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NOTICE OF MEETING

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SCHOOLS FORUM

will meet on

THURSDAY, 17TH JANUARY, 2019

At 2.00 pm

in the

ASCOT AND BRAY - TOWN HALL, MAIDENHEAD.

TO: MEMBERS OF THE SCHOOLS FORUM

HEADTEACHER REPRESENTATIVES: ISABEL COOKE, RICHARD PILGRIM, HELEN MCHALE, ALISON PENNY, JOOLZ SCARLETT, MIKE WALLACE, CHRIS TOMES, AMANDA HOUGH, STEPHEN MCCORMAC FRANCES WALSH, SARAH COTTLE, ALISON PENNY AND MARTIN TINSLEY.

GOVERNOR REPRESENTATIVES: HUGH BOULTER AND JO HASWELL

NON-SCHOOL REPRESENTATIVES: ANNE ENTWISTLE

Karen Shepherd – Service Lead, Governance - Issued: 2 January 2019

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Wendy Binmore 01628 796251**

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AGENDA

PART I

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2.	<u>DECLARATIONS OF INTEREST</u> To receive any Declarations of Interest.	5 - 6
3.	<u>MINUTES</u> To confirm the minutes from the previous meeting.	7 - 12
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6.	<u>REPORTING ON THE RESULTS: CONSULTATION ON CHANGES TO EARLY YEARS DEPRIVATION FUNDING 2019/20</u> To receive the above report.	47 - 52
7.	<u>DEDICATED SCHOOLS GRANT INDICATIVE SETTLEMENT 2019/20</u> To receive the above report.	To Follow
8.	<u>WINDSOR SCHOOL PLACES FALLING ROLLS</u> To receive the above reports.	To Follow

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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Agenda Item 3

SCHOOLS FORUM

TUESDAY, 20 NOVEMBER 2018

PRESENT: Hugh Boulter, Isabel Cooke, Sarah Cottle, Amanda Dean, Anne Entwistle, Jo Haswell, Richard Pilgrim, Joolz Scarlett, Nick Stevens, Martin Tinsley (Chairman), Chris Tomes, Michael Wallace

Officers: Kevin McDaniel, James Norris, Tracey Anne- Nevitt and Nabihah Hassan-Farooq

APOLOGIES FOR ABSENCE

Apologies for absence were received by Jo Haswell. Members of the forum were informed that Jo Haswell had resigned and that Steve McCormack would be in attendance moving forward.

DECLARATIONS OF INTEREST

None.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on the 27th September be approved.

Actions from previous minutes:

ACTION- That James Norris, Head of Finance (AfC) recirculate details of the updated membership list Schools Forum to members.

ACTION- That Kevin McDaniel update the Forum on the progress of the Rolls Fund in Windsor and provide an update on Consultation Options- Braywick.

ACTION- That Kevin McDaniel chase the response to the letter sent to the Department for Education on behalf of the Schools Forum

WELLBEING TEAM AND BEHAVIOUR SUPPORT TEAM FUTURE PLANNING

Rebecca Askew, Senior Educational Psychologist outlined the above titled item. The purpose of the report was to provide the Schools Forum with the forecasted costs and income for the Behaviour Support Team and Wellbeing Team 2018/19; to provide a SWOT analysis to compare and contrast options for the future directions of the Behaviour Support Team to include retain both the Wellbeing Team and Behaviour Support Team; retain the Wellbeing Team and Nurture Programme; retain the Wellbeing Team; cease both the Wellbeing Team and Behaviour Support Team.

The Wellbeing Team had been set up in response to increased concerns regarding mental health and wellbeing of children and young people (C&YP) and was specifically identified by school audits as an area of need. Members were told that the team had been set up as a three year programme to focus on C & YP mental health and wellbeing. The forum were told that the Wellbeing Team produced an annual evaluation report which outlined the year's outputs, positive impact and feedback received in relation to individuals, groups and whole school interventions. The forum were informed that the running costs of the Wellbeing team was £135,000 per annum including £15,000 per annum from social care for the delivery of cognitive behavioural therapy (CBT) for 0.4 FTE. The Forum were told that the Behaviour Support Team costs £105,097 per annum to run equivalent to 3.2 FTE.

The SWOT analysis looked at retention of both teams and how the nurture team could be run independently by psychology psychiatrists. There had been 158 individual referrals last year and 54 early help hub referrals. 39 schools had been supported and the Behaviour Support Team was currently active in 31 schools. The largest number of interventions fell under the nurture category, and ten new schools had engaged in the nurture programme. There had been a slight reduction in the buy in for support packages, however there had been an increase in the number of private schools who had approached the service wishing to sign up. Options for both retaining the service and ceasing the services were outlined (full details as outlined in the report).

Members of the forum were reminded that other local authorities had different structures and that there were different funding pressures nationally. It was highlighted that there was a high demand for the Behavioural Support Team and Wellbeing Team within RBWM and it was noted that there was some limitation to the scope of interventions due to the demand. The services had seen a high number of referrals and the small teams had to work creatively and innovatively to provide the best outcomes. Some of the creative solutions included group work, staff training and parent training. Members were informed that bids for additional work could be prepared but that there would be limited success as innovation beyond daily provisions would need to be evidence based.

Currently the Wellbeing and Nurture Champions were in the early phases of planning and would be rolled out across the borough once developed. There was future potential to sell this to other Boroughs. There had been good multi agency work through the Andy Clinic via the CCG and CBT work around depression. Threats were outlined and included financial pressures, similar intervention offerings by other providers, quicker interventions and delays with intervention work commencing. Strengths were outlined to include that the service was highly regarded and valued, evidence based practice and good collation of data. It was highlighted that anxiety was the most ticked risk factor, with 420 ticks for anxiety compared to 36 for alcohol misuse and peer difficulties.

Nurture UK worked closely with the services and provided training and support, however they did not provide localised networking opportunities. It was outlined that a robust programme was offered and that the cost of external training and online product from Nurture UK was £2,000. Members discussed the long referral waiting times for C &YP and it was confirmed that this was due to there being 1 therapist dedicated to play, creative arts and DP therapies. Members were told that there were alternative therapies available such as Lego and play therapy, but that these were not as effective as Nurture based therapies. Schools were not currently offering DDT therapies and the borough was at an advantage by being able to provide this service; members were advised that this may be advanced in the green paper which would be available over the upcoming months. At the conclusion of the presentation, members discussed a range of issues. Members thanked Rebecca and her team for their ongoing hard work and commitment. It was highlighted that work around exam anxiety had been done and that it would be useful to see the tangible recommendations of the report conducted.

ACTION- That the final report upon exam anxiety be circulated to members of the Forum.

It was discussed that early years interventions must be time limited and provide value for money and to improve on standardised measures to evaluate outcomes. The Forum discussed creative ways to acquire funding and ways in which the service could be kept. It was reported that there were 17 schools and there had been a decline in the number of signed up schools. The Forum were reminded that the services did not exist two years ago and that there had been a dramatic shift away from children's centres and that the new model had been adopted. There had been smaller net costs of £15,276 (which were reported at a recent meeting with finance), and that for 2019/2020 the Wellbeing Team service would need £120,000 to continue and it was confirmed that this was not part of de-delegation. The Wellbeing Team were 100% funded by the DSG but that there was no further funds to support

this for 2019/2020. Members discussed funding outside of the DSG and it was confirmed that there were limited funding opportunities for the Wellbeing Team, but that opportunities existed for the Behaviour Support Team through the CCG and smaller project funding sources. The Forum were reminded that both services had been a three year project and whether another piece of work should be commissioned to look at the high levels of demand and any shortfalls in service. Members were concerned with the expected increase of complex needs cases and increased waiting lists for interventions. Kevin McDaniel stated that there were opportunities within East Berkshire of up to £1m for mental health and wellbeing services for children. Members were minded to retain the services for a year and to then review progress. Members were told that the CCG for East Berkshire were looking to pool resources and that if this was acquired that there would be a need to re-assess the position as there could be potential to double the value.

RESOLVED UNANIMOUSLY; That the Wellbeing Team and Behaviour Support Team services continue to be funded for the period of 1 year.

RECOMMENDED ACTION- That the evaluation reports be updated on the online portal.

