

Agenda

Herefordshire schools forum

Date: **Friday 21 June 2019**

Time: **9.30 am**

Place: **The Council Chamber - The Shire Hall, St. Peter's Square, Hereford, HR1 2HX**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

Sarah Buffrey, Governance Services

Tel: 01432 260176

Email: sarah.buffrey@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format or language, please call Sarah Buffrey, Governance Services on 01432 260176 or e-mail sarah.buffrey@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Herefordshire schools forum

Membership

Chairman	Andy Evans	Mainstream Academies
Vice-Chairman	Julie Cohn	Academy Special School Representative
	Sian Bailey	LA Maintained Special Schools
	Christine Bryan	Academies
	Pat Burbidge	Archdiocese of Cardiff
	Steven Fisher	Academies
	Edward Gwillim	16-19 Providers
	Kimberly Harley	PRU management committee
	Joe Hedges	Primary Governors
	Martin Henton	LA Maintained Secondary Schools
	Ali Jackson	Early Years Representative
	Paul Jennings	Academies
	Steve Kendrick	Local Authority Maintained Primary School (with Nursery)
	Tim Knapp	Academies
	Chris Lewandowski	Trade Unions
	Sian Lines	Church of England
	Rose Lloyd	Early Years
	Norman Moon	LA Maintained Primary Schools
	Paul Deneen	Trade Unions
	Julie Rees	Local Authority Maintained Primary School
	Rachel Rice	Secondary Governors

Agenda

	Pages
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY) To receive any details of Members nominated to attend the meeting in place of a Member of the Forum.	
3. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
4. MINUTES To approve and sign the minutes of the meeting held on 15 March 2019.	5 - 8
5. UPDATE ON NATIONAL SCHOOLS FUNDING ISSUES To receive an update from the schools finance manager on national developments in schools funding and activities of the budget working group since the previous meeting.	
6. ANNUAL REVIEW OF SCHOOLS FORUM MEMBERSHIP To receive a report on the annual review of membership of the Herefordshire Schools Forum and the Budget Working Group and approve action as necessary to maintain proportionality.	9 - 12
7. DATES OF FUTURE MEETINGS AND WORK PROGRAMME Meetings for 2019-20 academic year were confirmed at the March meeting as: 25 October 2019 17 January 2020 13 March 2020 10 July 2020 The approved work programme is attached for information.	13 - 14



Minutes of the meeting of Herefordshire schools forum held at The Council Chamber – The Shire Hall, St. Peter’s Square, Hereford HR1 2HX on Friday 15 March 2019 at 9.30am

Present: Mr A Evans (Mainstream Academies) (Chairman)
Mrs J Cohn (Academy Special School Representative) (Vice Chairman)

Mrs S Bailey	LA Maintained Special Schools
Ms C Bryan	Academies
Mr P Burbidge	Archdiocese of Cardiff
Mr S Fisher	Academies
Ms K Harley	PRU management committee
Mr J Hedges	Primary Governors
Mr M Henton	LA Maintained Secondary Schools
Mr S Kendrick	Local Authority Maintained Primary School (with Nursery)
Mr C Lewandowski	Trade Unions
Mrs S Lines	Church of England
Mrs R Lloyd	Early Years
Mr P Deneen	Trade Unions
Mrs J Rees	Local Authority Maintained Primary School
Ms R Rice	Secondary Governors

In attendance: Councillors CA Gandy

Officers: Chris Baird, Lisa Fraser, Malcolm Green and Les Knight

26. APOLOGIES FOR ABSENCE

Apologies were received from Norman Moon and Tim Knapp.

27. NAMED SUBSTITUTES (IF ANY)

There were no named substitutes.

28. DECLARATIONS OF INTEREST

There were no declarations of interest.

29. MINUTES

Resolved: that the minutes of the meeting held 22 January 2019 be approved as a correct record and signed by the chair.

