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MINUTES OF A MEETING OF THE SCHOOLS FUNDING FORUM BEST CENTRE BRITTONS SCHOOL 5 December 2013 (8.30 - 10.15 am)

- Present:** Nigel Emes (Chair) (Primary)
David Denchfield (Primary)
Christine Drew (Primary)
Chris Hobson (Primary)
Emma Field (Primary Academy)
Bill Edgar (Secondary)
Simon London (Secondary Academy)
Keith Williams (Secondary Academy)
Geoff Wroe (Special)
- Governors:** Sheila Clarke (Primary)
- Non-School
Representatives:** Trevor Sim (Vulnerable Children)
Maria Thompson (14 -19 Partnership)
- Trade Unions:** Keith Passingham (NASUWT)
Ray Waxler (NUT)
Jennifer Kingaby (UNISON)
- Officers in Attendance:** David Allen (LBH)
Mary Pattinson (LBH)
Nick Carter (LBH)
Lorraine Hunter-Brown (LBH)
- Observer:** Sangita Dhar EFA

87 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS OR OBSERVERS

Apologies were received for the absence of Margy Bushell (Primary), Angela Winch (Primary), Julian Dutnall (Secondary Academy), Joe Webster (Secondary), Daniel Gricks (Secondary Academy), John McKernan (Secondary Academy), Tracey Walker (Primary), Katrina Karwacinski (Early Years PVI Sector) and David Thomas (UNISON) (Jennifer Kingaby substituting).

The Chairman welcomed Sangita Dhar from the EFA who was attending the meeting as an observer and Jennifer Kingaby who was substituting for David Thomas as the UNISON representative. It was noted that Chris Hobson would be leaving the meeting at 9.50 am.

88 TO AGREE THE NOTES OF THE MEETING HELD ON 24 OCTOBER 2013

The Forum considered and agreed the notes of the meeting held on 24 October 2013.

89 MATTERS ARISING

Minute 82 – De-Delegation

It was noted that representatives of the secondary maintained sector had decided not to de-delegate the funding for Attendance and Behaviour and EAL services.

Trade Union Facility Time

The Forum was advised that guidance was still being sought from the DFE in relation to Trade Union facility time and it was agreed to defer the matter to the January 2014 meeting.

90 MEMBERSHIP

(i) The Chairman announced that Emma Field would be leaving the Forum and that this would be her last meeting and on behalf of the Forum thanked her for her contributions. It was noted that there would be an election for a new Primary Academy representative.

(ii) The Chairman advised that there were currently the following vacancies for Forum membership:

Representative – Pupil Referral Unit
Governor – Special Schools
Governor – Primary Maintained Sector

It was noted that there had been some interest in the vacancy for a special school governor and that David Allen would be seeking nominations to fill the primary governor vacancy.

(iii) The Forum noted the balance of representation between maintained schools and academies as outlined in Appendix B. The number of representatives should be proportionate to the number of pupils attending maintained schools and academies. The numbers of pupils per representative was approximately 2,000 but was lower for maintained secondary schools because there was both a head teacher and governor rep and also for primary academies because there was one rep for only four academies. It was noted that any Free Schools, UTCs or Studio Schools would be represented by academy representatives.

The Forum agreed to retain the current membership for the time being but keep it under review in the event of further academy conversions.

91 **SCHOOL FORUM GUIDANCE**

The Forum was asked to consider the updated Schools Forums Operational and Good Practice Guidance published by the DFE. A full report was tabled at the meeting. Members of the Forum found the document most informative.

In addition to school representatives, there were non-school representatives for 16-19 providers, Early Years PVI providers and Vulnerable Children. It was noted that there was currently no faith school representation. Mary Pattinson would raise this at a meeting with the diocese. School reps needed to constitute at least 2/3 of the total membership.

The Forum noted that it was compliant with requirements of structure, voting and elections and in the balance of members representing the various groups.

Functions of the Forum

It was noted that the scheme of financial management had not been reviewed for a while and would be re-launched before the start of the new financial year.

Elections would be held at the expiry of members' terms of office (four years).

A copy of the School Forum Powers would be available for reference at future meetings.

The Local Authority could appeal to the DFE if the Schools Forum rejects its proposals.

The Local Authority cannot delegate its decision making powers to School Forums – ie funding formula decisions.

