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NOTTINGHAM CITY COUNCIL

SCHOOLS FORUM

**MINUTES of the meeting held at Loxley House, Nottingham on 9 October 2018
from 1.50 pm - 5.00 pm**

Membership

Present

Judith Kemplay (Chair)
Derek Hobbs (Vice Chair)
Caroline Caille
Sally Coulton
David Holdsworth
David Hooker
Andy Jenkins
Kerrie Henton
Stephen McLaren
Janet Molyneux
Debbie Simon (Early Years PVI)
Terry Smith
James Strawbridge
Mark Trimmingham
Sheena Wheatley

Absent

Maria Artingstoll
David Stewart

Colleagues, partners and others in attendance:

Kathryn Bouchlaghem	- Early Years Manager
Kimberly Butler	- Behaviour Support Team leader
John Dexter	- Director of Education
Kenneth France	- Contracts Manager, Building Services
Sian Hampton	- Archway Learning Trust
Julia Holmes	- Senior Commercial Business Partner, Finance
Lucy Juby	- Project Manager, School Organisation Team
Gail Keen	- Employee Relations Specialist
Councillor Neghat Khan	- Portfolio Holder for Education and Skills
Nick Lee	- Head of Access and Learning
Sophie Russell	- Head of Children's Strategy and Improvement
Kathryn Stevenson	- Senior Commercial Business Partner (Schools)
Janine Walker	- Head of Inclusion and Disability
Ceri Walters	- Head of Commercial Finance
Phil Wye	- Governance Officer

1 APPOINTMENT OF CHAIR

RESOLVED to appoint Judith Kemplay as Chair for the 2018/19 academic year.

2 APPOINTMENT OF VICE CHAIR

RESOLVED to appoint Derek Hobbs as Vice-Chair for the 2018/19 academic year.

3 MEMBERSHIP

The following new members were welcomed onto the Forum:

- Kerrie Henton (AP Academies and Free Schools)
- Derek Hobbs (Secondary Academies)
- Mark Trimingham (Secondary Academies).

4 APOLOGIES FOR ABSENCE

Maria Artingstoll

5 DECLARATIONS OF INTEREST

None.

6 MINUTES OF THE LAST MEETING

The minutes of the meeting held on 26 June 2018 were agreed as a correct record and signed by the Chair.

7 WORK PROGRAMME

The work programme was noted.

8 DE-DELEGATION OF FUNDS FOR HEALTH AND SAFETY BUILDINGS INSPECTION

Ken France, Contracts Manager, Building Services, presented the report updating Schools Forum on the statutory and legislative health and safety responsibilities of the local authority in relation to maintenance and testing of maintained school properties and de-delegated funding is used to support this.

RESOLVED to

(1) note the statutory and legislative health and safety responsibilities of the local authority in relation to building maintenance of maintained primary and secondary schools and they type of costs that the requested funding will be used to fund;

(2) for maintained mainstream primary schools to approve the de-delegation of health and safety building inspection funding in 2019/20 and 2020/21 based

on a rate of £6.61 per pupil. The total estimated funding requested to be de-delegated in 2019/20 is £0.074m;

- (3) for the maintained mainstream secondary school to approve the de-delegation of health and safety building inspection funding in 2019/20 and 2020/21 based on a rate of £6.61 per pupil. The total estimated funding requested to be de-delegated in 2019/20 is £0.009m;**
- (4) agree to the principle that maintained mainstream schools will approve in principle to de-delegate this funding in 2020/21 to ensure there are sufficient funds to cover the total estimated cost over the next four financial years.**

9 DE-DELEGATION OF FUNDING FOR THE BEHAVIOUR SUPPORT TEAM (BST) IN 2019/20

Kimberly Butler, Behaviour Support Team Leader, introduced the report which informed the Forum of work undertaken by the BST which will contribute to the legal and statutory duties of maintained schools.

Total funding available for de-delegation by maintained mainstream primary schools is £0.223m. This is made up of £0.136m generated by pupils eligible for free school meals and a lump sum of £0.087m lump sum funding.

