

SCHOOLS FORUM

MINUTES OF THE SCHOOLS FORUM MEETING HELD ON 6 DECEMBER 2018 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Neil Baker (Chairman), Aileen Bates, Andy Bridewell, Mark Cawley, Phil Cook, Tracy Cornelius, John Hawkins, Mel Jacob, Jen Jones, Lisa Percy (Vice-Chair), John Proctor, Giles Pugh, Nigel Roper, Neil Spurdell, Trudy Srawley, Lindsay West, David Whewell and Catriona Williamson

Also Present:

Nicholas Breakwell (Head of SEND), Sam Churchill (PHF Observer), Grant Davis (Schools Strategic Financial Support Manager), Helean Hughes (Director – Education & Skills), Cllr Laura Mayes (Cabinet Member for Children, Education & Skills), Lisa Pullin (Democratic Services Officer), Marie Taylor (Interim Head of Finance for Children's Services), Judith Westcott (Acting Head of Commissioning and Joint Planning) and Cllr Phil Whalley (Portfolio Holder for Education and Skills)

52 Apologies and Changes of Membership

Apologies were received from the following Forum members: Michelle Chilcott (Secondary Academy Rep), Jon Hamp (Special School Academy Rep) and Sue Jiggins (Primary Governor Rep).

Apologies were also received from the following Wiltshire Council Officer - Helen Jones (Director – Commissioning).

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

Giles Pugh has replaced Nicola Coupe as the Salisbury Diocesan Board of Education Rep.

The Chairman welcomed the following to the Forum:

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

Helean Hughes, new Director of Education and Skills for Wiltshire Council.

53 **Minutes of the Previous Meeting**

The minutes of the previous meeting held on 11 October 2018 we approved as a correct record:

Resolved:

That the Chairman sign the minutes of the meeting of Schools Forum held on 11 October 2018.

54 **Chairman's Announcements**

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

The Chairman made the following announcements:

Press attendance at meetings

We are not webcasting this meeting today, however, please be advised that this is a public meeting that anyone can attend - are there any members of the press here today? *NB No members of the press were present at the meeting.*

Hard copies of Agendas

As you know, we currently post out paper copies to all Forum members, moving forward, are any members agreeable to receive electronic copies of the Agenda in future which will save printing and postage costs? Those present at the meeting were asked to indicate on the meeting sign in sheet with an "E" for electronic by their name if they would be happy to receive a pdf version of the Agenda to be emailed to them prior to the meeting.

55 **Declaration of Interests**

There were no declarations of interest.

56 **Reports from Working Groups**

The Forum noted the updates received by way of the minutes of the Early Years Reference Group (within Agenda pack) and Schools Funding and SEN Working Group meetings (within Agenda Supplement 1).

Early Years Reference Group

John Proctor reported that he would send out the School Readiness document as agreed at the meeting.

Marie Taylor confirmed that she would be attending the next meeting of the Group on 11 January 2019, after being unable to attend at the meeting on 16 November. That meeting will have a finance focus.

In relation to childcare sufficiency, it was noted that there were concerns in Malmesbury and Sherston (due to a nursery closure) and the ongoing army rebasing which brought its own complications. Nurseries are reporting that they cannot afford to stay open, based upon current funding levels and staff recruitment is an issue as there is a shortage of appropriate staff – staff are generally “pinched” from another nursery.

School Funding and SEN Working Group

Grant Davis went through the items discussed at the meeting and reported that most of the items would be picked up later on the Agenda in this meeting.

Resolved:

That Schools Forum note the minutes of the Early Years Reference Group held on 16 November 2018 and the Schools Funding and SEN Working Group held on 19 November 2018.

57 Virtual School Update

Grant Davis (Schools Strategic Financial Support Manager) referred to the report from Chris Whitfield (Virtual School Head) which had been circulated with the Agenda which highlighted what funding the Virtual School receive (£102,800) from the DSG budget and how this is allocated and spent.

The funding received provides full time alternative education for the small number of Looked After Young People who do not have an EHCP or receive education as part of a Care package and cannot manage within a mainstream setting.

