

## SCHOOLS FORUM

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### MINUTES OF THE SCHOOLS FORUM MEETING HELD ON 13 JUNE 2019 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

#### Present:

Victoria Allison, Neil Baker (Chairman), Andy Bridewell, Sam Churchill, Phil Cook, Jon Hamp, John Hawkins, Mel Jacob, Lisa Percy (Vice-Chair), John Proctor, Neil Spurdell, Trudy Srawley, Lindsay West, David Whewell and Catriona Williamson

#### Also Present:

Grant Davis (Schools Strategic Financial Support Manager), Helean Hughes (Director – Education & Skills), Lisa Pullin (Democratic Services Officer), Marie Taylor (Interim Head of Finance – Children’s Services), Judith Westcott (Acting Head of Commissioning and Joint Planning), and Cllr Phil Whalley (Portfolio Holder for Education and Skills)

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#### 28 Apologies and Changes of Membership

Apologies were received from the following Forum members: Aileen Bates (Special School Governor representative), Mark Cawley (Early Years representative), Michelle Chilcott (Secondary Headteacher representative), Giles Pugh (Salisbury Diocesan Board of Education representative) and Nigel Roper (Secondary Headteacher representative).

Apologies were also received from the following Wiltshire Council Officers – Terence Herbert (Executive Director – Children and Education) and Helen Jones (Director – Commissioning).

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

Jen Jones has left Wiltshire College and Charlotte Corfield is the new representative. However, the representative today is Victoria Allison in Charlotte’s place at the meeting.

Sam Churchill will be taking over Tracy Cornelius’ role as a Primary Head rep of Schools Form due to Tracy’s ill health. Tracey was due to leave at the end of the academic year with Sam taking her place from September but as she will not be returning Sam will take on the role on from now.

We are still awaiting a Primary School Governor Rep from the WGA (to replace Sue Jiggins).

29 **Minutes of the Previous Meeting**

The minutes of the previous meeting held on 28 March 2019 were approved as a correct record.

**Resolved:**

**That the Chairman sign the minutes of the meeting of Schools Forum held on 28 March 2019.**

Marie Taylor (Interim Head of Finance – Children’s Services) wished to report that in respect of minute number 20 – f40 Questionnaire for Schools, the decision was taken not to circulate the letter and questionnaire to schools at this time due the large consultation/call for evidence from the DfE on funding for SEND and alternative provision that was launched on 3 May 2019.

30 **Chairman's Announcements**

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

The Chairman made the following announcement:

**Press attendance at meetings**

The meeting is not being webcast today, however we are aware that this is a public meeting that anyone can attend. The Chairman asked if any members of the press were present. Julia Hiystek confirmed that she was the Local Democracy reporter for the Gazette & Herald and the Wiltshire Times.

31 **Declaration of Interests**

There were no declarations of interest.

32 **Requirements and composition of local authorities' schools forums**

Lisa Pullin (Clerk to the Forum) referred to the responses (circulated with the Agenda) to the email from Owen Jenkins, Deputy Director of the Academies and Maintained Schools Directorate Funding Division of the Education and Skills Funding Agency which had sought to remind local authorities of the requirements they should follow with regards to their Schools Forums.

Lisa reported that in response to this, the balance of membership between maintained primary, maintained secondary and academies members (which must be broadly proportionate to pupil numbers) had been reviewed and it was proposed to amend the membership to reflect the current breakdown of the total numbers on roll in schools as at the October 2018 census.

It was recommended that there be the following primary, secondary and academy representatives:

<b>Representatives</b>	<b>Total</b>	<b>Maintained</b>	<b>Academy</b>
Primary	6	4	2
Secondary	4	1	3
<b>TOTAL</b>	10	5	5

This was in addition to the two existing special school representatives, which would mean the total number of 'schools' members would be six and the total number of 'academies members would need to rise from five to six. Therefore, a new Primary Academy representative would need to be elected by the Primary Heads Forum (PHF). The current Chair of PHF, Catriona Williamson confirmed that this would be added to the Agenda for the next meeting (on 18 June 2019) and hopefully there would be a representative appointed for the next Schools Forum meeting.

