

## SCHOOLS FORUM

THURSDAY, 25 APRIL 2019

PRESENT: Martin Tinsley (Chairman), Chris Tomes, Andrew Morris, Hugh Boulter, Sarah Cottle, Amanda Dean, Richard Pilgrim, Frances Walsh and Ian Peters.

Officers: Wendy Binmore, Alison Crossick, Kevin McDaniel, Helen Huntley, Tracey Anne Nevitt and James Norris

### APOLOGIES

Apologies for absence were received from Isobel Cooke, Joolz Scarlett and Mike Wallace.

### DECLARATIONS OF INTEREST

None.

### MINUTES

**RESOLVED UNANIMOUSLY THAT: The minutes of the meeting held on 17 January 2019 be approved.**

### BUDGET OUTTURN AND SCHOOL BALANCES 2018/19

James Norris, Head of Finance (AfC), introduced the report to the Forum and explained the purpose of the report was to provide a summary of the final outturn position of the Schools Budget 2018/19, the funding held in the DSG reserves and also, the level of maintained school balances held at 31 March 2019. James Norris asked Members of the Forum to note the contents of the report and to approve the carry forward of the deficit balance on the DSG reserve. He explained table one of the report summarised the financial position and showed the full outturn had favourable movements but the high needs block was still seeing budget pressures.

With regards to the high needs block, significant reduction in costs reflected a number of cost saving strategies including 0% inflation increases on providers, successful negotiation rates for new high cost placements, developing a more robust tribunal process and the continuous implementation of a more collaborative and inclusive approach within schools to retain pupils with special educational needs rather than seeking high cost alternative provision. The savings led to cost avoidance of (£327,000); clarity from ESFA of changes in funding arrangements for Further Education and colleges which had previously been in dispute resulting in the release of provision (£102,000); reduction in Alternative Provision Outreach costs following implementation of new contract (£76,000); with others at (£9,000). All of the money had been released into the forecast.

James Norris stated in the last quarter, the overspend had reduced as reported to Cabinet and Council. The overall position was that the net in-year underspend was a favourable movement on the dedicated schools grant reserve deficit which as at 31 March 2018, was a deficit of £1,212,000; the revised deficit as at 31 March 2019 had been reduced to £917,000 gross of earmarked balances.

The Director of Children's Services stated the Borough would be one of the few local authorities to not have to report to the DfE as the Council had a deficit of less than 1%. He went on to say the SEN tribunal process was fair and robust, giving an example of a recent tribunal decision where they agreed with the Local Authority that for one particular child there was suitable educational provision in a maintained school resulting in cost avoidance exceeding £192,000 per annum. If the Borough had been unsuccessful at the Tribunal, it would have meant sending three children to a special placement. Hugh Boulter asked if the Borough and schools had identified all areas where savings could be made. James Norris confirmed work was still ongoing to identify other saving opportunities. The Director of Children's Services state the Council had also held prices of placements down and had appointed an officer to look to try and hold prices down for all placements. The Borough had also received £368,000 extra from central government which had helped.

The Director of Children's Services directed Members to table three of the report which showed the general reserve but there was an earmarked reserve of £134,000 so the official reported position sat at £783,000 in deficit and with effect from 2018/19 the ESFA introduced a new requirement on local authorities that have a cumulative deficit exceeding 1% of their budget allocations.

The Maintained School Balances had gone from £1.9m to £1.4m so there had been a significant year on year impact. There were 30 schools with surplus balances and eight schools with a deficit. Appendix A of the report set out the school by school balances. Members needed to be aware that some schools included their breakfast club budgets into their school budgets so not all schools were compared like for like. Tracey Anne Nevitt, AfC Finance, confirmed all breakfast club funds should be included in school budgets as per government guidelines; if the schools were audited, they would be advised to move breakfast club funds from private funds into school budgets.

**RESOLVED UNANIMOUSLY: That the Schools Forum noted contents of the report and approved the carry forward of the deficit balance on the DSG reserve.**

#### PREVENTING EXCLUSIONS IN RBWM PRIMARY SCHOOLS

Clive Haines, Schools Leadership Development Manager, introduced the report and explained to Members the purpose of the report was to provide the Schools Forum with a business plan for investing resources to fund an intervention programme for preventing exclusions within the primary sector and with the potential to be rolled out into the secondary sector.

