

Notice of Meeting

Schools Forum

Monday 15th July 2019 at 5.00pm

**At Shaw House Church Road Newbury
RG14 2DR**

Date of despatch of Agenda: Tuesday, 9 July 2019

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Jessica Bailiss on (01635) 503124
e-mail: jessica.bailiss@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



Agenda - Schools Forum to be held on Monday, 15 July 2019 (continued)

Forum Members: Reverend Mark Bennet, Dominic Boeck, Jeff Cant, Jonathon Chishick, Catie Colston, Jacquie Davies, Antony Gallagher, Keith Harvey, Alan Henderson, Jon Hewitt, Lucy Hillyard, Brian Jenkins, Hilary Latimer, Sheila Loy, Ian Nichol, Erik Pattenden, Janet Patterson, Chris Prosser, David Ramsden, Graham Spellman (Vice-Chairman), Bruce Steiner, Suzanne Taylor and Charlotte Wilson

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Agenda - Schools Forum to be held on Monday, 15 July 2019 (continued)

- 13 **Forward Plan** 43 - 44
- 14 **Date of the next meeting**
Monday 14th of October 2019, 5pm at Shaw House

Sarah Clarke
Head of Legal and Strategic Support

If you require this information in a different format or translation, please contact
Moira Fraser on telephone (01635) 519045.

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

SCHOOLS FORUM

MINUTES OF THE MEETING HELD ON MONDAY, 17 JUNE 2019

Present: Reverend Mark Bennet, Councillor Dominic Boeck, Catie Colston, Antony Gallagher, Keith Harvey, Alan Henderson, Jon Hewitt, Brian Jenkins, Hilary Latimer, Sheila Loy, Ian Nichol, Councillor Erik Pattenden, Janet Patterson, Chris Prosser, David Ramsden, Graham Spellman (Vice-Chairman), Suzanne Taylor and Charlotte Wilson

Also Present: Melanie Ellis (Chief Accountant), Ian Pearson (Head of Education Service), Andy Sharp (Executive Director (People)), Annette Yellen (Accountant for Schools Funding and the DSG) and Jessica Bailiss (Policy Officer (Executive Support))

Apologies for inability to attend the meeting: Councillor Jeff Cant, Jonathon Chishick, Jacque Davies, Lucy Hillyard, Michelle Sancho, Jayne Steele and Bruce Steiner

PART I

1 Election of Chairman and Vice-Chairman

Ian Pearson invited the Schools' Forum to nominate and vote on the positions of Chairman and Vice-Chairman for the coming year.

RESOLVED that no nominations were received and therefore election of Chairman would be deferred until the next meeting of the Schools' Forum on 15th July 2019.

RESOLVED that Graham Spellman would continue as Vice-Chairman of the Schools' Forum for the 2019/20 municipal year.

2 Minutes of previous meeting dated 11 March

Graham Spellman in the Chair

The minutes of the meeting held on the 11th March 2019 were approved as a true and correct record and signed by the Vice-Chairman.

3 Actions arising from previous meetings

Melanie Ellis referred to actions Ac1a and Ac1b from the previous meeting, detailed on page nine of the report.

A detailed explanation had been provided to all schools and members of the Schools' Forum setting out the funding allocations and why errors had been made. The final allocations would be considered by the Schools' Forum later on the agenda and required agreement.

A detailed explanation of errors that had occurred were also provided to the Heads' Funding Group (HFG) on the 5th June 2019. The funding allocations had been discussed and the actions that needed to take place to prevent the situation occurring in the future. The HFG were satisfied with the arrangements that had been put in place.

David Ramsden commented that a detailed discussion had taken place at the HFG. A thorough response had been received from Councillor Lynne Doherty following the last Schools' Forum meeting in March 2019 and Ian Pearson had attended the Secondary

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Heads Forum. The response that had been provided was considered to be robust and honest. Keith Harvey, on behalf of primary schools, concurred with David Ramsden.

Catie Colston stated that in the past useful finance training had been provided for Governors and schools' finance staff. It was felt that an introduction to the new system had been overlooked and it had been particularly difficult to get up to date with the new system in the short period of time available. Catie Colston asked if training could be provided going forward. Melanie Ellis agreed to ensure this would be organised

David Ramsden stated that the discussion at the HFG had covered two main areas, firstly the errors that had occurred and secondly the new software that had been used, which had compounded the situation.

Reverend Mark Bennet stated that schools business managers that he had spoken to would be in favour of a live model or an opportunity to view the formula in advance so that feedback could be provided. He added that some schools did not have a full time bursar and there was increased pressure on these schools.

Ian Pearson acknowledged the points that had been raised and suggested that a response regarding finance training be taken to the next HFG for discussion. He also stated that next year there could be a reality check run on the formula before the allocations were distributed to schools.

RESOLVED that a report be taken to the HFG regarding finance training for Governors and schools' finance staff.

4 **Declarations of Interest**

There were no declarations of interest received.

5 **Membership**

Jessica Bailiss provided the following updates regarding Membership:

- Catie Colston had been re-elected a Primary Governor Representative for a further three years.
- Patrick Mitchell had to stand down from the Forum as he had moved on to a new position. The Heads Association was seeking a replacement Primary School Business Manager representative for the Forum.
- Lucy Hillyard would be standing down from the Schools' Forum in August 2019 and a replacement member would be sought accordingly.
- There was still a secondary governor vacancy. An election would be run again in the coming weeks.

6 **Schools Funding Formula 2019-20 (Melanie Ellis)**

Melanie Ellis introduced the report (Agenda Item 7) which set out the final formula rates and allocations to schools. This required approval from the Schools' Forum and would then be submitted to the Council's Executive on 25th July 2019.

Keith Harvey proposed that the funding formula and allocations to schools for 2019/20 be approved and this was seconded by Ian Nichol. At the vote the motion was carried.

RESOLVED that the Schools' Forum approved the final formula rates and allocations to schools as set out in the report.

7 2018/19 Dedicated Schools Grant: End of Year Outturn Report (Melanie Ellis)

Melanie Ellis introduced the report (Agenda Item 8), which aimed to report on the outturn of the services funded by the Dedicated Schools Grant (DSG), highlighting any under or overspends, and to highlight the reserves deficit at 31st March 2019.

At year end, overall DSG funding received was £115k less than budgeted, but expenditure was underspent by £479k resulting in a deficit reserve of £100k.

The report highlighted each of the funding blocks and section 5.3 of the report outlined that approval was sought so that de-delegated surplus balances could be used to support future budgets.

Melanie Ellis reported that the High Needs Block (HNB) was detailed under section eight of the report, which showed a deficit reserve of £521k. This area was the main area of concern.

Catie Colston proposed that the de-delegated reserves be used to support future budgets and this was seconded by Chris Prosser. At the vote the motion was carried.

RESOLVED that the recommendation set out in section 2.1 of the report was approved by the Schools' Forum.

8 Highwood Copse Funding (Ian Pearson/Melanie Ellis)

Ian Pearson introduced the report (Agenda Item 9), which sought discussion on funding of Highwood Copse School.

A new school (Highwood Copse) had been due to open in September 2019 and funding was set aside for this purpose, which had been agreed by the Department for Education (DfE). The school would have been classed as a 'free school' and operated within the same framework as academy schools. The Academy Sponsor was Newbury College and Theale Primary School was a support partner. The process had been on schedule however, the construction company had gone into administration and the issue had not yet been resolved. The contract was currently out to tender.

The Education and Skills Funding Agency (ESFA) had awarded £88,682 in grant money for the new school for 2019/20 and had confirmed that they would not recoup the money but alternatively recommended that the funding should be moved to the Growth Fund and allocated out to the schools that had taken on the pupils (detailed in section 3.3 of the report).

Ian Pearson concluded that the recommendation was to use the funding that had been allocated to Highwood Copse to fund the schools that had taken on the pupils (set out in 4.1) and to fund Theale Primary School for the costs they would incur (set out in 4.2).

