

SCHOOLS FORUM

MINUTES OF THE SCHOOLS FORUM MEETING HELD ON 11 OCTOBER 2018 AT COUNCIL CHAMBER - WILTSHIRE COUNCIL OFFICES, COUNTY HALL, TROWBRIDGE.

Present:

Neil Baker (Chairman), Aileen Bates, Andy Bridewell, Phil Cook, Tracy Cornelius, Nicola Coupe, John Hawkins, Mel Jacob, Sue Jiggins, Jen Jones, Lisa Percy (Vice-Chair), John Proctor, Nigel Roper, Trudy Srawley, Lindsay West and Catriona Williamson

Also Present:

Emma Cassidy (Head of Education – Greatwood Charity), Sam Churchill (PHF Observer), Grant Davis (Schools Strategic Financial Support Manager), Joanne Hobbs (Business Analyst), Lisa Pullin (Democratic Services Officer), Alan Stubbersfield (Interim Director – Education and Skills) and Marie Taylor (Interim Head of Finance for Children’s Services)

38 Election of Chair

Resolved:

The Forum agreed to appoint Mr Neil Baker as Chair of Schools Forum for 2018/19.

39 Election of a Vice Chair

Resolved:

The Forum agreed to appoint Lisa Percy as Vice Chair of Schools Forum for 2018/19.

40 Apologies and Changes of Membership

Apologies were received from the following Forum members: Mark Cawley (Early Years Rep), Michelle Chilcott (Secondary Academy Rep), Jon Hamp (Special School Academy Rep), Neil Spurdell (Secondary Academy Representative), David Whewell (Secondary School Governor Rep).

Apologies were received from the following Wiltshire Council Officers: Nick Breakwell (Head of SEND Service), Helen Jones (Director – Commissioning),

Tamsin Stone (Lead Commissioner), Judith Westcott (Acting Head of Commissioning and Joint Planning), and Cllr Phil Whalley (Portfolio Holder for Education & Skills).

The following changes to the membership of the Forum were noted:

Neil Spurdell (Head of Sheldon School, Chippenham is the new Chair of WASHH). Neil replaces George Croxford (Head of Royal Wootton Bassett) on the Forum.

At the last meeting, we identified where there were gaps in the membership and we are pleased to announce that the following vacancies have been filled –

- Primary academy representative – Lindsay West - Principal - Durrington Infants School
- Secondary School Governor representative – David Whewell, Governor – John of Gaunt School
- Primary School Governor representative – Mel Jacob – Chair of Governors at The Mead School

You also requested that we seek representatives from the other groups and the following have been nominated to attend our meetings with observer status

Wiltshire Parent Carer Council – Trudy Srawley

Wiltshire Children and Families Voluntary Sector Forum – no rep identified as yet

Local Youth Network – no representative identified as yet.

41 **Minutes of the Previous Meeting**

The minutes of the previous meeting held on 28 June 2018 were approved as a correct record.

Resolved:

That the Chairman sign the minutes of the meeting held on 28 June 2018.

42 **Chairman's Announcements**

The Chairman welcomed all to the Forum and asked all others present to introduce themselves.

The Chairman invited Grant Davis (Schools Strategic Financial Support Manager) to provide the following verbal updates:

Teachers Pay Award

The Teachers pay award had finally been agreed and circulated to schools through Right Choice, with provided schools with additional funding to meet the

increased costs associated with the agreed Teachers pay award. Schools were able to set their own rates and schools that “buy in” to our services have been sent details of the options available to them. Schools should have expected (and therefore budgeted for) at least a 1% increase in pay costs and the DfE are looking to fund anything above that level. Funding from the DfE would be awarded to schools on a per pupil basis, but there was no clarity as yet on when the funding would be received by the local authority to pass onto schools.

Teachers’ Pension

The Teacher’s pension scheme is revalued every 3 years and employer contribution rates were due to change from September 2018. It was delayed until 1 April 2019 and has now been pushed back to 1 September 2019. The DfE have given indicative figures for employer contributions rising from 16.48% to 23.6% (a 7.12% increase) which was previously anticipated at 2%. This significant increase would cause huge budgeting issues for schools. The DfE are to put cushioning in place for 2019/20 so schools are not so badly affected. Nothing has been confirmed past 2019/20 as that goes into a new Government spending review period.

