

CITY OF YORK SCHOOLS FORUM

Minutes of the Schools Forum held on Monday 29th September 2016 at 11.00am

Attendance list:

Members:

Tricia Head	Pupil Referral Unit Representative and Chair
Trevor Burton	Academy Representative
Brian Crosby	Academy Representative
Caroline Hancy	Maintained Primary Headteacher
Andy Herbert	Maintained Primary Headteacher
Cath Hindmarch	Special School Representative
Richard Ludlow	Academy Representative
Ken McArthur	Early Years Sector Representative
Tracey Ralph	Maintained Primary Headteacher
Ben Rich	Maintained Primary Governor Representative
Bill Scriven	Maintained Secondary Headteacher (VA school)
Karen Tatham	Maintained Primary 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
Laura Conkar	ICT Client Manager, City of York Council [to 12.00pm]

Barbara Reagan NUT [to 11.15am]

Salli Radford Coordinator and Clerk

In the absence of an elected Chair the Vice-Chair ran the meeting.

1. Welcome

The Vice-Chair welcomed everyone to the meeting.

The Vice-Chair advised that a pre-meeting had been held with Richard Hartle and the Clerk to clarify membership, with it being agreed that membership would be stabilised to allow two consecutive meetings to be held without change.

It was noted that Karen Tatham would no longer be eligible to represent the primary group of schools once her school converted to academy status, providing the required reduction by one in overall representation.

It was noted that the secondary headteachers' group would appoint a further representative at their meeting on 30th September.

It was noted that academy representation had increased to the required three following the conversion of Millthorpe School.

Cath Hindmarch advised that Hob Moor Oaks would convert to academy status during her term of office. Richard Hartle advised that special school representation would alter at this point, with one special academy representative and one maintained special school representative being required by the Forum.

2. Apologies for absence

Apologies were received with consent, from Alison Birkinshaw – FE Representative, Nicola Fox – Maintained Primary Representative, Lorna Savage – Maintained Secondary Headteacher and Jon Stonehouse – Director of Children, Education & Communities.

It was agreed that trade union information supporting item 7, School Budget De-delegations for 2017/18, be taken as the first agenda item.

7. School Budget De-delegations for 2017/18

Previously distributed. Barbara Reagan invited questions on the papers provided by the NUT and ASCL.

In response to a question regarding the work load carried by the unions in comparison to those in other local authorities, Barbara advised that it was difficult to provide a comparison as arrangements were made locally. It was noted that each teaching union carried a similar workload within York.

In response to a question regarding the changing school landscape in York, increase in academy conversions and a model for future work with MATs, Barbara advised that this would present challenges due to union involvement in meetings and policy development across a range of organisations.

The Vice-Chair advised that the Forum had been keen to see a breakdown of the time spent on case-work and time spent on policy development and agreement, thanking the representatives for the helpful information.

Barbara advised that union representatives within York undertook some casework supported by NYCC Facility Time, with this not being included in the York-funded time information.

The Vice-Chair thanked Barbara for her attendance.

Barbara Reagan left the meeting at 11.15am. Cllr Rawlings withdrew from the meeting at 11.15am.

3. Election of Chair

The Vice-Chair advised that Brian Crosby had volunteered to take the role of Chair of the Forum. Brian outlined his background and that of Hope Learning Trust for members.

Brian Crosby withdrew from the meeting at 11.17am.

Brian Crosby was unanimously elected Chair of the Schools Forum.

Proposed: Tracey Ralph Seconded: Karen Tatham

Brian Crosby and Cllr Rawlings returned to the meeting at 11.18am.

It was agreed that the Vice-Chair could continue to chair the meeting.

4. Minutes of the York Schools Forum meeting of 5th July 2016

Previously distributed.

The minutes of the meeting of 5th July 2016 were agreed to be a true and accurate record and were signed by the Vice-Chair.

5. Action Plan and Matters Arising

With reference to the action plan:

Point 1 – To be taken under item 9.

Point 2 – To be taken under item 9.

Point 3 – Completed.

Point 4 – To be taken under item 7.

Point 5 – To be taken under item 7.