RESOLVED for maintained mainstream primary schools to approve the de-delegation of funding for statutory services provided by the BST in 2019/20 at a rate of £55 per pupil eligible for free school meals and a lump sum of £0.003m per school

10 DE-DELEGATION OF FUNDING FOR TRADE UNION TIME OFF FOR SENIOR REPRESENTATIVES

Gail Keen, Employee Relations Specialist, introduced the report outlining the proposed funding arrangements for trade union facility time for senior trade union representatives from schools to attend negotiation and consultation meetings and to represent their members in schools in 2019/20.

RESOLVED for

- (1) maintained primary schools to approve the de-delegation of funding for senior trade union representatives at a rate of £1.45 per pupil and a lump sum of £1,368 per school. Total funding requested to be de-delegated by maintained mainstream primary schools is £0.056m, made up of £0.016m generated by pupil numbers and £0.040m lump sum funding;**
- (2) the maintained secondary school to approve the de-delegation of funding for senior trade union representatives at a rate of £1.45 per pupil and a lump sum of £1,368 per school. Total funding requested to be de-delegated by maintained mainstream secondary schools is £0.003m, made up of £0.002m generated by pupil numbers and £0.001m lump sum funding.**

11 HIGH NEEDS CONSULTATION ON PLACES

Kathryn Stevenson, Senior Commercial Business Partner (Schools), delivered a presentation and highlighted the following:

- (a) there is a legal requirement for the local authority to consult with Schools Forums over arrangements for high needs pupils, and a requirement to submit place change notifications relating to academies to the Education Funding Agency in November;
- (b) the local authority identifies where a place number change may be required, by looking at current numbers, known leavers in July 2019, anticipated new admissions and limits to physical capacity. It then agrees proposed changes with the relevant setting;
- (c) the following key proposed changes have been identified for the 2019/20 academic year:

Setting	Place change	Comments
Oakfield	+8	8 extra Autistic Spectrum Disorder (ASD) places were required. ASD class set up at Oakfield from September 2018.
Westbury	+4	Still to be confirmed in discussion with the school.
Bluecoat post-16	-1	Aligns place numbers to 10 foundation learning places.
Bluecoat Primary SRU	+1	Increase from 3 to 4 primary places
Bilborough College	-1	Single high needs learner has left.

- (d) there will be a further £0.215m impact in 2019/20 from the full year effect of an additional 23 pre-16 places commissioned from September 2018. The full year cost of 4 extra places at Westbury at existing top-up is £0.099m but the authority intends to discuss a phased reduction in the top-up level to reflect economies of scale;
- (e) a doubling of secondary high needs ASD pupils by 2025, based on pupils currently at primary school. The feasibility of 8 ASD places per year group at Nethergate is being explored, subject to capital funding;
- (f) a bid has been entered for a Special Free School for 48 secondary Moderate Learning Difficulties/ASD places on the Bluecoat site in conjunction with the Archway Trust;

- (g) there is no specific provision for high-functioning ASD pupils as it would need to be financially viable. However, Bulwell Academy and Nethergate have some of these pupils.

RESOLVED to note the information provided.

12 CENTRAL EXPENDITURE BUDGET 2019/20 – HISTORIC COMMITMENTS

Ceri Walters, Head of Commercial Finance, introduced the report setting out the recommendations of the Schools Forum Sub Group (SFSG) on specific items of expenditure for inclusion in the 2019/20 budget setting process.

Members of the SFSG explained how they had undertaken a rigorous review of the historic commitments, looking at supporting evidence provided by local authority officers, and were in agreement to recommend the approval of the historic commitments proposed.

Sophie Russell and Nick Lee briefly outlined the work done through the contribution to combined budgets in the areas of Family Support, Integrated Placements, Safeguarding Training and the Virtual School.

