

AGENDA

Meeting: Schools Forum
Place: Committee Room III, County Hall, Bythesea Road, Trowbridge
Date: Thursday 24 June 2010
Time: 1.30 pm

Briefing Session – Please note that a briefing session for members of the Schools Forum will be held at 11:00 am on 24 June 2010 in Committee Room III.

Please direct any enquiries on this Agenda to Anna Thurman, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713597 or email anna.thurman@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

<u>Voting Members</u>	
Mr N Baker	Head Teacher, Christ Church CE Primary School (Chairman)
Mr C Dark	Head Teacher, Matravers School
Mrs A Ferries	Primary Governor Representative, St Patrick's Catholic Primary School
Mrs J Finney	Head Teacher, Dilton Marsh Primary School
Mr J Foster	Primary Governor Representative, St Patrick's Catholic Primary School
Mr J Hawkins	Teacher Representative
Ms I Lancaster-Gaye	Headteacher, Rowdeford Special School
Ms Julia Bird	PHF
Mr N Owen	Secondary Governor Representative, St Edmund's School
Mr J Proctor	Early Years Representative (PVI)
Mr C Shepperd	Diocesan Representative
Mr C Smith	Head Teacher, Hardenhuish School
Mr J Smith	Children and Young People's Trust Board
Mr M Watson	Head Teacher, Lavington School (Vice-Chairman)
Mrs C Williamson	Head Teacher, Mere Primary School
Mr C Zimmerman	Head Teacher, The Avenue Primary School, Warminster
Mr C Kay	Head Teacher, The Clarendon School (substitute member)
<u>Observers</u>	

Mrs J Downie	Learning and Skills Council
Mrs R Ryan	Parent Governor Representative – Primary Sector
Mrs A Kemp	Parent Governor Representative – Special Needs Sector
Mr T Hatala	Voluntary Providers Representative (PVI)

AGENDA

1. **Apologies and Substitution of Meeting**

2. **Minutes of the Previous Meeting** (*Pages 1 - 10*)

To confirm and sign the minutes of the last meeting held on the 4 March 2010 (copy attached).

3. **Matters Arising**

3.1. **Special Schools Budget - Downlands School**

4. **Chairman's Announcement**

5. **Final Outturn 2009/10 and Initial Budget Monitoring for 2010/11** (*Pages 11 - 14*)

6. **Dedicated Schools Grant (DSG) Update 2010/11**

6.1. **Final DSG Settlement**

Report to follow.

6.2. **Financial Implications of National Policies**

Verbal update

7. **Schools Forum Regulations 2010/Constitution** (*Pages 15 - 22*)

8. **Control on Surplus Balances** (*Pages 23 - 24*)

9. **Special Schools Banding Moderation Process** (*Pages 25 - 40*)

10. **Young People's Support Service** (*Pages 41 - 52*)

11. **Report from the SEN/Social Deprivation Working Group** (*Pages 53 - 58*)

12. **Report from Schools Funding Working Group** (*Pages 59 - 64*)

13. **Report from Schools Services Group** (*Pages 65 - 74*)

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SCHOOLS FORUM

DRAFT MINUTES OF THE SCHOOLS FORUM MEETING HELD ON 4 MARCH 2010 AT COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE.

Present:

Mr N Baker (Chairman), Mr C Dark, Mrs J Finney, Mr J Hawkins, Mr J Kimberley (Reserve), Mr J Proctor, Mr C Smith, Mr J Smith, Mr M Watson (Vice-Chair), Mrs C Williamson and Mr C Zimmerman

Also Present:

Simon Burke, Phil Cooch, Julia Cramp, Carolyn Godfrey - Director of Children and Education, Cllr Lionel Grundy OBE, Cllr Alan Macrae and Elizabeth Williams

39. **Apologies and Substitutions**

Apologies were received from Ms Isabel Lancaster-Gaye, Mr John Foster, Mrs Alice Kemp, Mr Ted Hatala, Mr Neil Owen and Ms Julia Bird substituted by Mr John Kimberly.

40. **Matters Arising**

There were none.

41. **Minutes of the Previous Meeting**

Resolved:

To confirm and sign the minutes of the meeting held on 21 January 2010 as a correct record.

42. **Chairman's Announcements**

The Chairman explained that a few changes to the agenda would be made as follows:

- Item 6: due to DCSF recent publication on regulations, specifically about dual registration, a report would be tabled

- Item 8(3) would be the first sub-item to be considered under item 8
- An update on schools representation on Trust Board would be presented as an urgent item

43. **Budget Monitoring**

Mrs E Williams introduced the report and in doing so highlighted a typo in paragraph 2 which should read "The overall position as at the end of January 2010" not "November 2009".

She also informed the forum that she was working with the Chief Finance Officer on additional cost of premature retirement / redundancy costs for support staff being met from central reserves.

No decision with regards to the end date of the current severance policy arrangement had been taken; but was being considered by the Corporate Leadership Team (CLT) and expected to last beyond April 2010.

The Forum requested for clarification to be sought as there was no provision for that cost in the DSG budget.

Resolved:

To note the report

44. **Budget 2010/11**

Mr P Cooch tabled a report as announced by the Chairman.

He gave the forum some background, explaining that this was part of a DCSF consultation on Schools Finance, that a paper had been published in September 2009 with regards to dual registration but that it was focussing on 14/16 year olds level and accessing diplomas. Following consultation the DCSF published a paper on 26th February 2010 focussing on dual registration and giving local authorities the option to apply a lower weighting to dual registered pupils and included not funding the subsidiary registration(s) at all. A previous regulation had stated that Local Authorities would have to fund dual registration. Mr Cooch pointed out that it was common practice for schools in Wiltshire to make their own financial arrangements where a pupil attends more than one school.

The Forum asked officers to consider producing reports on the budget which could be used by different task groups and the Schools Forum itself (e.g. including the amount spent on deprived areas, vulnerable families, etc)

Resolved:

Not to fund pupils who are registered at a subsidiary school through the funding formula

45. **Audit Commission Valuable Lessons Report**

Mr S Burke introduced the report following the “Valuable Lessons” report published by the Audit Commission in July 2009.

He explained that one of the aims was to promote better procurement processes and to work in collaboration to maintain Value For Money.

Members of the Schools Forum asked officers to seek further information on the following:

- extending the ‘Schoolquote’ service for early years settings
- the commissioning activities listed on the Procurement Plan
- the possibility to have some case studies of good practice (e.g. shared language teacher for Key Stage 2) to demonstrate feasibility

Resolved:

To endorse the plan of support to be provided by the Local Authority as detailed in the appendix.

46. **Reports from Working Groups**

Following earlier discussions in the meeting the Chairman announced that the reports from the Working Groups would be dealt with in the following order:

- School Funding Working Group (8.1 on the agenda refers)
- School Services group (8.3 on the agenda refers)
- SEN / Social Deprivation Working Group (8.2 on the agenda refers)

46.1 School Funding Working Group

The Forum considered the report from the School Funding Working Group on the crossover between old and new Controls on Surplus balance. The Forum also noted the minutes of the Working Group’s meeting held on 23rd February 2010.

Resolved:

1. To agree the following for Controls on Surplus Balances Scheme:

- a) That assignments of excess surplus balances that have been agreed under the old scheme and which also had been assigned beyond the commencement of the new scheme, but would not be eligible under the new criteria, are to be considered by Officers and recommended for appeal if there is any concern that they should not be rolled forward from 2009/10;

b) That unspent Standards Funds which have been paid late in the financial year be dealt with within the criteria of the scheme.

2. To agree the following for Economy and Efficiency in Schools:

That case studies be developed for both primary and secondary schools to develop models for greater collaboration in procurement and joint employment of staff. Input would be required from HR, Finance, etc to develop appropriate protocols.

46.2 School Services group

Mr S Burke tabled the report as previously announced by the Chairman and introduced Mr S Rodrigues, HR officer, who had been involved with the Schools Recruitment Services (SRS) for Wiltshire Council.

He explained that the Department of Children, Schools and Families (DCSF) had invested in the development of the SRS and was the system's sponsor. It was hoped that as SRS was a national service, sponsored by the DCSF, it would eventually become the reference for jobseekers.

DCSF had commissioned the project and schools could either join individually or through their Local Authority. Wiltshire Council had purchased a subscription to the SRS to provide access for all schools in the county and the report summarised the benefits and the proposed arrangements to enable schools to participate.

Members of the Schools Forum could not help expressing some doubts and concerns as other systems had been rolled out in previous years as the "one system to replace all old advertising systems", yet failed to achieve that goal. They were offered reassurance that as the SRS was heavily supported by DCSF and the Government it had all chances to succeed in becoming the one central system, it would also be advertised through the Government's Job Centres as well as its' website. However it was acknowledged that in the first instance key posts may have to be advertised both through SRS and previously used systems.

Resolved:

To offer access to the Schools Recruitment Services to Wiltshire schools on the following terms:

1. That schools are invited to join the SRS by payment of a subscription to Wiltshire Council

2. That the subscription level be:

Annual Subscription fees	Band 1 (1-50 employees)	£110.00
	Band 2 (51-150 employees)	£230.00
	Band 3 (151-250 employees)	£314.00

3. That whilst the costs quoted are for a year it is recommended that schools sign up for a longer period of time to ensure the full benefits of the service (3 years). Once the school has joined, one super user per school will be trained on the system by Wiltshire Council officers at Trowbridge. An account will be set up for the super user when trained, this will enable them to put job vacancies on the system and maintain applicant workflow. A school super user can add two additional users to the system, but they have limited access.

46.3 SEN / Social Deprivation Working Group

Mrs E Williams introduced the report and the notes from the SEN / Social Deprivation Working Group meeting held on 22nd February 2010.

She informed the Forum that Wiltshire Council had been working with a number of pilot schools on the Special School Funding and were hoping to roll out the SEN/AEN (Additional Educational Needs) tool to five pilot schools.

One of the main problems felt was that schools needed to identify clearly the money received and identifying the AEN could be difficult as no clear definition had been given by DCSF.

Resolved:

1. To agree the following for the Audit Commission SEN (Special Educational Needs) / AEN (Additional Educational Needs) Tool:

(a) That the national funding level for AEN be identified on the funding certificate from 2010/11;

(b) That the following items be classified as AEN (with a, b and c being given out through the formula):

- a. Personalised Learning funding;
- b. Free School Meals funding;
- c. Social Deprivation funding;
- d. specific standards funds, to be considered on a case by case basis, for example 1:1 Tuition funding;
- e. any funding allocated to schools for Looked After Children;
- f. turbulence;
- g. talented and gifted.

(c) That (a) and (b) above be reviewed for 2011/12.

2. To agree the following for the Social deprivation Formula:

(a) To look at formula factors and methodologies from other local authorities – particularly Wiltshire’s statistical neighbours where the attainment gap is narrower;

(b) To focus the review on the two targeted elements of social deprivation allocation and analyse the impact of moving to a post code basis for distribution;

(c) To link the review of the formula with the wider piece of work on Narrowing the Gap being led by Stephanie Denovan;

(d) To ask the SEN / Schools Finance Working group to bring an initial proposal to the June meeting of the Schools Forum.

47. **Confirmation of Dates for Future Meetings**

To confirm the dates of the future meetings as follows:

24 June 2010
7 October 2010
2 December 2010
20 January 2011
3 March 2011

48. **Urgent Business**

Schools representation on Trust Board

Mr J Smith addressed the Forum and explained that schools would become statutory partners of the Trust Board.

He asked the School Forum to consider whether they would like to appoint a formal representative on the Trust Board.

He also reminded members of the Forum that from 1st April 2010 it would be a statutory responsibility of the Schools Forum to be aware of what was happening on the Trust Board.

Resolved:

1. To ask WASSH and PHF to consider how they would want to be represented on the Trust Board

2. In the interim to ask existing Board Members to remain in their post; namely Mr N Baker and Mr J Smith.

CRB checks / IAS

Members of the Forum asked officers to provide some clarification over the use of CRB checks until June 2010, then IAS from October, and Risk Assessments over the interim period.

Resolved:

To receive details of the process at the next meetings of WASSH and PHF.

