

**MINUTES of the meeting of Herefordshire Schools Forum held at Council Chamber - Brockington on Friday 25 October 2013 at 9.30 am**

<b>Present:</b>	<b>Mrs D Strutt (Academies) (Chairman)</b>	
	<b>Mr NPJ Griffiths (Academies) (Vice Chairman)</b>	
	<b>Mrs S Bailey</b>	<b>Special Schools</b>
	<b>Mr P Barns</b>	<b>Pupil Referral Unit</b>
	<b>Mr P Box</b>	<b>Academies</b>
	<b>Mrs S Catlow-Hawkins</b>	<b>14-19 Partnership</b>
	<b>Mrs J Cecil</b>	<b>Academies</b>
	<b>Mr JA Chapman</b>	<b>Church of England</b>
	<b>Mr J Docherty</b>	<b>Academies</b>
	<b>Mr T E Edwards</b>	<b>Local Authority Maintained Secondary School Governor</b>
	<b>Mr NPJ Griffiths</b>	<b>Academies</b>
	<b>Mr G House</b>	<b>Academies</b>
	<b>Ms A Jackson</b>	<b>Early Years Representative</b>
	<b>Mr R Leece</b>	<b>Trade Union Representative</b>
	<b>Mr C Lewandowski</b>	<b>Trade Union Representative</b>
	<b>Mrs J Rees</b>	<b>Local Authority Maintained Primary School</b>
	<b>Mr S Robertson</b>	<b>14-19 Partnership</b>
	<b>Mr A Shaw</b>	<b>Academies</b>
	<b>Mrs L Townsend</b>	<b>Local Authority Maintained Primary School</b>
	<b>Mrs S Woodrow</b>	<b>Locally Maintained Secondary Schools</b>
	<b>Mrs C Woods</b>	<b>Local Authority Maintained Primary School</b>
	<b>Mr K Wright</b>	<b>Local Authority Maintained Primary School</b>

**In attendance:** Councillors JW Millar (Cabinet Member - Children's Wellbeing)

**Officers:** Mr C Baird, Assistant Director Children's Commissioning Children's Wellbeing, Mr M Green, Senior Finance Manager, Mr A Hough, Interim Head of Sufficiency and Capital Commissioning, Mr L Knight, Head of Provider Services Additional Needs and Mr T Brown, Governance Services.

**134. APOLOGIES FOR ABSENCE**

(Mr N Griffiths (Vice-Chairman) in the Chair)

The Vice-Chairman welcomed Mr P Box and Mr G House as new Members of the Forum.

Apologies were received from Mrs L Brazewell, Mr P Burbidge and Mrs R Lloyd.

**135. NAMED SUBSTITUTES**

None.

**136. DECLARATIONS OF INTEREST**

None.

**137. ELECTION OF CHAIRMAN**

**RESOLVED:** That Mrs D Strutt be elected Chairman for the ensuing year.

(Mrs D Strutt in the chair)

**138. ELECTION OF VICE-CHAIRMAN**

**RESOLVED:** That Mr N Griffiths be elected Vice-Chairman for the ensuing year.

**139. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 12 July 2013 be confirmed as a correct record and signed by the Chairman.

**140. ELECTION OF CHAIRMAN OF THE BUDGET WORKING GROUP**

**RESOLVED:** That Mr A Shaw be elected Chairman of the Budget Working Group for the ensuing year.

**141. REPORT OF THE BUDGET WORKING GROUP**

The Forum considered the report of the Budget Working Group (BWG) on the following matters: response to consultation paper on introduction of high needs multi-tariffs and proposed national funding formula changes 2014/15; final Dedicated Schools Grant Allocation 2013/14; High Needs spending forecast; SEN Support Services; and Home to School Transport.

The Chairman of the BWG thanked members of the BWG, members of the High Needs Group and the Senior Finance Manager for their work. He reported that the BWG had carefully considered the options available, being mindful of the implications of their recommendations and the difficult considerations that some schools would face as a consequence. The BWG had sought to smooth the impact of change to the funding formula to give schools the opportunity to manage the consequences and plan ahead.

A Member of the Forum who had been invited to attend the Group's meeting in September as an observer, having expressed some reservations about some of the proposals put forward to the Forum in July, commented that she had been reassured by the considered and fair way in which the Group had approached its task.

