

SCHOOLS' FORUM

Minutes of the meeting held at 4.30 pm on 12 January 2017

Present:

Andrew Downes (Chairman)	Secondary Academy Governor
Dr Martin Airey	Secondary Academy Head Teacher
Janice Box	Primary Maintained Head Teacher
David Dilling	Primary Academy Governor
Patrick Foley	Primary Maintained Head Teacher
Neil Miller	PRU Head Teacher
Neil Proudfoot	Non-School Representative (Joint Teacher Liaison Committee)
Karen Raven	Secondary Academy Head Teacher
Keith Seed	Special Head Teacher/Governor
David Wilcox	Secondary Academy Governor
Aydin Önaç	Secondary Maintained Head Teacher

Also Present:

Carol Arnfield	Head of Education
Jane Bailey	Director: Education
David Bradshaw	Head of ECHS Finance
Amanda Russell	Head of Schools Finance Support
Philippa Gibbs	Democratic Services Officer

25 APOLOGIES FOR ABSENCE

Apologies for absence were received from David Bridger and Colin Ashford. Councillor Fortune, the Portfolio Holder for Education also tendered his apologies.

26 DECLARATIONS OF INTEREST

There were no declarations of interest.

27 MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2016

The minutes of the meeting held on 24 November 2016 were approved, and signed as a correct record.

28 DEDICATED SCHOOLS GRANT 2017-18

Report ED17032

The Schools' Forum considered a report which provided an outline of the Dedicated Schools Grant (DSG) allocation for 2017/18 and an overview of how this would be spent. The DfE released the DSG allocations on 20th December 2016 alongside the second stage of the consultation on the National Funding Formula (NFF) and the High Needs Funding Formula (HNFF) to be introduced in 2019/20. The final DSG allocation was in line with the expectations of LA Officers with details of the allocation set out in Appendix 1 of the report.

For 2017/18 the Blocks were not ring fenced and therefore an overspend in one block could be offset against an underspend in another block in order to ensure that the DSG was balanced overall. The Early Years Block funding had been allocated based on the new Early Years Funding Formula (EYFF) which had been consulted on earlier in the year. The allocation for Bromley had increased, as anticipated, which meant that no savings had needed to be found in this area and that most EY providers would see an increase in their funding in 2017/18.

The High Needs Block had received an allocation of £46 million from which the DfE deducted funding recouped for an agreed number of places at special academies, AP academies and other post 16 institutions. These deductions totalled £6.774 million bringing the allocation to the High Needs Block down to £39.2 million.

It had been anticipated that around £2 million savings needed to be identified and achieved within the High Needs Block in 2017/18. Following the meeting of the Schools' Forum on 15th November 2016 and the meeting of the Working Group on 12th December 2016 the following savings were identified and included in the proposed budget allocation for 2017/18:

- 1.5% reduction on top up bands for special schools, AP provision and unit places from September £86k
- 1.5% reduction on banded top up funding for statemented pupils in mainstream schools from September £25k
- Savings to be identified within the Sensory Support Services £50k
- Additional funding target for primary and secondary schools to contribute towards the cost of non PEX (permanently excluded pupils) at the PRUs £100k
- Savings to SEN transport costs charged to the DSG £100k
- Savings to be identified within the Phoenix Pre School Service £392k

The savings identified totalled £753,000, considerably short of the target that had been originally identified and, even after receiving around £460,000 for population growth, the High Needs Block remained overspent by £820,000. In recognition of the challenges facing Local Authorities in Balancing the High Needs Block the DfE had announced a new grant entitled High Needs Strategic Planning Fund. This was to be paid to Local Authorities in January 2017. Bromley would receive a one

off payment of £140,000 to be used to carry out a full strategic review of the high needs provision.

Prior to the re-alignment of the funding blocks in 2016/17, the Schools Block was overspent by around £4 million and the High Needs Block underspent by £2.8 million. Following re-alignment around £3.5 million funding was reallocated from the High Needs Block to the Schools Block. As the three blocks within DSG were not yet ring-fenced it was proposed that the overspend within the High Needs Block should be met with further savings within the Schools Block.

Turning to the de-delegation of funding back to the Local Authority for staffing costs relating to maternity, jury service, suspension, and free school meal assessments. Due to the reduced number of maintained schools it was no longer financially viable to manage this as a central budget. It was therefore proposed that the funding remain with maintained schools and that these schools should be responsible for managing these costs in the same way as academies.