Grant explained that the Virtual Schools Head also receives £2,300 pupil premium per child and a good proportion of this is given to the schools to use and some is kept back to use for direct support for pupils who may not be receiving full time education at school or who may need additional support.

The Virtual Schools Head would like to request that the level of funding continue for 2019/20 when the budget decisions are made at the meeting of Schools Forum in January 2019.

A Forum member confirmed the importance of the allocated monies being spent on the child and was grateful to receive the data and details of spending.

Resolved:

That the update from the Virtual School Head on the funding for the Virtual School be noted.

58 **Budget Monitoring 2018/19**

Marie Taylor (Interim Head of Finance for Children's Services) referred to the budget monitoring report as at 31 October 2018 that was circulated with the Agenda. Marie highlighted the following:

- That an overspend of £3.238m was currently projected against the overall schools' budget, driven mainly by the forecasted overspend on the High Needs Block of £4.1m;
- An underspend on the Early Years Block was forecasted due the levels of take up for 2-year-old funding (gone up from original forecast) and 3 and 4-year-old funding (numbers predicated are less than actual take up). Modelling work would be carried out in 2019/20 with plans to look at increasing the hourly rate for funding of 3 and 4 year olds from £4.16 (the current rate) if affordable within the funding block allocation, which would be known later this month;
- The Post 16 budget was currently forecasting an underspend as a number of extra places were added, but not all have been taken up;
- The biggest areas of overspend in the High Needs Block are on Independent Special School fees, named pupil allowances and top ups in non-Wiltshire provisions;
- One of the major drivers of the increased cost is volume and the table on page 26 of the Agenda showed an 11% increase in high needs block expenditure and a 21% increase (556) in EHCP's;
- Many other Local Authorities are in the same position with overspends any this may not be about Wiltshire spending money badly, more about the initial levels of funding received from the Government;
- The High Needs Block Working Group report next addresses what are seen to be the contributory factors and proposals in that report would continue to look for ways of reducing spend as the deficit position could not continue into future years.

Grant Davis referred to research carried out by Worcestershire Council which had tracked the rise in EHCP's since 2010 and presented the Forum with a graphical representation of the impact. When the Children and Families Act introduced EHCP's in 2014 the progressive increase in volume stemmed from this point. The age-range was increased to cover 0-25 year olds. Grant reported that Wiltshire are mirroring the national picture and that this was the biggest problem facing DSG budgets. Wiltshire's EHCP figure was 3% with the national figure being 2.9%. In 2014 the rate was 2.4%.

A Forum Member wished for her concern to be noted on the rise in the predicted overspend in between the working group meetings and questioned

where the accountability for that was? Whilst acknowledging that special needs children need the funding, it was of a concern to her that money may have to be taken away from mainstream children who also need funding.

Marie referred the Group to DfE guidance which states that local authorities have overspent their DSG allocations and have found themselves in cumulative DSG deficits. In these situations, regulations require local authorities to seek approval of Schools Forum to allow them to carry forward the overspend and offset it against the following year's DSG. It is likely this will be a proposal in the January 2019 report when we have a better idea of our actual 2019/20 allocations.

The Chairman asked if the Local Authority would be contributing to the overspend to reduce the deficit and share the burden? Marie confirmed that this would need to be a Member decision but had raised this as an issue to be explored with Terence Herbert (Corporate Director) and Becky Hellard (Interim Director of Finance and Procurement) and will feedback progress to the January 2019 meeting.

