

## **SCHOOLS FORUM**

**TUESDAY, 15 JANUARY 2013**

**PRESENT: -**

**School Members:** Steve Colledge, Chair - Academy Headteacher  
Paul Boyles, Vice-Chair - Academy Governor  
Janet Urban, Primary Headteacher  
Rhian Cockwell, Primary Headteacher  
David Easter, Primary Governor  
Robert Jackson, Primary Governor  
Rachael Matthey, Secondary Headteacher  
Julie Tridgell, Secondary Headteacher  
Jackie Smith, Special Headteacher  
Derek Fry, Special Governor  
Richard Marshall, PRU  
Lauren Connor, Academy Headteacher  
Wendy Conaghan, Academy Headteacher  
Andy Hazelton, Academy Governor

**Non-School Members:** Maureen Harries, Diocese - Clifton  
Peter Smith, Trade Unions  
Debbie Waldron, Early Years Representative  
Ram Thiagarajah, BME

**Officers:** Paddy Bradley (Head of Commissioning – Economy / Attainment)  
Steve Haley (Head of Finance – Education and Innovation)  
Sarah Higgins (Finance Manager – Education and Innovation)

Councillor David Renard (Cabinet Member for Children's Services) was also in attendance.

Apologies for absence were received from Alison Lowe (Primary Headteacher), Lynne Fletcher (Academy Business Manager), Nick Capstick (Academy Headteacher) and Graham Taylor (16-19 Partnership). Beverley Pennekett, from the Education Funding Agency (EFA) funding reform team also gave her apologies.

### **17. Minutes of Previous Meeting**

Resolved – That the minutes of the meeting held on 9<sup>th</sup> October 2012, be confirmed and signed as a correct record.

Further to minute 15 (page 3), Steve Haley (Head of Finance – Education and Innovation) apologised for the late distribution of the agenda papers, which was primarily due to the short time frame available to assess the implications for the Council following the Government announcement of Dedicated Schools Grant

(DSG) funding on 19<sup>th</sup> December 2012.

Further to minute 15 (page 6), Mr Haley confirmed that he would seek further clarification on the question as to whether a fee was payable by the school when a student moved from a school to an alternative provision setting.

## **18. Retained Dedicated Schools Grant Budget Position 2012-13**

Steve Haley (Head of Finance – Education and Innovation) presented a report on the latest position of the 2012/13 retained Dedicated Schools Grant (DSG) budget.

Mr Haley advised that based on information at the end of November 2012 an underspend of £1.5m was projected against the retained DSG Budget for the current year. This was an improvement of £0.5m over the position at the end of August 2012 which was reported to the Forum in October. Annex A to the report set out information on the changes. In addition there was a balance of £0.33m brought forward from 2010/11 and 2011/12. This gave an estimated total of £1.833m to be available for distribution via the local formula, although the exact value would not be known until May 2013.

Members noted that in establishing a new formula in accordance with Department for Education (DfE) a number of schools would be detrimentally affected by the changes and would be eligible for Minimum Funding Guarantee (MFG) payments. It had previously been agreed that the underspend in the DSG, should be used as one-off funding in the next two years, 2013/14, and 2014/15, to help limit the cost of the Minimum Funding Guarantee. The Forum confirmed this position, and noted that approximately £900k would be available in each year for this purpose.

Resolved – That the Schools Forum:

- 1) Notes that based on information available at the end of November 2012, an in year underspend of approximately £1.5m is projected against the 2012/13 retained DSG budget.
- 2) Notes that a total of £0.333m remains available from 2010/11 and 2011/12.
- 3) Notes that the Local Authority is provisionally forecasting that a total of £1.833m will be carried forward at the end of the current financial year, and confirms that, as previously supported by School Forum, 50% of the available funding (£0.900m) be distributed to schools as part of the 2013/14 budget setting process and approximately £0.933m be redistributed in 2014/15.

## **19. Dedicated School Grant and local formula issues 2013/14**

The Forum considered a report by Steve Haley (Head of Finance – Education and Education) seeking the Forum's approval to the Locality Authority's proposals for local formula and funding issues for 2013/14. The report also asked the Forum to consider proposals on how to allocate funding released from the retained budget to enhance delegated school funding, and to note the impact of these decisions on individual settings.

Mr Haley talked members through the report, commenting on key issues and answering questions on each section. He highlighted the specific changes since the last report to the Forum in October and the decisions required by the Forum. The Forum considered each recommendation in turn and voted on each element of the funding formula and proposals.

