

Warrington Schools Forum

Agenda

Tuesday 22 March 2016

5.15pm - 7pm

Conference Room 1 Floor New Town House

Car parking will be available from 5pm onwards.

	Item	Enc / Verbal	Decision; Discussion; Information	Entitled to vote	Lead
1	Apologies and Welcome				Chair
2	Minutes From the Previous Meeting and Matters Arising	Enc			Chair
3	Membership	Enc			Chair
4a	FSM Process				
4b	De-delegations outstanding items (FSM assessment and union duties for primary, all for secondary)		Decision		Garry Bradbury
5	Charging proposals for admission appeals	Enc	Decision		Bryan Magan
6	School Crossing Patrol	Enc			Mark Tune
7	Dave Roberts SLA/contracts follow-up	Enc	Information		Dave Roberts
8	High Needs Cost Pressures 2016/17 Invest to Save bid	Verbal			Hilary Smith / Garry Bradbury
9	WEB Update	Verbal			Hilary Smith
10	AOB				Chair
11	Meeting schedule 22 March 2016, 5.15pm 28 June 2016, 5.15pm 4 October 2016, 5.15pm 6 December 2016, 5.15pm				Chair

	Governors Forum (1)	Vacancy	-	-	-	-	-	-	-	-	-	-	-	-	-	Jan 2016
Private Voluntary and Independent Providers (1)	PVI Providers Forum	Maureen Banner (MB) (Chair)	P	P	P	P	A	P	P	P	P	P	P	P	P	Jan 2016
4 members entitled to vote on matters NOT relating to funding formula issues																
Representing		Member	08.10.13	03.12.13	11.02.14	20.05.14	08.07.14	07.10.14	03.02.15	12.05.15	06.10.15	19.01.16	Tenure Ends			
<u>Non-Schools Members (4)</u>																
Anglican Diocese (1)		Jacqui Wightman (JW)	P	P	P	A	P	P	A	P	P	P	P	P	P	Jan 2016
Roman Catholic Diocese (1)		Tim Warren (TW)	P	P	X	P	A	P	X	P	P	A				Jan 2016
16-19 Institutions (1)		TBC	-	-	-	-	-	-	-							Jan 2016
Parent Governor (1)		TBC														Jan 2016
In attendance																
Representing		Name	08.10.13	03.12.13	11.02.14	20.05.14	08.07.14	07.10.14	03.02.15	12.05.15	06.10.15					
<u>Warrington Borough Council</u>																
Director of Families and Wellbeing		Sarah Callaghan (SC)	P	P	P	P	P	P	P	P	P	P	P	P	P	
		tbc														
		Louise Cooper (LC)									P	P	P			
Chief Finance Officer		James Campbell (JC)	P	P	P	A	P	P	P	P	P	P	P	P	P	
		Garry Bradbury (GB)	P	P	P	P	P	P	P	P	P	P	P	P	P	
Executive Member for Children and Young People's Services		Cllr Jean Carter (CllrJC)	-	-	-	-	-	A	P	A	A	A	P			

Key

P ~ Present; **A** ~ Apologies; **X** ~ Absent with no apologies;
S ~ Substitute; **-** ~ Vacancy **O** ~ Observer

Observers:

Shaun Everett, Union Observer NUT

Presenting an Item:

Simon Bleckly, Audit Manager
Mark Leach, HR business manager
Hilary Smith, Service Manager, Access & Assets
Terry Jones, Service Manager, Integrated Services.

Minutes:

Louise Cooper

Warrington Schools Forum

Minutes

Tuesday 19 January 2016

5.15pm - 7pm

Conference Room 1 Floor New Town House

Car parking will be available from 5pm onwards.

	Item	Action
1	<p>Apologies and Welcome</p> <p>The chairperson welcomed all to the meeting.</p> <p>Apologies were received from Julie Warburton and Tim Warren.</p>	
2	<p>Minutes From the Previous Meeting and Matters Arising</p> <p>It was requested the initials 'JW' were distinguished in the minutes.</p> <p>The minutes were accepted as a true record.</p>	
3	<p>Membership Nomination/Election of Members</p> <p>A nomination from WINN was received for Ginny Taylor.</p> <p>Agreed: that Ginny Taylor would represent the Private and Voluntary Independent Providers.</p> <p>The Governors forum will confirm the membership for the maintained primary and secondary sector at their AGM.</p> <p>Action: governors' forum to send membership details to Louise Cooper</p> <p>The representatives for WASCL and academy schools to be confirmed at the next WASCL meeting.</p> <p>Action: Tim Long to send membership details to Louise Cooper</p> <p>Action: An updated membership list to be presented at the next meeting.</p>	TL

	<p>WAPH representatives: Garry Cunningham Andrew Redman Lyndsey Glass Nick Toyne Chris Metcalfe</p>	
4	<p>Audit Update – Schools Annual Report</p> <p>Simon Bleckly presented the report which shows the main findings from the school audits carried out by Internal Audit in 2014-15 and provides an overall opinion on the governance and control frameworks in place in schools.</p> <p>Reviews on payroll and information governance were included in the report.</p> <p>A schools information governance checklist was included in the report.</p> <p>An anti-fraud checklist will be uploaded to ‘my school services.’</p> <p>The report concludes that there is substantial assurance for schools.</p> <p>A question was asked about the purpose of the audit when the same issues are being found year after year. It was suggested that information was sent to all schools about the main issues that are being highlighted so that they can be addressed.</p> <p>Action: checklist for audits to be circulated to schools</p> <p>It was highlighted that the rolling programme for audits could mean that some schools would only be audited once every seven years. SB explained that this was largely due to resource but audits are prioritised in order to strike a balance. Awareness is being raised through training and information shared through my school services.</p>	SB
5	<p>Living Wage - Mark Leach HR manager</p> <p>It was reported that in 2015 the council made a commitment to pay all council employees the living wage from April 2016. Information has been sent to schools with a letter from Councillor Terry O’Neil outlining the current position. Schools that are not in agreement will adopt the national pay structure.</p> <p>The information from HR is to raise awareness rather than a recommendation that it is implemented.</p> <p>Concerns were raised from forum members about this being adopted on a school by school basis rather than across the board.</p> <p>The chair suggested that this was discussed by school governing bodies.</p> <p>Action: Mark Leach to send information about the living wage to the headteachers of the academies in Warrington.</p>	ML

Update on Traded Services - New proposals for Attendance Service – Hilary Smith

Hilary Smith has met with a group of schools across the borough in relation to the attendance service to consider how well the service is performing and longer term sustainability.

Overall the schools value the service but were not receptive to increase in charges for delivery. The service has moved forward with a redesign and there was a positive response from voluntary redundancy; a staged reduction in staff is being considered. The service is working with the schools who are successfully managing attendance and good practice is being shared. There will be a new charging policy and service level agreement going forward.

A question was asked about how the statutory duties would be met with a reduction in staff. Hilary Smith explained that there are statutory duties but these are mainly in relation to prosecution, the managing of attendance largely sits with the governing body. The team will be able to undertake the current statutory duties and this will be kept under review; further statutory duties may be withdrawn by the government in the future.

KT asked if attendance would link to the inclusion hub going forward. HS confirmed that this would be the case.

Update on Warrington Inclusion Hub and position on SEN places – Terry Jones

The LA currently has 80 pupils being educated out of borough, the majority being behavior and autism and the Inclusion hub considers how these needs can be met in Warrington. Sub groups are working with individual schools to upskill staff and an Invest to Save bid has been submitted to identify how existing expertise can be used to support pupils.

Special schools places and designated provisions is a strand that is being looked at, work is being undertaken in relation to planning for places. Green Lane School should increase to 150 places from 120, capital investment is not required. It is not the intention to increase primary designated provision numbers but secondary ASD provision will be looked at.

SC explained that there is current pressure on the high needs block and it is hoped that the initial investment will be supported to prevent fewer pupils going out of borough in the future. It is important that parents understand that Warrington's special schools can accommodate need.

GC raised the importance of forward planning and being in dialogue with schools to identify early the children who will require support. TJ explained that this was being discussed with the WASH group (Warrington Association of Special School Heads).

LG highlighted that support plus money for the most vulnerable children had now run out for early years and further funding cannot be accessed until April.