It was noted that the request for information on the de-delegation in support of the Traveller Education Service had not been included in the plan or actioned. Richard Hartle advised that this would be included in the forward plan for the next meeting.

Matters Arising:

With reference to item 10, Early Years Funding Formula Review, Ken McArthur advised that the extended entitlement to 30 hours of provision pilot was being rolled-out across the city, with the DfE considering suggestions regarding delivery models. It was noted that 97% of providers were engaging with the scheme, with this being very positive. Ken advised that the DfE was offering support to York's implementation.

Brian Crosby advised that the recent headteachers' meeting had discussed the National Funding Formula review and delays to this process, asking whether this could be discussed by the Forum. Richard proposed that this be taken under item 10.

With reference to item 8, DSG and School Budgets 2016/17, Cath Hindmarch queried the lack of clarity around Children's Centres generally and the information that could be shared in a more transparent manner. Maxine Squire advised that three Children's Centres would retain their designation in the future (Hob Moor, Tang Hall and Clifton), with six losing their designation as Ofsted registered Children's Centres. It was noted that these six settings would become Children and Family Centres. Maxine advised that this information was in the public domain.

With reference to Item 9, School Budget De-Delegations for 2017/18, the Vice-Chair advised that funding models for the High-Level Needs allocation had not yet been finalised. Maxine advised that this was ongoing work and that a timeline would be set to ensure that this was completed. It was noted that the Inclusion Review involved the Vice-Chair and key officers. The Forum discussed the review, noting that full detail had not yet been brought to the Forum and would need to be considered at the next meeting.

6. School Contacts - Broadband

Previously distributed. Richard Hartle introduced the item, advising that the existing LA broadband contract, which includes schools, was signed in 2009 and ends in August 2017. Richard advised that the LA was seeking to extend the contract by one year to allow a re-tender of the full contract for September 2018.

Richard advised that the current contract is part funded by a £195k pa contribution from the Schools Budget, previously agreed by the forum up to the original contract end date of August 2017. Richard advised that this contribution influenced the level of charges paid by schools. It was noted that the Forum would need to take a view on the proposed one-year extension.

Richard advised that continuation of the Forum contribution, if approved, may need to be considered by the DfE as part of their work on the National Funding Formula review as it would be taken from the DSG.

Laura Conkar advised that the information had been provided to headteachers and would be presented by Maxine at their termly meeting. It was noted that schools wishing to leave the contract would need to clarify their position with ICT.

In response to a question regarding the number of schools not currently included in the contract, Laura advised that there was only one school.

In response to a question regarding the settings within MATs and whether broadband services were arranged by the MATs themselves, Laura advised that all academies within York were currently included in the contract and would not be excluded from a future contract. It was noted that ICT were being transparent about the contract issues, requesting the extension via the Forum and emphasising the choice available to schools.

In response to a question regarding the two sources of funding supporting broadband provision to schools, Laura advised that the £195k contribution reduced the costs paid by individual schools, making provision affordable to all. It was noted that costs were not calculated on geographical or other issues.

Richard advised that the contribution of £195k had been agreed in 2009, from funding available through the Standards Fund grant for IT infrastructure available at the time. It was noted that the Forum had agreed to continue this contribution when the DfE mainstreamed the Standards Fund grant into the Schools Budget.

In response to a question regarding the role of the DfE and whether its approval for the extension was required, Richard advised that the extension, if approved by the forum, would need to be reported to the DfE as preparations for the National Funding Formula review would currently only include the commitment to August 2017. It was noted that it was unlikely that the DfE would allow this funding to continue into a new contract.

In response to a question regarding the breakdown of costs to each school and whether this could be redrafted to include individual school contributions to the £195k fund, Laura advised that this would not actually reflect the costs of the broadband package. Laura advised that these actual costs could be as high as £12k for a small rural primary school, further advising that costs had been agreed by the Forum at the beginning of the contract.

The Forum discussed the proposal, with the suggestion that a per-pupil cost analysis would be helpful being noted.

Laura advised that the annex provided illustrated costs with and without the DSG contribution. It was noted that charging bands were based on pupil numbers.

