

**SCHOOLS FORUM
9 MARCH 2017
4.34 - 6.25 PM**



Present:

Schools' Members

John Throssell, Primary School Governor (Vice-Chairman)
Dr Keith Stapylton, Primary School Governors
Brian Fries, Secondary School Governor
Grant Strudley, Primary Head Representative
Keith Grainger, Secondary Head Representative
Debbie Smith, Secondary Head Representative
Martin Gocke, Pupil Referral Unit Representative
Anne Shillcock, Special Education Representative

Academies' Members

Beverley Stevens, Academy School Representative

Non-Schools' Members:

George Clement, Union Representative (Chairman)
Michelle Tuddenham, PVI Provider Representative
Dominic Asater, 14-19 Partnership Representative

Observer:

Councillor Dr Gareth Barnard, Executive Member for Children, Young People & Learning

Apologies for absence were received from:

Karen Davis, Primary Head Representative
Trudi Sammons, Primary School Representative

49. Declarations of Interest

Declarations of Interest were received from Keith Grainger in respect to the Proposals for the 2017-18 High Needs Block and from Councillor Dr Gareth Barnard as Governor of Garth Hill College.

50. Minutes and Matters Arising

The Chairman welcomed Dominic Asater, the new 16-19 Provider Representative from Bracknell & Wokingham College.

It was clarified that the report of the High Needs Block Review was put before the Executive Committee in February which was before the anticipated date of 14 March.

The outline action plan for the High Needs Block Review would be a work stream as part of the Transformation Programme and would be shared once drafted.

Identification of an Independent Chair of the Strategic group had not yet been progressed; information had been sent to Head Teachers and a first meeting was scheduled to take place at the end of term.

In terms of including some of the Review recommendations into the 2017-18 budget proposals, this is not possible at this stage as the detailed work with schools and other providers to determine the best approach to take for each recommendation had yet to commence. Once this has progressed, it may be appropriate that some of the recommendations would be phased in throughout the year or alternatively, form part of the 2018-19 budget proposals.

RESOLVED that the minutes of the meeting held on 12 January 2017 be approved and signed by the Chairman as a correct record.

51. **Proposals for the 2017-18 High Needs Block**

This report presented proposals for the 2017-18 High Needs Block (HNB), with the key points being:

- The Department for Education (DfE) had determined that where the cost of individual education provision was above £10,000 it would be classified as high needs and be eligible expenditure within the HNB. This report therefore relates to the associated needs and budgets.
- The process of calculating each LAs HNB grant allocation remains the most complex part of the funding framework and involves a series of deductions from LA core funding in order for the DfE to directly fund a range of specialist providers for an agreed number of places that are then made available for LA pupils.
- The DfE was making one main change to funding responsibilities for 2017-18 by transferring £125m of their Departmental post-16 budget that was currently outside the DSG into the HNB baseline. The transfer related to place funding for high needs places in further education and post-16 charitable and commercial providers and transfers the risk of needing to fund any future budget pressures at these institutions from the EFA to LAs. The funding to be transferred to BFC for this is £0.258m.
- The EFA had identified additional resources to be allocated into the HNB DSG for 2017-18 of £130m. This was based on LAs population estimates of 2-18 year olds and resulted in BFC receiving £0.329m.
- The Forum was reminded that a new HNB National Funding Formula was expected to be introduced from April 2018 with initial calculations indicating a 15% reduction in funding for BFC of £2.327m. The proposed 'Floor' factor in the National Funding Formula will ensure no LA received less cash in the first 4 years and is therefore the crucial element of the proposals for BFC.
- As part of preparations for the implementation of the funding reforms at April 2018, the DfE had been liaising with LAs to re-base budgets to ensure that each DSG funding block – Schools Block (SB), Early Years Block (EYB) and HNB - was set to the amount being spent and not the allocation from the DfE. This review identified a benefit from transferring £0.345m of costs currently in EYB to the HNB, with the change taking effect from April 2017.
- On this basis, the EFA had calculated an initial 2017-18 High Needs Block allocation for BF of £14.669m, an increase of £0.674m on the current budget, although £0.345m would be needed to fund the costs transferred from the EYB through the base lining exercise, meaning a real increase in spending power of £0.329m. The final High Needs Block DSG would not be confirmed until the end of March, but no significant changes were expected.

- The Forum was requested to agree the revised long term funding model for the ASD Unit at Rise@GHC in Annex 1 of the report, and in particular to note the initial budget allocations for 2017-18 including the draw down of £0.093m from the SEN Resource Units Reserve and the revised plan for 2016-17.

