

SCHOOLS FORUM
20 JUNE 2019
4.35 - 6.00 PM



Present:

Martin Gocke, Pupil Referral Unit Representative (Governor) (Chairman)

Schools' Members

Jane Coley, Academy School Representative (Headteacher)
Karen Davis, Primary School Representative (Headteacher)
Neil Davies, Primary School Representative (Headteacher)
Stuart Matthews, Academy School Representative (Headteacher)
Yellie Powley-Williams, Primary Representative (Governors)
Brian Poxon, Secondary School Representative (Governor)
Roger Prew, Primary School Representative (Governor)
Phil Sherwood, Primary 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)

Apologies for absence were received from:

Liz Cole, Primary School Representative (Headteacher)
Peter Floyd, Special School Representative (Governor)
Debbie Smith, Secondary School Representative (Headteacher)
Richard Stok, Primary School Representative (Governor)

92. Apologies for Absence/Substitute Members

The Forum noted the attendance of the following Substitute Member:
Yellie Powley-Williams for Richard Stok

93. Declarations of Interest

Jane Coley, Neil Davies and Brian Poxon declared an affected interest in respect of Item 5 (Improving Leadership and Governance over Special Educational Needs Support and the High Needs Funding Block).

Martin Gocke declared an affected interest in respect of Item 6 (Review of Alternative Provision Across Bracknell Forest).

Martin Gocke declared an affected interest in respect of Item 8 (2018/19 Provisional Outturn on the Schools Budget).

Martin Gocke, Karen Davis, Neil Davies, Yellie Powley-Williams, Brian Poxon and Phil Sherwood declared an affected interest in respect of Item 9 (2018/19 Balances Held by Maintained Schools).

94. **Minutes and Matters Arising**

RESOLVED that the minutes of the meeting of the Forum held on 14 March 2019 be approved and signed by the Chairman as a correct record.

Arising from minute 88 the Chairman questioned when the strategy relating to the Childcare Sufficiency Assessment would be submitted to the Forum. The Forum was advised that an update would be reported at the next meeting.

Arising from minute 90 the Forum queried whether the Sub-Group had been set up. It was explained that the first meeting had taken place, during which the members of the Sub-Group agreed to proceed with the draft terms of reference and the work plan. The Sub-Group also discussed whether a smaller group should be identified but the consensus was all members of the Forum should be invited to attend.

Arising also from minute 90 the Forum inquired whether amendments had been made to the draft terms of reference. Jackie Ross advised that the first meeting of the Sub-Group had taken place after the papers for this Forum had been submitted. The terms of reference of the Sub-Group would be presented to the Forum at the next meeting.

Action: Kashif Nawaz

95. **Update to the Local Funding Agreement for Early Years Providers Delivering Free Places for 2, 3 and 4 Year-Olds**

The Forum considered a report which sought approval for the proposed changes to the local funding agreement.

The Forum was advised that substantial rewriting and reformatting of the Provider Agreement was required to ensure compliance with the DfE's model agreement. An overview of the proposed changes was given.

In addition to this, the Forum was advised of the proposed changes and additions to the terms and conditions in the 2019/20 Provider Agreement; namely that:

- Information about the Local Authority Designated Officer and their role has been added to Section 5: Safeguarding;
- The Statutory guidance for local authorities, published in June 2018, set out the eligibility criteria for foster carers to claim 30 hours funding. This guidance was not published in time for inclusion in the 2018/19 provider agreement. This guidance has now been added as Section 9: Foster Carers; and
- Guidance on what to do when a child's attendance is poor or erratic, or when families take extended holidays has been added in Section 17: Funding.

In relation to paragraphs 17.26 and 17.27 of the report, the Forum expressed concern that funding could be cut for children not attending regularly even though providers had a duty to hold spaces for children who were on-roll. The Forum requested clarity regarding the process for reporting concerns about a child's attendance. Further BFC guidance from the Early Years team would remedy this.

Action: Cherry Hall

RESOLVED that the revised Provider Agreement for Funding Free Places for 2, 3 and 4 Year Olds as attached at Annex A be approved for implementation from September 2019.