(Duration of meeting: 1.30 - 3.10 pm)

The Officer who has produced these minutes is Marie Gondlach, of Democratic Services, direct line 01225 713597, e-mail marie.gondlach@wiltshire.gov.uk

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

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Valuable Lessons Recommendations for Councils:

Audit Commission Recommendation	What we have done/are doing	What else can we do?
<p>Improve the quality and availability of financial support Offer resource management and VFM training as part of the council's financial package - target those with limited capacity.</p>	<ul style="list-style-type: none"> • The provision of a portfolio of courses available to support financial management in schools. • A financial advice and consultancy service via regular on-site visits. • Access to a financial support helpdesk. • The provision of bespoke budget planning software including the facility to incorporate SDP priority costs. • Piloting the SEN/AEN VFM Resource pack in conjunction with members of the SEN team. • Investigating Sustainable Schools initiatives, including Carbon Trading. • Encourage schools to use the national benchmarking web site via the provision of workshops and the development of a summary tool to facilitate the analysis of the results for presentation to governors. • Promoted the DCSFs free one day consultancy offer & the DCSF's Strategic Planning Guide. 	<ul style="list-style-type: none"> • Pilot the Workforce Tool for Secondary Schools and the Managing School Resources online self assessment tool. • Consider how to target those with limited capacity. • Offer briefing sessions specifically focussing on VFM and resource management. • Raise schools awareness of what tools are readily available.
<p>Align and share knowledge between finance and service improvements teams</p>	<ul style="list-style-type: none"> • Share financial compliance indicators with service improvement colleagues. • Demonstrated budget planning software to SIPs. 	<ul style="list-style-type: none"> • Identify how these links can be strengthened.
<p>Support better purchasing in schools Raise schools awareness of high quality alternative providers of traded services, including them in traded services portfolios.</p>	<p>Information is available on OPEN and Schoolquote</p>	
<p>Identify schools spending more than others on items of procurement and support them to find savings.</p>	<p>Free VfM consultancy visits</p>	

Ensure that schools use electronic procurement systems to minimise purchasing costs.	Promotion and support of Wiltshire Schoolquote and OPEN services	
Encourage schools to collaborate on purchasing to benefit from economies of scale.	Promotion of Schoolquote/IBC Storm events.	<ul style="list-style-type: none"> ▪ Facilitate collaborative approaches around the extended services clusters ▪ Develop integrated funding mechanism to enable schools to benefit from council contracts ▪ Identify real case studies from Wiltshire schools as exemplars of good practice in achieving VFM and share with other schools ▪ Develop approaches to facilitate the sharing of resources and staff between schools ▪ Offer LA wide access to national Schools Recruitment Service
<p>Strengthen accountability for value for money</p> <p>Ensure that internal audit provides assurance to governing bodies and councils on questions of resource management and recommends vfm improvements as a matter of course.</p>	FMSiS assessment programme provides assurance (or otherwise) in several areas including leadership/governance, policy/strategy, people management and resources	Internal Audit plan 2010/11 to include a schools' value for money review
Ensure that SIPs consider resource deployment as part of their role. Council's may need to provide training to SIPs to support them		Revise SIPs briefing and provide related training to them
Ensure that accessible financial training is available for all governing bodies. Training should cover VFM and the links between finance and school performance	One day course on financial management offered to governing bodies via Governor Services.	<ul style="list-style-type: none"> ▪ Include VFM specific training. ▪ Governors' conference 2010 to focus upon Vfm and sustainable schools

Schools Funding Working Group
17th June 2010

SCHOOLS FORUM
24th June 2010

REVENUE BUDGET FINAL OUTTURN REPORT 2009/10 – DEDICATED SCHOOLS BUDGET

Purpose of the Paper

1. To report on the final outturn position for the dedicated schools budget.

Main Considerations

2. Appendix 1 shows expenditure as at 31st March 2010, the figures show an **underspend against DSG of £0.096 million**. This is an improvement on the projected overspend of £0.054 million projected at the end of January. There have been a number of movements in the position since the report in January and the main variances are outlined below.

Premature Retirement Costs

3. Premature retirement costs exceeded the budget by £0.157 million. Total expenditure on redundancies and early retirements in 2009/10 was £800,373 and related to 70 cases. Of that total, costs amounting to £380,884 were funded corporately as they arose from the additional cost of the current severance policy for non-teaching staff. A potential alternative model for funding PRC is being considered currently and proposals will be brought to a future meeting.

Maternity Costs

4. Maternity costs exceeded the budget by £0.292 million despite the maternity budget having been increased in 2009/10. Total spend was £1,114,020 for the year. This budget remains a key cost pressure for 2010/11.

Schools Contingency

5. The Schools Contingency budget underspent by £0.500 million. This was not projected during the year and arose at the year end due to rates adjustments, particularly in respect of schools which had changed status.

Special Educational Needs Services

6. The Independent Special Schools budget underspent by £0.243 million. The recoupment budget (for placements in other local authority special schools and non-school placements) also underspent by £0.137 million giving an overall underspend on placement budgets.
7. Expenditure on Named Pupil Allowances showed a small underspend of £0.083 million which reflects improved monitoring and increased consistency of allocation of NPAs during the year.

Young Person's Support Service

8. The YPSS overspent by £0.188 million in 2009/10. This overspend came to light late in the financial year for a number of reasons and has not previously been reported to Schools Forum. The overspend has largely arisen from reduced income levels from preventative work as the numbers of pupils receiving direct provision increases. An investigation has taken place in to the reasons for the overspend and a report containing proposals to bring the budget in to line for the current year is also on the agenda for this meeting.

Other Issues

9. Any under or overspend against the Dedicated Schools Grant is to be carried forward in to the following financial year. The underspend of £96,000 will therefore be available to the overall schools budget in 2010/11.
10. The final announcement of DSG for 2010/11 is due to be confirmed during June and a further report will be brought to Schools Forum detailing the final settlement and any implications for the 2010/11 budget.

Proposal

11. The Schools Funding Working Group is asked to note the outturn position for the Dedicated Schools Budget in 2009/10.

Report Author: Liz Williams, Head of Finance (DCE)

Wiltshire Council Revenue Budget Monitoring Statement - DSG Budget

31-Mar-10

		Approved Budget 2009-10	Actual Position 31st March 2010	Budget Variation 2009/10	Previous Projected Variation	Movement from January report to Schools Forum	Variation as % of Approved Budget	Notes re Movement
		£m	£m	£m	£m	£m		
DETAIL								
Children and Education								
Commissioning & Performance	Expenditure	4.919	5.340	(0.421)	(0.024)	(0.397)	(8.6%)	Overspend on Maternity budget £292k. PRC overspend £157k
Funding schools	Expenditure	209.926	209.425	0.500	-	0.500	0.2%	
	Net	214.845	214.766	0.079	(0.024)	0.103	0.0%	(Malmesbury & Wootten Bassett)
Children & Families	Expenditure	0.270	0.270	-	-	-	-	
	Net	0.270	0.270	-	-	-	-	
Targeted Services	Expenditure	4.537	4.839	(0.301)	-	(0.301)	(6.6%)	YPSS overspend not reported in January to Schools Forum as investigations still ongoing at that stage.
	Net	4.537	4.839	(0.301)	-	(0.301)	(6.6%)	
Schools & Learning	Expenditure	23.527	23.070	0.457	(0.030)	0.487	1.9%	Underspend on SEN services increased - ISS, NPAs and Special Recoupment all underspent. These offset an overspend of £183k in Early Years.
	Net	23.527	23.070	0.457	(0.030)	0.487	1.9%	
Overspend from 2008/09 to be recovered	Expenditure	-	0.138	(0.138)	-	(0.138)		
Sub Total	Expenditure	243.179	243.083	0.096	(0.054)	0.150	0.0%	
	Net	243.179	243.083	0.096	(0.054)	0.150	(0.0%)	

Note: Approved Budget is original budget plus authorised changes.

Note overspendings are shown in parenthesis

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Wiltshire Council

Schools Forum 24th June 2010

Subject: Schools Forum Regulations 2010

Purpose of report

1. To outline the requirements of the Schools Forum Regulations 2010 and to agree the new constitution and Terms of Reference for Schools Forum.

Background

2. The Schools Forum (England) Regulations 2010 (Statutory Instrument No 344/2010) revokes and replaces the Schools Forum (England) Regulations (2002), as amended, with a few changes principally relating to the membership of Schools Forums.
3. The regulations are made under Section 47A and 138(7) of the School Standards and Framework Act 1998.
4. The regulations came in to force on 1 April 2010 and Schools Forums need to be reconstituted by 1 September 2010. The constitution of Schools Forum needs to be agreed by Cabinet.

Main considerations for Schools Forum

5. The main changes arising from the new Regulations relate to the membership of Schools Forum and specifically to Academies and non-school members.
6. There is a new requirement to have at least one Academy member on a Schools Forum where there are Academies in the local authority's area. The Academy member(s) represents the governing bodies of the Academies situated in the authority's area, so does not necessarily have to be a Principal or a governor. It is for the governing bodies of the Academies concerned to elect the member(s). Currently in Wiltshire there are two Academies, it is proposed that there should be one Academies member on Schools Forum.
7. There is a new requirement on the local authority to appoint a schools or Academy member where an election for these members does not take place by any date set by the authority or an election results in a tie between two or more members.
8. A small number of Schools Forums do not have non-school members. In the new regulations it becomes a requirement for Schools Forums to appoint members in this category. The constitution for Wiltshire Schools Forum already incorporates non-school members from the early years PVI

sector, and the diocese. It will now be a requirement to have a voting member from the 14-19 partnership.

Environmental impact of the proposal

9. None anticipated

Equalities impact of the proposal

10. Schools Forums should be more representative of the schools and other bodies affected by decisions on Schools Budget funding.

Financial implications

11. None.

Legal implications

12. Outlined within the report

Proposal

13. It is proposed that in accordance with the Schools Forum regulations 2010 an Academy representative is sought for Schools Forum.

14. It is proposed that a member of the 14-19 partnership is appointed as a full member of Schools Forum

15. It is proposed that the constitution and Terms of Reference for Schools Forum (Appendix 1) are agreed and recommended to Cabinet.

Carolyn Godfrey
Director, Children & Education

Report Author
Liz Williams, Head of Finance (DCE)
(01225) 713675, elizabetha.williams@wiltshire.gov.uk

18 June 2010

Background papers

The following unpublished documents have been relied on in the preparation of this report: None

Appendices

Appendix 1 – Schools Forum Terms of Reference

WILTSHIRE SCHOOLS FORUM
TERMS of REFERENCE

1. Remit

The Schools Forum is a statutory body which the LA is required to consult on the following functions:

1.1 Consultation on School Funding Formula

- (1) The relevant LA shall consult the forum on:
 - (a) Any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in their formula made in accordance with regulations made under section 47 of the School Standards and Framework Act 1998; and
 - (b) The financial effect of any such change.
- (2) Consultation under paragraph (1) shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the relevant authority's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

1.2 Consultation on Contracts

- 1) The relevant authority shall at least one month prior to the issue of invitations to tender consult the forum on the terms of any proposed contract for supplies or services being a contract paid or to be paid out of the relevant authority's schools budgets where the estimated value of the proposed contract is not less than the specific threshold which applies to the relevant authority in pursuance of Regulation 8 of The Public Contracts Regulations 2006 (SI 2006 No 5).

1.3 Consultation on Financial Issues

- (1) The relevant authority shall consult the forum annually in respect of the relevant authority's functions relating to the schools budget, in connection with the following:
 - (a) The arrangements to be made for the education of pupils with special educational needs;
 - (b) Arrangements for the use of pupil referral units and the education of children otherwise than at school;
 - (c) Arrangements for early years education.
 - (d) Arrangements for insurance;

- (e) Prospective revisions to the relevant authority's scheme for the financing of schools;
 - (f) Administrative arrangements for the allocation of central government grants paid to schools via the relevant authority; and
 - (g) Arrangements for free school meals.
- (2) The relevant authority may consult the forum on such other matters concerning the funding of schools as they see fit.

2. Constitution

- 2.1 The requirements for the Schools Forum were initially set out in regulations (Statutory Instrument No 2114/2002). These regulations have been revoked and replaced by the Schools Forums (England) Regulations 2010 (Statutory Instrument No 344/2010) The constitution of the Wiltshire Schools Forum has been approved by the Cabinet, and any change in constitution will require the approval of the Cabinet.
- 2.2 The majority of forum members are "schools members". There are 8 elected Headteacher representatives (3 secondary, 4 primary and 1 special) and 4 elected governor representatives (1 secondary, 2 primary and 1 school with special provision). There are also 3 nominated service partner representatives (1 from the dioceses, 1 teacher representative and 1 Early Years representative). These 15 members each have one vote. In addition to voting members there are 5 observers, 1 each from the 13-19 Strategic Partnership and ASK, 3 elected parent governor representatives on the County Councils Children's Select Committee are also invited as observers ex officio. There is also 1 representative from the Academies within Wiltshire.
- 2.3 The Forum will appoint the same number of substitutes in respect of each voting representative group as that group holds ordinary seats on the Forum. Ordinary members may be substituted by any one of the named substitutes. Substitute members will have all the powers and duties of any ordinary member of the Forum.

3. Conduct

- 3.1 In carrying out their functions, members of the Schools Forum are expected to act in accordance with the seven principles of public life set out in the first report of the Committee on Standard in Public Life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 3.2 Members of the School Forum are required to declare an interest in any individual proposal or service contract which directly affects a school at which they are a governor, member of staff, or which their children attend or in which they might have a direct pecuniary interest.

Term of Office

- 4.1 The term of office for members of the Schools Forum shall be three years subject to their remaining eligible. A member may resign at any time and is required to leave if he or she ceases to be eligible in the capacity in which elected/nominated.
- 4.2 There is no limit on the number of terms of office to which a member may be elected or re-nominated if still eligible. Where a member is replaced, the new member serves for the remainder of the term of office.

5. Chair and Vice-Chair

- 5.1 A chair and vice-chair will be elected annually by a majority of votes cast by individual members. Where possible, the chair and vice-chair will not be drawn from the same voting group. The term of office is for one year. A chair or vice-chair will cease to hold office if they resign by giving notice to the Secretary of the Forum, or if they cease to be members of the Forum. Both the chair and vice-chair may be re-elected. Where a casual vacancy arises, there will be a vote at the next meeting of the Forum.
- 5.2 The responsibilities of the chair and vice-chair include: chairing meetings, overseeing preparation of the record of the meeting, submitting a budget for LA approval and being accountable for expenditure against that budget.

6. Quorum

- 6.1 The quorum for the Forum is 40% of voting members. A meeting may continue if inquorate, but any advice given to the LA as a result of such a meeting would not have to be taken into account by the authority.

