

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## SCHOOLS FORUM

### MINUTES OF THE MEETING HELD ON MONDAY, 20 JANUARY 2020

**Present:** Reverend Mark Bennet (Church of England Diocese), Councillor Dominic Boeck (Executive Portfolio: Children, Education and Young People), Jonathon Chishick (Maintained Primary School Governor), Catie Colston (Maintained Primary School Governor), Antony Gallagher (Maintained Primary School Headteacher), Keith Harvey (Maintained Primary School Headteacher), Jon Hewitt (Maintained Special School Headteacher), Brian Jenkins (Early Years Private, Voluntary and Independent Provider Representative), Hilary Latimer (Maintained Primary School Headteacher), Sheila Loy (Academy School Governor), Councillor Ross Mackinnon (Executive Portfolio Holder: Finance), Julia Mortimore (Academy School Headteacher), Ian Nichol (Maintained Primary School Governor), Councillor Erik Pattenden (Shadow Portfolio Holder: Children, Education and Culture), Janet Patterson (Maintained Primary School Headteacher), Gemma Piper (Academy School Headteacher (Substitute for Derek Peale)), Chris Prosser (Maintained Secondary School Headteacher), David Ramsden (Maintained Secondary School Headteacher), Jayne Steele (Non School Post 16 Provider), Suzanne Taylor (Maintained Nursery School Headteacher) and Charlotte Wilson (Academy School Headteacher)

**Also Present:** Melanie Ellis (Chief Accountant), Ian Pearson (Head of Education Service) and Lisa Potts (Accountant), Jessica Bailiss (Policy Officer (Executive Support)), Ann Kells (Schools Accountant) and Michelle Sancho (Principal EP & Service Manager)

**Apologies for inability to attend the meeting:** Jacquie Davies, Derek Peale, Jane Seymour, Graham Spellman and Bruce Steiner

*(As both the Chairman and Vice Chairman had given their apologies for the meeting, Keith Harvey was appointed to chair the meeting)*

*Keith Harvey in the Chair*

#### PART I

##### **62 Minutes of previous meeting dated 9th December**

The minutes of the meeting held on the 9<sup>th</sup> December 2019 were approved as a true and correct record and signed by the Chairman.

##### **63 Actions arising from previous meetings**

The Chairman drew the Schools' Forum's attention to the actions from the last meeting on 9<sup>th</sup> December 2019. All actions were completed or were in hand.

##### **64 Declarations of Interest**

There were no declarations of interest received.

##### **65 Membership**

Jessica Bailiss introduced the report (Agenda Item 5), which aimed to ensure members of the Schools' Forum were kept informed regarding the membership of the Forum.

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On the 9<sup>th</sup> December, the Schools' Forum had agreed that the Term of Office for Schools' Forum members be extended from three to four years. Jessica Bailiss reported that the Schools' Forum's constitution had been updated accordingly and any new members joining the Forum from the 9<sup>th</sup> December 2019 would have a Term of Office of four years. Those who were members prior to this date would continue on their three year term.

Regarding vacancies, Jessica Bailiss reported that there were still three vacancies on the Forum and the necessary work was taking place to try and fill the positions, including an election that was scheduled to take place in the spring for the maintained governor position.

### 66 De-delegations 2020/21 (Ian Pearson/Melanie Ellis)

Ian Pearson introduced the report (Agenda Item 6), which set out the detail, cost and charges to schools of the services on which maintained school representatives were required to vote (on an annual basis) whether or not they should be de-delegated.

Ian Pearson explained that the de-delegation proposals had been discussed in great detail at previous Heads' Funding Group and Schools' Forum meetings. The de-delegation proposals had formed part of the consultation with schools and the result of this were included under section 11 of the report. Further details on each service up for de-delegation was also included within the appendices to the report.

Antony Gallagher noted under section 11 of the report, that one Secondary School had disagreed with the proposal to top the Primary Schools in Financial Difficulty Fund up to £200k. Antony Gallagher stressed that this comment was irrelevant as it was not a concern for Secondary School Headteachers, being a fund that was de-delegated by Primary Schools only.

The Chairman invited the Schools' Forum to vote on the de-delegation proposals for 2020/21 as set out under section two of the report.

#### Maintained Primary Schools

Antony Gallagher proposed that maintained primary schools support the de-delegation of the following services and this was seconded by Hilary Latimer. At the vote the motion was carried.

