

CITY OF YORK SCHOOLS FORUM

Minutes of the Schools Forum held on Monday 14th December 2015 at 1.00pm

Attendance list:

Members:

Tracey Ralph	Maintained Primary Headteacher and Chair
Trevor Burton	Maintained Secondary Headteacher
Brian Crosby	Academies Representative
Nicola Fox	Maintained Nursery Representative
Caroline Hancy	Maintained Primary Headteacher
Tricia Head	Pupil Referral Unit Representative
Andy Herbert	Maintained Primary Headteacher
Richard Ludlow	Academy Representative
Ken McArthur	Early Years Sector Representative
Lorna Savage	Maintained Secondary Headteacher
Bill Scriven	Maintained Secondary Headteacher (VA school)
Karen Tatham	Maintained Primary Headteacher

Observers / Advisors:

Cllr Jenny Brooks	Elected Member for Children and Young People
Mike Barugh	Principal Accountant
Andrew Daly	Headteacher, AHS representing Pathfinder TSA
Richard Hartle	Head of Finance, City of York Council
Jess Haslam	Head of Disability and SEN
Maxine Squire	Assistant Director, Education and Skills
Jon Stonehouse	Director of Children's Services, Education and Skills

Fiona Barclay	ATL
Barbara Reagan	NUT
Steve Smith	ASCL
Mandy Swithenbank	GMB

Salli Radford	Coordinator and Clerk
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1. Welcome

The Chair welcomed everyone to the meeting. Colleagues from the professional associations were welcomed and it was agreed that item 6, Trade Union Facility Time de-delegation 2016/17, would be taken as the first item.

6. Trade Union Facility Time de-delegation 2016/17

Previously distributed. Steve Smith presented the paper, advising that funded facility time applied to school support staff as well as teachers.

Steve outlined the purpose of facility time for newly appointed headteachers, advising that, though cessation of the de-delegation might offer a saving, facility time brought a number of benefits:

- Assisting in policy development to ensure that all policies were agreed with unions and providing peace of mind to school leaders
- Helping to ensure that staffing issues were resolved, thereby enabling the school's duty of care to be addressed

Brian Crosby joined the meeting at 1.05pm.

- Union representation could be accessed more quickly than would be the case were a regional officer required, avoiding delays in resolving staffing issues or the need to delegate cases to school-based representatives, who could be difficult to recruit and who became eligible for time off for training and duties

Steve advised that ASCL had recognised de-delegated facility time as the most efficient method of delivering support to address staffing issues.

Steve advised that representatives generally worked for more days than the time specified in the paper. It was noted that the three days of support from ASCL funded by de-delegation in 2015/16 would be exceeded significantly.

In response to a question regarding the allocation of time between the unions, Steve advised that allocations were based on the number of members for each union and the time used across the city. It was noted that this could vary year-on-year and had been reduced by 50% in recent years. Richard Hartle advised that the Teachers' Panel agreed these time allocations.

In response to a question regarding the need for continuing de-delegation and the use of member subscription income, Steve advised that the majority of LA areas continued to arrange funded facility time as this was seen as useful.

In response to a question regarding the use of subscription income rather than school budget to fund facility time, Steve advised that representatives could only work to a certain level and that union fees supported professional advisers to handle more complex cases.

Fiona Barclay advised that schools had a duty of care towards staff and students and that unions could provide support more quickly and easily than a regional officer. It was noted that facility time had been reduced but was still regarded as necessary by the unions. Barbara Reagan advised of the need to consider the implications of time off for staff representatives if cases were delegated down to school level.

The Forum discussed facility time funding, noting that Multi Academy Trusts (MATs) would need policies that applied across more than one LA, adding another level of complexity and requiring consultation across LA boundaries. A primary headteacher representative reported that some primary headteacher NAHT members were dissatisfied with recent consultation on the Teachers' Pay Policy. It was suggested that the historic model of policy consultation via Teachers' Panel required review to ensure it remained fit for purpose. It was noted that it had proved difficult to recruit union representatives in schools recently.

Trevor Burton and Bill Scriven joined the meeting at 1.20pm.

In response to a question regarding funding allocations, Steve advised that regional officers were funded by member subscriptions and facility time was funded by de-delegation.

The union representatives withdrew from the meeting at 1.25pm.

The Forum discussed the de-delegation proposal, considering the option to move the offer into the services for schools mechanism rather than funding through a de-

delegation. Richard Hartle advised that this would be difficult to arrange and would probably not be a viable option.

