordshire Scheme for Financing Schools	Considered at 23 March Forum meeting – results of consultation will be considered at July meeting
	Facilities Time - LMSCC paper	Requested at 23 March Forum meeting (last considered at 7 October Forum meeting, report entitled: “Review of Trade Union Facilities Time for Maintained Schools”)
	SEND Assessment & Planning Process	Report to address the concerns raised at 23 March Forum meeting around the speed of the process



<b>Meeting</b>	<b>Item</b>	<b>Details</b>
Autumn term, first meeting	Election of Chairman and Vice-Chairman	Annual item
	Behavioural Support Service update, evidencing the outcome of changes made	Update requested at 9 December 2015 Forum meeting
	De-delegation vote	Annual item
	Fairer Funding Update	Standard item
	Notices of Concern	Standard item
Autumn term, second meeting	Schools Budget, Central Expenditure	Annual item
	Fairer Funding Update	Standard item
	Notices of Concern	Standard item

<b>Proposed Sub Group Work</b>	<b>Details</b>
Forum related issues around the future of School Improvement	Suggested at 23 March meeting.

