

Rotherham Schools' Forum

Venue: Rockingham Professional Development Centre

Date: Friday, 11 April 2014

Time: 8.30 a.m.

A G E N D A

1. Welcome and introductions.
2. Apologies for absence.
3. Appointment of the Chair of the Rotherham Schools' Forum for the 2014/2015 financial year.
4. Appointment of the Vice-Chair of the Rotherham Schools' Forum for the 2014/2015 financial year.
5. Confirmation of the Stakeholder representatives on the Rotherham Schools' Forum for the 2014/2015 financial year.
6. Vote of thanks to the outgoing Chair.
7. Declarations of Interest.
8. Minutes of the previous meeting held on 7th March, 2014. (Pages 1 - 9)
9. Matters arising from previous minutes.
10. Impact update on Learners' First Ltd. (Pages 10 - 30)
 - Director of Learners First Ltd to report.
 - Item 10 will be heard in the absence of the Press and the Public as being exempt under the Paragraph 3 (Financial affairs) of Schedule 12A to the Local Government Act, 1972, as amended March, 2006.
11. Audit report Learners' First Ltd.
 - Internal Audit, Audit and Asset Management, Environment and Development Services Directorate, to report.

12. Department for Education Fairer Schools Funding - consultation.
 - Principal Schools' Finance Officer to report.
13. Update on the developing SLA/Protocol between the Local Authority, Schools and the Teaching Trade Union Representatives.
 - HR Manager to report.
14. Hospital School - proposal. (Pages 31 - 38)
 - Strategic Lead, Educated Other than at School, to report.
 - Item 14 will be heard in the absence of the Press and the Public as being exempt under the Paragraph 4 (Trade Union Consultations) of Schedule 12A to the Local Government Act, 1972, as amended March, 2006.
15. Alternative Provision Protocol - update.
 - Strategic Lead, Educated Other than at School, to report an update position following presentation on 10th January, 2014.
16. Special Educational Needs and Disability - update. (Pages 39 - 41)
 - Strategic Lead for SEND to report.
17. Date and time of the next meeting: -
 - Friday 27th June, 2014, to start at 8.30 a.m. in the Rotherham Town Hall.
 - Future meeting dates for 2014/2015 – to be considered.

**ROTHERHAM SCHOOLS' FORUM
FRIDAY, 7TH MARCH, 2014**

Present:- D. Silvester (Wath Learning Community) (in the Chair).

Learning Community Representatives: - D. Butler (St. Bernard's), P. Blackwell (Dinnington), A. Abel (Oakwood), D. Humphries (Aston), L. Pepper (Clifton), A. Kitchen (Swinton), K. Sherburn (Wingfield), J. Henderson (Brinsworth), B. Clubley (Thrybergh), R. Burman (Winterhill), P. Dilasio (Wales).

Other School Representatives: - G. Alton (Rotherham Colleges), P. Bloor (PRUs), J. Gray (Early Years PVI), M. Hague (Early Years), G. Gillard (Sheffield Diocese), D. Ashmore (Teaching School), S. Brook (Teaching Trade Unions).

Also in attendance were: - F. Featherstone, J. Coleman, Councillor P. Lakin (Cabinet Member for Children, Young People and Families' Services), D. Smith (Director of Children and Young People's Services, RMBC), D. Rae (Strategic Lead, Joint Health, Education and Social Care), K. Borthwick (SES, CYPS, RMBC), S. Booth (Financial Services, RMBC), J. Robertson (Financial Services, RMBC), V. Njelic (Financial Services, RMBC).

Apologies had been received from: - D. Sutton (Maltby), A. Richards (Secondary Governor), S. Mallinder (Primary Governor), D. Mitchell (Support Staff Trade Union), L. Pink (Rawmarsh and St. Pius), J. Fearnley (Junior Schools), D. Pridding (Swinton; A. Kitchen representing), N. Whittaker (Special Schools) and L. Simpson (Support Staff Trade Union).

115. DECLARATIONS OF INTEREST.

No Declarations of Interest were made.

116. MINUTES AND MATTERS ARISING FROM THE PREVIOUS MEETING HELD ON 10TH JANUARY, 2014.

The minutes of the previous meeting of the Rotherham Schools' Forum held on 10th January, 2014, were considered.

