

**ROTHERHAM SCHOOLS' FORUM
FRIDAY, 9TH DECEMBER, 2016**

Present:- Mr. D. Naisbitt (Oakwood High School - in the Chair); Learning Community representatives:- Mrs. D. Ball (Aston Learning Community), Mrs. P. Dobbin (Redscope Primary School), Mr. T. Mahon (St. Bernard's RC High School) and Mr. P. Bayliss (FE Colleges).

Other stakeholders:- Mr. P. Bloor (Pupil Referral Units); Mrs. J. Mott (Special Schools); Mrs. S. Brook (NASUWT); Mr. D. Ashmore (Teaching Schools); Mr. S. Scott (Day Nurseries - Private, Voluntary, Independent) and Mr. M. Badger (UNISON).

Also in attendance:- Mrs. K. Borthwick (RMBC Head of School Effectiveness Service); Mr. M. Chambers (RMBC Finance) and Mrs. V. Njegic (RMBC Finance).

Apologies for absence were received from:- Mrs. L. Pepper (Clifton Learning Community), Mr. P. Gerrard (RMBC Early Years and Childcare Service), Mr. J. Morrison and Mrs. R. Hibberd (Swinton Academy) Mr. G. Gillard (Sheffield Diocese), Dr. R. Williams (Thomas Rotherham College) and Mr. A. Richards (Secondary Governors).

13. MINUTES OF THE PREVIOUS MEETING HELD ON 14TH OCTOBER 2016

Agreed:- That the minutes of the previous meeting of the Rotherham Schools Forum, held on 14th October, 2016, be approved as a correct record.

14. MATTERS ARISING FROM PREVIOUS MINUTES

Discussion took place on the following items from the minutes of the previous meeting:-

(1) (Minute 3 – Learning Community and Stakeholder Representatives) – the Schools' Forum will continue to review this matter at each meeting.

(2) (Minute 10 - High Needs – Update) – the membership of the High Needs Block Budget Sub-Group is listed within Minute No. 10 and it was confirmed that any additional representation would have to be agreed by the Schools' Forum. It was also noted that the Chair of this Sub-Group must be someone appointed from among its membership, but should not be an officer of the Local Authority. The Sub-Group will report on its deliberations to a future meeting of the Rotherham Schools' Forum.

15. HIGH NEEDS - UPDATE

Further to Minute No. 10 of the meeting of the Rotherham Schools' Forum held on 14th October, 2016, Members of the Schools' Forum received a presentation from the Assistant Director of Education and Skills

concerning the High Needs Block of the Total Schools Budget. The presentation and the subsequent discussion highlighted the following salient issues:-

: the population of the Rotherham Borough area does not remain static and has recently seen a growth of the pupil population in schools of some 13% from Key Stage 1 to Key Stage 2;

: the number of pupils will continue to increase as more homes are built within the Rotherham Borough area, as projected by the Local Plan (currently under consideration by the Local Authority);

: Rotherham is a net importer of school pupils (ie: pupils living outside the Rotherham Borough area) and this number of pupils is also increasing, as well as the proportion of those pupils who have some form of special educational need; this increase is especially apparent at Key Stage 3 and at Key Stage 4, which have the largest cohort of pupils with some form of special educational need;

: the baseline allocation of the High Needs Block reveals that Rotherham is under-funded in comparison to other similar local authorities, even though this budget is currently over-spent;

: as at November, 2016, the forecast is that the High Needs Block will be over-spent during the 2016/17 financial year by £5,504,998;

: a proportion of Rotherham-origin pupils who have special educational needs are subject to out-of-authority placements; although these placements are of good quality, the high cost is acknowledged; the Local Authority has the intention of providing residential placements within the Rotherham Borough, thus minimising the reliance upon out-of-authority placements (and the costs);

: another objective is to provide pupils who have special educational needs with opportunities for learning in a mainstream school setting, as these circumstances are very often beneficial for the individual; schools receive top-up funding for such pupils;

: the changing nature of special schools was acknowledged; special schools are better-resourced in terms of numbers of staff, but have to cope with an increasing number of pupils, some with very complex needs (eg: pupils may have emotional, mental and physical difficulties);

: the Government-imposed improvement process for the Local Authority had initiated partnership work with Lincolnshire County Council, including a peer review and a "star chamber" analysis of the Education Service; the "star chamber" analysis of Education funding and budgets had been extremely rigorous and worthwhile; the Local Authority had been praised for its strategic management of the special education service; there were significant challenges ahead, including the desirability of pupils who have

special educational needs being able to access and to benefit from a broad curriculum in mainstream schools; there has been some questioning of past decision-making regarding the use of the Dedicated Schools Grant and also of the requirement for additional funding from Health services; care should be taken to ensure that the Education service does not fund services which should correctly be funded by Health services; the operation and funding of the Virtual School was also praised and it was confirmed that some of the Virtual School's funding will be transferred to the High Needs Block; in conclusion, the peer review and the "star chamber" had stated that the focus of Education funding was good and the extent of delegation to schools was also good; however, some issues would remain less than satisfactory as a consequence of the impact of unwise strategic decisions taken by the Local Authority in the past (one example is school place planning);

Schools' Forum members acknowledged that the external assessment afforded by the Lincolnshire County Council peer review and "star chamber" analysis had been extremely useful. The continuing challenge would remain the restricted budget provision and the increasing demand of more pupils with a wider range of complex special educational need. The upper-limit of the age range of the High Needs Block funding has increased from 16 years to 25 years. It was noted that parents had the right to appeal to a tribunal in respect of the special educational needs statement (education, health and care plan decision) made by a Local Authority. To date, there had been no such appeal affecting Rotherham MBC.