In terms of detailed budget proposals, the SEN Team, supported by Finance, had reviewed all High Needs budgets and Annexes 1 and 2 of the report set out the proposed changes that the Forum was recommended to agree. The key proposed changes and assumptions were:

1. Kennel Lane Special School: Based on current pupil profile, a £0.019m saving could be achieved.
2. Maintained schools and academies: the recent trend indicated a pressure of £0.235m for element 3 top up payments. There was a further growth requirement for diseconomy funding for Rise@GHC of £0.192m and a new proposal to set aside £0.067m in the SEN Resource Unit Reserve to contribute to the diseconomies to be experienced when the new SEN Unit opened at Binfield Learning Village.
3. The most significant budget being managed in the HNB was for non-maintained special schools and colleges amounting to nearly £6m in 2016-17. The budget requirement calculation had been undertaken on the same basis as in previous years and indicated a potential saving of £0.277m.

Decisions taken by the Schools Forum at this meeting were expected to be adopted by the Executive Member in making final decisions for the 2017-18 Schools Budget on 14 March 2017.

Members raised the following questions and concerns in response to the proposals for the 2017-18 High Needs Block:

What percentage of children fell into the HNB and what percentage of the schools budget was spent on them? This information was not available at the meeting but has now been presented in a table attached to these minutes.

Concern was raised that funding was being proposed for an unknown number of pupils at Rise@GHC when funding for expected number of pupils in other budgets was being cut. The budget plan for Rise@GHC had been presented to the Forum each year to approve at which point actual pupil numbers are included. Future year pupil estimates are reviewed and changed as better information becomes available. Only 1 year's budget is presented for approval at any one time.

Was there scope for income to be produced from utilising unused rooms/resources at Rise@GHC? Opportunities to look at whether this was achievable would be investigated.

Was a strategy document available detailing the decision made for the development of SEN places at BLV? Members were advised that more information would be provided at the next meeting but that they should e-mail Paul Clark in the interim if they required specific information or clarifications to be included in the briefing.

The current budgets for education out of school, including Home Tuition and Outreach was being maintained but concern was raised that a shortfall already existed with regard to access to Home Tuition. The budget proposals reflected current demand and the predicted 2016-17 underspending of £22k, but it was acknowledged that this could be a volatile budget.

The projected number of learners at Rise@GHC had reduced from 56 to 47 and concern was raised that research and planning had not been rigorous enough prior to the development of this unit with a large budget for a relatively small number of pupils. The aim was still for all 56 places to be filled by 2020-21 but the unit was still financially viable at the lower level of occupancy as it is unrealistic to expect the unit to be permanently filled to capacity. Numbers for 2016-17 were confirmed, were best estimate for 2017-18, and speculative for the remaining years but based on current patterns. The unit was expected to make savings of circa £400k per year based on current placement forecasts. Savings will be higher if more than 47 pupils are on roll. The question was raised as to whether it would be viable for pupils from Kennel Lane to have a shared place at Rise@GHC but it was felt this would not be appropriate as some of the pupils at Rise@GHC were higher functioning than those from Kennel Lane. It may, however, be appropriate for some pupils from the unit to work in the main college subject to a needs assessment.

Whilst the budget for mainstream schools – Element 3 short term interventions is proposed to be increased from £5k to £25k, there continued to be concern that for some children at primary level their mental and emotional needs were not being met. A lack of resource could lead to an increase in temporary exclusions which could not be managed even with the increased budget.

Alternative Provision for primary aged pupils without a statement had a proposed budget of £50k so together with the £20k increase mentioned above, there was a total additional budget of £70k which could now be utilised. Based on current demand, this is considered sufficient. Members were concerned that the decisions on this from the Fair Access Panel were limited by budget availability when making decisions, so current expenditure may not be a good guide for real need.

CAMHS and Emotional Wellbeing - concern was raised about the long wait for tier 3 access. Work was being undertaken by the Health and Wellbeing Board to address this and Members were invited to view the documentation relating to this which was available online. Consideration was being given to putting in a budget for this but this may be subject to change following the HNB Review.

The low level of exclusions was noted in the report but some Members felt that the number of permanent exclusions would not remain at a lower level than previously. Members commented that it was important to ensure that alternative arrangements for children temporarily or permanently excluded could be supported and resourced and that the HNB budget reflected what schools thought was in their pupil's best interests.

Members felt they were in a difficult position having less than a week to review the figures and put forward suggestions. It was also disappointing that the right officers were not present to answer the detailed service specific questions that arose from reviewing the budget proposals. Due to the timeframe, Members did expect to work with the headings but would welcome any new proposals in relation to the questions and concerns raised.

It was agreed that the next meeting of the Forum would receive a more detailed update on the questions raised and progress on the HNB budget review.

Therefore, the Forum **AGREED** the following recommendations made in the report:

That the Executive Member sets the total initial Dedicated Schools Grant funded budget at £14.669m, it incorporates the changes set out in the supporting information

and Annex 2, and relevant budgets are therefore updated to those summarised in Annex 3.