- Behaviour Support Services
- Ethnic Minority Support
- Trade Union Representation
- Schools in Financial Difficulty
- CLEAPSS
- Statutory and Regulatory Duties comprising:
  - Internal Audit of schools
  - Administration of pensions for school staff
  - Health and Safety (Level 1 Support)

#### Maintained Secondary Schools

Chris Prosser proposed that maintained secondary schools support the de-delegation of the following services and this was seconded by David Ramsden. At the vote the motion was carried.

- Behaviour Support Services
- Ethnic Minority Support

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- Trade Union Representation
- CLEAPSS
- Statutory and Regulatory Duties comprising:
  - Internal Audit of schools
  - Administration of pensions for school staff
  - Health and Safety (Level 1 Support)

### **Maintained Special, Nursery and PRU Schools**

John Hewitt proposed that maintained Special, Nursery and PRU Schools support the de-delegation of the following services and this was seconded by Suzanne Taylor. At the vote the motion was carried.

- Statutory and Regulatory Duties comprising:
  - Statutory accounting functions in respect of schools
  - Internal Audit of schools
  - Administration of pensions for school staff
  - Health and Safety (Level 1 Support)

**RESOLVED** that the proposals as set out above and in section two if the report, were agreed by the Schools' Forum.

### **67 Final Schools Funding Formula 2019/20 (Melanie Ellis)**

Melanie Ellis introduced the report (Agenda Item 7), which set out of the result from the consultation with all schools on the proposed primary and secondary school funding formula for 2020/21 and made a final recommendation.

Melanie Ellis drew attention to the recommendations under section 2.1 of the report and explained that schools that had responded to the consultation had largely been supportive of recommendation one to five:

- To mirror the DfE's National Funding Formula to calculate the funding allocations
- To introduce the mobility factor into the local formula
- To address any surplus or shortfall in funding by a combination of reduced AWPU rates and a cap on gains
- To agree the criteria for additional funds as per the consultation
- To agree the de-delegations and to top up the Primary Schools in Financial Difficulty fund to £200k

Consultation results had been closer in relation to recommendation six concerning a transfer of funding from the Schools' Block to support high needs. Eight schools had opted against the transfer and nine in favour of it. Melanie Ellis reported that the item had been considered by the Heads' Funding Group (HFG), which had supported the proposed transfer of 0.25% and this had also been supported by the Council's Executive.

Catie Colston noted that only 17 schools out of 81 schools had responded to the consultation and therefore only those that had made the effort to respond were driving the recommendation. Ian Pearson added that a view to support the transfer had also been taken at the HFG however, the final decision would need to be taken by the Schools' Forum.

David Ramsden added that the matter had been raised a number of times at the Schools' Forum and Antony Gallagher reported that it had also been discussed by with primary heads.

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Hilary Latimer commented that the recommended transfer had been discussed at the HFG and it had been made very clear that the transferred funds would be used for invest to save initiatives, which had made the proposed transfer more favourable.

Reverend Mark Bennet queried how 0.25% would help solve the problem being faced within the High Needs Block (HNB) budget. Ian Pearson explained that pressure within the area of high needs was something that was being faced by schools throughout the country. The Government had made additional funding available for high needs and West Berkshire had received a proportion of this funding, which had been factored into the figures included in the paperwork. Ian Pearson explained that if agreed, a top slice of 0.25% would only be applied in 2020/21 and was one off money. Activity carried out under the invest to save proposals would support children and schools over a 12 month period.

Ian Pearson reported that there was reference to a Special Education Needs and Disability (SEND) Strategy within the report. The SEND Strategy included five strands that were important when considering expenditure pressures. There would not be a decision required on the HNB until the next round of meetings however, a decision on the 0.25% transfer was required in order to configure the amount of funding available to high needs services and set the schools' budget. Early intervention and ensuring schools were adequately equipped to support students with a higher level of need were important elements moving forward.

Ian Pearson added that a report was likely to be required by the Department for Education (DfE) later in 2020 on deficit recovery in West Berkshire. This would be the same for all Local Authorities across the country facing a deficit over a percentage threshold.

Melanie Ellis highlighted that page 66 of the report detailed the responses to the consultation with schools.

Mark Bennet stated that the proposal put forward seemed to fund schools' priorities rather than issues directly affecting high needs services. Ian Pearson disagreed and felt that this statement was misleading. Through the invest to save proposals there would be free access to a Language and Literacy Service (LALs); a designated officer for Therapeutic Thinking; increased support for ASD, which was one of the main elements driving the deficit up. Finally there would be increased short term funding available through the Vulnerable Children's Grant (VCF) for schools that needed to provide support to vulnerable pupils with complex needs.