Resolved:

- 1. That the Forum note the budget monitoring position as at the end of October 2018, the continued pressure on the high needs budgets and the potential deficit position of the DSG reserve and recovery actions required. To support and contribute to the on-going work of the High Needs Working Group.**
- 2. With regard to mitigations, that the Forum note the proposals of the High Needs Working Group in the next report which should be examined for benefits, risks, feasibility and timescale and note that these would form part of an action plan being drawn up within a further report being brought to the next meeting on 17 January 2019.**

59 High Needs Block Working Group Update

Marie Taylor (Interim Head of Finance – Children's Services) referred to the update report from the High Needs Working Group which was circulated with the Agenda. Marie highlighted the following:

- That the working group had met regularly since September 2018 to take action to identify contributing factors and make proposals to reduce the cost pressure on the high needs block. The monitoring report as at 31 August 2018 identified a £1.2m overspend in the high needs block and this had now risen to £4.125m;
- Wiltshire's financial position reflects the national funding position but is heightened by Wiltshire's position in the funding tables of being the

seventh lowest funded local authority in the Country for Education (based upon work undertaken by the F40 Group); and

- The High Needs Block expenditure has exceeded the Block allocation for a number of years as the table on page 31 of the Agenda showed. The previous forecast did not take into account the planned starters, transitional moves and increases in EHCPs which took place in the new academic year.

Marie reported that the Working Group had suggested a number of drivers for the financial pressure and these were explained to the Forum. Marie gave details of what actions have been taken to date as listed within the report.

Marie referred to the appendix 4 results from the schools' consultation survey. The responses were at a disappointing level and so further discussions took place at the meeting of Primary Heads Forum on 22 November 2018.

In the consultation survey, schools were asked if they supported a transfer of funding from the School Block to the High Needs Block. Two Heads supported this and five did not. Those who did not support a transfer between the two blocks were then asked if they would accept that if this did not take place that all top-up and Named Pupil Allowance funding levels would have to be reduced to keep the High Needs Block within budget. Three Heads said yes, two said no and one neither agreed or disagreed. Marie reported that realistically both actions could well need to be carried out to manage the overspend.

The Heads consultation survey comments were valued and thematically referenced the national funding levels for schools and High Needs Block which was misaligned with the increase in EHCPs and extended age range to 0-25 years, following the introduction of the Children & Families Act 2014.

The Working Group had also come up with a wide ranging selection of transformational change proposals which would need to be examined further by the Director – Families and Children's Services with regard to risk, equality, financial viability and best value.

A Forum member noted that EHCPs are generally more about health and care plan needs and not primarily education based – could that be a reason for an increase in costs? For example, do the Health Services make a contribution to someone who needs physiotherapy as part of their EHCP? How is this challenged?

Judith Westcott (Acting Head of Commissioning and Joint Planning) confirmed that the Clinical Commissioning Group (CCG) do contribute funding and it was suggested that it would be fairer to ask for contributions from all services. Marie Taylor confirmed that all areas would be explored as part of the action plan.

Marie explained the options available for consideration and what a disapplication request to the DfE would involve.

A Forum member asked why couldn't the money be taken from other blocks – Marie confirmed the regulations were clear the transfer could only be from Schools Block. Marie confirmed that Schools Forum could approval a transfer of up to 0.5% and anything above a 0.5% transfer between blocks must be approved by the Secretary of State.

The Forum agreed that the Minister for Education (Damian Hinds MP) should be alerted about Wiltshire's predicament and aware of the pain felt with the budget pressures. It was felt that Wiltshire had always been financially responsible but it just could not continue to keep on absorbing the additional financial pressures. The Forum were referred to the letter (Appendix 5, page 43/44 of the Agenda) from the Presidents of the Treasurer Societies for County Councils and London Boroughs who have taken the unusual step of writing jointly to the Secretary of State for Education to highlight their continued concern and pressure on the High Needs Block.

Marie confirmed that she had requested that the Cabinet Member for Children, Education and Skills (Cllr Laura Mayes) write to Wiltshire MPs to request support at both local and national level.

A Forum member noted that Government legislation insists that we support children via EHCP's but do not then give us adequate funding to be able to provide these services.

Marie referred to paragraph 50 of the report which was asking the Forum to consider agreement to the transfer of a percentage between blocks to limit the need to reduce bandings or high needs rates. The report had suggested 0.5% but she would suggest that up to 1% of transfer could be considered (although anything over 0.5% would mean that the authority would have to submit a disapplication request to the Secretary of State, seeking permission).

