

SCHOOLS FORUM

THURSDAY, 16 JULY 2020

PRESENT: Hugh Boulter, Martin Tinsley, Mike Wallace, Isabel Cooke, Richard Pilgrim, Amanda Dean, Sarah Cottle, Chris Tomes and Joolz Scarlett.

Also in attendance: Councillor Neil Knowles, Councillor Samantha Rayner and Councillor Gurch Singh

Officers: Rebecca Askew, Andy Carswell, Clive Haines, Helen Huntley, Kevin McDaniel, Tracey Anne Nevitt, James Norris, Fatima Rehman, Sarah Ward and Alasdair Whitelaw

APOLOGIES

Apologies for absence were received from Maggie Callaghan, Richard Pilgrim and Mike Wallace.

DECLARATIONS OF INTEREST

Sarah Cottle declared an interest in item 10 as the business rate relief impacted Cookham Nursery School.

MINUTES

The Chairman said it was agreed in the last meeting that the item on 'Supporting Pupils at School with Medical Conditions' was to be carried forward to this meeting, but this did not take place.

James Norris, Head of Finance (RBWM), informed the Members that The Early Years National Funding Formula 2020-21 consultation was undertaken, with positive feedback to accept the rate increase per hour.

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 16 January 2020 be approved.

BUDGET OUTTURN AND SCHOOL BALANCES 2019/20

James Norris introduced the report to Members, which provided the outturn position of the Schools Budget 2019-20 and the position finalised for the last financial year. The report covered the level of Dedicated Schools Grant (DSG) deficit held at the end of the financial year and the level of school balances for maintained schools.

The schools budget had £64,000,000 allocated, £34,000,000 of which was allocated directly to schools and the remaining £29,000,000 was managed by the local authority. Of the £29,000,000, there was a net overspend of £242,000 for 2019/2020. With the net overspend combined with £917,000 deficit position brought forward, there was a net in-year overspend of £1,159,000. With the combined DSG earmarked reserves of £134,000 from 2019/20, the overall net deficit was £1,025,000.

There was a requirement of the School Forum to approve the deficit carried forward to 2021/22.

The net deficit was a cumulative deficit of 0.83% of the overall school budget allocation, and it was previously a target to remain under the 1% threshold to avoid submitting a Deficit Recovery Plan. However, the government guidelines had changed, therefore all authority's in a deficit position at the end of the financial year had to submit a Deficit Recovery Plan.

The template of the Deficit Recovery Plan was still being created by the Department of Education (DfE) and Achieving for Children (AfC) had some input in the template. The template was unlikely to be released until a number of weeks and the submission was likely to be in Autumn 2020.

There was a net surplus of £1,552,000 in the maintained school balance, which was a net favourable movement of £132,000 compared to the previous year.

The Royal Borough of Windsor and Maidenhead (RBWM) did not have the control mechanism to recover excessive balances that schools held, but it was now considering this due to the financial position the authority was in. The reclaim excess balance had been estimated to be approximately £1,400,000.

The Chairman said reclaiming excessive surplus, which was done by accruing for a project or a rainy-day fund, may prove unpopular with schools, especially when doing a three-year budget with increasing costs. He understood why the local authority would reclaim excess balance, but this was something to be managed carefully, as schools may have saved that money for a future budget.

James Norris said the excessive balance in total at the end of the financial year was £950,000, and schools identified in their annual return that they had commitments of approximately £700,000. Therefore, the authority would not look at the committed element, but rather the £250,000 of further funds that was not currently shown as committed. The Chairman said the remaining uncommitted amount could quickly become committed. The Members were informed that this was just a consideration and the funds would be redistributed to the schools.

The Chairman asked for the year on year comparison of deficit and the Members were informed that there was an increase of £242,000 from last year's position and an increase of £180,000 from the year prior. There was a steady increase in the year on year comparison in the wrong direction.

Hugh Boulter, Representative for Furze Platt Senior School, asked if the Deficit Recovery Plan was like an action plan on how to use the deficit, and therefore was there a target to meet in a years' time. The Members were informed that the template was not yet released, and it was anticipated that the recovery plan was likely to be for the next three to five years.

Kevin McDaniel, Director of Children Services, said this was a precursor to the introduction to the National Funding Formula. If the Formula was introduced, the Schools Forum would not have a say in the way money was devolved locally, therefore there were plans to reduce debts over the next five years.

