

**ROTHERHAM SCHOOLS' FORUM
THURSDAY, 7TH MARCH, 2013**

Learning Community Representatives: - David Pridding (Swinton), David Butler (St. Bernard's), Louise Pink (St. Pius), David Sutton (Maltby), Pepe DiLassio (Wales), Bev Clubbley (Thrybergh), Roger Burman (Winterhill), Paul Blackwell (Dinnington), Joanne Walker (Wickersley), Kay Sherburn (Wingfield), Lynne Pepper (Clifton), Donna Hall (Aston), Stuart Wilson (Rawmarsh),

Other School Members: - Saleem Rafiq (Secondary School Business Managers' Representative), Diane Mitchell (Unison / Trade Union Representative), Lee Simpson (GMB/Trade Union Representative), Nick Whittaker (Special School Representative), Alan Richards (Secondary Governors' Representative), Sue Mallinder (Primary Governors' Representative), Jane Fearnely (Junior Schools' Representative), Joanne Gray (Early Years' PVI Representative), Margaret Hague (Early Years' Representative), Susan Brook (NASUWT/ Teaching Trade Unions' Representative), David Ashmore (Rotherham Teaching School Representative).

Together with: - Councillor Paul Lakin (Cabinet Member for Children, Young People and Families' Services), Dorothy Smith (Director, Children and Young People's Services), Paul Fitzpatrick (CYPS and Schools' HR), Vera Njegic (Principal Finance Officer, Resources Directorate), Joanne Robertson (Finance Manager, Resources Directorate), Aileen Chambers (Early Years), Anthony Evans (Raising Participation Manager), Fiona Featherstone (Post-16 SEN).

Apologies for absence had been received from: - Karen Borthwick, Stuart Booth, Michael Waring (Saleem Rafiq representing), John Henderson.

68. DECLARATIONS OF INTEREST.

There were no Declarations of Interest to record.

69. MINUTES AND MATTERS ARISING FROM THE PREVIOUS MEETING HELD ON 18TH JANUARY, 2013.

Consideration was given to the minutes of the previous meeting of the Rotherham Schools' Forum held on 18th January, 2013.

In relation to Minute number 58 (Get Real Team Working Group), the Junior Schools' Representative requested that the minute reflect that the Working Group would dis-band after their initial investigation and recommendations to the Rotherham Schools' Forum, which were agreed at the previous meeting, in place of the pre-existing Strategic Group.

In relation to Minute number 59 (School Effectiveness Working Group) it was requested that the title of the Learning Community Representative be amended to the Saint Bernard's Learning Community.

In relation to Minute number 64 (Special Educational Needs Working Group), it was requested that the title of the Working Group be altered to

the High Needs' Working Group. It was also requested that the job title of the Group's co-ordinator be amended to Raising Participation Manager.

In relation to Minute number 65 (Early Needs Working Group) it was requested that the name of the Working Group be amended to the Early Years' Working Group.

It was also requested that the fourth bullet point on the list be amended to read that 'the Early Needs' Working Group were continuing to look at the funding of the base rate for three and four-year olds as a way of addressing the needs of the most vulnerable, including children with severe disabilities. The Working Group would present a report to the next meeting of the Rotherham Schools' Forum requesting that the base rate be increased to reflect needs in the maintained and the private, voluntary and independent sectors'. The minute in relation to this action was also requested to be amended to read three and four-year olds.

Resolved: - That, with the amendments shown above, the minutes of the previous meeting be agreed as an accurate record of the previous meeting.

70. WORKING GROUPS OF THE ROTHERHAM SCHOOLS' FORUM.

The Chairman of the Rotherham Schools' Forum recorded his thanks to all of the Working Groups, and specialist Officers that had supported them, for the contribution they had made. The undertakings of the Working Groups had been a significant time commitment, and the Chairman wished to record his appreciation of this.