The Forum made decisions in respect on the following matters:

Estimated DSG Funding available in 2013/14 - It was noted that the total grant had increased from £140.8m in 2012/13 to £144.6m in 2013/14, but no inflationary increases had been provided, and paragraph 2.3 of the report showed a breakdown in the additional funding of £3.8m. In addition approximately £5.4m of Pupil Premium funding was expected to be allocated across Swindon Schools and Academies in 2013/14.

Schools Block - Central Items – The Forum noted and supported the final 2013/14 budget for central items totalling £516,700. An update would come to the March meeting on the practical arrangements for the new central funding of licences for schools, when clarification was received.

Schools Block – Pupil Growth – The Forum supported the revised 2013/14 budget of £577,600 for pupil growth.

De-delegation – The only services proposed to be subject to de-delegation funding in 2013/14 were for Free School Meals eligibility at £11,000 and Trade Union Duties release funding at £22,300. At the initial consultation, both the primary and secondary Headteacher Associations (SAPH and SASH) had indicated that they would not support the continuation of central funding for trade union release time. The matter had been deferred from the October meeting to give the Unions time to advise on the benefits of the current arrangements, and Schools had received advice from the Local Authority's HR Schools Advisor on the implications of withdrawing central funding. The Forum received further feedback from the Headteacher Association representatives present. Representatives of SAPH advised that they would support de-delegation continuing for a further year to give time for a longer term solution, but would not support an increase in fees to participating schools to cover the costs of other schools choosing not to buy the service. Rachel Matthey and Julie Tridgell, representing the two remaining non-academy secondary schools, confirmed they also were concerned that there should not be an increase in costs to participating schools. Representatives of SASH Academies indicated that they would not want the de-delegation to continue for trade union release time. Peter Smith (Trade Union representative) suggested that it would be more costly for individual schools to meet their legal obligations on time off for union representation if they did not buy into a central service. Concern was expressed by members of the Forum that the scheme only paid for some unions and not all. It was agreed that a decision on the matter should be deferred for the Local Authority to investigate an alternative model of funding based on union membership and to consult further, and bring a recommendation back to the next meeting.

Centrally Funded High Needs Block Items – The Forum supported the setting of a retained high needs budget of £6.3m, which was unchanged from the position reported in October. Detailed breakdowns of the proposed budgets for SENRAP, the Tuition Service and Out of Borough placements were provided. Further information would be available to the next Forum meeting on the outcome of a review of the criteria and referral process for accessing additional Special Education Needs funding via the SENRAP panel.

Corporate Overheads – It was agreed that £660,000 should be allocated for corporate overheads in the 2013/14 retained budget which included approximately £107,000 for the Education Other Than At School (EOTAS) budget. The overall budget reflected a £200,000 reduction from the current year and the continual downward trend in the level of DSG funding being retained to contribute to LA costs.

Early Years (2 year olds) - The Forum supported the setting of the budget for disadvantaged 2 year olds at £1.987m in line with the DfE's notional funding allocation. Councillor Renard highlighted to the Forum that although there was this additional funding in the DSG formula for disadvantaged 2 year olds, the Local Authority's Early Intervention Grant had in turn been reduced. Although, it was discouraged by the DfE, the Forum supported the retention of 2.8% (£55,000) of the funding to contribute to early years staffing costs in 2013/14, to be reviewed on an annual basis, to enable the development work related to the new legislative duty, including creation of places and working with health visiting and children centre staff to identify vulnerable children, and to ensure increased take up. The hourly rate for nursery education for disadvantaged 2 year olds would be presented at the next meeting.

Early Years (3 and 4 year olds) – It was confirmed that the funding rates for 3 and 4 year education should be as set out in Table 9 of the report, and the basis for setting the budget at £7.3m as set out in Table 10 of the report be endorsed. Mr Haley advised that as funding would be revised on a termly basis based on actual take up (rather than based on a single census figure), it was not necessary to include a contingency budget for growth in 2013/14.

High Needs Funding (Special Schools) - The Forum approved the proposed special school place numbers as shown in Table 11 of the report which were based on discussions to date with Head Teachers, and agreed the proposed 2013/14 special school top up fees as set out in Table 12 of the report. In addition, the Forum noted the indicative 2013/14 funding allocations for special schools estimated to be £10.2m of which it was anticipated that £177k would be paid by other local authorities or the Education Funding Agency. The allocations were subject to further head teacher feedback which would be reported to the next meeting. The level of post 16 funding for Uplands was also subject to review as part of the LA's assessment as to whether sufficient funding was being received for its new 1st September 2013 responsibilities.