**Resolved:**

- 1. That Schools Forum note the contents of the report regarding membership and representation of Schools Forum.**
- 2. That the Primary Heads Forum be asked to appoint a Primary Academy representative for the next meeting on 10 October 2019.**

**33 Updates from Working Groups**

The Forum noted the update received by way of the minutes of the joint meeting of the School Funding Working Group and SEN Working Group held on 4 June 2019 that was circulated with the Agenda.

The Forum noted the update received by way of the minutes of the meeting of the Early Years Reference Group meeting held on 10 May 2018 (within Agenda Supplement (1)).

**Resolved:**

**That Schools Forum note the minutes of the joint meeting of the Schools Funding and SEN Working Groups held on 4 June 2019 and the meeting of the Early Years Reference Group held on 10 May 2019.**

**34 Update on the work from the f40 Group**

Grant Davis (Schools Strategic Financial Support Manager) referred to the report which outlined the current work of the f40 group which work towards a fairer funding model for schools. Grant highlighted the following:

- The group currently comprises 42 of the lowest funded authorities in England, with Wiltshire being the 7<sup>th</sup> lowest. F40 seeks fairness and equal opportunities for all children regardless of where they live;

- The additional £1.3bn which accompanied the introduction of the National Funding Formula (NFF) was welcomed, but it still does not fully address the 'fairness' which f40 had fought for;
- The main points being campaigned for are:
  - Removal of historical inequalities and funding protections
  - Increases in the basic entitlements for schools to cover core school costs
  - Increase in funding of £2.3bn to cover current cost pressures
  - Index-lined increases in funding each year
  - Additional £1.4bb of funding towards High Needs provision
- One of the key changes under the NFF was the introduction of the minimum funding levels (MFL) per pupil, but this application is unfair as it means that schools with medium levels of deprivation are being funded at the same levels as schools with little deprivation;
- The f40 group is trying to establish what the NFF is trying to achieve as it is not clear what the government expects of schools compared to social care, mental healthcare and other SEND needs;
- The f40 funding model looks to distribute the national school's budget to local authorities on a clear rationale as currently there is insufficient funding to cover basic classroom costs;
- The f40 group would like to bring all funding formulas together to allocate the same flat rate per pupil across all regions and then appropriate area cost adjustments would be applied accordingly and ideally all current grant funding streams (i.e. Pupil Premium) would be in the overall proposed model;
- The Schools Block should be distributed between local authorities on six formula factors:
  - Basic entitlement (formerly age weighted pupil unit)
  - Deprivation (based on EVER 6 FSM data only)
  - Low prior attainment
  - English as an Additional Language (EAL)
  - Lump sum
  - Sparsity
- The f40 group believe that Local Authorities and their Schools Forums should continue to be able to add additional factors e.g. split sites and leases, shift funding between the three blocks and agree any delegations from all LA maintained schools; and

- There are no incentives to keep pupils with difficult behaviour or with SEND in school and therefore greater numbers of pupils are being 'pushed out' with the costs being borne by the High Needs Block. The £10,000 per place for special schools has not risen since 2014 – it is felt that at the very least it should be increased for inflation.

Grant took the Forum through the tables in the Agenda which was the f40 groups model formula to the 2018/19 NFF dataset to show the impact this could have on the schools funding and how the monies should be distributed.

Wiltshire have agreed to sign up and support the work of the f40 group and Grant's counterparts in Hampshire and Dorset are part of the f40 group meeting.

**Resolved:**

**That Schools Forum note the update and support the work of the f40 group.**

35 **Funding for SEND and those who need Alternative Provision: Call for Evidence**

Grant Davis (Schools Strategic Financial Support Manager) referred to report which outlined the DfE's consultation and call for evidence on funding for SEND and those who need alternative provision (AP). Grant highlighted the following:

- The 'Call for Evidence' will run from 3 May to 31 July 2019. The DfE understand that the overall amount of funding available for SEN and AP is the most pressing concern for many schools and local authorities. The total spending available for high needs will be carefully considered in the forthcoming Comprehensive Spending Review (CSR) which is due to commence in April 2020 and this call for evidence could influence future spending plans;
- All Local Authorities, schools, colleges and any other interested organisations are requested to respond to the questions and add their views;
- The call for evidence is intended to focus on how the current available funding is distributed and what improvement might be made in the future. It seeks information about whether there are aspects of the funding system that are driving up costs without improving outcomes for young people; and
- The DfE have recognised the difficulties which schools encounter in providing support for pupils with SEN, costing up to £6,000 per annum before being able to access support from the LA. The £6,000 threshold has been in place since 2009 and it felt that it should be reviewed due to its impact on schools making decisions regarding the provision for pupils with SEN.