71. EARLY YEARS' WORKING GROUP.

Consideration was given to the presentation of the Early Years' Representative to the Rotherham Schools' Forum, the PVI Representative to the Rotherham Schools' Forum, and the Childcare Sustainability Manager, CYPS.

The presentation contained a proposal to introduce a single funding formula for the Early Years' Sector in Rotherham. Historically the hourly rates paid to PVI and maintained providers had been different. The Working Group's proposal suggested that the hourly rates be brought in-line through an increase of 6.7% for maintained providers, and a 4% increase for PVI providers, to make a base rate of £3.53, with effect from 1st April, 2013. The proposal aimed to ensure sustainability and continued high quality Early Years provision in Rotherham.

It was noted that the proposed base rate of £3.53 would be the third lowest base rate in the Yorkshire and Humber region and would also be lower than geographical neighbours Barnsley, Doncaster and Sheffield.

The proposal of the Early Years' Working Group was to maintain the

current rates for the supplements for deprivation (5p / 10p / 15p) and quality (10p, but only where providers had achieved the Quality in Action award), and maintain the nursery rate of £6.72 per hour. It was suggested that a full analysis of nursery school allocations be undertaken during 2013/14.

It was expected that from 1st September, 2013, 22% of providers would have attained the Quality in Action award. From 1st January, 2014, this was expected to increase to 63%, which represented a full-year saving of £100,000.

It was noted, that from the Early Years' block of £9.3 millions, the Early Years' Working Group's proposal could be met from within the existing resources. The proposal to increase the base rate, and bring the PVI and maintained sectors into line would cost £471,000.

It was suggested that this cost be met from the following, which did not impact on any other element of the DSG: -

Use of the amount identified as contingency for 2012/2013	£198,000
Use of previous 'protection' not be needed in 2013/2014	£100,000
Use of DfE funding within Early Years' Block identified as one off payment	£80,000
Use of the savings from the Quality Supplement	£100,000
Total	£478,000

Early Education for two-year olds: -

The deployment of the budgeted £2.5 millions in relation to Early Education for two-year olds was presented to the Rotherham Schools' Forum for their information.

The budget had been profiled in the following way: -

Places	£2,360,705
Staffing	£90,000
Workforce Development	£70,000
Awareness Raising	£7,500

The staffing element within the two year-old budget would contribute to the costs of the processing, monitoring, carrying out eligibility checks, awareness raising and quality assurance.

The workforce development element would enable training to be provided to ensure providers were able to understand and best meet the needs of the two-year old children and their families.

Future actions: -

The Early Years Working Group proposed the following items for review in preparation for budget setting for the 2014/15 financial year: -

- Review supplements of Single Funding Formula;
- Carry out a full analysis of funding of nursery schools.

Discussion ensued and the following issues were raised and clarified: -

- Use of the contingency fund that had been profiled for 2012/13 – reasons why this had not been utilised during that financial year?

The Childcare Sustainability Manager described how the budget had operated as demands-led during 2012/13, and the contingency fund had been identified for increased demand. This sum had not been required in-year. The Principal Accountant described that the £100, 000 that was available as a protection amount was based on previous AWPU figures. This would not be available to the 2014/15 budget.

- Sustainability of the proposed funding for the increased base rate;
- Changes to the funding of three and four-year old places would be updated quarterly and negate the need for contingency funding to be profiled within the budget;
- Cost and time-commitments involved for providers who were undertaking the Quality in Action award;
- Actions required to narrow the gap between Rotherham's base rate and other local authorities.

The Rotherham Schools' Forum voted on the proposal put forward by the Early Years' Working Group.

Resolved: - (1) That the base rate for both maintained and PVI sector providers in the Early Years Sector be increased to £3.53, to be effective from 1st April, 2013.

(2) That the Early Years' Working Group investigate the following issues in preparation for the 2014/15 financial year: -

- Review the supplements within the Single Funding Formula for Early Years;
- Full analysis of the funding for nursery schools;
- Analyse the process of the Quality in Action award;
- Investigate how Rotherham could narrow the gap between the base rates of other local authorities in the region.

