

THE CUMBRIAN SCHOOLS' FORUM
Draft MINUTES OF THE MEETING HELD ON
13 March 2020
Ullswater Community College, Penrith

PRESENT

Des Bird (West Secondary Academy)
Alison Claricoats (North Maintained Primary)
Stephen Gilby (North Maintained Secondary)
Matthew Hardwick (South Maintained Secondary)
Matthew Jessop (South Maintained Primary)
David Nattrass (North Maintained Primary)
Jennifer Rowlands (West Secondary – representing Judith Schafer)
Alan Rutter (Teachers Professional Associations and Chair of Forum)
Cathy Styles (South Maintained Primary)
Ruth Webster (South Maintained Primary)

Officers in Attendance:

Dan Barton	(AD – Education and Skills)
Marie Barnes	(Senior Adviser – South and Assistant Manager – Learning Improvement)
Susan Milburn	(Group Finance Manager)
Amanda Chew	(Finance Manager)
Peter George	(Group Finance Manager) – Item 5
Peter Usher	(Audit Manager) – Item 6
Joan Bradley	(Early Years and Childcare Project Officer) – Item 7
Nicola Shiels	(Forum Support)

Observers:

None

Apologies for Absence

Lisa Balderstone (PRU)
Louise Donnelly-Stott (Small Schools)
Jane Faulkner (PVI)
Gerry Garvey (PVI)
Daniel Hinton (Special Schools)
Steven Holmes (South Secondary Academy)
Chris McAree (North Secondary Academy)
Amanda McDonald (Nursery Schools)
Vanessa O'Dea (CE Diocese)
Ty Power (South Secondary Academy)
Sue Sanderson (Cabinet Member – Schools and Learning)
Judith Schafer (West Secondary)
Kris Williams (North Secondary Academy)

PART 1: ITEMS LIKELY TO BE CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

Stephen Gilby welcomed the group to the school and explained that, due to current circumstances, this would be the last collective meeting held in school. Stephen was thanked for hosting this meeting of Schools Forum.

1. Exclusion of Press and Public

It was agreed that all items would be considered in the public domain.

2. Declarations of Interest

There were no declarations of interest at this stage.

3. Minutes of Previous Meeting and Matters Arising

The minutes of the meeting of the Schools Forum held on 17 January 2020 were agreed as an accurate record.

There were no matters arising from the minutes.

4. Maintained Schools – Risk Protection Arrangement

Peter George had joined the meeting to present a report that asked Schools Forum to note that officers were currently considering proposals from DfE to extend Risk Protection Arrangements to all maintained schools with a full report to be presented to the Schools Forum on 10 June 2020.

Insurance services for maintained schools were currently included within the Council's insurance contract with the budget for these services being delegated from the DSG.

The DfE had extended the Risk Protection Arrangement (RPA) currently available to academies to all maintained schools in England. This Risk Protection Arrangement offered a different level of insurance to that which was covered by the Council's insurance policy.

It was not possible to provide a direct comparison between the insurance received through the Council's insurance contract and the DfE's RPA, therefore further work was required to consider the advantages and disadvantages of taking the DfE's RPA or retaining the Council's insurance services. A full report of the findings of this work, and setting out the considerations for schools should Forum opt to enter into the RPA would be presented to the Schools Forum in June.

Schools Forum noted the report.

5. Findings from Internal Audits of Schools

Peter Usher had joined the meeting for this item.

Internal Audit undertook a small sample of school audits each year and the findings from those completed during 2019/20 were summarised in the report present to

Schools Forum. An annual report on findings from school audits to the Schools Forum was in line with the requirements of the Council's Audit & Assurance Committee.

Findings would be circulated more widely to all schools via the Schools Portal. This would allow all schools to consider their own arrangements with regard to the common findings and put in place any necessary improvements.

In discussing the report there was some concern at the relatively small number of schools that could be visited each year. It was acknowledged that the team was very small but there could be unchecked well intentioned practice in schools that could result in serious implications for schools. It was reported that there would be further training for schools later in the year and something would also be built into the governor training that was delivered. The group discussed the possibility of peer to peer review and whether that could be developed to provide some further assurance to schools; perhaps SRMA could become involved or Forum could consider the use of contingency funding to possibly support the team in undertaking more school audits?

It was suggested that the School Budgets Working Group could discuss in more detail and also that the report could be presented to the Cumbria Association of Business Managers.

The Schools Forum noted the report and the intention to distribute to all schools, for information, via the Schools Portal.

6. SEN Inclusion Fund 2020/21

Joan Bradley presented a report that updated Schools Forum on the impact of the pilot that took place during the autumn 2019 and the subsequent consultation with early years providers, parents and SEN specialists on the proposed new criteria for assessing the SEN inclusion fund which was aimed at widening the accessibility and increasing the number of children supported by the fund in 2020-21.

Taking account of the outcome of the pilot and the views of providers and professionals, it was proposed to increase the funding bands to £1,500 for each pupil being assessed for an EHCP and up to £500 short stay early intervention funding for children identified as Band 3 or below following local authority SENCO recommendation.

Schools Forum noted the report and the proposed change in SEN Inclusion Fund eligibility in some funding bands from 2020-21.

7. Challenge and Support Process for Schools and PRUs with Deficit Budgets

The Cumbria Scheme for Financing School prohibited maintained schools and PRUs from planning for a deficit when preparing their budget plans.

All schools/PRUs were required to submit three year budget plans by 31 May and, if there were any significant revisions, a revised budget by 31 October. Any school that proposed a deficit budget plan must re-submit a balanced budget plan or apply for a licenced deficit together with a recovery plan indicating how the financial position would be brought back to a balanced position.