Interim arrangements regarding Directors and Heads of Service of Finance Education & Skills Teams

The interim S151 Officer (Director of Finance), Ian Duncan is leaving Wiltshire for a post in Northampton. Becky Hellard will be covering the role on an interim basis until a permanent replacement is appointed, hopefully by February 2019. Marie Taylor will remain in post as Interim Head of Finance for Children’s Services until 31 January 2019.

A permanent Director of Education & Skills has been appointed (Helean Hughes) who will commence in the role on 5 November 2018 to replace Alan Stubbersfield who has been covering the role in the interim. Alan will continue to work on the Special Schools project for the next six months.

The Chair, Neil Baker wished to thank Alan Stubbersfield for all his work and support he has provided to Wiltshire Schools.

Letter from National Association of Headteachers – Support for de-delegation funding for supply cover costs/trade union time

Grant referred to a letter that had been received from the NAHT urging Councils to support the de-delegation funding for supply cover costs and to continue to support a mechanism whereby academies are able to buy into a central fund for trade union time. A copy of the letter is **attached as Appendix 1** to these minutes and Grant asked schools to be aware of the request.

High Needs Block Recovery Group

Marie Taylor (Interim Head of Finance – Children’s Services) reported that a working group had been set up with the sole aim of identifying contributing

factors and to make proposals to reduce the cost pressure on the high needs block. Neil Baker and Lisa Percy were part of the working group.

43 **Appendix 1 to Minutes - Letter from National Association of HeadTeachers Declaration of Interests**

There were no declarations of interest.

44 **Update from the Families and Children's Transformation (FACT) Programme Board**

Jo Hobbs (Business Analyst – Programme Officer) referred to the FACT programme update that was circulated with the Agenda and reiterated that they were keen to ensure that Schools engaged with the programme. The email address which is open to all is FACT@wiltshire.gov.uk and the programme was developing a website which would contain all of the latest news - <http://www.wiltshire.gov.uk/children-young-people-fact>

She confirmed that following the suggestions made at the last meeting the FACT Teams had attended meetings of Primary Heads Forum and Wiltshire Association of Secondary School Heads and were yet to go to a meeting of the Wiltshire Governors Association.

Resolved:

That the FACT update be noted.

45 **Reports from Working Groups**

The meeting noted the update received by way of the minutes of the School Funding Working Group and SEN Working Group that were circulated with the Agenda.

Resolved:

That Schools Forum note the minutes of the joint meeting of the School Funding Working Group and SEN Working Group held on 26 September 2018.

46 **Schools Revenue Surplus and Deficit Balances 2017/18**

Grant Davis (Schools Strategic Financial Support Manager) referred to the report which presented the position of revenue balances for Wiltshire maintained schools as at 31 March 2018 and identified those that were in deficit. Grant also explained the appendices in some detail, particularly about the schools with large and/or long-term deficits and those also with significant uncommitted/ringfenced surpluses without explanations such as rising or falling rolls.

Of particular discussion because of its deficit position was Abbeyfield School which had risen from a deficit of £687k in 2014/15 to £2.216m in 2017/18.

The Forum discussed what was put in place to support schools with deficit balances. Offers of financial recovery planning assistance is made to schools identified as requiring support from the Accounting & Budget Support Team and despite this being part of the LA's strategic role and not chargeable, the take up was low.

Deficit budgets and recovery plans are approved and are supported by a local authority licenced deficit over an agreed payback period. If a school was to be placed into special measures from Ofsted then additional funding from the DfE would be applied for in the form of a SIF (School Improvement Fund) bid to support that school and to turn things around.

Grant reported that previously Schools Forum had considered how best to enable the Local Authority to fulfil its key role in supporting and challenging schools with excessive surplus balances and had agreed that schools would be presented with an annual School Financial Management Information Statement (SFMIS) at year end (example circulated at the meeting) which it had been doing since 2016/17. The SFMIS was a backward-looking document and was not necessarily indicative of future financial plans within the school.

Grant was proposing that in future a School Strategic Financial Management Statement (SSFMS) and a RAG rated Finance Audit matrix (examples circulated at meeting) be given to schools. These documents were drawn up because it had become clear that not all schools were having a conversation with their Governors about their surplus balances.