Janine Walker delivered a presentation on SEN Transport, which is a new commitment as part of the high needs block that requires Schools Forum approval. She highlighted the following:

- (a) there are four main factors which may determine if children or young people aged 5-16 are eligible for travel assistance. These are statutory walking distances, SEND or significant mobility problems, unsafe routes and extended rights;
- (b) the spend on travel assistance to schools and post 16 settings in the 2017/18 financial year was £2.8m, providing assistance to 470 children and young people;
- (c) the local authority has introduced a dynamic purchasing system for procurement of taxis and minibuses to reduce costs. Routes are also optimised, and the independent travel training scheme has been rolled out to schools;
- (d) Nottingham City has the lowest spend per head for 5-16 travel assistance, compared with statistical neighbours, and is the fourth lowest for post 16 transport;
- (e) The provision of SEND transport significantly drives down additional costs to the schools budget by ensuring that needs are met within the city and avoiding the need to place children in costly non maintained and independent provision.

RESOLVED to

(1) approve the historic commitments set out below totalling £6.579m:

Service	2019/20 £m
Contribution to combined budgets	2.887
Termination of employment costs	1.608

Prudential borrowing	0.283
Capital expenditure from revenue accounts	0.801
SEN Transport (High Needs Block)	1.000

(2) note the additional historical detail set out in Appendix B of the report.

13 CENTRAL EXPENDITURE BUDGET 2019/20 – ON GOING COMMITMENTS

Ceri Walters, Head of Commercial Finance, introduced the report presenting the council's proposed central expenditure for ongoing commitments for 2019/20.

RESOLVED to

(1) approve the ongoing commitments budgets set out below, totalling £1.467m:

Service	2019/20 £m
School Admissions	0.585
Servicing of Schools Forum	0.032
Statutory retained duties	0.646
Copyright licenses (consultation only)	0.204

(2) note that the cost of Copyright Licenses totalling £0.204m does not require approval as the licenses are managed and procured by central government;

(3) note that where values are based on pupil numbers, this report has used the latest October 2017 census however, once the latest census and final allocations issued from the DfE these figures will be updated and represented in the final budget report.

14 EARLY YEARS BUDGET 2019 - 20

Kathryn Stevenson, Senior Commercial Business Partner (Schools), introduced the report requesting approval of the Early Years central expenditure budget for 2019/20.

New national early years funding arrangements were implemented from April 2017 including a new national funding formula for the allocation of the early years block to local authorities and new regulations around the distribution of funding to providers. The proposed early years central expenditure figure represents 5% of the anticipated 2019/20 early years block allocation. The following points were raised in discussion with Forum members:

- (a) underspend within the early years block is not ringfenced for early years but goes into the Dedicated Schools Grant reserves as uncommitted funds. However, this can still feasibly be spent on early years;
- (b) local authorities have a requirement to provide sufficient childcare, but do not have the powers to stop new settings from opening if there is over-provision. Nationally some early years settings are closing because they rely heavily on

grants for free places, but this is not happening much in Nottingham;

(c) outcomes for children at early years settings have once again improved this year.

RESOLVED to approve the Early Years Central Expenditure of £0.954m for 2019/20, subject to this meeting the high pass-through requirement.

15 SCHOOLS BLOCK TRANSFER PROPOSALS 2019/20

Kathryn Stevenson, Senior Commercial Business Partner (Schools) introduced the report requesting approval for a schools block transfer in 2019/20 and to agree an application to the Secretary of State to enable the block transfer to be implemented in the proposed way. Kathryn highlighted the following:

- (a) a schools block transfer is the transfer of funds between the schools block and the high needs block. The high needs block requires additional funds due to the high rate of permanent exclusions, predominantly in the secondary phase. Schools Block transfers of up to 0.5% require Schools Forum approval;
- (b) the number of permanent exclusions rose significantly between 2012/13 and 2016/17, though did reduce slightly in 2017/18. This has resulted in a doubling of PRU pupil numbers to 137 pupils to be funded from the high needs budget;
- (c) up to now that gap in the high needs budget has been covered using Dedicated Schools Grant (DSG) reserves, which will be unsustainable to continue in the longer term;
- (d) nationally, 10% of high needs funding is used for alternative provision (AP) but in Nottingham City this is nearly 20%, risking the amount of money left to use for SEND pupils;
- (e) 'hard' implementation of the national funding formula has been delayed by a year to 2021/22, allowing an extra year that a schools block transfer could be implemented;
- (f) schools were consulted on a proposal that limited the impact to the secondary phase and recognised schools that have signed up to the devolved AP model with a 35% reimbursement through devolved allocation. This would have required Secretary of State approval as it represented a higher than 5% block transfer, and also because it would sent the minimum funding guarantee at a different level for secondary compared to primary;
- (g) 23 responses were received, with only 3 schools responding in support of a proposal that would result in a reduction of funding for their school. 61% of schools supported the proposal;
- (h) the proposal has now been revised so that the estimated impact on secondary schools is a -0.75% cut in funding per pupil rather than -1.5%, and which also now falls within the 0.5% which can be agreed locally. If this were implemented a further block transfer may need to be considered for 2020/21;

- (i) after reimbursement to AP devolved schools, it is estimated that this proposal will raise around £0.8m to cover the cost of excess exclusions beyond the level in the AP model. Latest projections suggest this may cost £1.247m to the end of 2019/20 based on future exclusions at the same level as the last 12 months;
- (j) initiatives are in place to help reduce exclusions, including the launch of the Routes to Inclusion programme and dialogue is ongoing with secondary schools who have not yet signed up to the devolved AP model. In the 2017/18 academic year there has been a 20% reduction in the number of permanent exclusions compared to the previous year.

The following points were raised during the discussion which followed:

- (k) the DSG reserve is already lower than is desirable, but Nottingham City is the only core city having reserves and not setting a deficit budget;
- (l) it is hoped that the downward trend in exclusions will continue and that pupils in the PRU will continue to be reintegrated back into mainstream schools. The projected costs are based on exclusion levels remaining the same;
- (m) the main driver in the reduction of exclusions has been the devolved AP pilot, although other schools outside the pilot have also reduced their exclusions. All schools have a responsibility to reduce the number of permanent exclusions as these children are much more likely to go to prison or commit suicide;
- (n) there is an intention to invest funding into early intervention models which will identify needs at an earlier stage in order to prevent exclusions, and the costs incurred, at a later stage;
- (o) all Schools Forum members should vote on the proposal rather than just secondary schools as the high needs budget affects all schools;

Forum members expressed that they were uncomfortable voting on the schools block transfer as secondary members were clearly unhappy with the proposals. They asked to defer their decision until they have received more information and clarity on impact, or a revised proposal.

Forum members agreed to the principle of separate minimum funding guarantees for primary and secondary schools and supported the local authority's application to the Secretary of State to do this.

RESOLVED to

- (1) agree the local authority's application to the Secretary of State to set a lower minimum funding guarantee percentage for secondary schools compared to primary schools in 2019/20;**
- (2) defer the decision on the schools block transfer itself until a future meeting;**
- (3) note that the local authority wishes to work in partnership with Schools Forum on this issue and to come to an agreement regarding the proposal to**

implement a schools block transfer in 2019/20. However, if Schools Forum approval is not gained, the Local Authority will consider the available option to pursue approval from the Secretary of State to proceed with the schools block transfer in 2019/20.

16 MEETING DATES FOR THE 2018-19 ACADEMIC YEAR

AGREED

(1) to meet on the following Tuesdays at 1.45pm:

11 December 2018

15 January 2019

26 February 2019

30 April 2019

25 June 2019

(2) to organise an additional meeting in November to discuss and vote on the proposed schools block transfer.