The overall net balance was a combination of money spent on Early Years, all schools up to and including Year 11, the High Needs Block and the Central Services. The sum of this needed to be brought to zero. The potential reclaim on surplus balance was one of several ideas that could be brought forward, and the Forum would have to make some tough decisions for the coming year to get the trend down. The Chairman said it was likely that surplus money would be spent in areas that were not needed if surplus sums were taken from schools.

The Members noted the contents of the report and approved the deficit carried forward.

RESOLVED UNANIMOUSLY: That the deficit balance on the Dedicated Schools Grant reserve to be carried forward to 2021-22 be approved.

BUDGET MONITORING AND FORECAST JULY 2020

James Norris introduced the report to Members. This includes the projected financial position; the impact the budget would have on the reserve deficit position and discussed the ways the financial pressures could be addressed. Most of the financial pressure was in the High Needs Block and would be targeted to help reduce costs.

The Dedicated Schools Grant (DSG) Budget 2020/21 was £65,000,000. The budget for The Early Years and High Needs Blocks budget were only indicative as DfE needed to finalise the budget in the summer.

The projected overspend was comparable to last year of £195,000, which was driven by the High Needs Block pressures, such as Pupil Top Up funding and other support packages. In addition to the in-year overspend of £200,000, there was a risk of a further £200,000 overspend due to pressures in the second half of year within the High Needs Block. The projected reserve balance was £1,220,000, which was 0.99% of budget allocation. With the projected future risks, the projected reserve balance increased to £1,420,000, which was a 1.14% overspend. This was a similar position to the last two years.

The future actions for the year included submitting a Deficit Recovery Plan for the previous and current financial year and proposed next steps to address the deficits. This included greater commissioning in order to receive better value for money and drive down price where appropriate, retain rates on costly placements, work with schools to retain complex pupils for longer within the existing school, and ensure there was as much local provisions as possible.

There was a significant underspend in the Schools Block, with the Growth Fund underspend of £450,000. There were two applications for in-year funding from the Schools Block. There were requests for Growth Fund allocation to be redistributed from Churchmead and Holyport College.

Chris Tomes, Headteacher at Churchmead, said that 5 years ago, there was a year group with only 38 students who had just left in Year 11. The schools had come through two good ratings from Ofsted and staff were reduced staff in the last 5 years. Whilst 38 students left the school, there would be 123 students coming in September, which was an increase of 85 students. A growth fund was requested because of the significant increase in the school, and the school would work with the local authority to reduce the school's deficit and create the best policy going forward with the money

received. With an increase in students and not receiving the lag funding for maintained schools until April 2021, a growth funding of £217,000 was requested.

Kevin McDaniel said Churchmead had an excellent recovery and the last two Ofsted inspections reiterated this. The improvement of the school status was led by the investment in good quality services and there was a need to retain staffing to support the influx of students.

He said that one of the Forum's responsibility was to minimise the financial risk to the system. With the underspend in the growth bid, if the allocation was not given, the deficit budget in Churchmead would grow to meet the staffing needs of the children. The overall risk to the deficit increase would be reduced if the allocation was made.

If a school converted to an academy, the deficit balance left would be distributed to maintained schools. The national policy for academies was strong and the DfE were looking to reinvigorate multi-academy trust chains with good schools like Churchmead. If Churchmead converted to an academy, there could be significant pressure from the Regional Schools Commissioner, and therefore it was recommended to support the bid for the benefit of balancing budgets in-year.

Kevin McDaniel spoke on behalf of the Holyport College and said its admissions system enabled admissions of students in Year 7 and Year 9. There had been a consultation to change the system in 2021 to take more pupils in Year 7 instead of Year 9, which increased the capacity of students up to 44 students. There was a local decision to make a formal change to the admissions, which the school was entitled to do under the Fair Access Protocol. The Members were asked to consider supporting the additional year growth under the Growth Fund.

The Growth Fund was set up for when schools expanded and had clear criteria for when the fund could be applicable. Holyport College's growth was a choice, which was not inside the current Growth Fund scheme. The Chairman clarified that the school chose to expand rather than being asked by the local authority and therefore did not qualify for the Growth Fund and Members were informed that this was correct.