During discussion, the Schools' Forum members raised the following salient issues:-

: a clear, strategic plan should be developed for the High Needs Block, with each element of funding being costed – a first draft of this document ought to be submitted to the Schools' Forum's next meeting (13 January 2017), prior to formal consideration at the next following meeting to be held on 10th March, 2017;

: it was acknowledged that a strategic plan would need to be co-constructed with the involvement of partner organisations; to that end, a sufficiency report is already being prepared by the Local Authority, involving Education and Social Care and Health colleagues;

: the Lincolnshire County Council "star chamber" budget analysis had concluded that further dialogue was required between the Education and Health Services in respect of the strategy for and operation of the Child and Adolescent Mental Health Service (CAMHS);

: budget restrictions and increasing demand for services will be constant pressures in the future and therefore competent, well-trained employees, as well as the sharing of information and best practice will continue to be essential.

The Schools' Forum concluded that there ought to be an overarching and joint approach, between education, health and social care service providers, to the funding of pupils who have complex needs and special educational needs.

The Head of the School Effectiveness Service was thanked for the very informative presentation.

Agreed:- (1) That the presentation and supporting information about the High Needs Block be distributed, both in December, 2016 and again in early January, 2017, to the Head Teachers of all schools and to members of the Rotherham Schools' Forum, so as to inform further consideration of this matter at the School's Forum's next meeting to be held on 13th January, 2017.

(2) That members of schools' governing bodies and the chief and lead officers of appropriate external and partner organisations to the Local Authority also be provided with the presentation and supporting information about the High Needs Block.

(3) That the Service Leader, Inclusion (Rotherham MBC) submit a first draft report about the allocation and use of the High Needs Block funding to the next meeting of the Rotherham Schools' Forum, prior to formal consideration of the report at a future meeting.

16. EARLY YEARS - ADDITIONAL BUDGET

Further to Minute No. 35 of the meeting of the Rotherham Schools' Forum held on 22nd April, 2016, consideration was given to a report, presented by the Head of Finance (CYPS), concerning the proposal to increase the centrally retained proportion of the Early Years Block, up to a maximum of 5% in 2016/17. The report stated that, in the first instance, the funding would be from any surpluses within the Early Year Block. In the event that there is no surplus available, the proposal was to accelerate (ie: bring forward) funding from the centrally retained funds available from 2017/18 (7% in 2017/18 and 5% in 2018/19 and in future years).

The Schools' Forum was informed that the Early Years Block currently amounted £13 millions approximately. Head Teachers of schools have already been informed by the Local Authority of the proposal to retain the full 5% to fund central services.

The Schools' Forum expressed concern about the reducing Early Years budget and also about the possible continuing effect of bringing forward the centrally retained funds, year after year, to finance any budget shortfall or increased expenditure. However, it was clarified that this proposal would affect only one financial year, with the Local Authority funding part of the Early Years retained funding in 2017/18. The proposal intended to achieve the flexibility of permitting centrally retained funds to

be brought forward (if necessary) from 2018/19 into the 2017/18 financial year.

It was noted that this matter would also be considered in detail by the Early Years Budget Working Group.

Agreed:- (1) That the submitted report be received and its contents noted.

(2) That, at the next meeting of the Rotherham Schools' Forum, to be held on 13th January, 2017, further reports shall be submitted:-

(a) on a detailed analysis (taking place at the Early Years Working Group meeting) of the proposed use of the centrally retained funds, including any priorities; and

(b) on the deliberations of the Early Years Budget Working Group, enabling the Rotherham Schools' Forum to reach a decision on this proposal.

17. EDUCATION SERVICES GRANT - UPDATE

Consideration was given to a report, presented by the Principal Finance Officer, describing the Education Services Grant, which comprised:-

:: The retained duties rate (£15), held by local authorities to fund services they provide to all schools, including academies; and

:: The general duties rate, held by both local authorities and by academies, to fund services which local authorities provide to maintained schools, but which academies must provide themselves.

The amounts of the general duties rate were listed within the submitted report.

The report stated that the general duties rate would terminate at the end of the 2016/17 financial year (31st March 2017). Local authorities will receive transitional funding at a rate of £50 per pupil (equating to £20 per maintained pupil) during the five months' period April to August, 2017. Maintained Schools in all sectors and Pupil Referral Units may agree to de-delegate additional funding from September 2017 onwards, from their delegated budgets.

The general duties rate of the Education Services Grant for academies would cease at 31st March 2020, with amounts reducing gradually in each successive financial year up to that date.

