

SCHOOLS FORUM

PLEASE NOTE TIME OF MEETING

Wednesday 25th September 2019
at 4.00 pm – 6.00 pm

Cantell School
Violet Rd, Southampton, SO16 3GJ

This meeting is open to the public

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Chair and Vice Chair		
John Draper	Head Teacher	Swaythling Primary School
Harry Kutty	Head Teacher	Cantell School
Primary School Representatives		
Julie Swanston	Head Teacher	Woolston Infant School
Mark Sheehan	Head Teacher	Mansbridge Primary School
Peter Howard	Head Teacher	Fairisle Junior School
Amanda Talbot-Jones	Head Teacher	St Denys Primary School
Primary Governor		
Ross Williams	Governor	Mason Moor Primary School
Secondary School Representatives		
<i>Not present</i>		
Special Schools Representatives		
Maria Smyth	Head Teacher	Vermont School
Colin Grant	Governor	Cedar School
Academy Representatives		
Sean Preston	Chief Financial Officer	Hamwic Trust
Lyn Bourne	Executive Head	St Anne's & St George
Observers		
Ben Warner	NEU	
Caryn Simmons	NEU	
SCC Officers		
Derek Wiles	Service Lead, Education	
Clodagh Freeston	Service Manager - Education Strategy, Planning & Improvement, Children & Families	
Nick Persson	Finance Business Partner for Education	
Dyfan Rowlands	Meeting Support (minutes)	

1 WELCOME AND INTRODUCTIONS

The Chair welcomed all to the meeting and the following apologies were in the item below:

2 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)

➤ To note apologies and changes in membership

Apologies were noted as follows:

Rob Sanders	Diocesan Rep
Richard Harris	Governor Rep
Jo Knight	Service Lead - Finance Business Partnering, Strategic Finance & Commercialisation
Cllr Lisa Mitchell	Councillor, Portswood Ward

➤ Members to also sign Register of Interest and Code of Conduct forms ahead of new academic year. New forms to be provided at meeting

Papers were provided to members during the meeting, with members being asked to sign and return these to the Meeting Support Officer as soon as possible.

➤ Members to also vote on election of Chair and Vice Chair for Schools Forum 2019-20

A vote was cast on election of Chair and Vice Chair. Both John Draper and Harry Kutty stood for the roles of Chair and Vice Chair respectively. Result of vote is as follows:

For: 8

Against: 0

Abstentions: 0

Result: Vote Carried – John Draper and Harry Kutty nominated as Chair and Vice Chair of Schools Forum for academic year

3 MINUTES OF PREVIOUS MEETING – 26th June 2019

The minutes were reviewed for accuracy. SP noted that he would look at the minutes in further detail outside of the meeting and send feedback onto the Meeting Support Officer for amendment.

Update: Changes made to previous minutes as per SP's comments

4 DECLARATIONS OF INTEREST

None raised

5 TEACHERS' PAY INCREASE 2019

DW outlined that LA has agreed to pass on full amount to schools as per guidance, with model policy contained within report pack. This has been backdated to 1st September, with clarity to be received in the middle of October as to how much. DW added that full amount is being met by the LA of 2.75%.

6 STANDING ITEM: LA UPDATE ON DFE/EFA FUNDING ANNOUNCEMENTS

NP reported that ordinarily figures would have been received by now from the DfE regarding funding for next year. An announcement is expected in October, with finalised figures to be released in December. Headline had been released by DfE that £14bn shall be added to schools funding between 2020-21 to 2022-23 with £2.6bn allocated next year, £4.8bn in 2021-22 and £7.1bn for 2022-23. SP advised, however, that when pensions, NQT salaries, among other aspects, are taken into account then it is likely that Southampton itself will not benefit from a great sum of money. Furthermore, thus far, there is insufficient data as yet on what Southampton specifically will receive from this financial input. NP confirmed that in line with the SF agreement last year to adopt full NFF, the plan this year will be to continue to use NFF factors for the calculation of Individual

School Budgets. Therefore, there will be no requirement to provide financial modelling of alternative options.