The Chairman asked if Holyport College was rejected for the Growth Fund, could the College then go to the DfE or Education and Skills Funding Agency (EFSA). The Members were informed that it would be likely that the College would go to the EFSA and reference that they first asked for funding at the Schools Forum.

The Chairman asked if Holyport College was expecting funding from the Forum, and Members were informed that the Headteacher was aware the request fell outside of the Growth Fund criteria.

Kevin McDaniel said points 5.2-5.6 in the report pack required schools to have a collaborative approach to find the best way to supplement the £125,000,000 from the DSG. It would be unrealistic to expect the local authority to stop expenditure on high needs. Representative views and input from schools would be sought to reshape the plan, otherwise funding would be reduced in one area and would resultantly put pressures on other budgets. There would be individual decisions that may seem difficult but would impact the overall budget.

The education team would help in communicating the message to schools and Members were requested to spread the word as representatives of their areas. The

Chairman said this message needed to reach out to other headteachers and the High Needs Block impacted the budgets for all schools.

Joolz Scarlett, Headteacher at Manor Green School, said there were a few placements that were high value that could be accommodated at a cheaper rate. She said that some students' needs that were in special need schools could be met in mainstream schools with some support, which would drive down costs.

The Chairman said proper funding to mainstream schools was required to ensure students' needs did not take special school places.

Kevin McDaniel said AfC were seeking to recruit a permanent Commissioning Lead who would work with Special Educational Needs (SEN) to drive down value. Consultations had ended regarding additional space and capacity in mainstream schools that could help.

The Members noted the report.

RESOLVED UNANIMOUSLY: That Churchmead's proposal for the Growth Fund be approved, and the Holyport College proposal be rejected.

ORDER OF BUSINESS

RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be varied.

WELLBEING TEAM AND BEHAVIOUR SUPPORT TEAM FUTURE PLANNING

Rebecca Askew, Senior Educational Psychologist, introduced the report to the Members which covered the current and future service provision from the Wellbeing and Behaviour Support Teams based on local Social, Emotional and Mental Health (SEMH) considerations and developments to support the increased SEMH needs. Members were asked to consider proposal 7.1 from the report.

Support from the team was open to all CYP people in RBWM schools (5-18 years) except for private schools. It was agreed that the team would offer both direct work such as consultation and initial assessment, time limited focused interventions, group work/workshops, Early Help meeting support and signposting.

During the last academic year, members of the team continued to support CYP known to the social care PODS through the provision of Dyadic Developmental Therapy based consultations for 0.4 Full-time Equivalent (fte). The team delivered preventative work such as Psychological Perspectives in Education and Primary Care (PPEP Care) Training and mental health training, such as Young Carers.

During the academic year, two full time Wellbeing Practitioners left the team due to a limited opportunity to progress within the team structure, and a lack of CYP focused course options/funds for Cognitive Behavioural Therapy (CBT) Diploma. Therefore, the practitioner left the RBWM Wellbeing Team and enrolled on the Children and Young People's Mental Health Services (CYPMHS).

This added further pressure to the Wellbeing Team this year with no reduction on referrals through the Early Help Hub or other group and whole school initiatives. Therefore, Early Help Hub wait times increased.

There were six Wellbeing Practitioners in the Wellbeing Team including; Counsellor 0.2fte, Play Therapist 0.4fte, Art Psychotherapist 0.4fte, CBT Practitioners 1.4fte and Dyadic Developmental Psychotherapist 0.5fte. With the implementation of the Getting Help Teams from September 2020, there would be an additional 1.5fte of practitioner time (CBT-based) available to RBWM. The Getting Help Wellbeing Practitioners were employed by Berkshire Healthcare Foundation Trust (BHFT) but would support within the Wellbeing Team using the Early Help systems.

The Behaviour Support Team offered a range of individual, group and systems-based support to schools to CYP and their families in the Borough. The service was freely accessible to maintained primary schools. Requests for individual pupil support could be accessed through the Early Help Hub, group work and training requests sent directly to the team. Academies, middle and secondary schools could purchase any one of the five package options at any point during the academic year.

During the academic year, one full time team member left to pursue training to join a Mental Health Support Team in Wokingham and another team member retired. This reduced the Behaviour Support staff capacity from 3.4fte to 1.8fte.

