



SCHOOLS FORUM
15 MARCH 2018
16.30 – 18.00

Present:

Independent Chair:

David Cook, Independent Representative (Chairman)

Schools' Members

Liz Cole, Primary School Representative (Headteacher)
Karen Davis, Primary School Representative (Headteacher)
Peter Floyd, Special School Representative (Governor)
Martin Gocke, Pupil Referral Unit Representative (Governor) (Vice-Chairman)
Keith Grainger, Secondary School Representative (Headteacher)
Roger Prew, Primary School Representative (Governor)
Debbie Smith, Secondary School Representative (Headteacher)
Val Woods, Primary School Representative (Governor)

Academies' Members

Jane Coley, Academy School Representative (Headteacher)

Non-Schools' Members:

Michelle Tuddenham, PVI Provider Representative (Co-Optee)

Observer:

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

Also Present:

Ian Dixon, Head of Targeted Services, Bracknell Forest Council
Frank Glennon, Bracknell Forest Council
Cherry Hall, Rowans Children's Centre
Kashif Nawaz, Assistant Virtual School Head

Apologies for absence were received from:

Neil Davis, Primary School Representative (Headteacher)
Brian Fries, Secondary School Representative (Governor)
Trudi Sammons, Primary School Representative (Headteacher)
Rhona Stainthorp, Primary School Representative (Governor)

42. Declarations of Interest

Keith Grainger and David Cook declared an interest in the High Needs elements of the agenda.

43. Minutes

Arising from the minutes, the following points were discussed:

- Page 6 – It was confirmed that the funding policy for new schools would be brought to the Schools Forum at a future meeting. The performance data requested would be presented at the June meeting.
- Page 7 – it was requested whether the wording of “Vast majority” of responses supported the proposals made to changes to early years funding, could be replaced with the actual percentage in agreement.
(Action: Paul Clark to provide figures. Now confirmed as at least 67%)
- Page 8 – It was questioned whether future successful appeals to Binfield Learning Village (BLV) would affect funding. It was confirmed that BLV would not receive additional funding from BFC for places over 120 pupils. It was noted that the appeals process could cause turbulence and disruption to other local schools.
- Appeals information as well as admissions data to date was requested to be included in the school places report that would be presented in June.
(Action Paul Clark)

44. **Matters Arising**

Following the Schools Forum meeting on 20 January 2018, a number of information requests were made and Paul Clark presented a paper with the information updates. It was noted that the School loans information would be a separate item in the meeting.

It was noted that there was a high level of Education, Health and Care plan (EHCP) refusals which was both an expensive and time consuming process to go through for schools. It was questioned whether steps were being taken to reduce that level because of the resources.

Frank Glennon confirmed that for 2016-2017, 55% of requested EHCP's were agreed. The quality of applications had improved following visits to schools and new guidance which highlighted the necessity for evidencing the need. As a result, 73% of applications had been accepted this year. It was anticipated that next year the levels will return to the national average.

The Forum received a Special Educational Needs and Disability Improvement Strategy 2017 – 2020 which reflected the findings from consultation.

Page 40 noted that there was an ‘action plan to follow’. It was commented that the strategy must have an action plan or the strategy becomes just aspiration. It was confirmed the action plan will be available in the local offer and will be presented to SEN parents group. It would also be made available to Schools Forum for comment.

(Action Frank Glennon to signpost to Forum members)

Page 42 – It was noted that the name of the specialist SEN provisional Garth Hill College should be changed to – ‘The Rise@GHC’.

(Action: Frank Glennon to update the name in the strategy document)

45. **BFC Proposals for Early Years funding arrangements for April 2018**

Cherry Hall presented the proposal for Early Years funding for April 2018 – 2019, this included values which would be attributed to the Bracknell Forest Council Early Years Funding Formula (EYFF). This item was scrutinised in detail at the last meeting of the Schools Forum.

Following receipt of the latest census data, the base rate would now be set at £4.31 per hour per child rather than the previously expected £4.30.

It was confirmed that this base rate would be paid for all hours delivered by providers up to the maximum 30 hours free entitlement of which there are now 776 children.

It was questioned whether children below 2 years old in disadvantaged families received any direct access to provision and it was confirmed that children under 2 years old were supported through Children's Centres.