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Proposed High Needs Place Changes 2019/20 Academic Year

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Janine Walker & Kathryn Stevenson
9 October 2018

Minute Item 11



Nottingham
City Council

Objective

To share with Schools Forum draft proposals for planned high needs places for the 2019/20 academic year

Linked to:

- Requirement for the LA to consult with Schools Forum over arrangements for high needs pupils
- Requirement for the LA to submit place change notifications relating to academies/FE colleges to the EFA in **November**
- LA simultaneously working with maintained settings on place numbers, although no requirement to submit to EFA



Approach

1. Identify where a place number change may be required taking into account;

- Current numbers
- Known leavers July 2019
- Anticipated/average new admissions
- Limits to physical capacity

2. Agree proposed changes with setting involved.
Discussions are still ongoing.

Key proposed changes

Setting	Place change	Comments
Oakfield	+8	As advised last year, 8 extra ASD places were required. ASD class set up at Oakfield from September 2018.
Westbury Special School	+4	Still to be confirmed in discussion with the school
Bluecoat post-16	-1	Aligns place number to 10 foundation learning places
Bluecoat Primary SRU	+1	Increase from 3 to 4 primary places
Bilborough College	-1	Single high needs learner has left
TOTAL		

Financial Implications

- Further £0.215m impact in 2019/20 from full year effect of additional 23 pre-16 places commissioned from September 2018
- Full year cost of 4 extra places at Westbury at existing top-up is £0.099m. Intend to discuss phased reduction in top-up level to reflect economies of scale.

Longer term plans

- We are anticipating a doubling of secondary high needs ASD pupils by 2025, based on pupils currently in the primary phase
- Exploring feasibility of an additional 8 ASD places per year group at Nethergate, subject to capital funding
- Special Free School bid for 48 secondary MLD/ASD places on Bluecoat site in conjunction with Archway Trust

Proposals for a schools block transfer in 2019/20

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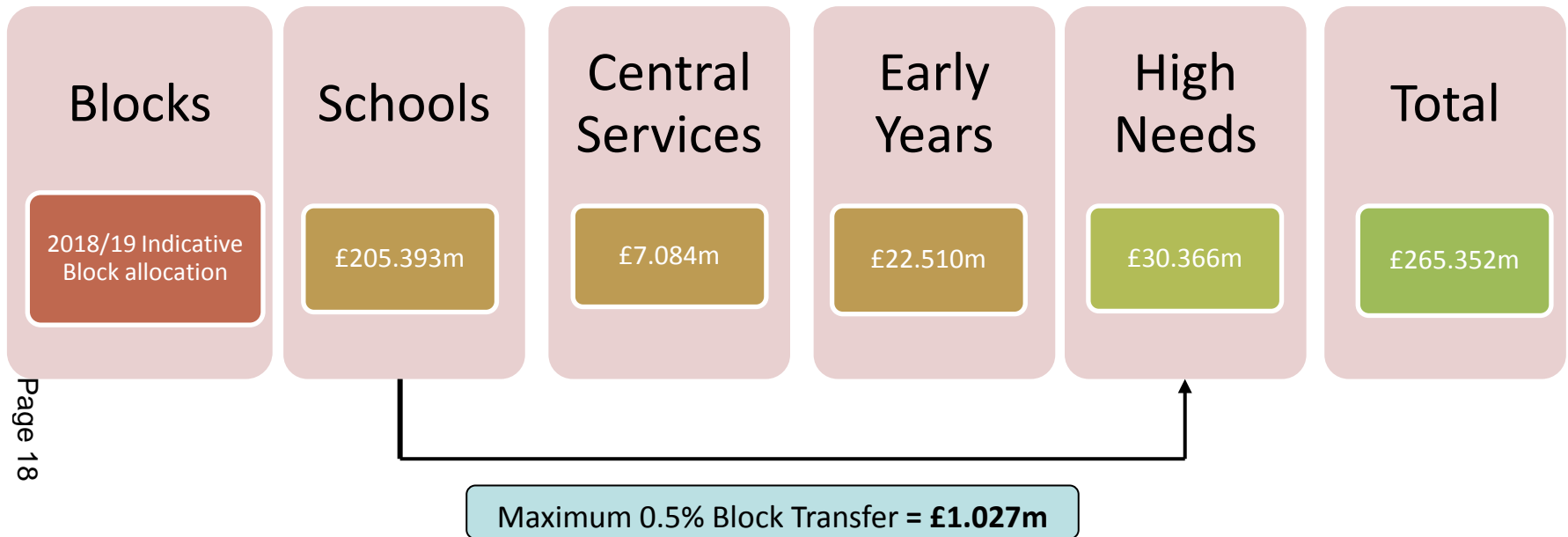
Minute Item 15

