

DERBYSHIRE COUNTY COUNCIL
DERBYSHIRE SCHOOLS' FORUM
Minutes of the meeting held on 17th December 2013
at 6.00 pm at County Hall

Present:

Brendan Hickey, Peter Crowe, Peter Hamer, Atholl Donaldson, Peter Thorne, Martin Brader, Lindsey Partridge, Lesley Hartley, Andrew Cartledge, Paul Mason, Philip Sunderland, Penny Pennington, Julian Scholefield, Lee Floyd, Karen Hudson, Deborah Turner

Substitutes:

Cathy Tattersfield

Observers

Cllr Jim Coyle, Cllr Damien Greenhalgh, Andrew Wingard

Officers/Others

Chris Allcock, Mary Murkin, Ruth Lane, Les Biggs, Kathryn Boulton

Apologies

David Baker, Julie Bloor, Joe Birkin, Denise Cunningham, Julie Cadman, Shirley Harvey, Andrew Wild, Linda Du-Roe, Chris Wayment, Cllr Kevin Gillott,

Martin Brader chaired the meeting.
The meeting was quorate.

13/35 Apologies

Chris Allcock read out the list of apologies and Cllr Kevin Gillott's were received from the floor.

13/36 Minutes of the previous meeting – 17th October 2013

A correction was noted that Deborah Turner is no longer a substitute member.

There were no matters arising.

13/37 Implementation of Single Status in Schools

Les Biggs (HR) gave a verbal report and outlined the latest position confirming that as at 20th December all employees will have been given an offer letter even if it was late. Other dates were as follows:

6th December - 1,975 positions (not employees) had been issued dismissal letters, 677 of these were contracted positions and the remainder were relief positions.

17th December - 424 of the 677 had still not returned their acceptance letters.

18th December - Schools will receive lists of any positions where acceptance has not been received in order that they may encourage staff to complete and return them.

10th January 2014 - Final date for acceptance.

Financial Aspects of Single Status

In respect of the decisions made so far, based on the latest information the overall increase in salaries across Derbyshire Schools will be approx. £1.8m in year 1, £2.3m in year 2, £2.8m in year 3 and £3.4m in year 4. The Local Authority has put aside approx. £5m over recent years, and it is still to be decided how to distribute this funding. Primary schools as a sector have incurred more costs than secondary schools. The basis for the distribution of the £5m will be approved by Cabinet in January 2014.

Lee Floyd asked if Les could confirm the latest information on the appeals process. Les replied that everyone has the right to appeal and 120 employees had registered their intention to appeal so far. The actual appeals process has still not been discussed with the unions and those discussions would commence in January. Employees have until the 10th January to register their intention to appeal. Once the process has been agreed those people registered will receive a letter explaining the agreed process. He felt it is highly likely that some people's questions will be resolved prior to the formal process commencing.

Paul Mason asked Les to clarify the current thinking on Clerk to Governors' honoraria. Les confirmed that currently honoraria were generally linked to the size of the school, although schools could pay more. The LA could have chosen to issue no-hours contracts and then require the Clerk to claim the number of hours worked. However, they had chosen to issue contracts for a number of hours which was calculated by their current pay/hourly rate. If the number of hours worked is exceeded then additional hours can be paid.

Lee Floyd asked about medical staff evaluations, particularly Therapists, and Les replied the evaluations either had been or are in the process of being completed.

Andrew Cartledge asked when the governors had matched the job descriptions in school why didn't the new grades always reflect that. Les replied that the LA assessed either the questionnaire or job description and quality assured the governors' recommendations. If they didn't agree with the governors' decision the LA changed it and linked the job to a different description as they thought best. The LA will provide employees the benchmark job description they chose and the one the governors chose. If the Job Description Questionnaire (JDQ) doesn't match an individual's job description then they can discuss this and the LA may agree to change it. If not they may still choose to appeal. Les recommended employees consult their union representatives for further guidance.

A Forum member said it was strange that when there was a significant difference between the governors' and the LA assessments that the LA didn't consult with schools before sending out grading letters. Les explained that decisions were made purely on the evidence presented to them. He also said that in exercises such as Single Status where all jobs have been compared it is inevitable that some people will lose out. Conversations have taken place with some

Headteachers to discuss the process and all assessments have followed the correct procedures.

A Forum member asked about the £5m Single Status funding. Chris Allcock confirmed that prior to April 2013 a £1m revenue budget had been retained for Single Status and every year that Single Status had not been implemented, the resultant £1m underspend had been set aside. £5m had been collected through this process.