The revised 2016-17 and provisional 2017-18 budgets for the Autistic Spectrum Disorder Special Educational Needs Unit at Rise@GHC (paragraph 5.28 and Annex 1).

The Forum also requested that the following recommendation made in the report:

In its role of statutory decision maker, that there are appropriate arrangements in place for:

1. The education of pupils with SEN (paragraph 5.32), and
2. The use of pupil referral units and the education of children otherwise than at school (paragraph 5.32).

be amended and **AGREED** as follows:

In its role of statutory decision maker, that there are not appropriate arrangements in place for:

1. The education of pupils with SEN (paragraph 5.32), and
2. The use of pupil referral units and the education of children otherwise than at school (paragraph 5.32).

And that the agreed review of the High Needs Block would inform on future budget requirements to address this.

52. **Bracknell Forest Councils proposals for Early Years funding from April 2017**

The Forum received a report on proposals for Early Years funding from April 2017 including the proposed structure and values to be attributed to the BF Early Years Funding Formula, taking account of comments received from providers to the local consultation.

Members were reminded that the Department for Education (DfE) required changes to current arrangements in order to deliver the national policy objective of enabling more families to work by extending the free entitlement to childcare from 15 to 30 hours per week for parents that wanted to work. New requirements were being introduced to the funding framework in relation to how money could be allocated to providers, the support that must be made available for the most vulnerable children and the amount of funds that could be centrally retained by LAs.:

At the same time as making changes to how LAs must manage Early Years funds, the DfE are also introducing new arrangements for funding LAs to deliver their Early Years provisions and services for 3 and 4 year olds. The DfE had calculated the hourly funding rate for BF for 2017-18 at £4.93. This would initially be reduced to £4.66 due to 2 years of transitional funding protection where those LAs receiving the largest gains had a deduction taken in order to finance funding protection in other LAs. This translates to total estimated funding in 2017-18 of **£6,414,940**, although this is subject to change dependent upon take up of additional hours.

In terms of the BF EY funding consultation, this was distributed in December 2016 and two evening briefing sessions were held and well attended by 61 out of 65 providers. Annex A in the report showed that for the vast majority of the questions

posed, respondents supported the proposals with at least 50% agreeing with the recommended proposal in 25 of the 27 questions.

Annex C of the report contained detailed comments from the providers, including:

- In respect of updating provider eligibility to hourly top up supplements, the majority of respondents preferred an annual update rather than termly.
- 8 providers commented on the Disability Access Fund (DAF); 2 supported the proposals, 5 suggested changes to the allocation – although there is a strict DfE process to follow that does not permit the changes proposed - and 1 requested that the EHCP process was accelerated.
- 7 providers made comments on the SEN Inclusion Fund; 4 supported the proposals, 1 requested more notice was provided on SEN children entering settings, 1 requested that the relevant provider attended the panel and 1 requested greater clarity, particularly around children with complex needs.
- Childminders were concerned that the funding rate to be paid was below what they currently charged and would lead to a loss of income if they moved to delivering free entitlement.
- The Quality supplement should include Ofsted ratings and leadership qualifications below level 5. However, the DfE does not allow these factors to be included.
- EAL support should be available to a wider range of languages.

Michelle Tuddenham commented that childminders were unhappy with the DfE funding forms which had to be completed 6 times per year and which they felt were complicated. Michelle said she believed there would be a greater take up of the increased free entitlement to childcare than anticipated and that extra money would need to be found as PVI Providers would remain on the same rates whilst rents, inflation and the minimum wage rate were all increasing.

Michelle said childminders had also expressed concern about how they would manage if they were paid half-termly instead of weekly or monthly. Martin Gocke expressed concern that one childminder was apprehensive about being paid termly in arrears. Paul Clark advised this would not be the case but that childminders would receive an additional payment at the start of term which would be adjusted up or down depending on their confirmed headcount towards the end of term. Councillor Dr Gareth Barnard asked Michelle to e-mail him with specific concerns or suggestions for alternative arrangements.

(Action: Michelle Tuddenham)

The report stated that the potential failure to deliver the number of additional free hours required by parents was mitigated by the expectation that provider funding rates would increase by an average of 14.1%. However, the report then went on to state that the majority of provision within the private, voluntary and Independent sector would only receive between 2.5% and 10%. The Forum was advised the first figure included schools provision as well as PVI and therefore averaged out at 14.1% whilst the percentage range of 2.5% to 10% was for PVI Providers only.

Michelle Tuddenham asked when PVI Providers would be told what was required of them in order to prepare for the extension to 30 hours from September 2017. This information was not available at the meeting and an update would be provided at the next meeting.

(Action: Paul Clark)

The Forum **NOTED:**

That the vast majority of responses to the consultation proposals on the Bracknell Forest Council Early Years Funding Formula supported the proposals made by the Council.