The question for some schools was "You have a surplus budget but poor performance with regard to your results – what are you going to do about it?" The documents also presented a forward-looking position for schools which would be beneficial in future financial planning.

The colour coded self-evaluation matrix sheet should guide discussion to ascertain if there was no realistic plan, a spending plan and/or a strategic plan within the school and aid discussions around management of surplus or deficit balances. The matrix sheet could support discussions between the schools and their CASP (Challenge & Support Partner) and could be provided to the CASP in advance of their meetings at the school.

A forum member asked if the documents would be shared with the CASP and Grant recommended that they should have sight of this information as part of their visits and be involved in their completion.

The differences between the two documents was discussed, with the Chairman also discussing how the SSFMS fitted in with work being performed by the Education Transformation Board (ETB).

The proposal put forward to Schools Forum was that the new SSFMS be introduced and replace the current SFMIS and that the new Statement be distributed to schools as soon as practical.

Resolved:

The Forum agreed that the School Strategic Financial Management statement (and related documents) should replace the previous School Financial Management Information Statement to assist schools with the financial management.

47 **Dedicated Schools Budget - Budget Monitoring 2018-19**

Marie Taylor (Interim Head of Finance for Children's Services) referred to the Dedicated Schools Budget Monitoring 2018/19 report that was circulated with the Agenda. Marie highlighted the following:

- That an overspend of £0.925 million was currently projected against the overall schools' budget. Although this was the first report of the new financial year, the likelihood of an overspend was raised at the January 2018 meeting when the pressure on the high needs block was estimated at £0.843 million;
- The annual prior year adjustment has been made by the DfE on the early years block allocation - for 2017/18 this was minimal at £35k and represents the updated census data feeding into the allocated formula. The early years block has previously significantly underspent but this pattern is not forecast to continue in 2018/19 – Marie noted an explanation for this is that the 30 hours per week offer may be more useful to working parents and therefore have a higher take up;
- Of most concern was the projected overspend on the high needs budget which related to independent special school packages, named pupil allowances and top ups in non-Wiltshire provision, but these were our most complex children and the authority would continue to do what was best for them;
- In view of this ongoing pressure as previously mentioned a High Needs Working Group had been established with school and local authority officers to identify contributing factors and to make proposals to reduce the cost pressure on the high needs block. Two meetings had been held so far.

A Forum member expressed disappointment that there had always appeared to be discussions about the overspend on the high needs block for a number of years now and we still appeared to be in the same position.

Marie Taylor reported that Wiltshire was not alone in this predicament, almost all other Local Authorities were reporting this position.

Alan Stubbersfield reported that the Local Government Association were so concerned with this recognised problem that they had commissioned research into it which Wiltshire is taking part in.

Resolved:

That the Forum note the budget monitoring position as at the end of August 2018 and the continued pressure on the high needs budgets and to support and contribute to the work of the High Needs Working Group.

48 **Update on Dedicated Schools Grant/School Funding Guidance**

Grant Davis (Schools Strategic Financial Support Manager) referred to the reported circulated with the Agenda which sought to provide the Forum with an overview of the key headlines from the “Schools Revenue Funding 2019 to 2020 – Operational Guide (July 2018)”. Grant highlighted the following:

- On 24 July 2018, it was confirmed that the “soft” formula for the national funding formula (NFF) would continue for another year and that Local Authorities with their Schools Forum would continue to determine their funding formulae in 20220/21;
- That looking at the indicative figures from the DfE at paragraph 10 of the report (actual figures would not be released until December) it was felt that Wiltshire Schools are still being poorly funded;
- There was to be a level of local flexibility which would enable up to 0.5% of the total schools’ block to be transferred to other areas, but any movements would require approval from Schools Forum. A 0.5% transfer of the schools’ block would equate to £1.362m (based on the provisional allocation of £272.436m and any transfer would require consultation with all LA maintained schools and academies prior to being presented to Schools Forum;
- The DfE had committed to supporting schools with an additional £1.3billion over the next 2 years which included a cash increase for every pupil of 0.5% and increases in minimum funding per pupil in primary and secondary schools as part of the NFF; and
- Schools Forum had not previously supported the sparsity factor and it was only introduced for 2018/19 as it formed part of the NFF. At present a total of 25 primary and 2 secondary schools received funding paid through the Sparsity factor.