- Regulations state that the local authority must consult the Schools Forum annually in connection with various schools budget functions, namely:
- amendments to the school funding formula, for which the voting is restricted by the exclusion of non-schools members except for PVI representatives
- arrangements for the education of pupils with special educational needs
- arrangements for the use of pupil referral units and the education of children otherwise than at school
- arrangements for early years provision

- administrative arrangements for the allocation of central government grants paid to schools via the local authority

Consultation must take place when a local authority is proposing a contract for supplies and services funded from the Schools Budget and consider the terms of the contract at least one month prior to issue of tenders.

For 2014-15, local authorities will need to discuss with the Schools Forum any proposals to:

- vary the Minimum Funding Guarantee (MFG)
- use exceptional factors
- vary pupil numbers
- allow additional categories of, or spending on, central budgets
- amend the sparsity factor
- vary the lump sum for amalgamating schools
- vary the protection for special schools and special academies
- Proposals will need to be approved by the Secretary of State.

Membership

There is no maximum size of a School Forum. ***The current Havering Schools Forum membership stands at 27.***

School Forum members' needs skills and competencies to manage Forum business and to take a strategic view across the whole education estate and represent the group that elected them. They should also be contactable as well as proactive in raising issues and communicating decisions.

Term of Office

Membership of the Forum ceases when a member resigns his/her office by which he/she became eligible for election or appointment.

School Members

Head teachers can be represented by other senior members of staff within their school. Governors can include interim executive members of an interim executive board.

Election and Nomination of School Members

David Allen would be drawing up a model scheme for the process of elections which should be put on a more formal setting.

The following recommendations for an election process were noted:

- a. the process for collecting names of those wishing to stand for election;
- b. the timescale for notifying all constituents of the election and those standing;

- c. the arrangements for dispatching and receiving ballots;
- d. the arrangements for counting and publicising the results;
- e. any arrangements for unusual circumstances such as only one candidate standing in an election; and
- f. whether existing members can stand for re-election.

Election and Nomination of Academy Members

Academy members must be elected by the proprietor bodies who are best placed to determine the process. ***David Allen would be writing to all Chairs of Governors/Proprietors to request their comments.***

Other Membership Issues

- There are three restrictions placed on who can be a non-schools member of a Schools Forum. The local authority cannot appoint:
 - an elected member of the local authority who is appointed to the executive of that local authority (a lead member/portfolio holder) 'executive members',
 - the Director of Children's Services or any officer employed or engaged to work under the management of the Director of Children's Services, and who does not directly provide education to children (or manage those who do) ('relevant officer' (a) and (b)),
 - other officers with a specific role in management of and/or who advise on funding for schools ('relevant officer' part (c)).

Role of Executive Elected Members

Briefings are held with the Executive members of the Council with regards to Schools Forum business.

Recording the Composition of Schools Forums

A written record detailing members names and numbers of each group represented must be maintained.

Observers

The regulations provide that the Secretary of State can appoint an observer to attend and speak at meet at Forum meetings – eg representatives from the EFA.

It was noted that Trade Unions are currently represented on the Forum as non-school members representing their own trade unions.

Procedures

A meeting is quorate if 40% of the total membership is present excluding observers.

Should the position of the Chair fall vacant, the Forum must decide how long the term of office of the next Chair should be. The period can be of any length however it is not recommended that it is not for too long. It was noted that in Havering the term of office was one year. The Chair must be elected from amongst Forum members. No officer or elected member of the local authority who is a Forum member can be elected as Chair. A Vice-Chair can also be appointed.

Substitutes can attend and vote where appropriate. Arrangements for substitutes must be decided in consultation with Forum members. ***It was agreed to review the current process for named substitutes.***

Proceedings of the Forum are not invalidated by defects in election or appointment of any member or appointment of the Chair. Neither does the existence of a vacancy.

The Forum must meet at least four times a year. ***The Havering Schools Forum meets approximately nine times per year.***

Public Access

School Forums are required to be open to the public and all papers, agendas and minutes are to be publicly available in advance of each meeting. It was noted that the Forum is compliant by publishing dates, times, venues in addition to agendas, papers and minutes on the local authority website.