RESOLVED that the Forum **AGREES**:

That the Executive Member:

1. **sets the total initial Dedicated Schools and other grant funded budgets at £7.013m, it incorporates the changes set out in the supporting information, and relevant budgets are therefore updated to those summarised in Annex A**
2. **sets the hourly funding rates paid to providers:**
 - a) **for 3 and 4 year olds, at the amounts set out in Table 2 at paragraph 6.9;**
 - b) **for 2 year olds, unchanged from the £5.46 rate currently being paid, which reflects the affordable position as a result of the Department for Education freezing rates paid to LAs at 2017-18 amounts.**

In its role of statutory decision maker, that there are appropriate arrangements in place for Early Years provision.

46. **BFC proposals for the 2018-19 High Needs Block elements of the Schools Budget**

Paul Clark presented a report on the High Needs Block Elements of the Schools Budget for the purpose of reviewing the proposals and receiving comments on whether there are appropriate measures in place for children with SEN. It was confirmed this is an annual consultation with the Schools Forum.

The key messages detailed in the presentation were:

- The funding was intended to deliver education for 0-24 year olds where cost exceeds £10,000 through a "place-plus" approach with 3 separate Elements: 1 = core education funding to £4,000; 2 = additional support funding up to a further £6,000; 3 = top up funding where costs are above £10,000. Whilst most funding for high needs pupils is provided from the High Needs Block, for mainstream schools, Elements 1 and 2 are provided in the main budget and funded from the Schools Block.

It was clarified that for schools with special needs units, Element 1 is funded from the Schools Block with Elements 2 and 3 from the High Needs Block.

It was questioned whether colleges received the same funding and it was confirmed that there were the same 3 elements with the same thresholds, with a national

funding formula for colleges managed directly by the Education and Skills Funding Agency providing Element 1, with BFC responsible for funding Elements 2 and 3.

It was confirmed that if a high needs place is not taken up within the course length, the funding would not be clawed back but places could be reviewed next year and revised accordingly.

Further key messages detailed were:

- National reforms would introduce consistency and transparency in the allocation of funds to LAs using a new formula, with up to date proxy measures, but High Needs remained the most complex part of education funding. This would come into affect from April 2018.
- Transitional funding protection would be in place with a “floor” increase in funding in each of the next 2 years of 0.5% per 2-18 year old population. This would mean a minimum guaranteed increase in income.
- Once fully implemented, the new funding formula would result in a £2.46m (15%) reduction in funding to BFC. However, for the final two years of the current spending review period, there would be no significant movement to the new formula.
- Funding Floor factor represents 15% of BFC grant income compared to the LA average of 4% (second largest funding allocation). This demonstrates the importance of the funding protection to BFC.
- Whilst the amount of grant funding to be allocated to the council has been agreed, two significant adjustments relating to the number of places to be purchased remain at indicative amounts, creating uncertainty in budget setting. Final funding will be confirmed in June 2018.
- Slower progress was being made on the review by BF of High Needs budgets than originally expected in order to link in properly with the Council’s wider Transformation Program.
- Budget proposals were being made on the basis of recent trends, current expectations going forward, and a small number of new developments.

The significant budget proposals (+/- £0.02m were):

- The Rise@GHC ASD SEN Resource Unit now achieved a net cost reduction of £0.066m compared to previous arrangements which is expected to increase to £0.468m when fully open in September 2021.
- Places purchased in BF maintained schools would remain unchanged but the impact of the new LA import / export adjustment resulting in a cost reduction of £0.116m as other LAs would now be paying for their students.
- KLS has admitted 10 more pupils requiring Element 3 top-up payments compared to the current year which together with other changes creates a pressure of £0.178m.
- Element 3 top up payments to maintained schools and academies were over spending and the trend is expected to continue. A budget increase of £0.084m was proposed.
- Payments from the SEN contingency to schools who admit a disproportionate number of High Needs pupils were consistently below budget. A saving of £0.050m was proposed. This would be redistributed within the high needs budget
- NMSS and colleges represented £5m of expenditure and was the largest High Needs budget. The current academic year commitments had been rolled forward at average cost of provision and includes 11

less students than assumed in the 2017-18 budget. Growth had been added for 17 extra student placements. Cost reductions had been included for the impact of Rise@GHC and the LA import / export adjustment. This was a net saving of £0.681m. Current trends indicate more older children staying in education and needing provisions. The number of pupils had increased from 43 to 59 at Bracknell and Wokingham College.

