

CITY OF YORK SCHOOLS FORUM

Minutes of the Schools Forum held on Monday 13th February 2017 at 9.00am

Attendance list:

Members:

Brian Crosby	Academy Representative and Chair
Tricia Head	Pupil Referral Unit Representative and Vice Chair
Trevor Burton	Academy Representative
Caroline Hancy	Maintained Primary Headteacher
Andy Herbert	Maintained Primary Headteacher
Ken McArthur	Early Years Sector Representative
Tracey Ralph	Maintained Primary Headteacher
Ben Rich	Maintained Primary Governor Representative
Lorna Savage	Maintained Secondary Headteacher

Observers / Advisors:

Cllr Stewart Rawlings	Elected Member for Education, Children and Young People
Richard Hartle	Head of Finance, City of York Council
Maxine Squire	Assistant Director, Education and Skills
Dave Meigh	Operations Manager [from 10.25am]
Jean Lewis	School Business Support Manager [10.50am]
Salli Radford	Coordinator and Clerk

1. Welcome and update on membership

The Chair welcomed everyone to the meeting. It was noted that Richard Ludlow had resigned from the Forum, creating a vacancy for an academy representative.

2. Apologies for absence

Apologies were received with consent, from Alison Birkinshaw – FE Representative, Nicola Fox – Maintained Primary Representative, Cath Hindmarch – Special School Representative and Jon Stonehouse – Director of Children, Education & Communities. Bill Scriven – Maintained Secondary Headteacher (VA school), was absent from the meeting.

3. Minutes of the York Schools Forum meeting of 29th September 2016

Previously distributed.

The minutes of the meeting of 29th September 2016 were agreed to be a true and accurate record and were signed by the Chair.

4. Action Plan and Matters Arising

With reference to the action plan:

Point 1 – Completed.

Point 2 – Richard Hartle advised that the Teachers Panel had accepted the proposal that they develop an SLA for schools and academies but had requested that the delegation be continued to the end of the 2016/17 academic year to allow time for this to be developed and to prevent any gap in service delivery. The Forum discussed the

request, noting that schools and academies were able to move away from LA models with this presenting a challenge for the unions in reconciling policies across a range of entities. Maxine Squire advised that the unions were considering models in place across other LAs.

In response to a question regarding the partnership between the LA and NYCC to deliver HR services, Maxine advised that there was a proposal to extend current arrangements. The Forum discussed this update, noting the need to consult unions on a range of statutory policies, including the Teachers Pay Policy, and the need for a clear SLA from the unions to ensure compliance by all settings.

The Forum agreed to continue the current Teachers Panel de-delegation until 31st August 2017.

Matters Arising:

With reference to item 9, Cluster Arrangements, Maxine advised that Wellbeing Workers were in place and that £30k had been retained as a SICG contingency fund.

5. Traveller Service De-delegation for 2017/18

Previously distributed. Maxine Squire introduced the item, advising that the additional information requested by the Forum was included in the papers provided and included a community impact assessment. Maxine advised that schools needed to discharge their duties under the Public Sector Equality Duty and that the city had a good record of engagement with the very vulnerable Traveller community. It was noted that there was currently 100% transition from primary to secondary education in this group, with a very low number of NEET young people in comparison to national and regional statistics.

Maxine advised that the Traveller group represented a small number of children but that this very vulnerable group faced significant barriers to learning. It was noted that the report outlined the work done by the service to support inclusion and equality in education and that this work was now extending to asylum seekers including Syrian children arriving in the city. Maxine advised that relationships had been developed by the team over time and now included a network of other agencies and communities, with this being very difficult for schools to replicate.

Maxine outlined the access to Traveller sites negotiated by the Traveller Education Service, with this including a return to learning project for Traveller women. Maxine advised that this project, enabled by the team, supported Traveller children in their engagement with education.

Maxine outlined the impact of the specialist support provided by the service, advising that the decision required was whether or not to continue to support this as a city-wide resource. It was noted that not all schools engaged directly with the service and would not therefore be impacted if it were withdrawn, though this would impact on the overall community. Maxine advised that Traveller families could move within the city and that the retention of a city-wide resource that could be accessed as needed was being recommended. It was noted that the proposed total de-delegation for 2017/18 was £171k.