Working Groups

It was open to School Forums to set up working groups of members to discuss specific issues and can include wider representation. ***The Havering Schools Funding Forum has previously appointed such groups.***

Urgent Business

It is recommended that the local authority agree with its School Forum an urgency procedure to be followed when there is a genuine business need prior to the next scheduled meeting. ***The Forum agreed to decide that urgent business would be conducted by email and telephone.***

It is not legal for the Chair to take a decision on behalf of the Schools Forum no matter how urgent, however, The Forum could put in place a procedure for the Chair to give the local authority a view on such an issue.

Resources of the Schools Forum

The costs of a Schools Forum fall in the centrally retained budget portion of the Schools Block of local authorities. The median budgeted expenditure for 2013-2014 was £24,158. ***It was noted that the Havering Forum costs were £40,000.***

Effective School Forums

The characteristics of the relationship between the local authority and the Forum are outlined as follows:

- Partnership: Having a shared understanding of the priorities, issues and concerns of schools, academies and the local authority.
- Effective Support: The business of the Schools Forum is supported by the local authority in an efficient and professional manner.
- Openness: It is important that a Schools Forum feels it is receiving open, honest and objective advice from its local authority.
- Responsiveness: Local authorities should as far as possible be responsive to requests from their Schools Forums and their members. Schools Forums themselves should also be aware of the resource implications of their requests.
- Strategic view: Members of Schools Forum should consider the needs of the whole of the educational community, rather than using their position on a Schools Forum to advance their own sectional or specific interests.
- Challenge and Scrutiny: Schools Forums may be asked to agree to proposals from their local authority that will have an effect on all schools and academies in the local area. The extent to which Schools Forums can scrutinise and challenge such proposals is an important aspect of their effectiveness.

Induction of New Members

New members should receive inductions materials. ***The Havering Forum currently sends new members the Good Practice Guide, however, it was acknowledged that it may worthwhile developing an induction process.***

Training

Forum members should be able to use some of the budget set aside for running costs for accessing relevant training activities either provided by local authority officers or at national or regional events.

Agenda Setting

An effective process of setting the agenda for a meeting or cycle of meetings. ***Officers advised that the timetable for setting the Havering Forum agendas are set by the requirements of the DFE and the agreement of statutory documents.***

Preparation for a Schools Funding Forum Meeting

Papers for meetings should be concise, informative and produced in a timely manner. ***Havering Forum papers are summarised and issued before each meeting.***

Meeting papers should be of a standard agreed by the Forum.

Papers should be publicly available on a website in advance of the meeting for access by interested parties and for representatives to discuss thus ensuring they are properly briefed. ***The Havering Schools Funding Forum publishes the agenda and papers one week before the meeting.***

School Forums can adopt flexible arrangements for time immediately prior to the meeting either for training purposes or for members who wish to discuss the agenda.

Chairing the Schools Forum

The Chair plays a key role in setting the tone, pace and overall dynamic of the Forum. They should provide an environment where all members are able to contribute fully to the discussions and guide the Forum to making well informed decisions.

The relationship between the Chair and the local authority is vital and the Chair should be clear on the substance of the agenda items and understand the issues involved and the decisions that need to be taken. ***The current Chair and officers of the local authority exchange emails.***

The Chair should represent the views of the Forum back to the local authority and can make suggestions for improvements in the conduct of the Forum's business. The Chair can also defer any agenda item with the support of the Forum if it is felt there is insufficient information to make an informed decision.

The independence of the Schools Forum is paramount and the role of the Chair should not be a paid position. ***Officers confirmed there is no remuneration for the role of Chair.***

Clerking the Schools Forum

It is recommended that consideration be given to utilise an independent clerk. ***Officers confirmed that the clerk is a local authority employee but from Committee Administration in Democratic Services.***

The clerk can:

- provide the route by which Schools Forum members can access further information and co-ordinate communication to Schools Forum members outside of the formal meeting cycle;
- respond to any queries about the business of the Schools Forum from head teachers, governors and others who are not on the Schools Forum themselves;
- be responsible for ensuring contact details of all members are up to date;

