

# CITY OF YORK SCHOOLS FORUM

Minutes of the Schools Forum held on Tuesday 5<sup>th</sup> July 2016 at 9.00am

## Attendance list:

### Members:

Tracey Ralph	Maintained Primary Headteacher and Chair
Nicola Fox	Maintained Nursery Representative
Caroline Hancy	Maintained Primary Headteacher
Tricia Head	Pupil Referral Unit Representative
Andy Herbert	Maintained Primary Headteacher
Ken McArthur	Early Years Sector Representative
Ben Rich	Maintained Primary Governor Representative
Bill Scriven	Maintained Secondary Headteacher (VA school)
Karen Tatham	Maintained Primary Headteacher [from 9.12am]

### Observers / Advisors:

Cllr Stewart Rawlings	Elected Member for Education, Children and Young People [to 11.00am]
Richard Hartle	Head of Finance, City of York Council
Maxine Squire	Assistant Director, Education and Skills
Mark Ellis	Head of School Services [to 9.50am]
Fiona Barclay	ATL [to 9.20am]
Barbara Reagan	NUT [to 9.20am]
Steve Smith	ASCL [to 9.20am]
Mandy Swithenbank	GMB [to 9.20am]
Salli Radford	Coordinator and Clerk

*The meeting began at 9.10am.*

## 1. Welcome

The Chair welcomed everyone to the meeting, introducing the newly appointed Executive Member for Education, Children and Young People and the Maintained School Governor Representative.

It was agreed that item 9, School Budget De-delegations for 2017/18 be taken as the first agenda item.

## 9. School Budget De-delegations for 2017/18

Previously distributed. Richard Hartle presented the paper, advising that a steer was sought from the Forum on the additional information required to enable decisions to be made regarding de-delegations at the next meeting.

*Karen Tatham joined the meeting at 9.12am.*

Richard advised that £46k had been agreed as the Teacher's Panel de-delegation for 2016/17, though the Forum had limited approval of this allocation in the past pending provision of further information on the use of Panel members' time.

Steve Smith advised that information was available and could be provided to the September meeting in an anonymised form. The Chair advised that the Forum wished to see how time was proportioned and that background information would support this analysis.

**It was agreed that as much information as possible would be circulated in advance of the next forum meeting in September.**

In response to a question from the union representatives on future Schools Forum membership, the Chair advised that the overall number of academy members would increase by one from September, with the maintained primary group reducing by one.

It was noted that Fiona Barclay would be retiring at the end of the academic year and that no named representative had been identified yet. Interim support had been arranged. The Chair thanked the union representatives for their work in the city.

*Fiona Barclay, Barbara Reagan, Steve Smith and Mandy Swithenbank left the meeting at 9.20am.*

Richard outlined the de-delegations currently in place and the outlined proposals for 2017/18. The Forum discussed the proposals, querying the number of children supported by the services funded through de-delegation and the need for clarity on resource allocation.

Caroline Hancy outlined the approach taken by the South York cluster in providing their own EAL support, including the analysis by headteachers of the allocation of time and the number of children supported by the scheme.

Tricia Head advised that the Behaviour Support Service was difficult to sustain in its current model as guaranteed funding was being reduced as the number of maintained schools diminished. It was noted that primary headteachers were aware of this issue and that Tricia was considering other funding models which would need to be brought to the Forum for consideration.

Tricia advised that the current funding model for the Behaviour Support Service was based on old models and that a charging mechanism was available to academies that reflected a “pay-as-you-go” style approach rather than an annual buy-in. The Forum noted the need to address this issue as it did not provide sustainability.

**It was agreed that Richard would work with Tricia on funding models for the Behaviour Support Service.**

In response to a question regarding the funding of Nurture Groups, Richard advised that funding for two groups was included in the High Needs budget in 2016/17. Maxine Squire advised that High Needs funding was being considered as part of the inclusion review.

In response to a question regarding the allocation of general contingency funds, Richard advised that decisions on allocations from this fund were at the discretion of the Director of Children’s Services, Education & Skills and were reported annually to the forum.

Bill Scriven advised that the disconnection of LA services was an emerging issue, advising that All Saints RC Secondary School arranged its own HR provision and therefore was unable to access adequate legal advice or contingency funding for

staffing related issues, although the school was contributing to the contingency budget. Richard advised that all maintained schools had equal access to contingency funding regardless of where they purchased other support such as HR or legal services.

It was suggested that the charges outlined for legal support in the Services for School booklet were inadequate and needed to be clarified. Maxine advised that this was being addressed via a review of traded services, agreeing that legal services were currently bundled into the HR offer and that a more flexible service would be offered in the future though it would be necessary to increase some charges to accurately reflect costs.

The Forum discussed the issues raised, noting the LA's option to work with other LAs to increase capacity.