Schools Forum
9 October 2018



Nottingham
City Council

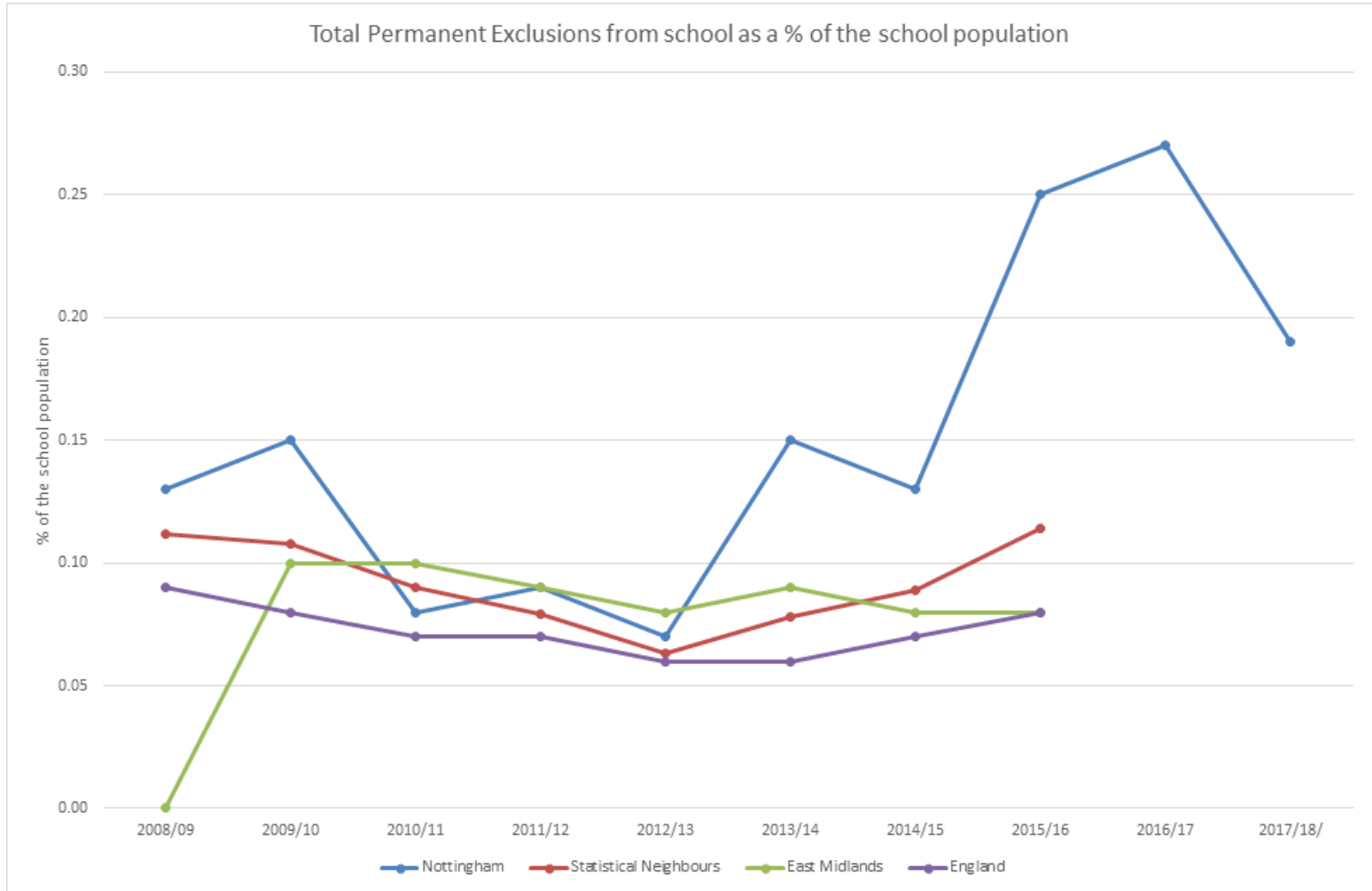
What is a “schools block transfer”?