If a school/PRU ended the financial year in deficit, there was an expectation that it should be corrected by the end of the following financial year. In exceptional circumstances, a proposed deficit may be agreed by the Assistant Director, Education and Skills to be recovered over a two or three year period.

Following a review of the three year budget plans, 52 schools proposed a deficit budget plan for 2019-20, this was a projected reduction compared to the 55 schools that ended 2018-19 in deficit. The total projected deficit balance for 2019-20 was £7,276,312 which represented a projected increase in the level of deficit balances of £615,380.

27 schools had made an application for a licenced deficit, 25 schools had not submitted applications. These had been requested to ensure that schools were compliant with policy, however, in principle, the deficit recovery plans for 15 of these schools had been approved.

Forecast year end outturn positions as at 31 December 2019 had been received from 41 of 52 schools that set a deficit budget for 2019-20. The missing returns had been rigorously chased however, for the purposes of this report it was assumed that the 11 schools that had not submitted returns were on target with the deficit budget set. Budget monitoring based on the school returns suggested that the projected deficit balance for the 52 school would rise to £7,242,699, a decrease in the projected deficit against the October budget plans of £33,613. 19 schools were predicting an improved position with the projected net deficit for these schools reducing, however, 22 schools were showing a worsening position with the projected overspend on the planned net deficit for these schools. The finance team rigorously challenged these schools, requesting explanations or overspends and details of management action to bring the spend back in line with budget. A number of finance review meetings were also due to be arranged with schools that did not have deficit recovery plans in place. Forecast year end outturn positions were also requested from schools that ended the 2018-19 financial year in deficit but were predicting a surplus for 2019-20, to ensure that these schools were on track against budget.

The report presented focused on schools with a deficit balance and did not include those schools that were predicting a surplus balance. The total proposed net balance for all maintained schools was currently a net surplus of £485,174 and represented a projected decrease in net school balances of £1,871.320 compared to the net school balances in 2018-19. Finance officers were closely monitoring the level of school balances and in particular assessing the impact of a number of recent changes to school funding on school balances.

The School Resource Management Adviser (SRMA) program in Cumbria was continuing and this financial year there had been deployments to 7 maintained schools.

It was noted that a number of factors could contribute to the changing level of school balances/deficits including changes in pupil numbers and SEND issues. The group discussed a potential vision for educational sustainability that could take into account published admission number, capacity, parental preference, catchment area and surplus places.

The Schools Forum noted the latest projection for schools with a deficit budget and the action that the LAs was taking to ensure that schools in deficit were supported in their progress.

8. Revision to the LA Scheme for Financing Schools

A report was presented that proposed some amendments to the Cumbria LA Scheme for Financing Schools following a number of directed revisions by the Department for Education and updates relating to changes in legislation.

In line with regulations, the draft Cumbria LA Scheme for Financing Schools was presented to the Schools Forum ahead of full consultation with all maintained schools.

Following clarification on the responsibility for redundancy and early retirement costs it was proposed that redundancy costs can be funded from the de-delegated contingency fund if certain conditions are met. The relevant Schools Forum members are asked to approve this proposal.

The Schools Forum approved a revised LA Scheme for Financing Schools in 2016; the scheme applies to all maintained schools in Cumbria. The proposed changes to the scheme were set out in the appendix to the report. Many of the changes were directed revisions or as a result of changes in legislation but some changes were proposed by the local authority:

- i) As a result of a directed revision which clarified the responsibility for redundancy and early retirement costs a revision to the LA Scheme was proposed. Section 37 of the 2002 Education Act dictated that costs in respect of premature retirement of the staff of a maintained school shall be met from the school's budget whereas costs in respect of dismissal or for the purpose of securing the resignation of any member of staff of a maintained school shall not be met from the school's budget unless the local authority has good reason for it not to be centrally funded. It stated that local authorities could retain a central budget within the schools budget to fund the costs of new early retirement or redundancies by a deduction from maintained schools budgets, only where the relevant maintained school members of the schools forum agreed.
Following the above clarification on the responsibilities for these costs it was proposed that redundancy costs could be funded from the de-delegated contingency fund if certain conditions, as detailed in the report, were met.
- ii) A further LA proposed change reflected the change in arrangements for provision of payroll for maintained non-chequebook schools. With effect from 1 November 2020, these schools would be able to use one of the payroll providers on the Council's framework for provision of payroll services rather than being obliged to use either the LA or Capita.
- iii) Other LA proposed changes included a new appendix D to the Financial Regulations detailing the application process for own bank account (chequebook school) status and a new Annex K to the LA Scheme which linked the specific requirements that schools needed to meet under the Schools Financial Value Standard (SVFS) to the relevant sections of the LA Scheme so that schools could check that they were complying with the essential requirements of the LA Scheme.

The consultation with maintained schools and pupil referral units was planned to take place between 23 March and 30 April. Following consultation with all schools the final LA Scheme for Financing Schools would be presented to Schools Forum on 10 June for approval by the maintained school representatives.

Schools Forum members noted the draft revised Cumbria LA Scheme for financing Schools ahead of consultation with all maintained schools and pupil referral units to be launched on 23 March 2020, and to encourage maintained schools to respond to the consultation.

9. Date of Next Meetings

- i) The next meeting of the Schools Forum would be held on Wednesday, 10 June 2020. The meeting would begin at 9.30am, venue to be confirmed.

10. Any Other Business

There were no other items of business, however there was quite a lengthy discussion about the escalating situation in relation to Coronavirus.

At the time of the meeting there were many unknown factors. The group spoke about potential school closures and the potential implications as a result of that. There was an update on the role of Local Resilience Forums and Strategic Co-Ordination Group and the intention to attempt to avoid head teachers and schools feeling isolated.

Much of the conversation has now been superseded by actual events that are well documented, therefore nothing further is recorded.