

## Minutes of the Schools Forum Meeting held on 5 July 2016

Present: Steve Barr (Chairman)

### Attendance

Philip Siddell	Jonathan Jones
Richard Redgate	Kevin Allbutt
Claire Shaw	Linda James
Alison Gibson	Steve Swatton
Philip Tapp (Vice-Chairman)	Derek Watson
Wendy Horden	Judy Wyman
David Ellison	Lesley Wells

**Also in attendance:** Chris Kiernan, Helen Phillips and Sara Pitt

**Apologies:** Stuart Jones, Kirsty Rogers, Karen Dobson, Ally Harvey, Chris Wright, Ben Adams, John Francis and Claire Evans

### PART ONE

#### 1. Welcome

The Chairman welcomed the new representative for maintained primary schools in East Staffs and Tamworth, Mrs Lesley Wells, and the interim Commissioner for Education, Mr Chris Kiernan.

The Chairman also thanked the Clerk for her support to the Forum. A new clerk would be with the Forum for the October meeting.

#### 2. Minutes of the meeting held on 23 March 2016

**RESOLVED** – That the minutes of the Schools Forum meeting held on 23 March 2016 be confirmed and signed by the Chairman.

#### 3. Matters Arising and Decisions taken by the Chairman

Concerns were raised over the speed at which amendments were made to the Governor database held by Entrust on behalf of the County Council. The Interim Commissioner for Education informed the Forum that changes should be immediate.

The Chairman informed Members that correspondence had been received from a Staffordshire based academy which queried MFG capping. They had been referred to the Education Funding Agency (EFA) as this was not a matter for the County Council.

The Chairman had requested an update on Early Years following Resolution 48d of the minutes. The key message was to encourage all schools and PVI settings to engage with the forthcoming Early Years National Funding Formula consultation.

The Chairman informed Members that he had requested a report on the County Council's review of redundancy arrangements. In the absence of Human Resources (HR) colleagues Mr Chris Kiernan informed Members that the Local Authority (LA) had started a review of the redundancy policy. It was expected that this would lead to a less generous package in the future, however when compared with other authorities Staffordshire was currently in the top quartile for redundancy packages. Members stressed the importance of schools being included in this process as there would be implications for schools and it was essential that information was shared at the earliest opportunity to enable them to plan successfully. Members requested clarification on how head teachers would be involved in the consultation process. Members also felt that HR colleagues attendance at some Head Teacher Forum had been information giving rather than seeking comment as you would expect from a consultation. The Interim Commissioner for Education agreed to take this issue back to HR colleagues.

#### **4. LST Review progress**

*[Sue Coleman, Interim Strategic Lead for Targeted Service, in attendance for this item]*

At their meeting of 9 December 2015 the Schools Forum had agreed to allocate £1.44m from the Dedicated Schools Grant (DSG) to Families First for the continued provision of support for children and young people in need of "early help". This decision had been informed by the outcome of a value for money review of the Local Support Team (LST) work on outcomes for children and young people of school age.

A Reference Group of Headteachers had steered this work and signed off progress on final reports to the Schools Forum. This Group had now developed into the Schools and Local Support Team Partnership Working Group and continued to meet to support progress on the outcome of the Review. Members received a copy of the terms of reference for this working group. Extended school representation on this group would be welcomed from deputy head teachers or senior pastoral staff.

Members heard that one of the main elements of the Review had been a county-wide survey to schools in October 2015 which gave schools the opportunity to share their views and evaluate the extent to which the LSTs currently provided value for money. In total 119 completed questionnaires across all school phases had been returned, with the majority being from primary schools. The survey was repeated in June/July 2016 to consider changes in perception and evaluation of LST work.

A draft quality audit tool was shared with the Forum. This would be used for all LST case-file auditing purposes. Any school interested in being involved in a joint audit would be welcomed to help reflect on the work undertaken.

Members felt there remained issues around consistency and capacity within LSTs. In particular they raised issues of sickness absence, the impact these had on case work and the LST capacity to manage this. Sickness absence had a disproportionate impact on smaller district teams who were encouraged to work across teams to help address

capacity issues. There was a move towards ensuring schools were informed where sickness absence occurred so that they could plan accordingly.