The Forum noted the impact on HR procedures of not having union representation available. It was noted that schools not accessing the LA's traded HR service were not consulted on policies. Richard Hartle advised that regional colleagues were considering similar issues regarding union representation.

Richard advised that a decision was required for the 2016/17 academic year or for the period September 2016 to 31st March 2017, whichever the Forum preferred.

In response to a question regarding the implications for schools of employing Teachers Panel members, Richard advised that there were none.

In response to a question regarding the possible legal challenge to facility time, Maxine Squire advised that no advice had been provided following a recent query regarding legality.

In response to a question regarding the legality of the use of de-delegated funds to provide administrative support to the Teachers' Panel, Richard advised that this would need to be negotiated but that the panel would seek to retain this support.

The Forum agreed to continue the de-delegation to the end of the 2016/17 financial year and to hold representatives to account for the funded time.

	For de-delegation	Against de-delegation
Secondary schools	2	1
Primary schools	4	1

De-delegation would end on 31st March 2017, with an SLA to follow for the 2017/18 financial year.

Richard Hartle was asked to draft a letter to the panel for approval by the Chair.

Forum members sought clarification of their role as representatives of their constituent group.

It was agreed that item 12, Update on new school improvement arrangements, would be taken next.

Andrew Daly joined the meeting at 1.50pm.

12. Update on new school improvement arrangements and implementation of the annual commissioning plan

Previously distributed. Maxine Squire introduced the item, which would update Forum members on school improvement arrangements, in particular:

- Ebor TSA school-to-school support
- Pathfinder TSA CPD

Pathfinder TSA update – Andrew Daly tabled an update and report including a summary document and appendices. Andrew advised of the key landmarks identified in the report following the consultation on CPD requirements for 2014/15:

- CPD delivered by Pathfinder colleagues and teachers from across the city

- Identification of external providers for additional CPD
- Provision of focussed sessions to meet specific needs eg the Mental Health Conference

Andrew advised that CPD for primary colleagues had been a success to date, with high attendance. Evaluation of this first term would be used to plan CPD for 2016/17, with primary schools being asked to consider their performance data carefully to enable them to match staff with CPD opportunities.

Andrew advised that Pathfinder was considering its approach to secondary school CPD, in particular the option to work with schools in organising their CPD and sharing of best practice rather than delivering this.

In response to a question regarding the work being undertaken by Pathfinder with Huntington Secondary School and whether this related to secondary schools only, Andrew advised that the Huntington research and development work would be dovetailed into other work across the city and would include primary-level initiatives which would be led by the TSAs.

The Forum discussed the update, noting that feedback had been very positive to date, with CPD being well-organised and helpful, with Pathfinder being prepared to respond to requests for bespoke training.

Jon Stonehouse advised that funding for delivery of CPD had been agreed for one year, with some Pathfinder colleagues being employed on fixed-term contracts. Maxine advised that funding information was included in the Commissioning Plan.

Andrew Daly left the meeting at 2.05pm.

Ebor TSA update – Brian Crosby advised that work was progressing well with colleagues from a number of schools being involved in school-to-school support. It was noted that some work had been signed off already, with colleagues being transferred to a new project as one ended. It was noted that a one-year funding agreement was in place.

Brian advised that there had been some challenges, including the possibility that schools with a long-standing Requires Improvement judgment might require a system solution rather than school-to-school support. It was noted that the TSA was likely to require less funding in future years and would like to be able to offer ad hoc support in response to shorter-term needs. Brian advised that a significant budget reduction was possible in 2016/17 due to the different solutions now being used.

Maxine advised that much had been achieved in the first term of the academic year, capturing good practice and learning for the future. Maxine advised that relationships were strong within the city and that collaboration with a clear brief had enabled progress to be made. It was noted that the model was excited and different, with the LA keen to ensure that arrangements continued into the next year. Maxine advised that LA officers were working with TSA colleagues to quality assure and inform work and would bring a full evaluation report to the next Forum meeting. It was noted that updates would be taken to LA Briefings and the Headteacher's Conference.

It was noted that a financial breakdown for 2016/17 would follow.

Brian advised that Ebor TSA was a national leader in leadership development and was working with regional colleagues in this area.

In response to a question regarding the information being shared on funding allocations, Jon advised that the Commissioning Plan detailed the allocations, with the proposal being made that the Forum release the same level of funding for 2016/17 with detail of the plan to follow. Richard Hartle advised that the budget paper requested retention of the total funding allocation. Maxine advised that legal contacts were in place with both Pathfinder TSA and Ebor TSA, with this being a unique feature in the region.