BUDGET MONITORING AND FORECAST 2018/19

James Norris, Head of Finance (AFC), outlined the above titled report. The purpose of the report was to provide the Forum with details of the projected financial position for 2018/19 with associated schedule of risks & opportunities; projected reserve balance (as at 31st March 2019) and an understanding of the financial pressures. Members were told that the current DSG budget for 2018/19 is £62,686,000 which reflected the following in year budget adjustments totalling a net reduction of £502,000. The adjustments included the Early Years Block 3 & 4 year old reduced allocation of £779,000 and the High Needs Block additional allocation of £277,000. The current projected net in year deficit was calculated at £391,000 with a net adverse movement of £26,000 to the previously reported position. The Forum were told that the material in year variances consisted of the following:

- High Needs top-up funding- £436,000
- Special School top up and place funding- increase of £352,000
- Early Years 2017/18 unallocated PVI and maintained provider funding of (£258,000)
- Contingency provision greater challenge resulting in reduced allocations of (£97,000)
- Inclusion Fund first term lower take up (£45,000)
- Sensory Consortium Service (£20,000)
- Other minor variances (£23,000)(net)

It was outlined that the net overspend would be an added pressure on the dedicated schools grant reserve; which as at 31st March 2018 there was a deficit of £1,212,000; the revised projected deficit as at 31st March 2019 had increased by £391,000 to £1,603,000. This figure of £1,603,000 excluded the risk and opportunities register net balance of £303,000 overspend, there the projected reserve balance as at 31st March 2019 could increase to £1,906,000. Members discussed the call for bids and it was noted that the deadline would be January 2019 and that bids could take some time to come through. Members were keen to hear finer details in relation to the cost reduction programme and it was noted that an update would be provided at the April 2019 meeting. The Forum were informed that targeted interventions would mitigate future cost implications.

RESOLVED UNANIMOUSLY; That the Forum noted the contents of the report which included the reported variance, schedule of Risks & Opportunities and the projected deficit balance carried forward as at 31st March 2019.

CONSULTATION ON CHANGES TO EARLY YEARS DEPRIVATION FUNDING

2019/20

Clive Haines, Schools Leadership Development Manager outlined the above titled report. It was stated that the department provided local authorities with six relevant funding streams which formed the Early Years Block of the Dedicated Schools Grant (DSG). Members of the Forum were told that for the past two years that the Early Years Block had been underspent due to fewer children attending placements compared to the 100% forecast level of grant. This had resulted in a clawback by the Department for Education. For the same period, there had been a further underspend of £192,000 and £258,000 respectively, driven by the formula allocations via the supplements to providers. Members were told that in order to give Early Years providers the maximum available funding, there was a proposed consultation to look at changing the formula allocation on the early years universal entitlement for three and four years (one of the six funding streams). It was highlighted that consulted options focussed on; introducing category 3 from the ACORN data and increasing the deprivation rate by 18% or increasing the base hourly rate by 0.82%. The Forum were informed that the changes to the formula would result in an additional allocation of £200,000 to settings and schools. The revised model would allow for an increased allocation to be implemented in 2019/2020. The deprivation budget would increase from £158,600 to £358,600. Current methodology for allocated funding through ACORN bands 4&5 targets 67% of all settings and 26% of all pupils.

Members discussed the time period for consultation and it was confirmed that the consultation would conclude in early January 2019.

RESOLVED UNANIMOUSLY; That the Schools Forum approved the consultation as set out in Appendix A of the Consultation on Changes to Early Years Deprivation Funding 2019-2020.

SCHOOL FUNDING 2018/19 CONSULTATION RESULTS

James Norris, Head of Finance (AFC) outlined the above titled report. Members were reminded that at the Schools Forum meeting held on the 27th September 2018 that it was agreed that a consultation would be undertaken on the principles relating to a number of formula factors that would impact on the Schools Budget allocation, funding formula for 2019/2020 and migration towards the National Funding Formula. It had been agreed that consultation with schools would strive for minimum volatility for the financial year 2019/2020. Members were informed that model 1 was focussed on targeting funding towards local priorities of deprivation whilst model 2 prioritised continued migration towards NFF rates. Key points of the consultation results were outlined as follows:

- Strong support for the principle of reduced volatility in funding by not migrating fully to NFF unit rates in 2019-2020, (78% of schools shared this viewpoint and had 63% weighted pupils).
- Clear support for the principle of targeting funding to the local priorities of Deprivation and Inclusion. The targeted approach was supported by 72% of schools (74% weighted pupils)
- Responses had shown continued support for the current level of funding through the primary low prior attainment being maintained in order to minimise volatility with 83% of schools (78% weighted pupils)
- Model 2 had been the preferred model of choice by 61% of schools, all of which were in the primary sector, representing 38% of pupils. One primary and all six secondary schools preference was for model 1 (62% weighted pupils)
- The majority of schools 89% (72% weighted pupils) agreed that the minimum per pupil factors be retained at the 2018-19 level in order to protect volatility and distribute the funding direct to the main formula factors.

It was outlined that comments from schools (outlined in the written report) indicated a preference for Model 1 which allocated resources in line with deprivation and inclusion measures. It was highlighted however that more schools had chosen model 2 as their preference which appeared to be related to the lump sum factor. There had also been a split

response to whether any “headroom” funding resulted from the final settlement to be allocated to Low Prior attainment. There had been 44% responses in favour of this treatment of “headroom” and 44% against (35% and 57% weighted pupils respectively). It was reported that by sector primary schools responded with 50% in favour compared with 33% of secondary schools. There had been a similar mixed response to whether an amount of “headroom” funding resulting from the final settlement should be allocated to AWPU. There had been 56% responses in favour of this treatment of “headroom” and 39% against (62% and 35% weighted pupils respectively)

After extensive debate about the different options, Forum voted on the models and a majority supported Model 1 – the principle based model. The Director of Children’s Services indicated that the local authority would follow this guidance from the Forum when making their decision.

At the conclusion of the discussion, members of the forum discussed whether the data sets shown could positively identify the school or provide further details for the schools to self-identify. It was noted that schools should be directed by principle as opposed to naming individual schools.

RESOLVED; That the forum noted the recommendation to adopt model 2 and guided the LA that model 1 is preferred. The forum noted and supported the proposal that any headroom would be distributed equally between Low Prior attainment and AWPU and approved the annual growth Fund allocation.

It was recommended by the Director of Children’s Services and the Head of Finance (AFC) that an element of the Growth Fund headroom be used to support the significant financial pressures currently being experienced by Cheapside Church of England Primary School following their recent school expansion. Members were informed that the school had to expand from 16 to 30 places across all year groups simultaneously thus increasing the school’s capacity from four vertically grouped classes to a 7 class single year group primary one phase. The school had worked proactively and had been fully staffed from September 2017 with all seven classes in place to meet the incremental demand of places. The forum were told that pupil numbers had been much higher than expected, beginning with 108 at the end of July 2017 and that currently they were at 190 with 20 spaces present. It was outlined that the current deficit position of the school was £210,000 for 2018/19. It was highlighted that based on the current and indicative future pupils number projections the school had forecasted that the total deficit could rise to £250,000 before the school numbers stabilised and when budgets were balanced. It was reported that the deficit balance was a risk to the school’s block and that it was recommended that the headroom in the growth fund be used to create a ring fenced reserve for the Cheapside expansion which could be used to make good the elements of deficit which related directly to the unusual and sudden expansion of the school. It was noted that the funding would be ring fenced for up to five years with an agreed contribution between the school, their governing body and the Local Authority on an annual basis.

Members were informed that the Growth fund of £426,000 was good news and that the total potential of the growth fund was approximately £800,000. Members had sympathy for the school and the amounting pressures and were supportive of the recommendation to approve the funding to be delegated as managed budget to Cheapside Primary School.

RESOLVED UNANIMOUSLY; That the forum approved the allocation of a reserved fund to support Cheapside school’s “all at once” expansion.

AOB

ACTION- That the number of falling rolls in Windsor be added to the next meeting’s agenda.

Kevin McDaniel, Director of Children’s services outlined that the September Cabinet report outlining the falling roll projections estimated that there would be a further implication on future roll numbers and that the increased provision of housing developments that excess pressure would be placed upon schools. The future impact to all schools and the deficit with budget pressures was noted by all.

The meeting, which began at 2.00 pm, finished at 3.44 pm

CHAIRMAN.....

DATE.....

Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD SCHOOLS FORUM

Date:	17th January 2019		AGENDA ITEM:
Title:	Schools Forum Membership Framework		
Responsible officer:	Kevin McDaniel, Director of Children's Services		
Contact officer:	James Norris, Head of Finance (RBWM) Achieving for Children	Email:	James.norris@achievingforchildren.org.uk

1 PURPOSE AND SUMMARY

- 1.1 This paper provides an update on the current Schools Forum Membership.

2 RECOMMENDATIONS

Schools Forum is asked to:

- 2.1 Note the contents of the paper and approve the current schedule of members and to encourage new applications to fill vacancies.

3 BACKGROUND

- 3.1 In July 2018 Schools Forum agreed that there should be 17 members consisting of 15 school members and 2 non school members.
- 3.2 This paper has been written in accordance with the Schools Forum Operational and Good Practice Guide and follows the paper presented to Schools Forum 18th July 2018.