In accordance with the Schools Revenue Funding 2018/19 operation guide, the Schools Forum agreed on 27 November 2017 to a 0.5% budget transfer from the School Block to the high Needs Block representing £416,000. There were no commitments identified in 2018/19, therefore, the funding was carried forward to 2019/20. The Schools Leadership Development Manager added meetings and consultations had taken place. Helen Huntley, AfC, stated she had been working within the borough as a SEND consultant, looking at the use of funds and talking to primary schools. She added that Autism Spectrum Disorder with behaviour issues was where the schools were asking for help.

A template had gone out to schools and heads wanted to get involved but could not see a way the project could be sustainable so more work was required. Since September 2018, there had been five permanent exclusions from primary schools so it had been challenging to respond to. Helen Huntley had met with primary and secondary schools to see how the Borough could support a child at risk of exclusion. If a child was at risk of exclusion and the school were worried, the school could ring the team at the Borough who would support the child and also increase the capacity at the school to help the child and prevent the exclusion.

The scheme used a qualified teacher with two assistant support staff to work with 12 children in 12 schools across one year group. They would help a child to self-regulate and to work with staff in schools to increase capacity and confidence and prevent exclusion. There would also be some cost savings using the approach. Helen Huntley held a BASH meeting and there was interest in developing the project into secondary schools.

There were risks as the project was to only support one year in 12 schools and also, no matter how much support was offered, a child might still be excluded. Also, there could be issues with school resilience, one school might not have capacity to cope with a difficult child but, other schools might fund the child is just a challenging student.

The Chairman stated some of those children had behavioural issues that might have come from home so, they could come into school and all the work done at school could be undone at home. Perhaps an organisation such as Family Friends could work with families at home. Schools also needed consistent understanding of what behaviour was accepted as challenging and what behaviour warranted exclusion. If those issues could be worked on, it could be a way of making the project work.

Helen Huntley explained that the Haybrook College contract covered both primary and secondary schools and a business plan had been produced for resource spaces for children with ASD and challenging behaviour; she did not want to limit the resource to just with ASD. Helen Huntley said she had spoken to the behaviour support team about supporting children currently and they explained that a request had to be made through the early help team first but, this project to prevent exclusions was to be implemented before that so that schools could build up their capacity. The Chairman said it was an early intervention and the earlier the intervention occurred, the better the outcome. Richard Pilgrim asked how the right person would be recruited if it was only a one year contract. Ian Peters commended the role would require staff with a very specific set of skills; it could not be a teacher, would need to be someone that had behavioural experience. Helen Huntley confirmed that if the right people could not be hired, then the project would not go ahead. The Director of Children's Services added the funding would be provided on a year by year basis due to the current deficit. It was harder to offer a permanent position so it would need to be set up as a three year contract and fund year one to start with. The Borough would then need to make savings elsewhere for years two and three of the contract. If the project did not work, then that would be the end of the project. He went on to say while the Borough could not afford it, the project would be worth funding for three years and making it a longer trial period. The Schools Leadership Development Manager stated case studies were needed to provide evidence of the project working. The Chairman commented if it became a cost to the schools to put in place but the first year is proven to work, schools would be open to help fund the scheme. The Director of Children's Services said the team could compare the project with other services to see

what the most effective and efficient route was to help prevent exclusions. The Schools Leadership Development Manager suggested restructuring the behaviour support team to enable the project to go ahead.

Ian Peters stated working with parents at home would be pivotal in getting the project to work. Helen Huntley responded schools referring children that were right on the edge of exclusion would not work, it needed to be those children who were at risk of exclusion but not right at the edge. The project would be 12 schools and 12 children to have the widest impact. The project would not be directed at children with an EHC Plan, it would be aimed at a lower level. The Director of Children's Services explained the paper asked for a one year contract as that was the funding that was available but, he was hearing to get the right person, the team would need to offer a multiple year contract so he was happy to suggest three year funding for the project. The Schools Leadership Development Manager confirmed the project would cost £144,000 for 12 months but that was not linked to when the financial year started, it would be whenever the project started.

**RESOLVED UNANIMOUSLY: That the Schools forum noted and commented on the contents of the report.**

#### TOP-UP FUNDING HIGH NEEDS BLOCK

Alison Crossick (AfC), introduced the report and explained the purpose of the report was to provide the Schools Forum with the current national and local picture for Education, Health & Care (EHC) Plans, with associated needs and costs. She added the report looked at the likely impact if no changes were made and provided information for consultation relating to Top-up funding for schools in RBWM and also information for consultation around the current matrix and banding for EHC Plans.

Alison Crossick said the Borough would be keeping the matrix the same as Slough and Bracknell councils so that it could work across borders. She had looked at the matrix used by Sussex to see if it would work with Top-up funding for the Borough. Post 16 education was not included in the current proposal, unless the pupil remained on roll at their current school into the sixth form.