Jonathon Chishick queried if 0.25% was sufficient. Ian Pearson responded that a lead was being taken from schools on how much they were willing to contribute rather than how much was actually needed. The detail of what was required was set out in the SEND implementation plan. If more money was available then more could be done however, it was important to be realistic.

Councillor Erik Pattenden asked how much money would be required to do everything required within the area of high needs. Ian Pearson stated that it was unclear if further increased funding would be available from Government in subsequent years. In response to Councillor Pattenden's question it was estimated that an extra £1.6/1.8m investment would be required.

Chris Prosser reported that the Secondary Heads Group had met recently and a reluctance to top slice funding had been voiced. If the top slice in funding did go ahead it was important that it was used in a way that represented the needs of schools and Chris Prosser reported that there had been support for the proposed invest to save approach. A long conversation had taken place at the Secondary Heads Group and it had been

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agreed that if a top slice was to go ahead then a percentage lower than 0.25% would be preferred.

David Ramsden added that each element had been discussed at the Secondary Heads meeting. There had been good support for the VCG and investment in LALs. The LALs had been reduced in past years and impacted negatively upon the deficit. There had been support for Therapeutic Thinking however, it was felt that evaluation of the service was required. David Ramsden explained that there had been a little less support for the appointment of two ASD Teaching Assistants (TAs). David Ramsden reported that he understood that this was needed within schools however, there was uncertainty that two higher level TAs was enough to address the problem and the impact would be difficult to evaluate.

Julia Mortimore stressed the importance of evaluation and that she would find it hard to support a 0.25% transfer, however, would support a smaller transfer that would need to be evaluated in a year's time. Gemma Piper stated that a key aspect was to understand goals and what was being achieved by spend. She was uncertain if the funding would reduce the deficit long term or just meet needs.

Ian Pearson reported that officers had tried to provide information on the evaluation of services as part of the de-delegation and high needs proposals. Some services were new such as the Therapeutic Thinking Services and evaluation was based on feedback from schools and success rates in others areas across the country. Michelle Sancho added that the exclusion rate was lower than it had been for four years and this indicated the impact that the service was having. Michelle Sancho also added that she was also aware of permanent exclusions that had not taken place as a result of support for the VCF. Evaluation information would be available in a year's time. If schools and children could be better supported in mainstream schools, then this would help address the pressure being placed on the HNB.

Jonathon Chishick stated that as far as he understood money would be used to help support children with high needs in mainstream schools. This would however, not help reduce the current deficit on the HNB. He felt that a new model was required that maybe charged schools based on use. He felt that the 0.25% would not have a large enough impact on the deficit.

Jonathon Chishick continued by stating that he had heard Headteachers say that they did not want to top slice by 0.25% however, also that the services being provided were extremely important. David Ramsden disagreed and stated that in past a move had been made to charge schools for services and as a result schools had faced severe difficulties and therefore attempts to reduce this deficit with this approach had been unsuccessful. Michelle Sancho reported that she was aware of situations where Headteachers had been faced with complex needs but had been unable to buy into the service that could provide the support required.

Ian Pearson stated that there was a significant issue being faced across the board regarding the pressure on the area of high needs. He acknowledged Jonathon Chishick's point about a model that charged schools for use however, stated that although this could be applied to the proposed ASD TAs and Therapeutic Thinking Service it could not be applied to the LALs to VCF.

Gemma Piper referred to the deficit recovery plan that would hopefully include outcomes for spend. It was important to clarify the reasoning behind the SEND Strategy and assess impact overtime. Ian Pearson reported that all elements contained within the SEND Strategy had been raised by schools and the four areas proposed as invest to save initiatives had been shortlisted.

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The Chairman invited members of the Schools' Forum to consider recommendations one to five under section 2.1 of the report. David Ramsden proposed that the recommendations be agreed and this was seconded by Catie Colston. At the vote the motion was carried.

It was proposed that the sixth recommendation concerning a 0.25 transfer should be deferred until after the next item on the HNB had been discussed.

### **RESOLVED that**

- 1) Recommendations one to five under section 2.1 of the report were agreed.
- 2) Recommendation six would be considered under the HNB item (item eight).

### **68 High Needs Block Budget Proposals 2020/21 (Jane Seymour)**

Ian Pearson introduced the report, which set out the current financial position of the high needs budget for 2019/20 and the position known so far for 2020/21, including the likely shortfall. It also set out some of the saving options and some invest to save proposals.

