

Meeting Action Form (draft)
Meeting of the Oxfordshire Schools Forum 22 November 2017 Unipart Conference Centre, Unipart House, Cowley, Oxford OX4 2PG

Attending:

Maintained Primary School Headteacher Reps	Sue Tomkys ST Maureen Thompson MT
Maintained Primary School Governor Reps	Brenda Williams BW Kerrie Blaker KB
Academy Secondary School Headteacher Rep	Catharine Darnton CD (VICE CHAIR)
Academy Primary School Governor Rep	Kathy Ethelston KE
Academy Secondary School Governor Rep	Michael Dennison MD Carole Thomson CT (CHAIR)
Special School Governor Rep	Laura Reineke LR
Maintained Nursery School Rep	Rebecca Saunders RS
PRU Rep	Nicola Partridge NP
COTO Rep	Ian Jones IJ
Member Rep	Cllr Hilary Hibbert-Biles HHB (from Item 3)
Oxfordshire County Council Officers	Sarah Fogden SFo Janet Johnson JJ (items 1-3 and 7 only) Nick Baggett NB Margaret Whitaker MWh
Clerk	Kit Howells KHo
Attending (Item 7 only)	Angela Ransby, Head OHS AR (Item 7 only)
Observers	Carol Lister, Head, Slade Nursery Sch CL Cllr Michael Waine MW , Chair of Education Scrutiny Committee (Items 1-3 only)

	Item Discussed	Action	Due Date
1.	<p>Apologies, Introductions, Housekeeping and Declarations of Interests</p> <p>CT welcomed all Forum Members, and also Observers MW and CL (possible future Nursery School substitute for RS).</p> <p>Apologies were received from: Tristan Arnison TA, Lorna Baxter LBa, Breda Bowles BB, Lucy Butler LB, Kathy Haig KH, Kevin Moyes KM, Sean O'Sullivan SO, and Sarah Steel SS.</p> <p>There were no declarations of Interests.</p> <p>Notice of urgent business –</p> <p>(a) To agree to hold a Forum meeting in February;</p> <p>(b) To agree how to respond to Government consultation on funding for Free School Meals & Early Years Pupil Premium children under Universal Credit.</p>		
2.	<p>Minutes of Meeting held on 3 October 2017</p> <p>The Minutes of the meeting held on 3 October were <u>agreed</u>.</p>		

	Matters Arising from Minutes 3 October, <u>where not actioned or not otherwise on the Agenda</u>		
3.	National Funding Formula 2018-19		
(a)	<p>Forum Membership (Item 1) Simon Spiers has indicated his wish to step down once a replacement Academy Secondary representative is found. CD had advertised through OSSHTA and received notification of interest which is being followed up.</p> <p>Forum discussed the need to revisit and review the Forum Constitution in order to consider whether it needs amending to take account of applications for membership from Multi-Academy Trusts' leaders who have responsibility for strategic education budget management and understand funding issues for schools in the primary and secondary sectors. It was agreed that the Constitution will come to Forum's January meeting for review and for consideration of possible amendments.</p> <p>Forum noted the difficulty Headteachers experience in committing to attendance at Forum meetings due to their high volume of work.</p>	<p>CD to respond to applicant, taking account of need to review Constitution</p> <p>SFo</p>	Asap
(b)	<p>Schools & High Needs Committee (Item 3b) The scheduled meeting of this Committee had been cancelled and a new date will be arranged in late February.</p>	KH to canvass for meeting date	By end Nov
(c)	<p>Early Years Working Group outstanding issues (Item 3c) RS requested follow up of the Group's concerns that 'postcards' from Health to Early Years settings do not contain meaningful information.</p>	KH to follow up with G Newbould	By end Nov
(d)	<p>Early Years Working Group outstanding issues (Item 3c) In May, the Group had requested written guidance to be circulated to nursery and primary schools on dealing with late-deferred entry into Foundation and Year 1. This had not been issued, despite follow-up request, and Forum expressed dissatisfaction that further follow up is now required. MW offered to raise this with ND at the School Organisation Stakeholder's Group on 23.11.17 under the agenda Item Schools Forum Issues.</p>	KH to follow up again with N Darlington	By end Nov
(e)	<p>Early Years Working Group outstanding issues (Item 3c) The EY funding formula will come to Forum for discussion and decision in the new year.</p>	SFo for Feb SF Agenda	February 2018
(f)	<p>Future arrangements in LA Education (Item 7) CT informed of newly-appointed temporary part-time (4 days) Interim Deputy Director, Jo Moxon, an experienced interim, who it is hoped will join Forum meetings.</p>	KH add to circ. list	Asap

Schools and High Needs

- Outcome of local Consultation and way forward (for Decision)

Further information and clarification had been received from the DfE since the October Forum meeting, which had informed Officers' Paper to Forum and the additional notes provided, including a table illustrating summary data across all schools, which highlights the substantial move from basic entitlement funding to other funding factors which could have resulted in many schools in the County losing if it was not for the protections in the NFF linked to minimum funding per pupil and other gains as talked about last time, including the Area Cost Adjustment (ACA). There had been no unexpected additions or changes to the NFF as briefed to Forum and at County Briefings. It is noted that the NFF is based on October 2016 census data and this will later be updated to the October 2017 census data.