The summary financial implications anticipated from the proposals on provider hourly funding rates.

The Forum **AGREED** the following recommendations made in the report:

That taking account of the responses from providers, the following items are implemented as set out in the consultation document:

- a) The Bracknell Forest Council Early Years Funding Formula for 3 and 4 year olds (as summarised at Table 1).
- b) The hourly funding rate for 2 year olds be increased to £5.46.
- c) The Early Years Special Educational Needs and Disability Living Allowance Inclusion Fund Policy should be as set out in Annex 5 of the list of Annexes document that supported the consultation.
- d) The budgets to be centrally managed by the council for:
 - i. SEN inclusion fund at around 1% of funds.
 - ii. Provider contingency at around 1.5% of funds.
 - iii. BFC services at around 3% of funds.

That taking account of the responses from providers, that eligibility for deprivation top up funding is assessed and updated on a termly basis, with eligibility to flexibility and quality top up funding assessed and updated once a year.

That the additional £0.034m of funds now available are added to the Provider Contingency budget.

The original Early Years budgets are set at the amounts set out in Annex B of this report, including the ring-fenced amounts for the Disability Access Fund and the Early Years Pupil Premium.

That there are appropriate arrangements in place for Early Years provision.

53. **Bracknell Forest Councils provisional response to Stage 2 of DfE Funding Consultation**

The Forum received a report on the council's draft response to Stage 2 of the consultations issued by the DfE relating to proposed changes to education and school funding. The Stage 2 consultation ends on 22 March 2017.

The following Consultation questions and BFC draft comments were highlighted as the most significant:

Question: **Do you agree with our (DfE) proposals to allow limited flexibility between schools and high needs budgets in 2018-19?** *Where schools agree that support to HIN pupils is best delivered through a strategic, area wide approach, there should be the option for the Schools Forum to agree a funds transfer.*

Question: **In designing our (DfE) national funding formula, we have taken careful steps to balance the principles of fairness and stability. Do you think we**

have struck the right balance? *Whilst the Council supports targeting resources to pupils with additional needs, it does not believe there is a case to increase the proportion of funds through deprivation and low prior attainment measures from the current average of 11.9% to 16.8%.*

Question: Do you agree with the proposed lump sum amount of £110,000 for all schools? *No – fixed costs funding should be linked to the inescapable costs that all schools are likely to face and should not be set at a level that only contributes to them because a per pupil funding system naturally favours schools with the most pupils. We believe that at least £160,000 should be included in this factor, to cover the cost of a Head Teacher (circa £60k), some leadership support (circa 0.5 fte £25k), receptionist / admin support (circa £20k), Finance support (circa 0.5 fte £15k), Site Manager / caretaker/ cleaner (circa 1.0 fte £20k) plus some unavoidable premises costs that are generally fixed in nature, but can also vary with pupil numbers such as insurances, utilities and repairs and maintenance (circa £20k).*

Question: Do you agree that lagged pupil growth data would provide an effective basis for the growth factor in the longer term? *No – neither do we agree that the 2018-19 growth factor should be based on historic spend. In Bracknell Forest, we have £0.315m of 'implicit' growth funding in our budget for 2017-18, but with 2 new schools opening in September 2018, we are expecting this to increase to £1.459m. So funding 2018-19 on 2017-18 budgets is totally inappropriate and unfair.*

The Forum was advised there were also questions being posed by the DfE on the HNNFF. Five questions related to the structure and weightings being proposed for the HNNFF, 2 about allowing flexibilities between school and HN budgets and 2 further general questions. These were set out in detail in Annex 5 of the report.

The Chairman advised that further comments for the Council's draft response to Stage 2 of the consultations could be made to Paul Clark or direct to the DfE.

54. **Date of Future Meetings**

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

20 April 2017
22 June 2017
13 July 2017
14 September 2017
19 October 2017
7 December 2017
18 January 2018
22 March 2018
19 April 2018

The Chairman advised the Forum that he was relocating out of the area and this was his last meeting as Chairman of the Schools Forum. On behalf of all Members, Paul Clark thanked the Chairman for his contribution to the Schools Forum over the last 10 years and wished him well with the move and his future plans.

55. **Additional Information Table**

What percentage of children fell into the HNB and what percentage of the schools budget was spent on them?

Budget	2016-17 DSG		Number of pupils / students					
	£m	%	BF mainstream schools		Specialist providers	Early Years providers	Total	
			Total	'Top up'				
Schools Block	64.429	76.4%	15,507	0	0	0	15,507	89.8%
Early Years Block	5.124	6.1%	478	0	0	632	1,110	6.4%
High Needs Block	14.741	17.5%	0	219	436	2	657	3.8%
Total	84.295	100.0%	15,985	219	436	634	17,273	100.0%

CHAIRMAN