4 MEMBERSHIP

- 4.1 Schools Forum regulations provide a framework for the appointment of members. The DfE provide a guide on the Structure of Schools Forum; included as appendix A.
- 4.2 Regulations stipulate that schools members and academies members must together, comprise at least two thirds of the membership of the forum.
- 4.3 Where the authority maintains the following types of school, they must be represented on the Schools Forum; Primary Schools, Secondary Schools, Special Schools, Nursery Schools and PRU's. At least one academies member must be a representative of mainstream academies, which includes free schools, UTC's and Studio Schools. In addition there must be one member for each of the following groups (if such exist in the authority); Special Academies, Alternative provision academies.
- 4.4 The authority must appoint non-schools members to represent each of the local authority 16-19 partnerships and early years providers. The authority may also appoint other non-schools members to represent the interests of other bodies. In

doing so, the authority must consider whether to seek nominations from the Church of England and Roman Catholic dioceses covering the area. Non-schools member may not exceed a third of the total Schools Forum membership.

- 4.5 There is no legislated maximum or minimum size of Schools Forum, but authorities should take into account various issues in deciding the actual size, including the need to have full representation for various types of school, and the authority's policy on representation of non-members. The local authority should keep Schools Forum to a reasonable size to ensure that it doesn't become unwieldy.
- 4.6 The current number of RBWM Schools Forum members is 13 with 4 vacancies. The current schools Forum members are set out in table 1.

Table 1 Current Schools Forum Members with nominations

School / Non School	Sector	Type Of Member	Representative
School	Academy	Headteacher	Richard Pilgrim
School	Academy	Headteacher	Amanda Hough
School	Academy	Headteacher	Isabel Cooke
School	Academy	Headteacher	Frances Walsh
School	Academy	Headteacher	Vacant
School	Academy	Governor	Hugh Boulter
School	Academy (Free School)	Governor	Stephen McCormac (nominated)
School	Maintained Nursery	Headteacher	Sarah Cottle
School	Maintained Primary	Headteacher	Martin Tinsley (Chair)
School	Maintained Primary	Headteacher	Alison Penny
School	Maintained Primary	Headteacher	Mike Wallace
School	Maintained Secondary	Headteacher	Chris Tomes (Vice chair)
School	Maintained Secondary	Governor	Vacant
School	Maintained Special	Headteacher	Joolz Scarlett
School	Maintained PRU	Headteacher	Vacant
Non School	Non Schools Early Years	Non Schools	Vacant
Non School	Non Schools 16-19	Non Schools	Amanda Dean

- 4.7 If the authority maintains one or more special schools, then one member, who may be a head teacher (or their representative) or a governors shall be appointed from this group.
- 4.8 If the authority maintains one or more nursery schools, then one member, who may be a head teacher (or their representative) or a governor shall be appointed from this group.
- 4.9 If the authority maintains one or more pupil referral units, then one member who may be a head teacher (or their representative) or a governor shall be appointed from this group.
- 4.10 Schools Forum define a head teachers representative to be a senior member of school staff.

- 4.11 The remaining members shall be appointed to represent primary schools, secondary schools and academies. The number of members for each group shall be agreed annually and presented at the first meeting of Schools Forum following any significant change in pupil numbers per sector.
- 4.12 If a recalculation causes the number of representatives of a group to reduce, the first step will be to seek voluntary resignation(s). If this fails to resolve the issue then the Head of Finance shall determine by lot which existing group representatives remain.
- 4.13 If a recalculation causes the number of representatives of a group to increase, then an appointment process shall take place to fill the additional place(s).

5 ELECTION OF MEMBERS

- 5.1 Schools members shall be appointed on the basis of the process agreed by the organisation in the authority representing head teachers for the head positions and governors for the governor positions. In the absence of an appropriate organisation the Head of Finance will determine the arrangements for electing the positions.
- 5.2 The appointment of members for Special schools, Nursery schools and Pupil referral units shall be arranged by the Head of Finance, in consultation with the head teachers and governors of those schools.
- 5.3 Academy members shall be elected by the proprietor bodies of the academies. In the absence of an election, the Head of Finance shall nominate representatives to be appointed by the council.
- 5.4 If, following any ballot or other nomination or election mechanism, there is equality of votes/nominations; the Head of Finance has authority to make those appointments.
- 5.5 If following any ballot or other nomination or elections mechanism, any one school has more than one governor representative; the Head of Finance has authority to make those selections.

6 DECLARATION OF INTERESTS AND CODE OF CONDUCT

- 6.1 Where a member of Schools Forum feels that they may have a personal or prejudicial interest in a matter which Schools Forum is considering they are asked to seek advice from the Head of Finance on an appropriate course of action.
- 6.2 Members of Schools Forum are required, as part of taking up their position, to complete a form indicating their interests and agreeing to observe the members' code of conduct. The code of conduct being a requirement agreed by the council's standards committee. Members should ensure that if circumstances change they ensure up-to-date declarations of interest are available.

7 MEMBER' TERM OF OFFICE

- 7.1 Members term of office will be for four years from the date of their appointment.
- 7.2 Councillors will be appointed annually by the council.

- 7.3 The Chair and Vice Chair of Schools Forum shall be appointed by the forum for a period of 12 months. Council members and council officers may not hold the office of Chair or Vice Chair.
- 7.4 Members may be re-nominated for subsequent terms of office.
- 7.5 Membership attendance will be reviewed at each Schools Forum. Should levels of attendance warrant the chair or vice chair will contact any absent members to ascertain the reasons for absence and if the member wishes to continue to serve as a member of Schools Forum.

8 RECORDING THE COMPOSITION OF SCHOOLS FORUM

- 8.1 The local authority or their representatives will hold a written record of the composition of Schools Forum detailing the number of schools members and by which group they were elected, the number of academies members and the number of non-schools members, their terms of office, how they were chosen and whom they represent. The record will also indicate the term of office for schools and academies members.

9 SUBSTITUTES

- 9.1 Any member of the Schools Forum may nominate a substitute to attend and vote at the meeting of Schools Forum in their absence. Such a nomination should be notified in writing to the chair of Schools Forum or the clerk to the meeting with apologies of absence.
- 9.2 Named substitutes are allowed providing they fall into the same group as the member they are standing in for. A substitute for a group member must be from the same group.
- 9.3 A substitute for a local authority member must also be a member of the local authority.
- 9.4 Where the Chair and Vice Chair of Schools Forum are absent from a meeting, the Schools Forum will appoint a chair for that meeting from the attendees.

10 VOTING PROCEDURES

- 10.1 The Schools Forum, within the constraints of its constitution, published legislation and guidance and the need to act fairly, may determine the procedures it adopts to reach decisions. Each voting member has a single vote which is normally expressed via a show of hands. In the event of there being an equality of votes, the chair or acting chair may use their casting vote to break the deadlock.
- 10.2 Only schools members or their substitutes; which encompasses maintained schools, academies, maintained special schools and PRUs and Maintained Nursery schools and PVI members are able to vote on funding formula proposals.

11 OTHER ATTENDEES AT A SCHOOLS FORUM MEETING

11.1 Schools Forum meetings are required to be open to the public. Papers, agendas and minutes must be publicly available well in advance of each meeting. Members of the public may not contribute to a Schools Forum meeting.

11.2 Other attendees who are permitted to contribute to a Schools Forum meeting;

- An observer appointed by the Secretary of State
- The Chief Finance Officer
- The Director of Children's Services
- Officers providing financial & technical advice to Schools Forum
- The Executive Member for Children's services
- Presenters (restricted to the paper they are representing)
- The Executive Member with responsibility for resources

12 FREQUENCY OF MEETINGS

12.1 Regulations require that Schools Forum meet a minimum of four times each year. The forum should meet with enough frequency to allow it to be consulted and make decisions and for their views to be taken into consideration.

13 QUORUM

13.1 For Schools Forum to make decisions 40% of the total membership (excluding any vacancies) must be in attendance. At the start of each meeting the chair or acting chair will provide the minimum number of members required for quorum and if this level has been achieved for the meeting.

13.2 Where a meeting is inquorate, the meeting may continue but no formal decisions may be taken; election of a chair or decisions relating to funding conferred by regulations.

13.3 If one or more groups is not represented this does not affect the decision making powers of Schools Forum if it is quorate unless a vote by group is required affecting the un-represented group. This will then need to be dealt with at a subsequent meeting or via emergency procedures.

14 EMERGENCY MEETING

14.1 In exceptional circumstances, it may be necessary for a decision or formal view to be required by the Schools Forum before the next scheduled meeting. In these circumstances efforts should be made to arrange an unscheduled meeting of the forum.

14.2 Where it is not possible to arrange an unscheduled meeting of Schools Forum or where the attendance at such a meeting is likely to be inquorate or when available time is insufficient, in conjunction with the chair contact members by either post or email and seek a decision or view from members. A record will be kept of all responses and the matter will formally be listed on the agenda of the next scheduled Schools Forum meeting.

14.3 This facility may be used where a group was un-represented at a meeting and a decision is required prior to the next scheduled meeting. In this circumstance only the group effected would be contacted.