In response to a question regarding the option for schools to opt out of the contract during the extension period and the consequences of this, Laura advised that withdrawal after September 2017 would require a school to undertake its own

procurement process, to include consideration of associated capital costs. It was noted that no grants were available to supplement the contract and that a reduction in the number of schools remaining in the package would result in an increase in costs.

In response to a question regarding the cut-off point for school decisions, Laura advised that headteachers would need to confirm by October half term if they wished to withdraw in August 2017.

The Forum further discussed the proposal, with the suggestion that a per-pupil funding model be developed being made, on the grounds that this would be fairer to the school not currently accessing the contract.

In response to a question regarding the need to extend the contract and why the retendering process had not been prepared in time, Laura advised that the schools element was only part of the whole contract which included the LA's urban traffic management system. Laura advised that this had contributed to the decision to extend.

In response to a question regarding actual capital costs, Laura advised that a school would need to purchase a leased line and equipment in addition to meeting revenue costs. It was noted that these capital costs could be considerable. Laura advised that the fibre infrastructure was currently provided to schools by the LA without direct recharge and that these charges would need to be met by schools if they chose to withdraw.

In response to a question regarding the need to run a European tendering process in each school, Laura advised that this would be determined by the contract value and whether this exceeded the procurement threshold.

The Vice-Chair advised that the Forum was being asked to make a funding decision but schools would still have the option to withdraw from the contract until half term. It was noted that the single school not in the contract had not joined at the beginning.

Richard advised that Laura required an understanding of school intentions and that the top-slicing of £195k would not be formally approved until the February budget-setting meeting.

The Forum further discussed the proposal, with it being noted that £195k represented a significant contribution from schools. It was also noted that the contract was important to the city as a whole and supported small rural schools with an essential service.

Laura advised that the LA recognised the changes to the education environment and was encouraging schools to consider options available within the market. Laura further advised that the one year extension would enable schools to consider their options and that the LA would ask schools for their views on the service and on a new financial model that would fit both maintained schools and academies.

Laura advised that secondary academies were charged differently to the maintained schools from the point of conversion to ensure that they were not double-subsidised. It was noted that charges for MATs were under consideration.

The Schools Forum agreed to support the one-year extension of the schools broadband contract.

In favour	9
Against	1
Abstentions	1

Laura Conkar left the meeting at 12.00pm.

7. De-delegated Budgets 2017/18

Previously distributed. Richard Hartle presented the proposed de-delegations, asking the Forum to make decisions in as many cases as possible.

Schools General Contingency - £73k – Richard advised that the proposed de-delegation was equivalent to £4 per pupil and would be held as a contingency for exceptional circumstances.

In response to a question regarding compromise agreement costs, Richard advised that such costs had been met from the contingency in the past due to exceptional circumstances.

In response to a question regarding backfill for headteachers in the event of suspension from their post, Richard advised that this was not always covered by the Staff Absence Scheme.

In response to a question regarding the outturn for the fund each year, Richard advised that the contingency was rolled forward and broadly balanced over a number of years. It was noted that individual payments were increasing in value and that the contingency may need to be reviewed by the Forum at a future date.

In response to a question regarding academies and the mechanism by which they would meet foreseen costs, Richard advised that MATs would need to provide their own contingencies locally. Brian Crosby advised that an indicative figure should be included in academy budgets. It was noted that the contingency was not offered as a buy-back to academies.

The Forum discussed the proposed de-delegation, noting that academies could approach the EFA for assistance in exceptional circumstances.

The Schools General Contingency £73k de-delegation was considered and approved by the maintained school Forum members.

In favour	7
Against	0
Abstentions	1

Teachers Panel - £46k – Richard advised that the paper outlined the union representatives' time funded by the de-delegation. The Vice-Chair advised that the Forum had requested detail to bring clarity to the decision-making process as it had been unclear what funding the unions themselves provided for Teachers Panel work.

The Forum discussed the proposal, suggesting that casework should be funded by subscriptions rather than school budgets. It was noted that some schools did not buy into the LA's HR service but still contributed to Teachers Panel work for consultation on policies that may not apply to them. In response to a question regarding the number of days spent on policy development it was noted that this remained unclear. The Forum further discussed the proposed de-delegation, noting that academies would still need to discuss policies with the unions and that this would increase overall

workload. It was noted that academies paid c50% of maintained school contributions in order to support this work.