7. Secretary to the Committee

- 7.1 The Forum will appoint an officer of the Authority nominated by the Director of Corporate Services.

8. Notice of Meetings

- 8.1 The Secretary will ensure that meetings of the Forum are convened by giving a minimum notice of 3 working days in advance of the meetings, with a full agenda.

9. Proceedings

- 9.1 Each voting member has one vote and a majority decision is required.
- 9.2 The Forum may remit matters for discussion and research to sub-committees or working groups. However, any resulting advice formally passed to the LA shall have been approved by the Forum as a whole.

- 9.3 The Forum will meet at least 3 times per annum, in each financial year from April 2003.

10. Discrimination

- 10.1 The Committee has an explicit duty to have regard to the duties placed on Local Education Authorities and school governors by the Sex Discrimination Act 1975 and the Race Relations Act 1976. The Forum will note the DfE view that the Human Rights Act 1998 applies.

11. Budget

- 11.1 The Forum will agree at its first meeting the purposes for which funds will be needed. Each year the Forum will submit a provisional itemised budget for approval in the normal budget preparation timetable used by the Authority. The Authority will either agree the budget or stipulate reasons for rejecting it and provide a revised budget. The Authority may revise the budget during the year.

12. Dissemination of the Results of Meetings

- 12.1 A copy of the minutes of the Forum meetings will be sent to all schools and will be considered by the Children, Education and Libraries Advisory Panel and the Cabinet if necessary.

June 2010

Appendix 2 - Present and proposed constitution of Schools Forum

Existing	New	Nominated by
Schools (12 representatives)	Schools (12 representatives)	
4 x primary headteachers	4 x primary headteachers	PHF
3 x secondary headteachers	3 x secondary headteachers	WASSH
1 x Special school headteacher	1 x Special school headteacher	WASSH
2 x primary governors	2 x primary governors	Schools
1 x secondary governor	1 x secondary governor	Schools
1 x governor for special needs (special school or school with unit)	1 x governor for special needs	Schools
Non schools (3 representatives)	Non schools (6 representatives)	
Early Years representative	Early Years PVI Sector representative	Early Years Development and Childcare Partnership
Teacher representative	Teacher representative	Joint Consultative Committee
Diocesan representative	Diocesan Representative	Dioceses
	14 – 19 representative	13-19 Strategy group
	Representative of maintained schools with nursery classes	Early Years Development and Childcare Partnership
	Parent Partnership representative	Ask
Observers (8)	Observers (7)	
Parent Partnership representative		
3 x parent representatives	3 x parent representatives	
Learning and Skills Council	Learning and Skills Council	
Children's Services Scrutiny Committee representative	Children's Services Scrutiny Committee representative	Children's Services Scrutiny Committee

Cabinet members: Education and Youth Children's Services	Cabinet members: Education and Youth Children and Families	Leader of the Council
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Wiltshire County Council

SCHOOLS FORUM

24 June 2010

Controls on Surplus Balances – Intended Use of Reserves 2008/09 Update

Purpose of the paper

1. To update Schools Forum on the use of reserves carried forward from 2008/09 in respect of those schools that exceeded the permissible revenue rollover threshold.

Background

2. The Controls on Surplus Balances Scheme came into effect in the 2006/07 financial year.
3. The Scheme prescribes limits on schools revenue balances carried forward from one year to the next. Primary and Special Schools may carry forward 8% or £10,000, whichever is the greatest, and Secondary Schools may carry forward 5%. The Scheme in operation for the 2008/09 financial year deduced the percentage carried forward by comparing the actual revenue rollover with the following year's delegated budget, including certain government grants.
4. Under the rules of the scheme schools may assign revenue balances in excess of the allowable thresholds for specific purposes as set out in the scheme e.g. for projects of a capital nature or to cushion the effect of falling pupil numbers.

Update on current position

5. There were ninety two schools at the end of 2008/09 that had balances in excess of the prescribed threshold. One school had closed and twenty six had reserves that fell below the threshold after deducting prior year commitments and unspent standards funds. The remaining sixty five schools were asked to complete an Intended Use of Revenue Balances Monitoring Return for the financial year 2008/09.
6. As part of the Controls on Surplus Balances Scheme monitoring process, the schools were required to confirm by 31st March 2010 that they had utilised the excess reserves for the purposes they had originally stated. If they had not, they were asked to describe how those reserves had or would be used.
7. A summary of the position is as follows:
 - a. The number of schools that have confirmed that the reserves have been/or will be used as intended: 63 (NB: of these 12 have reported that expenditure is either delayed or ongoing)
 - b. The number of schools that have confirmed that they have used or will use the reserves for different purposes: 1
 - c. The number of schools failing to make a return: 1

8. The returns indicated that the majority of schools have used, or intend to use, their reserves for the purposes they originally intended. With regards to the school that had not utilised its reserves as intended, an explanation has been received giving details of the reassignment as follows:

School X – Of the £30,000 reserve to be used to refurbish the school kitchen in order to meet safety standards, only £9892 was spent due to a successful grant bid and the total refurbishment cost coming in at £20,000 below budget. £10,050 was redirected to ICT and the balance to renovation of the SEN area and staff room

Main issues for consideration

9. In respect of the School X mentioned in paragraph 8 above, a decision is required as to whether it should be given retrospective approval to use the reserves for a different purpose.
10. Despite sending a reminder letter to the Headteacher, copied to the School Business Manager and Chair of Governors, information has not been forthcoming from one school, School Y. Officers therefore have no knowledge as to whether the reserves were spent for the purposes originally stated. The final revenue balance as at the end of 2009/10 in respect of this school is detailed at Appendix 1, this indicating that the school has carried forward reserves below the permissible threshold at the end of 2009/10.

The issue is one of compliance as the school not only failed to submit the Intended Use of Revenue Balances Monitoring Return for the financial year 2008/09 but also the Intended Use of Revenue Balances Return for that same year. This resulted in their inclusion in the appeal process against having excess reserves clawed back. Their appeal was successful although the Appeals Panel subsequently issued instructions to seek written confirmation that the excess balance was as stated in the unsigned appeal. This has also not been forthcoming.

Recommendations

11. That the school mentioned in paragraph 8 is given retrospective permission to utilise their reserves for different purposes.
12. That the school that failed to make a return is asked to account for their failure to comply and to explain how their excessive reserves at the end of 2008/09 were utilised in 2009/10.

Report author: Phil Cooch., Schools Accounting & Budget Support Manager, Children & Education Finance Team, Resources Department Tel: 01225 713814 e-mail: philcooch@wiltshire.gov.uk

Wiltshire Council

Schools Forum
24th June 2010

Subject: Special Schools Banding Moderation Process

Purpose of report

1. To update Schools Forum on the proposed Banding Moderation process for maintained Special Schools and to make proposals following the review of the relative values of the funding bands.

Background

2. A paper was presented to the Schools Forum meeting in January 2010 detailing the outcome of the banding moderation process and the financial implications for 2010/11. Schools Forum requested that there be a full review of the banding moderation process and also a review of the relative values of the bands used to fund Special Schools. That review has taken place and the process agreed with Special School Head Teachers.

Main considerations for Schools Forum

Banding Moderation Process

3. Pupils attending maintained special schools in Wiltshire are allocated to bands which are based on levels of need. The allocation of bands drives the funding of special schools. Moderation of the banding is an annual activity to:
 - Agree banding allocation for pupils admitted since the last moderation;
 - Agree changes to the current banding allocation;
 - Sample the accuracy of banding allocation against progress.
4. All pupils are allocated to bands and any empty places within a special school are funded on the average band value for that school.
5. A review has taken place in consultation with all of the special school head teachers and a number of changes are proposed to the banding process. The paperwork agreed for the process is attached at Appendix 1 and 2. The main changes are as follows:
 - Amendments to the practicalities of the process including ensuring appropriate representation from each school, some amendments to the paperwork and the introduction of a further peer review process at the end of the moderation day to ensure any cases where there was no agreement could be reassessed on the day.

- Amendments to the timescale with the moderation day now proposed to take place in October to ensure time to resolve any issues afterwards and enable full discussion at the December Schools Forum.

Relative Band Values

6. In setting the 2010/11 budget changes were made to the values of Bands 1 and 2. Schools Forum asked that a review take place of the relative values to ensure that they were appropriate. In order to do this a needs led staffing model has been developed to identify differing levels of staffing that could be applied to the needs in different bands. The work has been based on some work done by the DfES during the 1990s but is the only “independent” guidance on staffing levels linked to need.
7. It is important to acknowledge that whilst this model has been used for relative costing purposes it is not represent a pupil entitlement or attempt to prescribe staffing models within special schools. Each special school will manage staffing levels according to the specific mix of needs within the school.
8. Page 4 of Appendix 1 outlines the relative staffing levels included for costing purposes. Appendix 3 then summarises the costed value of each band and compares the relative weightings of the needs led model with the current banding values.
9. If the model were to be fully funded there would be an additional cost pressure of £335,000. It would be possible to move to the new weightings without additional funding and this would mean some turbulence as funding shifts between banding values. Appendix 4 shows the impact on special schools if the model is fully funded and if the weightings are changed to the new model without additional funding.

Environmental impact of the proposal

10. None anticipated

Equalities impact of the proposal

11. The purpose of the banding moderation process is to ensure consistency in the consideration of need and allocation of resources across the special schools.

Risk assessment

12. Bringing the moderation process forward to October means that the head teachers have slightly less knowledge of the pupils when they come to do the moderation. This risk is offset by the advantage of the earlier process giving more time to address issues afterwards.
13. There is a risk that the needs led staffing model cannot be fully funded which will give rise to some shift in the balance of funding between schools.

Financial implications

14. Financial implications are contained within the report.

Legal implications

15. None anticipated.

Proposal

16. It is proposed that the revisions to the banding moderation are approved and implemented for the October 2010 banding moderation exercise. .

17. It is proposed that the new relative band values are implemented, based on the needs led staffing model. Any decision in relation to the funding levels for the bands will need to be considered during the budget setting process

Carolyn Godfrey
Director, Children & Education

Report Author
Liz Williams, Head of Finance (DCE)
(01225) 713675, elizabetha.williams@wiltshire.gov.uk

17 June 2010

Background papers

The following unpublished documents have been relied on in the preparation of this report:

None

Appendices

Appendix 1 – Banding Moderation Process
Appendix 2 – Guidance on placing pupils within bands
Appendix 3 – comparison of relative banding values
Appendix 4 – Impact of proposed banding values on special schools

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Special Schools Banding Moderation Purpose, Principles and Practicalities

Purpose:

Moderation plays an important role in maintaining equality of provision throughout Wiltshire. It is the cut off point of the banding allocation for the following financial year.

1. It informs the allocation of resources via Schools' Forum.
2. It is a prime opportunity for professional development.
3. It provides a method of equitable allocation of resources

Principles:

1. Moderation is an annual activity to:
 - a. agree banding allocation for pupils admitted since the last moderation
 - b. agree changes to current banding allocation
 - c. sample the accuracy of banding allocation against progress

Pupils in group a and b are identified by the school, pupils in group c are identified by Central SEN Service
2. Banding allocation applies to all pupils placed in special schools and it is agreed at the moderation date not at the time of admission. This does not apply to recouplement cases which are dealt with on case by case basis. Vacancies will be funded on the average banding level for the school.
3. All schools are invited to be represented appropriately at the moderation meeting. Due to significant funding implications it is recommended for the headteacher to oversee this process
4. The process is facilitated and supported by LA officers (EOs, EPs and Schools Branch).
5. All decisions are made on the basis of written evidence only. Decisions are made by the group and are based on peer moderation of the evidence provided.
6. The moderation meeting is the final point in the annual cycle for banding moderation; should individual schools raise concerns about the banding decisions this will be dealt with before the conclusion of the meeting. Banding allocation can not be adjusted following this date.
7. The outcome of the moderation is submitted to Schools' Forum for financial consideration; see Schools Forum funding finance cycle information.

8. All schools and the LA work together on the moderation which supports the equitable delegation of resources. (Over identification in any one school may financially impact on other schools.)

Practicalities:

Prior to the moderation meeting

1. By the end of 3rd week of September – Schools to inform the LA of all children for whom changes to current banding allocation is required (group b above)
2. By the end of the 4th week of September - The LA contacts each school to
 - a) Confirm the list of pupils to allocate or change bands (group a and b above)
 - b) Informs the school of pupils whose banding allocation will be sampled (group c above). This is going to be a small number (max 10%) of cases.
3. Central SEN Service Manager arranges a briefing for LA staff, specifically Education Officers who are going to chair the moderation group; this is to ensure consistency across all groups.

Moderation meeting(s)

1. October - groups of head teachers and LA officers cross-moderate i.e. schools do not consider their own cases.
2. The LA provides a suitably large venue and will facilitate and administer this activity.
3. There must always be sufficient time for all cases to receive equal attention (full moderation may take up to two working days)
4. Four copies of evidence for each pupil will be necessary; these must be submitted at the beginning of the process either by the school or the SEN Service:

Submission Type	Evidence required	Action required
New pupils (group a)	Last annual Review including relevant reports, Additional summary sheet (need and provision) could also be completed.	School to bring 4 copies of all documentation (additional summary sheet at school's discretion)
Pupils who require change of band allocation (group b)	Last annual Review including relevant reports	School to bring 4 copies of all documentation
Sampling of banding for existing pupils (c)	Last Annual Review, including relevant reports	Central SEN to bring 4 copies of all documentation

5. The role of the Education Officer is to facilitate the work of the group and to record decisions. This is to ensure consistency and compliance with the guidance.
6. Increase/decrease in band allocation is identified and agreed if:
 - within a single area of need there is evidence of more/less significant needs
 - there is an increase/decrease of a range and complexity of needThe principles of 'best fit' will apply to both.
7. Decisions are made by the group and are based on peer moderation of the evidence provided.