MaSh further queried the 14bn tagline proposed by the Prime Minister, given that, in reality, the 14bn is merely 7bn duplicated, and constitutes an error from central government. Furthermore, this £7bn would equate to £4.8bn in real terms

SP reported further that the government have announced principles from which funding will be distributed. No cap shall be applied on gains, therefore, where gap exists of 6.9% on gains, this will be removed. Should a 20% gain be achieved, that school will receive 20% and will be relative. Furthermore, MPPF levels are to be increased, amounting to £5k for secondary schools. This will be implemented from 2021 onwards, however it is at present unclear as to how many schools would fall under this MPPF level. This will follow funding formula from ESFA and a transfer to High Needs Block will also need to be considered.

NP informed that the NFF factors may change slightly from the previous year, however these shall be applied as they come in. NP also noted that £700m additional funding shall be provided Nationally for High Needs. Further data, if available, around this shall be presented at the next Schools Forum meeting. NP highlighted, however, that the limited information received as yet from the DfE combined with the compressed timescales for implementation will-mean that the calculation of Individual School Budget shares will need to be completed within a reduced timeframe.

7 SCHOOLS' GROWTH OVER PAN

NP noted that calculations based on growth funding were discussed at the previous SF meeting. At time of carrying out calculations, the school number over PAN would lead to top slicing of £126,700 for 2019/20. This does not include growth funding payments for schools growth increases between 1-7. At the previous SF meeting it was agreed that this item would be reviewed at this Schools Forum.-It was agreed to carry this decision forward due to a lack of secondary school representation at the meeting to provide a meaningful vote.

SP requested numbers over PAN. CF responded that she holds current data of number on roll, however this would be different to number agreed due to appeals and number of students not walking through school doors. CF questioned whether schools agreeing to take additional children are continuing to abide by the number agreed. CF provided an example of a school in the city who did not need to take on additional pupils, with a PAN of 180 and the amount of children through school doors standing at 159: this, however, does not rule out the possibility for further allocations for this school. Furthermore, CF named another secondary school who had agreed to take on 217, with current number on roll standing at 216. Question, therefore, is whether this school will manage this number back down to 210.

CF added that due to the numbers for schools continually changing, it is near impossible to firm a deadline to make choice on how to fund growth.

RW noted that it would be most logical to agree on the first date of census. Furthermore, as schools will want to get children into censuses for 2020 funding, it must be considered how many children in the city have not been taken on by the consensus and, importantly, where these children will go. Additionally, RW posed as to what point funding is determined for those schools. SP recommended that a line should be drawn and that growth and funding should be based on something tangible. He added that there is sufficient time to distribute funding and make choices. The Chair noted that it would appear to be sensible that the census date would be an apt point to capture data.

CG posed as to how many appeals are pending at present. CF confirmed that all appeals have been heard, however this does not mitigate the chance that more may be coming the LA's way. RW reminded that in the previous meeting it was agreed that differentiation would be actioned between successful appellants and those children that are placed in schools over and above what is considered the school's capacity. CF noted that some schools in the city who take on additional children will customarily do so. LB raised that these schools will do so because of fluid population, and will over-offer to ensure that they are full in September.

CF stated that schools offering over PAN is allowed, however offering under PAN is not. HK raised that, previously, some schools over-offering has meant that children have come from other schools before the October census. HK elaborated that some children who had begun on his school's roll have since moved on and been on waiting lists of other schools who have over-offered. HK affirmed that the needs of the children in the city must be considered before the needs of the LA. SP noted that growth would only apply to the number of pupils the schools have been asked to take, not the difference between PAN.

LB reminded that there is additional cost on accepting additional pupils, with her school having agreed to take additional children over and above what the school itself can provide resources for. LB said that if the school had thought that there was insufficient financial backing to provide for these extra children, then they may have been reluctant to accept them in the first place. With classes arranged for 30 students, an additional student per class would supersede the school's resources. MS reminded further that this is not solely an issue which afflicts secondary schools, with some classes exceeding 30 in KS2 classes and primaries have never been given growth funding to manage this.

