

**DERBYSHIRE COUNTY COUNCIL**  
**DERBYSHIRE SCHOOLS' FORUM**  
**Minutes of the Meeting Held on 18th June 2018**  
**at 6pm Committee Room 1, County Hall, Matlock**

**Present**

<b>Members</b>			
Barbara Arrandale	Hasland Infants	Martin Brader	Dronfield Henry Fanshawe
David Beaumont	Mickley Infants	Lisa Key	QEGS
Linda Du-Roe	Deer Park Primary	Karen Hudson	Head of Provision PRUs
Bridget Handley	Litton Primary	Michelle Hill	Derbyshire Network 16-19
Janet Snell	Lady Manners Sec	Robin Bone	Eckington Junior
Gill Hutton	Pottery Primary	Angela Stanton	Alfreton Nursery School
Tracey Burnside	Whittington Green Sec	Chris Wayment	ASCL
Julien Scholefield	Holbrook Sch. for Autism	Deborah Turner	NUT
<b>Substitutes</b>			
Alan Thomas	Northfield Junior	Monica White	ATL
<b>Observers</b>			
Cllr Julie Patten	Elected Member		
<b>DCC officers/others</b>			
Chris Allcock	Children's Services Finance	Ruth Lane	Children's Services Finance
Mary Murkin	Children's Services Finance	Mark Emly	School Improvement Service
Angela Beighton	Traded Services	Saranjit Shetra	Education Improvement

**Apologies**

Stephanie Marbrow, David Plummer, David Baker, Jeannie Haigh, David Channon, John Crofts, Cllr Alex Dale, Maria Finnegan, John Clapham, Andrew Wild

Chris confirmed that Kam Grewal-Joy (Secondary Headteacher), Andrew Critchlow (Hope Valley College), Sue Kennedy (Hague Bar) and Andrew Large (Early Years) had resigned from the Forum. They have been replaced by Janet Snell (Lady Manners) and Steven Dawson (Hope Valley College). The remaining primary head-teacher vacancies will be filled from the current election process.

Martin Brader chaired the meeting and confirmed that it was quorate.

**18/15 Minutes of the meeting held on 8<sup>th</sup> February 2018**

**Matters of accuracy**

Page 4 – typographical error in 18.12, should read High Needs Block  
Page 6 – 18.13 the low prior attainment figure should read £600 rather than £550.

**Matters arising**

Page 6 – 18.13 the LA decided to use the same Minimum Funding Guarantee (MFG) figure of 0% for the primary and secondary sector as no decision had been received from the DfE regarding the LA's application to use a differential rate. The DfE have now confirmed that our application was rejected and the same rate must be used.

## **18/16 Membership of the Schools Forum**

Chris Allcock presented the paper to seek the views of the Forum on the Authority's proposals to revise the membership and members' periods of office of the School Forum. The Schools Forums Regulations require that the Forum's membership is reviewed periodically to ensure that the allocation of places between maintained schools and academies remains broadly representative of the position within each local authority.

A table of the current membership was provided together with a table analysing October 2017 census data, this indicated that a reduction of one LA maintained secondary governor and an increase of one academy place was appropriate.

Due to the increasing number of schools which are becoming academies it is likely that the composition of places on the Forum will need to be reviewed more frequently if the membership is to continue to reflect the wider community. In order that future changes can be implemented efficiently, it is proposed that decisions on the balance of places be delegated to the Strategic Director for Children's Services in consultation with relevant Cabinet Members.

Additionally, the term of office of the current Schools Forum membership runs until 31 August 2019. However, following the introduction of the National Funding Formula (NFF), it is unclear what the role of the Forum will be after April 2020. The Authority considers it would be sensible to extend the current membership for a further year until 31 August 2020 to retain expertise during the next key change, April 2020.

A discussion then took place around whether the Strategic Director for Children's Services would determine places or individuals and how representatives would be appointed. Chris confirmed that the Strategic Director would only vary the balance of the places, the recruitment process to fill any vacancies would be unchanged.