The report had been considered by the Heads' Funding Group (HFG) on 5th June 2019 and it had recommended that the allocation amounts set out in the report should be approved by the Schools' Forum. David Ramsden added that the HFG had discussed the shortfall faced by Theale Primary School and the reasons behind it.

Jon Hewitt proposed that the Schools' Forum approve the recommendation to use the funding to fund the schools that had taken on the pupils and to fund the costs incurred by Theale Primary School. This was seconded by Reverend Mark Bennet and at the vote the motion was carried.

RESOLVED that the recommendation set out in section 2.1 of the report was approved.

9 Schools: Deficit Recovery (Melanie Ellis)

Melanie Ellis introduced the report (Agenda Item 10), which reported on the outturn position of the nine schools that had set a deficit budget in 2018/19 and provided an update on the work that had been carried out to support these schools.

Melanie Ellis reported that nine schools had a licensed Main School Budget deficit in 2018/19 totally £870k. At period nine, the forecast deficit for these nine schools was £640k and the final outturn position was a closing deficit balance of £212k.

Section 6.1 of the report detailed that three schools had ended the financial year with an unlicensed deficit however, each of the three schools had submitted a balanced budget for 2019/20.

Ian Pearson stated that schools needed to be congratulated for their hard work to balance budgets. Headteachers and Governing Bodies had been required to make difficult decisions. Ian Pearson reported that West Berkshire Council remained committed to helping schools and to early intervention.

Councillor Dominic Boeck commended the hard work that had been undertaken by schools. Councillor Boeck referred to the three schools with unlicensed deficits that would submit balanced budgets for 2019/20. He asked if these schools would continue to be supported despite submitting balanced budgets. Melanie Ellis confirmed that the Schools' Finance Team would continue to provide support to these schools as they were currently in deficit.

David Ramsden asked if support was being escalated for schools whose positions continued to worsen. Melanie Ellis confirmed that support would be provided to these schools by a dedicated accountant. David Ramsden commended the work taking place and commented that it needed to continue. Ian Pearson commented that if the relevant action was taken at the right time, schools could be prevented from falling into deficit.

Reverend Mark Bennet referred to schools that were struggling and where difficult decisions were having to be made. Some of these schools had newly recruited Headteachers, which in some circumstances had inherited a deficit. Reverend Mark Bennet asked if schools were improving the positions of their budgets without compromising the care of children. Ian Pearson stated that individual schools were able to speak for themselves however, schools, Headteachers and Governors prioritised the needs and care of children when making decisions. Difficult decisions were often made around staff or a reduction on particular periods. David Ramsden stated that other examples included increasing class sizes and curriculum adjustments. At Little Heath School difficult decisions had been made around its A Level offer. All decisions came at a cost however, most Headteachers and Governors were in agreement that children should be put first.

Ian Nichol as representative of Robert Sandilands School commented that there were many reasons that could cause a school to go into deficit. Changes were put in place and in the case of a school he represented, demographic issues had been addressed. On behalf of all three schools that he represented, he stated that the children were always put first.

Catie Colston noted that the schools listed under 6.1 as ending 2018/19 with an unlicensed deficit, were small rural schools. Such schools were often faced with demographic issues.

Councillor Erik Pattenden noted that in some cases it looked like school deficits would recover due to the extra income received. Ian Pearson reported that schools could receive incomes from a number of different places. All schools recognised that

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generating income supported budgets however, there was increased opportunity to do so for certain schools.

RESOLVED that the Schools' Forum noted the report.

10 School Balances 2018/19 (Melanie Ellis)

Melanie Ellis introduced the report (Agenda Item 11) which set out, for information purposes, the year-end balances for all maintained schools, highlighting those schools with a deficit or significant surplus.

Total balances had increased by £1.6m from 2017/18, mostly comprising of £802k in main school budgets (MSB) and £699k in capital. The majority of the MSB change was due to the nine deficit schools reducing their combined MSB deficits by £600k. All schools had been required to make tough decisions to improve their financial positions and national agreements of funding were invariably agreed for limited periods of time and therefore could not be relied upon for future budgeting purposes.

Regarding capital funding, Melanie Ellis added that extra funding was not received until February 2019 and therefore schools had not had much time to spend the allocation before the end of the year.

Ian Pearson drew attention to table 4.6 which showed the increase/decrease by school category and in particular highlighted a substantial increase for primary schools. It was important to understand the reason for the increase and added that much of this funding had come through specific routes and there were restrictions regarding how it could be spent.

It was highlighted that nursery Schools and iCollege had seen a reduction in balances.

Ian Pearson reported that it was vital that schools planned ahead and this was a consistent message being sent to schools to help prevent them falling into deficit. Hilary Latimer stated that this was particularly important for smaller schools as it was an economies of scale issue.

RESOLVED that the Schools' Forum noted the report.

11 Forward Plan

RESOLVED that the Schools' Forum noted the work programme.

12 Date of the next meeting

The next meeting would take place on 15th July 2019, 5pm at Shaw House.

(The meeting commenced at 5.00 pm and closed at 5.43 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4

Actions from previous meeting

Ref No.	Date of meeting(s) raised	Item	Action	Responsible Officer	Comment / Update
Jun19-Ac1	17th June 2019	Election of Chairman and Vice-chairman	To defer the election of Chairman to the next meeting on 15th July.	JB	This item has been placed on the agenda for the 15th July 2019.
Jun19-Ac2	17th June 2019	Actions from previous meeting (funding allocations)	A report be taken to the HFG regarding finance training for Governors and schools' finance staff.	ME	A verbal report was given on this at the HFG on 2nd July 2019.
Jun19-Ac3	17th June 2019	Schools: Deficit Recovery	A summary of income generation to be included in next report to the Forum.	ME	This will be provided under Agenda Item 9 on 15th July 2019.

Ongoing Actions

Ref No.	Date of meeting(s) raised	Item	Action	Responsible Officer	Comment / Update
Jan19 - Ac1	21st January 11th March 2019 17th June 2019	Membership	An election be conducted for the position of Secondary Governor Representative on the Schools' Forum.	Jessica Bailiss	An election was run in June/July however, there were no nominations. This will be re-visited in the new academic year.

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Schools' Forum Membership and Constitution from September 2019

Report being considered by: Schools Forum on 15th July 2019
Report Author: Jessica Bailiss
Item for: Decision **By:** All Forum Members

1. Purpose of the Report

- 1.1 To review and where necessary update the membership and Constitution of the Schools Forum.

2. Recommendation

- 2.1 To approve the membership and Constitution of the Schools Forum from September 2019.

Will the recommendation require the matter to be referred to the Council or the Executive for final determination?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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3. Introduction/Background

- 3.1 The Schools' Forum is required to review its membership and constitution annually. The last change made to the constitution was in 2018 and there has since been no legislative changes requiring a change to our current practice. The current constitution complies with The Schools Forums (England) Regulations 2012. The membership however does need to be reviewed to see if the split based on pupil numbers is still correct or needs to be changed.
- 3.2 The current rules in respect to School Forum membership are as follows:
- (1) The need to have full representation for the various types of school with the number of members representing each being broadly proportionate to the number of pupils in each phase. This is to ensure debate within the Schools' Forum is balanced and representative.
 - (2) There is no minimum or maximum number of members, but non school members must not make up more than one third of the total membership. However, care should be taken to keep the Schools Forum to a reasonable size to ensure that it does not become too unwieldy.
- 3.3 The current breakdown in pupil numbers between the three main groups is as follows (*Pupil numbers include Nursery and Sixth Form*):

TABLE 1	Pupil Numbers (Jan 18 census)		Pupil Numbers (Jan 19 census)	
	Number	%	Number	%
Primary Schools	(62) 12,769	51%	(62) 12,748	50.2%
Secondary Schools	(3) 3,809	15%	(3) 3,902	15.4%
Academy Schools	(11) 8,513	34%	(11) 8,713	34.4%
TOTAL	25,091	100%	25,363	100%

(*The number of schools in each sector is shown in brackets)

3.4 Data shows that overall the percentage of pupils in each sector has fluctuated slightly. One school has converted to an academy since the 2018 census, however, because there was knowledge of this conversion when writing the report for 2018, the pupil numbers were included within the Academy data.