30. HIGH NEEDS BUDGET 2019/20

The strategic finance manager (SFM) gave an overview of the report and highlighted the following key points:

- The main focus of changes to the high needs budget for 2019/20 involved the pupil referral service;

- Over the following two years it was proposed the pupil referral unit (PRU) transition to providing 50 places for permanently excluded pupils, funded by the council, and 30 discretionary places to be purchased as required by schools;
- The changes would lead to savings to be delivered on a phased basis over the three year period;
- There would be an increase in the PRU top up fee to £6,700 for all students from September 2019;
- Further work was needed on the detail of arrangements for the PRU and the packages that would be available for schools to purchase, this was ongoing with Herefordshire Association of Secondary Headteachers (HASH);
- It was proposed that an intervention fund be established from September 2019 to support schools with meeting the needs of students, the operation of this fund would be subject to consultation with HASH and would support the in year fair access panel;
- A collection of changes were also proposed to SEN support services to achieve savings of £110k in 2019/20 and further savings in future years, the budget working group had asked for further detail on these savings which was now included in the report at paragraph 14;
- Allowance had been made in the proposed budget for growth in numbers of post 16 pupils, out of county independent special school placements and in county special school places;
- Projections for the next three years showed that the high needs budget was expected to remain in surplus until 2021/22 but this would require support from schools to continue to transfer surplus funds from the schools block;
- longer term changes to high needs funding could arise from the government's comprehensive spending review and any future changes in DfE policy;
- proposals for work on early intervention would be taken to the budget working group in May 2019, with a report back to the forum in due course, the proposals would consider how to invest to prevent further cost pressures arising while maintaining statutory services;
- analysis of secondary rolls suggested that it might be appropriate to establish a SEN protection scheme for secondary schools similar to that in place for primary schools, this would cost approximately £60k per annum which would need to be funded, there were at present one or two secondary schools with higher than average numbers of SEN pupils;
- the high needs budget proposals would go forward to the cabinet member children and families for a decision, any comments from the forum would be included in the report.

The PRU representative on the forum commented on the proposals for changing the service. She thanked the SFM for the time spent on preparing for the change. A working party had been established, including representatives from secondary schools, to oversee the changes and work towards a viable model. The PRU had seen increasing numbers year on year and a real need for the service. This increase reflected the national picture. Funding pressures on all sides were noted, both schools and the local authority had seen income squeezed and the packages offered by the PRU would have to be affordable. Work would continue in the run up to September 2019 to reach agreement with HASH on how the service would operate. The savings required for the first year were felt to be achievable and work was in hand to address the second year of savings. An update could be provided to the forum at an appropriate future point.

In discussion of the report it was noted that:

- a total of £400k savings was expected to be realised from the changes over 2 years, with £200k reinvested into the intervention fund;
- central services would contribute £110k savings in 2019/20;

- the total number of places at the PRU would remain the same, the split of funding would change;
- the PRU had been brought back into the local authority as a maintained school, the management committee had been reinvigorated and would operate similar to a governing body, the change did not have any impact on the financial issues faced;
- condition surveys were being carried out on all SEND premises and were expected to be completed soon, while Herefordshire did not generally benefit from growth funds, a capital investment strategy would be created based on the information from the survey so that funding which did become available could be targeted to priority schemes.

The chair of the budget working group stated that the proposals had been discussed extensively at the working group meeting of 1 March 2019. The working group recognised the risks of taking from one funding pot to meet needs in another and supported looking at intervention strategies to prevent further increases in demand.

Secondary headteacher representatives commented that the views of secondary schools were likely to differ depending on the level of need for pupil referral services in each school and the approach each school took to supporting pupils. Travel costs were also an issue, particularly for schools further away from Hereford.

It was resolved that:

having regard to the views of the Budget Working Group, the high needs budget plan be approved for recommendation to the cabinet member for children and families as follows:

- a) **the Pupil Referral Unit be funded as set out below**
 - (i) **80 places for the period April 2019 to August 2019 comprising 50 places for permanently excluded pupils and 30 discretionary managed move/ intervention places**
 - (ii) **50 places for new and existing permanently excluded pupils for the period September 2019 to March 2020 and thereafter 50 places annually**
 - (iii) **15 places for discretionary managed move/intervention for existing pupils for the period September 2019 to August 2020**
 - (iv) **15 discretionary intervention places for new pupils to be charged at cost to the school purchasing the place until August 2020 and thereafter 30 discretionary places annually to be charged at cost to the school purchasing the place**
 - (v) **savings on a phased basis of £30,000 in 2019/20, a further £100,000 in 2020/21 and a final £70,000 in 2021/22 be approved**
 - (vi) **An intervention fund be approved on a phased basis of £50,000 from September 2019 in 2019/20, £125,000 in 2020/21 and £175,000 in 2021/22 for use by the Inyear fair access panel, or similar, to support schools with meeting the needs of students following consultation with the Herefordshire Association of Secondary Headteachers (HASH)**
 - (vii) **An increase of £1,000 in the PRU top-up fee to £6,700 for all students from September 2019**
- b) **budget efficiencies and increased charges to schools in the SEN support services to a total of £110,000 be approved from April 2019, a further budget efficiency of £40,000 from April 2020 and a final budget efficiency of £50,000 in April 2021;**

- c) **an income budget of £100,000 be set for the high needs contingency in expectation of an equivalent saving in Complex Need Funding for 2019/20; and**
- d) **the high needs budget including the amendments as above be approved as set out in Appendix 1.**

31. WORK PROGRAMME AND DATES OF FUTURE MEETINGS

The clerk to the forum updated members on proposed dates for meetings to the end of the summer term 2020 and the programme of work to be undertaken by the forum over this period.