It was suggested that the current business model for the Teachers Panel required review and should be moved to a traded, rather than de-delegated, service from April 2017

Maxine Squire advised that she would take the request for a new business model that takes into account the changes within the city and is accessible to academies to the Panel. Maxine advised that local union conveners were now all retired and that no replacements were being recruited. This meant that no serving teachers were members of the Panel.

The Teachers Panel £46k de-delegation was considered and declined by the maintained school Forum members.

In favour	0
Against	7
Abstentions	1

Free School Meals Eligibility Assessment Service - £50k – Richard advised that academies could buy this service back from the LA at a comparable rate.

The Free School Meals Eligibility Assessment Service £50k de-delegation was considered and approved by the maintained school Forum members.

In favour	8
Against	0
Abstentions	0

Traveller Education Service - £172k – Richard advised that further information, to include an impact assessment, had been requested by the Forum and that this would be brought to the next meeting. Richard recommended consideration of the de-delegation to February 2017.

In response to a question regarding the timescale applicable to any necessary changes to the service resulting from a February decision, Richard advised that it was likely that the service would need to be continued to the end of the academic year; i.e. to the end of August 2017.

The Forum discussed the lack of information and next steps, with Maxine agreeing to circulate the impact statement to headteachers as soon as possible.

The decision on de-delegation was deferred to February 2017.

Behaviour Support Outreach Service - £171k – Richard advised that the de-delegation was to be determined by the maintained primary school representatives. It was noted that an impact assessment had been circulated in advance.

The Forum discussed the proposed de-delegation, noting that primary headteachers were keen to continue to support the service. Forum members thanked the Vice-Chair for her responsive service. It was noted that the Vice-Chair could not vote on the decision.

The Behaviour Support Outreach Service £171k de-delegation was considered and approved by the maintained primary school Forum members.

In favour 6
Against 0
Abstentions 1 – The Vice-Chair abstained from the vote.

8. Early Years National Funding Formula Consultation

Previously distributed. Richard Hartle advised that the consultation had ended on 22nd September and that the proposals included in the consultation would represent an 18% increase in Early Years funding to the city, resulting in an average hourly funding rate from the DfE to the LA of £4.27.

The Forum noted the area cost adjustment factors outlined in the paper that would take into account the rateable value of premises. It was noted that the LA already met the 5% centrally retained funding restriction outlined in paragraph 22.

Richard advised that the requirement for a universal base rate to be applied had already been addressed within existing York funding formula.

Richard outlined the supplements available within the Formula, advising that the Forum would need to consider and decide if it wished to include any of the discretionary factors in the Local Funding Formula.

Richard tabled a copy of the LA's consultation submission for noting.

Ken McArthur advised that the review of the Formula had been welcomed by local providers, although the playing field would not be levelled nationally and York would remain at the lower end of the funding scale. It was noted that York would move from 16th lowest funded LA to 42nd lowest in the new funding table and would remain below the national average.

Ken advised that discussion was taking place within the industry regarding the free childcare offer and the need to meet delivery costs. Ken asked if proposals would be brought to the Forum in February regarding the distribution of funding and the use of supplements to ensure fair distribution.

The Forum noted the lump sum payment to St Paul's Nursery, with Richard advising that this payment to the stand-alone nursery school would not be allowed under the DfE's proposals, although transitional support for two years would be provided.

The Vice-Chair clarified membership of the Early Years Reference Group, with this being Richard Hartle, Ken McArthur, Nicola Fox and other representatives of the PVI and maintained nursery sectors. It was noted that the group had no delegated powers but provided a consultation mechanism.

In response to a question regarding representation of the inclusion review group on the EY group, Richard advised that this could be arranged if requested. This was agreed.

9. Cluster Arrangements

Previously distributed. Maxine Squire advised that the process to draft the 2016/17 commissioning plan had considered the contingency fund and delegation of part of this to clusters. It was noted that Wellbeing Workers were being funded for the year to enable Clinical Commissioning Group (CCG) funding support to be accessed for the project in future. Maxine advised that a contingency fund of £65k had been agreed by

the Forum in July 2016 and that the remaining £60k could be made available to clusters from September 2016 or otherwise allocated.