Post moderation feedback

1. Education Officers will distribute decisions and facilitate individual feedback meeting after the moderation. In the event of any school raising exceptional concerns about the decisions taken by the moderating group a joint headteachers/officer meeting will be called at the end of the moderation session (2nd day if necessary). This may lead to a cross moderation by a second group of headteachers and officers.
2. If significant concerns are raised about banding allocation for existing pupils (group c) further samples of cases will be considered (max double the original sample). In case of further concern the whole school population will be moderated. This may lead to adjournment of the meeting and an additional moderation day. All the special school headteachers would be expected to be involved. In this case the original moderation day remains the final point in the moderation cycle.

Links with Schools Forum

1. A final summary report of the outcomes of the moderation is compiled by the manager of the Central SEN Service for Schools' Forum. A copy of this report is sent to each school.
2. Central SEN Service Manager and special school Headteacher representative at Schools Forum keep all schools informed about the progress of discussions and inform the groups of final decisions.

Relative Values Costing Model

The banding guidance has been compiled to provide a model of the staffing levels to inform the costing of individual bands across all schools. The model facilitates the construction of a needs led formula for special schools with the banding related to different national staffing levels. The formula will be funded either fully or partly as agreed by Schools Forum but in any case the differences between the staffing levels provide a useful index to determine the relative differences between bands. The staffing model is for relative costing purposes and does not represent pupil entitlement or a model of school organisation. It is not envisaged that this costing model is relevant to discussions with parents or content of a Statement of SEN. It is purely a way of determining the delegated budget share of each special school. It is then the responsibility of the school to make appropriate provision for pupils within it's own school budget.

Band 1+ (7 children with 1 teacher and 5 LSAs)

- Typically requires 1:1 attention for the vast majority of the time and individually designed curriculum. Most pupils will feature in more than one category, with the exception of EBD.

Band 1 (7 children with 1 teacher and 3 LSAs)

- Typically these pupils require constant interventions on a daily basis from a range of adults. They may be unable to interact greatly with other pupils and staff due to learning and/ or social difficulties.

Band 2 (7 children with 1 teacher and 2 LSAs)

- Typically pupils need regular, additional time from a range of adults. They may make frequent demands for support because of their learning/behavioural difficulties and/or because of their dependency on adults for their self help/care needs.

Band 3 (7 children with 1 teacher and 1 LSA)

- Typically pupils can manage only within a small group and require close supervision and interventions from staff

Band 4 (10 children with 1 teacher and 1 LSA)

- Typically pupils who can manage within the overall organisation and curriculum but who, on occasions require some low level additional supervision and intervention from others, over and above the class team e.g. Speech and Language Therapy.

Band 5 (12 children, with nominally, 1 teacher and 0,5 LSA)

- Typically an MLD pupil who is able to manage within the general organisation and curriculum of the school, without generally requiring any resources additional to the base classroom staffing.

SCHOOLS' FORUM FINANCIAL CYCLE

Schools Forum is a representative group which makes formal recommendations about the overall schools budget. Membership of Schools Forum includes headteachers, governors, union representatives, diocese, early years providers etc. Local Authority officer

Between October and the end of March key meetings of all three groups take place; consideration is given to individual submissions and the pattern of funding for the following financial year is agreed.

Academic Year	Financial Year	Months	Key Financial Activity
08 - 09	08 - 09	2008 S O N D	Banding Moderation Planned places meeting
		2009 J F M A M J J A S O N D	Schools' Forum Sub-Groups meetings Schools' Forum meetings
09 - 10	09 - 10	2009 J F M A M J J A S O N D	Banding Moderation Planned places meeting
		2010 J F M A M J J A S O N D	Schools' Forum Sub-Groups meetings Schools' Forum meetings
10 - 11	10 - 11	2010 J F M A M J J A S O N D	Banding Moderation Planned places meeting
		2011 J F M	Schools' Forum Sub-Groups meetings Schools' Forum meetings

This part of the form should be completed for new pupils who have not had an annual review since their admission. Last annual review carried out by previous placement must also be submitted.

Section 2 – Needs

In Section 2 please indicate:

- pupil needs, evidence of need should focus on severity, level, frequency, impact and progress/lack of progress over time
- reference the relevant documentation attached to evidence the need

Supporting evidence can be provided by using documentation such as; reading accuracy/ comprehension scores, P/ National Curriculum levels (over time), incident reports, reports from outside agencies, IEPs, provision map.

Description of need	Description of severity, level frequency and impact	Evidence reference

Section 3 – Provision

In Section 3 please describe the provision made at your school. Evidence should be quantitative and qualitative.

Current provision	Frequency and duration	Provision Objectives	Outcomes and Progress
Agencies involved in assessing need and advising provision		Tick if involved	Tick if report attached
Educational Psychologist			
Speech & Language Therapist			
OT			
Other – please identify e.g. Health, Social Care			

**Guidance on Placing Pupils within Bands
(Descriptors)**

Need Group	Band 1+	Band 1	Band 2	Band 3	Band 4	Band 5
Learning Difficulties (LDs)	<p>Pupils will</p> <ul style="list-style-type: none"> • have very limited understanding of language and very limited expressive communication • have profound and multiple learning difficulties • have additional needs in one or more other area eg ASD, PD, sensory and may have complex medical needs • Require individual supervision within playground and to move around school site • Unable to understand and manage risks within the school environment <p>Pupils may have additional complex health needs</p>	<p>Pupils will</p> <ul style="list-style-type: none"> • have very limited understanding of language and very limited expressive communication • have very severe or profound and multiple learning difficulties • have additional needs in one or more other area eg ASD, PD, sensory • Very limited understanding of risks in the environment • Very limited ability to recognise and manage social and physical risks and require specialist and personalised support to reduce vulnerability <p>Pupils may have additional health needs eg Gastrostomy feeding</p>	<p>Pupils will</p> <ul style="list-style-type: none"> • have limited understanding of language and limited expressive communication • have severe learning difficulties • have severe learning difficulties and additional needs in one other area eg ASD, PD, sensory • have limited understanding of risks in the environment and require specialist and personalised support to reduce vulnerability. 	<p>Pupils will</p> <ul style="list-style-type: none"> • have severe learning difficulties • Be severely limited in their ability to access learning and in need of specialist teaching support across the whole curriculum. • have severe communication difficulties but may be verbal • Only able to manage their learning in a small group. • Have difficulties developing appropriate relationships with peers. 	<p>Pupils will</p> <ul style="list-style-type: none"> • have reasonable understanding of language and limited expressive communication • have moderate learning difficulties 	<p>Pupils will</p> <ul style="list-style-type: none"> • have good understanding of language and reasonable expressive communication • have moderate learning difficulties
Autistic Spectrum Disorder (ASD)	<p>Pupils will</p> <ul style="list-style-type: none"> • have extremely limited expressive communication • exhibit violent behaviour on a daily basis • require individual supervision within playground and social times • be involved in daily incidents which may require physical intervention. • Display persistently anxious and unpredictable behaviour to the extent where they must follow highly structured and personalised learning programmes. • Display significant and repeated ritualistic behaviour that involves intervention. • Be unable to develop appropriate relationships with others without specialist support. • Be unable to recognise social, environmental and physical risks. • Respond to anxiety and small changes with unpredictable, prolonged and sudden outbursts of behaviour that jeopardizes the health and safety of self and others. 	<p>Pupils will</p> <ul style="list-style-type: none"> • have limited functional communication • exhibit frustration which may manifest itself as violence and supervision is necessary to maintain safety within playground and social times. • be involved in incidents which may require physical intervention. • Require regular interventions by Senior Leadership Team. • Display significant and unpredictable distress that requires regular immediate intervention. • Requires specialist planned personalised and prolonged intervention to manage anxiety about change and transitions during the school day. • unable to develop appropriate relationships with others without support. 	<p>Pupils will</p> <ul style="list-style-type: none"> • Have limited social communication that causes anxiety and limits ability to manage emotions and needs and require support to communicate successfully. • be dependent on a specialist environment with the focus on visual support systems such as visual timetables • need structure and routine to reduce stress and anxiety throughout the school day • exhibit “acting out” behaviour or “withdrawn” behaviour • often need individual support to manage their own behaviour and/or reflect on the consequences for others • Hypersensitivity may cause high level of anxiety and pupil will need an environment with lower stimulus. 	<p>Pupils will</p> <ul style="list-style-type: none"> • have basic social communication • have difficulties understanding social and physical risks and therefore require specialist support to reduce vulnerability • only manage their behaviour in a small group • require specialist intervention and a managed environment to cope with change and transitions during the school day • exhibit some rigid or obsessional behaviours and need structure across the whole curriculum • have difficulties developing relationships with others <p>Pupils may</p> <ul style="list-style-type: none"> • have hypersensitivity which may cause anxiety and distractibility and pupil requires environment with lower stimulus 	<p>Pupils will</p> <ul style="list-style-type: none"> • have good functional and social communication • communication may be dependant on lo-tech communication aids, eg communication book, PECS • show signs of distress when faced with new people, places or events • exhibit difficulty expressing feelings or needs • have some difficulties understanding social and physical risks 	<p>Pupils will</p> <ul style="list-style-type: none"> • have good functional and social communication • communication may be augmented by use of lo-tech communication aids, eg communication book, PECS • has developed coping strategies to use when faced with new people, places or events • can describe own basic feelings and communicate needs successfully

Need Group	Band 1+	Band 1	Band 2	Band 3	Band 4	Band 5
Emotional, Social and Behaviour Disorder (BESD)	<p>Pupils will</p> <ul style="list-style-type: none"> be unable or unwilling to manage their own behaviour and/or reflect on the consequences for others exhibit violence on a daily basis and individual supervision is necessary within playground and social times be involved in persistent and continues incidents which may require physical intervention (more than once a-day) require frequent interventions by Senior Leadership Team (several times a day, every day) persistently sabotage and disrupt teaching groups to the extent where they must follow highly structured, personalised learning programmes display prolonged, targeted, unpredictable, explosive behaviour resulting in frequent assaults significant and repeated self harm that involves intervention prolonged and sudden outbursts of behaviour that jeopardizes the health and safety of self and others. 	<p>Pupils will</p> <ul style="list-style-type: none"> regularly need support to manage their own behaviour and/or reflect on the consequences for others often exhibit violent behaviour and will need additional support within playground and social times be involved in frequent incidents which may require physical intervention (daily) require regular interventions by Senior Leadership Team 	<p>Pupils will</p> <ul style="list-style-type: none"> often need support to manage their own behaviour and/or reflect on the consequences for others need support for an additional learning need <p>Pupils may</p> <ul style="list-style-type: none"> exhibit aggression be involved in incidents which may require physical intervention require occasional interventions by Senior Leadership Team 	<p>Pupils will</p> <ul style="list-style-type: none"> only manage their behaviour in a small group have no additional learning needs <p>Pupils may</p> <ul style="list-style-type: none"> be involved in incidents which may require physical intervention behave in a way that endangers themselves or others be severely withdrawn, extremely timid and in need of nurture across the whole curriculum have difficulties developing relationships with others 	<p>Pupils will</p> <ul style="list-style-type: none"> 	<p>Pupils will</p> <ul style="list-style-type: none">
Physical Difficulties (PD)	<p>Pupils will</p> <ul style="list-style-type: none"> be totally reliant on 1 or more adults for positioning, movement, personal care including eating and drinking eg require hoisting, gastrostomy be complex communication aid users eg Tellus/Dynavox need individual specialist adult support to access learning and social <p>Pupils may have severe medical needs eg unstable epilepsy</p>	<p>Pupils will</p> <ul style="list-style-type: none"> be reliant on adults for moving, positioning, personal care including eating and drinking eg require hoisting have a physical disability that creates severe communication difficulties be communication aid users eg 4Talk4 need adult support to access learning and social interaction have an additional need in one other area eg sensory or LDs 	<p>Pupils will</p> <ul style="list-style-type: none"> be highly reliant on adults for support in moving, positioning, personal care have some independent mobility eg assist with transfers, use a powerchair have a physical disability that creates communication difficulties need support related to an additional learning need 	<p>Pupils will</p> <ul style="list-style-type: none"> require some support in moving, positioning, personal care have some independent mobility eg independent transfers have some communication difficulties associated with their physical difficulties 	<p>Pupils will</p> <ul style="list-style-type: none"> independently use a mobility aid to overcome their physical difficulties eg walking frame, powerchair need to use a lo-tech communication aid occasionally to support verbal communication 	<p>Pupils will</p> <ul style="list-style-type: none"> confidently and independently use a mobility aid to overcome their physical difficulties eg walking frame, powerchair has good communication skills
Sensory Difficulties (SD)	<p>Pupils will</p> <ul style="list-style-type: none"> have a very profound sensory loss necessitating individual specialist adult support have additional needs in one or more other area eg EBD, PD 	<p>Pupils will</p> <ul style="list-style-type: none"> have a significant sensory loss they require mediation of the visual or auditory environment for a high proportion of the day. they may have additional needs in one other area eg PD, ASD 	<p>Pupils will</p> <ul style="list-style-type: none"> have a visual impairment or difficulty they require mediation of the visual or auditory environment for a proportion of the day they may have additional needs in one other area eg PD, ASD 	<p>Pupils will</p> <ul style="list-style-type: none"> have a moderate sensory loss use aids to overcome their sensory loss need mediation of the environment at times 	<p>Pupils will</p> <ul style="list-style-type: none"> have a moderate sensory loss use aids to overcome sensory loss 	<p>Pupils will</p> <ul style="list-style-type: none"> have a mild sensory loss