The team continued to deliver the Nurture programme but scaled back the offer of in-school transition work. The Onwards and Upwards Summer Transition programme for vulnerable children who were about to enter secondary school proceeded with planning considerations considering safety measures and government guidelines.

Rebecca Askew referred to table 4.5 of the report, which provided detail to the referral rates in comparison to referral rates in from other teams. The Wellbeing team rates were higher in comparison to their capacity, therefore there were high wait times.

COVID-19 further compounded team wait times, despite telephone check-ins and online tele-therapy sessions. This was because some children did not want to engage by telephone or via online platforms and it was difficult to close cases because of the limitation in generalising therapeutic strategies, and therefore reliably evaluate a reduction in symptoms.

There was a nine-month wait for Dyadic Developmental Psychotherapy, an eight-month wait for Counselling and a six-month wait for Art Psychotherapy, Play Therapy and Cognitive Behavioural Therapy. To reduce Play Therapy wait times, one practitioner increased their time from two days a week to three days a week. Two volunteer Play Therapists would be taken on board in September 2020, who would volunteer one day a week.

There was not further capacity at the No.22 Youth Counselling Service in Maidenhead, but there was some capacity for additional referrals in Windsor. There had been a noticeable increase in referrals for young people under 18 years old in May 2020, with 40% of the wait list being under 18-year-olds. There were 424 young people on the counselling wait list due to a greater client flexibility to access online sessions.

The Wellbeing Team Practitioners were holding a total of 41 cases, with 88 CYP on the wait lists and 6 CYP being assessed prior to intervention. The Behaviour Support Team were holding 18 cases between 2 practitioners', with 27 cases on their wait list.

There was a five-month wait time for cases that had been triaged as lowest priority, which was not good enough and therefore there were plans to reduce wait times.

The cases for both teams had become more complex during the last two years, with referrals to the hub regularly outlining self-harm and an increase in reference to Post Traumatic Stress Disorder (PTSD), Obsessive Compulsive Disorder (OCD), risk of exclusion and incidences of aggressive behaviours towards parents, school staff and peers. There was an extension of involvement to be supportive to all involved as a result.

There was a rising demand for social, emotional, wellbeing and mental health support. Waiting times for completion of triage within specialist CAMHS increased, particularly for young people who needed non-urgent assessment and intervention. More than 36% of referrals to CAMHS Common Point of Entry (CPE) were found to not need specialist assessment and many of these cases were referred to Early Help, in addition to requests from schools and other professionals such as Social Workers. CAMHS also referred complex cases to Early Help which required long-term intervention and/or higher intensity training, neither of which could be met by the Wellbeing Team within the Early Help process.

The Chairman asked if the funding for the programme was coming primarily from schools buying into the service. The Members were informed that there were different funding methods for each team. The Wellbeing Team was funded by the Schools Forum whilst Behaviour Support Team was funded by a combination of funds.

Rebecca Askew said COVID-19 had an impact on the data, with approximately 16% of CYP exposed to a traumatic event develop PTSD, rising to 25.2% for those experiencing an interpersonal trauma such as physical or sexual abuse/attack. Findings from a study done during the Avian Flu Pandemic suggested the potential impact of COVID-19 on psychological/mental health. Research on the Impact of Social Isolation showed an increase in suicidal ideation, self-harm, and eating disorder related risk behaviours. CYP in enforced isolation/quarantine were up to 5 times more likely to require a mental health service, which could be seen on a local and national level.

The Behaviour Support Team and Wellbeing Team worked collaboratively to support bereavement and emotional-based school referral, which was likely to increase in the next academic year. This was outlined in the Phase 3 Action Plan Menu of Support.

The first proposal was to create change in the team structure to retain experienced staff. There was interest from an experienced colleague who was interest to take up some of Rebecca's responsibility so that Rebecca could focus on strategic and operational planning which will be crucial next year.

There was substantial work to be done within social care to save money, as a lot of money had been spent on therapeutic support by privately commissioned services. There was a view to enhance the consultation offer and extend this to Social Care Managers.

Due to the success of the second bid, The Mental Health Supports Team was planned to be fully implemented from January 2022, with schools signed up to host the teams.

The second proposal was to increase counselling capacity to minimise backlog of referrals and wait time. The counselling sessions could take up to 15 weeks, with a

counsellor on the team for 2 days a week, which was not enough in comparison to the number of referrals.