Maxine advised that funding could in principle be allocated from the contingency to groups of schools including the Catholic “cluster”, MATs and the small schools group as these all had needs not met by the geographical clusters and were not otherwise funded by the contingency. It was noted that historically, the six established clusters had each received £10k and had produced a cluster plan and report to account for expenditure.

Maxine advised that the context was changing, suggesting that the £60k contingency be applied more flexibly via the submission of plans to the SICG for decision.

Maxine advised that she was aware that not all funding was spent during the year but that allocations could be carried forward if this was included in the proposal. It was noted that the recent Headteachers’ Briefing had highlighted a range of needs that could potentially be met from the contingency.

The Forum discussed the proposal, with Maxine advising that the SICG would approve funding criteria and publish these, if approved. The suggestion was made that funds be allocated on a 50/50 basis to geographical clusters and to the contingency “bid” pot.

The Forum further discussed the proposal, noting the opportunity to provide flexibility pending the National Funding Formula review. Votes were taken on a proposal to allocate all £60k of the contingency to a bidding process and on a 50/50 approach.

£60k allocation to a contingency managed by the SICG:

In favour 3

£60k allocation to a contingency to be split 50/50 between geographical clusters and the SICG:

In favour 7

The Vice-Chair abstained from the vote.

The Forum approved the allocation of £30k to the geographical clusters and £30k to the School Improvement Innovation Fund (SIIF) to support school-led innovation plans generated by groups/clusters of schools.

The SIIF would be administered by the SICG which would receive and evaluate bids from clusters of schools to support collaborative school improvement activity. These clusters could include:

- The existing geographical clusters
- Faith school clusters
- The small schools cluster
- Cross city school improvement clusters

Maxine agreed to arrange for the SICG summary to be brought to the Forum for information.

10. School Start Budgets 2016/17

Previously distributed. The budget information was noted.

Brian Crosby stated that the York Funding Formula attached a high level of priority to deprivation in the base formula. Brian suggested that the establishment of Pupil

Premium funding had created a desire from some schools within the city to balance the funding provided to address deprivation issues in a fairer way as it was felt by some that current deprivation factors and Pupil Premium resulted in some schools being provided with a financial advantage over others.

Brian suggested that the Forum consider reviewing the funding formula to consider the impact of the pupil premium as the National Funding Formula review had been delayed several times and was now scheduled for 2018/19. The Forum referred to the budget information included in the report and the further reduction in school reserves.

Richard Hartle advised that budget information was considered each year and that only four schools had requested formal deficits for 2016/17. It was noted that, as total funding was cash limited, a change to the Local Funding Formula would only redistribute funding within the city.

The Forum discussed the overall budget position, with Richard advising that a Local Funding Formula change in time for the 2017/18 budget allocations would need to begin immediately. It was noted that any change would be a decision for the Executive Member and not for the Forum. Richard expressed his concern about the work that would be required to alter the Local Funding Formula that would result in a relatively small number of alterations to actual budgets.

In response to a question regarding capacity, Richard advised that the current priority for the LA was the statutory review of the Early Years Local Funding Formula for April 2017. It was noted that the Forum would be consulted on the review outcome if this were agreed.

Cllr Rawlings advised that the timescale to review the Local Funding Formula would be very challenging if this were requested, agreeing that continual deferral by the DfE was not helpful.

Richard advised that he would work with a sub-group of the Forum to identify modelling options that could be implemented for 2018/19 if government further delayed the introduction of a national funding formula for schools.. Sub group membership was agreed:

Primary Headteachers – Caroline Hancy and Tracey Ralph

Secondary Headteachers – Brian Crosby and Bill Scriven

11. Schools Forum forward plan

Previously distributed. The forward plan was noted and would be updated for the next meeting.

13. Any Other Business

There was no other business.

14. Date and time of the next meeting

The next meeting would take place on 13th February at 9.00am.

The meeting closed at 1.00pm.

Chair

Date