Special schools banding relativities exercise

ups 2 tlr
2b sen 2 spine pt22

Band	Pupils	Teachers	LSAs	Tchr Cost	LSA cost	Cost / pupil	Needs led staffing weighting	2010-11 Weighting
Band 1+	7	1	5	£52,920	£75,325	£18,321	3.64	3.64
Band 1	7	1	3	£52,920	£45,195	£14,016	2.78	2.98
Band 2	7	1	2	£52,920	£30,130	£11,864	2.36	1.89
Band 3	7	1	1	£52,920	£15,065	£9,712	1.93	1.74
Band 4	10	1	1	£52,920	£15,065	£6,799	1.35	1.50
Band 5	12	1	0.5	£52,920	£7,533	£5,038	1.00	1.00

Proposed 2010-11 Funding			Funding on Revised Weightings			Capped Values	Total Revised Place Funding	Check
2010-11 Places	2010-11 Place Value	Total Place Funding	AWPU Values using revised weightings	Total Revised Place Funding	Change in Funding			
58	£22,102.18	£1,281,926	£22,102.18	£1,281,926	£0	£21,112.04	£1,224,498	3.64
116	£17,085.85	£1,981,959	£16,909.47	£1,961,499	£-20,460	£16,151.96	£1,873,627	2.78
143	£12,491.51	£1,786,286	£14,313.12	£2,046,776	£260,490	£13,671.92	£1,955,084	2.36
137	£10,547.56	£1,445,016	£11,716.77	£1,605,197	£160,181	£11,191.88	£1,533,287	1.93
69	£9,141.86	£630,788	£8,201.74	£565,920	£-64,869	£7,834.31	£540,568	1.35
4	£6,077.51	£24,310	£6,077.51	£24,310	£0	£5,805.25	£23,221	1.00
527		£7,150,285		£7,485,628	£335,343		£7,150,285	

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Wiltshire Council

Schools Forum
24th June 2010

Subject: Service Level Agreements and Moderation for Resource Bases

Purpose of report

1. To seek agreement from Schools Forum on proposed service level agreements and banding models for Resource Bases in mainstream schools (Complex Needs, Autism, Speech & Language, Hearing Impairment, Physical Impairment). These are currently referred to as Specialist Learning Centres.

Background

2. In order to achieve greater clarity of expectations and improved commissioning of services from resources bases located within mainstream schools a group of Head Teachers have worked with the Head of SEN to develop Service Level Agreements (SLAs) for Resource Bases. The draft Complex Needs SLA is attached as an example in Appendix 1.
3. It has also been recognised that pupils within the Resource Bases are not funded according to levels of need. The working group have therefore developed descriptors to recognise levels of need which will be subject to a moderation process. The draft descriptors for Complex Needs are attached as an example in Appendix 2

Main considerations for Schools Forum

4. The development of service level agreements is the first step in moving towards a system in which Resource Bases are commissioned with clear expectations of the needs to be met and funded according to the levels of need within the centres. Funding models are being developed and will be brought to Schools Forum for consideration in the autumn.
5. Development of funding models will be prioritised in the Complex Needs Centres, Speech & Language Centres and Autism Centres. It is anticipated that funding models can be agreed for April 2011 for implementation from September 2011. Due to capacity issues it is expected that work to complete funding models for the Hearing Impairment and Physical Impairment Centres may need to be delayed until the 2012/13 financial year.

Environmental impact of the proposal

6. None anticipated in respect of this specific proposal. Within the overall SEN review it is anticipated that an outcome will be increased numbers of

pupils educated in their local mainstream school hence reducing the numbers of journeys to specialist provision.

Equalities impact of the proposal

7. The purpose of the SLA and banding proposals from a finance perspective is to ensure consistency in the consideration of need and allocation of resources across the resource bases.

Risk assessment

8. There is a risk that in delaying the work on funding models for the Hearing Impairment and Physical Impairment centres the totality of the funding required for resource bases will not be identified at the same time. This risk is thought to be of lower impact than attempting to review all of the centres at once without the officer capacity to properly carry out the work.

Financial implications

9. Funding models for the centres need to be developed and will be presented to Schools Forum at a future meeting

Legal implications

10. None anticipated.

Proposal

11. It is proposed that the development of Service Level Agreement and banding descriptors is agreed as the way that Resource Base provision will be commissioned in the future.

Carolyn Godfrey
Director, Children & Education

Report Author: Liz Williams, Head of Finance (DCE) (01225) 713675,
elizabetha.williams@wiltshire.gov.uk

17 June 2010

Appendices

Appendix 1 – Proposed SLA for Complex Needs Centres
Appendix 2 – Proposed categories of need for Complex Needs Centres

Service Level Agreement

This agreement is between Wiltshire Council and X school. It relates to the resource base at the school for pupils with complex learning needs.

Resource bases are an essential element on the continuum of provision in Wiltshire for pupils with special educational needs. While the Local Authority (LA) endeavours to maintain pupils within their local mainstream schools, with support as appropriate, resource bases offer specialist provision for pupils with statements of special educational needs (SEN), along with opportunities for the planned integration of these pupils, which may not be readily available in either mainstream or special schools.

1. Nature of needs met

Primary needs

- i. Learning difficulties, generally in the range of moderate and severe learning difficulties, with additional associated needs.
- ii. Modifications to the mainstream curriculum required to enable access, despite suitable modifications pupil may fail to attain at the age appropriate level.

The pupil requires additional support above that which is available in mainstream schools and will benefit academically and socially from a place in the resource base. The pupil will be able to achieve a degree of mainstream inclusion with support for at least part of each week by the first Annual Review following placement. It is recognised that inclusion can relate to location, social interaction or be for learning. Each individual's needs, targets and progress over time will be considered when planning inclusion for pupils.

Associated needs may include

- i. Autistic Spectrum Disorder/Social and Communication Difficulties up to the level that would normally be met through the support of a statement of special educational needs in a mainstream school.
- ii. Speech and language difficulties up to the level that would normally be met through the support of a statement of special educational needs in a mainstream school.
- iii. Physical or medical needs that can be met in the resource base e.g. sensory impairment, toileting.
- iv. Behavioural, emotional or social difficulties occurring as a result of the primary need that could reasonably be expected to abate when the primary need is being appropriately met.

Possible changes of placement will be considered via the annual review of a pupil's statement of SEN. The school must alert the LA, in advance, of the annual review meeting, if there is likely to be any discussion regarding an alternative placement.

2. Number of pupils able to access the resource base

The resource base's capacity is 20. This takes account of the physical space dedicated to the resource base and the provision of opportunities for integration across the school.

The number of pupil places that the resource base will be funded for in each financial year is confirmed in writing annually. This figure ensures sufficient funding for the school to maintain the provision for the number of pupils to be admitted. Whilst planned places will be determined annually changes will only be made to reflect long term trends rather than short term cyclical variations in pupil numbers. If the number of pupils placed is significantly below the number of places funded, arrangements will be made to re-deploy centre capacity, see section 10, Sharing Expertise, below. In exceptional circumstances the LA may need to consult with the school about placing a pupil above the agreed numbers, see section 4, Admissions below.

The number of pupil places to be funded is set for each financial year at the annual monitoring meeting, see section 12 and appendix A.

3. Age range of pupils

Pupils accessing the resource base are of statutory school age, from the reception year through to year six.

4. Admissions

The LA, having the ultimate statutory responsibility to secure provision for children and young people as set out in their statements of SEN, determines admission of pupils to resource bases. Pupils are allocated a place in the resource base by the LA following a meeting of the SEN Panel where their needs are discussed and placement is thought suitable on the grounds that:

-	their statement of SEN sets out provision that cannot easily be met in a mainstream school with extra support provided through a statement of SEN
-	a full time place is required
-	they have a complexity of need that will require teaching and support staff with specialist training
-	they require some teaching strategies that can only be delivered outside a mainstream class setting.

The SEN Code of Practice places a duty on the LA to consult with the school before naming the school in a final statement of SEN. It is appropriate for the governing body to formally resolve to delegate this responsibility to the headteacher. In all cases where a resource base placement is sought the LA will consult with the school about the suitability of the placement with particular emphasis on the ability of the resource base to meet the pupil's needs and the possible effect of the admission on other pupils in the resource base or in the main body of the school. The LA will make every effort to consult well before the proposed admission by sending the school a proposed statement and appendices. The usual response time allowed to schools is fifteen working days, this can be adjusted to take the longer school holidays into account.

In making any representations to the LA the school should base these on the pupil's statement and the written advice on which it is based. If the school has any concerns about the proposed admission it is always necessary to consider what reasonable steps can be taken by the school or the LA to overcome concerns in the light of both the SEN Code of Practice (8:58 and 8:59) and current disability discrimination legislation (Disability Rights Commission www.drc-qb.org). Should concerns remain they must be raised on the consultation form that is sent by the LA to the school. This information could be made available to the pupil's parents/carers as LA files are open. The details of the school's representations could be made available to other parties particularly if there were to be a dispute over admission.

In considering any responses by the school the LA will refer to this agreement, particularly in relation to the type of needs which the resource base meets. The final decision as to placement must rest with the LA in accordance with the SEN Code of Practice and its responsibilities to provide school places.

In exceptional circumstances the LA may consult with the school about placing a pupil over and above the agreed numbers. This may occur when a parent expresses a preference for the particular resource base, the LA has a duty under section 8.62 of the SEN Code of Practice to comply with that preference unless it believes that:

- the placement would not meet the pupil's needs
- it would disadvantage other pupils at the school, or
- it would be an inefficient use of resources.

Issues that might be taken into account would be undue demands on staff and a very considerable imbalance of placements in a particular year group.

The general number of pupils able to access the resource base has been set at a level where the provision for the resource base pupils is compatible with the satisfactory education of the mainstream pupils within the school. Only in circumstances where an additional placement in the resource base would not significantly disadvantage other pupils at the school, and be an efficient use of resources will an additional place be agreed. Additional funding, proportionate to the total funding for the resource base, will be allocated solely for the time that the pupil is additional to the number of pupil places funded.

In cases where the SEN and Disability Tribunal (SENDIST) rules that a pupil is placed in the resource base, despite objections by the LA and representations by the governors that the placement would not be appropriate, SENDIST's ruling is binding upon the LA and upon the school.

5. Purpose of the provision

The resource base enables provision to be made for pupils whose needs are difficult to meet in mainstream schools. The pupils have learning difficulties, generally in the range of moderate and severe learning difficulties, with additional associated needs. Meeting a pupil's associated needs sometimes has to be the priority to enable their learning needs to be addressed. The resource base works to remove barriers in order that each pupil can make good progress from their starting point, as judged by using the Progression Guidance (2009) DCSF Ref: 00553-2009BKT-EN and any subsequent updates to guidance about progress for pupils with SEN.

The resource base works with pupils, parents/carers, other mainstream schools and LA support services with the aim that, whenever possible and appropriate, pupils become fully integrated into a primary school close to their home prior to the beginning of year 6. Links with each pupil's local school are crucial to support this, and importantly even if a pupil continues to be placed in resource base provision until the end of year 6, it enables the establishment of peer group relationships prior to primary-secondary transfer.

The school will prepare and maintain a policy statement for the resource base, outlining its provision, philosophy and its relationship with the school as a whole. The policy must reflect this agreement and be drawn up in consultation with the LA, with written comments being sought from the LA. The policy statement should be kept with this document.

6. Curriculum

The resource base enables a personalised approach to the curriculum which is flexible and anticipates individual needs. Pupils have access to the full curriculum accessed through specialised teaching informed by relevant agencies. At different times pupils may require a mixture of small group, individual and class teaching. The provision map for the resource base should be kept with this document.

Pupils are placed in the resource base because of their need for specialist support within a mainstream setting. An important element of the work undertaken by the resource base is the availability of integration opportunities. Appropriate provision that meets the needs of resource base pupils enables integration into mainstream activities with peers of the same or similar age for part of the week by the time of the first Annual Review of a pupil's Statement of SEN following placement. It is recognised that inclusion can relate to location, social interaction or be for learning. Each individual's needs, targets and progress over time will be considered when planning inclusion.

The resource base put into place appropriate transition arrangements for all pupils joining or leaving the resource base, for example visits and books of photographs. Ongoing links are maintained by the resource base with each pupil's local mainstream primary school, for example invitation to Annual Review meetings. This facilitates pupils returning full time to mainstream, if appropriate, or if that is not possible having peer group links to support transition to secondary school.

7. Working with parents/carers and other agencies

The resource base works in partnership with parents/carers. This is vital to achieve the best outcomes for pupils. A range of means are used to support communication. It is recognised that the amount and type of contact necessarily varies between families and over time, with transition into and out of the resource base being particularly crucial times.