Forum members discussed this – it was noted that a transfer from Schools Block to the High Needs Block was not supported by WASSH. A Forum member noted that she had carried out the costings for her school and if both options were taken forward that this would have a double impact at her school and that she would have to reduce the number of places that could be offered, in turn putting more pressure on the High Needs Block.

Marie confirmed that Local Authorities are being consulted on the size of DSG deficits as a % of their overall funding. The DfE are proposing that where the deficit is greater than 1% of the overall DSG then a Full Recovery Plan will be required and that she and Grant would need to respond to the consultation about this by 7 December.

Grant Davis explained what would be happening regarding school funding moving forward and expected levels of per pupil funding. The DSG allocation for 2019/20 had not yet been confirmed and it was not likely that this would be known until late December, but it was expected that there would be a minimum of a 0.5% increase in DSG funding. Grant explained that a decision on the transfer could be delayed until the DSG funding is known but it was felt that this

would cause more uncertainty and that the principle needed to be confirmed in particular if a disapplication request was to be submitted.

A Forum member asked if the recovery route was agreed, would there be a guarantee that this would not affect the Named Pupil Allowance? Marie reported that this guarantee or reassurance could not be given.

Nick Breakwell (Head of SEND Service) reported that £7m is spent on out of county placements which is not at all preferable. He would love all children to be placed in Wiltshire. Four children were currently in £250k placements which saw £1m being spent collectively.

A Forum member asked if there was a rigour/control over which EHCP's were granted? Judith Westcott confirmed that there was a strong approval process in place.

The Chairman felt that through discussions he was picking up that the Forum felt it was hard to agree to a transfer between blocks without knowing what else could be considered.

Grant Davis reported that he and Marie had pulled together an initial list of options for funding a transfer and these were:

- Straight top-slice
- Use the "Little extras" expected funding of £2m which was due to be confirmed in December. It was anticipated that this would be in the region of £50k for secondary schools and £10k for primary schools. Although the intention was that this was to be used for capital spend – it could be badged in school accounts against 18/19 capital spend or 19/20 and 20/21 future years capital; spend and therefore release uncommitted revenue. Schools Forum felt very strongly that the message of "giving this back" would send a message back to Central Government that this is what has to be done to fund high needs in Wiltshire.
- Minimum Funding Guarantee (MFG) set at 0% not +0.5%
- Special Schools – MFG set at -1.5%
- Minimum per pupil funding levels for 2019-20 – £3,500 to become £3,400 in Primary schools and £4,800 to become £4,700 in Secondary schools
- Top-Ups reduction
- NPA – rate reductions
- Remove double funding of Deprivation
- Remove Sparsity funding

These suggested options were discussed by the Forum.

A Forum member who is also a member of the Dorset Schools Forum reported that they had agreed not to transfer 1.5% in Dorset and had asked what can Officers do to raise the issue politically. They felt by rolling over and saying that they will just do it won't raise and highlight the issues of the budget pressures there are.

Officers suggested that an agreement could be made in principle and that they could go away and look at ways of funding the overspend.

A Forum member felt that they would need detail of what the suggested options would "raise" for the pot, what and who the reductions may affect to enable them to give agreement. It was felt that it was important to keep sending signals to the Government and Politicians about the difficulties.

A Forum member asked, how the remainder of the overspend might be funded? Marie reported that this would be via a recovery plan and all spending would be looked at. The proposals from paragraph 47 of the report highlighted what was planned next and there would have to be an acceptance that things would have to be done differently. We would all need to be on board and look at how we can do it by working together.

Forum members strongly felt that the monies should not just be taken from the vulnerable groups, but the burden should be shared across all schools.