- maintain the list of members on the Schools Forum and advise on membership issues in general;
- assist with the co-ordination of nomination/election processes run by the constituent groups;
- keep the Schools Forum website up to date: e.g. by posting latest minutes and papers etc;
- monitor, on a regular basis, the Schools Forum and general Schools Funding section of the Department for Education (DfE) website or the gov.uk website; and arrange for the distribution of any relevant DfE information to Schools Forum members;
- if appropriate, provide technical advice in relation to the Schools Forum regulations and in relation to the operation of a Schools Forum's local constitution;
- organise, operate and record any voting activity of the Schools Forum in line with the provisions of its local constitution

Good Practice for Schools Forums Meetings

The use of nameplates showing which group each member represents is good practice. ***It was agreed to consider this.***

Communication

Communication to the wider educational community of the discussions and debates of the Forum is fundamental. ***It was agreed to reinstate a brief email to all schools, early years providers and other stakeholders after each Forum meeting informing them of discussions with a link to the full papers and minutes.***

The Forum noted the paper and were advised by officers that Schools and Funding Forums were subject to inspection. A peer review was being conducted by way of telephone interviews. The Chairman asked that members contact Mary Pattinson to discuss this further as appropriate.

92 **FREE SCHOOL MEALS FOR KS1 PUPILS**

The Forum were asked to consider the impact of the Government decision to provide free school meals to all Reception, Year 1 and Year 2 children and to disadvantaged students in Further Education colleges and Sixth Form Colleges from September 2014.

Maria Thompson advised that the College facilities would be able to cope with the increased demand.

Concerns were raised by schools members with regard to timetabling mealtimes, costs, the lack of physical space and the effect on Pupil Premiums. It was agreed that there was a need to start planning early for September 2014. It was estimated that there would be a 20% increase in take up in Havering but there was concern over getting parents to register pupils for free school meals and local authorities could not demand that

parents register their children. This would not affect schools until 2015-16. It was agreed that there would need to be a mechanism in place to identify who was entitled to free meals particularly with the introduction of universal credit.

The Chair summarised that the scheme could be difficult to introduce in a non-penalising way and unfunded. Due to the current lack of clarity, it was agreed that the matter be kept as an agenda item for subsequent meetings.

93 **PUPIL PREMIUM**

The Forum noted the Pupil Premium for 2014-2015 as follows:

Primary age pupils	£1,300
Secondary age pupils	£ 935
Looked After Children	£1,900

The criteria for Looked After Children had been extended to include:

Children looked after for one day or more.
Children who have been adopted after leaving care
Children who have left care under a Special Guardianship Order or a Residence Order

Leave care under a Special Guardianship Order or a Residence order.
The Forum noted the full DFE report on Pupils Not Claiming Free School meals, and in particular, the Free School Meals criteria:

- Income Support
- Income-based Job Seekers' Allowance
- Income-related Employment and Support Allowance
- Support under Part VI of the Immigration and Asylum Act 1999
- the Guaranteed element of State Pension Credit
- Child Tax Credit, provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190, as assessed by HMRC
- Children who receive a qualifying benefit in their own right are also entitled to receive FSM.

Families who meet the entitlement criteria outlined above have to register for FSM via schools or LAs. Some LAs have online forms which allow parents to apply quickly through their website. Other LAs will ask parents to complete a hand written form, or ask them to contact their child's school directly. Pupils at Academies apply for free school meals via the Academy. This could be online or by completing an application form.

It was noted that in Havering had a 22% under-registration rate and members discussed ways to reduce this figure. It was mentioned that there is a stigma attached to free school meals and it is that distinction that people worry about. It was also suggested that a good proportion of FSM (Free School Meals) children preferred packed lunches.

The Forum were agreed that there should be a process of validation for FSM that met with standards of good practice

Mary Pattinson stated that data was currently being scrutinised and there were discussions with Public Health relating to this matter. The Forum's comments would be noted.

94 CONSULTATION ON 2014-15 FUNDING CHANGES

A consultation paper had been sent to all schools and academies on school funding changes for 2014-2015 and responses had not as yet been received. The Forum agreed to defer this item to the meeting in January 2014.

95 ESTIMATE OF DSG ALLOCATION FOR 2014-15

The item was deferred as data had not arrived from the DFE.

96 NEXT MEETINGS

It was noted that the next meeting would be held on 16 January 2014. Members would be notified of the venue in due course.

97 ANY OTHER BUSINESS

No other business was raised.

Chairman

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