As part of the school's SEN information for parents the operation and funding of the resource base should be set out distinctly from the SEN provision for pupils on the main school role. The resource base may also wish to provide resource base specific information for parents based upon the resource base policy statement, see section 5, and the resource base's provision map, see section 6.

As a necessary part of Wiltshire's pattern of specialist SEN provision it is important for the resource base and LA services to maintain effective ongoing links. Engagement in multi-agency working is important.

Effective liaison with parents/carers and associated professionals facilitates a clear understanding of each pupil's holistic needs, and how best to enable pupils to achieve their potential.

8. Staff

Pupils attend the resource base to access a high level of expertise and an enhanced staffing ratio. The school employs additional staff including both teachers and teaching assistants (TAs), for the resource base. If resource base staff do not hold relevant specialist qualifications when appointed they will be supported by the school in working towards gaining them.

Resource base staff have an understanding of developmental progression in learning across the curriculum for pupils with attainment within the P levels. They are able to tailor appropriate activities that support pupils to make small steps of progress.

The induction of all school staff includes information about pupils with complex learning needs. Systems are in place to ensure that all staff are regularly updated about resource base pupils.

The overall training programme will be decided by the headteacher in conjunction with resource base staff and should seek to address priority requirements as well as linking with the whole school training programme.

The LA will maintain an overview across resource bases of staff qualifications and necessary skills development and facilitate priority training.

9. Premises

The school meets the day to day premises costs associated with the resource base. Any proposal by the school to relocate, or make major adaptations to, accommodation must be fully agreed with the LA at an early stage.

The upkeep and maintenance of furniture and equipment is the responsibility of the school.

10. Sharing expertise

The resource base maintains ongoing links with other primary school resource bases for complex needs. This is facilitated by the LA.

The resource base shares its expertise with other mainstream schools supporting continuous professional development through the delivery of a twilight session at least three times a year.

The LA may approach the school to request that aspects of the resource base's expertise contribute to the provision needed by a pupil with a high level of need who is attending a different school. This outreach activity will not be arranged to the detriment of resource base pupils. If there are any additional costs when the resource base is full, i.e. has the number of pupils it is funded for, these will be met by the LA.

If when numbers of pupils are considered at the annual monitoring meeting, see section 13, should the resource base will be operating with fewer pupils than it is funded for, see section 2, a plan will be drawn up between the LA and the school about how to best use this capacity funded from Dedicated Schools Grant for the benefit of pupils with learning needs who attend other Wiltshire schools. Whenever such an arrangement is put in place it will be formalised in a separate written agreement and promptly reviewed if circumstances change during the year.

11. Management

In delegating funding for the local management of resource bases it is necessary to strike a balance between the statutory strategic role of the LA and the managerial authority of the school. Both parties need to be clear about their respective responsibilities:

- the LA will secure provision through an arrangement with the governing body. This arrangement specifies the number of planned places and the type of needs to be met
- the LA will monitor individual placements through the statutory annual review process
- the LA will determine admissions in accordance with the SEN Code of Practice and the criteria set out for the resource base
- the LA will control funding arrangements and set the number of planned places on an annual basis following consultation with the school
- the Headteacher will be responsible for the day to day management of the resource base, ensuring that available resources are deployed to make the provision set out in pupils' statements of SEN.

Line management of the resource base is the responsibility of the school. The governing body and headteacher exercise the same range of responsibilities as for other staff employed in the school.

The LA recognises the advantage of staff appointed to the resource base also having responsibilities within the rest of the school but this must not undermine the needs of the resource base pupils. The LA recommends that resource base responsibilities should be distinct and separate from whole school responsibilities including those of the SEN co-ordinator (SENCO). Funding for the responsibilities of the SENCO is included within the mainstream element of the school's budget. Whilst resource base staffing might be deployed in conjunction with the mainstream school's SEN provision it is important that the resources allocated for the resource base can be accounted for separately.

12. Funding arrangements

The school budget receives an additional budget share for the resource base. It is anticipated that this additional delegated budget share will be deployed to fund the resource base provision. The funding for the resource base is designed to cover all aspects of resource base provision e.g. teaching, support staff, lunch time cover, clerical support and non-staff costs such as suitable waste disposal facilities and protective equipment required by staff associated with pupil's toileting needs.

Each year a moderation exercise is conducted by LA staff in conjunction with all the schools who host a complex needs resource base. The moderation process will check which resource base pupils are in each banding category and confirm any changes for the next financial year. Following this a separate process will confirm the number and level of planned places for the following financial year.

This process will normally be conducted in October so that the outcome informs the budget setting process prior to the next financial year. An annual funding statement for the resource base will be produced by the LA for the school which summarises the number of planned places, the level of pupil need and level of funding.

If, in exceptional circumstances, a pupil is placed in the resource base above the agreed number for the financial year an additional payment will be made to the school.

If the governing body is being asked to accept a pupil whose requirements are obviously well in excess of the definition of the needs to be met from the resource base, as defined by the SEN Panel, then an exceptional needs allocation may be made. It is unlikely that exceptional needs payments will be necessary in more than one percent of the total number of planned resource base places e.g. a pupil with needs commensurate with those usually met through the resource base who also has a very high level of sensory impairment.

13. Monitoring arrangements

Both the school and the LA have a responsibility to monitor and evaluate the effectiveness of the resource base to ensure appropriate pupil progress and value for money as well as to inform the resource base, school and LA development plans. Evaluation will be informed by reference to the purpose of the provision, section 5 above.

Monitoring is achieved in a variety of ways including:

- through Individual Education Plans (IEPs) drawn up in conjunction with pupils, parents/carers and other services and the Annual Review of Statements of SEN
- as part of the school's pupil tracking and performance monitoring
- via annual monitoring.

The joint school and LA annual monitoring will include: consideration of pupil progress; the provision map for the resource base; the school's policy statement for the resource base; the LA's support and engagement with the resource base; feedback from parents, carers and pupils; and consideration and endorsement of this service level agreement.

14. Duration and termination of the agreement

The arrangement for there to be a resource base at the school is binding on both parties until further notice. The arrangement can be subject to formal review but cannot be terminated by either party without due processes being followed and the publishing of Statutory Notices with final determination by the Secretary of State.

15. Disagreement resolution

If parents/carers have a concern relating to the resource base the usual first step is to speak to resource base staff. If necessary, parents/carers should then follow the school's complaints procedure which is available from the school office.

If a school has a concern relating to the resource base this should initially be raised with the LA staff member responsible for the annual monitoring meeting. If necessary reference can then be made sequentially to: the Head of SEN; the Service Director - Department for Children and Education; and, the Director - Department for Children and Education.

Endorsement of this document

On behalf of school		On behalf of LA		Date
Name	Signature	Name	Signature	

Draft

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Complex Needs Resource Base

DRAFT 4 May 10

Category	Pupil characteristics	Resource base	Inclusion in mainstream	Unstructured times	Notes
A	<p>Pupil whose ability to access the primary mainstream curriculum is significantly affected by learning difficulties.</p> <ul style="list-style-type: none"> Has the ability to communicate but not necessarily appropriately or by speech. Little or no understanding of social reciprocity. A recognition of the need for social interaction may be yet to develop. Requires a high level of support to scaffold thinking. Has a general cognitive profile at or below the 1st centile. Working at level significantly below age related range of attainment. Emotional, social and behavioural difficulties associated with the primary need that would be expected to abate as the learning needs are met. May need 1 to 1 supervision when feeding, dressing, toileting and may not be toilet trained. Medical needs such as tube feeding or respiratory support. 	<p>Core resource base staffing plus regular individualised support to address presenting behaviours and other additional needs including physical, sensory and medical needs.</p> <p>Requires small group working for most of the week with structured support.</p>	<p>Inclusion for areas of strength, so opportunities for success.</p> <p>Support before, during and following periods of inclusion.</p> <p>Staffing: Teacher 1 : 10 TA 1 : 4</p>	<p>Pupil may be vulnerable and requires close adult monitoring and individual arrangements to be made.</p>	<p>1. The key difference between A and B level is the need for dedicated TA time for other than curriculum access.</p> <p>2. Pupils have statements of SEN.</p> <p>3. Levels are allocated on the basis of best fit.</p>
B	<p>Pupil whose ability to access the primary mainstream curriculum is affected by learning difficulties.</p> <ul style="list-style-type: none"> Communicates sometimes using a range of signs, gestures as well as words. Looks for social interaction with peers as well as adults. Can maintain simple relationships with guidance. Has a general cognitive profile at or below the 1st centile. Working at level significantly below age related range of attainment. Emotional, social and behavioural difficulties associated with the primary need that would be expected to abate as the learning needs are met. 	<p>Core resource base staffing plus individualised support to address additional needs including physical and sensory needs.</p>	<p>Following induction period accesses mainstream with support for increasing proportion of each week, when applicable.</p> <p>Staffing: Teacher 1 : 10 TA 1 : 6</p>	<p>Pupil may be vulnerable and requires close adult monitoring without individual arrangements being regularly made.</p>	<p><i>NB: staffing ratios to be removed on confirmed version of characteristics grid</i></p>

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Wiltshire Council

**Schools Forum
24 June 2010**

Subject: Young Persons' Support Service

Purpose of report

1. The purpose of the report is to update Schools Forum on the financial position of the Young Person's Support Service (YPSS) and to present a number of options for addressing the projected overspend within the service. The options presented include actions to reduce expenditure in addition to proposals for additional investment.

Schools Forum is asked to consider the range of options and make a recommendation on the actions to be taken in the current year.

Schools Forum is also asked to consider the appropriate level of funding for the service moving forward in to 2011/12.

Background

2. The YPSS has a statutory requirement to provide a full time appropriate educational provision for Key Stage 3 and Key Stage 4 pupils who are permanently excluded or have no school place, as well as appropriate provision for pupils with medical needs or who are on a fixed term exclusion of more than 15 days. In addition to this, outreach work in partnership with schools in identifying at an early stage and supporting young people at Key Stage 3 and Key Stage 4 who are at risk of exclusion, in order to prevent permanent exclusion. Over the past few years, the increasing upward trend of excluded pupils has led to fewer opportunities to offer preventative programmes in YPSS centres and a loss of income to the centres. Increasing demands on statutory provision and decreasing ability to achieve income targets have resulted in an adverse variance for 2009/10.

Main considerations for School Forum

3. Contributing Factors

3.1 2009/10 Outturn Position

The outturn position for the Young Persons' Support Service for 2009/10 was an overspend of £188,000. A number of actions have already been taken to prevent this pattern of spending repeating itself in 2010/11.

Upon examination of several financial years, it is apparent that expenditure has been increased in line with historical income levels. These have decreased in recent years due to increased demands on statutory provision (see table below) and the consequent reduction in the ability to achieve income targets through preventative work in YPSS centres.

	2007/08	2008/09	2009/10
Number of Excluded pupils	57	74	71 (projected)
Number of pupils with no school place	8	10	15
Number of pupils with medical needs	77	78	85

3.2 Benchmarking with Statistical Neighbours

Using s52 government returns, a comparison of expenditure in Wiltshire with our Children's Services statistical neighbours was reported to Schools Forum in December 2009. This indicated that Wiltshire ranked 8th out of 11 authorities in terms of funding for Pupil Referral Units and Behaviour Support (measured as £ per pupil in the county).

Budget Table 1 (Net) £ per capita Statistical Neighbours

	PRUs/ Behaviour Support/ Education Otherwise (Sum of 1.3.1 to 1.3.3)
ENGLAND - Average (mean)	84
Children's Services Statistical Neighbours	
Average (median)	72
Minimum	42
Maximum	132
869 West Berkshire	72
835 Dorset	87
931 Oxfordshire	42
873 Cambridgeshire	132
865 Wiltshire	62
916 Gloucestershire	89
885 Worcestershire	52
933 Somerset	89
893 Shropshire	44
935 Suffolk	105
850 Hampshire	64

Wiltshire (out of 11 - Descending Order)

8

Looking at a selection of other regional and statistical neighbours also indicates that Wiltshire has a consistently lower than average cost per pupil within the YPSS, budgeted and actual net expenditure in 08/09, 09/10 and 10/11. Wiltshire is ranked the 2nd or 3rd lowest spender across all years for the selection of these authorities;

Unit Cost Benchmarking - S52 Government Return

	Budget 2008-09	Ranked	Budget 2009-10	Ranked	Budget 2010-11	Ranked
BANES	29,609	4	20,994	2	37,720	3
Cornwall	29,349	3	57,254	6	132,179	5
Herefordshire	4,347	1	3,343	1	8,549	1
N Somerset	50,303	6	40,486	4	-	
S Gloucestershire	38,265	5	49,146	5	55,818	4
Wiltshire	20,841	2	32,283	3	35,662	2
Average	23,851		30,419		38,701	

	Gross Outturn 2008-09	Ranked	Gross Outturn 2009-10	Ranked
BANES	29,309	3	20,994	2
Cornwall	31,640	4	58,746	6
Herefordshire	4,694	1	3,585	1
N Somerset	50,303	6	39,167	4
S Gloucestershire	48,694	5	51,333	5
Wiltshire	24,512	2	30,422	3
Average	26,641		30,542	

In order to address the projected overspend for 2010/11 a number of options are considered below. These options are a combination of service reductions and investment proposals aimed at bringing expenditure in to line but also potentially addressing the relative position in terms of funding.

3.3 Options

Option 1

The amount spent across the four centres in 09/10 on alternative provision was £217,000. Through reduced usage and improved commissioning strategies, spending will be reduced by 10%; £20,000. This is good practice and will happen across all options.

