

Cheshire West & Chester Council

Cheshire West and Chester Schools Forum

Monday 3 July 2017
4.30pm – 6.30 pm

To be held at

Queen's Park High School
Queen's Park Road
Handbridge
Chester CH4 7AE

Refreshments will be available from 4pm

Schools Forum Clerk
Children and Families
Cheshire West and Chester Council
Telephone 01244 972901



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Cheshire West and Chester Schools Forum

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Agenda for Cheshire West and Chester Schools Forum 3 July 2017

1.	4.30	Introductions and apologies		
2.	4.35	Minutes and matters arising of last meeting 2.1 To agree the minutes from part two of the meeting held 16 January 2017 2.2 To agree the minutes of the meeting held on 13 March 2017 2.2 Matters arising		Separate document page 4-9
3.	4.45	High Needs sub group – update	John Freeman	page 10-15
4.	5.00	Maintained School Balances Financial Year 2016-2017 and Academy Balances 2015-2016	Natalie Cole	page 16-19
5.	5.20	2017-2018 School Funding Arrangements – National Data Comparison	Natalie Cole	page 20-26
6.	5.40	Trade Union Facilities – charges to central budget	Natalie Cole	page 27-28
7.	6.00	Dedicated Schools Grant (DSG) 2016-2017 – Final Outturn	Paul Plested	page 29-30
8.	6.10	Annual review of Schools Forum membership constitution and terms of reference	Charlotte Fenn	page 31-40
9.	6.20	Any other business		
10.	6.30 Finish	Next meeting: Monday 9 October 2017 Queen's Park High School Schools Forum and finance sub group meeting schedule and forward plan		page 41-42

**Cheshire West and Chester
Schools Forum
3 July 2017**

Agenda item 2.2

**Cheshire West and Chester Schools Forum, Queen's Park High School,
Chester, 13 March 2017 minutes**

Present:

Paula Adolph
Sue Anderson

Hilary Berry
Cheryl Bullen
David Charlton (Chair)
Sarah Curtis
Ian Devereux-Roberts (sub for
Chris Priddey)
Kate Docherty
Steve Dool
John Freeman
Duncan Haworth
Sarah Lee
Heather Lewis (sub for Carol
Gahan)
Kathryn Magiera
Samantha Myers-Whittaker
John Murray
David Rowlands
Katie Tyrie
Caroline Vile
Sarah Worthington
Sue Yates
Harry Ziman

Representing:

PVI (Private, voluntary and
independent) early years'
providers
CWAPH Chair
Primary headteachers
Secondary headteachers
Primary headteachers
Primary headteachers
Primary headteachers
Academies
Secondary governors
Primary governors
Academies
Primary governors
Diocese
Special headteachers
Academies
Secondary governors
Nursery headteachers
Diocese
Primary headteachers
Secondary headteachers
Academies

Officers:

Natalie Cole
Charlotte Fenn (Clerk)
Debbie Gittins
Mark Parkinson
Paul Plested

Official observers:

Councillor Meardon

Observers/public:

1 Introductions and apologies

Apologies were received from David Curry, Carol Gahan, Kath Lloyd, Sian Thomas (Philip Hopwood, Luci Jones & Sue Pearson not reported at meeting).

Heather Lewis, substituting for Carol Gahan, was welcomed to her first meeting.

David Charlton informed members that he and Harry Ziman had been re-elected as Chair and Vice-chair, unopposed, prior to the last meeting, but due to an oversight this had not been reported.

2 Minutes and matters arising of last meeting

2.1 Minutes of the last meeting

The minutes of the meeting held on 16 January 2017 were agreed as a correct record. Harry Ziman questioned whether the Forum would receive minutes from part two of the meeting, from which the public had been excluded, for approval. It was agreed that they would be presented at the next meeting.

2.2.1 Early years single funding formula (EYSFF)

David Charlton reminded Forum members that it had been agreed at the December 2016 meeting that the Early Years Finance sub group would put forward recommendations for the local EYSFF to Schools Forum to approve via virtual vote. David reported that Forum had voted to support the proposals (all 17 votes received were in support of the proposals). David thanked colleagues for taking the time to respond and vote on the proposals.

2.2.2 Item 7 Education funding: Stage two Consultations

Councillor Meardon reported that a campaign entitled 'Stop School cuts in Cheshire West and Chester' had been launched in the last few days and could be followed on twitter and facebook; a coalition of parents, teachers and local politicians were campaign for fair funding. It was also noted that a demonstration was due to take place on 25 March at 1.00 pm at the Cross in Chester and any Headteachers willing to speak at the demo should contact Councillor Meardon via email.

3 Education Funding: Stage two Consultations

David Charlton introduced the item and reported that he and a colleague had meet with DfE Ministers last week to discuss the impact of the national schools funding formula proposals on CWAC secondary schools. Ministers seemed to be keen to look at the deminimus amount of £4,800 for secondary suggested by grammar schools. Paul Plested reported that the equivalent primary figure was around £3,720 and budget modelling on these figures would suggest some gainers in both primary and secondary schools.

It was noted that CWAPH colleagues had also recently meet with Nick Gibb, Minister of State at the Department for Education; Councillor Meardon, Chris Matheson MP and Justin Madders MP were meeting with Nick Gibb tomorrow (14 March 2017) to discuss school funding cuts; Nick Gibb was also visiting two primary schools in June 2017.

David Charlton reported that the draft responses had been considered by the Finance sub group and drew Forums' attention to the national funding formula response in appendix A and sought comments.

Forum members voiced concerns that the Consultation document was too technical for parents and it would not be helpful for an emotional response to be submitted; parents needed to be equipped with the national arguments in order to send a measured response. Councillor Meardon informed Forum members that there was a link on the Campaign site to formats to help parents write a response to the consultation.

Paul Plested drew Forum members' attention to page 21 and the response against the proposed funding floor; this might appear counter intuitive but

would avoid locking in historical differences for those schools that had reserved high funding for a long time, e.g. Tower Hamlets' schools.

Harry Ziman suggested that an addition be made, under question one, drawing on the recent National Audit Office report identifying 8% inflation cost pressures on schools.

Concerns were also raised that ring-fencing the Schools Block did not account for the creation of any new Alternative Provision or special schools where the full costs would be met from the High Needs Block. Reference was made to the two proposed free schools in the area which would have a significant financial impact on an already over stretched High Needs Block.

Forum member's opinions varied in regard to supporting the ring-fencing of the Schools Block; David Charlton put a vote to retain the proposed response against ring-fencing the Schools Block under question 14 (vote: 15 for, 3 against).

In general Forum members considered the draft response well put together. Officers agreed to amend the wording in both consultation responses to include reference to the National Audit Office report and the impact of new Alternative Provision and Special schools before submission.

Paul Plested informed the group that historic spend accounted for 50% of the High Needs funding but there was no evidence as to how this figure had been arrived at; locking in historical funding would mean over or under funded LA's would remain so.

Forum members' attention was drawn to paragraph 6 which listed other formula factors making up the High Needs funding in addition to the basic per pupil entitlement of £4k which had been arrived at by averaging the various AWPU's. It was noted there was nothing in the consultation documentation to say how the formula factors had been arrived at. It was also unclear as to how growth in demand might be funded.

David Charlton drew Forum members' attention to the High Needs draft response in appendix B. Harry Ziman commented that it should also be noted in the response that the principles behind the formula should be based on evidence.

Resolved that the Schools Forum agreed that the

- i. responses in appendix A and B be submitted by the 22 March deadline subject to the additions cited during discussions (vote: unanimous); and
- ii. amended version of the consultation submissions be circulated to Schools Forum members to provide a framework for others to base a response on.

4 Special Educational Needs (SEN) funding for Mainstream and Special Schools – Funding for the High Needs Block 2017-2018

Debbie Gittins, Senior Manager SEN, introduced the report which set out proposed changes to the SEN processes and allocations from the High Needs

Block for 2017-2018 in order to manage costs in the future. It was noted that the proposals had been discussed at the Schools Forum Finance sub group meeting on 28 February 2017.