In 2016/17 Bromley received a combined figure of £1.2 million for the Education Services Grant (ESG) representing £543,000 for the General fund element and £742,000 for the Retained Duties element. Officers anticipated that this sum would reduce to £181,000 for the period April – August 2017 at which point the funding would cease. The DfE had introduced a new function allowing the LAs to retain funding within the Schools Block to cover the cost of statutory duties for maintained schools previously funded through ESG. It was proposed that schools should be asked to agree a notional sum of £30 to be retained for each pupil, generating a total of £97,000.

The Head of Schools' Finance Support tabled a document setting out the outcome of the Early Years consultation. Of the circa 249 Early Years settings in the Borough, 69 responses to the consultation had been received. This response rate was in line with expectations. The response in relation to supplements was disappointing however, an analysis of the responses had demonstrated that a number of settings wished to retain the quality supplement. This was no longer an option under the new rules and could therefore not be a consideration of the LA.

The PRU Head Teacher sought clarification and confirmation that the savings options outlined above represented the key proposals. The Head of ECHS Finance confirmed that following the last meeting of the Schools' Forum and the Working Group meeting the proposals outlined were the options that were being taken forward.

Members of the Schools' Forum noted that the LA would receive a £224,000 New Burdens Grant and queried how this money would be spent. In response the Director of Education explained that the funding would be directed toward initiatives such as SEN reforms, developing the local offer and funding the demands introduced by the Children and Families Act 2014. The £140,000 one off payment would fund a comprehensive strategic review of the services delivered by the Local Authority in relation to the high needs block. The review would encompass the existing partnerships and the development of effective

systems to address the challenges and ensure that competing demands within the high needs block were addressed. The Director of Education stressed that this would be a very big project. The ambition for the review was that the LA would be in a position to deliver a 10-15 year strategy. This would enable the LA to be proactive, anticipate evolving demands, and plan ahead. The Schools' Forum noted that Head Teachers across the Borough would be interested in how the money was spent and would want to see that achievable and deliverable outcomes for the review were identified. The Director of Education suggested that the Schools' Partnership Board would be the appropriate forum for this monitoring and scrutiny.

In response to a question concerning the accountability of the LA in terms of targeting the £224,000 New Burdens Funding where it was most needed, the Head of ECHS Finance confirmed that as a new funding stream the drawdown of funding would need Executive approval and Members would scrutinise proposals as part of this process. It was agreed that Officers would ensure that Members of the Schools' Forum would be provided with the Committee Report when it was available.

In relation to the Strategic Planning Fund, a Member of the Forum noted that there had been a long history of reviewing SEN provision and stressed the need to ensure that there was sufficient resource available to implement any plans that arose from the latest strategic review. In response the Director of Education acknowledged that there had been a number of reviews. The challenge was to now identify how the information that had been gathered throughout previous reviews could be used in the future to develop and deliver sustainable services. This review would be a full review looking at developing a model for supporting SEN. It would involve a series strategic decisions around the structure at the centre. There were a number of big issues that needed to be explored and it was important that the LA engaged with all its partners as well as the community. One of the biggest issues to be reviewed was inclusion.

The Schools' Forum noted that in previous years there had been the ability to offset any overspend in in blocks by moving funding between blocks. This flexibility was now being withdrawn. Whilst in 2018/19 there would be some flexibility, from 2019/20 any flexibility would be completely removed and the LA would no longer have the ability to offset any overspends that occurred.

In response to a question, the Head of Schools' Finance Support suggested that an appendix detailing how the £2 million funding had been spent could be included in the DSG Outcome Report.

A Secondary Head Teacher Representative stressed, in relation to paragraph 3.15 of the report, that in preparation for the introduction of the NFF Secondary Head Teachers would like the ratio of 1:1.29 to be implemented as soon as possible and not delayed any further. This was in the context of the national expectation that when introduced, the NFF would put secondary schools in this position. In response, the Head of Schools' Finance Support highlighted that as a result of the Minimum Funding Guarantee no funding could currently be taken away from primary schools. In addition to this, a Primary Maintained Head

Teacher representative highlighted that all primary schools in the Borough would lose funding as a result of the NFF whilst secondary schools would gain. Members of the Schools' Forum stressed that it was scandalous that even with the introduction of the NFF Bromley would remain the lowest funded LA and this position should be objected to at the highest levels. It was not clear why Bromley would not receive additional funding whilst neighbouring Boroughs such as Bexley and Croydon saw their funding position improve. Head Teachers could only presume that it was a result of levels of deprivation across the Borough.

The Schools' Forum noted that whilst the LA had submitted a response to the consultation, a response to which the Schools' Forum had contributed, LB Bromley was not listed in the outcome document produced by the DfE as having provided a response. The Chairman suggested that it was worth checking with the DfE how responses that were submitted were logged so that the LA and the Schools' Forum could be confident that any future responses to consultations were registered.

