

**DERBYSHIRE COUNTY COUNCIL**  
**DERBYSHIRE SCHOOLS' FORUM**  
**Minutes of the Meeting Held on 3<sup>rd</sup> December 2012**  
**At 6.00 pm at County Hall**

Simon Beardall (Ridgeway Primary) and Wendy Sharp (John Port Academy) were welcomed as new members to the Forum.

**Present:**

Paul Mason, Brendan Hickey, David Baker, Peter Hamer, Peter Crowe, Julie Bloor, Atholl Donaldson, Joe Birkin, Martin Brader, Lindsey Partridge, Julie Cadman, Lesley Hartley, Simon Beardall, Shirley Harvey, Linda Du-Roe, Penny Pennington, Angela Colmar, Lee Floyd, John Holmes, John Crofts, Chris Wayment.

**Apologies:**

Mike Davison, Peter Thorne, Denise Cunningham, Andrew Cartledge, Roger Tomlinson, Andrew Wild, Philip Sutherland, David Channon, Carole Nelson, Alison Bull, Jonathan Fawcett, Rosemary Mackenzie, John Partington.

**Observers:**

Cllr M Longden, Cllr S Ellis, Ollie Pardo,

**Officers/Others:**

Chris Allcock, Mary Murkin, Karen Gurney, Chris Tilley, Ruth Lane, Joy Williams, Laura Gee

Paul Mason chaired the meeting and apologised for his recent absences following surgery and thanked everyone for their messages of support. He said he had studied the Forum agendas and minutes carefully and thanked everyone for their time in looking at future budget plans and stressed that the Forum should continue to check the detail of such matters.

Chris Allcock confirmed that the meeting was quorate.

**12/28 Minutes of the meeting held on 9<sup>th</sup> October 2012**

Page 2 - The roll-out of SAP into schools has been agreed by Cabinet on 27<sup>th</sup> November and a report will be presented to the Forum at a future meeting.

Page 4/5 – Chris Allcock alerted the Forum that he is possibly looking to hold a series of events across the County in early 2013 for head-teachers to explain the implications of the new budget changes for 2013-14.

Page 5 - Chris Allcock updated the Forum with a comparison of the cost of the Derbyshire Schools Forum compared with other LAs. Derbyshire's cost (£27k) is rounded down to £0 per pupil in the DfE's comparative tables, alongside 15 other LAs.

The minutes were agreed as a true record.

## **12/29 Mainstream Formula-further issues**

Chris Allcock presented the paper. He summarised that Cabinet have agreed the shape of the formula, the indicators have been agreed, however the values have yet to be finalised by Cabinet and this will be done in January 2013.

Behaviour Support Service (Primary) – the Forum noted that the Positive Play and Early Intervention funding will be retained in the High Needs Block rather than being included in the delegated budgets for 2013-14. This will be revisited for 2014-15 following a review.

Additional Educational Needs (AEN) – in the recent consultation the LA equated £6,000 to 10 hours of SENTA provision. In reality this slightly overstated the position as £6,000 more closely equated with 9.5 rather than 10 hours of SENTA support, based on the current formula multiplier of £634. The Forum's views were sought on the proposal to require schools to meet the first 9.5 hours of SENTA provision.

A number of questions were raised from the floor. It was asked if the LA saw this new funding arrangement as likely to change the way SEN children are treated in mainstream schools. Chris replied that there was a concern that the £6k requirement may make some individual schools reluctant to admit children with AEN. However, if a school has a disproportionate number of SEN statements, the Authority can consider providing additional financial support. However, the basis for determining when such support might be appropriate has still to be determined.

Lee Floyd said he saw the new funding arrangements as a potential reason not to place children in special schools. Whilst funding is available from the High Needs Block, schools may apply for additional hours from there. Chris replied that there is only a certain amount of money available for SEN and if one element of funding increases others will have to decrease. A Forum member stated that in order to monitor SEN funding using a figure of £6,000 per child from the school budget was a clearer figure rather than saying 9.5 hours which met with the general agreement of the Forum.

Minimum Funding Guarantee (MFG) – As MFG costs are likely to increase, the Forum's views were sought on whether all schools should share the increased costs or whether the schools who have gained from formula changes should have their gains capped at +1.5%, +2.5% or any other figure. The Chair pointed out that few primary schools had responded to the consultation. Chris said that by capping schools who gained it would reduce turbulence. The DfE are already reviewing the basis for 2014-15 budgets, so more changes may occur. In his view limiting gains and losses to +/-1.5% would keep winners and losers within a narrow band.

No further comments were received from the floor.

Exceptional site factors – this was an information only item regarding school rents which was noted.

The report also noted for information that the DfE have commented that Derbyshire's proposed formula is in the bottom 5% for being directly pupil led. The main reason for this is the proposed lump sum £123,711. The figure fits comfortably with other LAs but, because Derbyshire has a large number of schools, it places us towards the bottom of the pupil led funding table as it soaks up nearly £50m of funding. A Forum member

asked if figures were available for other LAs. Chris replied that this was not currently the case although they would be available next year.

2013-14 budget and next steps – Chris advised that this meeting was the last opportunity for the Forum to discuss the formula as it will have been finalised before the January 2013 meeting. The paper listed four reasons why there may be some residual funding. A number of principles for allocating funding were outlined. Given Derbyshire's pupil-led percentage, any residual funding would likely to be allocated via AWP factors. Forum members were asked if they felt there were any other areas in particular need of support. Cllr Longden said the LA was trying to help secondary schools with their new careers responsibilities by using old Connexions staff. The LA hasn't been given any money from Government but is looking to help all the same. No other areas were identified and this item was noted.

Forum agreed to note the report.