72. HIGH NEEDS' WORKING GROUP.

The Raising Participation Manager reported on the work of the High Needs' Steering Group. The remit of the Steering Group related to the

High Needs' Block funding, which existed for children and young people aged 0 to 25 with special educational needs.

The High Needs' Block allocation for the 2013/14 financial year from the DfE was £19, 193 millions. To continue 2012/13 provision and service delivery, RMBC was predicting an overspend of £1,421 millions. The pressures on the High Needs' budget related primarily to the following historical factors under previous funding arrangements:

- Inherent under funding of Out of Authority Placements in previous years;
- Expensive unit cost of PRUs with regard to the new funding arrangements;
- Staffing and inflationary costs of services;
- Lack of clarity on what High Needs functions were; and
- Inheriting responsibility for funding post-16 provision in Rotherham, which had been well funded by the Education Funding Agency previously compared to other LAs in the region.

The High Needs' Steering Group had set the 2013/14 budget based upon the following measures:

- Maintain stability for at least twelve months to enable a comprehensive review of provision and service delivery within the new funding reform arrangements (a number of reviews of provision and services were already underway);
- Funding for 'planned places', rather than actual places, or availability of places would be crucial as rolls for high needs provision tended to be volatile, constantly fluctuating throughout the year with starters and leavers, and full and part-time attendance;
- Management of the High Needs' Block budget based upon actual roll so as to account for volatility and, therefore, build in necessary contingency to manage the budget and avoid the need to reconcile the budget.

The High Needs' Steering Group presented a number of recommendations to the Rotherham Schools' Forum for consideration to maintain stability during 2013/14: -

- Identify provision and services where the 1.5% Transitional Project MFG cut could be applied;
- Consider utilising a proportion of any school surpluses to ensure stability in provision and services to manage the period of transition;
- RMBC, with the support of schools and colleges, would conclude a comprehensive review of all provision and services aimed at supporting Rotherham's most vulnerable young people (October,

2013). The High Needs' Steering Group proposed that the comprehensive review focused on the following questions: -

- a) Is the provision/service a High Needs function?
- b) To implement place-led funding, which roll would students in receipt of the provision / service belong to?
- c) What capacity was required? Are provision / services fully utilised or not?
- d) What was the unit cost per place for the provision/service and does this represent a sustainable and efficient way for delivery in the future?
- e) What are the discrepancies in funding and delivery between early years, primary, secondary and post-16 provision/services?

Discussion ensued on the proposal and information presented: -

- Potential savings could actually result in costs to the Local Authority if savings removed services/functions that currently provided;
- Benchmarking of spend on Rotherham pupils compared to national average;
- Whilst overall school surplus budgets added up to a significant sum, individual school surpluses were much smaller amounts and a result of good accounting, and were not necessarily available for claw-back as the High Needs' Working Group proposed;
- Could Rotherham's 'wish list' for children and young people with special educational needs be met in available budgets within the High Needs' Block?.

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

(2) That further updates be provided at the Rotherham Schools' Forum's next meeting to be held on 19th April, 2013, in relation to the work of the High Needs' Steering Group.

73. FINANCE WORKING GROUP.

The Chairman of the Rotherham Schools' Forum provided a report on the meetings of the Finance Working Group. Issues considered by the Group included: -

- **PFI issues: -**
- High annual increases in PFI costs as a result of benchmarking costs and the annual contractual RPI-X increase that related to construction and lifecycle spend. It was noted that the current benchmarking period was at its final year (2013-14), and another four-year period was due to be negotiated;