In order to continue service delivery at current levels and allow flexibility for ongoing improvement within the service, the additional dedicated schools grant would be £150,000 at option 1.

Option 2

As option 1 plus a further saving of £50,000 through reductions in Teaching and Support staff.

The impact of these reductions would be: 50 hours per week reduced preventative service to schools; diminished support for pupils at risk of exclusion; risk of increase in permanent exclusions leading to a risk of poorer outcomes for vulnerable pupils; poorer relationships between YPSS and schools..

The additional investment required from dedicated schools grant would be £100,000 at option 2.

Option 3

As option 1 plus a further saving of £100,000 being the full year cost of 2.0fte teacher (£82,000) and a 0.5fte teaching assistant (£18,000.)

The impact of these reductions would be: significantly reduced preventative service to schools (100 hours per week); diminished support for pupils at risk of exclusion; high risk of increase in permanent exclusions; further pressure on YPSS budget with reduction in income generation; non-specialist teachers would be required to teach maths and science ; risk of poorer outcomes for vulnerable pupils; poorer relationships between YPSS and schools; negative impact on Ofsted outcomes.

The additional investment required from dedicated schools grant would be £50,000 at option 3.

The options and consequent loss of staff are summarised in the table below:

	Shortfall	Commissioning Savings	Teaching Savings (part year)	Number of Teachers	Teaching hours "lost" per week	Investment Required
	£	£	£			£
Option 1	170,000	20,000			0	150,000
Option 2	170,000	20,000	50,000	2	50	100,000
Option 3	170,000	20,000	100,000	4	100	50,000

Environmental impact of the proposal

4. None anticipated

Equalities impact of the proposal

5. Behaviour & Attendance Collaboratives - the new duty comes into effect from September and feasibility meetings are planned with heads and stakeholders to align services to federations, assuming the coalition government do not remove the duty. If significant investment does not take place, a fair and equitable balance of available service will be harder to deliver to Wiltshire's federations.

Risk assessment

6. The financial risk is that based on current income levels and commitments of expenditure, no action would lead to overspend at a similar level to 2009/10 financial year which is unacceptable.
7. The potential impact of the Academies Bill on the service is difficult to quantify. There will be a reduction in the Dedicated Schools Grant for central services however the current methodology for calculating that reduction does not impact on direct provision to pupils within PRUs. It is not clear how any "topslice" will be calculated in the future.
8. Internal Review - an internal operational review of the YPSS has been commissioned and will provide the basis for 2011/12 planning. A reduced service would not provide the flexibility required to follow through any action planning.

Financial implications

9. The service, operating at current expenditure commitments would overspend at a similar level as 2009/10.
10. Staffing reductions and implications of these are contained in the main body of the report.

Legal implications

11. Option 3 will require advice and support from the Council's HR team.
12. The service is known to be funded at a low level in comparison to statistical neighbours. Relationships between schools and centres vary – further investment plus the internal review will provide the platform for excellent relationships and a move to working with the behaviour & attendance collaboratives.

Options considered

13. Options 1-3 as proposed in the main body of the report. Options rejected included, no action and a larger request for service growth funding. In view of the current national funding position, neither was considered viable.

Conclusions

14. Significant investment is required in the YPSS service in order to: bring Wiltshire PRU provision in line with average spending by statistical neighbours; allow YPSS to meet statutory requirements as well as providing preventative services; allow flexibility service improvements and alignment with the Federations following the planned operational review.

Name of Director Paul Senior
Title – Service Director, Targeted Services

Report authors:

Marie Taylor
Principal Accountant, Targeted Services

Marie.taylor@wiltshire.gov.uk

Kieran McCarthy
Headteacher, Young Persons'
Support Service
Kieran.mccarthy@wiltshire.gov.uk

Background papers

S52 data provided from statistical neighbours
Pupil data from local authority registers

Appendices

None.

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Wiltshire Council

**Schools Forum
24 June 2010**

Subject: Report from the Schools Forum SEN working Group

Purpose of report

1. To report on the meeting of the Schools Forum SEN Working Group held on 11th June 2010.

Main considerations for School Forum

2. The draft minutes of the meeting are attached at Appendix 1.
3. The SEN working Group makes the following recommendations to Schools Forum:
 4. Young Persons Support Service
 - a. That the service manager agrees with the YPSS Board measures that will enable the budget to be balanced in the current year.
 - b. That if there is any unallocated headroom within the Schools Budget in 2010/11 the YPSS should be a priority for further investment. Any further investment to be targeted towards alternative provision.
 5. Special Schools Banding Moderation Process
 - a. That the revised banding moderation process should be agreed.
 6. Funding Values for Special Schools
 - a. That the needs led staffing model should be adopted for funding purposes in Wiltshire special schools, whilst recognising that special schools will determine their own staffing mix according to the needs within each school.
 - b. That the affordability of fully funding the model should be considered with other priorities during the budget setting process.
 7. SLA and Moderation for Resource Bases
 - a. That the SLA and banding model should be agreed.

Proposal

8. That Schools Forum consider the proposals in paragraphs 4 to 7 above.

**Name of Director Carolyn Godfrey
Director, Children & Education**

Report author: Liz Williams, Head of Finance (DCE)
01225 713675
Elizabetha.williams@wiltshire.gov.uk

Background papers

None

Appendices

Appendix 1 – Draft minutes of the SEN Working Group

Schools Forum SEN/Social Deprivation Working Group

Minutes – 11th June 2010

Present: Liz Williams, Judith Finney, Sarah O'Donnell, Colin Smith, Kieran McCarthy, Avis Ball, Karina Kulawik, John Hawkins, Trevor Daniels

Apologies: Julia Cramp, Phil Beaumont, Paul Senior

		Action
1	Minutes from Previous Meeting The minutes from the meeting of 22 nd February 2010 were agreed.	
2	<p>Young Person's Support Service (YPSS) KMcC presented a report outlining the current financial position in the YPSS. A number of options to address the projected overspend of £170,000 in 2010/11 were presented:</p> <p>Option 1 – savings in commissioning of alternative provision £20,000, additional investment required £150,000 Option 2 – as Option 1 plus staffing reductions of £50,000. Additional investment required £120,000 Option 3 – as above but including staffing reductions of £100,000. Investment of £50,000 still required.</p> <p>The report included benchmarking information from the Section 52 return with statistical neighbours and with regional neighbours. There was some discussion on the difficulties of using benchmarking information as services differ between local authorities.</p> <p>The Group agreed it was necessary for the service to balance its budget within the current year. Until the final DSG settlement is announced it is not clear whether there would be additional DSG for investment in the current year. It was recommended that:</p> <p>The service needs to agree with the YPSS Board proposals to balance the budget in the current year; If additional investment is available following the final DSG settlement the group recommended that priority should be given to investing in alternative provision – recognising the need to ensure that statutory requirements for excluded pupils are met as a priority.</p> <p>It was further agreed that the outcome of the review of the service due to take place this summer would inform budget priority discussions in the autumn. It was agreed that the Terms of Reference for the service review would be fed back to the Group</p>	EW
3	<p>Implications of National Changes EW gave a verbal update on the financial implications of some of the new government policies, particularly the Academies Bill.</p>	
4	<p>Special School Banding Moderation Process KK presented an update on the Special School Banding Moderation process. Schools Forum had requested a review of the process and the relative values of the bands following issues that had arisen in the budget setting process for 2010/11. The main amendments to the</p>	

	<p>process have been agreed with the Special School Head Teachers as follows:</p> <ul style="list-style-type: none"> • Amendments to the practicalities of the process including ensuring appropriate representation from each school, some amendments to the paperwork and the introduction of a further peer review process at the end of the moderation day to ensure any cases where there was no agreement could be reassessed on the day. • Amendments to the timescale of the moderation with the moderation day now proposed to take place in October to ensure time to resolve any issues afterwards and enable full discussion at the December Schools Forum. <p>It was agreed that the changes to the process should be recommended to Schools Forum.</p>																						
5	<p>Funding Values for Special Schools</p> <p>EW presented the work that had been done to review the relative values of the bands used to fund Special Schools. A needs led model had been developed based on DfES Circular 11/90 which had proposed different staffing levels appropriate to different levels of need. The relative values of the needs led model compared with the current relative values as follows:</p> <table border="1" data-bbox="304 1003 922 1361"> <thead> <tr> <th>Band</th> <th>Needs led staffing weighting</th> <th>2010-11 Band Values</th> </tr> </thead> <tbody> <tr> <td>Band 1+</td> <td>3.64</td> <td>3.64</td> </tr> <tr> <td>Band 1</td> <td>2.78</td> <td>2.98</td> </tr> <tr> <td>Band 2</td> <td>2.36</td> <td>1.89</td> </tr> <tr> <td>Band 3</td> <td>1.93</td> <td>1.74</td> </tr> <tr> <td>Band 4</td> <td>1.35</td> <td>1.50</td> </tr> <tr> <td>Band 5</td> <td>1.00</td> <td>1.00</td> </tr> </tbody> </table> <p>It was agreed that the needs led model should be adopted for funding Wiltshire Special Schools although it was recognised that each special school would need to staff and manage its school based on the mix and needs of pupils rather than rigidly applying the staffing levels suggested in the model for each band.</p> <p>In order to fully fund the needs led model an additional £335,000 would be required. In order to move to the new relative values without increasing funding will result in turbulence between schools however it was not recommended that Schools Forum deviate from its previous recommendation that any further changes within the special schools formula should be self financing.</p>	Band	Needs led staffing weighting	2010-11 Band Values	Band 1+	3.64	3.64	Band 1	2.78	2.98	Band 2	2.36	1.89	Band 3	1.93	1.74	Band 4	1.35	1.50	Band 5	1.00	1.00	
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6	<p>SLAs and Moderation for Resource Bases</p> <p>TD circulated a proposed Service Level Agreement and also a proposed set of descriptors for banding pupils within Complex Needs Centres. TD explained that this was the result of work by a group of Head Teachers over the last year and was designed to give clarity of expectations and tighter commissioning and to fund pupils within the Centres based on a level of need. 2 different levels of need are</p>																						

	<p>proposed within the Complex Needs Resource Bases.</p> <p>At this stage TD was looking for agreement on the SLA and banding model, proposals for the funding model will be brought to Schools Forum in the Autumn. It was agreed that the SLA and banding model should be recommended to Schools Forum.</p> <p>It was further agreed that the work on funding models for Complex Needs Resource Bases plus the Speech & Language and Autism Centres should be progressed for the Autumn. It was agreed that any changes to the formula for HI/PI centres could be delayed until the following year due to capacity issues in completing all of the work for April 2011.</p>	
8	<p>Mainstream Primary SEN Formula Progress</p> <p>TD updated the group on progress on the mainstream primary SEN formula. A first meeting had been held with head teachers and the main issues being considered are:</p> <p>Clarity on the amounts currently delegated Moving towards a driver for delegation that is considered fair and can be audited Looking towards increasing transparency on SEN funding within schools; Reviewing the total SEN spend to identify funding that can be released to supplement the mainstream formula.</p> <p>TD explained that the timescale for the formula review is to implement a new funding formula for April 2011.</p>	
9	<p>Any Other Business</p> <p>AB raised an issue related to fixed term contracts for Teaching Assistants which come to an end when NPA funding for a specific pupil ceases. Recent advice to head teachers from HR had suggested that when fixed term contracts came to an end the Teaching Assistant would be entitled to redundancy pay. AB raised concerns about the cost implications of this. It was agreed that TD/EW would follow this up with HR</p> <p>EW thanked CS for his contribution to the group throughout the last years</p>	TD/EW
10	<p>Date & Time of Next Meeting</p> <p>Next meeting scheduled for 22nd September 9.30am at County Hall</p>	

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Wiltshire Council

Schools Forum
24 June 2010

Subject: Report from the Schools Forum School Funding Working Group

Purpose of report

1. To report on the meeting of the School Funding Working Group held on 17th June 2010.

Main considerations for School Forum

2. The draft minutes of the meeting are attached at Appendix 1.
3. The School Funding Working Group makes the following recommendations to Schools Forum:
 4. Levels of Debt Write Off
 - a. That differential levels of debt write off for Primary and Secondary Schools be agreed as follows:

Primary Schools	£2,000
Secondary Schools	£5,000

and that the funding scheme be amended to reflect these updated values.
5. Expansion of Primary Schools
 - a. That the Group recognised the advantages of developing a staged model for expanding schools to accommodate pupils moving in to new housing.
 - b. That such a model is not currently affordable and any proposal for funding in the future would need detailed consideration of the costs and implications.
6. Young Persons Support Service
 - a. That the value of AWPU's for all pupils on the YPSS roll and the start of the year be calculated and presented to Schools Forum as part of the discussion on the YPSS paper.
7. Special School Banding Moderation and Funding Values
 - a. That the needs led staffing model should be adopted for funding purposes in Wiltshire special schools, whilst recognising that special schools will determine their own staffing mix according to the needs within each school.
 - b. That the affordability of fully funding the model should be considered with other priorities during the budget setting process.
8. Controls on Surplus Balances 2008/09 Balances

- a. That School x be given retrospective permission to use the 2008/09 reserve for a different purpose
 - b. That School y be asked to account for the failure to comply with the scheme and to explain how the excessive balance for 2008/09 was utilised during 2009/10.
9. Leases (see Appendix 2)
- a. That formal consultation with schools is undertaken to change the funding scheme to require schools to obtain Central Finance endorsement for any lease arrangement (unless it is with Unilink Finance)
10. Clawback of Surplus Balances Scheme – 2009/10 onwards
- a. That a signed declaration from the Head Teacher and Chair of Governors is required on an annual basis to confirm they have read and understood the scheme.