In response to a question regarding additional funding available to support refugee children, Richard Hartle advised that this was being accessed.

In response to a question regarding a longer-term proposal for service funding which would take into account the cessation of LA funding. Richard advised that, although it was technically possible for the service to be continued on a traded basis, this would present practical challenges. Maxine advised that schools would need to plan for this and ensure that they fully understood the requirements of the Public Sector Equality Duty.

The Forum discussed the de-delegation, with the view being expressed that schools needed a brokering system and that the Traveller Education Service provided a way to engage with the community. It was suggested that costs needed to be reconsidered as these remained locked into a historical formula and was difficult to understand.

It was noted that academies already need to consider buying back the service as they are not included in the de-delegation arrangements.

The Forum further discussed the proposal, noting the variable needs across the city and the need to move towards a new funding model in preparation for the future. Following further discussion Richard advised that it was difficult to offer the service on a traded basis at the current time due to the lack of security that would be provided. Maxine outlined the LA's approach to capacity building rather than direct service delivery.

The Chair advised of the need to plan for a move to a fully-traded model over the next two years.

A Forum member asked whether it would be helpful to provide schools with the opportunity to feedback on the quality of the service in their experience.

Maintained school Forum members considered the de-delegation proposal at length.

The Schools Forum approved the de-delegation of £171k of funding for the Traveller Education Service for 2017/18.

In favour	4
Against	2
Abstentions	0

It was noted that a new model may be required for 2018/19. The Forum noted changing demographics within the city and the challenges that these would bring.

6. Early Years Single Funding Formula for 2017/18

Previously distributed. Richard Hartle advised that the papers provided were for information as the consultation had been responded to by the Early Years Reference Group as agreed by the Forum at its September meeting. It was noted that the group had met three times, with discussion detailed in the papers. Richard advised that LA proposals had been provided to central government. The Forum noted the consultation document and that the proposals had been taken to Council Executive during the week commencing 6th February and had been approved as part of the budget that would be taken to Full Council on 23rd February.

Ken McArthur thanked Jon Stonehouse and Richard Hartle for their work with providers on the consultation response.

Ken advised that the large increase in funding was welcome but that providers still felt it remained below the cost of service provision. The new hourly rate of £4 per hours was noted, with Ken suggesting that the Flexibility Supplement be reconsidered for 2018/19.

It was noted that a deprivation supplement and an increase in the SEND inclusion fund had been introduced, with providers needing to see how these were applied. Ken advised that transparency would be needed to allow this understanding to develop. It was noted that the LA would retain 5% of the funding allocation, 2% below the maximum allowed by the DfE

Ken outlined the complexity of the Funding Formula and the changing relationship with the LA, advising that the group was keen to see the LA reconsider business rates as a way of supporting providers. It was noted that the York pilot was being monitored nationally.

Cllr Rawlings advised that it was important to retain the Flexibility Supplement as an option to address any future requirements, further advising that current guidance was weak. It was noted that the relationship between the LA and providers was strong and would need to continue to work together in the future.

Richard clarified the increases to funding, which totalled c17% for York providers.

In response to a question regarding the SEND fund, Richard advised that the Inclusion Fund was drawn from the Schools Block but that the £20k increase in funding for 2017/18 would be drawn from the Early Years Block.

7. School Funding and the Dedicated Schools Grant for 2017/18

Previously distributed. Richard Hartle advised of the LA's proposal to continue current arrangements as outlined in paragraphs 6, 7 and 8 of the report. It was noted that some technical changes had been made to the Education Services Grant (ESG) which was provided to LAs to fund statutory services to maintained schools and in some cases academies.

It was noted that funding historically provided through the ESG was being transferred to the Dedicated Schools Grant (DSG) from 2017/18 and that LAs were therefore required to seek approval of the Schools Forum in order to retain funding for statutory services. The retained duties funded by the DSG for all schools were noted:

- Director of Children's Services and support
- Planning for the whole education service
- Budget preparation and audit
- Administration of grants
- Monitoring of expenditure
- Maintenance and review of LMS funding formula
- CFO S151 responsibilities
- Consultation costs
- SACRE

It was noted that retention of this funding would bring neutral impact to the DSG.