Questions were raised about the changes and how they relate to current funding and the underlying principles. There is a substantial increase in low prior attainment funding (particularly in Primary) and officers outlined the underlying calculations relating to this. The DfE's calculation is based on outcomes from two different pupil assessment systems pertaining at Primary level over the recent period, and the intention is to ensure that all children not meeting the necessary criteria will be picked up and those schools with children not meeting the required level will benefit from increased funding. DfE will also decide on amount of secondary weighting taking account of new tests at KS2 and this information will be contained in the Authority Proforma Tool (APT) received by the LA in December.

Forum strongly agreed that Oxfordshire schools remain underfunded under the new NFF. The DfE describes the NFF as fair and giving schools with the same sort of children the same amount of money wherever they are in the UK (before the Area Cost Adjustment); while the NFF might be mathematically fair, it is in fact neither workable nor equitable.

In addition, Forum remains concerned whether the funding protections only applies for 2 years, after which small schools could be in worse funding difficulties.

Forum discussed funding for the High Needs block, which has never been sufficient, noting that Buckinghamshire receives £17M more funding and received a larger percentage uplift this time than Oxfordshire, despite being a smaller county with less deprivation. **HBB** and **CD** have raised this anomaly with local MPs to no avail and no

<p>explanation of this is forthcoming although it is thought it may be connected with previous county boundary changes as well as being based on historic factors which are no longer relevant. CT has raised the anomalies in Forum's response to the F40.</p> <p>Forum members agreed the need to continue rigorous highlighting of the inequities with local MPs and to request a meeting with them to explain the impossible position in which Forum has been placed, as well as reiterating the comparison with neighbouring counties that HHB has already raised in her letter to MPs. Forum will agree the content of this communication.</p> <p>The outcome of the local Consultation was tabled at the meeting, following closing date 20 November. Forum addressed the responses to each of the questions in the local Consultation, taking account of Officers' recommendation in the Consultation document that schools should move to the NFF, the existing Oxfordshire formula being substantially different from the NFF and noting that indications from DfE are that the NFF will be legally implemented within 2 years. It is likely that most LAs will move to the NFF. The relatively high response rate was noted, although the short consultation period, due to DfE's late provision of information, was likely to have had an effect.</p> <p>Whilst recognising that whether or not the LA moves to the NFF is the decision of the LA not Forum, the LA values recommendations from Forum.</p> <p>Q1. Noted the sectors represented by the responders.</p> <p>Q2. A substantial majority of responders (over 80%) were in favour of fully adopting the principles of the National Funding Formula (*NFF) from 2018-19, rather than making a step change towards the NFF over the next two years. Taking account of the invidious position in which Forum is placed in having to take a decision which it is recognised will cause significant difficulties for schools (and even more so once the minimum funding guarantees have disappeared thus causing uncertainty about viability), and schools may not have sufficient funding to deliver education, Forum agreed, and recommended moving directly to the NFF rather than making step changes.</p> <p>Q3: A substantial majority of responders (70%) supported the proposal for the funding factor rates used in the local funding formula to be adjusted to an 'affordable' level each year. Forum agreed and recommended this, with the following caveat.</p>	<p>CD to circulate draft email to MPs for Forum members' comments</p>	
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Forum is concerned that the LA remains uncertain about funding from DfE, even at this late stage, and this decision has to be made without confirmed information which will not be available until December. Forum agreed that further discussion will be necessary if the information received results in a negative impact on schools.

Q4: Responders' comments about the NFF were noted. Most responders raised issues discussed above by Forum.

Q5: Two thirds of responders did not support a transfer of funding from the Schools Block to the High Needs Block. This made the decision difficult, exacerbated by the final data not yet being available from the DfE. Forum discussed funding difficulties already apparent in mainstream schools, including the current insufficient funding to support high needs pupils within them, the lack of information about how high needs funding will be distributed to secondary schools, and the likely impact of monies that might be transferred. Any transfer of funding would be for one year only, and would not resolve the lack of funding for High Needs in the County; it would not guarantee additional places in the County's special schools and mainstream schools will continue to be required to support high needs children out of current budgets.