3.5 The current membership of the Schools' Forum is organised as follows:

TABLE 3					
School Members	Heads	Governors	Other	Total	
	Number	Number	Number	Number	%
Primary	4	3	1 (v)	8	50%
Secondary	2	1 (v)	0	3	19%
Academies	3	2	0	5	31%
	9	6	1	16	100%
Other School Members					
Nursery Schools	1			1	
Special Schools	1			1	
iCollege	1			1	
Non School Members					
RC Diocese			1	1	
C of E Diocese			1	1	
Early Years PVI			1	1	
Trade Union			1	1	
Non School Post 16			1	1	
TOTAL MEMBERSHIP	12	6	6	24	
Proportion of School Members (minimum must be 66.7%)				79.17%	

- 3.6 Elected Councillors join the Forum on the basis of being observers with speaking but not voting rights.
- 3.7 It is not proposed to make any changes to the structure of the membership however, if another school converts to an Academy in 2019 it is likely that there will need to be a change to the Membership in 2020.

4. Membership – end of term

- 4.1 The term of office for members of the Forum is three years or until the position by virtue of which they are eligible for Forum membership comes to an end, whichever is the sooner.
- 4.2 The following Forum members will be coming to the end of their terms in 2019:
- David Ramsden – September 2019
 - Jon Hewitt – September 2019
 - Brian Jenkins – September 2019
 - Jonathan Chishick – October 2019
- 4.3 Each Member will be contacted individually as the end of their term approaches and asked to consult with their relevant forums or alternatively for Governors an election process will be coordinated.

5. Constitution

- 5.1 Amendments are being proposed to the Constitution to ensure it reflects the recent election activity that has been taking place to elect Governor representatives. The amendments can be viewed under section 2.3 (Election of School Members) and 2.8 (Terms of Office), but are summarised below:

2.3 Election of Schools Members

~~Governors representatives shall be elected by the Governors Forum~~

Governors shall be elected through an election process coordinated by the Clerk to the Schools' Forum.

Support can be requested by Heads Forums ~~or Governors Forum~~ or the Clerk to the Schools' Forum to help manage their election process.

2.8 Terms of Office

The term of office for members of the Forum is three years. The same members can be reappointed providing they are re-elected by the group that they represent. This also applies to any permanent substitutes. A Governor representative reaching the end of their term, can stand again for re-election through an election process run by the Schools' Forum Clerk.

- 5.2 Forum members are invited to suggest any further changes which they deem necessary or desirable.

6. Proposals

- 6.1 That the Schools' Forum agree the amendments regarding the election of Governor Representatives.
- 6.2 There have been no changes to the Regulations or Operational Guidance for the Schools Forum so it is not proposed to make any other changes to the Constitution.

7. Conclusion

- 7.1 The Schools Forum is invited to approve the membership and the Constitution for the Schools Forum from September 2019.

8. Consultation and Engagement

- 8.1 Ian Pearson (Head of Education)

9. Appendices

- 9.1 Appendix A: Membership of the Schools Forum as at July 2019
- 9.2 Appendix B: Constitution of the Schools Forum

West Berkshire Council Schools' Forum

Membership as of July 2019

Contact e-mail address for all members: schoolsforum@westberks.gov.uk

<u>School Members:</u>				Start	End	Duration
<u>Nursery Schools</u>	Suzanne Taylor	Headteacher	Hungerford Nursery School	Apr-17	Apr-20	3 years
<u>Primary Schools</u>	Jonathan Chishick	Governor	Englefield C of E Primary	Oct-16	Oct-19	3 years
	Antony Gallagher	Headteacher	Burghfield Primary School	Feb-19	Feb-22	3 years
	Janet Patterson	Headteacher	Brightwalton Primary School	Mar-19	Mar-22	3 years
	Keith Harvey	Headteacher	St Nicholas' School	Jan-19	Jan-22	3 years
	Hilary Latimer	Headteacher	Englefield C of E Primary	Nov-18	Nov-21	3 years
	<i>vacancy</i>	School Business Manager				3 years
	Catie Colston	Governor	Enborne Primary School	May-19	May-22	3 years
	Ian Nicol	Governor	Robert Sandilands Primary School	Jan-19	Jan-22	3 years
<u>Secondary Schools</u>	Chris Prosser	Headteacher	The Downs School	Oct-17	Oct-20	3 years
	David Ramsden	Headteacher	Little Heath School	Sep-16	Sep-19	3 years
	<i>vacancy</i>	Governor				
<u>Special Schools</u>	Jon Hewitt	Headteacher	The Castle School	Sep-16	Sep-19	3 years
<u>Pupil Referral Units</u>	Jacque Davies	Headteacher	The Reintegration Service	Oct-18	Oct-21	3 years
<u>Academies</u>	Sheila Loy	Governor	Newbury Academy Trust	Dec-18	Dec-21	3 years
	Alan Henderson	Headteacher	John O'Gaunt School	Dec-17	Dec-20	3 years
	Lucy Hillyard	Headteacher	Denefield School	Mar-17	Mar-20	3 years
	Bruce Steiner	Governor	St Bartholomews School	Jul-18	Jul-21	3 years
	Charlotte Wilson	Headteacher	Trinity School	Oct-18	Oct-21	3 years
<u>Non School Members:</u>						
Non School Post 16 Providers	Jayne Steele	Director of Finances and Resources	Newbury College	Jan-19	Jan-22	3 years
Early Years PVI Providers	Brian Jenkins	Proprietor	Jubilee Day Nursery	Sep-16	Sep-19	3 years
Church of England Diocese	Reverend Mark Bennet		Diocese of Oxford	Dec-18	Dec-21	3 years
Roman Catholic Diocese	Graham Spellman		Diocese of Portsmouth	Jul-17	Jul-20	3 years
Trade Union	Gary Upton		NASUWT	Oct-18	Oct-21	3 years
<u>Other Attendees:</u>						
<u>Executive Members:</u>						
	Dominic Boeck	Portfolio Holder for Children and Young People				
		Shadow Portfolio Holder for Education, Children's Services, Adult Social Care, Health & Wellbeing				
	Erik Pattenden					
	Jeff Cant	Portfolio Holder for Finance and Transformation				
<u>LA Officers:</u>						
	Ian Pearson	Head of Education Service				
	Melanie Ellis	Chief Accountant				
<u>Clerk:</u>						
	Jessica Bailiss	Policy Officer				

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CONSTITUTION OF THE WEST BERKSHIRE SCHOOLS' FORUM

Background

1. The West Berkshire Schools Forum (hereafter referred to as the “the Forum”).
2. The requirement to establish a schools forum comes from the Education Act 2002. The main purpose of the Forum is to consider aspects of the relationship between schools and the local authority relating to financial matters.
3. The Forum is a decision making and consultative body in relation to matters concerning schools’ budgets as defined in the School and Early Years Finance (England) Regulations 2014, the Schools Forum Regulations 2012 and the School Budget Shares (Prescribed Purposes) (England) 2002. The Schools Forum Regulations 2012 govern the composition, constitution and procedures of Schools’ Forums.¹

This document is divided into 3 sections:

- A. Terms of Reference of the West Berkshire Schools’ Forum
- B. Membership of the West Berkshire Schools’ Forum
- C. Operating Conventions of the West Berkshire Schools’ Forum

A. TERMS OF REFERENCE OF THE FORUM

1.1 Status of the Forum

The Forum is established in accordance with Sections 47(1) 47A of the School Standards and Framework Act 1998 and The Schools Forums (England) Regulations 2012.