JD noted that time has been spent already agreeing the formula, and that the next step should focus on agreeing policy and definition, so that schools are aware of what pupils do and do not attract growth funding. DW added that if a school has had a historically operational PAN, only those above operational PAN should be funded for extra places. Furthermore, in cases

where this is historic, it is clear that these schools have coped with this over a number of years.

SP reminded that the lack of funding for schools within the 1-7 band is due for further discussion. CF provided the names of three schools across the city who had been asked to take between 1-7 additional pupils. SP estimated that a ballpark figure per school in this scenario would equate to £10k. RW stated that there would appear to be a distinction between the normal working of LA and schools, with a situation here there is a large number of children who need to be offered school places. The LA can only achieve this by asking schools to take a large number of children. RW reminded further that when primary schools were asked to take an extra class, they were funded for this. PH affirmed, however, that as there are more primary schools within the city than secondaries, there will be less secondaries to ask to be over-number. PH further stated that his primary has not received growth funding for his class sizes, which include class sizes of 33 and 34. CF stated that the model for primaries was around infant class size and the cost of a teacher. RW reminded that the increase to PAN was for 30 children to accommodate infant school move to junior school, which was funded. Those schools, however, who did not take children into reception class benefitted very well during those years.

HK clarified that his school has increased intake to 242 from 230 which, if done on a year on year basis, would mean that the school would only be funded for 2 additional pupils. HK questioned whether this had been made clear in earlier conversations regarding this. CF responded that in relation to schools and operational PAN, any school opting to take on additional children in the first year will not receive funding. However, if this is occurring year on year then funding shall be provided for those children. HK further posed whether it was made clear to all schools that if schools wish to take additional pupils, the calculation is made with what actual PAN is versus operational PAN. CF confirmed that draft policy was created before such discussions had taken place, and added that two secondary schools in the city agreed to take additional children before National Offer Day – all other schools agreed after this date. CF also highlighted that there are schools within the city who are not eligible for growth funding, however have experienced great growth – one example of this being a secondary school taking on 100 extra children. The LA are, however, supporting this particular school with this.

SP emphasised that anything which is decided upon now will need to be followed through each phase, and will in turn have year on year ramifications. Furthermore, money will come from schools funding next year (from every school budget), and this will need to be considered also. RW raised that in the case of HK's school, if 240 children are being taken on over 5 years, with 240 leaving in July and 240 gained in September, then this school will experience no loss in funding. RW emphasised that it is the extra children that need to be funded. LB corroborated this, adding that the argument must focus on the additional pupils taken over PAN rather than the entire amount of pupils taken. LB added that when margins are smooth, this makes a considerable difference.

RW posed as to what is being done about those children are not currently in school. CF responded that LA colleagues are in discussion with the LA's Legal Team around next steps for these pupils. The families in question have had 2 statutory offers to date, and a decision must now be made on whether to LA wishes to pursue legal action. DW confirmed that the LA are pursuing the families intently, with one head teacher having worked very hard to engage with these parents with no success. CF noted that the numbers are small (8 pupils), however stand at more than what the LA had previously had to pursue legal action with.

A vote was cast on whether the lack of funding for 1-7 band over PAN should be revisited:

For: 4
Against: 4
Abstentions: 0

With the deciding vote, the Chair outlined that the sensible course of action would be to wait beyond the October census to gauge the status of offers and revisit this again when Schools Forum is better represented by secondary school reps. SP recommended that it should also be discussed whether a 'line in the sand' should be drawn for pupils physically attending school as of October census. JD requested that it is made clear in financial reports that growth funding is based on Operational PAN. NP confirmed that he would do this **(ACTION)**.