The number of EHC Plan's in place had been rising while the number of people designated for support had remained stable. In Windsor and Maidenhead, 16.17% of students required support which was higher than the national average. Alison Crossick was in agreement to look and clarify if other local authorities with grammar schools had a similar percentage of SEND support. She added she would have expected inner city schools with low literacy to have a much higher SEND support rate.

Alison Crossick stated she had been working to a written statement of action. One area she had looked at was work that could be done in local schools to keep children locally. The ratio in and out of the Borough was reasonable but a lot of that was for independent paid for provision.

EHC Plan numbers had been rising nationally and the Borough was in line with the national average. As expected post 18 EHC Plan levels were rising the quickest due to EHC Plans now lasting till the pupil reached 25 years of age, whereas Statements of Education Need only went up to the age of 18 years, so the Borough would start to see lower rates of EHC Plans as the older pupils reached 25.

Table two showed some of the maintained schools special reduced as post 16 went on to special colleges; the Royal Borough EHC Plan population had less than one third in maintained schools with elected home education numbers quite high, so the Borough had assigned an officer to check the primary need of those pupils, and if they could still learn but had left school, they would try and find a suitable placement for them.

Kevin McDaniel, Director of Children's Services stated off-rolling was not a significant issue in the Royal Borough and it was all about finding the right placement for those young people. Chris Tomes stated that at his school, there were some parents that tended to off-roll at the end of year eight or nine and that the numbers were higher than at other local schools. Alison Crossick confirmed that was being looked into.

Alison Crossick said when the Top-up funding changed to the new banding, people were concerned as there were more children to share the money around. A piece of work was done to compare banding regionally and with London local authorities. The piece of work done showed that regional LA's Mainstream Median had annual Top-up values of £4,044; while London LA's Mainstream Median had annual Top-up values of £8,320. Alison Crossick added that table four showed the Borough's median was higher than the national average and was similar to the regional medians but a little higher than London's.

The speech and language contract was going out to tender and that would include all statutory requirements to meet the needs of children and young people with an EHC Plan. Alison Crossick added there would still be a mixed economy with some still on the old banding; but she was getting rid of the band which said no funding provided as it made no sense to state that. The Borough had 299 children with EHC Plans and the funding sitting with that was just under £1.4m and the Borough could give schools more funding to reduce out of Borough placements. Schools would be remunerated appropriately.

The matrix was biased towards behaviour and mental health but there were concerns that the right amounts were not getting to the right pupils; so now with the new matrix, that would be addressed and all new requests were be agreed from September 2019 and would follow the new banding and very old banding would change in a phased timing so funding would not go up or down unexpectedly.

Alison Crossick stated the 81 pupils currently on Band B with £1,479 funding will automatically increase to £2,000 per annum, in September 2019, at an estimated additional cost of £42,201. All other pupils would be reassessed for band level at phase transfer 2010 onwards, unless there was a significant change of need. Pupils still receiving funding at the old banding pre 2017 would be rebranded at the next Annual review or earlier if requested. Alison Crossick added that schools were very good at not applying for EHC Plans for children if they were not needed.

Ian Peters stated the old band seven used to be for those pupils that required one to one support. Alison Crossick responded the Borough was trying to get away from one to one if it was a medical or safety need. If a pupil was in need of one to one for those reasons, they should be classed as exceptional cases and should be banded at band 12. Band eight onwards would be for those children needing a TA or LSA support.

The Director of Children's Services confirmed the Borough should be applying the new banding for the summer term and not waiting for September 2019 but, budgets were overspent so the Borough should only apply it now if it could afford to.

The Chairman commented that schools knew which children were coming through from nursery and which ones may need more support. Alison Crossick responded some parents were not ready for those conversations around special needs and sending their children to special needs schools. Manor Green had agreed to hold three places open for some children in that situation. The Director of Children's Services said legal advice received was that when that situation arose, the Panel agreed that parents could take longer than 15 days to accept an offer of a place at a special school. Conversations were ongoing to support those parents making that decision. Ian Peters said doing that should make for a smoother transition.

**RESOLVED UNANIMOUSLY: That the Forum**

- **Noted and commented on the contents, share and disseminate across all RBWM schools and discussed the preferred options.**
- **Agreed for change of process to be trialled from September 2019 for new EHC assessments and phased transfers for 2020 to be reviewed in April 2020.**
- **Post 16 funding was not in the scope of the current proposal, unless the pupil remains on roll at their current school into the sixth form.**

The meeting, which began at 2.00 pm, finished at 3.35 pm

CHAIRMAN.....

DATE.....