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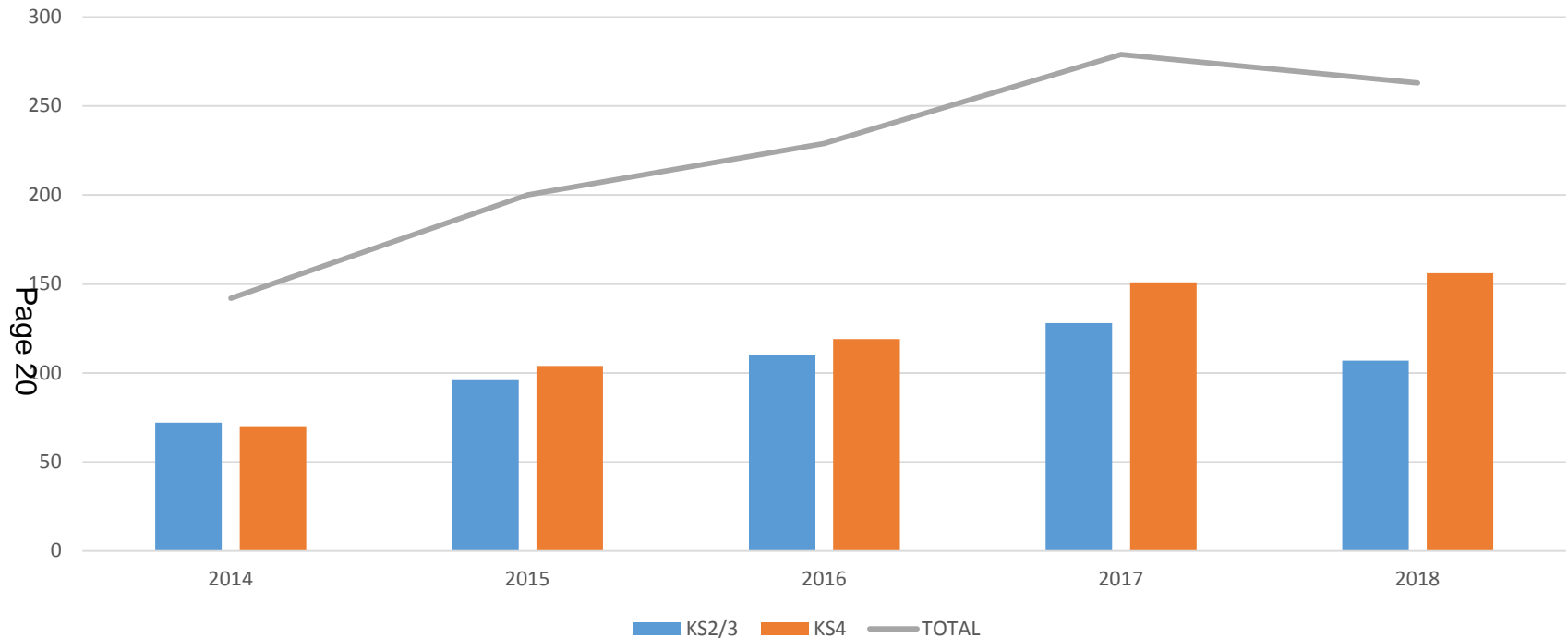
- Results in delegated budgets for schools being lower than they would have been.
- Requires consultation with schools & Schools Forum (SF) approval
- Requests for transfers in excess of 0.5% or that do not have support of SF can be submitted to Secretary of State