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Education & Skills
Funding Agency

Schools Forum

Operational and good practice guide

September 2018

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Introduction

1. This guide is designed to provide local authority officers and schools forum elected members with advice and information on good practice in relation to the operation of schools forums.
2. It is organised in two sections:
 - section 1 provides information on the constitutional and organisational requirements for schools forums
 - section 2 covers a number of key aspects of the operation of schools forums at local level, drawing on good practice from a number of schools forums
3. The Department's website (GOV.UK) contains details of all the announcements, documents and other information relating to school funding and schools forums, including the National funding formula (NFF) This website also has a range of useful links to other sites that may be of relevance to schools forum members.
4. A short [guide to the schools forum for schools and academies](#), which may be helpful to stakeholders and the wider school family, is available on GOV.UK.
5. If you have any queries about the operation of schools forums please contact the Education and Skills Funding Agency (ESFA) using the [ESFA enquiry form](#).

Section 1 – schools forum regulations: constitution and procedural issues

Regulations

6. [National regulations](http://www.legislation.gov.uk/ukxi/2012/2261/contents)¹ govern the composition, constitution and procedures of schools forums. Local authorities can provide schools forum members with a copy of these regulations or alternatively they can be accessed at:
<http://www.legislation.gov.uk/ukxi/2012/2261/contents>

7. A short [guide to the schools forum for schools and academies](#) is also available to provide a wider understanding of the work of schools forums.

Schools forum powers

8. Schools forums generally have a consultative role. However, there are situations in which they have decision making powers. The respective roles of schools forums, local authorities and the DfE are summarised in [schools forum powers and responsibilities](#). The overarching areas on which schools forums make decisions on local authority proposals are:

- de-delegation from mainstream maintained schools budgets (separate approval will be required by the primary and secondary phase members of schools forum), for prescribed services to be provided centrally
- to create a fund for significant pupil growth in order to support the local authority's duty for place planning (basic need), including pre-opening and diseconomy of scale costs, and agree the criteria for maintained schools and academies to access this fund
- to create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for maintained schools and academies to access this fund
- agreeing other centrally retained budgets, including for local authority statutory responsibilities (where these relate to maintained schools only, voting is by the primary, secondary, special and PRU members of schools forum)
- funding for central early years expenditure, which may include funding for checking eligibility of pupils for an early years place, the early years pupil premium and/or free school meals

¹ Schools Forums (England) Regulations 2012 (S.I. 2012/2261) (as amended)

- authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure, or from de-delegated services, which is to be carried forward from a previous funding period in the 2018 to 2019 funding year the schools block is ring-fenced. Local authorities require schools forum approval in order to move up to 0.5% from the schools block to other blocks
- in each of these cases, the local authority can appeal to the Secretary of State if the schools forum rejects its proposal.

9. Local authorities should be aware that the provisions of the [Local Government Act 2000](#) restrict the delegation of local authority decisions to Cabinet, a member of Cabinet, a Committee of Cabinet or an officer of the Council, which would not include schools forums. As a result the local authority cannot delegate its decision making powers to schools forum, for example, decisions on the funding formula.

10. 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 in particular the places to be commissioned by the local authority and schools and the arrangements for paying top-up funding
- arrangements for the use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the local authority and schools and the arrangements for paying top-up funding
- arrangements for early years provision
- administrative arrangements for the allocation of central government grants paid to schools via the local authority

There's no specific definition of these consultation requirements over and above the wording in the regulations. It's a matter for the local authority to decide on the appropriate level of detail it needs to generate a sufficiently informed response from schools forum.

11. Consultation must also take place when a local authority is proposing a contract for supplies and services which is to be funded from the Schools Budget and is in excess of the EU procurement thresholds. The consultation must cover the terms of the contract at least one month prior to the issue of invitations to tender.

12. The schools forum has the responsibility of informing the governing bodies of all schools maintained by the local authority of the results of any consultations carried out by the local authority relating to the issues in paragraphs 12 and 13 above.

13. Local authorities will need to discuss with the schools forum any proposals that they intend to put to the Secretary of State to:

- vary the MFG
- use exceptional factors
- vary pupil numbers (Secretary of State approval is no longer required for increases relating to changes in admission limits or reorganisations)
- 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
- move up to 0.5% from the schools block, where the schools forum do not agree, or move more than 0.5% from the schools block

Proposals will then need to be considered by the Secretary of State.

Membership

14. The Schools Forums Regulations provide a framework for the appointment of members, but allow a considerable degree of discretion in order to accommodate local priorities and practice. A quick guide to the [structure of the schools forums](#) is available.

15. There is no maximum or minimum size of a schools forum. Authorities will wish to take various issues into account in deciding the actual size, including the need to have full representation for various types of school, and the local authority's policy on representation of non-schools members. However, care should be taken to keep the schools forum to a reasonable size to ensure that it does not become too unwieldy.

16. Types of member: schools forums must have 'schools members', 'academies member(s)' if there is at least one academy in the local authority's area and 'non-schools members'. Schools and academies members together must number at least two-thirds of the total membership of the schools forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category, so the structure of Forum should be regularly reviewed, we would suggest good practice is to review the membership as a standing agenda item at each meeting. Academies members must represent mainstream academies and, if there are any in the local authority area, special academies and alternative provision academies. There is no

requirement for academies members to represent specific primary and secondary phases, but it may be encouraged to ensure representation remains broadly proportionate to pupil numbers. Academy members must be separately elected and designated from maintained school representatives, please see paragraph 28.

17. Schools forum members will need the skills and competencies to manage Forum business (as detailed in [school forum powers and responsibilities](#)) and to take a strategic view across the whole education estate whilst acting as representative of the group that has elected them. Furthermore, they should be easily contactable and pro-active in raising the profile of issues and communicating decisions, and the reasons behind them, effectively. Good practice for schools forums would be to offer training to new or existing members who may benefit from this.

Term of office

18. The term of office for each schools member and academies member should be stipulated by the local authority at the time of appointment. Such stipulation should follow published rules and be applied in a consistent manner between members. They need not have identical terms – there may be a case for varied terms so that there is continuity of experience rather than there being a complete change in the membership at a single point. The term of office should not be of a length that would hinder the requirement for the structure of the schools forum to mirror the type of provision in light of the pace of academy conversions. Examples of how this may work include:

- holding vacancies until the schools forum structure is reviewed providing that this does not mean holding vacancies for an unreasonable length of time, for example, we would expect this vacancy to be filled for the following term
- increasing the size of the schools forum temporarily to appoint additional academy members, then deleting schools member posts at the end of a term of office or when a vacancy arises
- considering continuity of service; where an academy conversion affects the school of a current schools member, would academies consider appointing that person as an academies member

19. The length of term of office for non-schools members is at the discretion of the local authority. Schools and academies must be informed, within a month of the appointment of any non-schools member, of the name of the member and the name of the body that that member represents.

20. As well as the term of office coming to an end, a member ceases to be a member of the Schools Forum if he or she resigns from the schools forum or no longer occupies the office by which he or she became eligible for election, selection or appointment to the schools forum. For example;

- a secondary schools member must stand down if their school converts to an academy
- a schools member representing community primary school governors who is no longer a governor of a community primary school in the relevant local authority must cease to hold office on the schools forum even if they remain a governor of a school represented by another group or sub-group
- other situations in which membership of the schools forum ends are if a member gives notice in writing to the local authority and, in the case of a non-schools member, the member is replaced by the local authority, for example at the request of the body which the member represents

Schools members

21. Schools members represent specified phases or types of maintained schools within the local authority. As a minimum, schools forums must contain representatives of two groups of schools: primary and secondary schools, unless there are no primary or secondary schools maintained by the local authority. Middle schools and all through schools are treated according to their deemed status.

22. Where a local authority maintains one or more special schools the schools forum must have at least one schools member from that sector. The same applies to nursery schools and pupil referral units (PRUs).

23. The local authority then has discretion to divide the groups referred to in paragraph 16 and 17 into one or more of the following sub-groups:

- headteachers or headteachers' representatives in each group
- governors in each group
- headteachers or headteachers representatives and governors in each group
- representatives of a particular school category, for example, voluntary aided

24. Headteachers can be represented by other senior members of staff within their school. Governors can include interim executive members of an interim executive board. The sub-groups do not have to be of equal size; for example, there may be more representatives of headteachers of primary schools than governors of such schools, or vice versa. The membership structure of the schools forum should ensure there is sufficient representation of each type of schools member in each group to ensure that debate within the schools forum is balanced and representative. As a minimum, there must be at least one representative of headteachers and one representative of governors among the schools members.

25. Whatever the membership structure of schools members on a schools forum, the important issue is that it should reflect most effectively the profile of

education provision across the local authority to ensure that there is not an in-built bias towards any one phase or group.