Forum members' attention was drawn to paragraph 5; the proposed changes for the process of allocating funding for 2017-2018 were discussed by the Forum.

It was noted that the special schools attendance data had not been available in order to provide a fuller picture for Forum as the Officer responsible for the data was currently on paternity leave.

Forum members felt that proposal 5d, to recoup a proportion of top up funding where children had not attended school, was unacceptable and raised a number of concerns. Comments included that the interests of the children needed to be thought of and each individual child's case looked at; there should not be a blanket policy over such areas as medical needs; more work needed doing to identify and address the reasons for non-attendance; outlay costs already put in place for a child, for example employee contracts, had not been taken into account; the proposals needed to be shaped so they didn't incentive pupils going to special schools rather than mainstream.

Debbie Gittins informed Forum that parents wanted to know where the top up funding was going when children were not attending school.

Forum members also felt that more detail was needed regarding exceptions under proposal 5b, in year transfers.

Questions were raised as to whether the proposals to recoup top up funding would save money or create more work. Debbie Gittins responded that she was not sure as this was the first round, however Officers would be monitoring and requesting evidence of appropriate spending on individual pupils with more rigour than previously.

It was suggested that schools needed to challenge parents regarding their preference of a special school as to whether it was by choice or necessity; there was a presumption in law of mainstream education.

Comments were made that most parents favour special schools as they attract more funding; but it was also felt that parents didn't know what else was out there and mainstream schools should take the opportunity to show parents around their school.

Forum members felt that parents, as stakeholders, should be consulted on the proposed changes.

Other issues raised during discussions included, paper work presented to panel not being fit for purpose, and the low reintegration of special pupils back into mainstream school which was an area Ofsted might pick up on.

Comments were made regarding 'misappropriation of funds' from elsewhere to pay for resources while waiting for an EHCP, in this case the child was ultimately excluded. Debbie Gittins reminded colleagues that the notional

SEN funding was not ring-fenced.

Mark Parkinson acknowledged Forum members comments and concerns but reminded them that the proposals had been put forward as the £1m overspend had to be resolved, and stressed that a solution had to be found quickly. It was noted that the funding problem was not just for the SEN team to resolve; schools and the LA needed to work together and not against each other.

Forum members were keen to support the suggestion of a working group and agreed that a High Needs sub group be set up. The following membership was agreed; Sue Yates, Steve Dool, Sarah Curtis, Kate Docherty, Hilary Berry, Sam Myers-Whittaker or CWASSH vice chair, John Freeman or Harry Ziman and support from Officers. It was also agreed that SENCO's might be called upon to provide information, where necessary. The remit of the sub group would be to explore the issues and come up with solutions to address the overspend.

Resolved that the Schools Forum agreed

- i. to set up a High Needs sub group, chaired by a Schools Forum member and supported by Officers, to find alternative proposals to address the 1m overspend;
- ii. Proposed commissioned places in special schools for 2017-2018; and
- iii. Proposed changes to special school band funding rate for 2017-2018.

5 Central spend budgets 2017-2018

Natalie Cole introduced the report which outlined the proposed level of prescribed central spend budget for 2017-2018.

Forum members' attention was drawn to appendix B and the proposed changes to the centrally held budgets.

It was noted that the central expenditure on children under 5 (1.3.1) had been decreased to meet the cap imposed by the new national funding formula. Mark Parkinson informed the Forum that an Early Years restructure consultation had been launched that day which would result in a reduction in the Early Years team; this was a sensitive issue as it would have an impact on support given to early years providers.

The changes included a reduction in the contribution to combined budgets (1.4.1) and the addition of a falling rolls fund (1.4.5) as agreed at the January Forum meeting. It was noted that line 1.4.8 'Fees to independent schools without SEN' was not an extra budget but a re-designation within the Section 251 statement, previously included within the SEN independent fees.

Clarification was sought as to why the LA was placing non SEN pupils in independent schools. Officers responded that this would relate to the educational provision of pupils placed in secure units.

It was noted that no funding for 'central provision within school budgets' (1.5.1-1.5.3) had been retained for 2017-2018 but this area would be revisited next

year.

Resolved that the Schools Forum approve the proposed changes to the level of central spend budget for 2017-2018 for the activities defined in Section 251 statement.

6 Dedicated Schools Grant (DSG) 2016-2017 Forecast Third Review

Paul Plested took Forum members through the paper which provided an update on the financial forecast outturn position for centrally held DSG.

It was noted that the adjusted net overspend forecast of £0.120m would be the first call on the 2017-2018 budget. This figure took into account the prior year rates 'windfall' and assumption that sufficient additional funding would be received in 2017-2018 to meet the 3-4 year old overspend.

Resolved that the Schools Forum note the Third Review position of the DSG.

7 Any Other Business

None to report.

8 Next meeting

David Charlton reported that provisional meeting dates for the next academic year would be circulated by the Clerk before the July meeting. It was noted that these dates may be subject to cancellation, due to the uncertainty regarding the role of the Schools Forum and the proposed move to a national funding formula for schools.

Next meeting Monday 3 July 2017 Queen's Park High School 4.30 - 6.30.

**Cheshire West and Chester
Schools Forum
3 July 2017**

Agenda item 3

**Minutes from the meeting of the School Forum High Needs Sub Group
Held on: 20 April 2017**

Schools Forum:

Alison Ashley Head Hebden Green School CWASSH Vice Chair
Sarah Curtis Head Meadow Primary
Kate Docherty Head Rivacre Valley Primary
John Freeman Governor Weaverham High (Chair)
Sue Yates Head Blacon High School Specialist Sports College

Officers:

Natalie Cole Finance Manager
Charlotte Fenn Schools Forum Clerk (minutes)
Debbie Gittins Senior Manager SEN
Mark Parkinson Director of Education

Apologies:

Hilary Berry CWAPH Chair

Item no.	Minute/action	By whom
1.	<p>Apologies & Welcome Apologies noted. The group agreed that John Freeman should chair the meetings. Mark Parkinson reminded the group regarding the background behind the setting up of the sub group & set out the agenda for the meeting.</p>	
2.	<p>Current position</p> <p>Papers circulated by Officers for background information/discussion:</p> <ul style="list-style-type: none"> • Dedicated Schools Grant – High Needs Block (NC) • Formula factor split (NC) • School forum – SEN Sub Finance – Absence data (DG) • Top up rates 2017-2018 (NC) • Summary of pupil numbers funded in special schools (NC) <p>Natalie Cole provided some background info regarding the High Needs block:</p> <ul style="list-style-type: none"> • High Needs block doesn't keep pace with increase in pupil numbers or demand <ul style="list-style-type: none"> ○ inclusion issue impacts on increased demand • Block allocations started in 2013, annual allocations based on historic spend for 2012/2013 with small increases from the Government as & when they had spare funds. • LA applied for increase in funds through bidding process, eligible over a certain pupil percentage increase – didn't get what asked for, received 	