High Needs Funding (Special Resource Provision) - The place numbers for each special resources provision (SRPs) in the borough were approved as set out in Table 14 of the report, as representing the estimate of the likely demand to be met during 2013/14 based on discussions with relevant head teachers. Mr Haley confirmed that the move to 'Place Plus' as the basis for calculating funding was much more difficult for SRPs than for Special Schools. The Forum noted the indicative funding allocations as set out in table 16, which was estimated in total at £4,034,947. Further work was required in relation to the level of funding for Mountford Manor, as users of the services were currently charged for transport, and the Education Funding Agency had indicated it may be necessary to reclassify this as an Alternative Provision setting. An update on this and on further head teacher feedback on the allocations would be provided to the next meeting.

High Needs Funding (Special Education Needs Outreach and Education Support Services) – It was noted that the Local Authority was able to continue to commission Borough wide SEN outreach and Support Services. The list of services set out in Table 17 was approved, at a cost of £1,108,000. Mr Bradley explained the need for the development of a new provision for British Sign Language at Isambard, to enable children who are part of the effective Special Resource Provision at Red Oaks Primary school to transition into Isambard with the appropriate support from September 2014 onwards should they wish to do so. The intention was to develop both the Special Resource Provision, and capacity throughout the school to support children who use British Sign Language. The cost in 2013/14 was £50,000.

High Needs Funding (Alternative Provision – Pupil Referral Units) – Mr Haley confirmed that the proposed 2013/14 alternative provision places, as set out in Table 19, were unchanged since the last report and these were noted by the Forum. Each place would be allocated £8k and indicative top up fees of £3,000 for primary and £6,170 for secondary pupils were proposed. These were calculated based on the current net cost of services (£1,626,000) after exclusion and other income was taken into account. However, the Forum was advised that under the new Schools Finance regulations the value of exclusion income was likely to increase next year and it was agreed therefore that the level of top up fees should be subject to a further report at the next meeting.

High Needs Funding (Charging for Permanent Exclusion) – Mr Haley outlined the changes in the way in which funding would be clawed back from a school following a permanent exclusion, and the implications of moving from a January to October survey of pupils for funding purposes. It was agreed that funding should be recovered for both the current year and the following financial year if the exclusion takes place after the October census date.

High Needs Funding (Provision for Services to Non-Excluded Schools) – The DfE had recommended that top up fees for short term placements should be calculated on a half-termly rate and part time placements on a daily rate. A question was raised as whether both rates could be calculated daily, but Mr Haley advised that this was not DfE guidance. The Forum noted the provisional rates for primary and secondary pupils, and that it was anticipated this change would lead to higher charges to schools in 2013/14. It was noted that the rates might need further amendment as part of a final decision on top up values at the next meeting.

High Needs (Alternative Provision – Hospital Education) – The Forum were advised of the DfE introduction of a separate element of the DSG aimed at meeting the costs of operating hospital schools. It was noted that the funding of £191,000 was being provided in 2013/14 based on the estimates of 2012/13 costs and that this was therefore satisfactory.

High Needs (Post 16 Provision – New Responsibilities) – Mr Haley explained that officers would be liaising with the EFA and post 16 providers over the next few weeks to establish top up rates to cover new post 16 responsibilities in 2013/14. An additional £432,000 DSG had been provided by DfE and has been provisionally set aside to meet additional costs but a report to agree the detail would be presented at the March meeting.

Mainstream Funding (Funding for Newly Qualified Teachers) – The Forum noted that the funding previously including with the local government grant settlement for newly qualified teacher inductions had now been transferred to the DSG. £43,000 had been included in the DSG settlement for Swindon, based on the pupil based shared of the national allocation. This would be fully delegated to schools in the 2013/14 formula allocations.

Mainstream Funding (New Formula Factors) – At the last meeting the Forum had agreed the structure of factors in the local formula for 2013/14, which had been submitted to the Education Funding Agency to ensure the proposals complied with the new School Finance Regulations. The EFA had sought clarification on two areas, pupil growth and PFI funding and in both cases the LA scheme was approved. Although provisional confirmation had been received, the LA was required to provide the final mainstream funding values to the Education Funding Agency (EFA) by 22nd January 2013.