In response to a question regarding the contribution made by academies to the costs incurred during the admissions process, Mark Ellis advised that admissions were run by the LA and were funded from a central budget, although this may change in the future. Richard advised that as this was funded from the DSG, then both maintained schools and academies contributed to this budget. Mark further advised that appeals relating to academy admissions were run by the academies themselves but that LA support could be bought for these processes.

The Forum noted the information and the agreed work to be done in advance of the next meeting to enable decision making.

## **2. Apologies for absence**

Apologies were received with consent, from Alison Birkinshaw – FE Representative, Brian Crosby – Academies Representative, Cath Hindmarch – Special School Representative, Richard Ludlow – Academies Representative and Lorna Savage – Maintained Secondary Headteacher.

## **3. Membership forecast and succession planning for Chair and Vice-Chair**

Previously distributed. The Chair advised that Karen Tatham had volunteered to take the chair from September, though as Karen's school was converting to academy status this made her position on the Forum uncertain.

Richard Hartle advised on appointment processes for the academy representatives and the need for the chair to be a member of the Forum.

The Chair advised that she had spoken with the academy representatives and expressed her preference to see membership shared across the emerging Multi Academy Trusts.

**The Clerk was asked to remind eligible candidates of the need to clarify academy representation for September. It was noted that Andrew Daly had offered to coordinate this process.**

Maxine Squire advised that the Forum could be chaired by a governor representative, with Tricia Head advising that she had experience of this model and that it could bring an independent perspective to the work of the Forum.

The Forum discussed membership options.

**Tricia Head was unanimously elected Vice-Chair of the Schools Forum:**

Proposed: Tracey Ralph

Seconded: Nicola Fox

It was agreed that item 6, School Contacts – Catering, would be taken as the next agenda item.

**6. School Contracts – Catering**

Previously distributed. Mark Ellis advised that the current catering contract would expire in July 2017 and that he had met with representatives of each of the 36 schools currently in the contract. It was noted that c60% of this group were managing their catering at a profit and c30% at a loss.

Mark advised that it was clear that a central contract was not the best way forward in the future and that the year remaining on the current contract would allow time to plan solutions for individual schools. It was noted that the LA were not stepping away from the issue and that an information event was planned for the afternoon of 5<sup>th</sup> July to begin discussion of options. It was noted that the LA was working with schools to ensure that arrangements were secure by July 2017.

Mark advised that a number of options were outlined in the paper, which had been circulated for information, inviting comments and questions from the Forum.

A number of issues were highlighted:

- Catering staff were valued by schools as part of their overall team and required support during any transition
- Clusters required further information as some were currently reliant on ISS and therefore found the change daunting

Mark advised that the LA recognised the challenge, particularly for smaller schools, and would need to ensure that the needs of all schools were met by future arrangements.

*Mark Ellis left the meeting at 9.50am.*

**4. Minutes of the York Schools Forum meeting of 25<sup>th</sup> April 2016**

Previously distributed.

The minutes of the meeting of 25<sup>th</sup> April 2016 were agreed to be a true and accurate record and were signed by the Chair.

**5. Action Plan and Matters Arising**

The updated action plan was noted. There were no matters arising.

**6. School Contacts - Catering**

Taken earlier in the meeting.

## 7. School Outturn Balances 2015/16

Previously distributed. Richard Hartle presented the balances recorded on 31<sup>st</sup> March 2016, advising that this information was held for maintained schools only. It was noted that the LA “clawback” scheme was a requirement of current regulations and that any balances above permitted thresholds were assessed against criteria agreed by the Forum. Richard advised of the current thresholds:

Primary and Special Schools – 8% of revenue income

Secondary Schools – 5% of revenue income

Richard advised that the paper included information on revenue and capital reserves held by schools as well as information benchmarking York data to national and regional averages. It was noted that York data was below that of other areas, though this comparison data lagged by a year so was not up-to-date.

Richard advised that the data showed that reserves had increased by c£1m overall, with anecdotal evidence suggesting that schools were taking a cautious approach to financial management in light of the recent single-year settlements made by central government. It was noted that salary costs were expected to rise in future years.

Richard advised that one school had exceeded the applicable threshold, though it had now converted to become an academy so could not be subjected to clawback. It was noted that the total sum represented by this excess of reserves was £7,240.

Richard advised that the clawback scheme would be considered as part of the National Funding Formula consultation and was likely to be removed.

In response to a question regarding the level of reserves held by primary schools exceeding that held by secondary schools, Richard advised that this trend had emerged in recent years.

Bill Scriven asked whether this indicated that funding levels between primary and secondary schools might be due for review. Richard advised that the smaller budgets provided to primary schools brought more caution to budget management, though this could be considered as part of a future Local Funding Formula review.