In general Members felt there had been an improvement in communication but there remained concerns around capacity and consistency. Unfortunately in the current economic climate there could be no increase in capacity but work was being undertaken to use the resource available more effectively.

The Forum asked for a clearer set of data to help determine progress made, particularly around service quality. A report was due to come to the October Forum meeting and this would include feedback from schools.

Members also asked for information around the LST safeguarding role, considering the number of “step ups” and “step downs” and considering the interrelationship of the work undertaken.

Members were encouraged to forward any further thoughts to Sue Coleman after the meeting.

**RESOLVED** - That:

- a) progress made by Families First in partnership with Headteacher representatives since December 2016 be noted;
- b) a further report be brought to the next Forum meeting on the outcome of the repeated survey to school leaders on the effectiveness of LST work to support school aged children and their families; and
- c) additional information be brought to their next Forum meeting around: the interrelationship of the safeguarding role within LSTs; clearer data to help determine progress made, specifically on service quality; and how capacity and consistency were being addressed.

**5. Growth Fund - Allocation of Funding 2016/17**

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

The Growth Fund was established in February 2013, with the agreement of the Forum. At this time the Forum requested they be advised of all funding allocations. In October 2015 the 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. At their meeting of 23 March the Forum requested schools requesting Growth Fund allocations should complete a financial self-declaration. Members were advised that the Basic Need Growth allocation for 2016/17 had increased to £33,185 per school, from the £32,470 shown in the report.

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

- a) in accordance with the infant class size criteria, £35,292 from the £95,000 budget would be allocated to three schools on the basis of an agreed number of infant teachers;
  - The Meadows Primary School, Newcastle, £13,810 towards the cost of a second infant class teacher

- Ashcroft Infant and Nursery School, Tamworth, £6,138 towards the cost of a fifth infant class teacher
  - Tittensor CE (VC) First School, £15,344 towards the cost of a second infant class teacher
- b) In accordance with the Growth Fund criteria, £66,370 would be allocated to two schools that worked with the Local Authority (LA) to create additional classes in response to Basic Need Growth;
- Bishop Lonsdale CE (VC) Primary School, Eccleshall, £33,185 for one additional Y4 class teacher
  - Perton Sandown First School, Perton, £33,185 for one additional reception class teacher
- c) Funding for Planned Growth in primary schools - Finance had streamlined the process for existing primary schools that had been permanently expanded and for year-on-year growth of brand new primary schools. This meant that school budgets would be increased through the pupil-led funding process rather than separately through the Growth Fund. On this basis no self declaration had been sought from eligible schools listed below;
- Rykneild 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
- d) In accordance with the new Growth Fund criteria for middle and secondary schools, £132,740 would be allocated to four secondary schools that had worked with the LA to provide at least 5% additional places in response to Basic Need Growth;
- Paulet High School and Sixth Form College
  - John Taylor High School – A Science and Leadership Academy
  - Blessed Robert Sutton Catholic Sports College
  - Abbot Beyne School
- e) Funding provided in readiness for the 2016/17 budget through Basic Need Panned Growth had been underpaid by five places at Victoria Community School and seven places at Christ Church Primary School. This shortfall be rectified through the Basic Need exceptional growth fund. The shortfall amount was £14,534 for Victoria Community School and £20,348 for Christ Church Primary School.

These allocations would leave an underspend of £266,008, which was largely due to planned growth funding being allocated into school budgets through pupil led funding.

This underspend, along with the £59,708 underspend on infant class size funding, would be carried forward for use in the Schools Budget 2017/18.

The Forum felt that an availability of an exemplar showing how the financial self-assessment was expected to be filled in would be helpful in ensuring schools included an appropriate level of detail.

**RESOLVED** – That the allocations of Growth Funding listed above, and (where appropriate) the schools' financial self-declaration be noted.

