

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
	7,978,850	7,978,850	7,978,850

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
	845,000	595,000	595,000

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 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