Ian Pearson reported that the report had not changed significantly since it last came to the Schools' Forum in December. Figures within the report were based on the 0.25% transfer being agreed however a decision was still required on this. The budget for the High Needs Block (HNB) would be decided at the next round of meetings.

Paragraph 3.3 of the report set out that savings of £219k had been implemented in 2017/18 and a further £306k in 2018/19. Despite these savings, a budget was set in 2018/19 which included a planned overspend of £703k. The budget set for 2019/20 included a planned overspend of £1.6m.

Paragraph 3.3 detailed that if the Schools Block transfer was agreed then the total net shortfall in the 2020-21 HNB Budget would be £3,374,029. This included a predicted overspend of £2,209,793.

The table on page 73 of the report gave a clear summary of the position of the HNB and how the budget was allocated, including the likely outturn position. The extra money from the Department for Education (DfE) had been factored into the figures.

Ian Pearson continued and highlighted that Appendix A on page 75 of the report provided further detail on each element of the budget. It was clear that the level of increase was not meeting the level of demand and it was becoming increasingly difficult to meet the level of difficulties being present by children.

Section six under Appendix A detailed the invest to save proposals based on the 0.25% transfer if agreed.

Ian Pearson reported that Appendix B on page 89 of the report provided three saving options. He commented that if all the savings were taken then the amount saved would not offset the overspend in its entirety. Services included in the savings options included the Specialist Inclusion Support Service, PRU Outreach and the Cognition and Learning Team. Each option provided elements for consideration that involved reducing or removing the service. Implications and risks of taking each saving were also provided.

Ian Pearson reported that the Heads' Funding Group (HFG) had considered the saving options and had been reluctant to support any of the savings because of the negative impact that had been caused by cutting such services in the past. If the Schools' Forum wished to pursue any or all of the saving options then more detail could be brought to the next round of meetings. Other areas could also be included if desired.

Appendix C on page 91 of the report provided evaluation and impact data on each of the services included as part of the saving options.

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David Ramsden queried progress with the SEMH Service contract. Ian Pearson reported that the contract had been supported by the Schools' Forum and there had been more than one bidder. Further information on this area would need to be considered under Part II.

Jonathon Chishick commented on the nature of the saving proposals and that they were similar to what was being proposed if the 0.25% of funding was agreed, which he felt was counterproductive. Ian Pearson reported that officers had been asked to present savings options and most could be categorised as early intervention services.

Gemma Piper referred to page 75 of the report regarding place funding and referred to a point that she had also raised at the HFG, in that the table provided the number of places rather than the number of pupil's accessing the service. If actual pupil numbers were not provided then it was not known how many pupils were actually using the service. Ian Pearson explained that places were allocated to provisions including the resource base, PRU, Special Schools and further education. Problems were encountered in that the number of places could vary but were capped. Further funding could not be obtained for increased numbers and places had to be taken from other settings. Gemma Piper stated that at the last meeting she had queried the level of need. If more children were accessing the service then the actual numbers of children should be included. It was agreed that actual numbers would be added to the table.

The Chairman invited members of the Forum to vote on whether the saving options included within the report should be pursued. John Hewitt proposed that the saving options should not be pursued and this was seconded by Catie Colston. At the vote the motion was carried.

The Chairman invited members of Forum to vote on the recommendation under section 2.1 of the Final Schools Funding Formula Report (Item 7), on whether 0.25% should be transferred from the Schools' Block to the High Needs Block. Hilary Latimer proposed that the 0.25% of funding be transferred and this was seconded by John Hewitt. At the vote the motion was carried.

### **RESOLVED**

- 1) That the number of children accessing services rather than the number of planned places be included in the table on page 75 of the report.
- 2) It was agreed that the identified saving options under Appendix B should not be pursued.
- 3) It was agreed that 0.25% should be transferred from the Schools' Block to the High Needs Block.

### **69 Central Schools Block Budget Proposals 2020/21 (Melanie Ellis)**

Ian Pearson introduced the report (Agenda Item 9), which set out the budget proposal for the services funded from the Central Schools Services Block (CSSB) of the Dedicated Schools Grant (DSG) and proposed measures to enable the budget for this block to be balanced.

The budget for 2019/20 was £1,108,030 and the budget requirement in 2020/21 was £1,007,729. Costs had reduced within a number of areas of the block however, there was still a shortfall in funding. The table of page 71 of the report showed how the shortfall would be met and had been reduced to £49k, through money being realised from the ESG unutilised grant.

