

Oxfordshire Schools' Forum Schools & High Needs Sub-Committee

**Minutes of the Meeting held on Monday 29 October 2018
1000 - 1200, Unipart Conference Centre, Unipart House, Cowley, Oxford**

<p>Present: Tristan Arnison (TA) Kerrie Blaker (KB) Nicola Partridge (NP) Geoff Sutton (GS) Maureen Thompson (MT) - CHAIR Carole Thomson (CT) – Chair of Forum Lorraine Wilson (LW) Natalie Wilson (NW)</p>	<p>In attendance Brenda Williams (BW) Chair of Forum's Services & Contracts Committee Kit Howells (KH) (Clerk)</p> <p><u>Oxfordshire County Council</u> Nick Baggett (NB) Jayne Howarth (JH), Head of Service SEND (<i>Items 1-4 only</i>) Ruth O'Loughlin (RO'L), HR (<i>Item 8 only</i>)</p>
<p>1.</p>	<p>Apologies and Welcome Apologies received from Breda Bowles (BB), Lisa Hughes (LH), Jeanne Lapsley (JL), Sarah Steel (SSt), David Clarke (DC)(OCC Deputy Director for Education) and Sarah Fogden (SFo).</p> <p>MT welcomed members to the meeting, particularly new members LW and NW, as well as Jayne Howarth, OCC's new Head of Service for SEND.</p>
<p>2.</p>	<p>Minutes of Schools & High Needs Committee meeting held 5.6.18 The Minutes were approved and signed by the Chair.</p>
<p>3.</p>	<p>Matters arising from 5 June 2018 Minutes - <u>only</u> where these remained unactioned or not on the Agenda</p>
<p>3.1</p>	<p>Update on Broadband provision for schools – KH had obtained and circulated update confirming last school had been completed in June.</p>
<p>3.2</p>	<p>Union Facilities – Ian Jones and Catharine Darnton are encouraging those academies not yet responded to do so, providing more information about the value of continuing to sign up, and noting the importance of ensuring financial viability. NB will discuss next steps with IJ, who will report back to this Committee and/or Forum.</p>
<p>3.3</p>	<p>A strategy for High Needs places – There have been personnel changes since the June meeting and David Clarke has already outlined next steps. Forum will be updated on 7 November.</p>
<p>3.4</p>	<p>High Needs Review – and update on use of monies received by Local Authority from Government for this purpose NB confirmed that OCC had received £287,494 in early 2017 to review High Needs in all areas. To date, £114K has been expended on projects, costs and consultancy; c£173K remaining.</p>

**NB/
Ian
Jones**

Forum had already agreed to fund a High Needs Review in 2016, due to the urgency of issues surrounding lack of places and funding. A Review of High Needs has still not been held. Forum remains concerned that the monies are not being used to review High Needs in all areas, noting that the Linda Calverley consultancy report presented to the June meeting of this Committee appeared to centre solely on response post the Ofsted inspection and resulting action planning. Many significant issues had been ignored, such as Special Schools and Alternative Provision funding. The funding received had been for a thorough review of all High Needs and should have been properly utilised by now. It is known that a working party was constituted and then suspended.

However, Forum members noted that the recent significant new staff appointments in OCC have made some headway: David Clarke has given presentations to Forum, Education Scrutiny Committee and the OGA recently, and a Heads' Briefing on SEND has also been held, to inform of plans being put in place. Jayne Howarth has recently been appointed as new Head of Service for SEND. DC has acknowledged that the County has not held an overarching review of High Needs.

JH briefed members on her perceptions since appointment and the likelihood that radical and creative solutions will be necessary to address the urgent need for High Needs places and the lack of provision and the overspend in High Needs now verging on £7M. Various avenues will be explored and re-explored while new places come on line, in order to reduce the number of pupils being placed out of county when they should be educated in their local communities, and which is much more expensive even without factoring in the cost of transport. This includes looking at ways in which there can be funding to support more joint working between mainstream and Special Schools. It is essential to have a manageable system in place urgently, by means of small steps of improvement towards the ideal solution.

Members emphasised the importance of local politicians lobbying government to explain the desperate need for greater High Needs funding due to the increase in need and to explain the precarious situation pertaining in the County, where there is inadequate support, staffing and services for High Needs children in Special Schools and in mainstream schools. It is clear that funding for early intervention is key to an improved system, to ensure support is in place before the need for Education Health & Care Plans, which should only be for the children with the most complex needs and SEND. This involves ensuring parental confidence that the right support is being provided. It will be necessary to destroy some of the myths around meeting SEND needs and the recently established parent-carer forum will help with this. Schools are already working together across the sectors to support each other as much as possible, but this is difficult to maintain due to lack of resources, including funding to train and pay support