1.2 Annual Consultation on School Funding

The authority must consult the Schools Forum annually in respect of the authority’s functions relating to school funding including:

- Changes to the funding formula.
- The allocation of the Dedicated Schools Grant (DSG), including redistributions between blocks
- Contracts where the LA is entering into a contract to be funded from the schools budget
- Funding arrangements for pupils with special educational needs, in particular the places to be commissioned by the LA and schools, and the arrangements for paying top up funding

¹ These Regulations can be accessed at:<http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefunding/schoolsforums/a00213728/schools-forums-england-regs-2012>

- Funding arrangements for the use of Pupil Referral Units and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools, and the arrangements for paying top up funding
- Central spend on children and young people with high needs
- Funding arrangements for early years provision
- Central spend on licences negotiated centrally by the Secretary of State
- Administrative arrangements for the allocation of central government grants paid to the schools via the authority
- Changes to the Minimum funding Guarantee to go to the DfE for approval
- Any other matter concerning the funding of schools as the Forum sees fit

1.3 Annual Decisions on School Funding

School Forum Members must decide annually on the following proposals made by the LA:

- The amount of expenditure the local authority can centrally retain from the school budget, including growth fund, falling rolls fund, admissions, servicing of schools forum, central spend on early years
- The criteria for allocating funding from the growth fund and falling rolls fund
- The de-delegation for mainstream maintained schools of allowable central budgets by the schools representatives of the relevant phase on behalf of all the schools they represent.
- Carry forward of over/under spend on central expenditure to the next financial year
- Revisions to the authority's Scheme for Financing Schools

B. MEMBERSHIP OF THE FORUM

2.1 Composition

Schools' Forums regulations 2012 state that the primary schools, secondary schools and Academies must be broadly proportionately represented on the forum having regard to the total number of the registered pupils. The proportionality of the membership will be reviewed annually (in June/July) so that elections if required can be held by the end of the end of the Summer term ready for the new academic year.

The Forum shall in total comprise of 24 members being 19 school members (including Academies) and 5 non school members. The school members shall be Headteachers, Governors or Early Years representatives drawn from the schools / partnerships in the West Berkshire Local Authority area. The Primary and Secondary Headteacher members groups may also include, at the Local Authority's discretion, representatives of Headteachers - senior members of staff, such as School Business Managers.

2.2 School Members

The current number of representatives in each phase is as follows:

- a) **Primary Headteachers or their Representative**
8 representatives from primary schools of which at least 4 must be Headteachers.

- b) Secondary Headteachers or their Representative**
3 representatives from secondary schools of which at least 2 must be Headteachers.
- c) Special School Representatives**
1 representative from the special schools.
- d) Nursery School Representatives**
1 representative from the nursery schools.
- e) Academy Headteachers or their Representative**
5 representatives from the Academies, as elected by the proprietors of the Academies, of which at least 2 must be Headteachers.
- f) Pupil Referral Unit Headteachers or their Representative**
1 representative from the Pupil Referral Units.

2.3 Election of Schools Members

The primary school and secondary school representatives shall be elected by their respective Heads Forum.

Academy representatives shall be elected by the Academies proprietors.

~~Governors representatives shall be elected by the Governors Forum~~

Governors shall be elected through an election process coordinated by the Clerk to the Schools' Forum.

The special school representative shall be elected by mutual agreement between the two special schools.

The nursery school representative shall be elected by mutual agreement between the two nursery schools.

The pupil referral unit representative shall be elected by mutual consent between the pupil referral units.

Support can be requested by Heads Forums ~~or Governors Forum~~ or the Clerk to the Schools' Forum to help manage their election process. The Clerk of the Schools' Forum must make a record of the process by which the constituents of each group elect their nominees to the Forum.

An election scheme must take into account the following factors:

- The process for collecting names of those wishing to stand for election.
- The timescale for notifying all constituents of the election and those standing.
- The arrangements for dispatching and receiving ballots.
- The arrangements for counting and publicising the results.
- Any arrangements for unusual circumstances, such as only one candidate standing in an election or where there is a tie between two or more candidates.
- Whether existing members can stand for re-election.

If an election does not take place by any date set by the Authority or any such election results in a tie between two or more candidates the Authority will appoint the schools member.

2.4 Non-School Members

In addition to the 19 school members a representative of the following groups will have full voting rights within the Forum except for voting on the funding formulae where only the Early Years PVI Provider representative can vote:

- Roman Catholic Diocese
- Church of England Diocese
- Trade Union
- Early Years PVI Provider
- Non school Post 16

The representative will be elected by their group and the record of the appointment process will be held by the Clerk of the Schools' Forum.

2.5 Substitute Members

Representative groups may nominate permanent substitutes who have sufficient experience and knowledge of schools funding to attend meetings.

and/or

A stand-in substitute who attends as a full voting member if a headteacher or permanent substitute is unavailable. Stand-in substitutes may attend some meetings as an observer to gain an insight into the work of the Forum.

The clerk must be notified in writing 24 hours before the start of the meeting that a substitution will be required. Substitute members will have full voting rights when taking the place of the substantive member for whom they are the designated substitute.

2.6 Participation of Observers

Observers shall be invited to attend Forum meetings. Observers may participate in the debate but will not have voting rights should any business of the Forum require a vote. The following groups shall be asked if they would like to nominate an observer (and a named substitute) to the Forum:

- The Education Funding Agency (EFA)

2.7 Council Officers and Elected Members

Officers may attend and speak at the Forum meetings in an advisory capacity only. The following or their representatives will be invited to attend the Forum meetings:

- Executive Director (People) or their representative
- Head of Finance or their representative
- Children & Young People Portfolio Holder
- Children & Young People Shadow Portfolio Holder
- Finance Portfolio Holder
- Clerk to the Schools' Forum

2.8 Terms of Office

The term of office for members of the Forum is three years. The same members can be reappointed providing they are re-elected by the group that they represent. This also applies to any permanent substitutes. A Governor representative reaching the end of their term, can stand again for re-election through an election process run by the Schools' Forum Clerk.

As well as the term of office coming to an end, a schools member ceases to be a member of the Schools' Forum if he or she resigns from the Forum, giving at least one month's written notice, or no longer occupies the office which he or she was nominated to represent. An election should be held within the outgoing members electing group to nominate a successor. The Clerk will then inform the Forum members of the result of the election within one month.

2.9 Failure to attend meetings

Where a member of the Schools' Forum fails throughout a period of six consecutive months from the date of their last attendance to attend a meeting of the Forum (or to organise for an appropriate substitute to attend on their behalf), then subject to certain exceptions, they will cease to be a member of the Schools' Forum unless the failure was due to some reason approved before the expiry of that period.

C. OPERATING CONVENTIONS OF THE WEST BERKSHIRE SCHOOLS FORUM

3.1 Ordinary Meetings

An ordinary meeting of the Forum shall be held, at a minimum, four times a year.

3.2 Administration of Meetings

Meetings of the Forum shall be convened by the Local Authority, who will arrange the clerking and recording of meetings. The cycle of annual meetings are based on the financial year. All the meeting dates for the next financial year are set by the end of March every year.

Items for consideration by the Forum shall be submitted to the Clerk no later than 10 working days prior to the meeting. The agenda and working papers should be circulated a week in advance of the meeting date. Every effort should be made to circulate minutes to Forum members within 10 working days of the meeting.

3.3 The Chair and Vice Chair

The Chair and Vice-Chair shall be elected from within the membership of the Schools Forum (but may not be either an elected member or an officer of the local authority).

3.4 Quorum

The Forum shall be quorate if at least 40% of the total membership is present (this excludes observers and vacancies). If the Forum is not quorate the meeting can proceed and the members present can give advice to the local authority, but the authority is not obliged to take that advice into consideration. Decisions on the schools budgets may not be taken unless 40% of the school members (Headteachers and Governors) are present.

3.5 Voting

Each member shall only have one vote. Voting shall be by show of hands. If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote. When the vote is on the schools funding formula only the schools members and the Early Years Representative are eligible to vote.