- The submitted report outlined the detailed recommendations of the Finance Working Group in relation to the on-going issues: -
 - To receive a copy of the Rotherham PFI Contract;
 - To direct a specialist legal team to examine the contract and provide specific recommendations to the Rotherham Schools' Forum concerning budgetary pressures and lifecycle works;
 - To establish a PFI working Group with representatives of Rotherham's PFI school leaders and non-PFI school leaders to contribute to the benchmarking negotiations;
 - That the decision made at the 18th January, 2013, Rotherham Schools' Forum meeting at Minute number 63(4) (Finance Working Group), be supported, with the option that this could be reversible for the 2014/15 budget following independent scrutiny of the contract and receipt of the Secretary of State's approval;
 - That the decision taken at the 18th January, 2013, Rotherham Schools' Forum meeting at Minute number 63(4) (Finance Working Group), be reviewed concerning the PFI budget for 2014/15 and beyond.

The Rotherham Schools' Forum voted on the proposals made by the Finance Working Group.

- **Benchmarking: -**
 - The Finance Working Group intended to examine Rotherham's spend against specific budget hearings and compare to statistical and geographical neighbours and the national average in preparation for the 2014/15 budget setting process.
- **Learning Support Service : -**
 - The Chairman reported on a request that had been received from the Learning Support Service to recruit an additional Learning Support Worker. 50% of the Service's budget was centrally held. Recruitment to the post would represent a budget increase of £23,000. This funding would be accessed from the High Needs' Block, so the request had been deferred to the High Needs' Working Group.

The CYPS Finance Manager reported that the CYPS Directorate Leadership Team had committed to support the recruitment to this post.

Resolved: - (1) That the Rotherham Schools' Forum support the proposal of the Finance Working Group in relation to the PFI contract, as outlined above, with an update being provided to the next meeting of the Rotherham Schools' Forum due to be held on 19th April, 2013, including a costing for the independent review of Rotherham's PFI contract.

(2) That benchmarking activities be initiated in preparation for the setting of the budget headings for the 2014/15 financial year.

(3) That the request of the Learning Support Service be deferred to the High Needs' Steering Group.

74. SCHOOL FUNDING REFORMS - PRESENTATION ON THE 2012/13 DSG AND EFA FUNDING, AND THE 2013/14 SETTLEMENT VALUES RELATING TO THE TOTAL SCHOOLS' BUDGET.

The Principal Finance Officer, Financial Services, Resources Directorate, gave a presentation that informed members of the Rotherham Schools' Forum on the following areas: -

- DSG and EFA funding for 2012/13 – leading to the total budget of £209.876 millions;
- How the Total budget had been broken down into individual service budgets;
- How the 2012/13 spend had been mapped into the Schools', Early Years' and High Needs' Blocks;
- 2012/13 adjusted DSG baseline, including top-slicing of £8.50 off each child for Hospital Teaching Services and taking account of out-of-authority placements into Rotherham (Rotherham was a net gainer);
- 2013/14 DSG provisional baseline and allocation;
- 2013/14 settlement and final values to the three funding Blocks;
- Comparison of Rotherham's DSG allocations with statistical and geographical neighbours;
- Budget lines within the 2013/14 funding Blocks;
- Funding formula for 2013/14;
- De-delegated budgets as at 1st April, 2013 and consideration of potential in-year pressures;
- Minimum funding guarantee;
- Pupil Premium increases;
- Per pupil comparison between 2012/13 school budgets, and 2013/14 school budgets.

Members of the Rotherham Schools' Forum thanked the Principal Finance Officer for the informative presentation provided.

Resolved: - That the information shared be noted.

75. TOTAL SCHOOLS BUDGET MONITORING REPORT, AS AT 31ST JANUARY 2013.

Consideration was given to the report presented by the Finance Manager (Children and Young People's Services), Financial Services, Resources Directorate, which provided a financial forecast to 31st March, 2013,

based on actual income and expenditure to 31st January, 2013, for the Total Schools' Budget.