96. **Improving Leadership and Governance Over Special Educational Needs Support and the High Needs Funding Block**

The Forum considered a report which provided an update on the proposal to pilot a mechanism for children and young people to have prompt access to short-term additional specialist support from the High Needs Block (HNB) without having to wait to go through an Education Health Care (EHC) Plan statutory needs assessment to access Element 3 'top up funding'.

Jackie Ross thanked members of the Forum and school staff who had been involved in the Hub. The Forum was advised that there have been three Hubs so far which have looked at different ways of working with children and young people with Special Educational Needs (SEN). The work was ongoing so outcomes had not yet been analysed but it was clear that the Hubs had explored different ways of working and had looked at how to reshape the work with outreach teachers. Furthermore, positive feedback had been received from one of the children who had received support from the Hub. The Forum expressed that the Hub has clearly been transformational for the children involved. The Chairman added that this demonstrated the influence of the Forum in terms of being able to support creative and innovative ideas.

Jackie Ross explained that her recommendation going forward would be for a central Hub which could be held at Time Square or in a cluster of schools. Jackie Ross also recommended a review of support at classroom level including more targeted and specialist SEN support. The Forum noted that these two points were operational issues and did not form part of the recommendations for the Forum to consider.

The Forum questioned how it could be assured of the sustainability of the Hubs in the context of tightening budgets and capacity. The Forum was assured that the provision could be built into the budget for the next financial year if it could be evidenced that the provision was beneficial. Councillor Barnard expressed that he was very supportive of this provision.

The Forum requested an update in November when more data would be available.

Action: Kashif Nawaz

RESOLVED, to AGREE

1. that the pilot mechanism for children and young people to have prompt access to short-term additional specialist support from the HNB without having to go through an EHC Plan statutory needs assessment to access Element 3 'top up funding' as summarised above would continue until the end of the financial year; and
2. that the project would be reviewed before the end of the financial year and also be reported on in November to determine on-going sustainability and scalability as well as recommendations for going forward.

97. **Review of Alternative Provision Across Bracknell Forest**

The Forum considered a report which outlined the outcome of the initial review of the overall approach, structures and systems to deliver Alternative Provision at all key stages and to map need against this.

Kashif Nawaz informed the Forum that he had met with Head teachers to review the current landscape. The key lines of enquiry were outlined as follows:

- Mainstream Provision: What support was needed for pupils with high incidence, high/low need that schools could commission through their notional SEN funding budget?
- Alternative Provision: What opportunities were available for mainstream schools when they were not able to engage a pupil with the core curriculum offer? What could the commissioning model look like for schools?
- What would central training for school leaders around Social Emotional Mental Health (SEMH) look like going forward?

The report detailed an ambitious plan of action and the Forum was advised that the next step was to develop a centralised commissioning model for Alternative Provision which would combine provision with financial arrangements; schools had indicated that this was the preferred option.

The Forum was pleased that the strategy was moving in the right direction. However, it was felt that the report needed more contextual information such as what types of pupils were accessing alternative provision and whether it was just a reactive provision for pupils whose needs weren't being met elsewhere or whether the resource was being used to support inclusion (which was felt to be a much more productive use of money). The Forum also requested data regarding cost of provisions and pressures. The Forum was mindful that, for two years running, the Forum had not been able to agree that there were appropriate arrangements in place for the education of pupils with SEN and the use of pupil referral units and the education of children otherwise than at school. Therefore there was a moral imperative to evidence progress this year in a timely manner.

The report would be added to and brought back to the Forum in September.

Action: Kashif Nawaz

RESOLVED, to NOTE the report and the next steps as set out in 5.8 of the report.

98. **2020/21 Initial Budget Planning**

The Forum considered a report presenting information relating to the initial works expected to be undertaken in constructing the 2020-21 Schools Budget. It presented an early opportunity to gather views from the Forum on current plans as previously identified by the Forum.

Table 1 on the report outlined a summary of the three key 2020-21 budget planning activities; namely to:

- Review the arrangements for funding schools;
- Examine the case for a funding transfer up to 0.5% of funding for schools to budgets supporting pupils with high needs; and
- Review the factors in the BF Early Years Funding Formula and their relative weightings

Four different options for change had been developed with the intention of seeking views from schools through consultation. The options were as follows:

- Option 1: Match the School National Funding Formula (SNFF)
- Option 2: Prioritise funding allocations through additional needs factors and the fixed lump sum
- Option 3: Prioritise core per pupil funding allocations

- Option 4: Prioritise funding allocations through additional needs factors with the highest prioritisation given to the fixed lump sum

Paul Clark expressed that, on reflection, Option 4 would be discounted when presenting the options to schools as it produced considerably different underlying school budget allocations compared to Options 1-3 and the current position.