The Teaching School Representative raised accuracy points in relation to Minute No.107 (Total Schools' Budget Monitoring Report, 2013/14), it was requested that the following amendments/additions were made to the bullet pointed list: -

- Carry forward from 2012/2013;
- £319k was the outstanding amount to be Transferred to Learners' First Limited which the Finance Manager agreed to look into;
- The amount of Schools of Concern funding within the School Effectiveness budget was confirmed as £0;
- Indication of the number of placements and unit costs that were being funded from the High Needs Block would be useful, alongside the headline budget total/s;

- Role of Academies' contributions;
- In respect of funding for the School Effectiveness Service, the Director for Schools and Lifelong Learning (CYPS) stated that all funding within the DSG was allocated to meet the statutory duties of the LA;
- The projected overspend of £920k on Post -16 High Needs' placements had now been eliminated, this would not lead to a reduction in the £1.2m that the Local Authority proposed to transfer from the Schools' Block as there were 'other' pressures. The CYPS Finance Manager confirmed that there was already a forecast overspend in 2014/2015 and this would be increased by the carry-forward of the overspend from 2013/2014;
- Concerns were expressed by Schools that overspends on staffing for services within the High Needs' Block due to 'unachievable vacancy factors' were simply being passported to schools. The Finance Manager explained that this was due to the budget allocations for those services being frozen from 2011/2012 and staff costs increasing due to increments and/or pay awards.

Under matters arising from Minute No. 111 (New Central Primary School - transitional funding), it was reported that a lower contribution had been made to the budget of the new central primary school for governance-related development of the requested transitional funding, as it was felt that the academy group the new school would join already had infrastructure in place that the new school would benefit from, leading to a reduced need for funding.

Matters of accuracy were also raised in relation to Minute Nos. 100 and 103 of the meeting held on 25th October, 2013.

Minute No. 100. It was noted that whilst Forum had voted to maintain historic commitments for 2014/15 at its meeting in October, further information had been received by schools in December from the Director of CYPS which may have influenced and potentially altered that decision. It was suggested that Forum reserves the right to review its decisions in such circumstances.

Minute No.103. It was noted that the reduction of the Schools' Block funding in 2014/2015 to fund High Needs' would not impact upon individual schools in an equitable manner. Some schools would not receive their full formula allocation whilst others would be protected.

Resolved: - (1) That, subject to the above amendments being made to Minute No. 107, the minutes of the meeting held on 10th January, 2014, be agreed as an accurate record.

(2) That the above additions be made to Minute Nos. 100 and 103 of the minutes of the meeting held on 25th October, 2013.

117. SEN PLACEMENT COSTS.

Consideration was given to the reports submitted by the Principal SEN Officer and the 14 – 19 SEN Adviser that related to the costs of placements within the High Needs' Block.

Minute No. 107 (Total Schools' Budget Monitoring Report, 2013/14) of the previous meeting of the Rotherham Schools' Forum held on 10th January, 2014, recorded the Forum's request for further information in relation to the placements that were funded from the High Needs' Block.

The submitted information had been made exempt as it was believed that individual children could be identified from the information shared.

- **The post-16 budget for 2013-2014 were funded from the High Needs' Block and placements for 172 young people were provided, at a total of £1, 092, 175.**

Broken down, this related to 30 students attending placements at Independent Specialist Providers (ISP) at a sub-total of £555, 786 and 142 students attending mainstream/local provision at a sub-total of £536,389.

This information outlined the individual providers across all of the placements, and how many placements existed for the 16-18 age-group, and the 19+ age-group.

- **The out-of-authority placements were funded from the High Needs' Block for children and young people who had Complex Needs (Statemented with multi-agency involvement) and children and young people who were Statemented (Education agency/agencies involvement). The costs for 2013-2014 to date and projected costs for 2014-2015 were considered.**

Broken down, this information showed how many placements were in place for each SEN need, the cost range per annum, the average cost per annum and the average weekly cost per annum.

The High Needs' Block was funding a total of 107 out-of-authority placements.

The Principal SEN Officer reported that, although representing a high cost, the costs were comparable to other local authorities.