## **6. SEND Assessment and Planning Process**

*[Nichola Glover-Edge, County Commissioner for All Age Disability and Wellbeing, in attendance for this item.]*

The Forum received details of the SEND (Special Educational Needs and Disability) assessment and planning process. Across the County a number of pathfinders piloted the SEND reforms. In July 2015 the Department of Health produced a Final Impact Research Report that evaluated the SEND pathfinders programme and Members received details of key findings, which included a positive improvement in relation to choice and the sufficiency of provision, whilst stating further work needed to be undertaken.

Staffordshire had developed and implemented a new person centred pathway. 509 Education, Health and Care Plans (EHCPs) had been completed with a further 176 assessments pending. The percentage of statements/EHCPs maintained by Staffordshire County Council continued to be relatively stable at around 3%, in keeping with national averages. However requests for Education Health Care (EHC) needs assessments were increasing. Again this was in line with national figures.

Issues remained around transfers where the LA was required to transfer appropriate statements of Special Educational Need (SEN) to an EHCP. Staffordshire had approximately 3,500 statements to transfer, with 432 statements converted to date and 524 currently in the process. Staffordshire was behind schedule in making these transfers and extra capacity was required to ensure transfers were completed by the 2018 deadline.

Work was also underway with Special Schools to ensure that out of county placements were reduced, with those pupils who had moderate SEN moved into mainstream schooling.

Members had concerns that pupils identified early by schools as needing support had to wait too long for the formal SEND assessment and therefore any support allocation. Lack of statement review was also raised as an area of concern with children's needs not reviewed often enough to ensure it continued to be addressed.

Members reaffirmed the importance of ensuring the education setting was right for the pupil and how critical it was to ensure a pupil centred approach to placements. Work was being undertaken to share expertise and Forum Member's support with this would be welcomed. Mr Kevin Allbutt agreed to be a part of this work.

**RESOLVED** – That the update on SEND assessment and planning be noted.

## **7. Notices of Concern Protocol**

The Forum had previously raised concerns around how effectively issuing a notice of concern prevented the risk of a deficit from any phase of sponsored academy conversion. A notice of concern was not able to guarantee prevention of a deficit but was designed to minimise this risk. To help minimise future risk the Forum now considered the protocol for issuing a notice of concern at an earlier stage in the process.

Presently a notice of concern was issued upon receipt of a sponsored academy order. Academy orders were generally issued less than 2 months from conversion, giving little time to take any corrective budgetary action.

Two options were considered for issuing notices of concern:

- Option 1 – when a school is judged to be Requiring Improvement (RI) or Special Measures by Ofsted;
- Option 2 – when a school is judged to be in Special Measures.

There was some discussion over the implications of Option 1 on the increase of notices to be issued. However the Interim Commissioner for Education assured Members that notices would only be made on RI schools where there was a genuine financial concern.

The rationale for included RI schools was that being in this category meant there was a greater likelihood of moving into special measures. The Forum were informed that the White Paper indicated that RI schools were likely to be treated the same as those in special measures.

**RESOLVED** – That Option 1 be the preferred option for issuing notices of concern, ie: that a notice of concern be issued when a school is judged to be Requiring Improvement or Special Measures by Ofsted, with the proviso that notices for RI schools will only be issued where there are genuine financial concerns.

## **8. Notices of Concern**

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

Bishop Rawle Primary School	directive academy order
Gentleshaw Primary School	directive academy order
Picknalls Primary School	directive academy order
St Benedict Biscop CE Primary School	directive academy order
Thursfield Primary School	directive academy order
Great Wyrley High School	sponsored academy order

The Forum noted that since receiving a directive academy order, Picknalls Primary School's Ofsted category had been amended to Good, however the DfE were unable to withdraw the order and therefore the notice of concern remained in place.

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

## **9. Procurement Regulations**

The amendments necessary to the Procurement Regulations for Schools (PRFS) had been considered at the 23 March 2016 Forum meeting. The changes had taken account of the formation of Entrust and amendments in accordance with the Public Contracts Regulations 2015, the Transparency Code on Staffordshire Council Procurement of 31 January 2015, and the New Threshold Values for 2016. Following the Forum meeting consultation was undertaken on the proposed changes. No comments had been received during the consultation period.