Election and nomination of schools members

26. The relevant group or sub-group is probably best placed to determine how their schools members should be elected.

27. It's good practice for those who draw up the scheme to ensure that a vacancy amongst a represented group would be filled by a nominee elected according to a process that has been determined by all those represented in that group, for example, community primary school headteachers, or secondary school governors, ensuring that everyone represented has had the opportunity to stand for election and/or vote in such an election. The process must be restricted to the group in question; a headteachers phase group could only vote as a whole for headteacher members if the voting excluded academies, as academies members form a separate group.

28. It's not appropriate for a single person to be elected to represent more than one group or sub-group concurrently, for instance, if they were a governor at a primary and secondary school. They can stand for election from either group but can be appointed to represent only one of those groups.

29. The purpose of ensuring that each group or sub-group is responsible for their election process is to guarantee that there is a transparent and representative process by which members of schools forums are nominated to represent their constituents.

30. Appropriate support to each group or sub-group to manage their election processes should be offered by the clerk of a schools forum, or the committee/democratic services of a local authority. This may just include the provision of advice but may also consist of providing administrative support in actually running the elections themselves.

31. As a minimum, we would recommend that the clerk of a schools forum make a record of the process by which the relevant schools within each group and sub-group elect their nominees to the schools forum and be able to advise the Chair of the schools forum and local authority on action that needs to be taken, where necessary, to seek new nominees.

32. In determining the process by which elections should be operated it is perfectly legitimate for a local authority to devise, in consultation with their schools forum, a model scheme for the relevant schools within a group or sub-group to consider and be invited to adopt. However, such a model scheme cannot be imposed on that body of schools: adaptations and/or alternative schemes may be adopted. A single scheme need not be adopted universally.

33. Care should be taken to ensure that every eligible member of a group or sub-group has an opportunity to be involved in the determination of their group's election process, is given the opportunity to stand for election if they choose to do so, and is involved in the election of their representative(s).

34. It would not be compliant with the regulations for the steering committee or Chair of a 'parent' group simply to make a nomination to represent their group or sub-group on a schools forum. Schools members must be elected, subject to paragraph 39 below.

35. The local authority may set a date by which the election should take place and must appoint the schools member if the election has not taken place by that date. The person appointed should be a member of the relevant group.

36. We would recommend that any scheme takes into account a number of factors:

- the process for collecting names of those wishing to stand for election
- the timescale for notifying all constituents of the election and those standing
- the arrangements for dispatching and receiving ballots
- the arrangements for counting and publicising the results
- any arrangements for unusual circumstances such as only one candidate standing in an election
- whether existing members can stand for re-election

37. In the event of a tie between two or more candidates, then the local authority must appoint the schools member instead. The local authority may decide to appoint someone else rather than one of the candidates and might wish to take into account the experience or expertise of the individuals, and the balance between the different types of school represented on the schools forum.

Election and nomination of academies members

38. Academies members must be elected by the proprietor bodies of the academies in the local authority's area, and they are probably best placed to determine the process. Academies members are there to represent the proprietor bodies of academies and are, therefore, not necessarily restricted to principals, senior staff or governors. The same factors should be taken into account as for the election of schools members, set out in paragraphs 28 to 39. For the avoidance of doubt, Free Schools, University Technical Colleges and Studio Schools are classed as academies for this purpose. There is no distinction between sponsored and converter academies.

39. There are three sub-groups for academy members: mainstream academies, special academies and alternative provision academies and it is for the proprietors of academies within each of these sub-groups to elect their representatives. It is not appropriate, therefore, for headteacher phase groups to determine representation unless the academy proprietors have agreed and even then the voting would need to exclude maintained school representatives. There is no requirement for academies members to be split into primary and secondary sub-groups. However, local authorities may wish to encourage academies to consider the pupil proportions across all academies when electing their representatives.

40. Where there is only one academy in a sub-group in the local authority's area, then their proprietor body must select the person who will represent them.

41. It is possible that a single person be appointed as an academies member to more than one schools forum, for example if an academy chain is located across multiple local authorities, providing they are elected on each occasion in accordance with the agreed election process for each separate schools forum.

42. As with schools members, the local authority may set a date by which the election should take place and must appoint an academies member if the election does not take place by that date, or if an election results in a tie between two or more candidates.

Non-schools members

43. Non-schools members may number no more than a third of a schools forum's total membership (excluding observers, see paragraph 58). A representative of providers of 16-19 education must be elected from those providers. This includes those in the FE sector (FE and sixth form colleges) and other post-school institutions that specialise in special education needs (SPIs), where 20% or more of their students reside in the local authority's area. As with academies the providers are probably best placed to determine the election process.

44. The local authority must appoint at least one person to represent early years providers from the private, voluntary and independent (PVI) sector. Early years PVI settings need to be represented because funding for the free entitlement for three and four year olds and eligible two year olds comes from the Dedicated Schools Grant, and all settings are funded through the Early Years Single Funding Formula (EYSFF).

45. Before appointing additional non-schools members to the schools forum, the local authority must consider whether the Church of England and Roman Catholic dioceses situated in the local authority's area; and, where there are schools or academies in the area with a different religious character, the appropriate faith group, should be represented on the schools forum. If diocesan authorities nominate members for appointment as non-schools members they may wish to consider what type of representative would be most appropriate, schools-based such as a

headteacher or governor, or someone linked more generally with the diocese, for example a member of the education board.

46. It's also good practice for local authorities to ensure that the needs and interests of all the pupils in the local authority are adequately represented by the members of a schools forum. The interests of pupils in maintained schools can be represented by schools members. Some pupils in a local authority, however, are not in maintained schools but instead are educated in hospitals, independent special schools and non-maintained special schools. Certain types of non-schools members can play an important role in representing the interests of these groups of pupils. They can also play a role in representing the interests and views of the services that support those groups of vulnerable and at risk pupils who nevertheless are on the roll of maintained schools, such as looked after children and children with special educational needs.

47. The purpose of non-schools members is also to bring greater breadth of discussion to schools forum meetings and ensure that stakeholders and partners other than schools are represented. Organisations which typically provide non-schools members are trades unions, professional associations and representatives of youth groups. Parent groups could also be considered. However, as there are clearly limited numbers of non-schools members able to be on a schools forum, care should be taken to ensure that an appropriate representation from wider stakeholders is achieved.

Other membership issues

48. 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))

49. Schools forums have the power to approve a limited range of proposals from their local authority: the restrictions ensure that there is no conflict of interest between the proposing body (the local authority) and the approving body (the schools forum).

50. However, non-executive elected members and those officers who are employed in their capacity as headteachers or teachers and those who directly

manage a service which provides education to individual children and/or advice to schools on, for example, learning and behavioural matters are eligible to be members of schools forums.

51. In the case of non-executive elected members, they may be a schools member (by virtue of them being a school governor), an academies member or a non-schools member. As a non-schools member they may be well placed to fulfil the broader overview and scrutiny role they have within the local authority in general.

52. However, the inclusion of non-executive elected members and certain officers is not a requirement. Many schools forums do not have such members on them and it is for each local authority and schools forum to consider how best to ensure the right balance of school and non-school representation on the schools forum, taking into account their local circumstances and preferences.

The role of executive elected members

53. A schools forum needs to ensure that there are systems in place for executive members of the Council to be aware of its views on specific issues and, in particular, any decisions it takes in relation to the Schools Budget and individual budget shares.

54. Executive members with responsibility for education/children's services or resources of the local authority are able to participate in schools forum meetings. By doing so such elected members are able to contribute to the discussion and receive first-hand the views of the schools forum: it is clearly good practice for this to be the case and the regulations provide the right for executive members to attend and speak at schools forum meetings. However, there is no requirement for this to happen so at the very least there should be clear channels of communication between the schools forum and executive members. Communication may also be assisted if schools forum members attended relevant Cabinet meetings as members of the public, for example, when the funding formula is decided.

Recording the composition of schools forums

55. Each local authority must make a written record of the composition of its schools forum detailing the numbers of schools members and by which group or sub-group they were elected, the number of academies members and the number of non-schools members, their terms of office, how they were chosen and whom they represent. This record should also indicate the term of office for schools and academies members. It would be helpful if this were published on the schools forum website so schools and wider stakeholders can easily find who their representatives are.

Observers

56. The Regulations provide that the Secretary of State can appoint an observer to attend and speak at schools forum meetings, for example a representative from the Education and Skills Funding Agency (ESFA). This allows a conduit for national policy to be discussed at a local level and provide access for schools forum to an additional support mechanism, for example, where there are highly complex issues to resolve.

Participation of local authority officers at meetings

57. Only specific officers can speak at meetings of the schools forum. These officers are:

- Director of Children's Services or their representative
- Chief Financial Officer or their representative
- any person invited by the schools forum to provide financial or technical advice
- any person presenting a paper to the schools forum but their ability to speak is limited to the paper that they are presenting

58. In the majority of cases schools forums are supported by a specific officer. In the course of their work, however, schools forums will be required to consider a whole range of issues and they may consider it appropriate that other officers attend for specific items of business. Where this is the case, the local authority should meet the schools forum's requests as far as possible. It is best practice to record attendance at meetings as well as membership to ensure elected members are attending and contributing to discussions.