3.6 Sub-Committees and Working Groups

The Forum may have sub-committees or working groups. The Forum shall receive reports from the sub-committees or working groups to approve formally.

3.7 Declaration of Interest

Any member of the Forum who has an interest in any proposal beyond the generality of the group that they represent or in which they might have a personal or prejudicial interest shall declare the interest at the beginning of the relevant item. The member can explain any issues to the meeting and then must leave the meeting until the item has finished. The member cannot vote on that item.

Where it is clear that a decision in which a member has an interest is likely to arise at a particular meeting, the meeting concerned may invite a substitute member (with no interest to declare) in accordance with the constitution to attend the meeting in their place. Elected members are subject to the governance of the Council's Code of Conduct.

3.8 Status of Reports

All report authors will be responsible for informing the clerk in advance of the status of reports to be included in the agenda i.e. confidential or non-confidential.

3.9 Expenses

The Local Authority shall maintain a budget for the reimbursement of all reasonable expenses relating to the operation of the Forum and charge these expenses to the Schools Budget. The Local Authority shall reimburse expenses of members of the Forum when members submit appropriate claims, in connection with attendance at the meetings. Supply cover should only be claimed when it has been necessary to employ a supply cover teacher to enable the Headteacher to attend the Forum.

3.10 Interpretation of the Constitution

The Chair or person residing at the meeting shall be the final arbiter regarding the interpretation of the Forum's constitution. The constitution shall be interpreted in conjunction with the relevant provisions contained in the legislation relating to the Forum's proceedings. The requirements of legislation will prevail in the event of there being any inconsistency between the legislation and the constitution.

3.11 Amendment of the Constitution

With the exception of matters subject to legislative provision or approval by the authority, the Forum may vary its constitution by a simple majority vote by the members provided that prior notice of the nature of the proposed variation is made and included on the agenda for the meeting.

3.12 Publicity relating to the Schools Forum

The Schools Forum is a public meeting and the Local Authority is responsible for putting the Schools' Forum papers, minutes and decisions promptly on the West Berkshire

Council website and generally draw schools attention to forthcoming Schools' Forum meetings and agendas and the minutes of forum discussions.

Document approved by the School's Forum in July 2015 and was reviewed and agreed in 2016, 2017 and 2018.

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Primary Schools in Financial Difficulty – Bids for Funding 2019/20

Report being considered by: Schools Forum on 15th July 2019

Report Author: Melanie Ellis

Item for: Decision **By:** All Primary Maintained Schools Representatives

1. Purpose of the Report

1.1 To summarise the bids that have been received from schools in deficit to access funding from the ‘primary schools in financial difficulty’ de-delegated fund. These bids were discussed and recommended for approval at the Heads Funding Group.

2. Recommendation(s)

2.1 To approve the following bids:

- | | | |
|-----|-------------------------------|---------|
| (1) | St Finian’s RC Primary School | £35,500 |
| (2) | St Joseph’s RC Primary School | £10,299 |
| (3) | Kintbury CofE Primary School | £31,300 |

Will the recommendation require the matter to be referred to the Council or the Executive for final determination?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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3. Introduction

- 3.1 Since April 2013, local authorities have been required to delegate to all schools the contingency previously held for schools in financial difficulty. Each phase in the maintained sector then has the option to de-delegate and pool this funding, with allocations made to schools that need it. This decision is made on an annual basis.
- 3.2 It was agreed at the Schools Forum meeting 10/12/2018 that the Primary Schools in Financial Difficulty fund would in future be capped at £200,000 and no funds would be de-delegated in 2019/20.
- 3.3 The balance available as at 31.03.19 is £252,047, payment of the 3 bids below would reduce the balance available to £174,948.
- 3.4 The criteria agreed by the Schools’ Forum for allocating this funding to schools is as follows:

If a school has a deficit budget it may be allocated additional support funding. If a school can meet the following criteria, a bid for additional funding can be made by the school to be considered by the Schools’ Forum:

1. *The school has sought and followed the advice of the Schools' Accountancy Service **prior** to going into deficit*
2. *The school has (up to) a five year robust deficit recovery plan in place which has been discussed with and verified by the Schools' Accountancy Service.*
3. *Additional funding may be payable for one of the following exceptional unforeseen circumstances which has taken the school into deficit:*
 - a) *Short term downturn in pupil numbers - to maintain current staffing structure where evidence can be provided that the numbers are likely to recover within a 2 - 3 year period and where downsizing of staff and resultant redundancy costs in order to balance the budget on a short term basis would not be an efficient use of resources.*
 - b) *Sudden permanent downturn in pupil numbers in a school causing concern (i.e. Ofsted category of notice to improve or worse – to maintain current staffing levels on a temporary basis where to reduce the staffing levels immediately in order to balance the budget would be detrimental to the recovery of standards in the short term.*
 - c) *Unforeseen sudden permanent downturn in pupil numbers –to cover staffing costs during a short term interim period whilst restructuring takes place and in order where possible to avoid redundancies (such as through natural wastage).*
 - d) *Redundancy payments, where the staffing reductions are required in order to balance the budget, but these costs will put the school further into a deficit position and taking the school longer to recover the deficit.*
 - e) *Any other one off costs incurred on recovery of the deficit, such as specialist consultancy advice/support (it was agreed by Schools' Forum on 11th July 2016 that where West Berkshire's Accountancy Service are engaged for such support, the cost can be charged direct to this fund without making a separate bid).*
 - f) *Additional Circumstance (from April 2018): Schools not currently in deficit but required to restructure to avoid going into deficit, may also make a bid for reimbursement towards their one-off redundancy costs.*

In order to access this funding, a school will need to complete and submit an application to the WBC Schools' Finance Manager who will arrange a panel (usually the next Heads Funding Group) to assess the application. The school will be invited to present their case in person to the panel and answer questions. The panel will recommend the amount and duration of the financial support to Schools' Forum for approval or not.

- 3.5 Note that the decision to be taken by Schools' Forum is by Primary maintained school representatives only.

4. St Finian's RC School

4.1 Funding sought £35,500.

4.2 To help offset the loss of funding due to the temporary down turn in pupil numbers and assist with the one off unprecedented long term sickness of teaching staff the school is requesting £30,000. In 2013/14 there was an unprecedented low intake of 18 children. Despite an increase in numbers in Year 2, an equally unprecedented mobility rate has meant carrying a small class through the school, so now as current Year 5, there are 14 children of which 47% have joined after Year R. Various measures have been undertaken to offset the impact of the small cohort including joining year groups. However, the healthy pupil roll in classes either side has meant

that this is no longer possible. The schools was remaining within budget until a number of long-term sickness absences amongst teaching and support staff happened between 2016/17 and 2017/18. Historically the school lost out on supply insurance so have not insured for many years, which has been a cost saving.

- 4.3 On the advice of WBC Finance the school is also requesting an agreement in principle to an additional £5,500 to cover expected redundancy costs in 2019/20 and 2020/21.
- 4.4 The school has taken out Teacher Absence insurance in 2019/20.
- 4.5 The bid meets the criterion 3a, d and e set by the Schools' Forum.
- 4.6 The contribution would enable the school to recover from deficit by 2021/22.
- 4.7 Heads Funding Group recommend that this bid be approved.

5. St. Joseph's RC Primary School

- 5.1 Funding sought £10,299.15 for redundancy costs incurred in 2018/19 following an office restructure. The restructure was carried out following a benchmarking exercise and as one part of a deficit recovery plan.
- 5.2 The bid meets criterion 3d set by the Schools' Forum.
- 5.3 The 2019/20 budget submission shows a nil balance the funding would enable the school to ensure they remain within this budget and avoid going into deficit.
- 5.4 Heads Funding Group recommend that this bid be approved.