Therefore, whilst understanding the implications of not transferring any funding, Forum took a vote on this issue and by a substantial majority **agreed to recommend** that there should be **no** transfer of funding from the Schools Block to the High Needs Block.

Forum regrets being placed in this invidious position. Whilst schools in the County are not sufficiently funded it is not possible to support transfer of monies out of schools. However, Forum wishes to support all efforts to secure equitable funding for young people with high needs in the County.

Forum having agreed to recommend moving to the NFF, members discussed and made decisions on the LA's proposals for **Disapplication Requests**, which are requests made to the Secretary of State to disapply any part of The School and Early Years Finance (England) Regulations 2017. (This is a technical issue to ensure that the Funding Formula can be implemented).

2017-18 MFG Exclusion - The LA identified non-recurring one-off funding of £705k from DSG balances (2012-13), for allocation to schools and academies in 2017-18. This was applied to the Basic Entitlement per pupil values on a one-off basis (as reported to the ESFA as part of the 2018-19 Baseline exercise). Once agreed by the DfE, these

amounts can be deducted from the 2017-18 baselines in the December APT for MFG calculation purposes. (This is the same approach as in prior years when one-off funding had been allocated). This relates to all schools and academies in line with Basic Entitlement values. This has no negative equalities impact. **Agreed.**

2017-18 MFG Exclusion - Six schools/academies currently qualify for the exceptional rents factor and are expected to continue to qualify in 2018-19. The Operational Guidance for 2017-18 indicated that this needed to be referred if this was agreed more than four years previously (5 years in the 2018-19 guidance), and confirmation from the DfE was received in 2017-18. A request is being made for a possible MFG exclusion if any of the six schools are no longer eligible in 2018-19, following release of updated datasets in December 2017. If any of the schools become ineligible, the request is for the exceptional rents factor to be excluded from the 2017-18 MFG baselines. Schools would only become ineligible if they experience a significant increase in pupil numbers or the other data indicators change so that their school budget share increases to such a level that the exceptional rents allocation falls below 1% of this amount. A similar MFG request was made in previous years. This has no negative equalities impact. **Agreed.**

Adjustments to the APT to allow alignment to the NFF, as required – Minimum Pupil Level Funding calculation - Premises factors (Rates, Split sites and Exceptional Rents) – If the minimum pupil level funding rates are applied, a request would be required for premises costs to be removed to align with the NFF calculation. This has no negative equalities impact. **Agreed.**

Adjustments to the APT to allow alignment to the NFF, as required – request to set the MFG at 0.5% if required. This relates to all schools and academies. This has no negative equalities impact and will help schools to remain viable. **Agreed.**

Adjustments to the APT to allow alignment to the NFF, as required – request to manually adjust where the APT does not have the internal calculation function to fully align to the calculations in the NFF. This has no negative equalities impact. This will ensure the Formula can be made to work. The APT will come to Forum's January 2018 meeting for final approval. **Agreed.**

Schools Block movement – Movement from Schools to High Needs Block outlined in the body of this report.

Not agreed to transfer funding from Schools to High Needs Block. Forum regrets being placed in the invidious position of having to make this decision and wishes to support all efforts to secure equitable funding for young people with High Needs in Oxfordshire.

	<p>Necessary adjustments to the APT in relation to anomalies, particularly in relation to new and growing schools. Agreed.</p> <p>Should the DfE issue additional guidance, not all disapplication requests may be required, as blanket coverage may be given to all LAs.</p>		
4.	<p>Schools Central Services Block 2018-19 (for decision)</p> <p>NB noted that issues previously brought to Forum under Historic Commitments are now brought under Schools Central Services Block, for Forum to approve expenditure of DSG funding held centrally to support specified services. When the Regulations are finalised by the DfE, approval of these budgets may no longer be a Forum function.</p> <p>Forum noted the report and following discussion approved individually the following budgets from the Central Schools Services Block for 2018-19:</p> <p>Admissions: £476,533. Schools Forum budget: £30,730. Prudential Borrowing budget: £1,566,685. LA's statutory functions for all schools budget: £1,360,000. (represents £15 per pupil in the County).</p> <p>The budget for government-arranged licences (£452,029) had been agreed at the October Forum meeting.</p> <p>The Union Facilities Duties budget of £64,400 (for agreement to delegate to all schools in 2018-19) is discussed at Item 5 below.</p>	NB	
5.	<p>De-delegated Functions: Union Facilities (for decision)</p> <p>Following discussion at the previous two meetings of Schools Forum, it was agreed as follows:</p> <p>[by all present Maintained Primary School representatives (MT, BW, ST and KB): to de-delegate the Union Facilities Duties budget for 2018-19;</p> <p>[by all Forum members]: to reiterate earlier recommendation made in October that all other schools and academies buy in to the continuation of the LA's Union Facilities Agreement thereby contributing to a 'pool' to share the costs of paying for teaching trade union facilities time so as to draw on an established wealth of expertise.</p> <p>It was agreed that NB will ask maintained Secondary School representative DB to make a decision for secondary sector.</p> <p>It was noted there are no de-delegation responsibilities</p>	<p>NB</p> <p>NB request decision from DB for secondary sector</p>	