J Wilkie highlighted that there appeared to be reluctance from health to initiate an EHCP until a child is of school age. TJ noted that there is an increasing number of

	requests for plans from early years.	
7	<p>Fair Schools Funding Campaign Update</p> <p>Forum members were updated at the last meeting with the details of the f40 group’s proposals around revisions to the Dedicated Schools Grant (DSG) Schools Block unit of funding, which would deliver a fairer funding settlement benefitting Warrington schools. The report updates Members on the progress of the campaign since the last meeting of Schools Forum.</p> <p>The chair of schools forum wrote to MPs and this was well received. The LA awaits the outcome of the consultation.</p> <p>Recommendations</p> <ul style="list-style-type: none"> a) Schools Forum is asked to note the contents of the report. NOTED b) Schools Forum is asked to reaffirm its support for the principles underpinning the f40 group proposals, and the fair funding campaign more generally. AGREED c) Schools Forum is asked to decide whether to continue the function of the Formula Working Group, and if agreed, what its role relating to the consultation, and formula development generally, should be. <p>Forum agreed to continue the function of the Formula Working Group and delegated the responsibility of considering the proposals of the f40 group following the consultation.</p>	
8	<p>Budget updates 2016/17</p> <p>Garry Bradbury presented the budget update report 2016/17.</p> <p>DSG settlement for 2016-17</p> <p>The numbers for Kings Academy and Future Tech Studio are now directly in Warrington’s calculation, and consequently their budgets must now be contained within the overall funding .</p> <p>There has been a small amount of growth in High Needs funding, resulting from an additional £92.5m added to the national baseline figure. Pupil number increases and High Needs growth are therefore responsible for the uplifted DSG settlement.</p> <p>Schools Forum agreed to the introduction of two refinements from the previous year’s formulae:</p> <ul style="list-style-type: none"> i) include an English as Additional Language (EAL) formula factor for both primary and secondary sectors, using the EAL 3 dataset ii) create a ‘SEN contingency’ reserve for additional funding for schools to reflect 	

incidences of statementing or EHCPs inadequately funded by the existing low-cost SEN proxies.

In finalising the 2016/2017 school budgets, small modifications have been made to reflect:

- a) the overall Schools Block settlement, and
- b) the variation in data (Numbers on Roll, Free School Numbers, KS2 prior attainment levels) when using the updated October 2015 census information:

In the primary sector, overall Free School Meal numbers are down by about 8% from last year, and 2% down on the estimated numbers included in the draft submission (the consequence of a reduction in registrations following the introduction of universal infant entitlement). This means that the level of funding delivered through the deprivation formula factor has reduced.

In the secondary sector, FSM numbers have also fallen by around 5%.

Dedelegation

The range of services agreed for dedelegation must be reviewed annually by Forum members representing each of the maintained school phases.

Recommendations

- 1) Schools Forum is asked to note the contents of the report. **NOTED.**
- 2) Schools Forum is asked to approve the transfer of £266,744 from the notional High Needs Block to fully fund the current Early Years block over commitment. If the subsequent confirmed notification materially affects the balance of funding, this will be reported back to Forum at the earliest opportunity. **APPROVED.**
- 3) Schools Forum is asked to approve a methodology for issuing the £42,000 Newly Qualified Teacher induction funding to schools. **APPROVED.**
- 4) Schools Forum sector representatives from the maintained sectors are asked, for each phase, to decide which funding streams are to be dedelegated for 2016/17. If any existing dedelegations are to be set aside, Forum representatives are requested to suggest what alternative arrangements should be implemented.

Dedelegation decisions:

- Maternity – dedelegation approved
- Pupil numbers – dedelegation approved for primary.

Action: decision on pupil numbers for Secondary to be made by WASCL.

- Classes – dedelegation approved
- SIMS licence - approved
- Miscellaneous licences – dedelegation approved for primary

	<ul style="list-style-type: none"> • CLEAPS – dedelegation approved for primary • FSM assessment: An issue was raised about the paperwork for FSM being returned stating that families are not eligible. HS reported that there is a problem with FSM for families who are in receipt of universal credit; this has been raised with the Dfe by various LAs. Helen Jones intends to propose that the process should be changed so that children of families that are in receipt of housing benefit would be automatically registered for free school meals. <p>Action: HS to liaise with the housing benefit department about this issue.</p> <p>Following the introduction of Universal Free Meals for infants, some families with infant aged children are not registering for free school meals, even though they are eligible. This means that the children are not identified as low income and therefore the school does not receive the pupil premium or deprivation allowance. It was highlighted that the LA no longer chases families who do not register for FSM despite being eligible.</p> <p>Action: HS to work with business managers of the schools represented at forum about this issue.</p> <ul style="list-style-type: none"> • Teachers panel <p>It was highlighted that funding for union reps in academies comes from the dedelegated pot from maintained schools; academies do not contribute to this. A query was raised about the consequences if the primary sector did not agree to de-delegate this funding. GB advised that in effect this would result in a pressure for the DSG overall. It was suggested that this issue was discussed at the JCP meeting with the unions</p> <p>Action: Steve Reddy to discuss teachers panel de-delegation at the JCP meeting with unions.</p> <p>CM wished to consult with Warrington Association of Primary Heads (WAPH) colleagues before making a final decision on the de-delegations.</p> <p>Action: secondary de-delegations to be finalised at the next meeting.</p> <p>Action: outstanding primary de-delegations to be finalised at the next meeting. (FSM assessment & teachers panel)</p>	<p>HS</p> <p>HS</p>
<p>9</p>	<p>Formula Working Group Update</p> <p>A verbal update was given on the issues discussed at the formula working group meeting.</p> <p>The group discussed de-delegations; issues were raised around the de-delegation of Free School Meal assessments and Teachers Panel.</p> <p>GB advised that a new set of IDACI data had been released in 2015 (previous data</p>	

	<p>was in 2010). The new data was compared with the Free School Meal information currently used for the deprivation factor, noting several instances where individual schools might have significantly differing outcomes dependent on which data are preferred.</p> <p>The recommendation from the meeting was that the formula working group continues to investigate this over the forthcoming year. AGREED.</p> <p>Nick Toyne will be a member of the formula working group.</p>	
10	<p>AOB</p> <p>1) Invest to save bid for early years and SEND to be presented to Schools Forum.</p> <p>2) A report from the WEB working group to be tabled at the next meeting.</p> <p>3) KT noted that the DfE will produce a benchmarking report card for school. GB will consider this for the next meeting.</p>	<p>SC</p> <p>SC</p> <p>GB</p>
11	<p>Meeting schedule</p> <p>22 March 2016, 5.15pm</p> <p>28 June 2016, 5.15pm</p> <p>27 September 2016, 5.15pm</p> <p>6 December 2016, 5.15pm</p>	



	Governors Forum (1)	Rebecca Knowles																	Jan 2020
Private Voluntary and Independent Providers (1)	PVI Providers Forum	Ginny Taylor (GT)																	Jan 2020
Representing		Member															Tenure Ends		
<u>Non-Schools Members (4)</u>																			
Anglican Diocese (1)		Jacqui Wightman (JW)															Jan 2020		
Roman Catholic Diocese (1)		Tim Warren (TW)															Jan 2020		
16-19 Institutions (1)		Gail Stonier															Jan 2020		
Parent Governor (1)		TBC															Jan 2020		
Representing																			
<u>Warrington Borough Council</u>																			
Interim Assistant Director of Universal Services		Hilary Smith (HS)																	
		tbc																	
		Louise Cooper (LC)																	
Chief Finance Officer		James Campbell (JC)																	
		Garry Bradbury (GB)																	
Executive Member for Children and Young People's Services		Cllr Jean Carter (CllrJC)																	

The Town Hall is used for the majority of appeals providing an accessible venue for families to get to. The room hire charges are minimal compared with external venues.

2. Background Information and Context

The team previously received a nominal £5k from the Council's 'education budget' to help cover the costs. This budget provision did not, however, cover the actual costs which are much higher.

This budget provision stopped in the financial year 2012/13 when this funding was absorbed into schools budgets.

The service provided to administer and 'clerk' appeals has, however, continued, this includes all associated costs – printing, refreshments for panel members, printing, training and officers time etc.

Due to the volume and resource pressures last year the team commissioned an additional external clerk at a cost of £2.5k to deal with a small amount of the batch appeals.

A charging scheme (SLA) was introduced in 2012 for the administration of education appeals to Academy Schools. This can be viewed at Appendix One.

Currently D&MS do not charge for the administration of education appeals to Foundation or Voluntary Aided schools despite there being no legal requirement for the authority to undertake this work. (School and Framework Act 1998).

The Local Authority is responsible for arranging the service for Community and Voluntary Controlled schools. The funding requirement sits with the schools.

3. Administration of Appeals

In year appeals take place every three weeks. A more intensive period dealing with the batch appeals i.e. those pupils starting at infant school and those transferring to high school takes place from April through to July. This presents a work pressure against other work streams such as the elections, annual meeting of the Council, induction of new Members, new Mayor etc.

It is possible for schools to buy in a service from outside of the council provision (e.g. via the Arch Diocese or Diocese or seek out another provider).

4. Current Position

In recognition of –

- the financial challenges Warrington Borough Council is faced with;
- together with the 2012 Department for Education decision to remove the ability of Local Authorities to retain a proportion of the Designated Schools Grant and that the monies have been transferred to all schools; and
- Academies are already paying for the service

The Council through the Resources and Strategic Commissioning Directorate and Democratic & Member Services team has taken the view that the Independent School Admission Appeals Service should be reviewed and the charging policy be expanded to include all schools.

5. Charging Policy Options

It is proposed that the expanded charging structure will be introduced from April 2016 allowing all schools to buy into the service provision.