	<p>staff to ensure high enough levels of expertise. The threat of possible nursery school closure in 2020 is also worrying as there will be even fewer early intervention places for children with complex needs. PVI's are reluctant to take SEND children.</p> <p>DC and JH had attended a recent Parliamentary Select Committee where feedback from across the country confirmed the need for urgent increase in funding for High Needs. Neighbouring Counties with similar ratios and cohorts receive substantially more funding than Oxfordshire due to historical issues; Buckinghamshire funds its Special Schools at a much higher level and are still not meeting the needs. However, members emphasised that OCC decides on how to spend the funding received and currently it is unclear how funding decisions are made. There should be a clear overarching County-wide strategy for inclusion – SEND, Alternative Provision etc – and a systematic approach to ensuring applications for increased funding are made in a timely manner. To this end, JH reported that an overarching sufficiency strategy is being finalised currently, including provision for resource bases attached to new build schools.</p> <p>There are, in addition, urgent transport issues to resolve in relation to High Needs children; families in poverty are not getting the transport support they require to ensure their children attend Special Schools in some areas and there appears to be a lack of joined up provision for children from the same families.</p> <p>Members advised that County support to re-establish the Primary Headteacher Association would be welcomed and would ensure shared support, particularly for smaller Primary Headteachers who are sometimes working in isolation.</p> <p>JH noted that the upcoming Heads and Chairs Briefings will provide more information to Headteachers about the new team, and intentions and strategy for improving High Needs provision in Oxfordshire.</p>	
<p>3.5</p>	<p>Funding for Alternative Provision (AP) in the county</p> <p>NP reiterated the issues of concern around clarity of spending on Alternative Provision in the County. Of the total listed spend on AP, not all is spent at Meadowbrook College and transparency about the balance was requested. Due to the high turnover of senior OCC Officers, it has been difficult to understand the total High Needs provision strategy in the County or obtain a clear answer to this question. Forum has a responsibility to ensure knowledge of the destination of funding. Members noted that Special Schools are being asked to fund a proportion of AP places. NP detailed her various recent conversations and that she had tried to increase her PAN, which had been agreed by the Regional Schools Commissioner and the DfE but not by the County as the necessary funding would come from the High Needs budget which is already stretched and overspent. Alternative Provision has not been included thus far in the County's</p>	

	<p>review of High Needs. While Forum has no statutory responsibility for the AP budget, the role of the LA is to keep Forum involved with its strategy for High Needs and for place planning, including AP and members sought clarity about decision making in relation to the distribution of High Needs funding in the County. There should be greater acknowledgement that the County has managed to reduce the Permanent Exclusion rate by offering more AP, and thus that if the aim is to increase early intervention and prevention, more AP places are required.</p> <p>Clarity about where the spend on AP is made, and on AP place planning was requested.</p> <hr/> <p>All other matters arising/action points had been dealt with, actioned or were on the Agenda.</p>	SFo/ NB/JH
<p>4.</p>	<p>Pupil Place Planning – any changes to the number of places being commissioned</p> <p>Pupil Place Planning is an issue on which the LA is required to consult with Schools Forum, including Forum being informed of proposed changes to places in Special Schools and resource bases.</p> <p>JH provided a verbal update on the work she is doing with Barbara Chillman. OCC will issue an updated sufficiency strategy shortly. Additional places at existing Special Schools and mainstream schools are being sought as short-term solutions for children with least complex needs with LA support being provided (staffing as well as funding) to ensure these children are placed in the best possible setting for their needs, and to prevent the need to use the independent sector or out of county places which are much more expensive and do not necessarily deliver better outcomes. Work is also being done with the Colleges to improve information and timeliness for vulnerable and High Needs pupils transitioning from Year 11 into Colleges. Transitions from Year 6 to Year 7 generally work well.</p> <p>The Committee raised issues occurring in some parts of the County, particularly Didcot, Bicester and Banbury, in connection with the impact of newly built schools on existing ones and the resulting lack of community attendance due to pupils sometimes travelling distances to attend new schools instead of nearby schools and the difficulty experienced by the last new home owners of getting a place at the school nearest to their homes.</p> <p>JH noted the significant number of EHCPs in the College sector and the difficulties in relation to funding High Needs post-16 in Colleges due to the higher cost than for pupils in Special Schools. Post-16 spend is being reviewed.</p>	