Marie Taylor (Interim Head of Finance – Children’s Services) reported that representatives of the Schools Funding Working Group would be meeting up soon to draft model answers to the questions which would then be shared with PHF, WASSH and the WGA who could then add their responses and encourage all of their respective groups to respond to the call for evidence and questionnaire.

A Forum member noted that there was no reference to early years within the questions. Marie Taylor reported that this could be noted as part of the responses with our views being expressed about this.

**Resolved:**

- 1. That Schools Forum note the report.**
- 2. That Wiltshire Council, PHF, WASSH and WGA to compose a response and to encourage all schools, special schools, early years settings, governing bodies and post 16 providers to respond to the call for evidence/questionnaire.**

36 **Update on Progress - Special Schools In Wiltshire**

Judith Westcott (Acting Head of Children’s Commissioning) referred to the report that was circulated with the Agenda that sought to update Schools Forum on the proposals going forward for Special Schools in Wiltshire. Judith highlighted the following:

- A successful application was made in the last free school bidding round for special schools and this will mean that a new school for 150 children/young people with ASD/SEMH would be created in the South of the county. It was hoped that the new school will be ready for pupils at latest in 2023, but potentially as early as 2021;
- Further special school provision is needed and Cabinet at their meeting on 22 May 2019 agreed the vision for the future of special education in Wiltshire. Cabined agreed that Wiltshire Council should make plans to establish a new maintained special school, (to be renamed) with a single leadership team as soon as possible. This would involve closing St Nicholas, Rowdeford and Larkrise schools and opening them as one new school on three sites;
- All new special school places would be created at the Rowdeford site and consultation would be carried out on which other buildings and campuses may be used in the future;
- There is a technical process to follow to achieve this which includes applying to the Secretary of State for Education to have a new maintained school rather than an academy. It takes on average 6 weeks to make a decision but if we were to hear with a decision by 26 June 2019 that

permission is granted, we would issue a statutory notice and run a four-week consultation to ensure everyone understands and can ask questions about the new proposal for one school on three sites. If we do not hear by the end of June the consultation period would run from September 2019 after the summer holidays;

- Subject to the conclusions from the consultation, the Council, following a Cabinet decision in either September or October would need to present the proposal to the School's Adjudicator to open a new maintained special school;
- The building works at the Rowdeford site will start as soon as possible but be phased so that children could potentially be in the school buildings when each stage is built e.g. by school key stages. Once the new buildings are ready, the Council will consult on whether to keep all three sites open or whether only the Rowdeford site will be needed; and
- Consultation is currently underway to look to expand the capacity at Downlands School in Devizes from 68 to 90 places from September 2019.

A slide showing the proposed plans and timeline for decision was shown at the meeting and this would be shared with all parents/carers with children at the special schools involved when the consultation is launched in September.

A Forum Member asked about the proposed new school in the South. Judith Westcott confirmed that initial meetings have begun with the DfE and academies can submit expressions of interests to run this new school. A possible site has been identified next to Pembroke Park Primary School in Salisbury, although other sites would be considered.

**Resolved:**

**That Schools Forum note the commitments made in the proposals being taken forward by Wiltshire Council.**

37 **Exeter House Special School**

Grant Davis (Schools Strategic Financial Support Manager) referred to the report which outlined the proposed changes to Exeter House Special School and the funding required to accommodate the expansion of the school. Grant highlighted the following:

- Exeter House was the only special school serving the south of the county until recently, when the Springfields South provision was put in place to service the increased demand and to reduce the number of pupils travelling from the south of the county to other specialist provision in the north and west of the county;