The third proposal was to integrate the Wellbeing Team and Behaviour Support Team into one service. There were complexities to carry this forward due to the different funding streams for both teams.

The fourth proposal was the consideration for funding in training in order to remain competitive with CAMHS and ensure there was staff retention.

The CReST Measurement Tool was a free dynamic tool that enabled a 'whole system' view, showed wait times and the movement of referrals. Further recovery and restoration planning were underway across East Berkshire to help share resources and pick up learnings.

There was continued development of the early intervention offer which would include virtual training, which was currently given. Approximately 500 people had signed up to the recent training in the Borough, which was positive feedback. There would be a review of the Local Transformation Plan (LTP), which was on hold but was on the Clinical Commissioning Groups' (CCG) agenda.

The makeup of the Getting Help Teams included two recently recruited CBT staff and a Clinical supervisor who would support triages, signpost complex cases or send back to CAMHS.

The team was signed up to University of Oxford survey, which was an online mental health and wellbeing survey that was free this week and paid by the CCG going forward. The survey showed how young people felt in relation to wellbeing, with 19 schools across the Borough who signed up to the service. A practitioner survey was also shared to teams and was soon to be completed, which would help in local learning.

The Wellbeing Champions and Nurture Group Programme continued despite COVID-19 and supported the Attachment Aware Schools Award. Schools had started to sign up to this. Transition support would continue, with the Onwards and Upwards programme to be continued this summer with due consideration of health and safety measures.

The Chairman said the mental health of young people would be severely tested, and some children may have witnessed domestic abuse during the COVID-19 lockdown. The integrated approach from CCG and local authorities to provide mental health support was encouraged, so that young people could receive the support they needed. The Members were informed that there was a good collaborative and co-constructive relationship with CCG that had grown over the last few years.

The Chairman asked if the CCG had a larger commitment for funding or if the vast amount of funding was coming from the Schools Forum. The Members were informed that CCG provided funding for the Getting Help team in its entirety as well as other developments in training and support. There were continued conversations on funding in preventative measures rather than direct therapeutic work.

Kevin McDaniel said there was an investment of £2,000,000 from the Mental Health Transformation Plan. There was a small pool of skilled professionals in these areas

and the challenge was to have enough resources in the teams. The collaboration of services allowed senior practitioners with the ability deal to deal with more complex cases.

The Chairman asked if there was a way to create a role for experienced practitioners to help in staff retention. The Panel were informed that the role placed in Proposal 1 was financed within the funding of £120,000 for the wellbeing service, with no additional funding commitments. The other proposals were put on hold because there was insufficient funding for these from what the Schools Forum originally approved budget for the project.

The Chairman said there would need to be investment from local and national government due to the forecasted increase in mental health concerns for young people in the next couple of years due to COVID-19.

The Members noted the report.

RESOLVED UNANIMOUSLY: That Proposal 1 - the retention of experienced staff - be approved.

ORDER OF BUSINESS

RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be varied.

SOCIAL, EMOTIONAL AND MENTAL HEALTH (SEMH) PROJECT UPDATE

Helen Huntley introduced the item and said that in 2017 it was agreed by the Schools Forum to transfer money from the School Block to the High Needs Block, so that pupils did not have to be sent out of the Borough.

Last April, it was agreed to create an SEMH Intervention Programme to reduce the number of permanent exclusions from RBWM primary schools. This was because the life chance of children once they transferred to alternative provision decreased and financially it cost £18,000 a year to send a child to Haybrook College (the local alternative provision).

Two secondary schools had shown interest to trial the project, including Churchmead and Desborough College and data that showed there were more permanent secondary exclusions than primary schools. There was a concern in the increase in primary school exclusions.

The project was within budget, with a coach who worked for half a term with the child and teacher in the classroom to better manage the child's behaviour. The project also worked with the school as a whole to deliver training to manage the needs of children.

The report addressed the successes of the project, with no exclusion of children that were supported by the Programme. The project development was to continue to work with primary schools for the next two years and to trial the programme in secondary schools.

It was projected that some children would show anxiety about COVID-19 through challenging behaviour.

The Chairman said there was demand for this project in both primary and secondary school and if issues were dealt in primary schools, challenging behaviour would not escalate to secondary schools. The Members were informed that training could be given if coaches were unable to support schools.