Three options for charging have been developed, as detailed below, which provide a range of advantages and disadvantages to support the Forum in its decision making process. The Forum is asked to choose a preferred option. In doing so, the Forum is asked to note that the preferred option being proposed by officers from Democratic and Member Services is option B.

A **On a case by case basis at the same rate as academies** (currently £183).

The key advantage of this option is

- each school pays only for those appeals which are made

The key disadvantages are

- oversubscribed schools may be significantly financially prejudiced
- Difficulty managing to deal the peaks and troughs of appeals, year on year
- if demand fluctuates it may be difficult to ensure adequate staffing to service appeals, resulting in more expensive outside agencies needing to be brought in to service appeals. This could increase the cost per appeal for schools.
- Increased back office costs for both the schools and the Council invoicing the schools.

B All 85 schools are charged the same amount based on the amount of appeals the previous municipal year.

For example, for the 2014/15 municipal year it would have been £22k divided by 85 schools = £258 per school. This would be adjusted each year based on the number of appeals heard.

The key advantages of this option include

- certainty and consistency with the ability to build in to back office accounting procedures to avoid unnecessary administrative costs and processes;
- certainty in the provision of adequate numbers of skilled staff to service the appeals across the borough
- More certainty for the schools in setting their budgets

Disadvantage: For those schools that do not have any appeals would still have to pay. However, in mitigation, this should be viewed in the same way as taking out an insurance policy. The flat rate of £258 would in effect be an insurance policy to cover the cost against any amount of appeals falling in the year.

C On a rate based on pupil numbers

For example, using the 2014/15 municipal year figure of 22k (as above in option B) and based on 28,600 pupils this would equate to a charge of £0.77 per pupil. From this a calculation would be made for each school and a charge set accordingly.

The key advantages are

- cost would be linked to numbers of pupils and current funding calculations for schools
- as set out in B above certainty in administrative support and staffing

The key disadvantages are

- larger schools which may have no or fewer appeals will pay a disproportionate amount
- the calculation is more complex and will require greater administrative support

The Government's recently undertaken consultation exercise on the charging of school appeals appears to show a move to allow for great flexibility for local

authorities to charge. It appears likely that the Government will take action prior to the end of the current financial year to provide for charging to be extended to maintained schools subject to consultation with the Schools Forum.

6 Recommendation

The Schools Forum is asked to -

1. Comment on the charging methodology/policy
2. Note the Council's intention, subject to Government's planned revision of the scheme for financing schools guidance, to implement an additional extended charging policy to all schools in Warrington as appropriate and subject to consultation with the Schools Forum.
3. Agree option B as the preferred charging methodology with effect from 1 April 2016

Appendix One

SCHOOL ADMISSION/EXCLUSION APPEALS

Key Deliverables

School admission appeals must be organised and administered in compliance with Sections 84 and 86 of the School Standards and Framework Act 1998, the School Admissions (Appeal Arrangements) (England) Regulations.

Reviews made in response to the permanent exclusion of a pupil from a maintained school are made under Section 51(A)(3)(c) of the Education Act 2002.

These codes impose mandatory requirements, refer to statutory requirements and include guidelines which relevant bodies should follow. Governing bodies have a statutory duty to act in accordance with the Code.

Schools need to be confident that they have the correct systems and practices in place in order to comply.

This service relates to and covers the provision of an independent school appeal/review service for both admissions and exclusions. The Clerk to the independent appeals panel must also be independent of the school.

School appeals will cover both in year and 11+ transfers.

School exclusion reviews will be held as appropriate through the school year.

Service Scope

The following services will be provided by Democratic & Member Services:

School Appeal/Exclusion Panels

- Ensure appropriately constituted Panels in accordance with Code and legislation.

Appeal Hearings - In Year and Secondary Transfer Admissions

The service will ensure that the General Duties and Provisions below are met;

- A Clerk who is independent of the admissions team/school. All clerks receive comprehensive legal training to ensure statutory requirements are met

- Recruitment (on a 3 yearly basis) and appointment of independent appeal panel members (panel members)
- Initial training of panel members
- Communication with and further training (annually) of panel members, in particularly following changes to the Codes
- Arranging attendance of panel members at appeal hearings
- The Panel will be selected from a pool of approximately 40 members ensuring that the 3 or 5 members hearing appeals for the school or academy are not the same for each appeal hearing

Prior to the Appeal

- Notification of the Administrative Justice and Tribunals Council of dates for appeal hearings
- Receipt of appeal applications
- Liaise with you regarding receipt of schools case and date for Panel to meet
- Initial notification letter drawn up and sent to parents/panel members and school advising them when the case will be heard
- Neutral venue booked and refreshments arranged for panel members. Usually at Warrington Town Hall.
- Paperwork drawn up and sent to panel/school/parents. Including schools case, appellant's application for appeal/their case, details about the process and any other information as appropriate.
- Deal with queries by school, appellants, Children's Services and Panel Members in advance of the Hearing.
- Coordinate the completion of waivers by appellants in the case of late appeals that do not conform to the appropriate timescales.
- Reading all case papers in advance of the hearing to ensure that any outstanding issues are highlighted prior to the hearing
- The safekeeping of sensitive and confidential documentation prior to the hearing
- Arranging for the translation of any documents if required

Appeal Hearing

- Provide a suitably trained clerk for the Hearing to advise the Panel on the procedure.
- Ensure that the Hearing is conducted in a fair and just way and in accordance with the appropriate Codes and legislation.
- Deal with queries from the School and Appellant at the Hearing.
- Arrange for a translator to be present at the hearing if required

After the Hearing

- Provide a decision letter to the Appellant, School and Children's Services of the outcome within 5 school days.
- Deal with follow up issues from the Appellant, School and Children's Services arising from the Appeal.

- Respond to any complaints (Education Funding Agency, MP etc) relating to the appeal
- All papers relating to appeals will be kept for a period of 18 months from the date of the Hearing. Following this the papers will be destroyed in accordance with the Council's procedures relating to confidential information.

Contract Performance Management

We will provide a professional service and support you in ensuring that all deadlines in the school appeals code are complied with. We will provide you with clear instruction of our requirements in respect of paperwork. We will provide you with a prompt response to any request for advice on the appeals process.

Compliance of:

Education Act 2002

School Admission Appeals Code 2012

School Admissions (Appeal Arrangements) (England) Regulations 2012

School Standards and Framework Act 1998

The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

All other appropriate legislation

Warrington Borough Council's Democratic and Member Services Team have not had any findings of maladministration by the Local Government Ombudsman.

Academy Specific Items

There are no items specific to academies currently contained within this service specification.

Statutory Obligations of the Provider

To provide the appeal service within the confines of the legislation and relevant codes.

Statutory Obligations of the School

We ask that the school support the provision of such appeals and hearings by ensuring compliance with all statutory deadlines including;

- the supply of appropriate and relevant paperwork in the requested format.
- notification of any changes to circumstances surrounding an appeal at the earliest opportunity
- compliance with the admission and admission appeals codes at all times.

Specifically the school will provide the school's case and providing a relevant officer to attend, present the case and deal with any questions/queries from the appellants, their representative, panel members and the Clerk.

Interdependencies

A Translation Service may be required as appropriate to translate the relevant paperwork and to be present at the Appeal Hearing.

Continuous Service Improvement

Democratic and Member Services will review the services that are provided to schools and academies through questionnaire and day to day informal feedback. The team is also regularly benchmarked against other local authorities providing a similar service through CIPFA.

Privacy

The (Service) during their day to day working activities are mindful of the following guidance and legislation:

- Data Protection Act
- Freedom of Information legislation
- Equality & Diversity guidance

Limit of Liability

A general statement limiting liability for contractual purposes (only relevant to free schools and colleges) will follow.

Charging Structure

The cost per appeal heard will be £183.

Cancelled appeals prior to paperwork being sent to parties is £33

Cancellation after all paperwork has been sent is £88

Invoices will be produced a term in arrears

These costs do not include VAT and will be chargeable on each appeal

Additional Services (Chargeable)

Translation Services will be a direct cost to the school/academy.