The Total Schools' Budget for 2012/13 (including the DSG carry-forward from 2011/12) was £180.926 millions, which included DSG allocation and EFA Post-16 funding. This represented a reduction in available funding of £3.47millions from initial estimates.

Overall, the projected outturn based on expenditure up to 31st January, 2013, was an under-spend of £666,000. This included the RoSIP under-spend of £380,000 and carry forwards of £1.321 millions from the 2012/13 year.

The report outlined: -

- The reasons why the revisions to the budget had resulted in a £3,479 millions reduction in available funding;
- It was confirmed that the level of the RoSIP underspend at outturn would be the amount proposed to be carried forward;
- Since the last report (Minute number 63 of the Rotherham Schools' Forum meeting held on 18th January, 2013, refers), the position had improved by £322,000. The submitted report noted the variances that had taken place to achieve this;
- Proposed budget virements in relation to over-spends in services.

The report noted that the principal risks associated with the Total Schools budget related to its 'needs-led' nature of special educational needs pupil placements.

Resolved: - (1) That the confirmation of the Total Schools' Budget allocation for 2012/13 be noted.

(2) That the current projected outturn position for the year 2012/13 and the proposed virements be agreed.

(3) That a further report be presented in relation to the outturn position of the 2012/13 budget at a future meeting of the Rotherham Schools' Forum.

76. TRADE UNIONS' FACILITIES TIME.

The Chairman of the Rotherham Schools' Forum notified attendees about the requirement to confirm the DSG contribution to Trade Unions' Facilities Time for the 2013/14 financial year.

Consideration was given to the information that the Teaching Trade Unions, the NASUWT, the NUT and the ATL had circulated to all of Rotherham's schools, which highlighted the role of Trade Union Representative and the breadth of tasks they undertook as part of their responsibilities.

The Representative of the Teaching Trade Unions spoke about how the impact of the previous year's reduction in DSG contributions to the Teaching Trade Unions' Facilities time had impacted on Trade Union Representatives. Whilst resources had halved, the level of casework had not changed. Further cuts to the DSG contribution would mean that Regional Trade Union Representatives would replace attendance by local officers, which would likely have a negative impact on availability and timelines, and impact on the overall experience.

Discussion ensued on the issue and the proposal for a 2013/14 contribution from the DSG to the service. Issues raised included: -

- Possibility of developing a Service Level Agreement with Teaching Trade Unions that governed the expectations of both sides;
- Were all members of Teaching Trade Unions aware of the DSG funding contribution to Trade Union facilities time?.

The Representative of the Teaching Trade Unions and the Support Staff Unions left the room and took no part in the discussion or voting process.

The Rotherham Schools' Forum voted on the proposals put forward in relation to the DSG contribution to Trade Unions' Facilities Time.

Resolved: - That the budget contribution to the Teaching Trade Unions' Facilities Time for the 2013/14 financial year be £56,000, including funding allocated to academies by the DfE, with the creation of a Service Level Agreement around the expectations and responsibilities of both parties, with a six-month review of progress reported to the Rotherham Schools' Forum.

77. ROTHERHAM SCHOOLS' FORUM - RE-CONSTITUTION.

The Chairman of the Rotherham Schools' Forum informed those present that, from 2013/14, regulations relating to Schools' Forums would require that the meeting be constituted differently. Broadly, the existing constitution of the Rotherham Schools' Forum was in-line with the new regulations in Section 1.6 of the 'School funding reform: next steps towards a fairer system'.

- Requirement for Forums to have at minimum of 15 people had been removed;
- Restriction in other local authority officers from participating in the meeting, unless they were a relevant lead member, director of children's services (or representative), chief finance officer (or representative), or were providing specific or technical advice to the Forum (including presenting a paper);
- Voting arrangements had been restricted to schools and academy members and private, voluntary and independent sector on funding formulae;
- In relation to issues of de-delegation, only relevant, maintained

school members would be able to vote;

- Local authorities would be required to publish papers, minutes and decisions promptly on their websites;
- Schools' Forum meetings would be public meetings, in common with other council committees;
- The Education Funding Agency would have observer status at Schools' Forum meetings and be able to participate in the discussions to support the local process and provide a national perspective.