- Other SEN Support Services. Based on recent costs, a saving of £0.060m was proposed on the Children's Development Centre, with additional costs of £0.033m for specialist psychologist support to the SEN tribunal process.

The new budget proposals detailed in the report were:

- An Early Opportunities scheme to develop specialist support for under 5's in 2 schools to complete assessments whilst children are very young to help determine long term needs. The details were being worked up with a pressure of £0.088m for September to March included in the proposals. It was noted that when an offer is available it would be brought back to Schools Forum for comment which was anticipated before the end of the summer term 2018.
- To reflect rising costs and the increase applied to fees from certain institutions, it was proposed a 2% increase in for top up payments made to BF schools, with 1% for other SEN services. Total cost £0.184m.

It was also proposed that provided the overall centrally managed Schools Budget achieves a sufficient amount of under spending, any aggregate under spending on de-delegated budgets would be returned to maintained mainstream schools (December forecast indicates £0.065m would be returned to maintained mainstream schools). For example the Maternity Leave scheme.

Following the presentation a number of questions were raised and discussed as follows:

A general comment was made by Members that the budget proposals needed to come to Schools Forum meeting in January so that any questions could be addressed in sufficient time, before the budget needed to be approved. This was agreed by officers with the current timetabling reflected the absence of a final amount of grant funding from the Department of Education (DfE) and allowing maximum time to receive confirmation before decisions had to be taken.

(Action Paul Clark)

It was questioned what the provision was for primary age children who were at risk of exclusion.

It was confirmed by Ian Dixon that there were currently only 15 schools with temporary exclusions and there is only one permanent exclusion. At the moment, there was no data to support the case for any increase in funding as so far it had not happened. A number of schools (4) were maintaining children who they would prefer not to. The proposed budget was based on a combination of recent trend and current need. Head teacher members commented that some secondary schools had spent over £0.050m to support all relevant children in school as they are expected to do.

It was noted that so far there had been one case where a child has moved to another mainstream school and another who was getting tuition through the home tuition service. Concerns were raised by Members regarding whether the £0.050m budget

would meet the needs of very vulnerable children who were at risk as across BF schools the behavioral issues were all different.

It was acknowledged by officers that the full profile of who will require more than £10k per head per pupil was not held by BFC. The Forum were concerned that exact figures were not known and indicated their expectation that schools would readily provide the data. It was pointed out that there is no exact methodology of predicting the number of learners who do not require an EHCP but for whom a school believes they cannot meet the learners needs from within their budget

Members questioned how many children in BF primary schools currently need a support package and it was confirmed that last year there were 9 pupils who required the additional funding in order to receive more support. It was noted that the funding could be adjusted depending on the need.

Section 6.33 of the report detailed the “the lack of quality data [and] analysis of this.” Concerns were raised by Members regarding the lack of accurate data about children with behavioral issues. The Forum requested that high quality analysis was undertaken. It was confirmed that a needs analysis would go out to schools after Easter. It was noted that the DfE would also review the provision.

(Ian Dixon to circulate document)

Page 66 of the report detailed the SEN contingency fund was consistently underspent and questions were raised about whether it was therefore allocated appropriately and whether it was necessary. Concerns were raised that only one school would qualify for the funding. Officers confirmed that the DfE have encouraged LAs to allocate additional funding to schools with the highest concentration of high needs pupils to support their successful integration into a mainstream setting and that the Forum reviewed and agreed the criteria for accessing the funding each year.

In terms of the overall financial position on centrally managed budgets, Members questioned where the money would be allocated if it was not spent and it was confirmed that it is treated the same way as a school budget; any under and overspends on individual budgets are collected at the end of the year and carried forward for use in the next year's Schools Budget.

It was commented that there was a £0.75m capital funding grant allocation from the DfE for SEN priorities which was not in the budget. Brakenhale Academy have confirmed they had put in a bid. It was noted that the process had been presented to the SEN group and had not been presented to all schools which raised concerns about the openness and consultation on the bidding process. Officers confirmed that the grant funding was not targeted towards particular schools but towards high needs pupils in general. It was noted that this was outside the scope of the agenda item but raised important points for consideration.

It was questioned why the medium term budget plan at in Annex 1 for the Rise@GHC anticipated vacant places. It was confirmed that the costing model needs to reflect the reality that the vast majority of schools have spare places and that the setting of fees needs to reflect this to ensure the model is financially viable.