How to Purchase

If you wish to simply purchase this SLA then please indicate your schools preference on the SLA Buyback Form. If you would like to discuss an alternative specification then please contact: Dave Roberts, Schools Traded Service Manager on 01925 442960 or alternatively email schoolservices@warrington.gov.uk

Key Contact: Sharon Parker ☎ 01925 442161
✉ szparker@warrington.gov.uk

Head of Service: Tim Date ☎ 01925 442150
✉ tdate1@warrington.gov.uk

1. **Costs**

The following processes and associated costs have been calculated and currently apply in a charging policy to Academy schools for the same service:

Ancillary costs £7.20 + 0.54 = £7.74

Grade 4 – 7 hours @ £9 to include the process as detailed below:			£63
	Process	Item	Cost
1.	Receipt of Paperwork		
	Initial letter typed and sent to parent/school	Postage	£0.54
	Liaise with Directorate or Academy/Faith school for the case and confirm arrangement		
	Receive extra information from parents		
	2 nd letter typed, schedule arranged, papers processed/checked, printed and sent to parents, panel, clerk and school		
	Printing/stationery/postage costs – agenda pack of 10 pages – school case – secondary, 6 pages primary, general information/guidance notes 6 pages, schedule and parents case/application form 10 pages	27 pages – secondary – 81p x 6 (parent, school, 3 panel members, clerk) = £4.86 23 pages – primary 69p x 6 = £4.14 Postage 2 nd class 0.54p x 5 = £2.70 (NB the packs cost more than basic postage provided in the quote). Estimate £4.50 + £2.70 = £7.20	
	Phone calls and emails relating to the case		
	Filing, processing records		

	Other actual costs- refreshments/ travel costs for panel members, stationery, phone calls		£30.00
		Total	
<i>NB where possible all letters with the exception of the Hearing papers are emailed to Schools/Academies</i>			

Appendix Two

2. Costs

The following processes and associated costs have been calculated and currently apply in a charging policy to Academy schools for the same service:

Grade 7 – 6 hours @ £14 to include the process as detailed below:			£84.00
	Process	Item	Costs
	Reading through the paper work and dealing with any issues in advance of the Hearing		
	School Appeal Day		
	Follow up phone calls and drafting/checking decision letter		
	Send out decision letter	Postage	£0.54
	Follow up calls from parents/school		
	Other actual costs- refreshments/ travel costs for panel members, stationery, phone calls		30.00 approx

There are no 'on costs' applied, costs associated with the overall management of appeals, allocation of dates/independent members on appeals nor the recruitment/training of panel members or officers etc.

Grand total £185.28 (Figures - January 2016)

REPORT

Report to: Schools Forum

Item: 6

Date: 22nd March 2016

For: Information / Decision

Title: School Crossing Patrols funding

Author: Mark Tune

Presenter: Mark Tune

1. PURPOSE

To alert the Schools Forum to risks associated with the sustainability of School Crossing Patrols (SCPs) in light of Government cuts to public sector; and, to provide an opportunity to work in partnership with schools to maintain services where they are needed if possible.

2. BACKGROUND

2.1 The council currently employs 19 School Crossing Patrol officers operating at 18 locations and 2 full time Road Safety staff who undertake the supervision and management of the School Crossing Patrol Service alongside their statutory duty to promote road safety improvement. The annual cost of the service is circa £112k.

2.2 Provision of the SCP service is non-statutory and parents are assumed to have primary responsibility for getting their children to school irrespective of whether a service is provided, or a site is actively being covered.

2.3 Council revenue budgets have been reduced significantly since 2010 and these reductions are set to continue and therefore like all other Councils, Warrington has had to identify savings. As with many non-statutory services, the council is considering all options for alternative methods of service delivery. As such, the council has accepted a savings proposal for an alternative source of funding to be found for the School Crossing Patrol Service. This has removed £125k from revenue budget available for the SCP service in 2016/17 financial year. This represents the entire budgetary provision for School Crossing Patrols.

2.4 Many other Local Authorities have removed their crossing patrol services completely. Equally many authorities have considered alternative sources for funding in recent years. Examples include Wandsworth Council which now only has sites that are externally funded by schools or other sources. Coventry City Council has also proposed a school pays model. Birmingham City Council launched a School Crossing Safety Trust in February this year to seek alternative sources of funding. Manchester City Council has considered reductions of £253k in funding School Crossing patrols in March this year. Liverpool City Council has engaged with schools direct over options for schools to fund the patrol it benefits from. In August 2015 it was reported that in Liverpool 56 out of 96 schools had agreed to fund.

3. THE CURRENT POSITION

3.1 National studies have shown that Warrington is cultural car dependent. Strong economic growth and encouraging employment rates are factors that influence the level of car ownership and also journey planning choices. This has resulted in high percentages of children at primary school age taken to school in a car. Additionally an increasing number of children are travelling to school by car as the population increases in some areas. Consequently, this contributes significantly to traffic congestion across the town, which is already a challenge to manage.

3.2 The council and its partners have a requirement to develop sustainable transport options for the journey to school. School Crossing Patrols are one option that can contribute to this duty. For schools this includes developing travel plans and encouraging parents/carers that can walk to school to do so. Although crossing patrols may generally be considered a facility for primary aged children, in fact secondary school aged pupils are more likely to travel independently and therefore in some locations benefit greatly from a patrol operating.

3.3 There are currently 24 primary schools whose pupils are known to benefit directly from the service although it is possible that small numbers of pupils from other schools may also benefit from an existing SCP. The locations and the times of operation for patrol sites are subject to change as a result of population shifts influencing school catchments and therefore travel patterns.

4. WAY FORWARD

4.1 It is necessary to identify methods of sustaining the SCP service in locations of greatest need through partnership arrangements with schools, community groups, parish councils and local businesses. Council officers will be working with

those schools affected to establish where external funding or sponsorship opportunities may exist. However, for 2016/17 this will require schools contributing to the cost of continuing the service. Given that the established list of patrol sites is subject to change, it is suggested that it is unfair to seek contributions only from the schools known to benefit currently and therefore, it is requested that the Schools Forum agree to support as a whole through an agreed contribution.

5. RECOMMENDATION

- 5.1 The management of the SCP service is to be retained by the Traffic Management, Road Safety and Highway Adoptions team to ensure consistency and legitimacy of SCP operations. The service will be provided under a Service Level Agreement (SLA) at the start of the 16/17 school academic year in September 2016, depending on appropriate funding being available. The 'schools-pay model' enables a SCP service to continue; however where funding is not available or is limited, sites may be decommissioned on a priority basis.
- 5.2 The revenue budget allocation for School Crossing Patrols has been removed from 1st April 2016. It is anticipated that any SLA to continue the service will commence in September 2016. As there is also an intention to establish a Road Safety Trust to fund the patrol service in the future, it is intended to only request from schools that seven months funding allocation be provided for 2016/17 from the start of September to the end of the financial year. An indication of these costs at each site can be seen at **Annex A**.
- 5.3 The cost of supporting the patrols for the seven month period is estimated to be in the region of £65k. If this was proportioned across the 69 primary schools, this would be a contribution of £946 per school.

Salary information to be restricted CONFIDENTIAL

	Crosses	School(s)	PV2	Year of last count	Weekly Hours	Annual Salary Cost of patrol	Average Annual Salary cost	Average Annual Supervision +
1	Warrington Road, Statham Star Lane	Statham CP	0.55	2013	8.25	4803	4956	935
2	Epping Drive Hillcock Lane	Woolston CE St Peters RCP	1.88	2016	8.75	5094	4956	935
3	Warrington Rd, Penketh Eastbo	Penketh South St Vincents RCP	4.91	2014	11.75	6840	4956	935
4	Warrington Rd, Penketh Westbo	Penketh South St Vincents RCP	1.87	2014	11.75	6840	4956	935
5	Chapel Lane, Burtonwood	Burtonwood CP St Pauls of the Cross	1.33	2015	9.5	5531	4956	935
6	Norris Street O'Leary Street	Beamont CP St Benedicts RCP Oakwood Ave CP	3.97	2014	10.5	6113	4956	935
7	Callands Road	Callands Primary	2.52	2014	8	4657	4956	935
8	Wash Lane	Our Ladys RCP	3.71	2014	6.25	3639	4956	935
9	Barrowhall Lane	Barrowhall Lane CP	3.95	2014	7.5	4366	4956	935
10	Green Lane, Padgate	Bruche Primary	4.18	2015	7	4075	4956	935
11	Stanney Lunt Bridge	St Wilfrids CP	5.53	2014	8.75	5094	4956	935
12	Lodge Lane, Bewsey	Bewsey Lodge CP	7.01	2016	6.75	3930	4956	935
13	Long Lane	St Margarets CE	7.08	2013	8	4657	4956	935
14	Bridge Lane	St Monicas Cobbs Broomfields	8.55	2016	11.25	6549	4956	935
15	Marsh House Lane	St Benedicts RCP Beamont CP Oakwood Ave CP	8.61	2015	8.25	4803	4956	935
16	Myddleton Lane, Winwick	Winwick Primary	11.84	2014	6.25	3639	4956	935
17	Rushgreen Road	Dughtrington Prima	12.62	2014	7.5	4366	4956	935
18	Mustard Lane, Croft	Croft Primary	16.11	2014	7.5	4366	4956	935
19	Hillock Lane	Woolston CE St Peters RCP	2.72	2014	8.25	4803	4956	935
Vacant	Hood Lane							
Vacant	Old Hall Road	Old Hall	2.97	2016				

locations currently below national justification criteria

4956.053 94164.11 17760.63

Tot Av Cost	Tot cost of patrol per site	Half year Tot cost of patrol per site
5891	5738	3347
5891	6029	3517
5891	7775	4535
5891	7775	4535
5891	6466	3772
5891	7048	4111
5891	5592	3262
5891	4574	2668
5891	5301	3092
5891	5010	2922
5891	6029	3517
5891	4865	2838
5891	5592	3262
5891	7484	4366
5891	5738	3347
5891	4574	2668
5891	5301	3092
5891	5301	3092
5891	5738	3347

111925 111925.63 65290

PV2 relates pedestrian demand to traffic volume to provide an indication of exposure to risk.

