

SCHOOLS FORUM

MINUTES OF THE SCHOOLS FORUM MEETING HELD ON 7 OCTOBER 2010 AT COMMITTEE ROOM III - COUNTY HALL, TROWBRIDGE.

Present:

Mr N Baker, Mr C Dark, Mrs A Davey, Mrs A Ferries, Mrs J Finney, Mr J Foster, Mrs C Grant, Mr J Hawkins, Mrs I Lancaster-Gaye, Mr J Proctor, Mrs J Bird, Mr M Watson, Mrs C Williamson and Mr C Zimmerman

Also Present:

Mr Ted Hatala, Mr John Kimberley and Cllr Alan Macrae

64. Election of Chairman

The clerk to the Committee sought nominations for the position of Chairman of the Schools Forum. The term of office is for one year.

Mr Neil Baker was proposed by Mr M Watson and seconded by Mrs C Williamson.

Resolved:

That Mr Neil Baker, Headteacher, Christ Church School be elected Chairman of the Schools Forum for 2010/11.

65. Election of Vice-Chairman

The Chairman sought nominations for the position of Vice-Chairman of the Schools Forum for 2010/11.

Mrs Ann Ferries was proposed by Mrs Catriona Williamson and seconded by Mr John Proctor.

There being no further nominations and on being put to the vote, it was

Resolved:

That Mrs Ann Ferries, School Governor Representative, St.Patrick's Primary School be elected Vice-Chairman of Wiltshire Council for 2010/11.

66. **Apologies**

Councillor Lionel Grundy, Rev Alice Kemp, Dr Tina Pagett, Mrs Rosheen Ryan.

67. **Minutes of the previous Meeting**

The minutes of the previous meeting were approved as a true record, and signed by the Chairman.

68. **Chairman's Announcements**

None

69. **Report from Schools Funding Working Group**

Liz Williams, Head of Finance (DCE) summarised the report from the Schools Funding Working group and discussed proposals a) – e) laid out below.

Simon Burke delivered a verbal update on progress relating to point four of the report, 'Delegation of School Maintenance contracts'. He explained that work was ongoing and his team will soon be seeking expressions of interest from schools via a survey.

Following discussion the proposals were adopted with amendments to the following:

- c) that it is made explicit that Small School Curriculum protection formula applies to KS1-only and KS2-only schools, pro rata in each case.
- d) that the wording is changed to reflect the fact that clawback of funds is subject to appeal.

Resolved

- a) The approach to delegation of maintenance contracts recommended in paragraph 4 of the report be agreed with proposals to be brought to the next meeting**
- b) The recommendations of the Schools Funding Working Group for the funding of broadband connectivity (paragraph 5) be agreed.**
- c) The proposed change to the Small School Curriculum Protection formula be adopted (paragraph 6)**
- d) That the 5 schools who have exceeded the permissible revenue balance threshold be advised that the balances are subject to claw back, subject to appeal (paragraph 7)**
- e) That Schools Forum note the recommendations of the Schools Funding Working Group when considering the paper on Working with Academies (paragraph 8)**

70. **Report from SEN & Social Deprivation Group**

Liz Williams, Head of Finance (DCE) summarised her report and conveyed the outcomes of the group's discussions.

Resolved

To note the recommendations of the Schools Forum SEN Working Group on the 'SEN Review – Further delegation to primary schools' report (point .5 of the report) and to note their recommendations regarding the 'School Funding Consultation 2011-12: Introducing a pupil premium' (point.6 of the report).

That teacher assessment data be used to substitute for Key Stage 2 Attainment data, in the 8 schools in Wiltshire who boycotted the KS2 SATS in 2010, and that an explanatory note to this effect be included in the information sent out with schools budget information 2011/12

71. **Report from Early Years Reference Group**

Simon Burke spoke to his report and explained that the new terms of reference were proposed to clarify and recognise the role of the Early Years Reference Group (EYRG) in shaping and guiding Wiltshire's response to the ongoing funding reform in this sector.

It was

Resolved:

To adopt the terms of reference for the Early Years Reference Group (EYRG), as set out in paragraphs 3, 4 and 5 of the report, with immediate effect

That the arrival of any new legislation in this and the wider education field, as expected, be used as an opportunity to review the Schools Forum's sub-committee structure.

72. **Report from Schools Services Group**

Simon Burke gave a verbal update, reporting on discussions at the Schools Services Group.

The main points were:

Jury Service Rules – Staff were awaiting clearer guidance on procedures relating to Jury service and its impact on staffing levels/budgets.

Payroll – The Schools Services Group resolved to ask for full costings of payroll costs to the authority, when supply teachers are required by schools, in order for the authority to establish and recover these costs. A report on the matter would return to the December meeting of the Schools Services Group.

Traded Services – The group discussed the possible future developments in the field of traded services, as the Coalition government brings in new legislation in this respect and the Academies/Free Schools programme takes effect.

73. **Budget Monitoring and Dedicated Schools Grant (DSG) Update 2010/2011**

A report on Budget Monitoring and Dedicated Schools Grant (DSG) Update 2010/2011 was tabled and circulated.