The Forum discussed the proposal. In response to a question regarding the reduction of the ESG over time, Richard advised that this had already reduced significantly.

In response to a question regarding the provision of services once the Schools Forum functions were no longer required, Richard advised that he anticipates that the funding would dwindle and eventually disappear, though the LA would retain some statutory functions. It was noted that these statutory functions would need to be funded and that a central block would be required from 2018/19.

The general duties funded by the ESG for maintained schools only were noted:

- School Improvement statutory intervention functions
- Budgeting, accounting and financing functions
- Monitoring of compliance with the scheme for financing schools (LMS Scheme)
- Internal audit and other CFO S151 responsibilities
- Consistent Financial Reporting
- Administration of local government pension arrangements
- HR advice to schools on pay and conditions of service
- Investigation and resolution of complaints relating to maintained schools
- Ensuring compliance with health and safety regulations
- Ensuring compliance with equalities legislation
- Inspection of school attendance registers
- General landlord duties for school buildings and premises
- Funding of school staff redundancy costs (in defined circumstances)
- Monitoring of national curriculum assessments

It was noted that these general duties would be transferred into the funding formula.

In response to a question regarding the ability of academies to purchase services back from the LA, Richard advised that this was an option in most cases.

The Forum discussed the proposals. In response to a question regarding the interaction with LA traded services, Richard advised that the services funded by the ESG covered statutory duties only.

It was noted that the following services were funded by centrally retained budgets:

- Pupil Growth & Infant Class Size Fund: £800k
- Falling Rolls Fund: £nil
- School Admissions: £178k
- Servicing of Schools Forum: £42k
- Contributions to Combined Budgets (School Improvement, Schools Causing Concern, Integrated Children's Centres, Broadband Contract, Local Fostering Programme, Safeguarding Advisor): £1,966k
- Termination of Employment Costs: £383k
- Prudential Borrowing Costs: £605k
- SEN Transport: £400k

The Forum further considered the proposals, noting the content.

The Forum confirmed their agreement to maintain the LA's centrally retained budgets at their current levels.

The Forum agreed to the LA's proposals for the retention and de-delegation of former Education Services Grant funding that has transferred into the DSG in 2017/18.

Andy Herbert left the meeting at 10.17am.

It was agreed that items 11 and 12 would be taken next.

11. School Improvement Commissioning Fund update

Previously distributed. Maxine Squire advised that the paper and annexes included detail of the £966k retained by the LA to support sector-led improvement across the city. It was noted that this included £125k of funding managed by the SICG which had been split to include funding for the Wellbeing Workers during the current year.

Maxine advised that the School Improvement Commissioning Fund of £200k was retained for the provision of statutory duties and had been used flexibly in the past to support grade 3 and 4 schools.

It was noted that funding of £641k centrally retained for School Improvement included the funding provided to Ebor TSA for school-to-school support. Maxine advised that there would be an under spend at the year-end at that this would be carried forward into the DSG for 2017/18.

Maxine advised that the impact of the funding was outlined in the report provided to the Forum.

Maxine advised that the LA was planning for the future and acknowledged that relationships were changing, with the move to a National Funding Formula likely to cause some elements of current funding to disappear.

Dave Meigh joined the meeting at 10.25am.

Richard Hartle outlined National Funding Formula agreement and consultation processes, with central government expecting historic funding arrangements to unwind, with centrally retained blocks being clawed back from LAs. It was noted that 2017/18 funding was guaranteed but that funding beyond 2018/19 was uncertain.

Richard advised that approval of retention of the commissioning fund in 2017/18 would be permitted but that new arrangements would supersede current arrangements in 2018/19. Richard recommended retention of the £966k central budget in 2017/18 as dispersal into schools could result in a loss of this resource from 2018/19 under the NFF. Richard advised that it may be possible to retain the funding for longer if the LA could evidence value through outcomes.

Maxine suggested the development of future arrangements over a period of two years, with the continuance of current arrangements enabling the exploration of new systems. It was noted that this would allow the LA to support maintained schools and academies.

Maxine advised that a National School Improvement Fund was being proposed, with a reduced pot of funding to be allocated on a bidding basis. Maxine advised that it was unlikely that the city would be able to access this funding and outlined the benefits of retaining a centralised school-to-school support and CPD fund for York.