REPORT

Report to: Schools Forum **Item:** 7
Date: 22 March 2016 **For:** Information
Title: Sustainability of Traded Services Provided to Schools
Author: Dave Roberts: Head of Traded Services Strategy
Presenter: Dave Roberts

1.0 PURPOSE

- 1.1 To provide Schools Forum with an update on the sustainability of council services traded with schools and provide details of a more strategic approach in line with wider council strategies.

2.0 BACKGROUND

- 2.1 The way in which the council provides services for schools has evolved significantly since 2010. The increasing delegation of school budgets has allowed greater choice for schools to purchase from an evolving marketplace. The relationship between Council service teams and schools has, in most cases, moved toward a more competitive client focused arrangement with that increased freedom of choice.
- 2.2 Schools have generally continued to purchase council services through SLAs at broadly the same rate between 2012 and the present financial year. A small number of services have experienced a significant decline in income for various reasons including quality of provision, customer relationship management and specification issues. The largest decline has been seen in the Building Cleaning Service and has been a loss of income in excess of £1m per annum.

3.0 BALANCING THE BUDGET

- 3.1 In addition to more client focused services, the council needs ensure it delivers a balanced budget for the residents of Warrington. The reduction in central government grants means that the council must find an additional £22m of savings by the end of 2017/18. Subsidising discretionary or traded services with little or no statutory obligation will become unachievable and these services must begin to move toward a position of cost neutrality.

3.2 The council is currently in the process of developing a 'Commercial and Trading Strategy' that aligns with the key themes in the corporate plan and supports the improvement of financial outcomes to help meet the pledges outlined in the current corporate plan.

3.2.1 As part of the development of a more commercial outlook, the Council has created a group to consider how the council blends commercial practices and a public sector ethos, known as 'Enterprising Warrington'. The group is chaired by the Chief Executive and has officers from across the Council, including the interim Assistant Director – Universal Services, Hilary Smith.

3.3 In addition, the Council have agreed to implement the National Living Wage, as recommended by the Living Wage Foundation (as opposed to the governments National Living Wage.) The Living Wage at Warrington Borough Council will be set at £8.25 per hour and will affect all Council employees currently paid below that amount from 1st April 2016. This has a significant impact on the cost of services delivered by the lowest paid members of staff such as Building Cleaning. As the Living Wage is likely to be increased in the coming years, other services such as Grounds Maintenance and School Meals are likely to be affected. This will mean an increase in the charges for Building Cleaning from April 2016 onwards.

3.3.1 Information about increased charges was provided to schools in January 2016 in order to help make informed decisions around individual budgets in 2016/17. There has been little procurement activity relating to schools seeking out alternative providers and it appears that the majority of schools are willing to support the living wage implementation in the short term.

4.0 PRINCIPLES OF A MORE COMMERCIAL STRATEGY

4.1 Although the new strategy is in development, it will contain three key themes plus an overall focus on supporting the client. These themes are:



4.1.1 Maximising Resources: Reducing the amount of effort expended in order to deliver the same or improved outcomes.

4.1.2 Accountability: Taking ownership of performance at every level of the organisation and encouraging, challenging and supporting others to be successful.

4.1.3 Developing the organisation: Actively seek new ideas and ways of working that are forward looking and support individual and collective improvement through step change and a cycle of continuous improvement. Taking the opportunity to build capacity, resilience and retain valuable skills through trading and charging.

4.2 An Enterprising Warrington is one which is:

“Continually improving the use of resources and taking personal and collective accountability for the quality of services provided to our customers and in improving our financial outcomes. Constantly assessing the landscape and building the skills to seek out, evaluate and maximise opportunities which improve the organisation.”

4.3 This strategy will underpin all areas of commercial activity that the council undertakes including trading with schools, social enterprise spin outs, social care partners, the private sector as well as a review of charges and fees for statutory services to ensure all costs are being recovered where possible.

4.4 Whilst the strategy is being developed, Enterprising Warrington has agreed ten key streams of work that will be undertaken in parallel. These include:

- Market testing of a range of council services including Building Cleaning, Payroll, ICT, Waste and Grounds Maintenance.
- Reviewing the asset register to identify income generating opportunities
- Reviewing high value spend across the revenue budget to identify optimum models of provision.
- Improve financial reporting around traded services to improve visibility and better support budgeting decisions.
- Trade services more effectively to produce incremental income from existing clients and expand our client base.
- Expand the use of the existing trading portal (SLA Online) to early years and the wider CPD team to bring about administrative efficiencies and increase income.

5.0 CLIENT LED SERVICE DESIGN

- 5.1 In line with the new strategy, the Council remains responsible for continually seeking to improve efficiencies through better management of resources, implementation of new technologies and working process that mean schools receive improved value for money.
- 5.2 In addition to improving efficiency and maximising resources, services need to be designed to meet the needs of clients within the abilities of the organisation. This process will strengthen the relationship between schools and council service teams as well as providing the opportunity to view things from each other's perspective.
- 5.3 The next stage in the process is to co-design services with schools, where appropriate, with a view to meet the needs of schools but within a fully funded financial envelope. This will involve consultation with a group of schools who have purchased the service for at least one of the previous five years, a review of the local marketplace, the ability of the Council to provide the required specification, the cost of provision and seek out the agreement of a price point that is mutually viable.

Primary and Special schools will be familiar with this approach, as it is similar to that adopted for the School Meals Service when that service was facing significant financial challenge and Headteachers agreed that a partnership approach to identifying a sustainable model was the best way forward. This has worked well and is successful because the means of delivering a service that meets schools has been identified which does not require any additional income from the council or schools. However, the main key to success and sustainability is majority buy-back from all primary and special schools.

- 5.3.1 The council has recognised that there are services that need to be co-designed and/or co-produced with schools in order to ensure that the quality and specification more closely match school needs and are taking steps to make improvements.
- 5.3.2 Some service providers have surveyed customer satisfaction routinely for several years, but this was not widespread. A survey of all services provided to schools was opened in December 2015 via www.myschoolservices.co.uk and via email. This survey will help the Council prioritise the services most in need of review based on satisfaction levels amongst schools. As of 29/02/2016, 18 schools have completed the survey. We urge all those involved in schools in Warrington to make sure that each school submits at least one completed survey before the end of March 2016.
- 5.4 In addition to a traditional SLA, where each school opts in to a service based on need, quality of service, specification, price and value for money, and where the Council can prove that it has made significant

efforts to improve the efficiency of the service, School's Forum can choose to de-delegate monies to protect essential or highly desirable services that are unlikely to be sustainable via the traditional method. When possible, the Council will offer Schools Forum the opportunity to sustain a service before discontinuing it.

6.0 STAFF CONSULTATION

- 6.1 Any changes to staff terms and conditions must go through the proper consultation process and channels. Therefore references can only be currently made to proposed changes as there is a live period of consultation ongoing with staff in these services.

7.0 FINANCIAL IMPLICATIONS

- 7.1 The financial position and level of buy-back on each service will be confirmed following closure of the end of year account and the start of the new financial year. Details will be reported to Schools Forum at the first available opportunity in order that members are aware of the ongoing risks associated with some services and progress on the Traded Services Strategy.

8.0 RECOMMENDATIONS

It is recommended that Schools Forum;

- i. note the work of Enterprising Warrington and the efforts to become more efficient, effective and customer focused.
- ii. encourage all schools to complete the SLA survey via My School Services in order to improve the data set used to make decisions on future services.

REPORT

Report to: Schools Forum

Item: 8

Date: 22nd March 2016

For: Information

Title: High Needs Budgets 2016/17

Author: Garry Bradbury & Hilary Smith

Presenter: Garry Bradbury

1. INTRODUCTION AND BACKGROUND

- 1.1 At the last Schools Forum of 19th January 2016, the funding of individual school budgets, and funding for pre-school settings were discussed. This funding fully utilised Schools Block of Dedicated Schools Grant (DSG), and also fully committed the Early Years block, whilst additionally requiring a 'top-up' from High Needs Block - which was agreed by Forum.
- 1.2 At the time of this discussion, some High Needs elements within school budgets – more particularly the Element 3 High Cost Low Incidence SEN top-up, and the recalculation of the SEN sufficiency contingency, had not been finalised. The first of these is funded entirely from the High Needs Block, and it was clear that levels of required funding would be materially increased from 2015/16. The LA undertook to report back to Schools Forum on the full use of the High Needs Block, including this particular increasing cost pressure.