Isabel Cooke, Headteacher at Knowl Hill C of E Academy, said she appreciated the outstanding service and whilst her school did not have a coach, the ability to be in contact via phone was reassuring. The Chairman said this was an important service with the potential to have a large impact on young people.

Andrew Morrison, Headteacher at Furze Platt Senior School, asked if any young children had fixed or permanent exclusions from training and Members were informed that one child had been excluded. Attempts could be made to reduce exclusions but could not be stopped altogether due to extreme cases. Andrew requested for data to see the trend in training and the overall proportion of children rather than extreme cases in future.

Helen Huntley said the model of the project was to self-finance the programme so that it does not stop due to monetary issues.

The Members noted the report.

SCHOOLS FORUM MEMBERSHIP FRAMEWORK 2020/21

The Chairman introduced the report and stated that the Forum historically had 17 members and struggled to fill all the vacancies.

James Norris said the purpose of the report was to undertake an annual review of the Forums membership. The terms of reference had not changed since last year, and whilst the level of membership was 17 available places, the Forum was generally only 12 to 13 Members. Currently, there were 11 members registered, with nominations to replace Richard Pilgrim with John Fletcher, and Maggie Callaghan to replace Francis Walsh.

The Chairman said the membership of the Forum was academy biased as his school (Clewer Green CE First School) had converted to an academy too, and there was a need for more involvement of maintained schools in the Forum.

Kevin McDaniel said the school sector membership of the Forum should be given voting rights that reflected the ratio of children in the schools. The Members were encouraged to ensure there was a balance in membership and to discuss if a larger or smaller forum size was required.

Sarah Cottle, Headteacher of Cookham Nursery School, asked how the invite to the Schools Forum was sent to maintained school headteachers. The Chairman said an invite was sent though Cluster Chairs, who should have asked for volunteers.

Kevin McDaniel said the Forum was a statutory body that had to exist by law, which made decisions for £125,000,000 annually, and should therefore be one of the most influential decision-making body for school finances.

Isabel Cooke asked if the Forum was correctly represented given the vacancies, and the Members were informed that whilst there were some changes in schools, the Forum reflected the pupil ratio.

Kevin McDaniel recommended to keep the panel size the same and to advertise vacancies for maintained representation.

Chris Tomes asked if the Chairman could chair the meeting if his school was now an academy, and Members were informed that this was correct.

The Chairman said that himself, Kevin McDaniel and James Norris would work on the membership offline and bring back its findings to the Forum.

Kevin McDaniel advised Members to try to fill the vacancies, and the consequences of not filling the vacancies would be brought back to the next meeting.

RESOLVED UNANIMOUSLY: That the recruitment of John Fletcher and Maggie Callaghan for the Schools Forum be approved.

SCHEME FOR FINANCING SCHOOLS 2020/21

James Norris introduced the report and informed the Forum of the changes to the Statutory Guidance for Financing Local Authority Maintained Schools. The Members were asked to approve the Scheme for Financing Schools 2020/21, to be effective from April 2021. He said the only change was that maintained schools could apply for the Risk-Based Approach (RBA) insurance scheme and other minor changes.

Chris Tomes asked if there were any other major changes, and the Members were informed that other than the RBA change, changes were cosmetic and could be found in the report pack.

Due to the lack of representation of maintained schools in the Forum and lack of urgency to make a decision, the Members agreed to defer this item to the next meeting.

Members noted the report.

SCHOOLS AND EARLYYEARS PROVIDERS BUSINESS RATES

The Chairman introduced the discussion and said Sarah Cottle had been in conversation with Kevin McDaniel about the business rate charge for maintained nurseries, whilst other school settings were not.

James Norris explained that schools received funding allocation to pay the business rate. Nurseries and Private, Voluntary or Independent's (PVI) did not receive the same rate relief or funding unless they had a charity status. Under the Local Government Act, the billing authority could not give itself rate relief. Maintained nurseries were deemed an entity of the local authority and therefore could not be given rate relief. Neighbouring authorities did not give discounts to their nurseries, whilst county councils did as they were not the billing authority.

Kevin McDaniel said all providers were given business rate relief due to Covid-19 apart from maintained schools, which seemed unfair.