In response to a question regarding future school improvement funding when the National Funding Formula replaced the DSG, Richard advised that from 2018/19 funding currently included in the Schools Block would be split between the National Funding Formula and a new Central Schools Block. Richard further advised that central government expected historic costs to unwind beyond 2018/19, with the LA being required to justify the continuance of any centralised funding.

The Forum discussed the information, noting that schools were free to purchase from a variety of providers and options to meet their needs. A number of views were expressed, though the desire to retain funding for the city was generally agreed.

In response to a question regarding the discussion and agreement of allocation of funding by the SICG, Maxine advised that arrangements would need to be further developed if funding was agreed for the next two years.

It was noted that the Pupil Premium project was not funded from the DSG but from Council funding.

The Forum further discussed the proposals, noting that the Pathfinder TSA CPD offer could be delivered by a variety of funding models. It was noted that funding for the CPD offer had provisionally been agreed on the basis that it would end on 31st March 2017.

The Forum agreed to retain the overall allocation of £966k centrally for two further years until the end of 2018/19 but did not agree to continue the current allocation of the funding for 2017/18 as proposed.

The Forum agreed to establish a working group to explore new ways of operating and to agree how the funding would be utilised in 2017/18. Maxine would arrange a meeting shortly. Membership would be:

- Richard Crane
- Brian Crosby
- Tracey Ralph

Ben Rich left the meeting at 10.50am.

12. Future procurement of schools grounds maintenance contract

Previously distributed. Dave Meigh advised that 18 schools currently accessed grounds maintenance via the LA.

The Forum noted that the current contract would end on 31st March 2018 and that the LA did not intend to renew this offer. It was noted that schools were being provided with a year's notice in which to make alternative arrangements.

The Forum endorsed the LA's proposal and thanked Dave for the notice period provided.

The order of the meeting returned to the agenda.

8. School and High Needs National Funding Formula DfE consultation

Previously distributed. Richard Hartle advised that an overview of the consultation had been presented to headteachers and governors during spring term briefing sessions. Richard invited questions from the Forum.

Richard advised that he would draft the LA's consultation response, asking that any comments be forwarded to him in advance of the deadline of 22nd March.

The Forum discussed the consultation, noting the varying impact of the proposed National Funding Formula on York schools, particularly small rural primary schools. It was noted that concerns would be included in the consultation response.

9. The Inclusion Review: Report on how the DSG High Needs funding is currently used in York

Deferred to the July Schools Forum meeting.

10. Academy Conversion Contribution

Previously distributed. Maxine Squire advised that the proposal to request a contribution towards conversion costs incurred by the LA had been taken to the Council Executive, with a cap of £5k for a standard conversion based on officer time. It was noted that complex conversions including those of PFI schools would incur a charge of up to £20k due to the additional costs that would need to be met by the LA. It was noted that this charging scheme was already in place in other areas.

The Forum discussed the charging methodology, noting that no invoice or breakdown of costs had been provided to date and that no SLA was used for the conversion process. It was noted that faith schools also incurred Diocesan fees. Maxine advised that the LA would request a reduced contribution from faith schools as land transfer arrangements incurred fewer costs.

In response to a question regarding school negative balances on conversion, Richard advised that schools undergoing a sponsored conversion left any budget deficit with the LA, whereas converter schools took their deficit with them.

Maxine outlined the reasons for the introduction of charges, which were noted.

Jean Lewis joined the meeting at 10.50am.

13. Revisions to the York LMS Scheme for Financing Schools

Previously distributed. Richard Hartle advised that the scheme had been updated following changes to DfE directions, with the updates adding clarity to detail relating to the suspension of financial delegation. Richard advised that changes to the section on removal of delegation had been made in response to discussion with the Regional Schools Commissioner regarding sponsored academy conversions, during which the RSC had asked the LA to consider removing delegation of funding if appropriate.

The Forum noted the propose revisions and were asked to send comments to Richard by 31st March.

14. Schools Forum forward plan

Previously distributed. The forward plan was noted.

15. Any Other Business

There was no other business.

16. Date and time of the next meeting

The next meeting would take place on 3rd April at 12.00pm. It was agreed that future meetings would be given a three-hour time allocation.

The meeting closed at 11.00am.

Chair

Date