From April 2013-14 the LA was no longer allowed to retain a budget for this purpose so the £1m had effectively been delegated to schools. The Council thus has £5m as a cash resource to help with Single Status and Cabinet will need to determine how this money should be delegated. The funding will be split by sector on the basis of estimated increases in spend, however, given the simplified formulae that now apply, it will be impossible to match exactly the distribution of these resources to individual schools' additional costs. Cabinet will have to take a decision on the allocation of funding for 2014-15 at their meeting on 21st January 2014. The most likely scenario at the moment is a general uplift to all formula multipliers.

A Forum member wished to acknowledge the work done by the Single Status team and thank them, especially for the training for Headteachers and Governors, which has reduced difficulties in schools. However, he wished to make the point that extra pay doesn't motivate employees but loss of pay does demotivate. He wished to view the opinion that when following the governors' slotting and matching process the LA effectively downgraded those decisions, discussions with schools should have taken place.

Another Forum Member asked why was there a difference between Arts Technicians (grade 6) and Science Technicians (grade 5). Les explained that generally fewer Science Technicians had completed Job Questionnaires which had resulted in them being linked to a different grade. He said there may be an argument to be had in this area and it may get resolved in the appeals process.

Another Forum member said that he felt one large group of employees had benefitted significantly from Single Status and he felt that the balance of people who had lost was not correct. Les said the appeals process should 'iron out' some of these problems.

Paul Mason asked whether the LA would cover the increases in costs for schools where higher grade contracts have been issued which the governors hadn't recommended. Chris Allcock replied that this was unlikely, the £5m reserve would be distributed via the existing simplified formulae. The appeals process will have no effect on receipt of the funding as no in-year redeterminations are allowed by the DfE.

Lee Floyd made the point that one group of staff benefitted significantly and that the costs therefore fell disproportionately on special schools which the governors hadn't asked for.

A Forum Member made the point that the receipt of letters by employees from the LA had been 'a nightmare' and many people had been very distressed. A member of her staff who was on maternity leave had received a dismissal letter.

She accepts it was an error but it had caused considerable distress to the employee involved. Les apologised and said they had done everything possible to avoid incorrect letters. Another Forum Member said dismissal notices had been sent to staff even when they had returned their acceptance letters immediately which again was down to human error and she knew it had happened in more than one school. Les admitted there had been a problem with a small number of letters where the automated system hadn't worked correctly. He apologised and said if an acceptance letter had been received by the LA; the dismissal notices could be shredded.

Forum agreed to note the position.

13/38 Living Wage – consultation with schools – letter/summary of responses

Chris Allcock introduced the paper stating that as part of its manifesto the new Administration wanted to pay the Living Wage in Derbyshire. A formal decision is expected early in 2014, so the consultation had been issued to gauge the views of schools and the potential impact on the catering service as a result of cost increases. There had been a high response rate with 90% of respondents agreeing that paying the Living Wage was the correct thing to do.

In general secondary schools felt this may cause them to take on catering responsibilities themselves, the primary schools less so. A final decision on the Living Wage will be taken by Cabinet in the New Year.

A Forum Member asked what were the likely implications of the Government decision for every KS1 child to have a free meal from September 2014. Chris replied that he hoped it would help the catering service achieve greater economies of scale. This in turn could help the service to meet their additional costs of the Living Wage. The funding for the free meals will come from the government by a separate grant, the extent to which the catering service will derive a financial benefit will depend upon the assumptions made nationally regarding the grant rate per meal.

A Forum member asked if the LA had thought about the effect of the KS1 meals would have on Free School Meals (FSM) applications. Chris replied this was not a decision for the LA, but for the Government. Pupil Premium has not been confirmed for 2015-16 yet. The advent of the Ks1 free meals means that FSM will no longer be a viable indicator of deprivation and the government will therefore have to change the indicator for the Pupil Premium, should it continue. Similarly, LAs may have to change their funding formulae for 2015-16 for the same reason.

A Forum member asked, if the Living Wage is agreed how will it affect Single Status? Les replied that the grading structure will remain. The Living Wage would be an allowance to increase the hourly rate paid, it would be a top-Up agreed by the LA. If agreed it would be up to individual governing bodies to decide whether to pay it or not.

Forum agreed to note the report.