	<p>connected to Nursery or Special Schools.</p> <p>IJ and NB will ensure wide dissemination of information as soon as possible, to individual schools and via <i>Schools News</i>, so that schools can ensure they build the amount required into their budgets. CD will disseminate via OSSHTA. SFo will request addition of this into the next LA Headteachers & Chairs Briefing. CT will ensure dissemination via Steering Groups.</p> <p>NB will consider how to deal with the difficulty which mismatch of financial years between academies and maintained schools might present.</p>	<p>IJ & NB to ensure all schools notified asap SFo, CD, CT</p> <p>NB</p>	
6.	<p>Growth Fund 2018-19 (for decision)</p> <p>This Fund, within the LA's Schools block of the national funding formula allocation, is used to fund abnormal in-year increases in pupil numbers to ensure that schools receive sufficient and timely funding and sustain stability.</p> <p>No falling rolls fund is proposed. However, in the light of Oxfordshire's commitment to support small rural schools, Forum discussed whether short term cushioning funding should be made available to support those with falling rolls in year, e.g. where lower numbers in one year might have severe consequences for a school's long term future.</p> <p>Forum also discussed the imminent need to expand provision in some existing secondary schools.</p> <p>It was agreed that Forum's Schools & High Needs sub-Committee will discuss both these issues at its next meeting and bring recommendations for Forum prior to next year's Growth Fund discussion.</p> <p>Noting the current balance in the Fund and the current known commitments for new schools, Forum approved the retention of £600,000 for pupil growth in 2018-19 plus any balance remaining from prior years and also approved the qualification conditions under which allocations from the Fund can be made.</p>	<p>MT/KH for SHN Committee next agenda</p> <p>NB</p>	February 2018
7.	<p>Oxfordshire Hospital Schools (OHS) Charging Policy (for information and comment)</p> <p>AR attended to provide clarity about OHS funding overall and spending patterns in the Outreach teaching sector in particular. Forum supported the new and clear model and systems now in place since AR became Headteacher.</p> <p>AR is addressing the need to build constructive partnerships with schools to ensure limited funds are utilised in the best</p>		

	<p>way for uniform and adequate provision across the County.</p> <p>AR briefed Forum on the launch on 30 November of 'Inreach' where OHS is seeking schools (EY to post-16) for a 2-year pilot partnership programme including on-site CPD and training support to build better access to services.</p> <p>To ensure improved understanding of its work, OHS will continue to disseminate information through as wide a network as possible, including Heads & Chairs Briefings, SENCo network meetings, Inclusion briefings, and <i>Schools News</i>.</p> <p>Forum thanked AR for her work to ensure excellent provision by OHS, confirmed by the recent 'Outstanding' judgement received.</p>		
8.	<p>Any Other (Urgent) Business</p> <p>(a) Requirement for Forum meeting in February It is likely that the DfE will not issue data and modelling Tool to the LA until 19 December; thus time will be too tight to be able to discuss and agree both Early Years and Schools funding at the 9 January Forum meeting. It remains necessary to hold the January meeting in order to be able to submit the APT Tool to the DfE deadline. These deadlines and issue of Tools are beyond OCC and Forum's control. It was agreed that KH will canvass Forum members for a date in February. It was agreed that the February meeting would replace the planned March Forum meeting.</p> <p>(b) Government Consultation on Distribution of funding for FSM and Early Years Pupil Premium children under Universal Credit This Consultation has opened and closes on 11 January. It was agreed that KH will circulate the Consultation Link to Forum members for submission of responses to CT who will collate them and bring a summary to the 9 January Forum meeting so that Forum can formally respond.</p> <p>Link: https://www.gov.uk/government/consultations/eligibility-for-free-school-meals-and-the-early-years-pupil-premium-under-universal-credit</p>	<p>KH canvass for Feb Forum date</p> <p>KH send Link to Forum for responses to CT ; Agenda for 9 Jan Forum</p>	<p>By end Nov</p> <p>By end Nov</p> <p>Forum responses to CT by 15 Dec</p>
9.	<p>Confirmation of Date of Next Meeting <u>Tuesday 9 January 2018</u> - 10 am–3 pm - at Unipart House Conference Centre, Oxford</p>		

Meeting closed 1.30 pm
CT/KH/30.11.2017