- The agreed number of places at Exeter House has stood at 121 for a number of years although the school have frequently exceeded the number of pupils in the planned places;
- In 2016 the school decided to expand and acquired the former John Ivie Centre in Salisbury. At the point of expansion, the local authority had not requested or funded the school to expand and the decision was school-led;
- The demand for Special School places continues to grow across the whole county and there is a planned increase to 134 places at Exeter House from September 2019. Current estimates have indicated that this number will be exceeded and that there will be requests for over 140 places in September 2019;
- The local authority is now formally asking Exeter House to expand its provision to cater for the increased demand and they have expressed concerns about meeting the demand within their existing accommodation. If Exeter House are unable to accommodate these additional pupils, then the local authority will need to seek out of county places with independent specialist providers which is generally between £25,000 - £65,000 per place;
- Exeter House are being asked by the local authority to re-configure its accommodation to support the needs of the pupils over both campuses;
- To align Exeter House with other special schools operating over two sites and being expanded at the request of the local authority it is proposed that the enhanced top up rates offered to schools operating over multiple sites should be applied in this case to ensure consistency; and
- The enhanced top up rates equate to an annual extra amount of funding which would need to be funded from the High Needs Block of the Dedicated Schools Grant (DSG).

The Chairman felt that as this is now a request from the local authority to make the special school places available then the top up rates should now be offered to Exeter House to ensure that the provision is available for those that need it.

**Resolved:**

- 1. That Schools Forum note the contents of the report.**
- 2. Schools Forum agree to award the enhanced top up rates to Exeter House Special School, which will be reviewed annually to ensure consistency across all special schools.**



## 38 **Dedicated Schools Budget - Budget Monitoring 2018/19**

Marie Taylor (Interim Head of Finance – Children’s Services) referred to the report which gave details of the outturn position for the dedicated schools budget in 2018/19 and the Dedicated Schools Grant (DSG) reserve at the end of 2018/19. Marie highlighted the following:

- The DSG was overspent by £4.183 million at the end of the year. The overspend on the high needs block is £4.735 million and this is offset by underspends in the growth fund, early years and central blocks;
- In September 2018 the High Needs Working Group was set up to identify contributing factors and to make proposals to reduce the cost pressure on the high needs block;
- The growth fund underspent by £0.130 million which was a slight improvement on January’s forecast position of £0.080 million;
- Budgets for the free entitlement for 30 hours childcare for 2, 3- and 4-year olds were underspent by £0.324 million but it is important to note that this will have a post year adjustment from the DfE. The forecasts underspend relates to the volume of take-up of the provision;
- The biggest areas of overspend on the high needs budgets relate to Independent Special School fees, named pupil allowances and top ups in schools and alternative provision and elective home education support for pupils with SEND;
- At the Schools Funding and SEN Working Group meeting further information on high needs spending was requested and so the attached Appendix 2 is an internal management report which shows activity data across placement budgets for 2018/19;
- One of the major drivers of increased cost is volume. The number of EHCP’s was 682 more in 2018/19 than was budgeted for;
- ISOS, the external consultants who have been appointed will be updating the Forum at the next meeting in October to present their findings and recommendations. At this point Schools Forum will be given the opportunity to consider a transfer from schools block to the high needs block and plan any necessary consultation and approval required;
- The reserve brought forward of £0.846 million was reduced by the early years block adjustment of £0.035 million. Wiltshire Council Members approved a £1.3 million contribution to the DSG reserve at Cabinet on 11 June 2019 which now takes us into a healthier position;
- The overspend and adjustments to the DSG create a deficit DSG reserve of £2.072 million which equates to an overspend of 0.6% of total DSG. If

this overspend had been 1% or higher the local authority would have had to submit a recovery plan to the DfE to set out how we planned to bring the DSG account into balance within a maximum of 3 years. The deficit is a cause of concern, but action is being taken to reduce it but we accept that it will be an ongoing problem;

- There would be consultation due to be carried out in the Autumn regarding the setting of the 2020/21 budget and questions would be considered around a transfer from the Schools Block to the High Needs Block.

Forum members asked about the increase in numbers of EHCP's – it would be useful to know at what stage they are being granted and what provision is needed for them. This information would help inform schools.

Helean Hughes reminded the Forum that ISOS were hosting workshops to hear views from schools and encouraged all to attend them.