The forum noted that the budget working group would consider de-delegation arrangements as requested by the forum and that it was proposed to report back to the forum on 21 June 2019.

In addition to the meeting of the forum on 21 June, a workshop session had been arranged to which the county's MPs had been invited as requested. Jesse Norman MP had provisionally agreed to attend.

In discussion of arrangements for the workshop it was noted that:

- The budget working group would lead on producing material for the workshop;
- Short presentations were proposed by representatives from a primary, secondary and special school to set out both common pressures and specific circumstances experienced by schools, with real life examples where possible;
- Schools were encouraged to put forward creative solutions and specific proposals, not just a list of difficulties;
- Rurality and transport issues were suggested as key topics that could be included, rurality did not only affect education so the forum could look to see what lessons could be learned from other sectors;
- Input from governors could be considered;
- Suggestions for content should be sent to the strategic finance manager.

It was resolved that:

- a) **The dates for meetings of the schools forum to the end of the summer term 2020 as set out in paragraph 7 of the report be agreed; and**
- b) **The work programme for the schools forum to the end of the summer term 2020 as set out in appendix A be agreed.**

The meeting ended at 10.15 am

Chairman



Meeting:	Herefordshire Schools Forum
Meeting date:	21 June 2019
Title of report:	Review of Schools Forum Membership
Report by:	Clerk to Herefordshire Schools Forum

Classification

Open

Decision type

This is not an executive decision

Wards affected

All wards

Purpose and summary

To review the membership of Herefordshire Schools Forum and the budget working group to ensure it remains proportionate.

The composition of the forum is reviewed annually to ensure that Local Authority maintained schools and academies are represented proportionately on the forum, based on the number of pupils registered in each category of school, and that the membership complies with regulations.

Recommendation(s)

That:

- (a) the outcome of the annual review of proportionality is noted and no changes are made to allocations of seats on Herefordshire Schools Forum or the Budget Working Group.**

Alternative options

1. The forum could recommend an increase or decrease in the total number of seats on the forum. This is not recommended as the current number of seats gives an appropriate spread of membership to represent the various types of school in Herefordshire, while remaining a manageable size.
2. The forum could choose to disregard proportionality in respect of the budget working group. This option is not recommended as it is preferable for the effective functioning of

Further information on the subject of this report is available from
Sarah Buffrey, Tel: 01432 260176, email: sarah.buffrey@herefordshire.gov.uk

the working group that the different types of schools in Herefordshire are fairly represented and the forum has previously determined that the working group should be broadly proportionate.

Key considerations

Membership of Schools Forum

3. Herefordshire schools forum is composed of 26 seats allocated between schools members, academies members and non-school members. Schools and academies members together must number at least two-thirds of the total membership of the schools forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category. The membership of the forum is reviewed annually to ensure the allocation of seats remains proportionate.
4. Herefordshire allocates 19 seats between the schools and academies members. One seat each is allocated to mainstream special schools, academy special schools and the PRU management committee. The 16 remaining seats are allocated to mainstream schools and academies, divided proportionally. The annual review has been carried out for 2019 and the results are set out below.
5. Regulations make no distinction between primary phase and secondary phase academies. Guidance states that Free Schools are to be classed as academies for the purpose of this exercise. The calculations of proportionality set out below are based on pupil numbers taken from the January 2019 school census and translate these proportions into numbers of seats on the forum, rounded as necessary.
6. Total pupil population in mainstream schools was 22,261 broken down as follows:

School category	Number of pupils	Proportion	Proposed number of seats (rounded)	Current number of seats
Maintained Primary	9,659	43.4%	6.94 (7)	7
Maintained Secondary	3,187	14.3%	2.29 (2)	2
Academies	9,415	42.3%	6.77 (7)	7
Total			16	16

7. Based on this assessment, no changes are proposed to the allocation of seats for the schools groups on the forum.

Membership of Budget Working Group

8. The Budget Working Group is a permanent advisory sub-group of the forum. Regulations prescribe how the forum itself is to be constituted but these provisions do not apply to the composition of sub-groups. The composition of the Budget Working Group is therefore a matter for the forum itself. It is open to the forum to agree to disregard proportionality for the working group, amend the number of seats or set minimum representation for particular groups
9. The forum agreed in October 2012 that the Budget Working Group would consist of 14 members. Two seats were allocated to early years settings and one to special schools.