Chris Wayment asked what the sector split within academies was and Chris replied there were 5 secondary and 2 primary representatives.

David Beaumont suggested it was maybe time to revisit the overall constitution and number of places on the Forum as he felt some sectors were over represented in terms of the number of pupils they represent. Chris Allcock replied that the number of places is a matter for the LA and the last time it was discussed Forum members wanted to maintain the Forum's size in order to reflect the higher number of schools in Derbyshire.

The Schools Forum agreed the report's recommendations.

## **18/17 DSG out-turn 2017 - 18**

Chris Allcock presented the paper to report the final revenue out-turn position for the 2017-18 Dedicated Schools Grant (DSG) and highlighted the following:

- Some of the figures in the overall DSG income and expenditure table were incorrect and that the net underspend quoted of £3.196m was actually £2.973m.
- The budget for 2017-18 included plans to utilise £5.185m of DSG reserves.
- Table 2.2 shows that the gross DSG balances at the end of 31/3/2018 was £8.290m.
- However, of the above sum, £5.583m was committed for specific issues i.e. clawback of early years funding, support to new free schools and financial support to the High Needs and Early Years Blocks, leaving an uncommitted reserve of only £2.707m.

- The table under section 2.3 shows that the like-for-like reduction in schools' balances was £1.5440m, less than expected. The overall reduction, including the impact of academy conversions, was £4.314m.
- Chris had expected the like for like reduction to have been greater. The secondary sector had seen the greatest decrease (£1.140m), despite the additional funding the Authority had allocated to help with the impact of falling rolls.
- There had been a modest increase in the level of deficit balances from £1.783m to £2.405m.
- 2018-19 schools' balances are projected to decrease, however, a similar picture had been presented at this stage last year. The LA is continuing to work with those schools with financial difficulties.

David Beaumont asked Chris for his view on the NFF in the future; other LAs are saying they cannot work with the data used and too many fluctuations would be caused.

Chris replied that he was going to cover this area under item 7. However, whilst the DfE have provided some clarity for 2019-20, the key issue is what will happen from 2020-21 onwards. More information has been promised from the DfE in July. The DfE still want to move to a hard NFF - at which point funding decisions will be removed from LAs - but the DfE assert that they have not fully committed to a date for this.

The Schools Forum agreed the report's recommendations.

### **18/18 Strategic Review of High Needs provision in Derbyshire**

Mark Emly presented the paper to explain how it is proposed that the strategic review will work. A procurement process has been put out to tender for this exciting and interesting piece of work which is to be completed in three phases. A number of pieces of work have previously been completed by departments of the LA which will all be brought together under this review. A supplier has been chosen but cannot be revealed at this stage until formal contract sign off has been agreed.

Mark confirmed that Phase 1 should be completed between September and November 2018, Phase 2 would follow on with final recommendations to be received in April/May 2019.

Chris Wayment asked that, as some special schools in Derbyshire were to become academies, would it make a difference to the review's proposals. Mark replied that the LA had the SEND responsibility for all children so the same criteria will apply whether a school is an academy or LA maintained.

David Beaumont asked if there really was scope for change in SEND when the HNB budgets are so restricted. Mark replied that there is the scope to be creative as we engage with stakeholders and some capital build funding was available.

Chris Allcock added that the DfE have indicated that for 2019-20 the LA would retain the ability to transfer funding from the Schools Block (SB) to the High Needs Block, subject to Schools Forum or Secretary of State approval. Julien Scholefield asked if that was a change of plan. Chris replied that it wasn't, the flexibility had been there in 2018-19, Derbyshire chose not to use it, but some other LAs had. He wasn't sure how this flexibility would work once a hard national formula was in place.

No more comments were raised and the Forum agreed to note the report.