Proposal

11. That Schools Forum consider the proposals in paragraphs 4 to 10 above.

**Name of Director Carolyn Godfrey
Director, Children & Education**

Report author: Liz Williams, Head of Finance (DCE)
01225 713675
Elizabetha.williams@wiltshire.gov.uk

Background papers

None

Appendices

Appendix 1 – Draft minutes of the School Funding Working Group
Appendix 2 – Report on changes to leasing agreements

Schools Forum Schools Funding Working Group

Minutes – 17th June 2010

Present: Liz Williams, Colin Kay, Martin Watson, Phil Cooch, Karina Kulawik, Kieran McCarthy (for item 6), Nigel Hunt (for item 7b), Tricia Glover (for item 3), John Hawkins, Neil Baker, John Kimberly, Catriona Williamson, Judith Finney

Apologies: Julia Cramp, Trystan Williams

		Action
1	<p>Minutes from Previous Meeting The minutes from the meeting of 23rd February 2010 were agreed.</p> <p>Matters arising:</p> <p>Climate Change – a letter about smart meters had gone out to schools. It was agreed that if take up has been low then a further letter should go out as a reminder</p> <p>Levels of Debt Write Off – it was agreed that the current level allowing Head Teachers to write off debts up to £500 was too low. It was recommended that Schools Forum agree differential levels for Primary and Secondary schools as follows: Primary up to £2,000 Secondary up to £5,000</p> <p>Valuable Lessons – one further meeting had taken place to start to plan the Governors Training Day in November. Head Teachers re-emphasised their willingness to be involved in pilot projects. It was agreed that this should be a standing item on the agenda for this Group</p>	PC
2	<p>Pay Harmonisation (Tricia Glover) TG gave an update on the background to the pay harmonisation project including the fact that initially it had been expected that schools would be excluded from the project because of the development of national terms and conditions for school support staff. TG explained that this move towards national terms and conditions was now not expected to happen quickly and so schools do need to be included within the scope of any work done on harmonisation for Wiltshire Council.</p> <p>In the light of the new Coalition Government, the expected emergency budget and the in year cuts for local authorities that have recently been announced TG explained that there has now been a “pausing” of the whole project whilst Corporate Leadership Team consider all major projects. TG is now waiting for a steer on how the project will progress before communicating further with schools.</p> <p>Some concern was expressed by members of the group about how well any harmonisation model will fit for schools and also about the possible cost pressures that may arise.</p> <p>TG confirmed that once she had a steer on how the project would progress she would feed back to this group and to WASSH and PHF.</p>	

3	<p>Budget Outturn 2009/10</p> <p>EW reported that there had been an underspend of £96,000 against DSG in 2009/10 – this underspend will be rolled forward to 2010/11. the key areas of over and under spend were as follows:</p> <p>Premature Retirement Costs – overspent by £157k even after corporate contribution for the impact of the LGR severance policy. This policy is expected to remain in place through the current year and EW had confirmed that she had spoken with the Chief Financial Officer to confirm that funding would be made available for the impact on schools redundancy costs in 2010/1. There was concern that the number of cases would continue to be high. EW outlined work currently taking place to look at alternative policies for funding PRC including the idea that costs could be recouped from schools after a period of financial recovery. Proposals will be brought to the next meeting.</p> <p>The group discussed the concerns raised at the SEN Group the previous week on the advice given by HR that redundancy needed to be paid at the end of fixed term contracts for teaching assistants linked to NPAs. It was proposed that confirmation is needed as a matter of urgency and that legal advice needs to be sought on the contracts that are being issued.</p> <p>Maternity Costs – overspent in 2009/10 despite the budget being increased. Continues to be a cost pressure for 2010/11.</p> <p>SEN Budgets – placement budgets had underspent in 2009/10 as had the NPA budget. KK outlined some of the reasons for the underspend including some success in bringing pupils back from Independent Placements, increased use of Wiltshire’s special schools through using the ISS budget to fund additional places, etc. it was agreed that the underspend on SEN budgets needed to be seen in the context of the SEN review which aimed to focus resources where they are needed.</p>	
4	<p>Expansion of Primary Schools</p> <p>NH presented a paper outlining the need for a number of existing Primary Schools to double in size over the next few years. NH explained the difficulties that arise from increasing the size of a school in advance of new housing being completed and the potential that places are filled by pupils from outside the catchment area of the school. One way to limit this would be a model of staged expansion in which the school size is increased, and funded accordingly, in advance of the new housing but pupils not admitted to the full capacity of the school. This would require additional funding to enable schools to open new classes whilst limiting the number of pupils admitted over a 3 year period. In the example used in the paper additional funding required in the proposed New Class Allowance formula would be as follows:</p> <p>Year 1 £161k Year 2 £155k Year 3 £29k</p>	

	<p>It was agreed that whilst the group recognised the advantage in developing a staged model for expanding schools to accommodate pupils moving in to new housing, it was felt that such a model is not affordable given the current budget position and expected reductions in funding in future years. Any future consideration of the proposal would require more detailed work.</p> <p>NH confirmed that the local authority would continue to work with head teachers in areas where new housing was planned to try to minimise the disruption that can take place as schools expand.</p>	
5	<p>Young Persons Support Service</p> <p>A paper was presented on the current financial position of the YPSS and proposals to reduce the projected overspend. EW explained that this paper had also been discussed at the SEN Working Group the previous week. JH emphasised the concern that the SEN Group had that the review of the service had been continually promised but needed to happen as a matter of urgency.</p> <p>KM confirmed that the review had been commissioned and was due to take place and report in the Autumn, the scope for the review would include:</p> <ul style="list-style-type: none"> • A full review of the scope of YPSS • Recommendations to turn around the trend of increased numbers of exclusions • Increased alignment with the federations • A review of the funding model <p>CK confirmed his view, supported by the group in previous discussions, that the funding mechanism for YPSS is flawed and that there should be more of an AWPU based model to reduce the tension between the funding for statutory provision and preventative work.</p> <p>There was a discussion around the service for pupils with medical needs and the differing service offered between the primary and secondary sector – there was a general view that a consistent service for all ages should be offered.</p> <p>The need to separate provision for pupils with medical needs from the provision being made for excluded pupils was discussed. The need for a 0-18 Behaviour Support Service was also raised.</p> <p>It was proposed that the level of AWPU that would have been received for each pupil on the role of YPSS should be calculated.</p>	EW/PC
6	<p>Special School Banding Moderation Process</p> <p>KK presented an update on the Special School Banding Moderation process. Schools Forum had requested a review of the process and the relative values of the bands following issues that had arisen in the budget setting process for 2010/11. The main amendments to the process have been agreed with the Special School Head Teachers as follows:</p> <ul style="list-style-type: none"> • Amendments to the practicalities of the process including ensuring appropriate representation from each school, some amendments to the paperwork and the introduction of a further 	

peer review process at the end of the moderation day to ensure any cases where there was no agreement could be reassessed on the day.

- Amendments to the timescale of the moderation with the moderation day now proposed to take place in October to ensure time to resolve any issues afterwards and enable full discussion at the December Schools Forum.

CK asked if it was possible to analyse the proportion of pupils on each band on a scale right through from mainstream, ELP, School Action/School Action Plus through to Special Schools. There was some discussion around the descriptors for each band and the complexity of cases which led to pupils being either in mainstream or special provision.

KK

It was agreed that the changes to the moderation process should be recommended to Schools Forum.

EW presented the work that had been done to review the relative values of the bands used to fund Special Schools. A needs led model had been developed based on DfES Circular 11/90 which had proposed different staffing levels appropriate to different levels of need. The relative values of the needs led model compared with the current relative values as follows:

Band	Needs led staffing weighting	2010-11 Band Values
Band 1+	3.64	3.64
Band 1	2.78	2.98
Band 2	2.36	1.89
Band 3	1.93	1.74
Band 4	1.35	1.50
Band 5	1.00	1.00

It was stressed that each special school would need to staff and manage its school based on the mix and needs of pupils rather than rigidly applying the staffing levels suggested in the model for each band, but that the needs led model could be used as a basis for establishing the relative weightings of each band.

The impact on schools of moving to the new relative values, either by fully funding, or by containing band values within the existing budget were considered.

It was agreed that from 2011/12 special schools band values should be based on the needs led weightings.

It was also agreed that the issue of whether the model should be fully funded was one of affordability and would need to be considered in the context of the overall 2011/12 budget.

	<p>PC presented an update on the use of reserves carried forward from 2008/09. The returns indicated that the majority of schools have used, or intend to use, their reserves for the purposes originally intended. In one school the reserves had been redirected due to additional grant funding being received for kitchen refurbishment. It was agreed that this school should be given retrospective approval to use the reserves for a different purpose.</p> <p>A second school had still failed to comply with the requirements of the scheme to submit a signed Intended Use of Revenue Balances Monitoring Return. This issue is one of compliance with the rules of the scheme.</p> <p>It was agreed that this school is asked to account for the failure to comply and to explain how the excessive balance for 2008/09 was utilised in 2009/10.</p>	
8	<p>Update on Schools Balances 2009/10 PC indicated to the group that schools balances for 2009/10 had reduced. There was still some validation required of the final figures and a full report will be brought to Schools Forum in October.</p> <p>It was proposed that this report should also include a review of the forecasts received from schools for the next 3 years. This review should include some detail on the assumptions being made by schools in developing their budget forecasts.</p>	PC
9	<p>Schools Funding Scheme - Leases PC outlined to the group changes in the financial reporting standards that now mean that the assessment of whether a lease is a finance or operating lease is now less straightforward than before. Schools will not now be able to apply the SSAP 21 Test to see if leases comply with the rules for an operating lease.</p> <p>It was agreed that in the interim all schools should contact Central Finance for advice on leases – a letter has already been issued to schools to this effect. It was further agreed that a formal consultation with schools is undertaken to amend the School Funding Scheme to require schools to obtain Central Finance endorsement for any lease arrangement (unless it is with Unilink Finance as these leases are confirmed as compliant).</p>	
10	<p>Capita Upgrade This had been raised as an issue last year when Capita were offering discounts for clusters of schools to receive upgrades to SIMS. Last year we were notified at very short notice and so schools were too late to access the discounts. PC fed back that according to Capita only 2 schools had used the service last year and that at a recent Admin Officers Forum it had been confirmed that schools largely handle the patches themselves. It was agreed that if patches are issued remotely there should be no additional cost to schools.</p> <p>PC to check with Capita what this agreement should cover.</p>	PC

9	<p>Any Other Business</p> <p>Clawback of Surplus Reserves – PC outlined that when the new scheme was issued Head Teachers and Chairs of Governors were asked to sign to say they had read and understood the scheme. It had not been agreed at the time whether that should be an annual requirement or just at the time the scheme changed.</p> <p>It was agreed that this should be an annual requirement as there may be changes in personnel from year to year.</p>	
10	<p>Date & Time of Next Meeting</p> <p>Next meeting scheduled for 22nd September 9.30am at County Hall</p>	

DRAFT

School Funding Scheme – Proposal to amend the scheme in respect of leases

Purpose of the paper

1. To seek Schools Forum agreement to consult schools on an amendment to the Schools Funding Scheme.

Background

2. The School Funding Scheme sets out the rules appertaining to the type of lease that schools may enter in to.
3. There are two kinds of leases, operating leases and finance leases. Finance leases are in substance borrowing and therefore schools are not empowered to enter into such leases without specific borrowing approval from the Secretary of State. Operating leases are in substance rental agreements and are therefore an option available to schools. However, the rules that a LA must use to define leases have changed with the implementation of International Financial Reporting Standards (IFRS) from 1 April 2010 and the assessment is not as straightforward as before.
4. Previously schools could utilise a “SSAP 21 Test”, which was available on WISENET, to determine whether a lease was an operating or a finance lease. This test no longer applies and has been removed.
5. Several years ago the LA put in place an internal leasing arrangement for schools. This option will continue.
6. The LA has also worked closely with Unilink Finance over a number of years and schools have been informed that this company’s lease arrangement is IFRS compliant.
7. In the interim schools have been advised to seek Central Finance endorsement for any new lease that they enter in to.

Main issue for consideration.

8. As the new test is not as clear cut as the old SSAP 21 Test i.e no “pass” or “fail” outcome, schools may find themselves entering into finance leases which would be contrary to the requirements of the School Funding Scheme.

Proposal

7. To amend the School Funding Scheme to require schools to obtain Central Finance endorsement before entering into a lease arrangement, unless it is with a company whose arrangements have been confirmed as compliant and schools informed accordingly.

Recommendations

8. That a formal consultation with schools is undertaken to amend the School Funding Scheme to require schools to obtain Central Finance endorsement before entering into a lease arrangement (unless it is with Unilink Finance)

CAROLYN GODFREY
Director, Department for Children & Education

Unpublished documents relied upon in the production of this Report: NONE

Environmental impact of the recommendations contained in this Report: NONE KNOWN

Report author: Phil Cooch., Schools Accounting & Budget Support Manager, Children & Education Finance Team, Resources Department Tel: 01225 713814 e-mail: philcooch@wiltshire.gov.uk