### **12/30 Special Schools and ERS Formula Consultation**

A copy of the consultation had been circulated with the agenda and a summary of the responses was circulated at the meeting. 9/10 of Special Schools, 4/11 Primary schools with ERS places and 0/9 Secondary schools with ERS places had responded.

10/13 Schools generally supported the PPI approach, but had wanted the detail to be examined. 9/12 Schools generally preferred the top-up calculations to be done monthly.

Issues were raised from the floor, including several from Lee Floyd, Headteacher of Stubbin Wood Special School.

Schools would now be responsible for negotiating funding contracts with LAs. If, as many Derbyshire special schools are, a school is near the County border they are likely to have pupils from other LAs and, if their funding is low, it may mean that a school won't be able to meet a child's individual needs.

In order to qualify for transitional funding a school needs to be full, and most aren't which means they lose out.

Moderate Learning Difficulties (MLD) pupils won't attract enough funding either in the mainstream or special school settings to encourage schools to meet their individual needs.

A Multi-Sensory Impaired (MSI) or Extremely Challenging Behaviour (ECB) child attracts a large amount of funding, approximately £50,000 each. If one of these pupils leaves the school, the funding will cease immediately which makes it very difficult to manage the school financially. Real-time funding is problematic as, although children don't usually move schools or areas because parents like the provision they get, when children at special schools die, funding is lost immediately. Special schools will be less inclined to take pupils on short-term placements because they will not be financially attractive.

Parents have the choice of where to take their children and if a setting, possibly not an LA setting, has a major capital investment, pupils are likely to move there, meaning other schools will contract and lose even more funding.

It was felt that the new funding arrangements would be less inclusive as special schools will have to compete for pupils and staff, and many staff will have to be placed on temporary contracts as income becomes more turbulent.

Overall the relationship with the LA needs to be looked at very carefully as Lee felt it was extremely burdensome, bureaucratic and not fit for purpose. Ollie Pardo responded saying from parents' point of view the funding arrangements need to be as simple as possible.

Cllr Longden agreed that competition amongst settings could cause problems.

Union representatives asked if staff were more likely to be offered temporary contracts as opposed to permanent. Lee responded that that would have to be the case, meaning it would be harder to recruit quality staff on this basis. Therefore, pupils in future years could suffer if losses have been carried forward from a previous year. The union representative asked if there was a way to avoid this. Lee replied that the LA is working on the funding arrangements and that he was painting the worst case scenario. The LA could try to persuade the DfE to change these funding arrangements, as unintended consequences were going to be incurred due to trying to simplify the funding arrangements.

The Chairman commented that a lot of points were well made during the debate and Cllr Longden said that special schools would have to react more quickly and have a flexible cost structure. Lee replied that real-time funding doesn't give him flexibility; he doesn't employ casual staff because they don't meet the pupils' needs.

Chris Tilley thanked special school staff and Governors and stated that everyone needed to work together in future months to make the new formula work.

Forum noted the report and the consultation responses from schools.

### **12/31 Pooled Budgets-proposed arrangements**

Chris Allcock presented a paper regarding the funding that schools will be re-pooling. Previously these funds were not delegated and the LA was responsible for their management. Now the LA is responsible on behalf of schools 2013-14 would, in a sense, be a trial year for most of the areas. Reports would be provided to Schools Forum during the year on income and costs. The following specific points were noted:

Special Staff costs – Trade Union facilities' time, this would need to be re-visited for 2013-14 partly because of Academies who will take a share of the funding and are less likely to re-pool it. A dialogue will need to take place between the LA and the unions to determine how the costs of facilities' time can be managed within a reducing budget.

Library & Museums – this would be a capped contribution and not exceeded.

Pupil Growth Fund - not a pooled budget but arrangements need to be determined to agree the basis for the allocation of funding for 2013-14. A report to Forum would be brought in 2013.

Forum cannot collectively re-pool funding on behalf of special schools. However, each school is free to make its own pooling decisions. A dialogue needs to take place with

special schools on this and Lee Floyd commented that he thought special schools would wish to re-pool funding to the LA whenever possible.

The Forum agreed the recommendations.

### **12/32 Forthcoming election of Chair & Vice Chair – expressions of interest (oral report)**

Chris Allcock explained that the positions of Chair and Vice-Chair for the period January 2013 to December 2014 need to be elected. The positions must be held by Forum Members and expressions of interest should, in the first instance, be e-mailed to [Schoolfunding@derbyshire.gov.uk](mailto:Schoolfunding@derbyshire.gov.uk) by 20<sup>th</sup> December 2012. If an election is required then this would be arranged in accordance with the Forum's Constitution.

### **12/33 Any other business**

Chris Allcock reported that the Dedicated Schools Grant (DSG) for 2012-13 had been forecast at £491 million and had actually turned out to be £490.9 million. The shortfall of £100,000 had been taken from central budgets rather than schools' delegated budgets.

This was noted by the Forum.

A long discussion then took place, following a trades union suggestion, that it was within the power of the Forum to make representations to the DfE regarding the impact of the funding formula changes.

A comment from the floor expressed the view that special schools funding should be worked from the bottom up, calculating funding for needs, rather than top down, being given a budget to share. Lee Floyd reiterated that he was going to find it extremely difficult to run his school on the real-time funding basis.

Chris Tilley stated that Derbyshire's views and concerns have been expressed via the LGA and F40. The Derbyshire Schools Governors Association is also part of a national group which provides feedback to the Government.

Paul Mason said he had written a similar letter as Chairman of the Derbyshire School Governors Association 4/5 years ago to the Government, and only received a reply five months later which was too late to have any affect.

The Chair of the Forum offered to write to the Government expressing the Schools Forum's concerns, especially regarding special schools' funding. This was agreed.

### **12/34 Date of next meeting**

The next meeting will be held on 23<sup>th</sup> January 2013 at 6pm.