### **Resolved:**

#### **That Schools Forum**

- 1. Note the final outturn budget monitoring position and the continued pressure on high needs budgets.**
- 2. Contribute to the ongoing work of the High Needs Working Group, a multi-agency response to the high needs pressures.**
- 3. Contribute specifically to the ISOS consultancy work on the high needs block.**

### 39 **Admissions Appeals**

Grant Davis (Schools Strategic Financial Support Manager) referred to the report circulated with the Agenda which outlined the proposed changes for charging for Admissions Appeals for all schools from April 2020. Grant highlighted the following:

- The National Funding Formula (NFF) for funding schools was introduced from the 2018/19 financial year. There are four blocks of funding under the Dedicated Schools Grant (DSG) which are: Schools block, early years block, high needs block and central schools services block. The central schools services block was designed to cover duties held by local authorities on behalf of all schools and those held specifically on behalf of maintained schools;
- The Schools Revenue Funding 2019/20 – Operational Guide states that the local authority should not be treating voluntary aided, foundation schools or academies, differently from maintained schools;

- Within Wiltshire, all school funding has been delegated to schools as part of the formula application, therefore no funding has been retained centrally for servicing admission appeals; and
- The Council's School Admissions Team has traditionally supported the appeals process wherever possible and some schools, particularly academy schools have put into place their own arrangements to manage the appeals. The admissions appeal process involves time from both the School Admissions Team and a member of the Democratic Services Team. The local authority is no longer in a position to support the appeals process without recovering the costs associated with it. Charging all schools, regardless of their status will need to be consistently applied.

Forum members asked for details of the likely costs of the admission appeals. Grant had obtained approximate costings from Democratic Services and these were shared with the Forum. The cost of the admission appeal would need to be borne by the school at which the application for a place had been made and it was noted that popular schools that are oversubscribed would be the ones to take the bigger financial hit with these charges. A member asked if maintained schools would have to use the appeals service provided by the local authority? This would need to be clarified by Officers and reported back to the Forum.

The Forum were reassured by Marie Taylor that the proposed charges for the admissions appeals were comparable with other local authorities and did not generate a profit. There was an expertise from both Admissions, Democratic Services and Panel members in administering appeals.

Some of the Forum members reported their own appeals admissions arrangements they currently had in place and there was a discussion about "buying" the service from other schools who have their own arrangements. A forum member asked what academes had in place and whether this could be investigated.

The Forum felt that they needed further information/clarity on what other options there were and if maintained schools were obliged to use the service provided by the local authority. They requested that a further report be presented at the next meeting on 10 October 2019.

**Resolved:**

- 1. That Schools Forum note the content of the report.**
- 2. Receive a further report at the next meeting on 10 October 2019 to clarify if maintained schools were obliged to use the admissions appeals service provided by the local authority and to consider any other options available.**

## 40 **Update on FACT**

Helean Hughes (Director – Education & Skills) referred to the report which provided an update on the progress of the Families and Children's Transformation (FACT) programme. Helean highlighted the following:

- FACT is a partnership programme designed to achieve whole-system change in order to significantly improve the outcomes of all our children living safely, healthily and happily in their own families and communities;
- Since the Forum's last update in October 2018 the FACT programme workstreams have been realigned to focus on the partnership priorities that were outcomes from the consultation and activity over the summer and autumn last year. There are now 6 workstreams with several projects within it;
- A shared Partnership Strategy is in the final stages and the workstreams within FACT will both inform and be informed by the Strategy which will be underpinned by the core principles;
- The good education for all workstream is focusing to ensure that all vulnerable children achieve their academic potential. The RESET project (the Council's project to align the objectives of the Education & Skills directorate with Economic Regeneration as part of its ambition to deliver improved social mobility in Wiltshire) is include within the good education for all workstream;
- The work that ISOS are doing also comes under this workstream and they are holding another workshop session on 18 June which you are encouraged to attend;
- Implementation of the second phase of the case management system which brings together and replaces multiple IT systems across early years, education, early help, SEND and safeguarding into one system is underway;
- Following the introduction of the Early Support Hub earlier this year, the FACT programme organised a number of early support roadshows in June and July to engage with partners on a wide range of topics; and
- FACT updates and newsletters are published to schools via Right Choice and there are Schools Forum representatives on the Board.

**Resolved:**

**That the FACT update be noted.**

41 **Confirmation of Dates for Future Meetings**

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

10 October 2019  
5 December 2019  
16 January 2020  
25 March 2020.

42 **Urgent Items**

There were no urgent items.

(Duration of meeting: 1.30 - 3.20 pm)

The Officer who has produced these minutes is Lisa Pullin, Tel 01225 713015 or  
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