The Chairman summarised the views of the Forum members and suggested that there appeared to be a consensus of agreement on a number of points. It was then

Resolved:

- 1. That Schools Forum note that there are two approaches which will need to be followed, the first is around aligning spending levels to available funding.**
- 2. That the possibility of using the "little extras" funding should be further explored – including writing to the Secretary of State regarding this.**
- 3. That the local authority should be approached for a contribution to fund the overspend.**
- 4. That a transfer figure of 1% from the Schools Block to the High Needs Block be proposed to the Secretary of State via a disapplication request.**
- 5. That Officers continue to look at ways in which spending could be reduced via:**

- i) **The Director for Education and Skills having the lead for strategic SEN planning and reducing spend in the High Needs Block working closely with the Heads of Service for Children's Commissioning, SEND and Children's Finance to work up a costed plan with timescales and targets. This will include a gap analysis comparing current and future need compared with current resource bases and placements across each type of SEND.**
- ii) **Noting that in addition, options for savings to centrally managed budgets will include:**
 - a) **examination of liability under the statutory duty around all SEN services to consider removal, reduction or alternative delivery models or offers linked to a central (i.e.: non-school block) saving target.**
 - b) **Modelling around redrafting values of payments to schools to support vulnerable pupils on a temporary basis**
 - c) **Commissioning modelling work to be carried out**
 - d) **Establishing the affordability of ringfenced Cluster Funding (Pilot) funding which would need to me new monies identified which would be delegated to heads to control (avoid funding linked to EHCP numbers)**
 - e) **Consideration of a future move to delegating control of centrally manged budgets such as Named Pupil Allowances (NPA) to said clusters if this model proves successful.**

60 **Special Schools in Wiltshire Update**

The Forum received an update on Special Schools (presentation attached as Appendix 1 to the Minutes) from Judith Westcott (Acting Head of Commissioning and Joint Planning. Judith highlighted the following:

- The full Cabinet papers leading to the decision made on 27 November 2018 in relation to Special School provision in Wiltshire were available on line – [click here for link](#);
- The vision of the project was to make a £20m investment in Wiltshire's Special Schools. It had been identified that there was a need to invest in staffing and not a number of buildings. It was the intention to create Centres of Excellence in Rowdeford near Devizes and at Exeter House in Salisbury;
- 3000 children and young people in Wiltshire have an EHCP and 500 of these attend a Special School;

- Officers had been working on this project for 3 years and it was planned that a campus style school would be ready for 2023;
- Services for the health needs of the young people would be much improved with Virgin Care staff being available every day and other medical professionals on site such as Physiotherapists and Occupational Therapists.
- This would be the best special school provision for all children and young people.

Resolved:

That the Forum note the Special Schools update.

Appendix 1 to Minutes - Special Schools Presentation
Forum Updates

61

The Forum received the following verbal updates from Grant Davis (Schools Strategic Financial Support Manager).

Bids to the MOD's Education Support Funding

The Army were rebasing families from Germany to Wiltshire in the summer of 2019 and it was expected that there would be over 1000 children arriving and needing school places. The Council had made 4 bids to the MOD's Education Support Fund which has a total budget of £3m.

The results of these bids have now been concluded and requests for bids totalled £10m. Grant was pleased to report that Wiltshire was to receive over £1m of the £3m available funding as follows:

Bid for £1m	Allocated £750k	To be used to recruit an extra teacher in each school.
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Bid for £460k	Allocated £340k	For SEN support in schools.
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Bid for funding of a post for an additional School Admissions Officer was agreed.

Schools would also put in their own bids for extra funding and now that this funding was confirmed the planning work could commence as soon as possible. It was felt that the MOD gave us recognition about the impact this re-basing programme will have on Wiltshire.

The Forum noted the work that had gone into submitting the bids for funding and wished to thank all those involved in this process and we pleased with its fruition.

Growth Fund

The authority would ordinarily be approving the criteria for the Growth Fund at this meeting. Due to clarification being required from the DfE regarding the growth monies in respect of Army Rebasing, the criteria could not be confirmed at this meeting and would need to be confirmed at the next meeting.

Teacher's Pay Award Grant

Following the notification of the grant to support the teachers' pay award, it had been identified that some primary schools had received too much money as the children in reception had been double counted. There was an overpayment and a few schools were impacted by this. The DfE have confirmed that no recoupment would take place and that for schools that had been under-funded, the correct funding would be distributed before the end of December.

New Pay Spines for Support Staff

A new pay spine for support staff is scheduled to be introduced from April 2019. Colleagues in the HR teams are working with the Trade Unions to agree the proposed movement of staff from the old pay spines to the new pay spines. HR will be releasing guidance to schools before Christmas.