	JH will ensure timely updates to upcoming Forum meetings.	JH
5.	<p>Falling Rolls Fund Paper 5/SHN/291018 previously circulated.</p> <p>There is no Falling Rolls Fund currently in the County. The Fund would be to ensure that the curriculum can continue to be delivered where numbers are dropping. The Paper informs of the likely current need, and what would be involved in establishing a Fund, via top slicing, which would reduce schools funding overall, and how that funding would be allocated based on pupil count. It was noted that there are currently very few schools where the criteria would apply.</p> <p>Members emphasised the need for a joined up place planning strategy, although they recognised the difficulty for the LA resulting from the Free Schools Programme, whereby schools have been established in areas with low need, while other areas are suffering from lack of places. This is a result of the County having responsibility for places and outcome but legislation in many areas not supporting that, for example where District Councils are responsible for agreeing planning for new building; there is a lack of joined up planning.</p> <p>After discussion of the issues, it was agreed that there currently appears to be no substantial benefit in establishing a Falling Rolls Fund and that more impact can be gained by keeping money in the schools' budgets to subsidise the wider curriculum. The need will be reviewed by Forum annually (NB will bring to Forum next October for further discussion).</p>	NB
6.	<p>Sufficiency of places for funded 2-year olds - update Paper 6/SHN/291018 previously circulated. The update is provided to this Committee where Early Years is represented.</p> <p>The Committee is concerned that there are not enough places in the County for vulnerable 2 year olds and there is some suggestion that places that could be being provided have been offered and turned down by the LA. It is noted that the County requires more than 300 additional places to meet need.</p> <p>The Committee requested a report on what is being done to develop places and detail on the mapping in County. More detail is required on whether vulnerable 2-year olds in vulnerable areas require places or in non-vulnerable areas, for example.</p> <p>In addition, there are significant transport issues which remain unresolved in the County, seriously affecting families with young children. Members heard examples whereby families in poverty have to pay for taxis to ensure young children attend school, and where transport is provided for some siblings but not others. Special Schools should have free transport for all SEND and vulnerable pupils.</p>	DR

	Members asked that this situation be urgently investigated.	DR
7.	Early Years Funding Formula Review: DfE guidance 2019-20 DfE guidance not yet received. No discussion.	
8.	<p>Non-Teaching Staff (Green Book) Pay Award April 2019 Paper 8/SHN/291018 previously circulated. RO'L attended for this Item and briefed members on the new pay spine arrangements and members thanked her for the clear and non-ambiguous Paper. The April 2018 pay award was a 2% uplift to all scale points. The April 2019 pay award is more complex with a new pay spine introduced because the current spine could not absorb the impact of the National Living Wage. The new spine sees staff on some pay points receiving pay increases between 2.3% -7%. Scale points have been condensed.</p> <p>While welcoming the National Living Wage, members emphasised their concern about school budgets being able to meet the increases, alongside the increase in NI and pension contributions changes, and large utility charge increases, without running deficit budgets or closing classes. In addition, the grant provided by the Government for increase in Teachers Pay does not work due to being calculated per pupil; mammy schools are losing.</p> <p>The LA will issue information to assist schools in planning for these increases and the budget planner will be updated with the new scales so these will be put automatically appear in budgets</p> <p>Members emphasised the need to highlight the fact that schools will need to submit deficit budgets if they are to continue providing adequate education, and that local politicians should inform Government of the difficulties.</p> <p>Following conclusion of the consultations with the Unions, the OCC County Model Pay Policy will be updated. Members requested that staff be notified as soon as possible when agreement is reached, and that clear explanations are given for the new grading system so that there is wide understanding. Members noted the confidentiality of the Paper until conclusion of negotiations, although the Annex is in the public domain</p>	
9.	<p>Schools Forum Budget – detailed proposals for use of the balances; and increase in funding Headteacher attendance at Forum meetings Paper 9/SHN/291018 previously circulated.</p> <p>The latest Budget position and expenditure with estimated costs to year end were noted. The underspend is mainly due to less meetings being held, including the suspension of the Early Years Working Group. The balances have held in the recent past against possible needs arising from introduction of the National Funding Formula (NFF)</p>	

	<p>where there might have been need to pay for extra work, eg for modelling, but this has not been required due to agreement to adopt the NFF and the provision of information from the DfE.</p> <p>The Committee recommended to Forum an increase of payment to Headteachers' schools for their attendance for a full day rather than half day for full Schools Forum meetings, to take account of travelling and reading time, backdated to 1 April 2018, noting that the Budget can support this increase.</p> <p>The Committee considered the suggestions from Officers for use of the balances and noting that the funding originally came from top-slicing all schools' budgets, agreed that none of the current options was appropriate use of the funding.</p> <p>Following discussion about other possible options, including a simple transfer back out to all schools, it was agreed to await a suitable project to benefit all schools. The Committee will review in 6 months' time.</p> <p>It was agreed to recommend to Forum that the Budget remains the same pro tem, and to hold the overspend awaiting a suitable project, and to review the situation in Spring 2019.</p>	<p>NB</p> <p>NB</p> <p>NB/KH</p> <p>NB</p>
10.	Items referred by Services & Contracts Committee – None.	
11.	Items for referral to Services & Contracts Committee – None.	
12.	<p><u>For information</u> Academy Update (Standing Item) The content of NB's information Paper 12 is self-explanatory and was noted. There are 35K children currently in maintained schools. There are currently only two Maintained Secondary Schools, due to reduce to one this Term.</p>	
13.	<p>Date of next meeting To be held in the Spring Term. KH to canvass for suitable date. <i>(Following canvass, agreed to be Mon 25 March 1000-1300).</i></p>	KH

The meeting closed at 1230
KH/3.11.18

Signed as accurate (Chair)Date