## **18/19 Contingency Funding**

Chris Allcock presented the paper to ask the Schools Forum to consider changes to the operation of the LA's contingency funds. The current process for allocating SEN contingency funding is time-consuming and unsatisfactory for all the parties involved for several reasons, including:

- Time spent by schools in gathering the evidence and completing the claim forms (Heads, Governors, SENCOs, etc.);
- Lead SEN Officer supporting the school;
- School Support Finance time in identifying potential claims and helping schools apply;
- Accountancy phone and email support plus the processing of claims;
- Head of Finance/Service Director decision making;
- Increasing challenges regarding wider financial information, particularly as schools convert to academy status;
- Uncertainty for schools whilst decisions are taken; and
- Difficulties in applying a brake on allocations to schools without disadvantaging those schools that apply later in the year.

Chris explained the proposed new system, as detailed in the paper, which included a worked example and followed a formulaic approach which would mean that schools could be notified of their entitlement to support before the start of the financial year. The process would also mean that the estimated cost of allocations would be available to the Council and Schools Forum prior to the start of the financial year which would make consideration of this element of the budget more meaningful.

A long discussion took place around the difficulties of obtaining new Educational & Health Care Plans (EHCP)/Graduated Response for Individual Pupils (GRIP) funding due to the overall pressures on the High Needs Block. Some members felt quite strongly that schools often had a problem with supporting pupils who didn't qualify for an EHCP/GRIP because they couldn't justify more than £6,000 of support individually but costed a substantial amount in combined costs. The key question was: could more funding be made available for these pupils? The contingency fund doesn't help these schools, only the ones where financial support is already being given. It was also noted that not all of these pupils necessarily generate Low Prior Attainment (LPA) funding within the school's formula budget.

Robin Bone supported the LA's proposals, he said he had been a Headteacher for 4 years and only just discovered this pot of funding and felt he had possibly missed out. The proposed method would be much fairer. He also felt that the success of an EHCP/GRIP application was partly dependant on the skills of the staff member completing the application, but completely agreed that there is a considerable group of pupils who need support but don't qualify for an EHCP/GRIP.

David Beaumont asked if modelling had been done to see if any particular type of school would be dis-advantaged by the proposed arrangements. He also agreed that there are lots of pupils in school who could have up to £6,000 spent on them for their individual needs and exclusions were a real problem. There were huge variations between schools in their skills with dealing with such pupils.

Chris said he doesn't have a solution to these problems as the DfE set the rules on the first £6,000 of support coming from school budgets. He would explore what options, if any,

might be available. However, even if there were a way forward, a funding source would have to be identified to meet the cost.

Chris confirmed that the threshold percentage used in the example could be altered, but the figures recommended meant that on current data the top 10% of schools would be eligible for support. The proposals also look to exclude school balances from the calculations as experience shows schools justify their surplus balances in a number of ways and it is almost impossible to apply consistent criteria to this area. Additionally, due to the lack of information, the financial position of academies cannot be challenged in the same way.

Chris Wayment pointed out that MATs can swap money between schools to give flexibility to manage this and other financial support issues and wouldn't it be helpful if the LA could do this!

Chris replied that the school specific contingency pot is not available to academies, the LA's proposals in this area later in the report would be a start in providing the LA with some increased flexibility.

The Schools Forum:

- (i) Approved the proposed arrangements for allocating the SEN contingency as set out in 2.1.2 of the report; and
- (ii) Agreed that the arrangements in 2.1.2 should not take into account school or academy balances.

### **School Specific Contingency**

No major changes to the operation of the arrangements are proposed at this time. However, looking at the wider funding picture there is an issue which needs to be addressed. Saranjit Shetra from the Education Improvement Service briefed the Forum on this issue.

Saranjit began by thanking the Forum for agreeing to the de-delegation of funding for the 2018-19 Derbyshire Entitlement which enables the Education Improvement Service to support schools for three days during the year.