In response to a question regarding evaluation of cluster work and the funding invested in this, Maxine advised that £125,000 had been de-delegated by the Forum to support clusters, with evaluation reports and plans being received from four of the six clusters to date. Maxine advised that a variety of activities had been supported, with this information available to the Forum. It was noted that some clusters were building funding reserves and that this should be accounted for and committed.

In response to a question regarding the governance structure of the York Learning Partnership (YLP), Maxine advised that she was meeting with the YLP Chair on 15th December to discuss structure from January 2016. Maxine advised that the YLP Board needed to act as a “select committee”, with Jon further advising that school improvement arrangements would remain accountable to the Forum.

The Chair advised that the city had moved away from the paternalistic LA model and that, although Maxine could report on cluster work that she was aware of, Academies and good and outstanding schools were now autonomous and additional school improvement work was happening outside LA knowledge or control.

Maxine reported that arrangements were in place outside current cluster arrangements, with some lack of consistency of approach and outcome. The need to ensure rigour and challenge for peer-to-peer support to ensure progress and added value was noted.

Maxine advised of the need to maintain judgements of “Good” or better and to challenge “stuck” RI schools. The Forum discussed this, with the view being expressed that equal levels of rigour and challenge were required regardless of a current Ofsted judgement since LA data evidenced poor progress in York Primary schools and attainment data at KS2 suggested that some outstanding primary schools were coasting. Maxine advised that risk assessments had been refreshed to address these concerns.

In response to a question regarding the DSG allocation and whether this was for maintained schools only, Richard advised that all settings received the DSG, with this being unaffected by status as it was allocated to all schools and academies.

In response to a question regarding the detail of TSA funding, Maxine advised that the LA released funding on receipt of an invoice, with the role of the Forum being to assess overall budget.

The Forum discussed the need to ensure that value for money was secured and to share examples of good practice between clusters.

The Forum agreed to review allocations of funding for school improvement in line with proposals contained in the Commissioning Plan to be presented at the next meeting.

2. Apologies for absence

Apologies were received with consent, from Alison Birkinshaw – FE Representative and Cath Hindmarch – Special School Representative.

It was noted that David O'Brien – Governor Representative, had resigned his position and that an election would be arranged following a review of membership in the spring term.

3. Minutes of the York Schools Forum meeting of 29th September 2015

Previously distributed.

The minutes of the meeting of 29th September 2015 were agreed to be a true and accurate record and were signed by the Chair.

4. Matters Arising

With reference to item 5, Early Year Reference Group report, Maxine Squire advised that a paper would be taken to the LA Briefing and to the Schools Forum in the spring.

The Chair advised that correspondence had been received from a governing body regarding the Civica finance system, reading this to the Forum. The correspondence highlighted issues regarding budget monitoring with these making it difficult for governors to fulfil their legal monitoring duty and their role in ensuring value for money. The Chair queried the risk attached to this and the possibility that a school may fail its audit. Richard Hartle advised that audit were aware that the system was six months behind its target point and that these six months had been lost due to early implementation of the system upgrade. It was noted that outstanding issues were being addressed and that these had taken longer to resolve than initially thought. Richard advised that the LA was confident that the system worked and was seeking to enhance the monitoring report system and improve processes. It was noted that the LA were seeking a financial settlement that would reduced charges to school to the equivalent of six months for 2015/16.

In response to a question regarding the impact of the system issues on support staff time, Richard advised that this should not have been an issue if staff were operating the system correctly, seeking advice and attending training. It was noted that the LA would continue to work on moving forward with system administrators in schools. The Forum discussed the issues raised.

5. Schools Budget 2016/17

Previously distributed. Richard Hartle advised that central government had made single-year settlement for 2016/17 maintaining school funding at current rates with no proposal to change the DSG. It was noted that three/four year old funding was still to be clarified and that any changes would be reflected in the budget. Proposed DSG allocations were therefore expected to remain at:

- £4,209.24 per fte Reception to Year 11 pupil
- £3,443.79 per fte three/four year old early years pupil
- £4,607.50 per fte two year old early years pupil

Richard advised that the 2016/17 budget carried forward 2015/16 principles, with no change to the Funding Formula at present. Richard advised that he wished to request the flexibility to vary the AWPU by a maximum of 1%, further advising that an increase in pupil numbers might result in a small increase in the AWPU.

In response to a question regarding the centrally maintained budget allocation of £266k for Early Years Support, with this representing 6% of the total, Richard advised that this figure was correct. It was noted that EYSFF base rates had remained unchanged, though some LAs were uplifting these following an external review in order to address underfunding.