	<p>place value (10k per place) but no additional top-up funding.</p> <p>Sue Yates asked if there was any protocol for benchmarking in order to review budgets – none at the moment but being considering as part of the NFF.</p> <p>It was noted that the demand on SEN funds was greater than the increase in pupil numbers in % terms.</p> <p>The group discussed the reasons for this increase in demand, several factors were put forward:</p> <ul style="list-style-type: none"> • improvements in medical interventions – increase in life span • parents more ‘savvy’/demanding • parents more aware of conditions/labels e.g. autism • workforce issues – deskilled • high increase in mental health issues • increase in appeals/tribunals – LA holding the line regarding placing children in local provision • parenting skills • transition from primary to secondary <p>Debbie Gittins informed the group that inclusion was one of the workstreams being looked at by the CWEIB (Cheshire West Education Improvement Board). Action: pick up transition issues with CWEIB</p> <p>Mark Parkinson suggested that funds could be set aside from the High Needs block for development work e.g. transition.</p> <p>Discussion regarding transition issues/solutions:</p> <ul style="list-style-type: none"> • Weaverham High had put in mentoring as part of their pastoral care • assumptions on the issues made between sectors – more communication needed • primary meet needs with teaching assistants which can’t be met at yr7 • need to build up trust • satellite provision for SEN pupils to transition into mainstream • movement one way into SEN rather than out of • consider module solutions – action research (MP could fund) • MLD – reflects culture & history; parental pressure believe child not able to cope in secondary <p>Alison Ashley was already working with Amanda at Winsford Academy on satellite provision as was Sarah Curtis with Liam at Hinderton School.</p> <p>Natalie Cole provided some background to the proposed High Needs NFF referring to the pie chart in paper 2.</p> <ul style="list-style-type: none"> • 56% based on formula / 44% based on historic spend • 4 year protection • FSM & IDACI factors - CWAC receiving less than national average • High Needs block held by LA & managed in isolation from Schools block • less responsive to change 	<p>DG/ CWEIB</p>
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- Schools block ring-fenced / pass-ported to schools
- LA has no control over Schools block

Natalie Cole referred the group to paper 1 which provided a breakdown of the High Needs budgeted expenditure as stated in section 251 statement for 2016-2017 & 2017-2018 (expenditure lines on the document are those stipulated under the 251 regulations).

Teams funded, fully/in part, from High Needs included:
Education Psychologist (Daphne Jones), Early Years Specialist team (Shelia Little), SEN (Debbie Gittins), Virtual School (Debbie Murphy), SCiE (Jeannette Cain).

Alison Ashley flagged that the outreach work with early years pupils, that she had been doing with Shelia Little, had had a huge impact. They were also looking at module transition from yr5. It was noted that the case load for Shelia's team had increased but the team had not.

John Freeman asked what were the areas where cuts could be made. Mark responded that reducing staff would have a knock on effect, need to look at investing in other areas on preventative measures e.g. workforce development.

It was noted that SEN Officers, & not legal, attended court for tribunals, on some occasions they had the support of a Barrister. Debbie Gittins shared an example of the type of tribunal the SEN team were involved in. The case cited referred to residential provision & meeting the child's educational needs. Identifying what was considered educational provision as opposed to social care provision for funding purposes was an issue.

Comments/discussion

- Residential provision not good for child long term
- Having residential schools in the LA caused an issue over equity of provision – currently being looked at (Alison Ashley)
- Review of resource provision was carried out in 2013 as a result of LGR and special school split 10 West / 4 east - questioned raised - was the resource provision still appropriate?
- fair spread of provision had been looked at as part of the review
- resource provision more expensive than special schools
- approx. 50% of pupils at Hebden Green were from Cheshire East
- one Special free school in Cheshire East being proposed, depending on location could have an impact on number of pupils coming from East to West.
- closing special schools involved a challenging legal process, school could consider converting to an Academy
- some needs are being met in mainstream – look at to see how being achieved
- pupils leaving/moving on from Special schools is not discussed

Mark Parkinson reported that the LA had recently received a High Need Strategic Needs Review Grant (£115k) and planned to carry out a Strategic High Needs Review in the Autumn term. They were looking at

	<p>commissioning an external consultant plus local practitioners to carry out the review. LA was also required to work with parents as part of the review process.</p> <p>Action: item for next meeting Strategic High Needs Review</p> <p>Post 16 discussion/comments</p> <ul style="list-style-type: none"> • Expecting a growth in the need for post 16 SEN provision; required to provide FE provision up to age 25; • colleges are not geared up to progress/meet the needs of SEN pupils; • CWAC doesn't have a banding agreement with FE colleges; • charges are high but not as high as specialist provision such as David Lewis; • need to do a charging cost analysis & bring in a banding model; • haven't been able to commission places at West Cheshire College as they had received an inadequate judgement • WCC are due to merge with South Cheshire College; • there had been a proposal for all the Cheshire colleges to merge - current position unknown; • Alison Ashley recollected receiving a letter that implied that three colleges had merged (3 college logos on letter); colleagues were unaware that this was happening. Action: Alison forward letter to Mark <p>Kate Docherty questioned why, if her school could succeed in being inclusive, weren't others? One issue raised was around SENCO's not seeing their role as an SEN expert. It was noted that the LA had put on SENCO training but only a third of SENCO's attended.</p> <p>Top up funding/EHC requests discussion/comments reference made to the LA interactive tool data on paper 3</p> <ul style="list-style-type: none"> • most LA's, including most LAs in the NW, operated a panel process • what do other LA's do if don't have a panel? – unsure, in the past had possibly be done on attainment • CWAC panel process was quality assured • High level of CWAC school requests were refused • poor quality of information provided was a concern – e.g. no evidence level 2 • need to stop inappropriate requests – examples of schools submitting requested just on the off chance might get funding • Once transfers completed (end of year), SEN staff would be used to target schools not getting the process right • SENCOs see their role more as getting funding for schools • Clear that early intervention would have avoided the need for requests • Panel was a costly process, was there a more cost effective model? • Panel feedback – Ombudsman investigation raised question as to how schools audited on how they spent their funding <ul style="list-style-type: none"> ○ Not currently done - could request proposal on how would spend / breakdown on how spent Action: look into <p>Natalie Cole explained the data on paper 4 (Special schools/PRU top up rates breakdown 2017-2018). It was noted that the figures included</p>	<p>CF/DG</p> <p>AA</p> <p>DG</p>
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	<p>adjustments for small schools & hydro therapy pools.</p> <p>The high cost of The Bridge was noted & question raised as to how cost effective The Bridge was; exclusions could sometimes be avoided if schools had more resources – could funding from the Bridge be reallocated? Action: look into</p> <p>Paper 5, Summary of pupil numbers funded in special schools showing funding trends 2015-2016 2016-2017, briefly referred to.</p> <p>Action: Reflect on what discussed & consider what other information/ areas to explore to be brought to next meeting.</p>	<p>NC</p> <p>ALL</p>
<p>3.</p>	<p>Special Educational Needs (SEN) Funding for Mainstream and Special Schools – Funding from the High Needs Block 2017-2018 (paper presented at Schools Forum item 4 13 March 2017) Paper referred to briefly during discussions.</p>	
<p>4.</p>	<p>Other options. Not discussed as separate item.</p>	
<p>5.</p>	<p>Implications of the proposed AP free schools.</p> <p>Mark Parkinson updated the group on the 2 proposed Alternative Provision free schools & the impact on High Needs:</p> <ul style="list-style-type: none"> • 5 secondary schools involved in a proposal for 14-16 AP provision for across the borough; 70 places plus 10 places for prevention work; location E'Port • 60 place AP proposed in Winsford area, location unclear as to which side of the boarder it will be, CWAC or CE. • Total cost for the two APs £1.4m, first two years funded by EFA thereafter by LA from High Needs at £10k per place. <p>Places at The Bridge are commissioned by the LA for permanently excluded & medical needs pupils plus 20 places funded by the LA for schools for short term interventions. The Bridge was always full due to the number of permanently excluded pupils.</p> <p>Sue Yates confirmed that the proposal for an AP in E'Port had arisen following discussions by the 5 Secondary schools; they were looking for more vocational ks4 curriculum provision & in setting up an AP they benefited from economies of scale.</p> <p>Sue chair's the E'Port Fair Access Panel (FAP) & reported that her FAP was seeing a large number of cases of students in E'Port where schools were saying they could not meet their needs. Mike Holland chair's the Winsford FAP which had far less cases and on occasions was not required to meet.</p> <p>There needed to be clear criteria regarding which pupils could attend APs.</p> <p>Mark Parkinson suggested that the proposal for the E'Port AP needed</p>	