The Senior Finance Manager (SFM) reported that the consultation process had included a number of meetings with schools where the proposals had been almost entirely well received. In the written responses to the consultation there had been clear support for the proposals with the exception of the sparsity models where there had still been support for the BWG's preferred model. The BWG considered that no evidence had been presented to suggest that the BWG should consider an alternative model.

The SFM commented that at the heart of the proposals was the intention to move incrementally part way towards the average primary/secondary funding ratio for the Authority's family group over 5 years. This was to be achieved by an annual reduction in the Primary School lump sum which would be transferred to the Secondary School lump sum. The introduction of the national funding formula signalled that the DfE would not permit the current variations in funding ratios to continue. The proposals represented a package of measures intended to enable schools to move towards an average funding ratio at a pace of Herefordshire's own choosing.

In relation to the printed recommendation I, on de-delegation, it was proposed that, as only de-delegation to Trade Unions was potentially affected by a DfE consultation on the funding of Trade Union facilities, the Forum should agree to dedelegate the two other elements encompassed by that recommendation.

**RESOLVED: That**

- (a) **the proposals for the local application of the funding Formula for 2014/15 as set out at Appendix 1 to the report, subject to an amendment to printed recommendation I, as reflected below, be approved for recommendation to the Cabinet Member – Children’s Wellbeing as follows:**
- a) **The strategy of moving the primary secondary funding ratio from 1:1.18 to 1:1.23 over a five year period and the associated funding transfer of an annual £200,000 from primary to secondary schools so that Herefordshire’s funding ratio is consistent with the family average of comparable local authorities be approved;**
  - b) **The strategy be reviewed annually to ensure that further movement towards the 1:1.23 “family average” funding ratio is appropriate depending on DfE guidance;**
  - c) **The lump sum values (proposed by the f40 group) of £75,000 for primary schools and £150,000 for secondary schools be phased in over five years as part of the five year strategy;**
  - d) **The lump sum allocation for primary schools be reduced by £6,000 to £99,000 in 2014/15 as the first year of the five year strategy;**
  - e) **The lump sum allocation for secondary schools be increased by £13,750 to £118,750 in 2014/15 as the first year of the five year strategy**
  - f) **Herefordshire, as one of the most rural counties in England, will include the DfE’s sparsity factor in the school funding formula for 2014/15;**
  - g) **The principle that sparsity funding should be phased in over the same five year period as the lump sums and the primary secondary funding ratio be approved;**
  - h)
    - i) **Primary sparsity be determined by a pupil threshold of 105 pupils, a sparsity distance of 2 miles and a tapered lump sum of £14,000 as the first year of a five year strategy to increase to the tapered lump sum to £70,000 in equal instalments (model A);**
    - ii) **Secondary sparsity be determined by a pupil threshold of 450 pupils, a sparsity distance of 450 pupils and a tapered lump sum of £14,000 as the first year of a five year strategy to increase to the tapered lump sum to £70,000 in equal instalments (model A);**
  - i) **The cost of sparsity should be phase specific so that the cost of primary sparsity is funded by the primary schools budget and the cost of secondary sparsity by the secondary schools budget;**
  - j) **The Notional SEN budget remains unchanged for 2014/15 at 6% of the lump sum, 6% of basic pupil entitlement, 100% of low prior attainment (as a proxy for SEN) and 40% of deprivation funding;**

k) Schools gaining funding through the national funding formula have their gains capped in order to fund the statutory Minimum Funding Guarantee (MFG) protection to schools losing funding and the percentage used as the gains cap should as far as possible be the MFG percentage set by the DfE;

- l) (i) funding for ethnic minority support, and free school meals administration be de-delegated;
- (ii) the decision on the de-delegation of funding for Trade Union facilities should be deferred until January 2014 pending the outcome of the current DfE consultation on funding of trade union facilities;

m) That the provisional national school funding values be submitted to the Education Funding Agency by the deadline of 31 October marked “ pending cabinet member approval” as follows;

i	Primary lump sum		£99,000
ii	Secondary lump sum		£118,750
iii	Basic entitlement per primary pupil		£2,765
iv	Basic entitlement per secondary (KS3) pupil		£3,589
v	Basic entitlement per secondary (KS4)pupil		£4,518
vi	Deprivation per Ever-6 FSM pupil		£2,848
vii	Looked After Children		£1,300
viii	Prior Attainment –primary (EYFSP 78 points)		£228
ix	Prior Attainment secondary		£148
x	English as Additional Language		£405
xi	Mobility		£0
xii	Split site costs		£0
xiii	PFI contract costs		£190,000
xi	Primary Sparsity –	tapered lump sum	£14,000
		Distance	2miles
		Threshold	105 pupils
Xii	Secondary sparsity tapered lump sum		£14,000
		Distance	3 miles
		Threshold	450 pupils