The 14 – 19 SEN Adviser reported that: -

- In the Post-16 area, a budget of £920,000 had been set for 2013-2014;
- Funding was also received from the Schools' Block and other partners including the EFA;
- Children and Adult Social Care were contributing to residential

placements;

- Demand was continuing in the 19+ cohort;
- The provider market was developing and market costs set the going rate.

Discussion ensued and the members of the Rotherham Schools' Forum asked the following questions: -

- **Was the trend of Complex Needs incidence expected to rise? –** Yes, acute cases were expected to increase. However, working with the new legislation early intervention could reduce the needs. A review of out-of-authority placements was continuing. In relation to behavioural need, it was intended that a further 30 in-house places would be created, which would result in a reduced demand for out-of-authority placements, which should improve outcomes as young people would be in their home community and as close to their Learning Community as possible.
- **A question was made to the Strategic Lead for Joint Health, Education and Social Care Services around the value for money of the placements.** The Strategic Lead reported that he was in the initial stage of his analysis relating to demographics and need within Rotherham; yearly reviews on needs would be embedded and value for money reviews would take place after. Placement costs had reduced since 2010, and costs in Rotherham did not seem unreasonable.
- **Were Partners contributing to placement costs where appropriate? –** Yes, this was taking place. Post-16 placements had been joint-funded where appropriate from 2010. Work was continuing to ensure that placements were funded appropriately in all cases.

Resolved: - That the information shared be noted.

118. **IMPACT REVIEW: -**

David Silvester, Chairperson, introduced this item that was intended to proactively look to the future budget planning of the top three highest funded areas from the DSG. Furthermore, the Ofsted framework for inspecting local authorities' arrangements for school improvement expected local authorities and schools' forums to monitor impact of funding and maintain strong partnership links.

- **The School Effectiveness Service : -**

Karen Borthwick, Head of the School Effectiveness Service, provided an update report to the Rotherham Schools' Forum following her update at the meeting on 4th October, 2013 (Minute No. 94 refers).

Documents presented to the Rotherham Schools' Forum were: -

- Rotherham SES Dedicated Schools' Grant Impact Report – April, 2013 – March, 2014;
- DSG funding breakdown in the School Effectiveness Service;
- SES duties – breakdown between revenue funded and DSG funded;
- Rotherham SES Evaluation of outcomes in Rotherham Schools and settings, 2012-13;
- Ofsted Inspections and HMI Monitoring Visits, 1st April, 2013 to 1st March, 2014.

The Head of Service explained the role of the Rotherham SES. The Service had a good knowledge of local needs and was working in the role of 'brokering effectiveness'.

The Service was subject to HMI Inspection. Termly meetings with the Lead HMI for the area were undertaken, as were meetings with the Department for Education, and internal challenge meetings were also embedded. The Ofsted cycle for inspections was different from that of schools. Trigger points were monitored by Ofsted, including the number of schools that were rated as good or better.

The SES provided universal support to individual schools. There was some element of crossover between core and DSG funding. For example, schools not in an Ofsted category but where concerns existed about their vulnerability to a category were worked with. Funding provided to the SES stayed within the Service and a significant amount of it was invested into schools.

The Head of School Effectiveness Service undertook to present the Service's self-evaluation and action plan documents on a yearly basis to the Rotherham Schools' Forum to monitor.

Discussion ensued and the following points were raised: -

- The impact of budget cuts on attainment in the longer-term;
- The development of the School Effectiveness Service Board.
- **City Learning Centres: -**

Reference was made to the documents that had been submitted to outline the remit and activities of the three City Learning Centres, and a letter of support for the City Learning Centre concept from a Headteacher who was in favour of their continued funding.

The Chairperson referred to concerns that had been expressed through the belief that the funding for City Learning Centres was under review. This was not the case and the Chairperson regretted that any concerns had been exaggerated. The exercise in reviewing the City Learning Centres was based on the good practice of reviewing budget contributions, analysing impact and forward planning.

The documents that had been submitted outlined the detailed activities of the three City Learning Centres and how these contributed to improved outcomes. During 2013-2014, 8,821 students from the primary, secondary and special phases had accessed the City Learning Centres. The document noted that the cost to all schools during 2013-2014 was £160,000.