From 1st April 2013, Pupil Referral Units would operate as school units and have delegated budgets.

The requirements for local authorities to consult on arrangements for Free School Meals and insurance had been removed, as these would be allocated through the formula in the future.

There would be a requirement for local authorities to consult schools before entering into certain types of contract, and annually in relation to a range of financial issues and for school governing bodies of maintained schools to be informed of these issues.

The Chairman also presented a paper that outlined issues arising for the Rotherham Schools' Forum in light of the new regulations. These issues included: -

- Private, voluntary and nursery providers;
- Diocesan representatives;
- 14-19 partnership representative;
- Trade Union representatives;
- Ensure appropriate local authority membership.

Discussion ensued on the issues presented, including: -

- The benefits and any possible disadvantages of having a representative from each of Rotherham's 16 learning communities on the Schools' Forum;
- The Forum already operated with a balance of primary and secondary representatives;
- The Rotherham Schools' Forum would need to give consideration to ensuring there was a balance of academy and non-academy members.

Resolved: - (1) That the content and responsibilities within the 'School funding reform: next steps towards a fairer system' document be noted.

(2) That the Rotherham Schools' Forum continue to operate with a representative from each of Rotherham's 16 learning communities. Representatives would be confirmed for the 2013/14 financial year at the

next meeting of the Rotherham Schools' Forum.

(3) That the academy, non-academy, 14 – 19, PVI (local stakeholders) members for the 2013/14 financial year confirmed at the next meeting to be held on 19th April, 2013.

(4) That the Chairperson for the Rotherham Schools' Forum for the 2013/14 financial year be elected at the next meeting to be held on 19th April, 2013.

(5) That the Vice-Chairperson for the Rotherham Schools' Forum for the 2013/14 financial year be elected at the next meeting to be held on 19th April, 2013.

THE CHAIRMAN AUTHORISED CONSIDERATION OF THE FOLLOWING ITEM, RECEIVED AFTER THE PUBLICATION OF THE AGENDA, TO PROGRESS THE MATTERS REFERRED TO.

78. DSG CONTRIBUTION TO SAFEGUARDING SERVICES.

The Chairman of the Rotherham Schools' Forum referred to Minute number 57 (Safeguarding Working Group), of the previous meeting held on 18th January, 2013. The decision of the Rotherham Schools' Forum had been to reduce the DSG contribution to the Safeguarding Services. It was resolved that a contribution of £66,000 would be made towards the Safeguarding Development Service.

Additional information had been made available to the Rotherham Schools' Forum since this decision in relation to an area within Safeguarding that had their DSG contribution removed as part of this decision. This information related to the deployment of the Children Missing Education Officer and the pivotal role they played in intelligence sharing and planning between different Services.

Discussion ensued on the information presented. In the absence of the co-ordinator of the Safeguarding Working Group, it was suggested that the Group be charged with examining the additional information and be given delegated authority from the Rotherham Schools' Forum to confirm or revise the decision made in relation to the DSG contribution to the Safeguarding Service.

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

(2) That the Safeguarding Working Group be given delegated responsibility to confirm or revise the decision recorded at Minute number 57 in relation to the DSG contribution to the Safeguarding Service, in light of the additional information.

(3) That the outcome of this be recorded at the next meeting of the

Rotherham Schools' Forum, to be held on 19th April, 2013.

79. DATE AND TIME OF THE NEXT MEETINGS: -

Resolved: - (1) That the next meeting of the Rotherham Schools' Forum be held on Friday 19th April, 2013, to start at 8.30 am at the Rockingham Professional Development Centre.

(2) That future meetings take place on: -

- Friday 28th June, 2013;
- 2013/14 school year dates to be agreed.

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