	<p>discussing openly as CWASH</p> <p>A discussion was had regarding where pupils, attending APs, would be registered. Officers were of the opinion that pupils could not be registered as on roll at an AP but would be dual roll registered; schools would still be responsible for the pupils test data & progress 8. There seemed to be a view that the schools involved in the E'Port AP proposal were expecting pupils to be registered at the AP & no-longer on the school roll.</p> <p>Action: Natalie Cole seek clarification regarding funding dual roll pupils at APs</p> <p>Action: Mark Parkinson to seek clarification from RSC regarding APs & dual roll</p> <p>It was noted that the LA, along with others such as the CWEIB, could express a view on the proposed APs but the final decision was made by the RSC following advice from the Head teachers Board. The LA would be required to commission the places.</p> <p>Mark Parkinson reported that the LA would need to consider a 10% cut in top up funding to fund these extra places, this would be in addition to a possible 10% cut to fund the current £1m overspend.</p> <p>Mark Parkinson confirmed that APs were not part of the planned High Needs review but the review could look at vulnerable children.</p>	<p>NC</p> <p>MP</p>
<p>6.</p>	<p>Next meeting date</p> <p>16 June 9.30 – 11.30 - agreed</p> <p>Action: book venue & circulate invite</p>	<p>CF</p>

Agenda item 4

Maintained School Balances Financial Year 2016-2017 and Academy Balances 2015-2016

Purpose of the Report

1. To inform Schools Forum of the final outturn position of maintained schools in the Borough for the 2016-2017 financial year. Schools were notified of their positions on 15 May 2017. Also, in response to a request from Schools Forum, this report also includes academy balances for the latest reported position for the 2015-2016 academic and financial year accounts.

Recommendations

2. For Schools Forum to note the outturn position and movement in balances for both schools and academies and the mechanisms in place to support schools with deficit balances (maintained schools only).

Background

3. Under the Scheme for Financing Schools, schools can carry forward from one financial year to the next any surplus or deficit relative to the school's budget share. Following the closure of accounts for the financial year, a cumulative surplus or deficit is determined for each school to be transferred to the school in the following financial year. This balance represents the funds available to an individual school at a determined point in time at the end of the financial year.

Outturn Position 2016-2017 for maintained schools

4. The net surplus in maintained school balances for 2016-2017 is £9.944m. A summary of the balances by sector is shown in the table below with individual school balances included as an annex to this report.

School balances outturn position 2016-2017 (subject to audit)

	Primary Schools	Secondary Schools	Special Schools	Alternative Provision	All Schools
	£000	£000	£000	£000	£000
Revised Budget	114,852	54,003	16,040	1,505	186,399
Net Expenditure	107,623	53,138	14,259	1,436	176,455
Net Surplus	7,229	865	1,781	69	9,944
% surplus to budget	6.3%	1.6%	11.1%	4.6%	5.3%

5. The net surplus is made up of £11.599m of surplus balances across 121 schools and £1.655m of deficit balances. There are 19 schools with deficit balances which

is an increase of three on 2015-2016. A breakdown by sector and the number of schools with surplus and deficit balances is shown in the table below.

	Primary Schools	Secondary Schools	Special Schools	Alternative Provision	All Schools
	£000	£000	£000	£000	£000
Total Surplus	7,715	2,034	1,781	69	11,599
Total Deficit	-486	-1,169	0	0	-1,655
Net Surplus	7,229	865	1,781	69	9,944

Number of schools with a surplus balance	104	7	8	2	121
Number of schools with a deficit balance	16	3	0	0	19
Total number of maintained schools	120	10	8	2	140

Movement in School Balances

6. The overall position shows a decrease in school balances by £0.723m since the end of 2015-2016 when the net surplus balance was £10.667m. The movement in balances held by sector is included in the table below.

Financial Year	Primary Schools	Secondary Schools	Special Schools	Alternative Provision	All Schools
	£000	£000	£000	£000	£000
2015-2016	7,248	1,999	1,366	54	10,667
2016-2017	7,229	865	1,781	69	9,944
Change	-19	-1,134	415	15	723
% change	0%	-57%	30%	28%	-7%

7. Primary school balances have decreased slightly by £19k. There were no balances transferring with schools on conversion to academy in year. 16 primary schools have a deficit balance which is an increase to the 13 from the previous year. Balances range from a deficit of £85,191 to surplus of £285,229.
8. Secondary school balances have decreased by £1.134m. Three secondary schools have deficit balances, one more than in 2015-2016. Balances range from a deficit of £448,355 to surplus of £478,575.
9. Balances for special schools and Alternative Provision have increased by £0.430m. However, there was a transfer to academy in 2015-2016 so there has been a real increase in the remaining schools of £0.737m. Surplus balances range from £30,513 to £595,741.

Balance Control Mechanism

10. In agreement with Schools Forum in 2015, the Balance Control Mechanism (BCM) and requirement for schools to submit plans for unspent balances was not operated in the 2016-2017 financial year. This was largely a decision based on

equity with academies who are not subject to caps on balances or clawback. However, it was agreed that Officers would continue to review schools with excessive balances and liaise with those schools around spending plans. There are 16 schools that have held balances in excess of the BCM thresholds for the last three years (8% for primary and special schools, 5% for secondary schools). The forward plans for these schools will be reviewed in the autumn term and for those projecting sustained balances going forward, they will be contacted for spending plans to demonstrate that whilst acting prudently to keep surpluses for future financial pressures, are also planning on spending their allocated funding on current pupils.

Maintained Schools with Deficit Balances

11. The number of schools ending the year with deficit balances has increased from 2015-2016. A number of these schools are set to recover those balances in the next financial year. For the schools that do not recover in 2017-2018, all schools have recovery plans agreed or are progressing with those plans. All schools setting an overall deficit budget for 2017-2018 are having their budgets approved individually where they need to demonstrate that setting a balanced budget would be detrimental to the operation of the school. Schools with approved deficit budgets are being issued with a Notice of Concern which is an internal control on the agreed budget plan. These school budgets will be monitored regularly and deviations approved by the Local Authority. There are currently eight Notices issued with another three school budgets being reviewed.

Academy Balances

12. At the meeting in September 2016, officers were tasked with contacting the academies in the Borough to obtain details of balances held at the end of the last two financial years. The aim of this request was to provide Schools Forum with a complete picture of the financial position of all schools and academies in the Borough. Following this action, a request was made to the 22 individual academies in the Borough to report to Forum the balances reported in their audited accounts. In order to present a comparable balance to that of maintained schools, the balances reported are only for the general unrestricted and restricted funds and exclude pension and fixed asset funds. The balances for 2014-2015 and 2015-2016, are included in appendix A.

13. A number of academies were concerned at how the information may be interpreted and therefore in reviewing the balances held by the academies, Forum members should consider that in the same way as the balances for maintained schools, these are balances held at a defined point in time (i.e. at the end of the academic and financial year). They do not represent the financial viability of the academy and in the absence of further context, do not explain the way the academy is operating or represent future spending plans or pressures.

Next Steps

14. To publish maintained school balances on the Schools Finance intranet site and Schools Forum internet site.

Appendix A – Cheshire West and Chester academy reported balances for general restricted funds (excluding pension reserve) and unrestricted funds for 2014-2015 and 2015-2016

Awaiting responses from some academies. Table to follow.

Agenda item 5

2017-2018 School Funding Arrangements – National Data Comparison

Purpose of the Report

1. This report provides an overview of the national analyses of schools block funding formulae published by the Education and Skills Funding Agency (ESFA) in April 2017. This information is provided to enable the Schools Forum to review Cheshire West and Chester formula factors against the local authorities nationally.

Recommendation

2. That the Schools Forum notes the comparison between the national data and Cheshire West and Chester's data and provide views to inform the formula consultation process for the 2018-2019 financial year. The consultation process will be dependent on the announcement on the national funding formula.