The Forum discussed the balances and the reasons for the accumulation of reserves.

Caroline Hancy advised that some schools were holding funds on behalf of their cluster, with Richard advising that these committed funds were not within the scope of the clawback criteria.

In response to a question regarding the support provided to sponsored academies and whether the sponsoring MAT picked-up any financial liabilities, Richard advised that any deficit liability at the point of a sponsored conversion was retained by the LA. It was noted that this resulted in a negative impact on the remaining LA maintained schools in the city.

Richard advised that he would report to the Forum in September on the 2016/17 Start Budgets and schools moving towards a deficit position, including sponsored academy converters. It was noted that financial delegation could be removed from schools by the LA if necessary.

Richard advised that the costs of redundancies in maintained schools could be supported by the LA if they met the required criteria, though pension costs were met by schools.

The Forum discussed the issues raised, noting the possible impact on the contingency fund of budget issues in Schools Causing Concern.

The Forum further discussed the issues, noting the potential impact on overall funding if the number of sponsored conversions increased.

Maxine Squire outlined the risk assessment process used by the LA and the ongoing dialogue with the Regional Schools Commissioner (RSC). It was noted that both the LA and the RSC were able to issue a warning notice.

The School Outturn Balances were noted.

## **8. DSG and Schools Budget 2016/17**

Previously distributed. Richard Hartle presented the paper which included an annex showing the S251 return to the DfE.

Richard advised that the paper asked the forum to consider what further information it would require prior to setting the 2017/18 Schools Budget.

In response to a question regarding the reference to Every Child Matters and other outdated language within the formula outlines, Richard advised that these references currently remained within the funding regulations and could not be unilaterally updated. It was noted that the DfE produced the narrative referred to in the paper.

In response to a question regarding line 1.2.6, Hospital Education Services, Tricia Head advised that the inclusion review group was scrutinising all High Needs funding, including Hospital Education Services. It was noted that this process was complicated but would be finalised in the autumn before being reported to the Forum. The Forum noted that this scrutiny applied to the budgets in lines 1.2.1 to 1.2.12.

Tricia queried the way in which line 1.4.1, Contribution to Combined Budgets, was broken down, scrutinised and allocated between school phases, with Richard advising that this was generally based on pupil numbers.

In response to a question regarding the broadband subsidy, Richard advised that the current broadband contract ended in 18 months and would move into the Services for Schools traded offer, with funding being allocated back to schools.

In response to a question regarding Children's Centres on school sites and the future of funding, currently set at £0.335m, Richard advised that the LA expected this budget allocation to still be required under the LATs proposals.

In response to a question regarding line 1.4.7, Prudential Borrowing Costs, and the future repayment of loans, Richard advised that borrowing was generally arranged over a 17-25 year term and that the budget would be required for a significant period of time. It was noted that Prudential Borrowing was used to allow the LA to invest some of the revenue savings generated from school mergers and closures into school buildings and infrastructure. It was noted that the fund would continue at its current level for up to 12 years. Richard advised that the mechanism provided a way of

sharing the benefits of mergers by funding both site development and reallocating resources to the funding formula to the benefit of all schools.

In response to a question regarding the status of a loan should a school convert to academy status, Richard advised that the liability would remain with the LA.

In response to a question regarding the status of a Children's Centre on an academy site, Maxine advised that the Children's Centre would continue as an LA facility.

The Chair asked whether the Children's Centres were under review, with Cllr Rawlings advising that a paper would be taken to councillors on 6<sup>th</sup> July.

Ken McArthur sought clarification of the impact on the budget of piloting the 30 hours of Early Years funding for working parents, with Richard advising that the budget for 2016/17 had been set and excluding the 30 hours pilot beginning in September 2016. Richard advised that the national rollout of the provision would take place during 2017/18, with the pilot funding therefore being accounted separately until then.

The Forum discussed the budget, noting the status of the Children's Centres and their engagement with existing academies. Maxine advised that a Delivering Differently model was in use at Haxby Road Children's Centre which supported Early Years and families. It was noted that this provision was grant-funded and delivered in partnership with Ebor MAT.

Ken advised that he had taken a proposal to the last meeting to increase funding for the universal 15 hours of childcare. Ken advised that no additional funding had been made available by the LA and that he therefore welcomed the pilot funding rate of £4.00 per hour from September. Ken advised that the pilot would, however, put pressure on places for those most in need as these were funded at a rate of £3.38 per hour.

The Chair advised that some nursery settings signposted additional hours to the childminder network. Ken advised that he had observed settings offering places at £4 per hour rather than accepting a child attracting funding at the £3.38 rate.

The Forum discussed this issue, noting the central government agenda of supporting parents returning to work rather than supporting early intervention.