Sarah Cottle said she had been in discussion for business rate relief for many years, as maintained nurseries were deemed to be a school. During COVID-19, Cookham Nursery School was one of the only three schools in the Borough to pay rates. The nursery was not a business as all the money made was spent on the pupils. Whilst the Nursery was classed as a school and one of the three outstanding schools, it was not classed as a school when business relief were sought. When AfC changed its policy, nurseries in Kingston and Richmond received support for their business rates. The nursery had to pay £48,000 as part of business rates, which was 12.5% of the budget. Short-term support during COVID-19 and a longer-term solution was requested.

The Chairman said this was about clarity, equity and fairness, and if every other requirement was being met by the nursery from DfE and Ofsted, it was unfair to not classify the nursery as a school from a business rate perspective.

Kevin McDaniel said schools also paid business rates, but the DfE paid back a grant after a year which covered the cost. The DfE policy excluded maintained nurseries.

The Chairman said this was not a local authority decision, but if other authorities found a way to not pay the rate, the Council could consider doing the same. Members were informed that the Schools Forums in Kingston and Richmond agreed to pay the business rate from the education budget, which was against the legislation.

Chris Tomes proposed to adopt the same strategy as Kingston and Richmond, which the Chairman considered. The Chairman asked if the underspend in the Early Years Clock could be used for the business rate. The Panel were informed that the budget could be used, but this would increase the overall net overspend across DSG.

James Norris said that nurseries received a different funding than PVI settings, such as lump sum supplement payments for additional responsibilities. Sarah Cottle said this payment was made because by statutory the nursery had to cover costs such as a Special Educational Needs Coordinator (SENCO), headteachers and qualified teachers, whilst PVIs were not obliged to have highly qualified staff. James Norris agreed with this and said there were additional funding streams that recognised the difference between maintained nurseries and PVI settings.

James Norris asked if PVIs would also receive the same business rate relief as maintained nurseries. The Chairman said PVIs were a business, whilst schools and maintained nurseries were not, and therefore there was a difference between the two entities.

Kevin McDaniel said it was legally against regulations to provide business rate relief, and PVIs could challenge the School Forums that all Early Years funding should be based on a formulaic basis and could also ask for support on their business rates. This would total to £800,000 annually, therefore there was a risk to the decision. Whilst there was a national business rate relief due to COVID-19, the risk was low to provide a one-off support for maintained nurseries, whilst an alternative was sought.

Chris Tomes asked if there was a short-term solution that could be provided whilst a longer-term solution was formulated. The Chairman agreed and requested for work to be done to see how other local authorities got around the business rate, what the risks were and find a long-term solution for the future that is fair for all.

Chris Tomes asked if the challenge was regarding the difference between local authorities for maintained nurseries and PVIs. The Chairman informed Members that because RBWM was the charging authority, it could not give rate relief, whilst a county council could do so.

Kevin McDaniel confirmed that maintained nursery schools in a second-tier district could apply for a business rate relief, as the authority was not the owner of the school. But as RBWM was a unitary authority and therefore the maintained nursery was part of the authority, it could not give itself a rate relief. This would be against the business rates rules and regulations. Therefore, DfE provide a delayed rate relief to avoid challenges. The simplest solution would include DfE recognising maintained nurseries as schools that should be eligible to have business rates repaid. However, the DfE paid different supplements for the differences between nursery schools and PVIs.

Sarah Cottle said the DfE stated that if maintained nursery schools were categorised as schools, maintained nurseries would not be part of the Early Years Block, which would have implications on the other schools within the maintained sector and the budget. There were only 9 authorities in the country that did not support in business rates for maintained nurseries.

The Chairman confirmed that Schools Forum would cover the cost of the business rate this year of approximately £48,000. James Norris said a long-term solution would be brought forward to the Forum by the next financial year.

RESOLVED UNANIMOUSLY: That the Schools Forum covered the cost of the business rates for this financial year for Cookham Nursery School be approved.

The Chairman thanked Members and officers for their contribution and wished Richard Pilgrim, Hugh Boulter and Francis Walsh for their support. On behalf of the local authority, Kevin McDaniel thanked the three leaving members for their significant contribution and wished them the best of luck for the future.

The meeting, which began at 2.00 pm, finished at 4.11 pm

CHAIRMAN.....

DATE.....