Representatives who had experience of the City Learning Centres spoke in favour of them. The equipment/facilities of the Centres, along with the knowledge and expertise of the staff meant that the activities available at the City Learning Centres enriched the curriculum and provided added-value.

Future questions for consideration by the Rotherham Schools' Forum included: -

- Could the City Learning Centre model be self-funding?;
- Ensuring equity of access for all pupils;
- DSG funding;
- Current income generation.

Schools long-term planning needed to be recognised in any future decisions relating to the City Learning Centres. Schools were already booking the Centres 12-18 months ahead.

- **Learners' First Ltd: -**

The Impact Report – the document originally planned to be presented was not available as a Director of Learners First was unavailable to present it. Instead The Teaching School Representative circulated a budget update document to the meeting.

As the purpose of this item was to consider the information and not make a funding decisions, it was not considered that there was any personal or pecuniary interest for the members of the Rotherham Schools' Forum.

The Teaching School Representative tabled an unsigned report that gave a budget update for the organisation. The report gave a background of the not-for-profit status of the organisation and how any surpluses would be re-invested into the company to further its objectives (reference: - Articles and Memorandum of Association).

Activities of Learners' Firsts Ltd: -

- Two Rotherham Teaching Schools – Saint Bernard's Catholic High School and Wickersley School and Sports College;
- A joint application was being considered by the National College for Teaching and Leadership to establish a Rotherham primary teaching school. A decision was expected in April, 2014;

- In 2012 Wickersley Teaching School had, in partnership with two Teaching Schools in Sheffield, been able to deliver the three school leadership accredited programmes. This licence was to last until 2016, and annually reviewed for quality standards;
- Because of the partnership arrangements, Rotherham Schools were able to access professional development opportunities for staff from initial teacher training through to executive headship that reflected the local picture and met the changing needs of schools;
- Schools from across the Yorkshire and Humber region were accessing Learners' First Ltd programmes;
- Charlie Taylor, Chief Executive of the National College for Teaching and Leadership had stated in his speech to the North of England Education Conference that 'Learners' First is emerging as one of the largest, best-connected and most aspirational school-led organisations in the country' (January, 2014).

A report was presented that noted: -

- DSG allocated by Rotherham Schools' Forum;
- DSG distributed by Rotherham MBC to date;
- NCTL Leadership Licence Fees (NCTL fees for Rotherham School had been covered by the DSG up to 2013-2014);
- Expenditure against the six strategic priority areas (including commitments);
- Audited accounts for Learners' First Ltd's first six-months of operation (August, 2012 – February, 2013) had been produced by Parkins Chartered Accountants;
- Accounts for the first year of operation (August, 2012 – August, 2013) were being produced by Parkins Chartered Accountants and would be filed at Companies' House by 16th May, 2014;
- An internal audit was being undertaken on the value for money of Learners' First, but this did not include any evidence on the outcomes for learners or schools.

Future risks and uncertainties: -

- Rotherham MBC was currently holding £360,000 from the initial allocation for schools. Commitments had been made from this funding.
- The Rotherham Schools' Forum had agreed funding for Learners' First Ltd to the end of this Parliament/ 31st March, 2015. Policy direction could change in the next Parliament; funding may be delegated directly to schools in the future;
- The current leadership licence was in place until 2016. Licensing arrangements for beyond this point were unknown.

Discussion followed and the following points were raised: -

- Arrangements that were in place to transfer the outstanding

balance between the Local Authority and Learners' First Ltd. The exchange of information from Learners' First to the Local Authority was continuing before the virement of funds would take place. The Director of Financial Services required further financial information from Learners' First Ltd before virement of funds could be arranged;

- Governance;
- The levels of total income to Learners' First Ltd that had been made from the DSG.

The Chairperson expected the parties involved to complete the provision of information in accordance with Financial Regulations so that funds could be vired before the end of the 2013-2014 financial year.

A further report would be presented to the next meeting of the Rotherham Schools' Forum that addressed the impact of Learners' First Ltd.

Resolved: - (1) That the information shared be noted.

(2) That the School Effectiveness Service's self-evaluation and action plan be presented to the Rotherham Schools' Forum on an annual basis.

(3) That further information be sought from the City Learning Centres regarding the levels of income they were currently generating, and areas for development so that this might be maximised.