## HIGH NEEDS FUNDING

n) **The High Needs consultation proposals including**

- a. **The Assessment matrix**
- b. **The category weightings**
- c. **The funding tariff**
- d. **The implementation schedule**

**be approved in principle and that further work on the detailed consultation replies be considered by the High Needs working group and final proposals be reviewed by Schools Forum at the meeting in March 2014;**

o) **PRU funding – proposals for any minor adjustments to the PRU charges will be brought to the next BWG prior to Schools Forum in March 2014; and**

p) **SEN protection for small primary schools – that the existing scheme be amended as per the original proposal so that additional school expenditure on Band 3 & 4 pupils is limited to 3.0% per pupil (was 1.5% per pupil in 2013/14) to be funded from the High Needs Block.**

b) **in the interim, the funding formula values, as set out in Appendix 1 to the report, be submitted to the Education Funding Agency by the deadline of 31 October marked “pending cabinet member approval” as necessary; and**

(c) **the Department for Education’s finalised Dedicated Schools Grant for 2013/14 and its allocation be noted.**

## 142. HOME TO SCHOOL TRANSPORT

The Forum considered a report inviting possible responses to proposed changes to the Council’s Home to School Transport Policy.

The interim Head of Sufficiency and Capital Commissioning (HSCC) presented the report which had been circulated to the Forum in advance of the meeting. He acknowledged that the subject was an emotive one. However, the Council’s policy position was that it should provide services to the statutory minimum level unless there was a clear reason to provide additional services. It was also policy to charge full cost recovery unless there was a clear reason to amend this approach. The Council was currently providing more home to school transport than it was statutorily required to do.

The Council was seeking to save £250k by changing the policy of free home to school transport entitlement to nearest school only, rather than nearest and catchment. A decision was to be made by Cabinet in December 2013.

Efficiencies made over the past ten years on home to school transport budgets meant that further efficiencies were extremely hard to achieve. Benchmarking data suggested that the current service provided good value for money.

He reported that there had been a good response to the consultation exercise on changing the policy. A number of concerns had emerged to date including in particular:

- The implications for Schools on the border with Wales where a pupil's nearest school might lie across the border;
- The implications for schools on the border with neighbouring English authorities where a pupil's nearest school might lie in a neighbouring County.
- What regard should be had the concept of a Herefordshire identity and whether an offer should be made to support residents to send pupils to a Herefordshire school if that was their preference.
- The timing of the introduction of the proposed new policy and whether implementation could be phased.

He noted that amendments to the proposed policy to seek to address these concerns would have an impact on the proposed saving.

The Cabinet Member - Children's Wellbeing commented that the proposal was not being made lightly and outlined the significant pressures on the Council's budget and the savings that needed to be made (£33million over the next 3 years with £15m of that made in 2014/15). Councils nationally were facing these sorts of pressures. The Council had to look particularly carefully at expenditure on non-statutory services, however much that might be regretted.

In discussion the following principal points were made:

- The HSCC commented that about 800 pupils would be affected. He observed that 43% of children currently did not attend their catchment school.
- It was suggested that more pupils would be affected than suggested by the Council.
- The nearest school for many pupils might be across either a national or county border.
- What would happen if places were not available at the nearest school?
- The proposal would have a long term impact on families and children.
- The HSCC acknowledged that it was very complex to model the effects of the proposal because it depended on the choices parents made. In the longer term in other authorities that had adopted a similar policy the evidence was that the home to school transport cost was reduced.
- It was suggested that whilst the proposal might generate a saving centrally for the authority, it would be helpful to know whether the experience of other authorities showed the extent to which schools ended up picking up the costs of transport from their own budgets, and what proportion of any saving this represented.
- The HSCC noted that some schools already provided transport of their own volition.
- There was too much uncertainty about the proposal, which could destabilise the Herefordshire learning community. The implications needed to be more thoroughly investigated and set out.
- A view needed to be taken on the concept of Herefordshire as a learning community. The fact that 43% did not choose their catchment school reflected the different offers from schools within the County which met a range of needs.