The remaining 11 places available to primary schools, secondary schools and academies, were to be allocated on a broadly proportionate basis based on pupil numbers in each category. The forum also agreed that there should be a minimum of one maintained school representative from the secondary sector and one academy representative from the primary school sector.

10. Total pupil population in mainstream schools was 22,261 broken down as follows:

School category	Number of pupils	Proportion	Proposed number of seats (rounded)	Current number of seats
Maintained Primary	9,659	43.4%	4.77 (5)	5
Maintained Secondary	3,187	14.3%	1.57 (1)	1
Academies	9,415	42.3%	4.65 (5)	5
Total			11	11

11. Based on this assessment, no changes are proposed to the allocation of seats for the schools groups on the forum.

Community impact

12. The items considered and decisions made by the forum should have regard to what matters to schools and settings in Herefordshire and how the forum can best contribute to managing the current changing and challenging financial circumstances.
13. The constitution ensures that the membership of the schools forum continues to reflect the range of types of school and setting across Herefordshire and that all groups have the opportunity to shape the decisions of the forum.

Equality duty

14. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
15. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. In relation to schools finance it is the responsibility of individual governing bodies to commit expenditure according to the individual pupil need. However

the decisions of the schools forum should have regard to this duty and the potential implications of any decisions made.

Resource implications

16. A budget of £12,000 has been allocated for administering the schools forum and associated activities for the 2019/20 financial year. This is funded from the dedicated schools grant received from central government and includes a modest budget for the commissioning of expert advice and reviews.

Legal implications

17. The schools forum is established under section 47A of the School Standards and Framework Act 1998. The current regulations pertaining to the operation and management of schools forums are set out in The Schools Forums (England) Regulations 2012.
18. The Education & Skills Funding Agency (ESFA) set out guidance on the operation of schools forums in September 2017. This document also gives examples of good practice which the EFA have drawn from a number of schools forums and the Department for Education. It is not designed to be prescriptive except where it refers directly to the Schools Forum Regulations 2012.
19. The council must ensure that the schools forum for their area is constituted in accordance with the regulations and is responsible for determining the size and composition of the forum, and the members' terms of office.

Risk management

20. There are no identified risks associated with approval of the recommendations contained in this report. If the membership of the forum and working group is not proportional, there is a risk some categories of schools could feel that they are not fairly represented and object to decisions taken by the forum.

Consultees

21. None

Appendices

None

Background papers

None

SCHOOLS FORUM WORK PROGRAMME 2019/20

25 October 2019	
Appointments	To appoint a chairman and vice-chairman for the Forum. To appoint a chairman for the Budget Working Group
Herefordshire schools budget 2020/21	To receive proposals for consultation on the 2020/21 schools budget and high needs budget 2020/21.
Budget Working Group	To receive a report on the activities of the Budget Working Group not covered elsewhere on the agenda. (recurring item)
Work programme 2019/20	To review the work programme and identify any additional items the forum wishes to consider.
17 January 2020	
Dedicated Schools Grant settlement	To receive a report on the DSG settlement and consider proposed schools budget 2020/21 (subject to DfE national formula).
Budget Working Group	To receive a report on the activities of the Budget Working Group not covered elsewhere on the agenda. (recurring item)
13 March 2020	
High needs budget proposals 2020/21	To consider proposals for the allocation of the high needs funding block for 2020/21 (subject to DfE national formula).
Budget Working Group	To receive a report on the activities of the Budget Working Group not covered elsewhere on the agenda. (recurring item)
10 July 2020	
National Funding Formula Update	To receive any updates on funding arrangements.
Annual review of membership	To review the membership of the Schools Forum to ensure proportionality.
Herefordshire Schools Forum Constitution	To review the constitution of the Herefordshire Schools Forum to ensure that it remains aligned with regulations, guidance and good practice.
Budget Working Group	To receive a report on the activities of the Budget Working Group not covered elsewhere on the agenda. (recurring item)
Work programme and meeting dates 2020/21	To approve the work programme and scheduled of meeting dates for the forum for 2020/21.