13/39 Schools Block DSG 2014 – 15 – Indicative Proposals

Chris Allcock presented the paper. He advised that he now expects the DSG settlement to be announced on 18th December, the day after this meeting. Some data has already been released by the DfE which he felt was sufficiently close to previous estimates to make the assumptions used in the report still valid.

Initial estimates indicate that, after adjustments for Carbon Reduction, Central Spend and Transfer to High Needs Block, a shortfall of around £680k would be likely.

The proposals in the report included:

- (i) to pare back the Ever 6 FSM multiplier in primary schools to offset the impact of the increase in count;
- (ii) to retain the Ever 6 multiplier in the secondary sector in recognition of that sector's much lower increase in Pupil Premium Grant;
- (iii) to retain the funding for Low Cost High Incidence support at 2013-14 levels;
- (iv) to increase the primary lump sum by £2,000;
- (v) to increase the secondary lump sum to £150,000;
- (vi) to increase all other mainstream formula multipliers by 1%; and
- (vii) to increase the cap on gains to 6% per pupil.

The above increases would be underwritten for the next three years by utilising some of the accumulated DSG underspend.

School Forum agreed with the proposed approach.

Chris reminded the Forum that the Single Status reserve of £5m was in addition to the above recommendations.

An additional proposal was added and discussed: the LA has to make reductions of £157m in its spending over the next 4 years and one of the potential savings is to look at alternatives models of delivering/funding the support currently provided to schools via the Teaching and Learning Consultants. The Authority is looking at a range of alternative approaches but for 2014-15 would wish to delegate £1m through the formula and invite schools individually to voluntarily return this funding to the LA. This would enable the existing arrangements to continue for 2014-15 pending the outcome of the LA's current review.

A Forum member stated there are high levels of pressure on schools from OFSTED, what are the LA views on how to provide support with the pressures on funding. Kathryn Boulton replied that the LA's role is changing to a commissioner/ advisor role in provision of consultancy.

A Forum member questioned that if deprivation multipliers were pared back and FSM's count were reduced for Pupil Premium, wouldn't schools lose on both counts. Chris replied that the 2014 -15 Pupil Premium funding is based on historic data so wouldn't be affected by the change to the KS1 free meals arrangements in September 2014.

Schools Forum supported the allocation of the £1m to schools for 2014-15.

Chris raised one further technical complication: the Single Status and Consultancy allocations could potentially be skewed by the national MFG arrangements. In other words some schools currently entitled to MFG protection may have their protection reduced by these additional allocations i.e. they would not receive some or all of the increases. Chris said that he intended to write to the DfE regarding this and would wish to have the Forum's support for these allocations to be outside of the MFG calculations.

Schools Forum supported the application.

A supplement to agenda item 5 was tabled as the LA had received on 16th December the LCHI data from the DfE for primary schools. The data appeared to have an enhanced count for Yr1 which for some schools exceeded the count for years 2-5. A number of proposals to deal with this were tabled but had yet to be modelled.

The Schools Forum agreed to support whichever model resulted in the least turbulence.

13/40 – DSG Spending 2013 -14

Chris Allcock presented this information item which provided an analysis of the latest forecast year end position for expenditure funded by the DSG for 2013 -14, based on income and expenditure up to the end of October. The figures indicate a forecast under spend of £6.973m.

Chris confirmed that if the trend continues during 2014-15, it may be possible to revisit the High Needs Block budgets and transfer some funding back to the Schools Block and to schools' delegated budgets for 2015-16.

Forum agreed to note the report.

13/41 DfE Schools Forum Operational Guide

Chris Allcock advised members that two documents have been published by DfE and circulated to Forum members: "Schools Forum – a guide for schools and academies on its role and responsibilities" and "Schools Forums: operational and good practice guide."

Chris drew attention to Section 2 (page 22) of the good practice guide giving examples of effective Schools Forums and in section 2.3 there were six points which the Forum may like to consider regarding training etc.

The Chair asked for comments from the floor. A Forum member asked if members and especially new members could be introduced at future meetings.

Chris Allcock suggested that a small group could be formed to consider the papers in more detail and report back to the Forum. This was agreed and the following members expressed an interest in being on the group:

Paul Mason
Penny Pennington
Lindsey Partridge
Phil Sutherland
Martin Brader

The working party would report back to the next meeting of the Forum.

The date of the next Forum meeting will be 12th February 2014 at 6:00 p.m.

The meeting closed at 19:45 p.m.