Since September 2017, 97 schools have been inspected and the overall effectiveness of 16 good or outstanding schools has declined (as at 4 May 2018). In the majority of cases, this decline was anticipated as shown in school self-evaluation. Improvement activity, however, has not been rapid enough and reflects the fact that the Education Improvement Service needs to trade with schools, if the support required is more than the three school improvement visits which form part of the Derbyshire Entitlement.

The Schools Forum is asked to consider allocating a sum of £0.050m so that the Education Improvement Service can support LA maintained schools which are in medium and high risk and which are also unable to set a balanced budget over the next two years. This funding would be used to broker the most appropriate support as agreed with the leadership team for each school and would, at least to some degree, replace the old schools causing concern budget, which used to be £0.200m.

Barbara Arrandale asked if £0.050m was enough. Saranjit replied that they have identified 23 schools with financial difficulties in the medium/high risk category and it would enable them to provide an extra 3 days of support per school. Chris Wayment added that this would give the LA some degree of equality with academies in terms of targeted support.

Tracey Burnside said her school had been awarded with Teaching School Alliance Brilliance Bid of £10k which had been really helpful in terms of supporting staff at all levels and really helped pupil results. She also said the support from the Derbyshire SLEs has been very good and effective.

Martin Brader asked how could this support develop in future years and Chris replied that we would need to review 2019-20 to help assess the level of support required in future years. Martin asked if we should take the opportunity to extend this support before the hard NFF is introduced. Chris replied that under a NFF, and if de-delegation wasn't an option, the support would probably have to be delivered via an extended traded service.

Saranjit said that in 2017-18 the Educational Improvement Service supported schools who were low risk with 4 days, medium risk with 8 days and high risk with 18-20 days and that there really is a need for early intervention.

The Schools Forum approved the LA's request to utilise £0.050m of the 2018-19 School Specific Contingency Fund as set out in section 2.2 of the report.

### **18/20 DfE LA comparative mainstream formula tables**

Chris Allcock presented a verbal update on the school funding framework generally, as the DfE have not published the comparative tables in time for the meeting.

He had attended a meeting earlier in the day with the DfE and noted the following points;

- The DfE will publish extensive guidance in mid-July regarding plans for 2019-20.
- There will be a pupil growth factor in 2019-20 for LAs, in Derbyshire this may allow the release of some funding in reserves currently set aside to support new schools.
- Premises allocations for 2019-20 will be based on 2018-19 planned spend.
- A mobility factor will be introduced in 2020-21, Derbyshire doesn't have one at present so is bound to gain from this proposal.
- DfE are committed to a hard NFF but have not committed to a date.
- Primary Unit of Funding (PUF) and Secondary Unit of Funding (SUF) figures for 2019-20 will be published in July 2018 to provide earlier planning information.
- Actual DSG allocations to be provided in December 2018.
- The provisional HNB should be published in July 2018.
- Central Schools Services Block (CSSB) for historical commitments will be unchanged for 2019-20 but will start to be reduced in 2020-21.
- The deadline for applications to transfer funding between the Schools Block and the High needs Block will be November 2018.

### **18/21 Scheme of management**

Chris Allcock presented the paper to inform Schools Forum of a review of the Derbyshire Scheme for Financing Schools and to seek approval to a range of changes. The Appendix to the report gave brief details of the changes. Barbara Arrandale asked how the consultation had been sent out as she hadn't seen it. Chris explained it had gone to Headteachers via e-mail with a request to forward it to Governors. Martin Brader requested that items that require

Governors input should be e-mailed direct rather than relying on Headteachers to forward them. Chris agreed that this would be done in future.

The Forum approved the draft Scheme published for consultation in April 2018 be approved as set out in this report.

### **18/22 Dates and venues of future meetings**

Dates and times of future meetings for 2018/19 would be e-mailed to members in due course, once the promised funding information has been provided by the DfE.

The meeting closed at 7.35pm.