Ken cautioned that some Early Years settings might fold without adequate funding support as reserves were depleted, advising that playgroup funding was also a diminishing resource. Ken advised that the impact on places would fall on the universal 15 hours of provision. Maxine advised that discussion with Barbara Mands was ongoing.

Tricia advised that the issues had been discussed at the YorOK Board and that the city was keen to support vulnerable families. Tricia advised that further discussion would be needed regarding vulnerable families and the early intervention agenda as this had become disconnected from discussion of funding and lines of responsibility.

Richard asked the Forum to confirm that it was seeking further information on:

- Hospital Education Services – with Tricia Head and Maxine Squire to address this through the inclusion review
- Children's Centres – being addressed by local area teams proposals outside of the Forum

- Funding (at £400,000) for Children Looked After and how this fund was generated and monitored to ensure best value, including its interaction with the High Needs Fund

## **9. De-delegated Budgets for 2017/17**

Taken earlier in the meeting.

## **10. National Schools and Early Years Funding Formula Reviews**

Covered under item 8.

## **11. School Innovation Plans**

Previously distributed. Maxine Squire presented her proposal, advising that £125,000 had been allocated in each of the last five years to support cluster activity via a formula. Maxine advised that the proposal was to create a more flexible fund.

Maxine advised that the last meeting had identified priorities of mental health and wellbeing, with the evaluation reports of two cluster pilots included in the report as an annex.

Maxine advised that the proposal was to allocate some of the SICG fund to roll-out Wellbeing Workers across the city at a cost of £65,000. Maxine advised that this would establish the programme which would then be funded by the Clinical Commissioning Group (CCG) until at least 2020.

In response to a question regarding the decision to rollout the programme already having been made, Maxine advised that, if agreed, the SICG funding would allow the programme to attract further funding in the future.

Tricia Head advised that the scheme had to be established based on the assumption that funding would be continued, though appointments for September could be halted if not approved. Tricia advised that the operating model had been tested and that plans were in place for September.

In response to a question regarding the status of clusters, the Chair advised that they had no legal status but were a mechanism by which schools could organise geographically. Maxine further advised that nationally, schools were moving into MAT relationships and also geographically-based partnerships to enable them to meet the needs of their local communities. Maxine advised that established ways of working in York supported transition and other aspects of school life and were unlikely to change significantly despite the development of MATs.

The Forum discussed the proposal, with Tricia outlining the proposal for the scheme, which included a team employed by the LA. Maxine advised that these posts would move to the health budget in the future.

The Forum further discussed the proposal, with the Chair advising that communities would need to be served by geographical partnerships regardless of future structures.

Bill Scriven advised that the Catholic “cluster” was not recognised by the LA though it served a community across the city, with most of the primary pupils transitioning to All Saints RC Secondary School. Cllr Rawlings advised that partnership working was still needed in order to address the levels of complexity outlined.

Maxine advised that savings had been made against the School Improvement Commissioning fund and that a small fund could be created to enable bids to be made to the SICG, with this to include the Catholic group of schools. Maxine advised that this was a decision for the Forum.

Bill stated that he wanted the Catholic group to be funded equally to geographical clusters.

Maxine advised that All Saints was currently part of the Southbank Cluster and could access funding from this group. It was noted that there was no proposal to establish a separate cluster for the Anglican group of schools.

The Forum discussed the proposal, with Maxine advising that Teaching School Alliance funding had been allocated and that the SICG made recommendations on school-to-school support to the Ebor TSA. It was noted that the Schools Causing Concern fund was still retained by the SICG.

The Forum further discussed the proposals.

*Cllr Rawlings left the meeting at 11.00am.*

The Forum discussed funding allocation for the Catholic group of schools, with Bill stating that the argument of “double counting” schools also applied to the small schools group as it was seeking access to funding of £10,000.

Bill acknowledged that double funding was an issue and that schools should access a single cluster.

**The Forum approved the allocation of £65,000 from the School Improvement Innovation Fund to support the full roll out of the CAMHs School Cluster Project from September 2016.**

**The Forum deferred consideration of the allocation of £10,000 to support innovative school-led projects to improve outcomes for identified groups of children to the next meeting.**

**The Forum asked Bill Scriven to prepare a proposal to establish a Catholic Cluster for the next meeting.**

## **12. Schools Forum forward plan**

A forward plan would be drafted for the next meeting.

## **13. Any Other Business**

Richard Hartle advised that a letter had been received from the DfE expressing central government commitment to fair funding for schools from 2017/18. It was noted that proposals were still awaited. The letter would be shared with headteachers.

## **14. Date and time of the next and future meetings**

Previously distributed. The meeting dates were approved.

The next meeting would take place on 26<sup>th</sup> September at 11.00am.

The meeting closed at 11.05am.

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Chair

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Date