Background

3. As in previous years, in January 2017 local authorities in England submitted to the Education Funding Agency (EFA) their formulae for allocating their dedicated schools grant (DSG) schools block funding for 2017-2018 to their schools. For 2017-2018, schools can be funded using a maximum of twelve clearly defined factors (one less than in 2016-2017 as the 6th form factor was removed). In April 2017, the ESFA published a summary of local authorities chosen formulae with charts and commentary of the values and proportions of funding used. This is the fifth year of this published analysis which has been produced since the School Funding Reforms in April 2013 and has enabled local authorities to review their formulas against other authorities. The full document published by the ESFA is attached as an annex to this report.

Cheshire West and Chester position against local authorities nationally

4. Appendix A to this document sets out Cheshire West and Chester's formula values for each formula element of the funding formula for 2017-2018 against all authorities nationally. Presentation of the profiling of each factor is available in graph format in the ESFA document referred to above.
5. There has been little movement across the factors in terms of use by local authorities, values and proportions of overall funding applied which is likely due to the pending move to a national funding formula. Therefore, for most of the formula factors the Cheshire West and Chester formula remains close to the national average in terms of the proportion of funding allocated through each chosen factor. The main observations from this data are as follows:

- The total proportion of funding allocated through the Basic Entitlement has reduced slightly from 2016-2017 due to the transfer of schools block funding to the high needs block. However, the proportion remains broadly in line with the national average at 76% of funding. Values applied per pupil however remain under the national average due to the lower amount of funding allocated in total to the LA.
- The proportion of funding allocated through the Deprivation factor remains lower than average at 6.89%. This was as intended when setting the formula values as the Borough is lower than the national average in terms of overall levels of deprivation. The proportion of funding allocated nationally through the deprivation factor also remains unchanged at 7.9%. This suggests that other authorities took the same action as in Cheshire West and Chester to keep the overall level of funding the same in reviewing the changes made to the Income Deprivation Affecting Children Index (IDACI) bands for 2017-2018.
- The values chosen to allocate funding according to FSM Ever 6 eligibility remain higher than average for the local authorities choosing this mechanism with values against IDACI bands being lower than average. This is in line with the decision taken to allocate 90% of funding according to current deprivation using FSM Ever 6 and only 10% through IDACI.
- There was no change in the number of local authorities choosing to allocate funding through the Looked after Children which remains at 0.07% of funding.
- The level of funding allocated through the Prior Attainment factor has remained largely unchanged nationally with the Local Authority being higher than the average in both formula values and proportion of funding allocated through this factor.
- Cheshire West and Chester remains higher than average on the proportion of funding allocated through the Lump Sum factor which is due to the number of primary schools being higher than the national average for the number of pupils in the Borough. This has increased slightly for 2017-2018 with the part year effect of an additional lump sum for the new studio school.
- The primary:secondary ratio for Cheshire West and Chester has increased one point to 1:25. This is mainly due to the additional lump sum for the new studio school increasing funding in the secondary phase. The national average remains unchanged at 1:30 and the Borough is now ranked 23rd lowest as opposed to 13th lowest in 2016-2017.
- The proportion of funding allocated through Minimum Funding Guarantee (MFG) protection nationally has increased slightly from 0.64% to 0.73%. The amount of MFG funding allocated in Cheshire West and Chester has increased further from 0.75% to 1.23%. This is due to the transfer to high

needs block and the reduction in Basic Entitlement pushing more schools over the -1.5% protection threshold.

- The Notional SEN calculations remain largely unchanged with Cheshire West and Chester being slightly higher than average at 11.10% compared to a national average of 10%. However, the range of calculations varies widely between 2% and 22% of funding with no clustering around the average. In view of the higher proportion of funding being allocated through the Prior Attainment factor and this being the main factor used to determine the Notional SEN, this may explain the higher than average calculation for the Borough.
6. As with data analysis from previous years, there continues to be a close alignment of the local formula to national averages in proportions of funding through each factor. Officers would consider that there are no fundamental areas for review but further consultation is expected to be required in order to move to the national funding formula. Considerations on the local funding formula for the proposed transitional year 2018-2019 will dependent on the announcement on the national funding formula consultation. This will determine the funding available to the Local Authority in the transitional year before a hard formula is introduced and confirm the allowable factors. The Local Authority plan to review the formula values in conjunction with the updated dataset and funding allocation with the Finance Sub Group in the autumn term with consultation with schools on any proposed changes to follow.

Next Steps

7. Pending the announcement on the introduction of the national funding formula, to review the 2018-2019 local funding formula in the autumn term.

Appendix A - Summary of ESFA National Data Comparison of School Funding Arrangements 2017-2018

	Cheshire West and Chester		National				2017-2018 National ranking of local authorities (where 1 is the highest of local authorities using the factor)			
Formula Factor	Value £	Proportion of funding %	Maximum Value £	Minimum value £ (above 0)	Average value £	Average proportion of funding %	Number of LAs using factor	Ranking on formula value	Ranking on Proportion of funding	Ranking on Total funding
Basic entitlement										
Primary	2,812	39.46%	6,000	2,384	3,026	40.99%	152	98	106	
Key Stage 3	3,883	21.23%	7,941	3,000	4,170	21.10%	151	98	79	
Key Stage 4	4,443	15.37%	11,162	3,000	4,688	14.81%	151	90	67	
Basic Entitlement Total	144,580,689	76.06%	649,079,091	1,374,000	163,111,485	76.90%	152			67
Deprivation										
Primary FSM6	1,161		2,472	237	1,039					
Secondary FSM6	1,441		3,292	280	1,236					
IDACI Primary Band 4	0		2,500	40	535		117	Not applied		
IDACI Primary Band 5	334		3,000	50	666		120	91		
IDACI Primary Band 6	400		4,000	42	1,106		118	91		
IDACI Secondary Band 4	0		3,516	14	706		118	Not applied		
IDACI Secondary Band 5	415		5,225	28	891		120	92		
IDACI Secondary Band 6	498		9,952	42	1,106		118	92		
Deprivation total	13,087,330	6.89%	104,662,088	152,205	16,409,110	7.94%	151		84	73
Looked after Children	0	0.00%	5,000	175	1,072	0.07%	88	Not applied		
Prior Attainment										
Primary	1,269		2,651	120	844		144	24		44
Secondary	1,234		3,229	36	1,069		149	45		51
Prior Attainment total	10,144,428	5.34%	82,682,606	0	9,078,359	4.23%				41

	Cheshire West and Chester		National				2017-2018 National ranking of local authorities (where 1 is the highest of local authorities using the factor)			
Formula Factor	Value £	Proportion of funding %	Maximum Value £	Minimum value £ (above 0)	Average value £	Average proportion of funding %	Number of LAs using factor	Ranking on formula value	Ranking on Proportion of funding	Ranking on Total funding
English as an Additional Language										
Primary	539		1,500	65	541		138	60		97
Secondary	1,251		3,543	75	1,027		138	40		79
EAL total	675,742	0.36%	12,960,585	0	1,950,240	0.98%	139		98	
Mobility										
Primary	0		3,000	10	783		67			
Secondary	0		19,068	10	1,299		62			
Mobility Total	0	0.00%	2,645,103	0	141,641	0.07%	67	Not applied		
Lump Sum										
Primary	117,082		175,000	48,480	140,592		152	96		
Secondary	175,000		175,000	48,480	9,078,359		152	1		
Lump sum total	18,647,685	9.81%	88,211,667	175,000	17,078,094	7.72%	152		25	40
Sparsity										
Primary	20,000		100,000	5,000	43,731		21			
Secondary	0		100,000	5,000	76,110		21	Not applied		
Sparsity total	46,328	0.02%	2,953,486	10,547	582,262	0.36%	25		23	22
Fringe Payments	0	0.00%	8,883,592	1,034,980	3,434,209	0.54%	5	Not applied		
Split sites	72,388	0.04%	1,360,000	5,167	267,106	0.32%	106		78	73
Rates	2,192,368	1.15%	11,428,098	4,050	2,631,965	1.24%	152		80	66
PFI funding	550,293	0.29%	8,400,000	2,641	1,787,341	0.89%	86		63	62