2. DSG HIGH NEEDS BLOCK ALLOCATION FOR 2016/17

- 2.1 Block allocations for individual Local Authorities were revealed by the Education Funding Agency (EFA) on 17th December 2015.
- 2.2 For Warrington, the High Needs Block allocation, prior to recoupment relating to Academies, was confirmed as £19,707,000, arrived at as shown overleaf (the equivalent 2015/16 figure is shown for information):

	16/17	15/16
<u>High Needs Block</u>		
Baseline	20,480,000	20,080,000
Growth	352,000	359,000
Residency adjustment	21,000	41,000
HN places direct funding	-826,000	-826,000
Non Maintained Special Schools adjustment	-320,000	-297,000
	19,707,000	19,357,000

2.3 The growth figure, £351,862, is Warrington's proportion of an additional £92.5 million made available nationally to inflate LAs' High Needs Block baselines – it was allocated pro rata to projected 2016 population size for 2-19 year olds.

2.4 The calls upon the High Needs Block are many and wide-ranging, encompassing all activities not considered mainstream or pre-school. This includes, though is not limited to:

- Additional Support/SEN top-ups for students in mainstream settings.
- Full funding of designated/resourced provisions
- Delegated budgets of special schools and alternative provision (including the provision at Sandy Lane, and New Horizons Pupil Referral Unit)
- Medical and therapy costs
- Specialist support placements outside the LA, or at non-maintained special schools nationwide
- Inclusion & Access
- Other central support costs not funded by Schools or Early Years Blocks

3. HIGH NEEDS BUDGETS 2016/17

3.1 A fully-costed list of funding priorities was considered by LA officers and educational specialists at a series of meetings during January and February of this year. The full schedule is shown in **Appendix 1**. It was clear at an early stage that in a number of particular areas, increased costs, and more particularly, much increased demand were vastly outstripping the small amount of growth funding received by Warrington for the 2016/17 funding period. Setting realistic expenditure budgets for all the various priorities described in section 2.4 requires greater funding than available specifically within our High Needs Block allocation. It is acceptable for Local Authorities, with the agreement of Schools Forum, to transfer funding from the other Blocks of DSG, but as we have seen, these are either fully committed (Schools Block) or over-committed (High Needs Block). Whereas DSG overall for 2015/16 was sufficient to service our funding

requirements, this is no longer the case. We anticipate a funding shortfall of at least £791,000 for the forthcoming financial year.

- 3.2 The key pressure areas are discussed in section 4 of this report, and in section 5 we discuss suggestions of how to address the identified funding gap.

4. INCREASED HIGH NEEDS COST PRESSURES

- 4.1 Projected expenditure in 2016/2017 compared to 2015/2016 has increased significantly in the areas listed in the table below. Although this has been partly offset by savings (for example £200K on the PRU budget) and reductions in spend on other items the net effect is a projected overspend of approximately £791,000.

	Item	Increased amount (£)	% increase
1	Top-up funding allocated to a mainstream primary school to support a child in mainstream:	£386,000	53%
2	Top-up funding allocated to a mainstream secondary school to support a child in mainstream:	£78,000	21%
3	Additional places at Woolston Brook	£80,000	
4	Additional places at Green Lane	£132,000	
5	Top up for high cost SEN in-year	£200,000	50%
6	Independent school fees	£600,000	27%
7	Support for Early Years	£80,000	43%
8	Transfer to schools block for new provisions (without growth) i.e. Kings & Future Tech Studio	£137,000	
	Total:	£1,693,000	
	Offset by reductions through changes and savings	£902,000	
	Projected additional pressure in 2016/2017	£791,000	

- 4.2 Some of this additional pressure is as a consequence of recent changes in the way in which top up funding is allocated, which involved aligning funding with need, previously funding was devolved to schools at a set level that did not reflect the actual need in an individual school. However, the increase in allocations of funding suggest the need to review the challenge process to ensure there is a common understanding of additional need across all schools.
- 4.3 Some of this additional pressure is as a consequence of the additional places that have been created in special schools. These places are required to meet the need of additional pupils coming through the system and longer-term should

mean that more children/young people are educated locally in the Warrington area than the more expensive option of out of borough placements.

- 4.4 Some of the additional pressure relates to an increase in Independent Schools fees. This is as a consequence of some children being placed out of borough at more expensive provision when places are not available locally. It is clear that there is work to be done in relation to improvements to negotiation of Independent School fees. Additionally it is intended that, whenever possible, placements will involve use of frameworks in the future at agreed rates.
- 4.5 It should be noted that a relatively new additional pressure is the expectation by Government that the High Needs Block will be used to support early years as additional funding was not made available. Ways of dealing with this additional pressure is largely outside local authority control.
- 4.6 Another item which is also largely outside local authority control is the impact of new provisions, such as Free Schools and Studio Schools. When these new provisions open in areas where there is no growth and they are simply competing with existing provisions for the same population, the consequences are that they simply place an additional pressure on the existing system. The opening of the UTC will create a further additional pressure in 2017/18.
- 4.7 It is the case that production of an Education, Health and Care plan is a more comprehensive assessment of a child/young person's needs than was the case in the production of a statement. Consequently EHC plans are likely to involve higher levels of funding than statements, which is also the case when existing statements are converted to EHC plans. Consequently the cost of the provision overall is likely to increase.
- 4.8 It is also the case that production of EHC plans involves a higher level of parental involvement than was the case for statements and therefore effective management of parental expectations is essential in maintaining financial control.

5. MANAGING DEMAND AND REDUCTION OF THE FUNDING GAP

- 5.1 The position on the High Needs Block was discussed at the meeting of the Warrington Inclusion Hub (WIH) on 10 February. It was agreed that a small group of WIH representatives would consider the current allocation process for Top Up funding with the aim of making it more robust.
- 5.2 Members of the WIH also agreed that strategic analysis of SEN demand across the system should be used to identify priority growth areas in order to inform a strategy for developing local capacity going forward.
- 5.3 A key element of this strategy is the case for developing local provision as presented in an Invest to Save bid to be considered by SMT in the coming

weeks. This bid involves investment in local expertise to lead the creation of additional local capacity in order to save expenditure on expensive out of borough placements in the longer term.

- 5.4 It was also highlighted by members of the WIH that an effective strategy will only be sustainable if the processes underpinning delivery include the following:
- an inclusive culture and consistency across mainstream in supporting children/young people with special education needs;
 - specialist expertise within the sector taking the lead on sharing best practice and developing local capacity;
 - a robust assessment process involving careful management of parental expectations and promotion of the benefits of the local offer;
 - assurance that whenever possible alternative options are explored that might also adequately meet a child/young person's needs, even when a parent may have a clear preference for a particular provision;
 - confidence that the local offer is providing best value;
 - assurances that the fees paid on out of borough placements are appropriate, including through the use of frameworks when these exist.
- 5.5 Additionally, the system overall will only be sustainable if the demands placed on it by the local authority are also reasonable and services supported by funding allocated for education provision are efficient and cost effective. Further, that when developing new provisions; whenever this is within local authority control they are, as much as possible, in response to increased demand, specifically growth in population.

6. RECOMMENDATIONS

- 6.1 It is recommended that Schools Forum:
- (i) note the contents of the report;
 - (ii) note the work of the Warrington Inclusion Hub in developing a strategy to create an extended local offer with the aim of reducing expenditure on the highest cost placements; and
 - (iii) note the requirement for the local authority and schools to work collaboratively in the future in light of the implications of the introduction of a National Funding Formula for schools in order to maintain a financially sustainable education system across Warrington.