74. **Budget Monitoring**

Liz Williams summarised the current in-year budgetary position. As at 31 August 2010, the figures show a projected underspend against DSG of £0.741 million.

Key pressures and potential underspends are:

- Premature Retirement Costs
- Maternity Costs
- Special Educational Needs Services
- Young Person's Support Services (YPSS)

Resolved:

To note the revenue budget monitoring position for 2010/11 and that further work is required to ensure accurate projections on the maternity budget.

75. **DSG Update 2010/11**

It was explained that the final Dedicated Schools Grant (DSG) settlement for 2010/2011 is £249,722 million after adjustment for Sarum and Wellington Academies. This allocation is £0.987 million lower than the original estimate against which the budget for 2010/11 was set.

Following discussions with the Schools Funding Working group and officers, it was proposed that the remaining shortfall of £117,600, in excess of that which was expected, be met by using the contingency funds in the budget, in order not to adversely affect service delivery.

Officers clarified that there was a recurrent underspend in the Independent Special Schools (ISS) budget, which would for this year only be rolled over into

the next financial year, whilst any underspend in the Dedicated Schools Budget (DSB) would be carried forward to the following year.

Resolved:

To approve the final dedicated schools budget of £249.722 million in line with the final DSG Settlement for 2010/11

76. **YPSS Review**

Mal Munday, the Acting Targeted Services Director delivered a verbal update on the Young Person Support Service.

The service was undergoing a wide-ranging internal review, led by Colin Smith due for completion on 31st October. This would address; *Effectiveness; Management; Systems* and the *Medical Needs Service*. Consultation and analysis was currently ongoing including meetings to discuss issues with head-teachers which had been arranged.

A number of important areas already emerging were:

- ❖ the focus on using the 'Team around a child' model to enhance prevention of problems,
- ❖ better use of resources calling on synergies between different areas of YPSS 's work,
- ❖ how to best use the service's capacity to serve children presenting behavioural problems
- ❖ Recoupment of the Medical Services budget, and discrepancies therein

Actions arising from the report would come into effect from the beginning of 2011.

Resolved:

To request a verbal update from a representative of the YPSS to come to the Schools Forum meeting as soon as practical (most likely the additional January meeting).

77. **Development of Traded Services**

Simon Burke summarised his report. The Schools Funding working group had considered traded services at their meeting on 13 July – It was agreed that officers develop options for offering support services on a chargeable basis to schools and academies.

A questionnaire was proposed as the method of establishing demand, but following consultation with the Research manager an alternative approach was offered for Schools Forum to approve - a longer, more in-depth consultation, which will gather more reliable data, capable of informing business planning.

This would involve a series of facilitated meetings with headteachers to assess demand and aid development of traded services.

It was explained that there is an element of risk necessarily involved in traded services, as it involves committing staff and funds to the projects without a guaranteed funding stream.

At the present time it was not sufficiently clear what the future situation regarding the provision of, and demand for traded services, would be. As the government's bills in this area progress through parliament and into law it was hoped that things will become clearer. The councils and individual schools will then be able to gauge more clearly school's requirements and opinions in this area.

Liz Williams added that it was planned that the charging and support mechanism would be in place by April 2011, initially to offer services to schools in Wiltshire with Academy status, followed by a transitional period where traded services would be rolled out to Maintained schools.

Resolved

That the Head of Business and Commercial Services liaise with the Research Manager to develop an appropriate approach to incorporate perceptions of a wide range of council services for exploration with headteachers.

78. DfE Consultation on Schools Funding 2011/12

Liz Williams explained that the DfE has launched a school funding consultation, seeking views on proposed arrangements for the introduction and operation of a 'pupil premium' and the distribution of the Dedicated Schools Grant (DSG) to local authorities for 2011-12.

Schools Forum then discussed the draft response to the consultation prepared by officers, (attached as appendix B), and suggested changes as outlined below:

Question 2 - To select ACORN/MOSAIC as the preferred deprivation indicator, and change comments to reflect the fact that the system works and is highly accurate and detailed for Wiltshire.

Question 4 – To include reference to the fact that Wiltshire has a small number of Looked after Children (LAC), but the number is increasing rapidly, and using data which is lagged behind reality by 1 year could cause problems with these arrangements.

Question 5 – Stephanie Denovan, Service Director Schools & Learning would ensure that she added Wiltshire's experience of the correlation between SEN and services children to the consultation response.

Question 7 – This question raised a number of related queries to which officers would seek clarification, namely – *Would a managed move system be developed for exclusions from Academies? Is there a mechanism for AWPU transfer in such cases, and would this be a national or local-level agreement?*

Question 10 – Cash floors - It was agreed that to give a definite response to this question would require more information (detailed modelling) and more concrete proposals to ascertain Wiltshire's position.

The Chair thanked Liz Williams and her team for their work on this item.

79. **SEN Review - Further Delegation to Primary Schools**

Trevor Daniels gave the background to the proposed changes, explaining that there was little delegation to primary schools, as opposed to secondary schools in this area, and that the new formula proposed encompassed a backlog of changes needed over the years, with the primary aims of bringing rationality and transparency to the Primary SEN Funding Formula.