Actions agreed:

- **NP to clarify in financial report that growth funding is based on Operational PAN**

7.1 - Surplus and Deficit Policy – Outcome of Consultation

NP outlined that the first head teacher's statement in the finance report relates to PFI schools and a request for PFI schools to carry plus 1-9%, partly due to high bearance in costs. MS queried wither this would constitute 1% above 8%. NP confirmed that this was the case. LB noted that it may be valuable revisiting what SRMA's advice is on this area. DW stated that the LA had put forward that this would be 10% for primaries and 8% for secondaries, with suggestion for PFI schools that this 8% increases to 9%. DW added that it would be very unlikely that a school would get into a position where the LA has to engage clawback, and that a policy will need to be agreed on this. HK emphasised that there are many reasons why schools will carry foerwa4rd a surplus and equally there will be some non-ethnical reasons why schools are carrying these forward.

A vote was cast on whether 1% PFI surplus increase to 9% as opposed to 8% should be agreed. Vote for maintained school representatives only:

For: 5
Against: 0
Abstentions: 0

Result: Vote Carried

NP: Consultation feedback: School queried whether, in cases where schools have a plan to use the surplus, this would have to be on capital project or can this instead be used for non-capital purposes: this for example including staffing, training, expenditure to develop, etc. It was further emphasised that research highlights the beneficial outcomes that good quality individuals have on children. The Chair agreed that this ongoing commitment will provide sustainable outcomes, whereas a capital project would constitute a one-off cost. Non capital expenditure with a one off cost would be an acceptable use of a surplus. SP noted that if a schools knows that it will experience growth above its allowed 9%, it would be logical for that school to hold reserve back. SP added further that it would appear that policy follows guidance. The Chair stated that appears to be no compelling reason, therefore, for members to vote on this but the wording in the policy will be amended to allow for one off non-capital spend being also acceptable use of surplus funding.

NP: Consultation feedback: School queried whether there would be value in stating in the finance document the awareness of nationally agreed current funding crisis in schools and the impact on schools deficits. RW noted that this is on the assumption that leniency is shown to schools with large deficits. SP responded that this is most likely self-evident, and there would be little point in incorporating this in. Therefore, the policy will not include this additional wording.

NP: Consultation feedback: School queried whether it would useful to add an explanation within the report regarding how clawback from LA shall be spent. The Chair responded that it was his understanding that this would go into general schools pot for the next financial year. MS posed as to whether any money has been taken from school to go to High Needs. NP responded that this will require a vote at the next SF.

NP: Consultation feedback: School queried that the policy stated that it is does, at present, state in the policy how often schools can expect deficit to be monitored. Each school with a deficit will have their own particular issues, and thus this is difficult to standardise. DW noted that this would depends on how the school in question addresses their deficit and their willingness to work with the LA. Should a school have their own plan which they are working to, then involvement from the LA shall not be severe. MS recommended that the word 'proportionate' be incorporated within the policy.

NP: Consultation feedback: School queried as to whether training would be required for an appropriately deemed governor to chair a financing committee. NP noted that if guidance training is required, the LA would support this. SP informed that it is outlined in the policy plan that this would

be agreed by governors. Therefore, it would be more appropriate to have a governing body chair the committee rather than an individual. RW corroborated this, adding that governors would naturally be responsible for their training. NP therefore stated that he would amend wording so that any deficit plan is approved by governors.

NP confirmed that would take on board feedback from the consultation and make amendments before circulating this **(ACTION)**. The Chair queried whether this would come into force in the current financial year or the next. DW stated that this would be for the next financial year, with the LA addressing deficits.

NP further stated that the SFVS has been updated for 2019/20, which should prove helpful in analysing a schools financial position.

NP informed that Business World will go live on October, including new cost centre and account codes. NP informed that the SBS system will continue this year but plans are in place to incorporate this into Business World from April 2020. NP stated that schools' approval process may change slightly, however this is not suspected to be an issue. PH queried as to whether there was an update with regards to FPOS machines for school reception and counters for card payments. NP agreed he would identify a contact in relation to this query **(ACTION)**.