6. Kintbury CofE (VC) Primary School

- 6.1 Agreement in principle is being requested for £31,300 funding in respect of unplanned expenditure the school is incurring due to the unplanned and uninsured absence of the current Headteacher.
- 6.2 The bid meets criterion 3e set by the Schools' Forum.
- 6.3 The 2019/20 budget submission shows a £1,507 surplus balance, the funding would enable the school to ensure they remain within this budget and avoid going into deficit.
- 6.4 Heads Funding Group recommend that this bid be approved.

7. Recommendation and Conclusion

- 7.1 The Heads Funding Group recommends that these bids be supported.

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Schools: Deficit Recovery

Report being considered by: Schools Forum on 15th July 2019
Report Author: Melanie Ellis
Item for: Information **By:** All Maintained Schools Representatives

1. Purpose of the Report

- 1.1 This report was previously presented on 17th June 2019. It reports on the outturn position of the nine schools that set a deficit budget in 2018/19, provides an update on the work that has been carried out to support these schools and now at request of the members of the Schools Forum includes a breakdown of the Total Income variance.

2. Recommendation

- 2.1 That the report be noted.

Will the recommendation require the matter to be referred to the Council or the Executive for final determination?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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3. 2018/19 Outturn Position - Licensed Deficit Schools

Nine schools had a licensed Main School Budget (MSB) deficit in 2018/19, totalling £870k. At Period Nine, the forecast deficit for these nine schools was £604k and the final outturn position is a closing deficit balance of £212k.

- 3.1 The overall improvement from budget to year end is £658k which is an excellent outturn. Five schools ended the year out of deficit.

4. Income generation

- 4.1 Of the £658k improvement above, £531k is from income. The analysis below shows where this has come from.

Schools: Deficit Recovery

Type of income	£
DfE Strategic School Improvement Grant	21,404
Ofsted	7,840
Vulnerable children grant	12,638
Applied Behaviour contribution	9,900
Other grants	300
Community learning provision	5,904
Before or after school club	692
Rental income	4,434
Hearing resource unit	11,408
Training income	1,491
Teaching courses	1,036
Non-specific donations or voluntary funds	41,899
Underbudgeted school meals	441
Early years funding shortfall	- 6,284
Other	- 6,491
Subtotal	106,612
Parental contributions	207,510
Specific donations or voluntary funds	145,373
Insurance claims received	39,292
Schools Direct Contribution	32,521
Contributions and reimbursements	424,696
Total	531,308

- 4.2 A large amount of this income is actually cost reimbursement, which has to be accounted for in this way, with the related expenditure shown in the expenditure section of the budget.

Vulnerable Children’s Fund 2018-19

Report being considered by: Schools’ Forum on 15th July 2019
Report Author: Michelle Sancho
Item for: Information **By:** Ian Pearson

1. Purpose of the Report

1.1 Review of Vulnerable Children’s Fund 2018/19

2. Introduction/Background

2.1 The Vulnerable Children’s Fund (VCF) is a highly appreciated, relatively small fund, for small schools who have unexpected additional financial pressures due to in-year admissions of children with social and emotional difficulties. It is specifically devised to promote social inclusion, reduce exclusions and reduce the pressure on SEN budgets by providing temporary funding.

3. Supporting Information

3.1 Budget

The VCF budget for 2018-19 was £50,000. It is was reduced from £60,000 from the previous year in order to contribute to savings in the High Needs Budget.

3.2 Allocation of Fund

The table overleaf shows an overview of the allocation of funding over the past 3 years. The number of requests for the Vulnerable Children’s Grant (VCG) reduced this year partly due to the fact that the fund was depleted well before the end of the financial year. The number of schools accessing the support has remained similar (35 this year and 34 last year). The number of requests refused slightly reduced this year. Refusals were mainly due to repeat requests for the same student.

Primary schools accessed the majority of the fund (97%) in 2018/19. No requests were extended beyond the initial term. In keeping with previous years the majority of the schools used their VCG to fund additional teaching assistant support.

Table 1 - Allocation of VCF 2016-2019

	2016/17	2017/18	2018/19
Requests Agreed	67	48	27
Requests Refused	4 (2 EHCs and 2 repeats)	10	8
Schools Accessing Fund	31	36	35

Primary	29 (94%)	34 (94%)	34 (97%)
Secondary	2 (6%)	2 (6%)	1 (3%)
PRUs	0	0	0
Students Supported	53	55	27
Primary	51 £69,980	53 £62,230	26 £49,300
Secondary	2 £5,300	2 £1,750	1 £700
PRUs	0	0	0
Requests Extended Beyond Initial Term	14 (21% of total)	1 (2% of total)	0
Type of Support:			
Additional TA	79%	90%	88%
External Package	5%	6%	6%
Holiday Support	0	4%	0
Medical Support	16%	0	6%
Total spend	£75,280	£63,980	£50,000

3.3 Feedback

Feedback was sought from schools using a brief online survey. Schools were asked how the grant was used, whether any exclusions had taken place and whether the pupil in receipt of the grant had made progress. Excerpts from feedback from schools are below:

“The school has used the funding to help support the child educationally, in Literacy lessons, and emotionally. Due to missing a year of schooling due to a brain tumour, he obviously has gaps in his learning. So we decided the best way to support him was to provide 1:1 help in Literacy lessons. This support has helped him access the curriculum and has also been used to help encourage good learning behaviours. We have been able to give him methods to allow him to start work independently and ask for help in an appropriate way. The 1:1 support has meant the work could also be adapted if needed.”

“The funding enabled us to maintain 1:1 support for the children whilst we gathered evidence for an EHC application. This was vital in supporting the children to regulate their emotions and to engage in learning opportunities.”

“The funding has been key in being able to afford a support assistant to support child A and be able to offer an individualised curriculum to enable him to avoid permanent exclusion.”

4. Conclusion

- 4.1 The VCG aims to be fair, equitable and simple to request. Feedback from schools indicates that it is valued and has significant impact. If schools, particularly smaller primary schools, cannot access this support in the future it could lead to increased movement between schools, higher exclusion figures and increased pressure on the capacity of specialist support services.

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Education Trade Unions Report

Report being considered by: Schools Forum on 15th July 2019

Report Author: Gary Upton

Item for: Information **By:** All Forum Members

1. Purpose of the Report

1.1 To inform members of the activities of the teacher trade unions

2. Recommendation

2.1 None

<b style="color: #008080;">Will the recommendation require the matter to be referred to the Council or the Executive for final determination?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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3. Introduction/Background

3.1 Introduction

It is well known that most teachers are members of trade unions. The work of a trade union is not confined to collective issues or individual difficulties alone. Good relationships between the unions and employers are shown to ease relationships between the school and staff and help ensure orderly transitions with regards to policies and in many cases allow issues and concerns to be dealt with before formal processes are necessary. All employers who employ a union representative are required to provide adequate time off to allow adequate training to ensure the smooth running of operations and to assist members both collectively and individually. One cost effective way of providing this is by pooling arrangements into a facilities pot. Schools employing union officers receive payments from this pot of money to release union representatives to carry out the above duties and activities. The time that the officers are released is known as union facilities time. Such pooled arrangements means that every school does not need to release members of their own staff to be trained and to undertake casework.

3.2 Individual Issues

The union officers spend most of the facilities time dealing with member teachers and head teachers. Teachers in West Berkshire schools are able to contact their union representative directly by email or telephone. Union representative spend much time dealing with Issues raised by members, both formal and informal. Much of our work is received from members once they received formal notification of capability; disciplinary; grievance; or consultation on change to contracts, pay and conditions including redundancy. However it is fair to say that many members ask questions regarding these before any formal process has begun and effective meetings between reps and employers and between reps and members negate the need for formal processes. Much rep time is also spend on collective issues arising from meetings or in the case of issues such as contractual changes including pay and redundancy.

In less formal cases we give advice on how the member can try to resolve the matter for themselves. This is often successful, as local officers know individual schools well and are

often able to advise teacher members how they can deal with a problem informally. Where issues do become formal this then becomes officially opened as a 'case', the union officer will usually make contact with school management, human resources provider or an LA officer directly and may accompany members to meetings and offer formal advice to the member, this is known as casework. School policies confer a right for employees to be accompanied at most meetings by a union representative. Human resource providers seek to encourage this.