(4) That the exchange of information continue to ensure the virement of funds from the Local Authority to Learners' First Ltd can take place during the 2013-2014 financial year.

(5) That a report be presented to the next meeting of the Rotherham Schools' Forum meeting to be held on 11th April, 2014, providing an impact update relating to Learners' First Ltd.

119. CHAIRPERSON OF THE ROTHERHAM SCHOOLS' FORUM - OUTGOING REMARKS.

David Silvester reminded the Forum that this was his last meeting in the Chair. This meeting marked the final of his three-year tenure in the role. The next meeting of the Forum would see a new Chair welcomed into the role.

David wished to record his thanks to the past and present members and attendees of the Rotherham Schools' Forum for their contribution, under his lead, to developing the Forum into a schools-sector led organisation.

120. DATE AND TIME OF THE NEXT MEETING: -

Resolved: - (1) That the next meeting of the Rotherham Schools' Forum take place on Friday 11th April, 2014, to start at 8.30 a.m..

(2) That future meetings of the Rotherham Schools' Forum take place on:

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- Friday 27th June, 2014, to start at 8.30 a.m.

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Report to Rotherham School Forum

1.	Meeting:	School Forum
2.	Date:	April 11 2014
3.	Title:	Special Educational Needs and Disabilities (SEND) Update Summary
4.	Directorate:	Children and Young People's Services

5. Summary

The report provides further information on the preparations being made to implement the special educational needs reforms.

6. Recommendations

- **That the School Forum notes the report and agrees to take part in the proposed school and college high needs funding task and finish group.**

7. Proposals and Details

7.1 Part 3 of the Children and Families Act which became law in March describes the duties on early year's providers, schools, colleges, local authorities and health bodies in reforming the arrangements to improve the outcomes for children and young people with special educational needs. A revised Code of Practice and associated regulations are not expected until June 2014 and the new duties will start in September 2014.

7.2 The SEND Strategy Commissioning Group (consisting of representatives from RMBC, Learners' First, Colleges, Health, and Parent groups) has agreed the following actions to ensure that key changes are implemented in the next few months

- the activity of the five SEND Strategy working groups be reviewed and their work focussed on getting ready for September.
- establish task and finish groups on the local SEND offer; creating a SEND assessment pathway; empowering parents; empowering young people and school and college funding.

7.3 Local SEND Offer.

Whilst useful work has been undertaken by the Parent Carers Forum and others in defining the desires of parents and young people, work is needed to gather the information which will be presented in the local offer for September. The aim for this year must simply be to gather the information about the current support available to children and young people with special educational needs. Schools and colleges publish information for parents and young people about the support they provide for learners with special educational needs. It is suggested that RMBC gather this information early after Easter, in as simple a way as possible. Whilst it is for schools and colleges to determine how best to provide information, some consistency would help parents, children and young people to understand and compare the offer. Schools and colleges will be asked after Easter to provide this information, following discussion with representative groups.

7.4 Creating a SEND Assessment Pathway

We need clarity about how a child or young person with special educational needs is brought to the attention of the local authority and how they are assessed and then provided with additional support, possibly including a Education, Health and Care Plan. Early years providers, schools and colleges play a key role in the process. John Coleman and Sue Dent will lead a group to describe this process ensuring how other assessments, such as for care or health, are linked.

7.5 Early Years, School and College Funding

The regulations regarding early years, school and college funding, including high needs budgets, have increased the role of the school forum whilst reducing the flexibility of the council on how it uses its budget. The conversation between providers and the council about the high needs budget is difficult. It is suggested that a small group consisting of representatives from early years, schools, colleges and the council meet to:

- i) fully understand how funding for SEND is provided to the council and how it is used to support high needs learners in early years, schools and colleges and
- ii) to be aware of how value for money considerations are being dealt with by commissioning bodies, reducing costs without adversely affecting the outcomes for those with SEND.

Whilst this group should meet after Easter, the key focus should be on the 2015/16 year. The group may have to meet annually.

8. Finance

The costs of operating these groups will be covered by existing budgets.

9. Risks and Uncertainties

The reputation of early years providers, schools, colleges and the council will be at risk if they are not able to implement the new SEND duties in September.

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