NP noted that school payroll was handed over to Capita Carlisle this year, however it is hoped that Southampton shall be offered an SCC payroll provision from April next year. MS stated, however, that this would need to be presented before Christmas as the process itself would normally take 3-4 months.

Actions Agreed:

- **NP to make relevant adjustments to Surplus and Deficit Policy document before wider circulation**

8 HIGH NEEDS SPENDING

DW noted that there had been a previous request that this was to be brought back and assessed in detail, particularly as regards what the money shall be spent on as a precursor to discussion around topslicing for high needs. MaSm raised that some years ago, a very detailed list of what went into High Needs Block was brought to forum which would need to be revisited. MaSm agreed to try and locate a copy of the document she was referring to and forward to NP **(ACTION)**. SP raised that at the last meeting he had requested an update on what the forecast deficit is in High Needs Block in 2020. NP responded that the figure in the current year stands at £4m, with £1m being brought forward as deficit in HNB.

RW posed whether there was any possibility of benchmarking against other LAs. SP responded that both Bournemouth and Christchurch brought forward more detailed plans than Southampton, with easier comparison to be drawn between HCP funding and special school funding. NP stated that there existed additional pressures resulting from the late announcement of next year's funding and the need to provide allocations to schools in a much shorter timeframe to provide additional resources to carry out such extensive research. SP affirmed, however, that if money is to be transferred into HNB then sufficient explanation needs to be provided as a significant transfer from Schools Block will be required.

PH believed, however, that there was no requirement this year to transfer money as this was going to balance. SP noted, however, that nationally there has been an increased demand for HNF. NP added that much of last year's High Needs pressure had been mitigated by additional monies and constituted a one-off occasion. The issue arose again, with an annual pressure increase. The Chair said that last year it had been agreed to adopt NFF which constituted a large consultation exercise, thereby perhaps reducing the need to perform this again this year. SP stated that he believed that this was going to be followed and that there should be little consultation on this approach again. SP added that this is a big factor that will likely come up in the next couple of months. AT raised that all schools should have received a lot more funding however a cap of 3% restricted this, when 8% should have been granted instead and the cap lifted. SP responded that this all concerns the NFF cap on gains, adding that when Paul Atkins presented this the previous year it was believed that Southampton should have received more: however, this was clawed back, with insufficient money available in the first instance. SP noted that it is not surprising that overspend has occurred as demand is extremely high.

SP recommended that a table with budget, containing forecast outturn adjacent to it, be drafted which will outline where deficit is coming from. The Chair added that Southampton was one of the few LAs across the country that chose not to topslice from Schools Block last year, and members need to be clear on jurisdiction for this and discuss this matter further with colleagues. NP advised that for benchmarking to occur, discussion needs to take place on criteria as different LAs can provide different results. SP opined that this may not be relevant at present, as there is little point benchmarking until further details are made clear and outturn is confirmed. The Chair requested that SP and NP liaise further with each other to progress this further **(ACTION)**.

MaSh posed whether any free schools have come forward to propose the construction of new free special schools. MaSh further asked the LA whether there were implications in relation to a possible free school pupil referral unit, as the LA would fund places at this school after a certain period. SP noted that if a child cannot be placed in alternative provision when required, this would have to be sought out of county instead. DW confirmed that the LA are not aware of any potential plans in relation to this.

Actions Agreed:

- **SP and NP to liaise further to confirm details/outturn on High Needs Spending and look into possible further benchmarking**

9 SEND FUNDING CHANGES

DW raised that until further clarity is achieved in relation to this, this will form an agenda item at the next Schools Forum meeting (**ACTION**).