During December the Department for Education (DfE) had provided the Local Authority with October 2012 pupil census data to be used as the basis for 2013/14 mainstream funding, and had confirmed next year's DSG funding levels. The total funding allocations to mainstream schools in 2013/14 would total £108.161m. The Forum noted in Table 22 of the report the proposed mainstream funding for schools, compared to the previous year.

Chris Davis (Primary Headteacher) expressed some concerns that the move to using the October census for calculating annual school funding had been disadvantageous where pupils had been allocated a place from September but deferred entry until the following January. This meant that the school had lost out on funding. It was agreed that Paddy Bradley (Director for Commissioning – Economy and Attainment) would investigate with the Admissions Team and SAPH the extent to which this is an issue for schools, and identify whether any actions could be taken to remedy this issue.

Mainstream Funding (Remaining Funding Available and Options to apply capping) – It had been estimated that £1.536m of DSG would be available for permanent distribution in 2013/14 and approximately £0.9m of one-off funding, subject to the individual funding allocations discussed above being agreed. The Forum were advised that prior to any additional funding being allocated the Minimum Funding Guarantee (MFG) costs would be £650,000 and that this would need to be funded by capping schools that were gaining in the formula distribution. It was noted that although the Local Authority could not provide funding to directly offset MFG costs, any increase to mainstream funding would reduce MFG. The Forum considered and approved two proposals set out in paragraphs 6.9 – 6.11 of the report. On a recurring basis the Forum agreed to an increase in low prior attainment funding from £360 to £702 per pupil and for 2013/14 only (subject to review) the Forum agreed an increase in primary BPPE funding from £2,590 to £2,642 per pupil. These measures would increase the overall value of delegated schools funding by £2.4m, reducing the level of MFG required to £290k.

An additional Appendix was tabled at the meeting which set out implications on individual school budgets of accepting these proposals, which reduced the number of schools who would lose out from the proposals, and also reduced the number of schools for which a cap was required to fund the costs of MFG. The Forum noted the letter received from Eldene Primary School in particular on the option being

used to calculate capping, but the Forum reconfirmed their support for option B (to limit the % of increase per pupil in all gaining school and not a % of the cash increase).

The Forum noted that some areas of funding were still subject to review at the next meeting, in particular in relation to post 16 special education needs funding responsibilities. However, Mr Haley confirmed that following the decisions made by the Forum at this meeting, the Local Authority would be able to issue firm indicative funding allocations to early year's settings, mainstream schools, special schools and Special Resource Provisions in the next few days subject to EFA confirmation that proposals were still in compliance with the new School Finance regulations. The Forum thanked Steve Haley and Sarah Higgins for their work on the report.

Resolved - That the Schools Forum:

- 1) Notes that the estimated value of the **2013/14 DSG** notional funding blocks is **£144,584,544**, as set out in report section 2 (table 2).
- 2) Notes the value of **Pupil Premium** funding relating to 2013/14 as set out in the agenda report paragraph 2.6, which would generate funding of approximately **£5.4m** in respect of Swindon pupils.
- 3) In relation to centrally retained funding (report section 2), notes and agrees the 2013/14 proposals with regard to:
  - a. Central Items - **£516,700** (Table 3)
  - b. Central Schools Items – pupil growth **£577,600** (Table 4)
  - c. High Needs items - **£6,267,900** (Table 6)
  - d. Corporate overheads - a reduction of £200,000 to **£553,100** (excluding Education Other Than At school (EOTAS) - paragraphs 3.9 to 3.10)
- 4) In relation to centrally retained funding (report section 2), the 2013/14 proposal in relation to De-delegation items at £33,300 or £11,000 (Table 5), be deferred for the Local Authority to look at an alternative trade union membership model, and to report back to the next meeting.
- 5) In relation to Early Years funding, for **disadvantaged 2 year olds** (section 4):
  - a. Notes and agrees that the 2013/14 budget for disadvantaged 2 year olds be set at the value of the funding allocated - **£1,987,000** (Table 7)
  - b. Supports the Local Authority retaining £55,000 of this sum in 2013/14 to support capacity building and increased take up – subject to annual review (paragraph 4.7).
  - c. Notes that a proposed funding rate for disadvantaged 2 year olds will be presented to the 5<sup>th</sup> March 2013 Schools Forum after regional discussions.
- 6) In relation to Early Years funding, for **3 and 4 Year Olds** (section 4):
  - a. Notes and agrees the 2013/14 funding rates for 3 and 4 year old nursery provision as set out at Table 9 of the report.
  - b. Notes and agrees the 2013/14 budget for 3 and 4 year old nursery provision at **£7,300,000** as set out at Table 10 of the report.
- 7) In relation to High Need Pupils funding for **Special Schools** (Section 5),
  - a. Agrees the planned place numbers as set out at Table 11 of the report.