	Cheshire West and Chester		National			2017-2018 National ranking of local authorities (where 1 is the highest of local authorities using the factor)				
Formula Factor	Value £	Proportion of funding %	Maximum Value £	Minimum value £ (above 0)	Average value £	Average proportion of funding %	Number of LAs using factor	Ranking on formula value	Ranking on Proportion of funding	Ranking on Total funding
Primary:Secondary Ratio	1.25		1.60	1.19	1.30		151	128		
Growth Fund	305,000.00		7,500,000.00	35,000.00	1,278,181.35		132			105
Falling Rolls Fund	250,000.00		2,012,000.00	40,000.00	360,669.71		28			14
Totals										
Total Schools Block Funding £	192,450,122		881,252,498	1,796,777	213,025,198		152			67
Total Funding Excluding MFG £	190,078,402		872,865,000	1,796,777	211,840,232		152			
Total Funding provided in MFG £	2,371,720	1.23%	8,387,498	0	1,184,966	0.73%	135		20	26
Total Through Basic Entitlement		76.06%	95%	60%	90%		152		97	
Pupil Led Funding		88.64%	88%	59%	77%		152		119	

	Cheshire West and Chester	National			2017-2018 National ranking of local authorities (where 1 is the highest of local authorities using the factor)				
Notional SEN Calculation	Value £	Proportion of funding %	Maximum Value £	Minimum value £ (above 0)	Average value £	Number of LAs using factor	Ranking on formula value	Ranking on Proportion of funding	Ranking on Total funding
Notional SEN %		11.10%	22%	2%	10%	152		45	
Notional SEN £	21,208,587		161,269,465	101,669	20,594,015	152			53
Basic entitlement									
Primary		4.41%	20.01%	0.00%	3.67%	122		57	
Key Stage 3		4.41%	20.00%	0.00%	3.34%	118		50	
Key Stage 4		4.32%	20.00%	0.00%	3.29%	117		50	
Deprivation									
Primary		32.88%	Not available from data analysis						
Secondary		32.60%	Not available from data analysis						
Looked after Children		0.00%	100.00%	0.00%	9.80%	20		Not applied	
Prior Attainment									
Primary		100.00%	100.00%	0.00%	87.59%	143		1	
Secondary		100.00%	100.00%	0.00%	89.83%	148		1	
English as an Additional Language									
Primary		0.00%	100.00%	0.00%	12.29%	34		Not applied	
Secondary		0.00%	100.00%	0.00%	12.46%	35		Not applied	
Mobility									
Primary		0.00%	100.00%	0.00%	6.33%	18		Not applied	
Secondary		0.00%	100.00%	0.00%	6.39%	18		Not applied	
Lump Sum									
Primary		2.80%	35.00%	0.00%	2.26%	36		33	
Secondary		3.63%	36.23%	0.00%	2.27%	33		29	
Sparsity									
Primary		0.00%	8.00%	0.00%	0.12%	3		Not applied	
Secondary		0.00%	8.00%	0.00%	0.12%	3		Not applied	

Agenda item 6

Trade Union Facilities – charges to central budget

Purpose of the Report

1. The Local Authority has received a request from NASUWT to increase the reimbursement from the trade union facilities budget for additional representation. The purpose of this report is to set out the planned expenditure from the trade union facilities budget for the 2017-2018 financial year for Schools Forum to consider funding this request.

Recommendation

2. That the Schools Forum vote on the request for additional reimbursement to the NASUWT.

Background

3. The Local Authority holds a budget centrally to reimburse salary costs for trade union facilities time for schools. The budget is mainly funded from de-delegated schools block funding for the Local Authority's maintained primary and secondary schools. Six academies and all eight of the special schools opt in to a buy back arrangement. The remaining academies and PRUs do not buy back the representation. The expected income for 2017-2018 is £102,743.

Request from NASUWT

4. The NASUWT have recently appointed an additional representative from St Nicholas Catholic High School. They have requested time off for trade union activities for one day per week and the school have requested to claim this time from the trade union facilities budget. The NASUWT already have one representative, although they have recently taken on a national executive role. The estimated cost for the additional time that would be payable to the school from the Trade Union Facilities budget is £9,644.

Current Financial Year commitments

5. The following table sets out the forecast reimbursement for 2017-2018 financial year from the trade union facilities budget based on the current allocations and representatives from each union. There is currently £12,543 of the budget unallocated which depending on the salary cost to be reimbursed equates to approximately one to 1.5 days per week. It has previously been agreed that facilities time for Unison would be reimbursed however no claims have been received to date.

Union	School	Forecast reimbursement 2017-2018 Financial Year £	Time Allocated
ASCL	The Catholic High Chester	5,400	2 Hours per week
NUT	Oaklands Special	4,000	0.5 Days per week
NAHT	Oaklands Special	5,670	0.5 Days per week
NUT	Upton High	34,099	3.5 Days per week
NASUWT	Neston High	31,288	3 Days per week
ATL	Upton High	9,743	1 Day per week
Unison	No representative		
Total allocated		90,200	
Total budget		102,743	
Unallocated		12,543	

Next Steps

6. To reimburse the schools for the trade union facilities representation as agreed by Schools Forum.

Agenda item 7

Dedicated Schools Grant (DSG) 2016-2017 – Final Outturn

Purpose of the Report

1. The purpose of the report is to report on the 2016-2017 final outturn position for the centrally held DSG budget and to seek a recommendation from School's Forum as to how the underspend is allocated.

Recommendations

2. The Forum is asked:-
 - (i) To note the final outturn on the 2016-2017 centrally held DSG.
 - (ii) To endorse the retention of the unspent £0.672m from the 2016-2017 allocation in reserves to offset forecast pressures in high needs in 2017-2018. If not required, to be considered as resources available for 2018-2019 budget setting.

Forecast Outturn

3. At the Third Review stage the outturn forecast for the centrally held DSG was for an overspend of £0.370m. At year-end the final outturn position was an underspend of £0.731m.
4. The net underspend is due to the following primary variances.
 - An overspend due to continuing demand for High Needs top up payments in mainstream and special schools of £0.703m, however, this is lower than the forecast at the Third Review, which was anticipating an overspend of £1.009m.
 - An overspend in Early Years Funding of £0.061m, which is a reduction of £0.241m on earlier forecasts due to a lower than anticipated take up of free entitlement hours for the spring term.
 - An underspend in inter authority placements of £0.212m, which is up from the £0.123m forecast at Third Review, and placements in out of borough Independent and Non Maintained Special Schools £0.359m, also up from the forecast underspend of £0.218m.
 - Underspends in Virtual Headteacher services of £0.216m due to lower than anticipated demand for personal education allowances and independent school places for pupils without special educational needs

- An underspend in de-delegated budgets of £0.465m, of which £0.406m relates to prior years rates rebates.
- Short term staff vacancies of £0.185m and £0.058m unspent from the Miscellaneous budget account for the remainder of the variance. An overspend of £0.107m on allocations from the growth fund was offset by in year rates rebates.

Allocation of 2016-2017 Carry forward

5. It is proposed to allocate the 2016-2017 carry-forward as follows:-

- £0.059m earmarked for de-delegated budgets.
- In accordance with the decision taken at School's Forum in January, to allocate the £0.406m arising from Prior Years Rates Rebates to meet forecast High Needs budgetary pressures in 2017-2018.
- The balance of £0.266m will be held to offset any further pressures and if not required, to be considered as resources available to set the 2018-2019 budget.