Actions Agreed:

- **SEND Funding Changes to form agenda item at next Schools Forum Meeting**

10 CLOSING REMARKS AND DATE OF NEXT MEETING

CHAIR'S CORRESPONDENCE:

10.1 Diocesan Representation

The Chair reminded that the previous meeting it had been agreed to create a place for a Diocesan Rep at Schools Forum which was filled by Robert Sanders of the Anglican Diocese. Legislation dictates that representatives should be considered from the Anglican Diocese, Roman Catholic Diocese and any other faith schools with a religious character within the LA. It is therefore the LA's responsibility to decide who is placed on Schools Forum. LB had suggested that Schools Forum should contain a bishop representative on behalf of the Roman Catholic Diocese. DW noted that, according to guidance, as a potential additional non-schools member the bishop himself should be contacting the LA to explain their reasoning behind wishing to apply for Schools Forum membership.

10.2 Unions Letter

The Chair reminded that, as discussed this year, maintained primary schools are topsliced, and are dedelegated to fund this pot. Maintained secondaries have chosen not to and academies choose whether or not they wish to buy into this in the form of an SLA. The Chair alluded to a letter sent by three unions, and implored members to read this letter and think about the content within prior to funding meeting to take place at Schools Forum in January.

LB stated that information is required about statutory nature of presentation. Secondary schools were seemingly not aware that a member of their staff could be on union and the school would be obliged to provide leave to that member all year round. DW informed that he is due to meet with unions within the next few days to discuss funding in relation to this. DW outlined

that it is his understanding that if the representative is attending a school that pays into the fund, then leave can be granted during school time, with money recouped from Central Pot. If school does not pay into this, leave would be granted outside of school time or a regional representative will have to be contacted. LB stated, however, that this is not the advice that she has been told, and that it is her understanding that schools are obliged to provide this leave to their staff. This advice having been given by an independent lawyer. DW confirmed that he would raise this with the unions during his meeting and report back. DW also requested that LB forward a copy of this guidance onto him **(ACTION)**.

Actions Agreed:

- **DW to raise query regarding union representative leave at unions meeting**
- **LB to forward DW a copy of her independent legal guidance on the above**

10.3 Schools Funding

MaSh raised significant concerns in relation to the proposed £14bn schools funding by central government, and may form a potential item at the next Schools Forum meeting. MaSh outlined that he is particularly worried that most of the money promised will be provided to the schools that require it the least and are the least disadvantaged. On average, these schools will receive £60k a head whereas the most deprived schools will receive nothing. Furthermore, grammar schools across the country shall receive £130 each. MaSh further informed that Southampton secondary schools are the 2nd worst performing on average at GCSE, with disadvantaged groups in Southampton constituting the 3rd worst performing group in the county. MaSh questioned what can be done to protect schools that are less advantaged.

SP stated that in least deprived schools receiving larger gains, an argument could be that these schools have been historically underfunded. SP said, however, that until the government changes its protocol with regards to this then there is little that can be done. SP advised that the first steps towards shared NFF is to say that minimum PPF levels are not allowed to be changed at LA level, with disapplication request only able to be made directly to DfE under exceptional circumstances. Therefore, nothing can be adjusted without DfE approval. SP clarified that if the PPF level cannot be modified, then the formula to take money from more advantaged schools can also not be modified to allow redistribution. If 20 schools in the city are below this level who are the least deprived, any redistribution of funding to more disadvantaged schools would not be able to come from less disadvantaged schools.

The Chair posed whether MaSh would be content in drafting a proposal on NFF for the next Schools Forum meeting. SP added that this would be beneficial, particularly to be discussed as regards transfer to High Needs



Block also. HK noted that it would be good to distribute the article which MaSh has presented **(ACTION)**, and that the profile of this issue should be raised in Southampton and beyond. MaSh confirmed also that he was willing to talk the media also about this, along with MPs and councillors also. The Chair confirmed that this issue shall be considered further around High Needs Block discussion at next Schools Forum meeting **(ACTION)**.

Actions Agreed:

- **MaSh to distribute article to Schools Forum members**
- **Schools Funding issue above to be brought up at future Schools Forum meeting under High Needs Block discussion item**

Next Meeting:

Wednesday 20th November 2019 - TBC

3:30pm for 4:00pm start

Venue: TBC