Also, at the end of the 2016/17 financial year, the funding previously allocated through the Education Services Grant retained duties rate (£15) would be transferred into the Schools Block (an indicative amount of £646,264).

With the agreement of the Schools' Forum, local authorities will be able to continue funding central services previously funded within the retained duties rate (for all schools).

The report included lists of the Education Services Grant duties and responsibilities (central services) which local authorities hold for schools, with separate list showing such duties and responsibilities : (i) for all schools; and (ii) for maintained and special schools only.

The Schools' Forum learned that agreements on the retention of the former retained duties rate and on the former general rate from September 2017 would require a specific decision, to be made at the next meeting to be held on 13th January, 2017.

It was suggested that the Head Teachers of the Special Schools may wish to consider and decide on this matter separately.

Members of the Schools' Forum raised questions about the following issues:-

: the future funding of the duties, responsibilities and services, as listed in the submitted report and whether they would be 'purchased' by schools, from the local authority, on a trading basis;

: a request for details about the intended future use of the retained duties rate, to be held within the Schools Block;

: the proposed future use of the retained duties rate in the context of other similar funding streams;

: a request for additional information about the issues which require voting and decision, such detail to include the amount per pupil.

The report to the next meeting should clarify the specific voting rights (eg: maintained schools to vote in respect of issues affecting only those schools).

Agreed:- (1) That the submitted report be received and its contents noted.

(2) That, at the next meeting of the Rotherham Schools' Forum, to be held on 13th January, 2017, decisions shall be made in respect of:-

(a) whether the Local Authority shall fund central services, previously funded within the retained duties rate, for all schools; and

(b) the funding of services, previously funded within the retained duties rate, for maintained schools, for pupil referral units and for special schools.

18. 2017/2018 DE-DELEGATED SERVICES - GUIDANCE

Consideration was given to a report, presented by the Principal Finance Officer, describing the guidance for funding in respect of de-delegated services, as follows:-

- Funding for de-delegated services must be allocated through the formula, but can be passed back, or 'de-delegated', for maintained mainstream primary and secondary schools with the approval of the Schools' Forum. De-delegation is not an option for special schools, nursery schools, nor pupil referral units;

- Any decisions to de-delegate in 2016 to 2017 related only to that year; consequently, new decisions will be required for any service to be de-delegated in 2017 to 2018;

- from 2017 to 2018, Schools' Forums may agree to de-delegate further funding for additional school improvement provision for maintained schools. This provision would exist alongside the new school improvement grant for statutory local authority intervention functions. The school improvement grant will commence from September 2017.

The report stated that the Schools' Forum members for primary maintained schools and secondary maintained schools must decide separately for each phase whether the service should be provided centrally. The resulting decision will apply to all maintained mainstream schools in that phase. As a consequence, funding for these services will be removed from the formula before school budgets are issued. There may be different decisions for each phase. The services which may be de-delegated were listed within the report.

It was also noted that, from the permissible services only, the Schools in Financial Difficulty Fund (a budget of £75,000) had been de-delegated in 2016/17.

Prior to making a decision on this matter, the Rotherham Schools' Forum requested further information about the existence of any specific direction as to the annual consideration of funding for the various services (as listed within the submitted report) which may be de-delegated.

Agreed:- (1) That the submitted report be received and its contents noted.

(2) That further consideration be given to this matter at the next meeting of the Rotherham Schools' Forum, to be held on 13th January, 2017.

19. 2017/2018 SCHOOLS BLOCK SERVICES

Further to Minute No. 21 of the meeting of the Rotherham Schools' Forum held on 15th January, 2016, consideration was given to a report, presented by the Principal Finance Officer, concerning the funding of

specific services from the Schools Block (Dedicated Schools Grant) during the 2016/17.

Agreed:- (1) That the submitted report be received and its contents noted.

(2) That the following funding amounts allocated within the Schools Block (Dedicated Schools Grant) for 2017/18 be approved:-

- Central Licences (copyright licensing) negotiated by the Secretary of State for Education : (nb: £237,089 had been approved in 2016/17) : the Local Authority had not yet been notified of the confirmed amount for 2017/18;

- administration and servicing of meetings of the Rotherham Schools' Forum : £3,000;

- funding for significant pre-16 pupil growth, including new schools set up to meet basic need, whether maintained school or academy : (nb: £800,000 had been approved for 2016/17).

(3) That it be noted that a report is to be submitted to the next meeting of the Rotherham Schools' Forum, to be held on 13th January, 2017, concerning the transitional funding required in the 2017/18 financial year, to support the creation of additional school places in the Rotherham Borough area until school census funding generates the income for new pupils (ie: funding from the Pupil Growth element within the Schools Block).

20. DATE OF THE NEXT MEETING

Agreed:- (1) That the next meeting of the Rotherham Schools' Forum take place on Friday 13th January, 2017, at the Rockingham Professional Development Centre, commencing at 8.30 a.m.

(2) That future meetings of the Rotherham Schools' Forum shall take place at the Rockingham Professional Development Centre, commencing at 8.30 a.m. on the following dates:-

- Friday 10th March, 2017
- Friday 28th April, 2017
- Friday 16th June, 2017