The proposal had arisen from substantial active modelling sessions conducted by officers, in conjunction with headteachers, to find and fine-tune a formula that was fit for purpose.

Julie le Mesurier summarised the proposals listed under paragraphs 6.i. – 6.xi in the report, clarifying that all SEN funding will fall under the new formula; All categories of SEN will be treated equally; and that decision to increase in NPA hours from 5 to 10 hours had been extensively modelled and built in experience with secondary schools moving their hours of NPA allowance up in a stepped manner.

Resolved:

To approve the recommendations of the working group for funding SEN in primary phase schools for implementation from April 2011, with the SEN Funding Formula as summarised below:

<i>Factor</i>	<i>Proportion</i>
Deprivation	12%
Attainment	35%
Flat rate	16%
AWPU	36%

The meeting adjourned:15:35

Meeting reconvened: 15:40

80. **Early Years - Adoption of a new Local Provider Agreement**

Simon Burke, Head of Business and Commercial Services (DCE), outlined his report, which was circulated at the meeting.

It was explained that the new Local Provider Agreement had been considered by the Early Years Reference Group (EYRG) and that the providers had been consulted during its development.

A number of concerns were raised by members of the Forum, notably:

- The document / government guidance is unclear to nursery providers
- Problems are emerging as the contracts arising from the agreement are implemented
- The new stipulations make revenue streams unclear, as providers are forced to budget with their income insecure
- Cash-flow problems remained in the private / voluntary sector and the government's model seemed predicated on Maintained schools with Nurseries only
- Contradictions were present in the administration of various technicalities

Simon Burke added that the legislation and guidance in this area was under review by the Coalition government and the outcome of this review would be apparent by April 2011.

After discussion it was

Resolved:

To adopt the Wiltshire Early Years and Childcare Local Provider Agreement, as recommended in paragraph 11 of the report.

81. **Early Years - Review of the Single Funding Formula**

Simon Burke gave a verbal update, summarising progress made on the review of the Single Funding Formula. The key points were as follows:

- A feedback questionnaire was being drafted
- This would provide an opportunity to identify and address any concerns
- A progress report will be discussed at the EYRG meeting in November
- It should be recognised that this is the 1st year of a transitional process
- Work is being conducted in collaboration with the research department

Following discussion it was

Resolved:

That a further update be brought to the 02 December meeting of the Schools Forum, and that the outcome of the Review of the Single Funding

Formula form part of the Agenda, and morning briefing for the January meeting.

82. Review of Funding for Employee Termination Costs

Liz Williams, Head of Finance (DCE) explained that her report and appendices, and the proposals therein were aimed at establishing clarity.

The two main circumstances from which employee termination costs arise continue to be premature retirements or redundancies. In addition there is an emerging cost pressure relating to sums being paid out when workers on fixed-term contracts have established statutory rights to redundancy payments.

The proposals would put an extra strain on the LA Budget, but would help clarify the appropriate funding source for each type of dismissal, and make sure that Wiltshire Council's funding policy was in accordance with the law.

A likely further pressure will come from the renegotiation of the authority's severance policy. Any change will affect the cost of redundancy payments in schools, as the previous LGR terms had been met in part, by funds outside of the centrally held schools budget, following the agreement that the move to a unitary authority would not financially affect schools.

A key concern raised in the following discussion was the potential costs of schools dismissing staff when they held a budget deficit, and thus costing the LA money, then re-hiring as soon as they were solvent.

Liz Williams replied that whilst she believed robust procedures were in place to oversee the implementation of redundancy policies, there was a gap when it came to scrutinising the re-hiring process.

After discussion it was

Resolved:

- a. That the funding process outlined in Appendix 2 to the report is adopted, with effect from 1 April 2010;**
- b. That the revenue savings test be applied to all cases for which funding from DSG is being considered under Schedule 2 paragraph 36b of the 2008 regulations;**
- c. That schools who have funded redundancy costs for staff on the termination of fixed term contracts in the current financial year be contacted and the costs reimbursed;**
- d. That cost pressures arising from any changes to the LA severance policy be identified and taken in to account in consideration of the overall schools budget in December**
- e. That the process for approval and monitoring of redundancies in schools be reviewed to ensure that there is robust challenge for each case.**

83. **Schools Revenue Surplus and Deficit Balances 2009/10**

Liz Williams outlined a number of year-on-year trends relating to Schools Revenue and deficit data.

Resolved:

To note and approve the report and its contents

To assemble a panel to hear the cases, if necessary, of any of the five schools subject to clawback, who choose to appeal. The panel is to consist of Mrs Ann Ferries, Vice-Chairman of the Schools Forum, a representative of the Chair of WASSH, and a representative of the Chair of PHF.

84. **Section 251 Benchmarking 2010/11**

Due to the late circulation and amount of detail contained within the Section 251 Benchmarking report, the Chair agreed to defer the item to the next meeting.

85. **Confirmation of dates for future meetings**

The dates of upcoming meetings were confirmed as shown in the Agenda.

86. **Urgent Business**

None

(Duration of meeting: 1.40 - 4.35 pm)

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