Why we need a schools block transfer



Impact on PRU pupils on roll

Pupils on roll at May census



- Doubling of PRU pupil numbers between 2014 and 2017, an increase of 137 pupils to be funded from high needs budget
- This represents a shift in responsibility between schools and the high needs budget, that was not reflected in the block baselines



Why we need to act now

- Up to now we have been plugging the gap in the high needs budget with funding from DSG reserves:

Financial Year	Draw on DSG reserve
2015/16	£1.6m
2016/17	£2.5m
2017/18	£2.4m
2018/19 (budgeted)	£2.8m

- There is only c£3m left uncommitted in DSG reserves so this approach is not sustainable
- Risks to our SEND strategy and provision – nationally 10% of HN funding is for AP, we’re spending nearly 20% on this (including reserves)
- A schools block transfer may not be possible under the “hard” implementation of the NFF – this was delayed by a year to 2021/22 during our consultation period

Consultation Proposals

We recommended an approach that;

- a) limited the impact to the secondary phase (1.5% cut in funding per pupil)
- b) recognised those schools that have signed up to the devolved AP model (35% reimbursement through devolved allocation)

BUT, both aspects would require Secretary of State approval

- a) in order to set the MFG at a different level for secondary compared to primary
- b) for a higher than 0.5% block transfer, partly so we can afford the reimbursement to participating schools

So we also consulted on a fall-back proposal which could be agreed locally, affecting all mainstream schools in the City

Consultation Response

- We received 23 responses; 16 from primary schools, 7 from secondary
- Only 3 schools responded in support of a proposal that would result in a reduction in funding for their school
- 61% of schools responding supported Proposal A
- Only 2 schools (9%) supported fall-back Proposal B

Revised Proposal

A **0.5% block transfer**, implemented by reducing the minimum funding guarantee % for secondary schools with a **35% reimbursement** of the impact from the high needs block for schools participating in the devolved AP model.

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- Follows the same principles as the consultation proposal A
- Now within the permitted 0.5% block transfer that can be approved locally
- Estimated impact on secondary schools is a -0.75% cut in funding per pupil instead of -1.5%
- Still relies on Sec of State approval for differential MFG for secondary schools
- Withdrawal of fall-back option for 2019/20
- May need to consider a block transfer for 2020/21

Financial Implications

- After a £0.2m reimbursement to AP devolved schools, it is estimated this proposal will raise around £0.8m to cover the cost of excess exclusions beyond the level in the AP model.
- Latest projections suggest this may cost £1.247m to the end FY19/20 based on future exclusions at the same level as the last 12 months
- Will need to consider a further block transfer in 2020/21 to cover the potential £0.348m shortfall in 2019/20 and additional risks in 2020/21
- If in 2018/19 we'd cut funding by -0.75% for secondaries instead of the +0.5% increase;
 - Secondary schools would have been worse off on average by £60k
 - Impact per pupil between £63 & £85 (average £71)
 - AP devolved schools would have above impact mitigated by 35%

Longer term plan

- Initiatives are in place to help reduce exclusions, including launch of Routes to Inclusion
- Continuing dialogue with secondary schools not yet signed up to devolved model
- 2017/18 academic year saw start of downward trend in exclusions, with a **20% reduction** compared to the previous year
- Scrutiny on Nottingham's figures from ministers
- National focus on reducing exclusions from Government & Ofsted
- Future high needs funding increases are anticipated, but needed to address issues raised as part of SEND strategy consultation

Actions & Timescales

Date	Action
9 October	SF to vote on whether to agree the LA's disapplication request for a differential MFG for secondary schools in 2019/20
	SF to vote on whether to approve the 0.5% schools block transfer for 2019/20
	LA to advise ESFA on outcome (and provide link to minutes once published)
December	ESFA will advise LA on outcome of Secretary of State's decision
15 January	LA will present 2019/20 Schools Budget report to Schools Forum
Summer 2019	LA to review impact of latest exclusion trends and update SF on potential requirement for a further block transfer in 2020/21



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