Procedures

59. Many procedural matters are not prescribed in the regulations and are at the discretion either of the local authority or the schools forum itself. However, there are requirements in the regulations relating to:

- **Quorum:** A meeting is only quorate if 40% of the total membership is present (this excludes any observers, and it is 40% of the current membership excluding vacancies). If a meeting is inquorate it can proceed but it cannot legally take decisions (election of a Chair, or a decision relating to funding conferred by the funding regulations). An inquorate meeting can respond to local authority consultation, and give views to the local authority. It would normally be good practice for the local authority to take account of such 'unofficial' views, but it's not legally obliged to do so. In practice, the arrangements for meetings should be

made to reduce the chance of a problem with the quorum. The quorum stipulation is in the regulations to help ensure the legitimacy of decisions

- **Election of a Chair:** Under the Regulations, if the position of Chair falls vacant the schools forum must decide how long the term of office of the next Chair will be. This can be for any period, but the schools forum should consider carefully whether a period exceeding two years is sensible. A long period will also cause problems if the member elected as Chair has a term of office as a member which comes to an end before their term of office as Chair ends. The schools forum must elect a Chair from amongst its own members, so it is not possible to elect an independent Chair. In addition any elected member of the local authority or officer of the local authority who is a member of a schools forum may not hold the office of Chair. Schools forums can also appoint to a position of vice Chair to provide cover if the Chair is absent or the post vacant
- **Voting procedures:** The Regulations provide that a schools forum may determine its own voting procedures save that voting on:
 - the funding formula is limited to schools members, academies members and PVI representatives
 - de-delegation is limited to the specific primary and secondary phase of maintained schools members
 - retaining funding for statutory duties relating to maintained schools only is limited to maintained primary, secondary, special and PRU members
- **The powers which schools forums:** have to take decisions on a range of funding matters increase the importance of clear procedures, for example, decisions are made on a simple majority or the threshold to be met if higher. These procedures should take account of any use of working groups by the schools forum, for example a decision might be taken by voting to accept and adopt a report by a working group (see paragraph 65). As part of any voting procedure there should be clarity in the procedures for recording the outcome of a vote, and any resolutions a schools forum makes in relation to any vote taken
- **Substitutes:** the local authority must make arrangements to enable substitutes to attend and vote (where appropriate) at schools forum meetings. This applies to schools members, academies members and non-schools members. The arrangements must be decided in consultation with schools forum members
- **Defects and vacancies:** The Regulations provide that proceedings of the schools forum are not invalidated by defects in the election or appointment of any member, or the appointment of the Chair. Nor does the existence of any vacancy on the schools forum invalidate proceedings (see paragraph 61 on quorum)
- **Timing:** schools forums must meet at least four times a year

60. Where the regulations make no provision on a procedural matter, local discretion should be exercised. It is for the local authority to decide how far it wishes to establish rules for the schools forum to follow, in the form of standing orders. While it is entitled to do so, it is of course good practice to allow the schools forum to set its own rules so far as possible.

Public access

61. Schools forums are more than just consultative bodies. They also have an important role to play in approving certain proposals from their local authority and are therefore involved in the decision making process surrounding the use of public money at local level. As a result schools forums are required to be open to the public. Furthermore papers, agendas and minutes must be publicly available well in advance of each meeting. It's good practice that notification that the schools forum is a public meeting is included on the website and papers are published at least a week in advance. Local authorities should ensure that the websites are accessible and easy to find.

62. Some schools forums already operate very much along the lines of a local authority committee. This is perfectly legitimate and will provide a consistent framework for the running of meetings that are open to the public, and the publishing of papers and agendas well in advance of the meeting and minutes published promptly as required under Regulation 8(13) of the Schools Forum Regulations 2012.

Working groups

63. It's open to a schools forum to set up working groups of members to discuss specific issues, and to produce draft advice and decisions for the schools forum itself to consider. The groups can also include wider representation, for example, an early years reference group can represent all the different types of provider to consider the detail of the early years single funding formula. The reference group would then be able to give its considered view on the local authority's proposals to the schools forum. The schools forum should not delegate actual decisions or the finalisation of advice to a working group, as this may have the effect of excluding legitimate points of view. These have proved effective for larger local authorities; examples of some working groups are for high needs and early years.

Urgent business

64. It's good practice for the local authority to agree with its schools forum an urgency procedure to be followed when there is a genuine business need for a decision or formal view to be expressed by the schools forum, before the next

scheduled meeting. The local authority may of course call an unscheduled meeting; but it may also wish to put in place alternative arrangements such as clearance by email correspondence or some other means. Such instances should be avoided so far as possible but are legitimate provided all members of the schools forum have an opportunity to participate, the logistics provide a reasonable opportunity for consideration and the local authority policy on data security is not compromised.

65. It's not legal for the Chair to take a decision on behalf of the schools forum, no matter how urgent the matter in question; but a schools forum may wish to put in place a procedure for the Chair to give the local authority a view on an urgent issue.

Resources of the schools forum

66. The costs of a schools forum fall in the Central School Services Block of the Dedicated Schools Grant (DSG).

67. It's legitimate to charge the running costs of schools forums to this budget including any agreed and reasonable expenses for members attending meetings, the costs of producing and distributing papers and costs room hire and refreshments and for clerking of meetings. Beyond these costs some schools forums have a budget of their own to use for activities such as commissioning research or other reports.

Section 2 – effective schools forums

Introduction

68. As the previous section outlined, local authorities have responsibility for establishing schools forums. They also have an ongoing responsibility to provide them with appropriate support, information and guidance in carrying out their functions and responsibilities.

69. The following outlines some aspects of what local authorities and schools forums should consider in ensuring that their schools forums are as effective as possible. The pace of academy conversions in particular means that this significant sector must be properly represented and feel that it is able to play a meaningful part in the discussions of the schools forum.

70. Central to the effectiveness or otherwise of a schools forum will be the relationship between it and its local authority. The local authority will have a significant influence on this: the support it provides; the resources it devotes and the weight it gives to the views of schools forums all contribute to the nature of the relationship. There are therefore a number of characteristics of this relationship that are particularly important:

- 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's 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

71. The characteristics identified above are just some of the aspects that will contribute to an effective schools forum. The following provides more detail on some of the specific issues that local authorities and schools forums may wish to consider in thinking about their own arrangements.

Induction of new members

72. When new members join the schools forum appropriate induction materials should be provided. These might include material relating to the operation of the schools forum together with background information about the local and national school funding arrangements. Typically they might comprise:

- the constitution of the schools forum
- a list of members including contact details and their terms of office
- any locally agreed terms of reference explaining the relationship between the schools forum and the local authority
- copies of minutes of previous meetings
- the programme of schools forum meetings for the year
- the local schools forum web address

73. This Operational and Good Practice Guide, suitably supplemented by local material, should also be provided to new members on their appointment.

74. Where there is sufficient turnover of schools forum members in any particular year the local authority may wish to organise a one-off induction event to brief new members. Such an event would usefully include an outline of the role of the schools forum and the national funding arrangements for schools and local authorities. It might also include an explanation of the local funding formula and any proposals for review. The opportunity could also be taken to explain the main reporting requirements for school and local authority expenditure.

Training

75. Ideally schools forum members should be able to use some of the budget set aside for schools forum running costs for accessing relevant training activities. Some training will be provided by officers of the local authority but members may wish to attend national or regional events, the costs of which, where necessary, can be supported from the schools forum budget. Local and national bodies have a key role to play in developing the competencies of forum members.

76. Training will need to be provided in response to any changes in the role of the schools forum and national developments in respect of school funding, to ensure that members can be fully effective when detailed discussions are taking place.

Agenda setting

77. The process by which the agenda for a meeting or cycle of meetings is set is in many respects one of the key determinants of the effectiveness or otherwise of a schools forum.

78. The frequency and timing of meetings of the schools forum should be agreed in advance of each financial or academic year; these should take into consideration deadlines for the local authority such as disapplication requests and the submission of the authority proforma tool (APT). It's good practice to publish the dates of meetings on the schools forum website. In drawing up this cycle of meetings, in consultation with the schools forum, the local authority should provide a clear overview of the key consultative and decision-making points in the school funding cycle. These will be drawn from a combination of national and local information and should inform the basic agenda items that each meeting needs to cover. For instance meetings will need to be scheduled at appropriate points to enable the schools forum to consider the outcomes of local consultations and national announcements.

79. Although the business of schools forums must be open and transparent, it is recognised that from time to time items of a confidential nature will need to be discussed. It's recommended that authorities apply the same principles that they apply to Council or Cabinet meetings when judging an item to be confidential and adopt similar practices for dealing with those reports in the meeting, for example placing them together at the end of the agenda.