3.2.1 Capability

In its broader sense, this now includes support through performance management as well as the formal capability procedure. The capability procedure may be invoked when the employer deems that an employee's performance is below that expected. An employee is entitled to be accompanied by a union representative at all stages.

The appraisal system provides for support for teachers who are experiencing difficulties and schools usually use this well. Teachers are entitled to be supported by a trade union representative throughout this 'support through appraisal' process. It sometimes falls to us to get our members to face some hard facts. Accepting that there is a problem moves someone a lot closer to working to fix it. It is also our duty to ensure and ask the employer/school whether adequate support and training has taken place. Where we see a reduction in capability issues we usually find this is because of good dialogue between unions and employers. We consult on policy with West Berkshire and employers and like to ensure that a "no surprises" culture is evident in appraisal policies which mean our colleagues have access to top quality training and support to help them improve.

Questions of capability also include incapability through illness. Usually an employee is referred for a consultation with an occupational health medical professional and advice to management is produced. This advice is discussed with the employee, who is entitled to be accompanied by a union representative. These cases can be very complex. Schools have for some years carried the cost of replacing absent staff and are very cost aware. School managements are, in our experience, keen to do the right thing by their staff while seeking also to safeguard the interests of their pupils. The public sector equality duty has placed additional responsibilities on school management in dealing with staff whose incapacity may be regarded as a disability and we seek to find the best solution for all concerned in some very complex cases. As above, where staff are well supported back to work and where issues of stress are reduced, the need for formal ill health capability is reduced.

3.2.2 Appraisal

As discussed above, constructive appraisal is vital for our members to know exactly where they stand with regard to their CPD needs, where this is provided and policy is well negotiated we find our time is spent more on working with employers to review policy and process rather than firefighting capability or disciplinary issues. We have noted again this year that some of our members tend to contact us during the target setting phase of the appraisal cycle, these are usually resolved through discussion and advice to the member.

3.2.3 Disciplinary

This includes investigations of complaints and allegations as well as any formal hearings. An employee is entitled to be accompanied by a union representative at an investigative interview and at any hearing.

3.2.4 Grievance

This is where the employee lodges a grievance against their employer. Formal grievances are quite rare, but very time consuming for all concerned. The Model Grievance Procedure encourages that attempts should be made for issues that might lead to a grievance to be resolved through informal discussion between school management and the member, supported by their union officer either in person (or, more frequently, through prior discussion between the member and the union officer). An employee is entitled to be accompanied at meetings.

Grievances can also be collective (a group of employees who are affected by the same issue) rarely reach the formal stage.

Grievances are difficult to classify as they are often related to interpersonal relationship but we note an increase in the advice we are giving to do with workload and contractual obligation.

3.2.5 Contracts, Pay and Conditions

Contracts, Pay and Conditions issues such as pay determination, questions of what teachers can be directed to do are becoming increasingly common but are often straightforward to resolve.

3.3 Collective issues

These include consultation on changes to working conditions such as pay policies, sickness absence policies, codes of conduct restructuring and redundancy.

This school year has seen just a few restructurings accompanied by the risk of redundancy even though budgets are under further pressure. The redundancy procedure is complex and often involves multiple meetings. The threat of redundancy can quickly undermine morale in a school and often the role of union officers is to reassure and support employees as well as ensuring that correct procedures are followed. Calls and emails from members when a school consults on restructuring are high.

When schools elect, or are compelled, to become academies the ACAS guide to Transfer of Undertakings (Protection of Employment) regulations known as TUPE requires consultation with staff and union representatives through the process. There is always at least one meeting with staff and unions and often one or more change in employment practice that is consulted on.

3.4 LA Policies and guidance

In addition to the above, time has been spent on formally meeting with councillors, discussion of policy and guidance documentation that the LA to issue to schools (saving schools the need to consult/negotiate at a school level) and research, planning, inter-union and internal union consultation.

4 Funding 2018-19

Union	Members	Flat Rate Element	Additional funding distributed in proportion to membership numbers
NASUWT	574	£1,129.23	£13,615.98
NUT	572	£1,129.23	£13,568.53
ATL	485	£1,129.23	£11,504.79
NAHT	90	£1,129.23	£2,134.91
ASCL	47	£1,129.23	£1,114.90
Totals	1768	£5,646.15	£41,939.11

5 Consultation and Engagement

Secretaries of the recognised teacher trade unions (Association of Teachers and Lecturers, Association of School and College Leaders, National Association of Headteachers, National Association of Schoolmasters Union of Women Teachers, National Union of Teachers)

Agenda Item 12

From: Angela Penrose **On Behalf Of** Andy Sharp
Subject: FW: School meals contract
Importance: High

Hi all,

I am writing to follow up on the meetings that took place yesterday to discuss the further proposal made by the Council to resolve the current situation in relation to the provision of the school meals catering contract. Firstly thank you to all of those who were able to attend yesterday, the discussion was I hope helpful to you and I appreciated the openness and honesty of the feedback given to us by those who attended. As promised I attach for your information a copy of the slides that were used at the sessions yesterday which are reflective of the content of the email I sent out to you all yesterday to articulate what is hopefully an acceptable position which will allow us to move forward on a collective basis.

For the avoidance of doubt and to provide assurance of the consistency of the position I have reiterated the information contained in the email yesterday below as confirmation of the offer being made to schools by the Council. I fully understand the issues around this process and the concerns raised by colleagues and these will be dealt with as we discussed through a fundamental review of what has taken place. In the interim however, I would be very grateful if you could, if you have not already, please confirm if you wish to accept the offer expressed by the Council yesterday by mid-day today. I apologise that this is short notice, I don't wish in any way to rush colleagues into a decision however as we discussed yesterday, in order to deal with the required contractual arrangements we do need to know the intentions of schools as soon as possible.

As discussed yesterday the Council has listened to the feedback received from the schools and have revised the proposal we made last week in order to **remove** the requirement for schools to make a 5p contribution per meal to the cost of UIFSM/FSM. This means the provision of the school meals catering contract for a further year to July 2020 will be cost neutral to the schools as prices will be maintained at the current levels:

2.30 - UIFSM/FSM

2.35 – paid for primary school meals

2.40 – paid for secondary school meals

The proposal has been made subject to schools making a firm commitment to remain with the contract for the extension period (once signed as this is a contractual requirement) of one year and that the intention to participate is confirmed to us via email by midday on the 26 June to:

Amanda.Vass@westberks.gov.uk

This proposal was presented and discussed at the two sessions offered to schools by me yesterday to discuss the issues around the procurement process and on-going arrangements for the contract and as part of these sessions the high level plans for how the year extension would be used to ensure a robust and compliant process that delivers a workable solution for July 2020 and beyond was presented to cover the following:

- Review of the process and the circumstances that led to the current situation
- Lessons learned about current issues to be understood and incorporated into the overall approach
- Emerging complexities in the market to be accounted for
- Extensive engagement/sign off with schools on the specification - start early in September

- Agreed communications plan to run in parallel to all other activities

As previously advised, the Council has and will continue to provide legal advice and assistance for any school which has made alternative arrangements or which wishes to do so.

I appreciate that colleagues may still have some additional questions in respect of this offer or the future arrangements if you do have any questions which we have not responded to as yet I would ask that you contact Angie Penrose on (01635) 519723 in the first instance who will be able to direct your call to a member of the management team for a response.

I would just take this opportunity to once again apologise for this situation and to thank you for your ongoing patience and support in finding a solution which maintains provision and allows us to work together to ensure a sustainable set of arrangements going forward.