Next Steps

6. Subject to the views of Schools Forum, unspent DSG will be allocated as per the above.

Agenda item 8

Annual review of the Cheshire West and Chester Schools Forum's membership, constitution and terms of reference

Purpose of the Report

1. The purpose of this report is to review the Schools Forum's membership, constitution and terms of reference and ensure that the composition of the Schools Forum is compliant with the regulations.

Appendix 1: Membership

Appendix 2: Constitution and terms of reference

Recommendations

2. The Schools Forum is asked to note that there are no changes to the current constitution and terms of reference.

Background

3. The Schools Forum's constitution requires that the membership, constitution and terms of reference be reviewed annually.
4. Officers have reviewed the pupil numbers based on the current make up of schools and academies to ensure that the composition of the Schools Forum is compliant with the Schools Forums (England) Regulations 2012 which states that 'primary schools, secondary schools and academies must be broadly proportionately represented on the forum, having regard to the total number of pupils registered at them'.
5. Officers have determined that the pupil ratio does not warrant a revision in the Schools Forum schools and academies membership at this time.
6. No formal revisions to the Schools Forum regulations have been issued by the DfE, therefore no amendments to the current constitution and terms of reference are proposed other than updating agency and service references.

Appendix 1

Cheshire West and Chester Schools Forum Membership (revised June 2017)

Chair: David Charlton **Vice chair:** Harry Ziman

The Cheshire West and Chester model comprises 33 members in total, representing both schools and non-schools sectors and is constituted as follows:

School members (19)

Primary heads (five) ends

Term of office

Cheryl Bullen	Hoole Church of England Primary School	September 2019
Sarah Curtis	Meadow Primary	December 2020
Kate Docherty	Rivacre Valley Primary	September 2019
Chris Priddey	Sandiway Primary	October 2019
Sarah Worthington	Malpas Alport Endowed Primary School	September 2019

Substitutes

Ian Devereux Roberts	Frodsham Manor House Primary
Kerry Forrester	Tarporley Church of England Primary

Primary governors (five)

Duncan Haworth	Woodfall Primary	December 2020
Francis Kwateng	St Mary of the Angels Catholic Primary	January 2019
Sue Pearson	Horns Mill Primary	December 2020
Carol Gahan	JH Godwin Primary	December 2020
Kath Lloyd	Westminster Community Primary	December 2020

Substitutes

Heather Lewis	Meadow Primary
Vacancy	

Secondary heads (three)

David Charlton	Weaverham High	December 2020
David Curry	Bishop Heber High	November 2017
Sue Yates	Blacon High School Specialist Sports College	July 2020

Substitute

Mike Holland	Hartford CE High
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Secondary governors (two)

John Freeman	Weaverham High	June 2019
David Rowlands	Upton High School	January 2021

Substitute

Vacancy

Special school head and governor (two)

Samantha Myers-Whittaker Archers Brook School
Philip Hopwood Greenbank School

April 2017
November 2020

Substitute

Alison Ashley Hebden Green School Head
Peter Gaskell Hebden Green School Governor

Nursery school (one)

Katie Tyrrie St Mary's Community Nursery

Pupil referral units (one)

Sian Thomas Executive Headteacher Short Stay Schools

Academies (including Free Schools) members (six)**Primary/Secondary (five)**

Steve Dool	Neston High	September 2020
Luci Jones	Cheshire Academies Trust	December 2018
Sarah Lee	Tarporley High School and Sixth Form College	September 2020
John Murray	The Catholic High School, Chester	January 2020
Harry Ziman	Kelsall Primary School	September 2020

Substitutes

Steven Ellis Boughton Heath Academy

Special (one)

Marie Allen The Russett School June 2021

Substitutes

Chris Heptinstall Cloughwood Academy

Non-schools members (eight)**Chair of Primary Headteachers Association (one)**

Hilary Berry CWAPH August 2017

Diocesan authorities (two)

Kathryn Magiera	Witton Church Walk CE School	October 2019
Caroline Vile	Ellesmere Port Catholic High School	April 2020

Private, voluntary and independent early years' providers (two)

Paula Adolph	Whitby Heath Pre-school	September 2020
Sue Anderson	The Beeches Pre-school	January 2021

Substitute

Vacancy

Trade unions (two)

Greg Foster Joint Consultative Negotiating Panel December 2020

Geoff Wright Joint Consultative Negotiating Panel May 2021

Substitute

Bevanie Robinson

16-19 providers (one)

Kerry Kirkwood Sir John Deane's College

February 2018

Total: 33

Non-voting observers

Councillor Nicole Meardon, Cabinet Member for Children and Families

Education and Skills Funding Agency (ESFA) representative

Appendix 2

Cheshire West and Chester Schools Forum

Constitution and Terms of Reference

Definitions

The Forum is the Schools Forum for the area covered by Cheshire West and Chester Council. The Constitution complies with The Schools Forum (England) Regulations 2012, and in its procedures and terms of reference takes account of advice issued by the Department for Education (DFE).

The Council is Cheshire West and Chester Council in its role as Local Authority.

Membership

1. The Cheshire West and Chester Schools Forum (the Forum) will consist of 33 Members made up of 25 school members and academies members and eight non-school members made up as follows:-

School Members (19)

- one representative from St Mary's Nursery School
- 10 primary representatives (five headteachers, five governors)
- five secondary representatives (three headteachers, two governors)
- two special school representatives (one headteacher, one governor)
- one Pupil referral units representative

Academy (including free schools) Members (six)

- five primary/secondary representatives
- one special representative

The proportion of school members and academy members will always be at least two thirds of the membership of the forum.

Non School Members (eight)

- one Roman Catholic Diocese representative
- one Church of England Diocese representative
- two Private, voluntary or independent sector provider representatives

- one 16-19 provider representative
- two Trades Union representative
- one Chair of the Association of Primary Headteachers (if not a serving headteacher)

In addition the following are entitled to attend and speak at meetings of the School Forum, but are not members and have no voting rights:

Observers

- The Education and Children Portfolio Holder of the Council
 - The Resources Portfolio Holder of the Council
 - Director of Children and Families Service of the Council or their nominated representative
 - Chief Finance Officer of the Council or their nominated representative
 - Education Funding Agency (EFA) representative
2. The term of office for Forum Members will be four years from the date of appointment/election at which time elections will take place for school and academy members and nominations will be sought for the non-school members. Should a resignation be tendered from the Forum, an election (or nominations where appropriate) will be held for the vacancy which will ensure that the representational balance is maintained or improved. Each representative group (Headteachers and Governors by phase) will be responsible for the method by which they elect and nominate school and academy member representatives.
 3. The Academy members represent the governing bodies of the Academies situated in the authority's area, so do not necessarily have to be a Principal or a governor. It is for the governing bodies of the Academies concerned to elect their members; if there is only one Academy in the authority's area, its governing body will select the member.
 4. The Council will maintain a written record of the composition of the Schools Forum including the method by which representatives are elected or nominated. The Council will inform all schools of the membership of the Forum and will provide details of any non-school Member appointed to the Forum within one month of appointment. This will be carried out when constituting the Forum and after the appointment of any new or replacement Member.
 5. Elected Members who hold an executive role within the Council and officers who have a role in strategic resource management of the authority are unable to be members of the Forum (these restrictions do not apply to officers employed as teachers or who work for, and those who directly manage, a service which provides education to individual children and/or advice to schools on learning and behavioural matters).
 6. The Education and Children Portfolio Holder of the Council and a representative of the Education Funding Agency will be invited to attend meetings of the Forum as observers.