- b. Agrees the provisional top up fees as set out at Table 12 of the report.
  - c. Notes the indicative impact of the new place plus funding on individual Special Schools, as set out at Table 13 of the report.
  - d. Notes that the indicative net cost of funding Special Schools in 2013/14 is estimated at **£10,217,337** (paragraph 5.6), subject to final confirmation at the 5<sup>th</sup> March schools Forum.
- 8) In relation to High Need Pupils funding for **Special Resource Provision** (Section 5):
  - a. Agrees the planned place numbers, as set out at Table 14 of the report.
  - b. Agrees the provisional top up fees, as set out at Table 15 of the report.
  - c. Notes the indicative impact of the new place plus funding on individual Special Resource Provision settings, as set out at Table 16 of the report.
  - d. Notes that the indicative net cost of funding Special Resource Provision in 2013/14 is estimated at **£4,034,947** (paragraph 5.12) - subject to final confirmation at the 5<sup>th</sup> March schools Forum.
- 9) In relation to High Need Pupils funding for **Outreach and Support Services** (Section 5)
  - a. Agrees the proposed 2013/14 delegated funding to relevant settings for Borough wide Special Education Needs (SEN) outreach and support services at a cost of **£1,108,000** (Table 17) including £50,000 to establish a new British Sign language (BSL) provision at Isambard school (Table 18)
- 10) In relation to High Need Pupils funding for **Alternative Provision** (Section 5):
  - a. Agrees the place numbers set out at Table 19 of the report
  - b. Agrees the provisional top up fees set out at paragraph 5.21 of the report.
  - c. Notes the indicative impact of the new place plus funding on individual Alternative Provision settings which is provisionally estimated at **£1,626,000** (set out at Table 20 of the report), subject to final confirmation at the 5<sup>th</sup> March schools Forum
  - d. Notes the basis of charging for permanent exclusions and agrees that funding should be recovered for the following financial year if an exclusion takes place after the October Pupil Level Annual School Census (PLASC) date (as set out in paragraphs 5.27 to 5.31 of the report)
  - e. Notes the basis of charging for non-excluded pupils, as set out in paragraphs 5.32 to 5.34 of the report.
  - f. Notes the basis of funding for hospital education services and that costs and funding are estimated at **£191,000** (as set out in paragraphs 5.36 to 5.37 of the report).
- 11) In relation to High Need Pupils funding for **New Post 16 Special Education Needs responsibilities** (Section 5):
  - a. Notes that funding of **£432,000** has been provided within the DSG settlement and has been provisionally allocated as a new budget provision (as set out in paragraphs 5.38 to 5.39 of the report)
  - b. Notes that proposed funding rates will be presented to the 5<sup>th</sup> March 2013 Schools Forum.
- 12) In relation to **Mainstream funding** (Section 6):
  - a. Notes that funding of **£43,000** has been allocated for Newly Qualified



- Teachers which will be distributed across schools in 2013/14.
- b. Notes the agreed formula factors and provisional funding rates (as set out in Table 21 of the report).
  - c. Notes the indicative impact of formula changes on individual settings (as set out in Table 22 and Annex E of the report).
  - d. Supports a permanent increase (Proposal 1) in low prior attainment funding to £701.57 per pupil at a cost of **£1.5m** (funded from available DSG) and notes the impact on individual settings (as set out in Table 23 and Annex G of the report).
  - e. Supports a temporary increase (Proposal 2) in Primary Basic Per Pupil Entitlement (BPPE) funding to £2,642.28 per pupil at a cost of **£0.9m** (funded from cumulative underspends on the retained budget and note the impact on individual settings (as set out in Table 24 and Annex H of the report).
  - f. Confirms that Minimum Funding Guarantee (MFG) costs are to be funded by capping gaining school budget increases by a % per pupil (as set out in paragraph 6.15 of the report)
- 13) Notes the Local Authority's conclusions and concerns regarding the school funding reform changes, and where risks have been mitigated, set out at Section 7 of the report.
- 14) The Director for Commissioning – Economy and Attainment, investigate with the Admissions Team and SAPH the implications for schools of any deferred admissions which take place after the October PLASC school funding calculations.

**20. Date of Next Meeting**

The next meeting was scheduled for 5<sup>th</sup> March 2013 at 4 pm.