MOD Army Rebasing

It is confirmed that up to £2.8m has been allocated to Wiltshire for the period from September 2019 to March 2020 to help with the impact of Army Rebasing. In addition, the DfE will commit funding for the period from April 2020 to August 2020 for Academies as the DfE had agreed that Wiltshire should not be disadvantaged financially following the Army rebasing. This was to allow for growth of the schools. This agreement was a milestone point.

Resolved:

That the Forum note all of the verbal updates provided at the meeting.

62 **Confirmation of Dates for Future Meetings**

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

17 January 2019

28 March 2019

13 June 2019.

The Forum hoped that a response would have been received from the Secretary of State by the next meeting on 17 January 2019.

63 **Urgent Items**

There were no urgent items.

(Duration of meeting: 1.30 - 4.20 pm)

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

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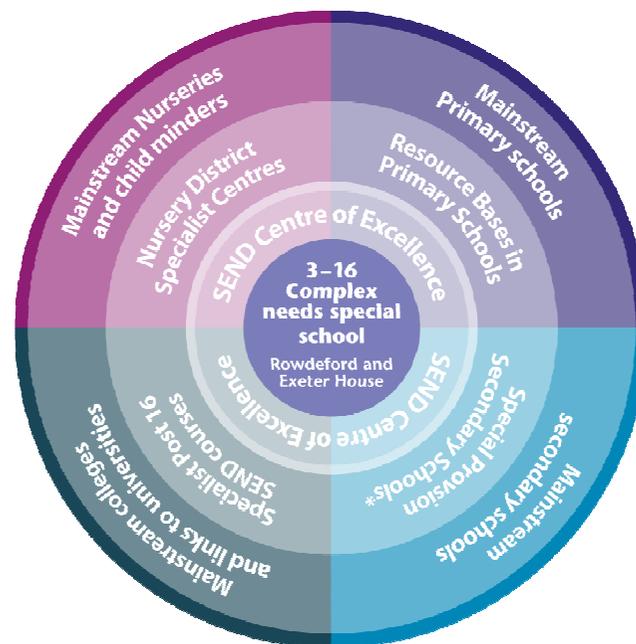
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Special Schools in Wiltshire

The Vision

- We propose an investment of around £20m to create two new Centres of Excellence – purpose-built and amply equipped schools, giving our children a better start in life than ever before.
- The new campuses would be at Rowdeford, near Devizes, and Exeter House, Salisbury.
- The vision for SEND in Wiltshire will mean St Nicholas, Chippenham, and Larkrise, Trowbridge will stay open until we open the new school in September 2023



Background Drivers

- **Growth** in numbers of children/young people with SEND (Special Educational Needs and Disabilities)
- **Quality** – we have no “Outstanding” provision
- The **current provision is not big enough** (DfE standards, equipment, resources, outdoor spaces, spaces for therapists)
- There are significant and growing **financial pressures**
- Preparing and creating provision for the future to... **give our children and young people with SEND the best possible start to life a great childhood and preparation for adult life.**

This enables:

- A campus model providing outstanding education
- Support to every child and young person with SEND in Wiltshire, including those who are hard to categorise
- Support to children and young people in mainstream settings, developing better outcomes for all children
- Support to early years settings and an integrated post-16 provision
- A provision which creates a national standard for special schools



The best provision for all children /young people

- Great teaching from well-trained, well-paid, caring, specialist and dedicated staff
- The right facilities and support: hydro-pools, sensory rooms, physio, open outdoor space, speech and language therapy, family care
- Strong community links – with cafés, community gardens and public playing fields
- Attractive, comfortable, child-scale buildings - safe, friendly, calm and engaging places with wide corridors, storage and lots of natural light
- Closer links between SEND and neighbouring mainstream schools. Each have resources the others can benefit from
- Links with specialist nurseries, offering children with special needs seamless attention from the time they are tots to their teenage years
- Both sites are on good road routes, central to the home locations of children and young people with SEND and with space to expand.

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