Ian Pearson reported that the Early Years Block would be reported on at the next round of meetings as it was based on information from the January school census.

Reverend Mark Bennet noted that capacity was reducing in the CSSB and queried if there was enough capacity to deliver services. Ian Pearson commented that there had

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been some reductions within services overall in the CSSB. Councillor Erik Pattenden queried what could not be delivered as a result of the reduced capacity. Ian Pearson reported that there had been a 29% reduction in the Schools' Finance Team. Melanie Ellis stated that finance support was restricted however, they were currently managing with fewer staff. Ian Pearson highlighted some of the other reductions in the block and stated that this would need revisiting the following year.

The Chairman invited member of the Forum to consider the recommendation under section 2.1 of the report to agree the 2020/21 budget for the CSSB. Antony Gallagher proposed that the budget be approved and this was seconded by John Hewitt. At the vote the motion was carried.

**RESOLVED that** the Schools' Forum agree the CSSB budget for 2020/21 as set out in section 2.1 of the report.

### 70 **Dedicated Schools Grant (DSG) Funding Settlement and Budget Overview 2020/21 (Melanie Ellis)**

Melanie Ellis introduced the report (Agenda Item 10), which set out the overall calculation of the Dedicated Schools Grant (DSG) and the funding settlement for 2020/21.

The table under section 4.1 of the report showed the 2020/21 DSG allocation based on the October 2019 census pupil numbers. The total allocation was £137.6m compared to £130.6m in 2019/20.

**RESOLVED that** the Schools' Forum noted the report.

### 71 **Schools: deficit recovery (standing item) (Melanie Ellis)**

Melanie Ellis introduced the report (Agenda Item 11), which gave an overview of schools in deficit. Melanie Ellis referred to the first table of page 120 of the report, which detailed four schools that had submitted a WBC Deficit Budget Licence Application for the financial year 2019/20. Period seven submissions showed that two schools were in a better financial position and two were in a worse position than budgeted. Comments from the schools with worsening positions were included within the report.

It was noted under section four of the report that two schools had ended the financial year 2018/19 with unlicensed deficits and one of the schools was predicting a worse position for 2019/20. Comments from the school with a worsening position were included within the report.

Reverend Mark Bennet noted that there was a relatively low number of schools in deficit given the pressures on schools' funding. If this number was to rise it would place increased pressure on the Schools' Finance Team. Reverend Mark Bennet therefore queried how further schools would be taken care of given the reduction in capacity of this team. Melanie Ellis reported that there was a dedicated resource for schools in deficit within the team. In 2018/19 a higher number of schools in deficit (around 8/9) had been supported and therefore there was capacity to go back to this level again if required. Ian Pearson commented that there was a system in place that monitored school budgets and he praised schools for the hard work undertaken to manage their budgets.

**RESOLVED that** the Schools' Forum noted the report.

### 72 **DSG Monitoring 2019/20 Month 9 (Ian Pearson)**

Ian Pearson introduced the report (Agenda Item 12), which set out the forecast financial position of the services funded by the Dedicated Schools Grant (DSG), highlighting any under of overspends.



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The table on page 124 of the report provided the forecast position at quarter three. Spending within the Early Years Block would need to be monitored as it was particularly volatile and the end of year position was still unclear.

**RESOLVED that** the Schools' Forum noted the report.

### 73 Forward Plan

**RESOLVED that** the Schools' Forum noted the forward plan.

### 74 Date of the next meeting

*Monday 9<sup>th</sup> March 2020, 5pm at Shaw House.*

### 75 Exclusion of Press and Public

**RESOLVED that** members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 3 and 6 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the [Local Government \(Access to Information\)\(Variation\) Order 2006](#). [Rule 8.10.4 of the Constitution also refers](#).

### 76 Schools' Broadband Contract (Thomas Ng)

*(Paragraph 3 – information relating to financial/business affairs of a particular person)  
(Paragraph 6 – information – information relating to proposed action to be taken by the Local Authority)*

The Schools Forum considered an exempt report (Agenda Item 16) which aimed to inform all school representatives of the outcome of a tendering process in order to secure a range of Managed Cloud-based services for schools.

**RESOLVED that** the Schools' Forum agreed to proceed with Option 1.

**Reason for the decision:** As outlined in the exempt report.

**Other options considered:** As outlined in the exempt report.

*(The meeting commenced at 5.00 pm and closed at 6.20 pm)*

**CHAIRMAN** .....

**Date of Signature** .....