Preparation for a schools forum meeting

80. It's vital that the schools forum is transparent, open and has clear communication lines to all of the members that are represented. This ensures the wider school family are aware of the business discussed, the impact on their setting and the reasons for the decisions.

81. The vast majority of a schools forum's business will be transacted on the basis of prepared papers. It is therefore important that these are concise, informative and produced in a timely and consistent manner. Recommendations should be clearly set out at the beginning of each report. It's also helpful if the front of the report confirms whether the report is for information or decision and who is eligible to vote where relevant.

82. It's good practice for the schools forum and local authority to agree a standard for papers. It is usual for papers to be dispatched at least one week prior to the meeting at which they will be discussed to allow members to consider them and if necessary canvass views from the group they are representing. Papers should be published on the local authority's website at this time to enable representations to be made to schools forum members.

83. Consistency in the presentation of papers also contributes to the effectiveness of meetings: it helps set the tone of meetings, facilitate the engagement of all members and signal the importance the local authority attaches to the work of the schools forum. Ideally such a standard should be agreed between the schools forum and local authority. The publishing of papers as a single pdf file is helpful as it saves time and avoids accessing multiple documents both in advance of, and during, the meeting. An Executive Summary of the reports can provide schools forum members and members of the public with an overview of the agenda and the decisions required.

84. The publishing of papers on a publicly available website well in advance of the meeting ensures that all interested parties are able to access papers. Some schools forums ensure that each represented group meets in the days immediately prior to the schools forum meeting to ensure the agenda is discussed and schools forum members are properly briefed by the group they represent. Although on occasions it's inevitable that schools forums will receive late, or tabled reports it does create some difficulty for members as they will not have been able to seek the views of those they represent.

85. Schools forums can consider adopting a flexible arrangement for time immediately prior to the meeting. For example it could be used for training of new members, or as a drop-in session for members to ask items of clarification, or for members to meet without officers to discuss the agenda.

Chairing the schools forum

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

87. The relationship between the Chair and the local authority is therefore vital. The Chair should be very clear on the substance of the agenda items, understand the issues involved and the decisions and/or actions that need to be taken in respect of School Forum business. It's good practice for there to be a pre-meeting between the senior officer of the local authority supporting the schools forum and the Chair of the schools forum to ensure that all the issues are clearly understood.

88. Equally, the Chair has the responsibility of representing the views of the schools forum back to the local authority: for instance, they should, where appropriate, take the initiative to make suggestions for improvements to the way the business is conducted, and, in exceptional cases and with support of the members of the schools forum take the view that they do not have sufficient information on which to base a decision and ask that an item is deferred until further information is available. However, in doing so, the Chair and schools forum should be fully aware of the consequences of deferral.

89. The independence of the schools forum is paramount. Enhancing the role of Chair to a paid position, rather than the reimbursement of reasonable expenses, could blur the lines of independence. Similarly, if the Chair undertakes significant work for the local authority in another capacity, for example as an external consultant, they could be viewed as equivalent to an officer of the local authority.

90. Local authorities could consider if sharing contact details of the schools forum Chair with neighbouring authorities would be helpful for peer support and improving networking opportunities.

Clerking the schools forum

91. Clerking of a schools forum should be seen as more than just writing a note of the meeting. A good clerk provides an invaluable link between the members of the schools forum, the Chair and the local authority. It's a role often undertaken by an employee of the local authority though we would recommend consideration is given to the use of an independent clerk.

92. Clerks should manage the logistics of the meeting in terms of ensuring dispatch of papers and producing a note from the meeting. In considering the style of meeting notes consideration should be given to making them intelligible enough for non-attendees to get a sense of the discussion as well as clearly indicating the conclusion and action agreed in relation to each agenda item. Verbatim reports of a schools forum's discussion, however, are unlikely to be very useful. Schools forums may consider whether a simple action log should be maintained by the clerk to ensure all action points agreed are followed up.

93. Beyond this a good 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 headteachers, 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 or election processes run by the constituent groups
- keep the schools forum website up to date, for example by posting latest minutes and papers

- monitor, on a regular basis, the schools forum and general schools funding pages on 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

94. Not all of these tasks may be able to be undertaken by the schools forum clerk. However, each one is important and there should be arrangements in place to ensure they are discharged adequately.

Good practice for schools forum meetings

95. Schools forums should ensure there is a clear debate of all agenda items. Whilst sub-group meetings are valuable in working through detailed issues, schools forums should consider that the level of debate held at the schools forum meeting and recorded in the minutes will be the official reflection of the level of challenge and discussion on each issue.

96. The use of nameplates for schools forum members also showing which group they are representing can be helpful to members of the public and presenters of papers. In addition the use of coloured cards or coloured nameplates can be helpful when specific members of a schools forum are eligible to vote on specific items, for example, voting on de-delegation or changes to the funding formula.

97. Consultations with the schools forum are a key responsibility of a local authority, ranging from the funding formula to the letting of contracts. Each consultation will be different and depend on the subject being consulted on, but local authorities should consider the following factors as good practice for effective consultation:

- plan and consult early
- allow reasonable timescales for response (as Forum members may need to consult the groups they represent)
- an open and honest approach
- fully inclusive
- allow for ongoing dialogue
- provide feedback

- clear communications

Meeting notes and recording of decisions

98. A vital part of the effective operation of a schools forum is to ensure that an accurate record of the meeting is taken. This must include the clear recording of votes where there are contrary views. Recommendations to, and decisions of, schools forums must be clearly set out.

99. Notes or minutes of each schools forum meeting should be produced and put on the website as soon after the meeting as possible to enable members and others to see the outcome of any discussions and decisions and, or votes. It is good practice to formally agree the accuracy of the note and minutes at a subsequent meeting but the publication of the draft minutes should not be delayed as a result and we would recommend no later than five days following the meeting for the publication of these.

100. In order to provide clarity about representation at each meeting, it is good practice for the minutes to record the group and/ or subgroup that each member represents against their name.

Communication

101. Communication to the wider educational community of the discussions and debates of, and decisions made by, the schools forum is fundamental to their effective operation. The more schools and other stakeholders know about the proceedings of the schools forum, the more their work will be an important and central part of the context of local educational funding. This is particularly important given the decision making role that the schools forum has. Local authorities should consider the operational differences between the types of stakeholders and plan their communications accordingly. For example ensuring effective communications across the PVI sector may be more difficult than with schools, which are more likely to have existing channels of communication for example, headteacher meetings.

102. Each schools forum should therefore be clear what its channels of communication are. It is fundamental that each member of schools forum represents the views of the group or sub-group that they represent and that all those with an interest in funding work together to ensure that their views are taken into account. Therefore communications directly between members and those they represent is essential; professional associations and phase groups could be suitable channels. This will ensure that schools forum members have an ongoing dialogue with the constituents of their group or sub-group and are therefore well able to represent their views at schools forum meetings. However, the schools forum should also consider additional communication processes. These could include:

- drawing schools' attention to the fact that all its agendas minutes and papers are publicly available on the local authority's website (this should include the publication of formula consultation documents)
- an annual report on the proceedings of the schools forum
- attendance by the Chair, or other schools forum member, at other relevant consultative or management groups such as any capital working group; or senior management meetings of the Children's Services Department
- a brief email to all schools, early years providers and other stakeholders after each schools forum meeting informing them of the discussions and decisions with a link to the full papers and minutes for further information
- a schools forum newsletter can be a less formal and more interesting way of communicating forum business and raising the profile of the schools forum and its members

News updates

103. Most, but not all, members of the schools forum will already be in receipt of regular information on school funding matters from the local authority and DfE. Other schools forum members should be copied into such information flows so that they can be kept abreast of developments between meetings.

104. Many local authorities have already established dedicated schools forum websites on which they post key information for schools forum members and other interested parties and updated on a regular basis.



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Funding Agency

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD SCHOOLS FORUM

Date:	17 th January 2019	AGENDA ITEM:
Title:	Reporting on the Results: Consultation on Changes to Early Years Deprivation Funding 2019/20	
Responsible officer:	Kevin McDaniel, Director of Children's Services	
Contact officer:	Clive Haines, School Leadership Development Manager (RBWM) Achieving for Children	Email: Clive.haines@achievingforchildren.org.uk

PURPOSE AND SUMMARY

- 1.1 The purpose of this paper is to feedback on the consultation results regarding the changes to early deprivation funding (appendix A).
- 1.2 Schools Forum agreed consultation at the Schools Forum meeting on 20th November 2018. Where a paper was submitted with consolation options.

2 RECOMMENDATIONS

- 2.1 Schools Forum is asked to consider the responses to the consolation and recommended a model for the early years funding as from 1st April 2019.

3 BACKGROUND

- 3.1 The consolation survey was sent to all maintained schools, nurseries and PVI's that currently receive funding. Table 1 sets out the consultation responses.