The following motion was proposed by David Dilling and seconded by Keith Seed:

“The Schools' Forum feels that it is deeply regrettable that schools are being asked to find £58 per pupil as cuts. The Schools' Forum therefore cannot accept the budget in its current form and asks the Local Authority to find additional funding from alternative sources.”

Following a vote the motion was unanimously CARRIED.

In relation to the de-delegation in maintained schools, Members of the Forum acknowledged that as a result of the low number of maintained schools that remained it was no longer viable to run a pooled resource. If it was agreed that de-delegation was to cease the funding would remain in the school's budgets. It was agreed that the schools affected should be notified of the changes as soon as possible in order to provide time for them to implement alternative arrangements.

The representatives of maintained schools in the Borough agreed to recommend that the Local Authority cease de-delegation for staffing costs relating to maternity, jury service and suspension, and to free school meal assessments.

In relation to the new de-delegation relating to retained duties, the representatives of maintained schools disagreed with a de-delegation of £30 per student. In response to a question surrounding the consequences of not agreeing the de-delegation, the Head of ECHS Finance confirmed that the LA would need to review the services affected (such as HR, asset management and audit) and consider whether it was feasible to continue to provide them.

Following discussion the representatives of maintained schools agreed that £30 per pupil in relation to changes in the Education Support Grant (ESG) should not be de-delegated from budgets.

RESOLVED: That:

- 1. The outcome of the Early Years consultation be noted;**
- 2. De-delegation for staffing costs relating to maternity, jury service and suspension, and to free school meal assessments cease.**
- 3. That no funding be retained by the LA to cover the cost of statutory duties for maintained schools previously funded through ESG.**
- 4. The Schools' Forum feels that it is deeply regrettable that schools are being asked to find £58 per pupil as cuts. The Schools' Forum therefore cannot accept the budget in its current form and asks the Local Authority to find additional funding from alternative sources.**

29 CONSTITUTION OF THE SCHOOLS FORUM

Report ED17031

The Schools' Forum considered a report which provided an overview of the representation on the Schools' Forum. The Constitution was last fundamentally reviewed in September 2012 when the DfE introduced new Schools' Forum Regulations. Since then there have been no further major DfE regulation affecting Schools' Forums.

As a result of a number of LA maintained primary schools converting to academy status there needed to be a shift in membership with an increase of two primary academy members and a decrease of two primary maintained members of the Forum.

It was proposed that:

- a) there was a reduction of one maintained primary governor representative (down to zero), the position is currently vacant.
- b) there was a reduction of one maintained primary head representative (down to one), there are currently two maintained primary head representatives.
- c) there was an increase of one academy primary head representative (up to two).
- d) there was an increase of one academy primary governor representative (up to three).

It had also come to light that there were currently two representatives from one school on the Forum, in breach of paragraph 1.10 of the Constitution. It was recommended that the Member with the shortest length of membership should be removed from office and an alternate member sought.

It was recommended that no changes to the Non-Schools Membership be made at this time.

The Forum noted that there would be three vacancies on the Forum. The relevant group would be asked to nominate a representative using a democratic process.

Where this would not possible the Council would approach the relevant group for nominations.

In light of the proposed changes Janice Box agreed to step down as a Maintained Primary Head Teacher representative.

A Secondary Head Teacher representative queried the rationale behind the differing number of primary and secondary head teachers and the Head of ECHS Finance explained that the membership was based on pupil numbers. The Secondary Head Teacher asserted that the number of primary and secondary head teacher representatives should be the same.

In relation to the breach of paragraph 1.10, Dr Martin Airey reported that he would be prepared to step down if necessary and the Secondary Head Teachers' Forum who elected him would have to discuss this and nominate another representative.

The Forum also noted that Sam Parrett and Neil Miller represented the same Multi Academy Trust and that this would need to be reviewed.

In view of the inclement weather that was closing in and the potentially difficult driving conditions the proposed changes to the Constitution of the Schools' Forum were immediately put to the vote. It was agreed by majority that the proposed changes to the Constitution be approved.

RESOLVED: That the proposed changes to the Constitution of the Schools' Forum be recommended to the Education Budget Sub-Committee for approval.

30 ANY OTHER BUSINESS

No other business was considered.

31 DATE OF NEXT MEETING

It was agreed that an additional meeting would be held at 4.30pm on Thursday 9th March 2017.

32 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED: that the press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**33 PART 2 (EXEMPT) MINUTES OF THE MEETING HELD ON 24
 NOVEMBER 2016**

The Part 2 (Exempt) Minutes of the meeting held on 24 November 2016 were agreed, and signed as a correct record.

The Meeting ended at 5.50 pm

Chairman