The Forum felt it would be worth considering whether individual schools have received more money based on deprivation factor or historic factors. There seemed to be a risk that taking money back from those schools may in fact take away appropriate provision. However, the new national formula targets money towards high needs pupils.

Councillor Barnard left the meeting at 17:25.

RESOLVED

1. to NOTE the key developmental activities planned for the 2020-21 budget setting exercise, as set out in Table 1, including the expected consultation timelines; and
2. to AGREE the release of the consultation with schools that seeks views on changes to the BF Funding Formula for Schools and other related matters.

It was also noted that the Forum had already made comments on whether any other areas of work should be considered.

The Forum expressed gratitude to Paul Clark for all his hard work in preparing the budgets.

99. 2018/19 Provisional Outturn on the Schools Budget

The Forum considered a report which informed of the provisional outturn on the 2018-19 Schools Budget, including the allocation of balances and use of Earmarked Reserves. Earmarked reserves were sums of money which had been set aside for specific purposes such as increases in rates.

The Chairman expressed dissatisfaction that lots of students were waiting for spaces in special schools so were in the meantime having home-tuition which was more costly and less able to meet their needs. The Chairman felt that adding five spaces to College Hall would have saved money on this budget.

RESOLVED, to NOTE

1. that the outturn expenditure for 2018-19, subject to audit, showed net income of £0.437m which represented an under spending of £0.797m before allocation of reserves and balances (paragraph 6.7 of the report);
2. that after transfers to and from earmarked reserves, the Schools Budget underspent by £0.177m (paragraph 6.8 of the report);
3. the main reasons for budget variances (paragraph 6.9 of the report);
4. as at 31 March 2019, the aggregate surplus on balances and Earmarked Reserves within the Schools Budget amounted to £6.220m which reduced to £4.610m when school balances are excluded (paragraph 6.10 of the report);
5. transfers to and from Earmarked Reserves (paragraphs 6.12 and 6.13 of the report); and
6. the £1.577m surplus balance held in the Schools Budget General Reserve (paragraph 6.14 of the report).

100. **2018/19 Balances Held by Maintained Schools**

Michelle Tuddenham left the meeting at 17:35.

The Forum considered a report which updated on the level of balances held by maintained schools as at 31 March 2019, how they compared to the previous financial year and considered whether any significant surplus balances should be subject to claw-back and re-invested within the overall Schools Budget.

The report evidenced a good position in terms of an increase in aggregate surplus balances held by schools. However, there were still significant financial challenges facing schools.

The report outlined which schools were in deficit at the end of the 2018-19 financial year and detailed the plans for recovery of that money.

For schools with a surplus, in particular, Sandy Lane Primary and Meadow Vale Primary which had significant surpluses exceeding the maximum cap and their governors had submitted requests to retain the surplus; these were outlined in Annex E and F of the report.

The Forum questioned how Bracknell Forest compares to the national picture in terms of the primary and secondary split. Paul Clark explained that generally Bracknell Forest's balances were slightly below the national average but there was no data specifically relating to the primary and secondary split.

The Forum questioned how it would be monitored that schools adhered to the plans put in place. The Forum was assured that work would be undertaken at officer level within Bracknell Forest Council and school deficits are closely monitored as part of that. It was agreed that it would be useful to re-establish within the report information relating to how many years individual schools have had surplus balances.

Action: Paul Clark

It was clarified that unlike academy schools, Local Authorities are not entitled to apply to the Education and Skills Funding Agency for actual number funding for maintained schools experiencing significant in-year increases in pupil numbers and that the most appropriate method to provide support is through the Growth Fund.