High Needs Block Allocation 2016/17

	Revised Allocation 2016/17 £	2015/16	variance	% on 2015/16
1 HN top-ups (Element 3) in base budgets (Primary)	£1,110,395	£724,266	£386,129	53%
2 HN top-ups (Element 3) in base budgets (Secondary)	£457,513	£379,213	£78,300	21%
3 HN top-ups (Element 3) in base budgets (Special)	£52,489	£52,489	£0	0%
4 In-year high-cost SEN top-ups (Element 3)	£600,000	£400,000	£200,000	50%
5 Designated Provision (Primary) - Place plus Top-Ups	£1,522,846	£1,522,846	£0	
6 Designated Provision (Secondary) - Place plus Top-Ups	£486,604	£486,604	£0	
7 Designated Provision (Academy Top-Ups)	£268,680	£268,680	£0	
8 Special Schools Base Budgets	£5,125,235	£4,802,792	£322,443	-5%
9 Woolston Brook funding adjustment for January census (+6 NOR)	£80,478	£0	£80,478	
10 Green Lane increase to 150 in September (+14 NOR - Places and ave top-up)	£132,267	£0	£132,267	
11 Green Lane pre-September NOR change	£0	£0	£0	
12 Fox Wood number adjustment	£0	£0	£0	
13 Special Schools total adjustments (+10% max 2015/16)	£0	£839,905	-£839,905	
14 New Horizons Pupil Referral Unit upfront funding	£748,333	£948,333	-£200,000	-21%
15 Central Functions retained for Special Schools/AP (dedelegated equivalents)	£98,001	£98,001	£0	
16 Sandy Lane - Unit	£420,000	£418,548	£1,452	
17 Sandy Lane Outreach SLA	£70,000	£70,000	£0	
18 Independent Special School Fees	£2,800,000	£2,200,000	£600,000	27%
19 Inter-Authority recoupment	£240,000	£300,000	-£60,000	-20%
20 Speech Therapy contract costs	£115,000	£105,000	£10,000	10%
21 Sensory Support Team	£255,000	£255,000	£0	
22 Vulnerable Pupils (EOTA, KS1/2 Alt provision, Fair Access, Travellers)	£273,710	£273,710	£0	
23 Hospital & Medical Education, per grant	£311,525	£311,525	£0	
24 Post-16 High Needs (aggregated)	£2,140,000	£2,139,804	£196	
25 Health & Safety contribution	£80,000	£80,000	£0	
26 Servers / CareFirst	£79,130	£79,130	£0	
27 Schools Forum Support	£10,000	£10,000	£0	
28 Schools Causing Concern (LA Intervention)	£105,950	£105,950	£0	
29 WEB School Development Contribution	£0	£100,000	-£100,000	-100%
30 Central licences EFA levy (copyright etc)	£171,614	£175,531	-£3,917	
31 Support to Early Years Block (agreed Schools Forum)	£266,744	£186,568	£80,176	43%
32 Transfer to Schools Block for Supporting Net King's & Future Tech budgets	£218,755	£81,937	£136,818	167%
33 Access Recharge	£46,077	£46,077	£0	
34 Narrowing The Gap Coordinator	£60,000	£60,000	£0	
35 Inclusion Team (MTFP commitment)	£1,050,000	£1,050,000	£0	
36 Contribution to Core Education Budgets	£1,101,000	£778,000	£0	
	£20,497,346	£19,349,909	£1,147,437	6%
CUMULATIVE DSG CONTRIBUTION TO BASE FUNDING	£19,706,529	£19,357,000	£349,529	2%
FUNDING SHORTFALL (CONTINGENCY SURPLUS)	790,817	(7,091)		

REPORT

Report to: Schools Forum

Item: AOB

Date: 22nd March 2016

For: Information

Title: Fair Funding Consultation

Author: Garry Bradbury

Presenter: Garry Bradbury

1. INTRODUCTION AND BACKGROUND

- 1.1 The Chancellor's Statement of 25th November 2015 indicated that campaigners for a fairer distribution of school funding across Local Authorities had prevailed, and that the Government intended to bring in a redistribution, beginning 2017/18 (whether financial or academic year was left vague). To this end, there would be a consultation on how this would work in practice 'in the new year'. All three blocks of Dedicated Schools Grant (DSG) funding would be reviewed – Schools Block, Early Years Block and High Needs Block.
- 1.2 On Monday 7th March, the consultation was launched, but in an incremental form. There are proposals for reform of the Schools Block and High Needs Block, but only on an 'in principle' basis. The two consultations are notionally separate exercises, though obviously in practical terms are inextricably linked. There is no discussion being held over the Early Years Block – a consultation on this is promised 'later in the year'.
- 1.3 When discussing the Fair Schools Funding Update report to Forum of 19th January, we commented on speculation that detailed proposals, from which schools and Local Authorities could estimate actual likely impact, would be deferred, potentially through fear of influencing the London Mayoral election (by any rational measure, exceptionally well-funded London authorities are likely to see reductions in allocations). Whether or not this is the main reason for adopting a two-stage process, there is a logic to establishing a principle, or framework, for the review. It does however mean that we can only evaluate the proposals on their reasonableness, not necessarily what is best for an individual school, school sector, or Local Authority area.
- 1.4 Launching 7th March, the consultation period runs until Sunday 17th April. During this period, the Department for Education (DfE) will be gathering information from local authorities in order to determine baselines of funding for High Needs

commitments. At some point thereafter, the government response to the first stage consultation will be published, followed by the second stage consultation (rumoured to be May, in which case it is *possible* that final details of the formula could be before Parliament before its Summer recess). This second stage will involve proposed values attached to formula factors, and at this point we shall be able to gauge the impact on funding of Warrington and its schools.

- 1.5 Despite the highly theoretical nature of this first stage consultation, we nevertheless urge all interested parties to consider individual and collective responses. We appreciate that individual school views may not exactly coincide with the collective view of Schools Forum, which in turn may vary from the opinion of the Local Authority. It is important to air all views. It is hoped that discussion tonight will decide whether a collective Forum response is appropriate. All consultation questions are collected together in the Appendix, though the response method preferred by DfE is online on the consultation pages:

https://consult.education.gov.uk/funding-policy-unit/schools-national-funding-formula/consult_view

<https://www.gov.uk/government/consultations/high-needs-funding-reform>

The detailed consultation documents may be downloaded from these pages - it is recommended that Members review these documents prior to formulating their response(s).

Alternatives are via email:

SchoolsNationalFundingFormula.CONSULTATION@education.gsi.gov.uk
HighNeedsFunding_Reform.CONSULTATION@education.gsi.gov.uk

Or by post:

(Schools consultation)
Funding Policy Unit
Department for Education
Great Smith Street
London
SW1P 3BT

(High Needs consultation)
Funding Policy Unit
Department for Education
Bishopsgate House
Feethams
Darlington
DL1 5QE

2. SCHOOLS BLOCK CONSULTATION PROPOSALS

2.1 The schools proposals may be summarised as shown below.

- To introduce a national funding formula for schools from 2017/18 (still unclear whether financial or academic year). Funding would be allocated to local authorities to distribute for the first 2 years ('soft formula'), and then allocated directly to schools based on the national ('hard') formula from 2019/20

In 2017/18 and 2018/19, the total Schools Block allocations received by Warrington on behalf of its schools would be the aggregate of the eventual national formula for each individual school, but the LA and Schools Forum would be able to distribute based on its current local formula, or any variation to it deemed appropriate. There will be no directed formula change during that period, with the exception that the post-16 factor be removed (not used by Warrington anyway). In reality, however, once we have compared individual outcomes for school budgets between the current model and the national formula, we would probably wish to begin to move towards the latter during these two years, in order to minimise turbulence in 2019/20.

From 2019/20, the current dedelegation mechanism will be removed. Individual schools will of course be able to continue to contract with the Local Authority for its services, but without the security of the 'block' funding for the sector, the viability of such services may be compromised.

These changes have obvious implications for the role of Schools Forums. The DfE acknowledges their input only in the short-term i.e. 2017/18 and 2018/19. During this period, there will be no changes to make-up or function, and the DfE will carry out a review 'from first principles' for the future role, function and membership.

- To use 4 building blocks for the formula:
 1. basic per pupil costs;
 2. additional needs costs (deprivation, low prior attainment, English as Additional Language);
 3. school costs (lump sum, sparsity, rates, PFI, split sites, exceptional premises factor, growth); and
 4. geographic costs (i.e. an Area Cost Adjustment, either based on general labour market methodology, or a hybrid)

The proposal is to use Ever6 FSM in part as the pupil-level deprivation indicator (running the risk of duplicating Pupil Premium?), possibly augmented with broader area-level deprivation data (IDACI)

- To allocate funding for premises factors, growth and business rates to local authorities in 2017/18 and 2018/19 on the basis of historic spend, for them to distribute at local level.

This will mean lagged funding for rates, so we must hope that the rates bill overall does not rise significantly.

The previous two suggestions mean that the DfE is proposing to use in the national formula 11 of the 14 factors presently permissible in local formulae (albeit calculated

differently in some cases). The current factors excluded are Looked After Children, Mobility and Post-16, none of which Warrington uses presently.

- To ensure stability by retaining the 'minimum funding guarantee', with authorities given 'greater flexibility' to set a MFG to 'reflect local circumstances'. The 'standard' MFG may also potentially change, as well as possibly implementing a national cap on gains.

Depending on how different the outcomes of the national formula prove to be in comparison to the current Warrington model, maintaining the current -1.5% MFG over two years may not be practical without either some local form of capping of gains, or loosening of the MFG. When the implications are clear, we shall liaise with Schools Forum (this is an obvious issue for the Formula Working Group to consider). It is presently unclear whether, or for how long, transitional protection will continue beyond 2019/20, and the first year of the 'hard formula'. DfE is clear that the length of time taken to get to a position where the formula is implemented fully will be based on what is manageable for schools, not some arbitrary fixed timetable. It does say, though, that the 'vast majority' of funding by 2019/20 should be based on the new formula, not any residual protection.

- By 2018, local authorities will be required to pass on all of the Schools Block funding to its schools.

Passporting (at least) 100% of Schools Block funding direct to schools is Warrington practice, so this will not impact at all.

- To provide practical help for schools, including through an 'invest to save' fund administered by DfE.

This fund – amount unknown, access method unknown – will be available for schools to use how they wish, including for financial, legal and HR advice. In 'extreme cases', it is possible it may be used to fund redundancy costs of restructures.