The Forum noted that they would be asked to propose a funding methodology for 2019/20 considering the published undated NFF and that they would need to consider the option of moving funding between the blocks.

Resolved:

That Schools Forum note the contents of the report.

49 **Update on High Needs Funding Guidance**

Grant Davis (Schools Strategic Financial Support Manager) referred to the report that was circulated with the Agenda which provided the Forum with an overview of the key headlines from the recently published guidance on High Needs National Funding 2019/20.

Grant reported that there were no significant changes to the formula proposed, with an indicative increase of £730k which was yet to be confirmed and should be treated with caution.

The final allocation was due to be announced in December and this would then need to be considered by the Forum at their December or January meeting (depending when the announcement was made).

Resolved:

That Schools Forum note the report.

50 **Confirmation of Dates for Future Meetings**

The Forum noted that the future meetings would be held on:

6 December 2018
17 January 2019
28 March 2019
13 June 2019.

51 **Urgent Items**

There were no urgent items.

(Duration of meeting: 1.30 - 3.25 pm)

The Officer who has produced these minutes is Lisa Pullin, tel 01225 713015 or email committee@wiltshire.gov.uk of Democratic Services

Press enquiries to Communications, direct line (01225) 713114/713115



Dear Director

We are writing on behalf of all employees working within the boundaries of your local authority area who are members of NAHT and the National Education Union.

You will recall that, from last April, local schools agreed through your Schools Forum to 'de-delegate' funding for supply cover costs, including for trade union facilities time. We believe that this was the right decision – and a very big majority of Schools Forums made the same decision, acting in accordance with advice issued by the Local Government Association and the National Employers' Organisation for School Teachers in October 2015.

We believe that the central retention and distribution of the fund is the most effective and efficient arrangement and we would like to work with you to ensure that this arrangement continues. Discussions are now taking place in your authority on funding arrangements for supply cover costs from April next year and we are asking you to pass the information in this letter to members in your Schools Forum and to encourage them to vote again for de-delegation of funding arrangements for supply cover costs.

Successive governments have recognised the importance of good industrial relations and have legislated to provide a statutory basis for facilities time as follows.

- Paid time off for union representatives to accompany a worker to a disciplinary or grievance hearing.
- Paid time off for union representatives to carry out trade union duties.
- Paid time off for union representatives to attend union training.
- Paid time off for union 'learning representatives' to carry out relevant learning activities.
- Paid time for union health and safety representatives during working hours to carry out health and safety functions.

These provisions are contained within the Employment Relations Act 1999 and the Trade Union Labour Relations (Consolidation) Act 1992 and the Safety Representatives and Safety Committees Regulations 1977.

NAHT and NEU have members and union representatives in academies as well as maintained schools within your local authority area and, in addition to seeking your support for continued de-delegation, we are seeking your agreement for the local trade union funding arrangement to be formally extended to academies within your local authority boundaries.

As the DfE Advice on Trade Union Facility Time acknowledges, the trade union recognition agreement between the authority and the recognised unions will have transferred to the academy school as the new employer of the transferred staff as part of the conversion process to academy status under TUPE. We believe that, following conversion, academies should also become parties to local authority trade union facilities arrangements.

The academies within your boundaries will have received funding for trade union facilities time in their budgets and they are entitled to use that funding to buy-back into local authority arrangements. Indeed, many academies across England have already agreed to buy in to local authority trade union facilities arrangements.

Pooled funding will help the local authority and all schools to meet their statutory obligations on trade union facilities time. Setting up a central funding arrangement will allow academies to pay into a central pool if they wish to. But most importantly it will help maintain a coherent industrial relations environment where issues and concerns whether individual or collective can be dealt with more effectively. All these points are echoed in the advice issued by the LGA and NEOST.

We urge you therefore to support the de-delegation funding for supply cover costs and to continue or establish (if you did not do so previously) a mechanism whereby academies within your boundaries are able to buy into a central fund for trade union facilities time. If you agree to do so, we will write to academy principals to encourage them to buy in to your arrangement.

Yours sincerely

Paul Whiteman
Mary Bousted
Kevin Courtney