RESOLVED

to NOTE

1. the key performance information on all school balances, as set out in paragraph 6.3 of the report, and in particular:
 - i. aggregate surplus balances have increased by £0.187m to £1.728m;
 - ii. this was the first increase in balances for 7 years;
 - iii. the value of deficit balances has increased by £0.380m to £1.150m and needs to be carefully monitored;
 - iv. significant surplus school balances have increased by £0.214m (44.1%); and
 - v. at 3.1%, average balances are considered to be at the minimum level required for working balances to safely cover unforeseen circumstances; and

to AGREE that:

2. the entire significant surplus balances held by schools has been assigned for relevant purposes as set out in the approved scheme and should not be subject to claw back (paragraph 6.12 of the report); and

3. the surplus balance currently held above the 16% limit should be retained by relevant schools or returned for re-distribution within the overall Schools Budget in respect of:
 - i. Sandy Lane Primary School, at £0.046m; and
 - ii. Meadowvale Primary, at £0.009m.

101. **2018/19 Funding Allocations to Mainstream Schools from Budgets Centrally Managed by the Local Authority And Other Matters**

The Forum considered a report which presented information on the in-year allocation of funds to mainstream schools through School Specific Contingencies and other budgets that were funded from the Dedicated Schools Grant (DSG) and in the first instance centrally managed by the council. It also presented the opportunity to amend existing funding policies. The report also updated the Forum on some mandatory changes of a mainly technical nature required to the Scheme for Financing Schools by the Department for Education (DfE) which governs the financial framework that all maintained schools need to work within, including special schools and Pupil Referral Units.

Paragraphs 6.11-6.17 of the report detailed an issue for consideration regarding the Growth Fund. In brief, a change for 2019-20 required consideration to ensure compliance with the DfE operational guidance which set out that the Growth Fund could only be used to “support growth in pre-16 pupil numbers to meet basic need” and may not be used to support “general growth due to popularity; which is managed through lagged funding”. The policy as previously agreed by the Forum applied equally to all pupils and did not separate out basic need pupils. Further advice from the DfE was required before specific amendments could be proposed; therefore, a report would be presented to the Forum in September.

Action: Paul Clark

During the year an issue emerged relating to 1 FE primary schools with a relatively high proportion of empty spaces as detailed in paragraphs 6.32-6.35 of the report. The smallest schools which were relying on a fixed lump sum found it difficult to make savings when pupil numbers changed. These schools were the most difficult to allocate targeted resources to and they generally had static staffing so it was difficult to change the cost base when pupil numbers fell. The Forum was asked to agree amending the policy as it was not felt to be possible to balance the budget without additional support.

The Forum had no comments or questions.

RESOLVED

1. to NOTE the following funding allocations to schools, made in accordance with approved policies:
 - i. £0.243m for significant in-year increases in pupils (paragraph 6.9 of the report);
 - ii. £0.048m for schools required to meet the Key Stage 1 Class Size regulations (paragraph 6.20 of the report);
 - iii. £0.103m for new and expanding schools (paragraph 6.22 of the report);
 - iv. £0.036m for schools with a disproportionate number of SEN pupils (paragraph 6.26 of the report);
 - v. £0.196m for schools in financial difficulty (paragraph 6.36 of the report); and
 - vi. £0.005m from the general schools contingency (paragraph 6.39 of the report);
2. to AGREE:
 - i. that in respect of the policy supporting schools experiencing significant in-year increases in pupil numbers:

- a. the deletion of text relating to Infant and Junior Schools (paragraph 6.10 of the report); and
 - b. work should be undertaken to draft new policy text relating to allocations to schools in relation to meeting the DfE basic needs pupil criteria (paragraph 6.17 of the report);
 - ii. the expanded policy text relating to allocations to schools in financial difficulty to include one form of entry primary schools with more than 5% empty places (paragraph 6.35 of the report); and
 - iii. the existing policy text on funds used to distribute centrally managed funds to schools should continue unchanged on all other funds (Annexes 3, 9 and paragraph 6.25 of the report); and
3. to NOTE the changes to be made to the Scheme for Financing Schools reflecting a directed revision from the DfE and other minor revisions from the council to text to reflect current terminologies (paragraph 6.45 of the report).

102. **Dates of Future Meetings**

The next meeting of the Forum was due to be held on 19 September 2019 commencing at 4.30pm (preceded by a briefing for members at 3.30pm). Apologies for that meeting were received from Jane Coley.

It was noted that two future dates had been amended: 21 November and 12 December 2019.

CHAIRMAN