**RESOLVED** – That the amended Procurement Regulations for Schools be agreed.

## **10. Staffordshire Scheme for Financing Schools**

At their meeting of 23 March 2016 the Forum received details of the amendments necessary to the Staffordshire Scheme for Financing of Schools (SSFS), taking account of directed revisions from the DfE in 2013, 2014 and 2014. The Scheme also required amendment to take account of the cost sharing agreement on redundancy/early retirement costs.

The Forum received a summary of revisions to the SSFS. Following the March Forum meeting a consultation had been undertaken on the proposed amendments. No responses had been received to this consultation.

**RESOLVED** – That the revised Staffordshire Scheme for Financing Schools be agreed.

## **11. Schools Membership Annual Review**

At their meeting of 9 July 2015 the Forum had agreed to review its membership annually to ensure it remained broadly proportionate in its representation of maintained and academy schools according to pupil numbers in each category (regulation 4 (6)). On review the Forum were aware that there was a need for two extra academy representatives, one primary and one secondary, and therefore two less maintained school representatives.

Since the last review Wolstanton High School had converted to an academy and therefore Ms Ally Harvey, previously representing maintained 11-16 secondary schools, could now represent academy schools. There remained, however, a need for one extra primary academy representative, and therefore one less primary maintained representative.

Members also noted that elections were due next year for part of the Forum membership and it was proposed that the required adjustments in representation should be accommodated within these elections.

Members also noted that one vacancy remained for First Schools representation in South Staffs, Cannock and Lichfield following the resignation of Mr Paul Burton. The secondary academy vacancy remained pending the current election.

**RESOLVED** – That:

- a) the content of the report be noted; and
- b) the changes required to remain broadly proportionate in its representation be addressed through the 2017 election process.

## **12. Facilities Time**

*[Mr Philip Tapp, Vice Chairman, in the Chair for this item.*

*Mr Steve Barr and Ms Judy Wyman took no part in this item having declared an interest as being in receipt of some facilities funding. ]*

At their meeting of 23 March the Forum requested a report on Facilities Time Funding, based on a report that had been produced by union representatives of the LMSCC. Members now received a report of the Deputy Chief Executive and Director for Families and Communities which outlined these issues.

Two separate budget reductions had affected the overall allocation to trade unions representing teaching and non-teaching staff in Staffordshire schools:

- a) £5,140 income shortfall as a result of falling pupil numbers in maintained schools as some of these had become academy schools and therefore were not subject to de-delegation; and
- b) £32,039 reduction from the removal of county council funding for Unison staff working in maintained schools.

Members received comparison details of allocations made by statistical and geographical neighbours.

The Forum was asked to consider the one-off use of part of a projected underspend in the Central Contingency to fund additional Trade Union facilities time for the 2016/17 financial year, at a cost of £32,039. This sum matched that taken out of the allocation for Unison following the LA's decision not to fund union activities undertaken on behalf of schools.

Members noted that facilities time allocations for 2017-18 would be discussed at the October 2016 Forum meeting.

**RESOLVED-** That the one-off use of part of the projected underspend in the central contingency to fund additional Trade Union facilities time for the 2016-17 financial year, at a cost of £32,039, be supported.

## **13. Fairer Funding**

The Forum received an oral report on Fairer Funding. The DfE had produced a letter addressing post referendum issues for education. Within this correspondence there had been reference to fairer funding, with further consultation expected in due course.



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

#### **14. Work Programme**

Members requested the following additions/amendments to their work programme:

- a) the proposed working group on School Improvement be removed and a report be brought to the October Forum meeting on School Improvement, specifically addressing the changes made and clarifying the link between Entrust and the county council's provision; and
- b) the Spend review, and specifically proposed changes to redundancy payments.

Members also noted that they had not received the schools budget projected outturn at their March meeting or the final outturn at this meeting (as indicated in the work programme). Members were assured that the final outturn would be brought to their October meeting.

**RESOLVED** – That the amendments to the work programme be noted.

#### **15. Date of next meeting**

**RESOLVED** – That the next Schools Forum meeting is scheduled for 4 October 2016, 2.00pm, Kingston centre, Stafford.

**Chairman**