Many thanks,

Andy

Andy Sharp Executive Director - People

✉ **West Berkshire Council, West Street House, West Street, Newbury, Berkshire, RG14 1BZ**

☎ (01635) 519722 (external) ☎ 2722 (internal) ☎ 07833095956 (mobile)

andy.sharp1@westberks.gov.uk



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Schools Procurement

Context

- ❑ ISS contract awarded in 2012 for five years with the option for extensions until 2021
- ❑ Procurement plan to tender for a new contract to be awarded by July 2019
- ❑ 48 schools confirmed as participants in the new contract - a reduction of 20
- ❑ Problems were identified in the tender documentation
- ❑ Lot of work done to resolve but were left with no option but to abandon the process
- ❑ Team working on options to secure ongoing provision

Proposal

- ❑ To maintain service continuity a one year extension of the ISS contract to July 2020 was proposed
- ❑ The pricing structure proposed by ISS for the extension was unacceptable to schools
- ❑ Negotiations were undertaken to reduce the cost to burden on schools
- ❑ The Council proposed to provide a subsidy to keep prices at the current rates for the one year extension – this was subject to schools making a 5p contribution to the cost of UIFSM/FSM
- ❑ Confirmation of which schools would participate in the extended contract was required – some indicated they would make other arrangements

Risk

- ❑ Council has been supporting schools to identify risks
- ❑ TUPE transfer of staff –
 - Timing for consultation
 - Transfer of liability
- ❑ Legal challenge from entering into non compliant contractual arrangements
- ❑ Service provision failure for some schools
- ❑ Inadequate protection in the contract structures
- ❑ Reputation

Way forward

- ❑ The Council has further considered the situation and has revised the proposal
- ❑ The Council will cover the full cost of the subsidy for the one year extension to July 2020 but will **not** now require the schools to make a 5p contribution
- ❑ This will retain the current pricing across all 48 schools
- ❑ The offer is made on the basis schools now make a firm commitment to the contract for the extension period
- ❑ This is the Councils final position

One Year Extension

- ❑ Extension gives sufficient time to ensure a robust and compliant process delivers a workable solution
- ❑ Lessons learned about current issues to be understood and incorporated into the overall approach
- ❑ Emerging complexities in the market to be accounted for
- ❑ Plan for extensive engagement with schools on the specification etc. to start early in the autumn
- ❑ Agreed communications plan to run in parallel
- ❑ Contracts management for quality issues
- ❑ Review process to be carried out

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Agenda Item 13

Schools Forum Work Programme 2019/20

	Item	HFG Deadline	Heads Funding Group	SF Deadline	Schools Forum	Action required	Author
Term 1	DSG Budget Overview 2020/21	24/09/19	01/10/19	08/10/19	14/10/19	Discussion	Melanie Ellis
	Insurance Scheme Proposals for Funding PE Pupils attending iCollege	24/09/19	01/10/19			Discussion	Jacquie Davies / David Ramsden / Keith Harvey
	Scheme for Financing Schools 2018/19	24/09/19	01/10/19	08/10/19	14/10/19	Discussion	Melanie Ellis
	Schools Funding Formula 2020/21	24/09/19	01/10/19	08/10/19	14/10/19	Decision	Melanie Ellis
	De-delegations 2020/21	24/09/19		08/10/19		Decision	Melanie Ellis
	Additional Funding Criteria 2020/21	24/09/19	01/10/19	08/10/19	14/10/19	Decision	Melanie Ellis
	High Needs Block - Invest to Save Update	24/09/19	01/10/19	08/10/19	14/10/19	Discussion	Michelle Sancho
	Funding for children with EHCPs who attended PRUs	24/09/19	01/10/19	08/10/19	14/10/19	Discussion	Jane Seymour
	Schools: deficit recovery (<i>standing item</i>)	24/09/19	01/10/19	08/10/19	14/10/19	Discussion	Melanie Ellis
	DSG Monitoring 2019/20 Month 5			08/10/19	14/10/19	Information	Ian Pearson
	School Meals Contract (<i>To be considered under Part II due to Paragraph 3 – information relating to financial/business affairs of particular person</i>) and (<i>Paragraph 5 – information relating to legal privilege</i>).	24/09/19	01/10/19	08/10/19	14/10/19	Decision	June Graves
Term 2	Draft DSG Funding & Budget 2020/21	19/11/19	26/11/19	03/12/19	09/12/19	Discussion	Melanie Ellis
	Final School Funding Formula Proposal 2020/21	19/11/19	26/11/19	03/12/19	09/12/19	Decision	Melanie Ellis
	Final Additional Funding Criteria 2019/20	19/11/19	26/11/19	03/12/19	09/12/19	Decision	Melanie Ellis
	Draft Central Schools Block Budget	19/11/19	26/11/19	03/12/19	09/12/19	Discussion	Melanie Ellis/Ian Pearson
	Draft High Needs Budget 2020/21	19/11/19	26/11/19	03/12/19	09/12/19	Discussion	Jane Seymour & Michelle Sancho
	High Needs Places and Arrangements 2020/21	19/11/19	26/11/19	03/12/19	09/12/19	Discussion	Jane Seymour
	Review of (50/50) funding arrangements for iCollege between the HNB and schools	19/11/19	26/11/19	03/12/19	09/12/19	Decision	Jane Seymour / Jacquie Davies
	Schools Funding Benchmarking Information	19/11/19	26/11/19	03/12/19	09/12/19	Information	Melanie Ellis
	High Needs Block - Resourced Units	19/11/19	26/11/19	03/12/19	09/12/19	Discussion	Jane Seymour
	Outline Early Years Forecast 2019/20 and Budget 2020/21	19/11/19	26/11/19	03/12/19	09/12/19	Discussion	Avril Allenby
	Update on Schools in Financial Difficulty	19/11/19	26/11/19	03/12/19	09/12/19	Information	Melanie Ellis
	Schools: deficit recovery (<i>standing item</i>)	19/11/19	26/11/19	03/12/19	09/12/19	Discussion	Melanie Ellis
	DSG Monitoring 2019/20 Month 7			03/12/19	09/12/19	Information	Ian Pearson
Term 3	Dedicated Schools Grant (DSG) Funding Settlement and Budget Overview 2020/21	02/01/20	08/01/20	14/01/20	20/01/20	Discussion	Melanie Ellis
	Final Schools Funding Formula 2019/20	02/01/20	08/01/20	14/01/20	20/01/20	Decision	Melanie Ellis
	Central Schools Block Budget Proposals 2020/21	02/01/20	08/01/20	14/01/20	20/01/20	Decision	Melanie Ellis/Ian Pearson
	High Needs Block Budget Proposals 2020/21	02/01/20	08/01/20	14/01/20	20/01/20	Decision	Jane Seymour & Michelle Sancho
	Growth Fund and Falling Rolls Fund 2019/20	02/01/20	08/01/20	14/01/20	20/01/20	Information	Melanie Ellis
	Schools: deficit recovery (<i>standing item</i>)	02/01/20	08/01/20	14/01/20	20/01/20	Discussion	Melanie Ellis
	DSG Monitoring 2019/20 Month 9			14/01/20	20/01/20	Information	Ian Pearson
Term 4	Work Programme 2020/21	18/02/20	25/02/20	03/03/20	09/03/20	Decision	Jessica Bailiss
	Final DSG Budget 2020/21 - Overview	18/02/20	25/02/20	03/03/20	09/03/20	Decision	Melanie Ellis
	Final Central Schools Block Budget 2020/21	18/02/20	25/02/20	03/03/20	09/03/20	Decision	Melanie Ellis/Ian Pearson
	Final High Needs Block Budget 2020/21	18/02/20	25/02/20	03/03/20	09/03/20	Decision	Jane Seymour & Michelle Sancho
	Final Early Years Block Budget 2020/21	18/02/20	25/02/20	03/03/20	09/03/20	Decision	Avril Allenby
	Schools: deficit recovery (<i>standing item</i>)	18/02/20	25/02/20	03/03/20	09/03/20	Discussion	Melanie Ellis
	DSG Monitoring 2019/20 Month 10			03/03/20	09/03/20	Information	Ian Pearson

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