Meetings and proceedings of the Schools Forum

7. There will be a minimum of four meetings per school year.
8. The meetings of the Forum will be open to the public. Exceptionally, the Chair of the Forum may determine that a meeting or part of a meeting will be held in private. Prior to making any such determination, the Chair must take legal advice and the determination must be in accordance with this legal advice. The reasons for this determination must be recorded in the minutes of the meeting.
9. Participation by local authority members and officers will be limited to a Lead Member for education and children's services, a Lead Member for resources, Director of Children and Young Peoples Services (or their representative), Chief Finance Officer (or their representative) or officers who are providing specific financial or technical advice to Schools Forum. Other individuals (including Council officers) will be able to participate where they are presenting a report, but their participation must be limited to their specific agenda item.
10. The meetings are quorate if at least 40% of the total membership (excluding vacancies) is present at the meeting. In the event of a meeting not being quorate, members present may by majority vote decide to continue the meeting and thus be able to offer advice to the Council and/or respond to any consultation, but will be unable to exercise any of the decision making powers of the Forum.
11. The Council will consult the Forum annually on arrangements for substitutes.
12. Each group of Schools Members will agree two named substitutes and provide this information to the clerk. Agendas and papers for meetings will be sent to named substitutes as a matter of course. It is up to individual members of the Forum to contact a substitute if they are unable to attend meetings.
13. In exceptional circumstances Headteachers' substitutes can be drawn from senior members of staff (a deputy headteacher, bursar or other person responsible for the financial management of the school).
14. Members of the Forum are required to make declarations of interest on appointment and when, for example, the Forum is considering matters relating to contracts.
15. Meetings of the Forum will be called allowing at least two weeks notice. Supporting papers will be sent out at least five working days before the meeting.
16. The Council shall appoint a Clerk for the Schools' Forum who shall be in attendance at each meeting of the Forum and will take minutes. Meetings may be recorded for the purposes of the accuracy of the minutes only.
17. Minutes of meetings will be placed on the Council's website and all schools and associated groups will be informed when new minutes are available. All schools and associated groups will be informed of action taken by the Council on Forum advice.

18. Claiming of expenses for Forum Members will be in accordance with the Forum expenses policy document and claims will be made on the specific claim forms and duly authorised. In case of dispute, the official record of attendance signed at the meeting will be used to determine attendance, and mapping tools used to determine mileage claimed.
19. An appropriate budget will be available for each financial year for costs associated with the operation of the Forum e.g. hiring a venue, refreshments and other expenses and clerking costs. This will be a charge against the Council's Schools Budget within the centrally retained budgets. The level of the budget will be reviewed annually by the Council in consultation with the Forum.
20. The Schools Forum may convene various task and finish sub groups to look at specific topics for discussion and consultation and to report back with outcomes and recommendations. The membership of any sub group to be agreed by Schools Forum.

Items for Forum Discussion

21. The Forum will discuss and be consulted upon the following matters:-

Consultation on School Funding Formula

- a) The Council shall consult the Forum on any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in their formula made in accordance with regulations made under section 47 of the School Standards and Framework Act 1998, and the financial effect of any such change.
- b) Consultation shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the Council's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

Consultation on Contracts

22. The Council shall, at least one month prior to the issue of invitations to tender, consult the Forum on the terms of any proposed contract for supplies or services being a contract paid or to be paid out of the Council's schools budget where the estimated value of the proposed contract is not less than the threshold which applies to the authority for that proposed contract pursuant to regulation 8 of the Public Contracts Regulations 2006.

Consultation on Financial Issues

23. The Council shall consult the Forum annually in respect of its functions relating to the schools budget, in connection with the following:

Financial issues relating to:

- arrangements for pupils with special educational needs, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding;

- arrangements for use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding;
- arrangements for early years provision;
- administration arrangements for the allocation of central government grants

Consultation on other matters

24. The Council may consult the Forum on such other matters concerning the funding of schools as they see fit.

25. The Forum shall also have the following powers:

a) De-delegation for mainstream primary/secondary schools for:

- contingencies
- administration of free school meals
- insurance
- licences/subscriptions
- staff costs – supply cover
- support for minority ethnic
- pupils/underachieving groups
- behaviour support services
- library and museum services

b) in exceptional circumstances only:

to recommend changes to the Council's funding formula subject to approval by the Education Funding Agency

26. Should a judgment be necessary on whether a matter falls within the remit of the Forum, for example whether an item has financial implications, the Council's Chief Finance Officer and Head of Achievement and Wellbeing and the Chair of the Forum shall jointly make the necessary determination.

27. For decision-making purposes each Forum member will be entitled to 1 vote on all matters put to the vote other than matters relating to the funding formula in which case only schools members (which includes mainstream schools, Academies, special schools and PRUs) and representatives of the Private, Voluntary and Independent (PVI) sector will be able to vote. In the case of an equal number of votes for and against a proposal, the Chair shall have a second or casting vote.

28. Where an urgent proposal needs to be considered in advance of a meeting, the Forum may be consulted via post or e-mail.

29. The Constitution, Terms of Reference and Membership of the Forum will be reviewed annually.

30. A Chair and Vice-Chair will be elected by the Forum from its voting membership every two years, or at the first meeting following any resignation. A voting Member who is also

an elected Member or officer of the Council may not be elected Chair or Vice-Chair. At any meeting where both the Chair and Vice-Chair are absent, the Forum shall elect, from those voting Members present, a person to take the Chair for that meeting only.

Schools Forum Finance Sub-Group Terms of Reference

1. To keep under review the formula and allocation of the DSG.
2. To act as a point of scrutiny and interrogation regarding policy options in the DSG, Government consultations and policy.
3. To provide detailed examination of issues identified by the Schools Forum.
4. To make recommendations to the Schools Forum

Membership:

Chair of Schools Forum
Primary Headteacher
Secondary Headteacher
Special School Headteacher
Primary Governor
Secondary Governor
Special School Governor
Trade Union Representative

If not included in any of the above, an Academy Representative and a Maintained School Representative.

Local Authority Officers as appropriate.

**Cheshire West and Chester
Schools Forum
3 July 2017**

Agenda item 10

Schedule of meetings

Schools Forum – all meetings 4.30pm – 6.30pm (refreshments at 4pm) unless otherwise stated

Date	Venue	Proposed key agenda
Monday 9 October 2017	Queen's Park High School	<ul style="list-style-type: none"> • Final allocation of the DSG 2017-2018 • DSG 2017-2018 Forecast Outturn at First Review • School Funding Arrangements 2018-2019 • School intervention funding 2016-2017 • Basic needs capital programme
Monday 11 December 2017	Queen's Park High School	<ul style="list-style-type: none"> • DSG 2017-2018 Forecast Outturn at Mid Year Review • Initial Planning for DSG Allocations for 2018-2019 and Budget Setting
Monday 15 January 2018	Queen's Park High School	<ul style="list-style-type: none"> • Combined Budgets and Miscellaneous Expenditure • DSG Allocations for 2018-2019 and Budget Setting • Draft of 2018-2019 School Funding Formula for January submission • De-delegation – Proposals for 2018-2019
Monday 12 February 2018	Queen's Park High School	<ul style="list-style-type: none"> • Early Years funding formula for February submission • Special Educational Needs (SEN) Funding for Mainstream and Special Schools – Funding from the High Needs Block 2018-2019 • Central Spend budgets 2018-2019 • DSG 2017-2018 Forecast Outturn at Third Review
Monday 19 March 2018	Queen's Park High School	<ul style="list-style-type: none"> • tbc
Monday 9 July 2018	Queen's Park High School	<ul style="list-style-type: none"> • School funding arrangements –national data comparison 2018-2019 • School funding arrangements for 2019-2020 • Directed revisions to schemes for financing schools • DSG 2017-2018 outturn

		<ul style="list-style-type: none"> • Financial year 2017-2018 analysis of schools balances (including Academies) • Basic needs capital programme • Annual review of Schools Forum membership, constitution and terms of reference
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Schools Forum finance sub group – all meetings 2pm – 4pm unless otherwise stated, venue to be confirmed.

- Tuesday 11 July 2017
- Tuesday 19 September 2017
- Tuesday 21 November 2017
- Tuesday 19 December 2017
- Tuesday 23 January 2018
- Tuesday 27 February 2018
- Tuesday 19 June 2018
- Tuesday 17 July 2018