- Pupil Premium to continue in largely its present form, but increasing the value of Pupil Premium Plus from 2017/18 onwards (in lieu of having a LAC factor in the main school formula). Mainstream pupil premium grant is protected until 2019/20. We assume this will also be paid directly from that point.
- To create a new 'central schools block' to fund the ongoing duties local authorities hold for both maintained schools and academies

In the absence of any central block currently, these functions by necessity are funded by the High Needs block. The level, and form, of duties ascribed to the local authority are a source of much contention, increasingly so as the 'general funding' element of the Education Services Grant for Local Authorities, for maintained school support, is ceasing September 2017 (with a reduced rate paid April to August 2017). At this point, any LA school improvement service is expected either to cease, or adopt a 100% traded profile. (This general funding element will be removed, eventually, for Academies also, but will be protected for a period).

Other activities anticipated to either cease or become wholly traded will be music services, visual & performing arts, pupil support and outdoor education

The government is proposing to amend Regulations so that LAs may retain some of their maintained schools' DSG to fund the duties they carry out for them (to be agreed by maintained schools members of Schools Forum), but in the most extreme scenario, LA responsibility shrinks to the following:

- i) Ensure adequacy of school place numbers
- ii) Ensure the needs of vulnerable pupils are met
- iii) Act as 'champion' for parents.

3. HIGH NEEDS BLOCK CONSULTATION PROPOSALS

3.1 The High Needs proposals may be summarised as shown below. The fundamental difference in approach to this Block of funding is that while there will be a shift to calculating Local Authority High Needs allocation by formula, there is, logically, no suggestion that funding issued thereafter to settings must fully be on a formula basis. Also, the funding will remain mediated through the Local Authority.

- To introduce a national funding formula for high needs from 2017-18
- To use factors in the formula as below:

1. Population;
2. Health (nos. of children 'in bad health');
3. Disability (recipient nos. Disability Living Allowance);
4. Low attainment (KS2 and KS4); and
5. Deprivation (Free School Meals, IDACI)

DfE has deliberately avoided linking formula funding to numbers of statements/Education & Health Care Plans (EHCPs) to avoid the temptation of incentivising assessments.

It is potentially anomalous that Ever6 FSM is proposed for the Schools Block formula, and current FSM for High Needs. But 'simpler', in the view of DfE.

- To continue to allocate funding to local authorities for high needs, but on the formula basis

As is discussed in a separate report to Forum tonight, there are significant pressures surrounding the High Needs Block, so in retaining this function with local authorities, addressing sufficiency of funding is key.

- To ensure stability by retaining a significant element of funding based on what local authorities are currently spending, and capping the gains and losses of local authorities each year. This period of transition is likely to remain for the first 5 years of the formula..

- To provide financial and practical help to authorities to assist them in reshaping their existing provision, and also including capital funding for new specialist places and new special free schools (it's estimated that 'at least £200 million will be available, with further detail to emerge later in the year).

For Warrington, this is an interesting suggestion, recognising that authorities need time to reshape provision for new entrants to the high needs system, achieving better outcomes at reduced cost. The Warrington Inclusion Hub is working to potentially reshape high needs provision; there may be some merit in working with the DfE to discuss how this capital funding may be accessed. This may involve liaising with Regional Schools Commissioners.

- No proposed changes to local funding mechanisms for Alternative Provision.
- Despite acknowledging the criticisms of Notional SEN, there is no proposal to dilute the requirement for individual school figures to be calculated.
- Designated Provision (DP) funding to be amended. Currently DP place numbers are removed from the mainstream formula Number On Roll, and are funded at £10,000 (£4,000 Element 1, £6,000 Element 2) plus top-up (Element 3). Instead of a fixed figure for Element 1, funding will be through the mainstream formula based on the pupils' characteristics. Depending on these, schools will effectively receive a 'personalised' Element 1 which may be more or less than the flat rate £4,000.

4. RECOMMENDATIONS

- 4.1 Schools Forum is asked to note the contents of the report.
- 4.2 Schools Forum is asked to decide how Warrington schools' responses to the Consultation(s) should be progressed.

APPENDIX – CONSULTATION QUESTIONS

SCHOOLS BLOCK CONSULTATION

Question 1

Do you agree with our proposed principles for the funding system?

Question 2

Do you agree with our proposal to move to a school-level national funding formula in 2019-20, removing the requirement for local authorities to set a local formula?

Question 3

Do you agree that the basic amount of funding for each pupil should be different at primary, key stage 3 and key stage 4?

Question 4

- a) Do you agree that we should include a deprivation factor?
b) Which measures for the deprivation factor do you support?
- Pupil-level only (current FSM and Ever6 FSM)
 - Area-level only (IDACI)
 - Pupil- and area-level

Question 5

Do you agree we should include a low prior attainment factor?

Question 6

- a) Do you agree that we should include a factor for English as an additional language?
b) Do you agree that we should use the EAL3 indicator (pupils registered at any point during the previous 3 years as having English as an additional language)?

Question 7

Do you agree that we should include a lump sum factor?

Question 8

Do you agree that we should include a sparsity factor?

Question 9

Do you agree that we should include a business rates factor?

Question 10

Do you agree that we should include a split sites factor?

Question 11

Do you agree that we should include a private finance initiative factor?

Question 12

Do you agree that we should include an exceptional premises circumstances factor?

Question 13

Do you agree that we should allocate funding to local authorities in 2017-18 and 2018-19 based on historic spend for these factors?

- Business rates
- Split sites
- Private finance initiatives
- Other exceptional circumstances

Question 14

Do you agree that we should include a growth factor?

Question 15

Do you agree that we should allocate funding for growth to local authorities in 2017-18 and 2018-19 based on historic spend?

Question 16

- a) Do you agree that we should include an area cost adjustment?
b) Which methodology for the area cost adjustment do you support?
- general labour market methodology
 - hybrid methodology

Question 17

Do you agree that we should target support for looked-after children and those who have left care via adoption, special guardianship or a care arrangements order through the pupil premium plus, rather than include a looked-after children factor in the national funding formula?

Question 18

Do you agree that we should not include a factor for mobility?

Question 19

Do you agree that we should remove the post-16 factor from 2017-18?

Question 20

Do you agree with our proposal to require local authorities to distribute all of their schools block allocation to schools from 2017-18?

Question 21

Do you believe that it would be helpful for local areas to have flexibility to set a local minimum funding guarantee?

Question 22

Do you agree that we should fund local authorities' ongoing responsibilities as set out in the consultation according to a per-pupil formula?

Question 23

Do you agree that we should fund local authorities' ongoing historic commitments based on case-specific information to be collected from local authorities?

Question 24

Are there other duties funded from the education services grant that could be removed from the system?

Question 25

Do you agree with our proposal to allow local authorities to retain some of their maintained schools' DSG centrally – in agreement with the maintained schools in the schools forum – to fund the duties they carry out for maintained schools?

HIGH NEEDS BLOCK CONSULTATION

Question 1

Do you agree with our proposed principles for the funding system?

Question 2

Do you agree that the majority of high needs funding should be distributed to local authorities rather than directly to schools and other institutions?

Question 3

Do you agree that the high needs formula should be based on proxy measures of need, not the assessed needs of children and young people?

Question 4

Do you agree with the basic factors proposed for a new high needs formula to distribute funding to local authorities?

Question 5

We are not proposing to make any changes to the distribution of funding for hospital education, but welcome views as we continue working with representatives of this sector on the way forward.

Question 6

Which methodology for the area cost adjustment do you support?

Question 7

Do you agree that we should include a proportion of 2016-17 spending in the formula allocations of funding for high needs?

Question 8

Do you agree with our proposal to protect local authorities' high needs funding through an overall minimum funding guarantee?

Question 9

Given the importance of schools' decisions about what kind of support is most appropriate for their pupils with SEN, working in partnership with parents, we welcome views on what should be covered in any national guidelines on what schools offer for their pupils with SEN and disabilities.

Question 10

We are proposing that mainstream schools with special units receive per pupil amounts based on a pupil count that includes pupils in the units, plus funding of £6,000 for each of the places in the unit; rather than £10,000 per place. Do you agree with the proposed change to the funding of special units in mainstream schools?

Question 11

We therefore welcome, in response to this consultation, examples of local authorities that are using centrally retained funding in a strategic way to overcome barriers to integration and inclusion. We would be particularly interested in examples of where this funding has been allocated on an "invest-to-save" basis, achieving reductions in high needs spending over the longer term. We would like to publish any good examples received.

Question 12

We welcome examples of where centrally retained funding is used to support schools that are particularly inclusive and have a high proportion of pupils with particular types of SEN, or a disproportionate number of pupils with high needs.

Question 13

Do you agree that independent special schools should be given the opportunity to receive place funding directly from the EFA with the balance in the form of top-up funding from local authorities?

Question 14

We welcome views on the outline and principles of the proposed changes to post-16 place funding (noting that the intended approach for post-16 mainstream institutions which have smaller proportions or numbers of students with high needs, differs from the approach for those with larger proportions or numbers), and on how specialist provision in FE colleges might be identified and designated.