In response to a question regarding the continuation of the Termination of Employment costs budget, Richard advised that this budget allocation support pre-2013 decisions which were ongoing commitments and would continue.

The Chair advised that York had historically had the highest staff absence rates in the region, with Joy Holmes of the HR team working to significantly improve this position and reduce insurance premiums. The Forum recorded their thanks to Joy for this.

In response to a question regarding the budget allocation for the servicing of the Schools Forum, Richard advised that this funded officer time.

Tricia Head left the meeting at 2.50pm.

In response to a question regarding business rates for VA schools, Richard advised that an allocation had been included in the budget. It was noted that this was now included in the funding statement on an estimated basis. Ken McArthur advised that PVI settings did not receive a lump sum and were under increasing pressure due to introduction of the Living Wage and other factors. It was noted that deprivation funding of 40p had been received in the past but that this had not addressed issues. Richard advised that this would be addressed under item 8.

Jon Stonehouse acknowledged the situation within the city and the legacy of poor funding, advising that the LA was lobbying and could arrange discussion with Richard and Ken. Richard advised that the LA currently passed more budget to PVI settings that was provided by central government.

The Forum approved the 2016/17 budget recommendations with one abstention:

- **confirming their agreement to maintaining the centrally retained budgets at the current levels (paragraph 9)**
- **agreeing the LA's proposals for school formula funding (paragraphs 10-12)**
- **agreeing the LA's proposals for the early years single funding formula (paragraph 13)**

6. Trade Union Facility Time De-delegation

Taken earlier in the meeting.

7. Appointment of sub-group to consider de-delegations for 2017/18 and the Services for Schools offer

Maxine Squire advised that a group had been formed to consider the future Services for Schools offer from the LA. Membership was:

Karen Tatham – Primary rep

Lorna Savage – Secondary rep

Brian Crosby – Academy rep

Richard Ludlow left the meeting at 3.00pm.

The meeting adjourned from 3.00pm to 3.05pm.

8. Review of School Funding Formula

Previously distributed. Richard Hartle reminded the Forum that it had considered the position at the last meeting and was awaiting a commitment from central government. It was noted that consultation with schools was expected early in 2016, with this likely to include Early Years settings.

Richard recommended awaiting the National Funding Formula review outcome before reviewing local arrangements.

In response to a question regarding the possible phasing of a re-distribution, Richard advised that little was known about the plans, though phasing was anticipated as a funding redistribution would result in a significant reduction in funding for a small number of LAs.

The Forum discussed the proposals, noting that the impact was likely to be beneficial for York but that much remained unknown and could change. It was agreed that the review would be made a standing agenda item and that a sub-group might be established in the future.

9. Early implementation of 30 hours of free childcare

Previously distributed. Maxine Squire advised that the LA had submitted an Expression of Interest in the scheme, with the PVI sector being very keen to support the initiative. Ken McArthur advised that the bid was excellent.

Mike Barugh and Jess Haslam joined the meeting at 3.10pm.

10. Special School Place Funding Values

Previously distributed. Mike Barugh presented the paper, which outlined the funding for the two Special Schools within the city. Mike advised that financial modelling had been undertaken and that top-up rates from 1st April had been developed based on the average hourly rates for TAs. It was noted that this reflected the needs of pupils.

In response to a question regarding the deficit position at Applefields School, Mike advised that the model would deliver a similar level of funding as the old model though the top-up element would fluctuate according to changing needs.

Jess Haslam advised that some over- and under-funding had been experienced in the past but that this would be corrected by the new model and bring the same outcome via a transparent process.

In response to a question regard the budget recovery plan at Applefields School, Maxine advised that the Headteacher was being supported in addressing a number of issues in order to balance expenditure. Maxine advised that overall funding for the school was adequate.

Mike advised that modelling had been undertaken with both Special School headteachers.

The Forum approved the new banding methodology and the top-up rates detailed in Annex A to be used in the allocation of top-up funding to York Special Schools from 1st April 2016.

11. SEN Inclusion Review

Maxine Squire advised that the next stage of the review was in progress. It was agreed that this would no longer be a standing agenda item but would be brought back if decisions are required at a future date.

12. Update on new school improvement arrangements and implementation of the annual commissioning plan

Taken earlier in the meeting.

13. Schools Forum forward plan

The forward plan would be updated and circulated.

14. Any Other Business

There was no other business.

15. Date and time of the next meeting

11th April 2016 at 1.00pm
5th July 2016 at 9.00am

The meeting closed at 3.20pm.

Tracey Ralph
Chair

Date