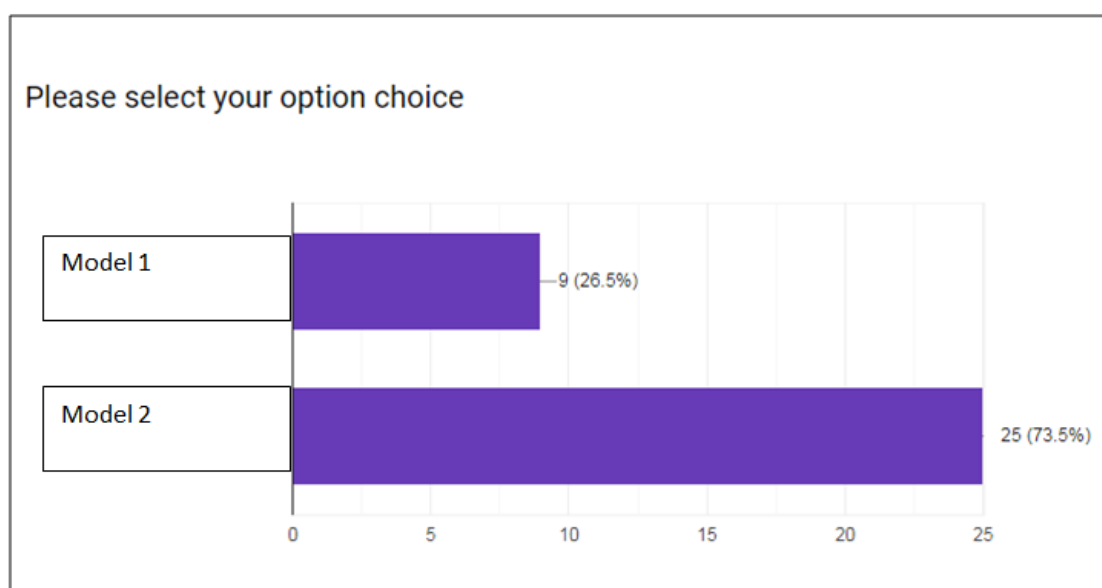
Table 1: Consultation Response Rates

3.2

Phase	No. Received	No. Sent	% Received
Schools with Nurseries	6	13	46
Maintained Nurseries	3	3	100
PVI 's	25	75	33
TOTAL	34	91	37

- 3.3 The consolation contained two options:
 - **Model 1:** Introduce category 3 to the deprivation formula and increase the rates by 18% to ensure more pupils receive the funding
 - **Model 2:** Introduce category 3 to the current deprivation formula and increase the base hourly rate to £4.34 to ensure more pupils receive the funding
- 3.4 The results from the consultation are shown in figure 1.

Figure 1. Result from Consultation



3.5 Model 2 is the favourable option from the consultation.

Model two is to increase the Base Hourly Rate by 0.82% from £4.30 to £4.34 and to include pupils in ACORN bandings 3, 4 and 5 but maintain current deprivation rates for the high, medium and low according to the percentage of pupils that fall into each band in each setting.

3.6 The updated hourly rates are shown in table 2.

Table 2. Updated hourly rates

	Current Rate	Increased Hourly Base Rate
Base Hourly Rate	£4.30	£4.34
Deprivation High >49% of children in Acorn 3, 4 and 5	£0.27	No change
Deprivation Medium 25%-49% of children in Acorn 3, 4 and 5	£0.18	No change
Deprivation Low 10%-24% of children in Acorn 3, 4 and 5	£0.09	No change

3.7 The settings with highest level deprivation will receive less funding as compared to model one. This is due to the increase in funding being targeted at base rate.

Appendix A:

RBWM consultation on Changes to Deprivation Funding 2018/2019 – December 2018

DEADLINE FOR RESPONSES – 12th December 2018

IMPORTANT - Responses must be provided via the link below:-

<https://goo.gl/forms/EGArpsqWpVUUwCD93>

Background papers

The department provides local authorities with six relevant funding streams which together form the Early Years Block of the Dedicated Schools Grant (DSG).

For the past two years the Early Years Block has been underspent due to an underachievement of provider numbers, this has resulted in a clawback by the Department for Education. Additionally, for the same period there have been a further underspends of £192,000 and £258,000 respectively, driven by the formula allocations via the supplements to providers. These underspends have been reported within the Early Years Block of the DSG. Therefore, this consultation is looking to increase formula allocations.

To ensure our early years providers receive the maximum available funding it is agreed a consultation is undertaken to change the formula allocation on the early years universal entitlement for three and four years (one of the six funding streams). Options being consulted on are:

- introducing category 3 from the ACORN data and
- increasing the deprivation rate by 18% or
- increasing the Base Hourly Rate by 0.82%.

By including category 3 the number of targeted deprivation increase from 26% to 54% and the number of settings attracting funding increases from 67% to 95%.

- ACORN is a classification that segments the UK population. By analysing demographic data, social factors, population and consumer behaviour <https://acorn.caci.co.uk/>
- Early Years Entitlements: Local Authority funding of providers – operational guide 2018-2019 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/682452/Early_years_entitlements-Operational_guide_2018_to_2019.pdf

Key Principles for Changing the Deprivation Banding

The Government is keen to ensure that the vast majority of early years funding is passed on to providers rather than retained centrally.

The key principles which underpin the change in funding proposals to the deprivation rates are to:

- Align with local priorities to provide additional funding to support deprivation and inclusion.
- Maximise funding to the front line providers.
- Allocate funding fairly both to LAs and to different types of provider.
- Distribute funding efficiently and effectively to ensure value for money.
- Ensure transparency so LAs and providers can understand how their funding rates are calculated.
- Target effectively additional funding at those children who need it.
- Allow adequate time to transition to the new funding arrangements.

Current Position of Deprivation Funding

RBWM currently funds pupils using pupil's postcodes to measure their level of deprivation by using the ACORN index of deprivations (Table: 1). Our current formula currently allocates funding to those pupils who live in areas of highest deprivation which are bands 4 and 5. Depending on the percentage of pupils in bands 4 and 5 each setting is then categorised as having high, medium, low or no deprivation see table 2.

All local authorities have to set a base hourly rate which is the same for all types of provider.

Table 1: Acorn banding categories

Category 1	Wealthy Achievers
Category 2	Urban Prosperity
Category 3	Comfortably off
Category 4	Moderate Means
Category 5	Hard Pressed

Table 2: Current RBWM funding formula on Acorn banding

Base hourly rate	£4.30
Deprivation High >49% of children in Acorn 4 and 5	£0.27
Deprivation Medium 25%-49% of children in Acorn 4 and 5	£0.18
Deprivation Low 10%-24% of children in Acorn 4 and 5	£0.09

RBWM is proposing to introduce either of the following for all providers from 1st April 2019.

1. Model 1: Introduce category 3 to the deprivation formula and increase the rates by 18% to ensure more pupils receive the funding

Model one is to increase the deprivation rates by 18%. Deprivation includes the pupils in ACORN banding 3, 4 and 5 and funded by high, medium and low according to the percentage of pupils that fall into each band in each setting.

	Current Rate	Increased rate by 18%
Deprivation High >49% of children in Acorn 3, 4 and 5	£0.27	£0.32
Deprivation Medium 25%-49% of children in Acorn 3, 4 and 5	£0.18	£0.21
Deprivation Low 10%-24% of children in Acorn 3, 4 and 5	£0.09	£0.11

This model targets funding to all settings and targets the majority funding to the settings with the highest levels of recorded deprivation.

2. Model 2: Introduce category 3 to the current deprivation formula and increase the base hourly rate to £4.34 to ensure more pupils receive the funding

Model two is to increase the Base Hourly Rate by 0.82% from £4.30 to £4.34 and to include pupils in ACORN bandings 3, 4 and 5 but maintain current deprivation rates for the high, medium and low according to the percentage of pupils that fall into each band in each setting.

	Current Rate	Increased Hourly Base Rate
Base Hourly Rate	£4.30	£4.34
Deprivation High >49% of children in Acorn 3, 4 and 5	£0.27	
Deprivation Medium 25%-49% of children in Acorn 3, 4 and 5	£0.18	
Deprivation Low 10%-24% of children in Acorn 3, 4 and 5	£0.09	

The settings with highest level deprivation will receive less funding as compared to model one. This is due to the increase being targeted at base rate.

RBWM is committed to go out to consultation on the change to the way that it allocates funding for deprivation and would ask you to complete the short online survey to express your preference to which model you as a setting would prefer RBWM to implement on 1st April 2019:

Model 1: Introduce category 3 to the deprivation formula and increase the rates by 18% to ensure more pupils receive the funding.

Model 2: Introduce category 3 to the current deprivation formula and increase the base hourly rate to £4.34 to ensure more pupils receive the funding.

<https://goo.gl/forms/EGArpsgWpVUUwCD93>

The consultation requires one response per setting

THANK YOU for your time in completing this consultation.

Your feedback is most appreciated.

**Early Years Team, Achieving for Children
Royal Borough of Windsor & Maidenhead
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