- Changing school was a significant matter for a child. The policy change could have a significant effect on pupils, in particular those from Key stage 4, and could have the greatest impact on the most vulnerable families who would not be able to afford to pay for transport. In reply the HSCC commented that the extended rights scheme would continue to protect the most deprived families. He added that strong representations had already been received that the proposal should not disrupt Key Stage 4 and that the introduction of the proposal on a phased basis should be considered, although that would have complexities associated with it.
- Year six pupils in primary schools were facing uncertainty and difficult choices. It was difficult for Headteachers to plan ahead. In response the HSCC commented that a decision had been taken to extend the period for accepting year 6 transfers to the end of February.
- The Council's action seemed to reinforce the difficulties associated with the rurality of the County, rather than seek to overcome those issues as the Council generally sought to do. The areas most affected by the proposal did not have access to public transport.
- Schools within the County had traditionally worked with and supported one another. The proposal threatened that approach.
- Officers had acknowledged the complexity of modelling the effects of the proposal and accepted that there was a possibility, at the least in the short term, that the proposal might incur cost rather than generate a saving. The proposal represented a considerable risk. This did not make financial sense. A different approach was needed.
- Whilst there may be no certainty over the financial modelling it was asserted that the proposal would have a significant impact on schools and families.
- The Cabinet Member commented that he understood the concerns expressed and would seek to mitigate the effects of any decision. However, the Council faced many competing pressures, for example, funding support for vulnerable adults, and the Council's funding from Central Government had been substantially reduced. A consultation exercise had been launched on 24 October inviting people to consider whether they would support a 5% Council Tax rise to preserve more services. He noted that in other areas where this question had been asked such proposals had not commanded public support.
- A position, such as that apparently being taken by the Council, that any support for a service above the statutory minimum level was a luxury, might be mistaken; there might well be a business case for additional support.
- In response to a question the Assistant Director Children's Commissioning Children's Wellbeing commented that it was not the Council's policy or approach to leave everything entirely to market forces. However, parental preference was an important principle and the current education environment was very complex.
- The report contained a recommendation that the Budget Working Group (BWG) should explore the implications if the Council did decide to proceed with a revised policy. The Forum discussed whether there would be merit in the BWG looking at the proposals in advance of a decision by Cabinet to seek to influence it, rather than after the fact, or indeed whether evidence was available that could be presented to the BWG to enable it to make a worthwhile contribution to the debate at all. It was

noted that the response to the consultation was yet to be analysed and the Forum concluded that the Chairman of the Budget Working Group should meet the Cabinet Member (Children's Wellbeing) and if the Chairman considered it necessary he convened a meeting of the Budget Working Group to report to the Forum on 29 November. Officers confirmed that Cabinet would not take a decision before December.

- It was proposed that the Cabinet be formally advised of the concerns raised at the Forum's meeting
- It was noted that the Chairman of the General Overview and Scrutiny Committee had indicated that he did not propose to put the matter before that Committee. The Forum proposed that he should also be formally advised of its concerns about the proposals.

**RESOLVED UNANIMOUSLY:**

- That**
- (a) the Cabinet be formally advised of the concerns raised at the meeting;**
  - (b) the Chairman of the General Overview and Scrutiny Committee be formally advised of the concerns raised at the meeting; and**
  - (c) the Chairman of the Budget Working Group meet the Cabinet Member (Children's Wellbeing) and if the Chairman considers it necessary convenes a meeting of the Budget Working Group to report to the Forum on 29 November.**

**143. REVIEW OF PROVISIONS FOR SUBSTITUTION AT SCHOOLS FORUM**

The Forum reviewed the provisions in the Forum's Constitution on substitute membership, a report having been requested at the Forum's previous meeting.

There was consensus that the current provisions in the Constitution should be amended to reinforce the principle that substitutes should be appointed by the relevant electing/appointing bodies.

**RESOLVED: That each electing/appointing body should be invited to designate a pool of substitutes; a forum member who is unable to attend a meeting may then ask one of the designated substitutes from the relevant pool to attend a meeting of the Forum, or formally established Sub-Group, in their place.**

**144. WORK PROGRAMME**

The Forum noted its Work Programme.

**145. MEETING DATES**

Noted.

**146. CHAIRMAN'S ANNOUNCEMENT - LETTER FROM EDUCATION FUNDING AGENCY**



The Chairman drew Members' attention to a letter from the Education Funding Agency issued on 25 October giving notice of the publication of the updated: Schools Forums: Operational and Good Practice Guide and release of a proforma to academies. She informed Members that a copy of the letter had been circulated by e-mail to all Members.

The meeting ended at 10.50 am

**CHAIRMAN**