For the Minimum Funding Guarantee (MFG) proposal for KLS, it was questioned whether the 0.5% increase was only applicable to special schools and not also for College Hall Pupil Referral Unit (PRU). It was confirmed that the DfE do not require an MFG to be applied to PRUs.

The report detailed a new budget proposal for early assessment of young primary aged pupils of up to 2 terms to help determine the long term needs of relevant children before a firm decision is made on relevant support for these children. It was requested that additional information was provided to the Forum along with the impacts. It was confirmed that the LA would present a detailed paper to the Schools Forum before any long term decisions are taken.

(Action: Frank Glennon to bring to Schools Forum)

RESOLVED That the Forum AGREES:

That the Executive Member:

1. sets the total initial Dedicated Schools Grant funded budget at £14.613m, 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.
2. that the post 16 SEN grant income budget be set at £0.578m (paragraph 6.22).
3. approves the revised 2017-18 and provisional 2018-19 budgets for the Autistic Spectrum Disorder Special Educational Needs Unit at the Rise@GHC (Annex 1).
4. approves a Minimum Funding Guarantee for special schools at plus 0.5%, the same amount as for mainstream schools (paragraph 6.27).

The Forum DID NOT AGREE:

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

1. The education of pupils with SEN (paragraph 6.39), and
2. The use of pupil referral units and the education of children otherwise than at school (paragraph 6.39).

RESOLVED That the Forum NOTES:

That provided the overall Schools Budget achieves a net under spending in 2017-18, any aggregate surplus on de-delegated budgets (currently estimated at £0.065m) will be repaid to maintained mainstream schools (paragraph 6.25).

47. School Loan scheme: responding to government policy change

Paul Clark presented a report on the government intention to amend school loan provisions which will require a consultation with schools to move to a licensed deficit scheme with loans in future only being available to support the purchase of a capital asset. This follows on from the December Schools Forum meeting with the key consideration how the deficit is managed if the school becomes an Academy.

It was noted that loans had been used successfully in BF for a number of years to support schools through short to medium term cash flow difficulties.

The key features of the new loan scheme were:

- Governors would need to be able to demonstrate ability to repay
- Loans were generally granted for a maximum of 3 years

- The value of loans would ordinarily be between 5% and 15% of the annual school budget which were then altered through to the conclusion.
- Loans were generally granted on an interest free basis
- Total loan advances could not exceed 40% of the aggregate surplus balances held by all schools

The changes proposed by DfE to Loan Schemes were:

- New loans would only be permitted for capital related purchases
- Conditions relating to existing loan arrangements would remain unaltered to maturity
- Financial support would be available to schools through a licensed deficits, which operate in a very similar way to loans.

The key issues for BF to be considered by the Schools Forum:

- If a school converts to an academy with a deficit and it is eligible for intervention, and underperforming schools which the Secretary of State judges are not strong enough to become an academy without a strong sponsor, the deficit would remain with the LAs Schools Budget
- Deficits at converter academies i.e. those that convert by means of an academy order following application by the governing body must repay the deficit
- Loan requests are in danger of exceeding 40% of school balances meaning not all requests could be agreed

It was noted that the next steps would be to consult with schools to propose replacing the invalid loan scheme with an equivalent licensed deficit scheme. At the same time it would be proposed that the surplus balance held by the Council in the Schools Budget from centrally managed services would also be available to support licenced deficit arrangements. Based on the projected year end balance on the centrally managed Schools Budget items, this would release a further £0.440m to support schools.

The Schools Forum will need to commit to funding any deficits that need to be financed from the Schools Budget through the de-delegated school contingency.

It was clarified that agreement was sought from the Forum to undertake a consultation with schools on the changes outlined in the paper.

RESOLVED that the Forum AGREE:

that subject to DfE confirming the anticipated change in criteria to school loan schemes, that a consultation is undertaken with schools to gather views on

- 1. replacing the existing Bracknell Forest school loan scheme with an equivalent licensed deficit arrangement.**
- 2. Incorporating the unallocated balance on the Schools Budget Reserve into funds that can support the scheme.**

RESOLVED that the Forum NOTE:

- 1. the current level of school balances available to support school loans and the agreements currently in place.**
- 2. the associated risks.**

48. **Dates of Future Meetings**

It was advised that the meeting on 19 April 2018 would be cancelled. The next meeting was Thursday 21 June and would be held in the Time Square Council Offices.

CHAIRMAN