



NOTICE OF MEETING

SCHOOLS FORUM

TUESDAY, 21 NOVEMBER 2017 AT 4.30 PM

CONFERENCE ROOM A - SECOND FLOOR, CIVIC OFFICES

Telephone enquiries to Jane Di Dino 023 9283 4060

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Membership

Schools Members

Three head teacher representatives - primary phase

Two head teacher representatives - secondary phase

One head teacher representative - special phase

Seven academy representatives

Three governors

Non School Members

Five Councillors (one from each political groups)

One representative from the following organisations:

The 16-19 Representative

The Early Years Representative

(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

AGENDA

- 1 **Apologies**
- 2 **Declarations of Interest**
- 3 **Membership Changes.**

4 Minutes and Matters Arising from the Previous Meeting Held on 27 September 2017. (Pages 3 - 8)

5 School Funding Arrangements 2018-19.

This report will be to follow.

6 Pressures on the High Needs Block.

This report will be to follow.

7 The City Council's Response to the Letter Regarding Trade Union Facilities Time. (Pages 9 - 12)

Mike Stoneman, Deputy Director of Children's Services will give a verbal update.

Members of the public are now permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting or records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Agenda Item 4

SCHOOLS FORUM

MINUTES OF THE MEETING of the Schools Forum held on Wednesday, 27 September 2017 at 4.30pm in the Civic Offices.

Present

Jackie Collins	Head Teacher	Primary
Dave Jones	Head Teacher	Primary
Sue Wilson	Head Teacher	Primary
Gareth Hughes	Head Teacher	Secondary
David Jeapes, Chair	Head Teacher	Secondary
Ian Hunkin	Head Teacher	Special
Clive Good	Governor	Primary
Steve Sheehan	Governor	Primary
Alison Beane	Academy	Special
Nys Hardingham (for Steve Labedz)	Academy	Secondary
Suzy Horton	Councillor	Liberal Democrats
Colin Galloway	Councillor	UKIP
Kara Jewell		Early Years' Representative

28. Apologies

Apologies were received from: Fiona Calderbank, Steve Labedz (Nys Hardingham deputising), Bruce Marr, Stella Mbubaegbu, Karen Stocks and Councillor Neill Young.

29. Declarations of Interest.

Richard Webb, Finance Manager informed members that he will be temporarily acting as Finance Manager for Adult Social Care and Public Health. In his absence, Beverley Pennekett, will be acting as Finance Manager for the Children's Finance Team and have responsibility for Schools Forum and the school funding arrangements.

The Chair wished him well in his new role.

Beverley Pennekett declared the following non-prejudicial interest: she is a governor at Mayfield and Harbour Schools and is a trustee at the University Technical College.

30. Membership Changes.

Richard Webb, Finance Manager informed members of the following changes:

Leavers.

Councillor Lynne Stagg, Liberal Democrat Party.

Joiners.

Councillor Suzy Horton, Liberal Democrat Party.

Vacancies

One Primary Academy representative.

Two Academy Secondary representatives.

One Labour Party representative.

One Independent Group representative.

The tenures for Fiona Calderbank and Clive Good come to an end on 23rd October and 4th November respectively.

31. Minutes and matters arising from the previous meeting held on 12 July 2017.

DECISION

The Schools Forum agreed the minutes of the meeting held on 12 July 2017.

Matters Arising.

Page 6

Julia Katherine will present an update on the pressures, developments and changes to High Needs in October.

Page 7

Anthony Harper will provide an update to the Schools Forum Meeting in September in respect of the Early Years Provision. As the data is still being collected the update will come to a future meeting.

Page 8

The responses to the questions raised had been circulated.

Page 9

It is understood that the letter was not issued, as the proposed action was overtaken by events. Further documents have now been published in respect of the new funding arrangements. Further details of which are covered in item 7 on this agenda.

32. Dedicated Schools Grant Budget Monitoring Report - First Quarter 2017/18.

Richard Webb introduced the report.

In response to questions, he explained that his team is preparing detailed forecasts based on the latest available, both to supporting the budget monitoring processes for this financial year, as well as the forecast budget requirements for 2018-19. Further details will be reported within the future budget monitoring reports.

DECISION

The Schools Forum:

- 1. Noted the forecast year-end budget position for the Dedicated Schools Grant as at the end 30th June 2017, together with the associated explanations contained within this report.**
- 2. Endorsed the decision to delegate authority to the Section 151 officer to make the necessary adjustments to Dedicated Schools Grant budgets throughout the year, to reflect the conversion of schools to academy status.**
(Agreed unanimously).

33. Special Schools Element 3 Top-Up Banding Descriptors.

Julia Katherine, Head of Inclusion and Alison Egerton, Group Accountant introduced the report.

Members discussed the potential financial risks involved in the new banded funding model.

In response to questions, the Forum was informed that:

- The band headings have been discussed and agreed with the special schools head teachers. Additionally, the proposals contained within the report were agreed by the Cabinet Member for Education on the 14th September.
- An increase in the number of school referrals is not expected. However, this will be monitored and if it becomes unaffordable, officers would look at amending the funding rates.
- There are few pupils on the lower bands.
- The impact on mainstream schools of having SEN pupils will be examined in the SEN Strategic review.
- In response to a question, Julia clarified that the majority of pupils may not necessarily be on the 'Core' funding band. Pupils will be allocated to a 'band' based on their level of need.

Actions

- An update will be brought to the February meeting detailing the number of referrals received over the last 12 months, as well as the number of pupils that are currently on funding rates that are lower than that for the new core band.

DECISIONS

The Schools Forum:

1. Endorsed the decision of the Cabinet Member for Education to approve the introduction of the new banding descriptors for new pupils as set out in Appendix 1 from the start of the new academic year in September 2017.
2. Endorsed the decision of the Cabinet Member for Education to approve the Element 3 Top-up funding rates allocated to the new banding descriptors as set out in Appendix 2 from the start of the new academic year in September 2017 and for the financial year 2018-19.
3. Endorsed the decision of the Cabinet Member for Education to approve the Element 3 top-up rates for 2018-19 as set out in Appendix 3 for those pupils continuing at the Special Schools and funded via the current A to H banding framework.
4. Note that the financial impact of the proposed changes will continue to be monitored both centrally and at a school level; and that both Redwood Park and Willows school funding will be reviewed in Summer 2018 due to the changing complexities of the children in these schools.

(all agreed unanimously).

34. Future School Funding Arrangements.

Richard Webb introduced the report and explained that the Cabinet Member for Education endorsed the proposals for implementing the funding formula arrangements at her decision meeting on 14th September.

Beverley Pennekett added that although the government has published further guidance on the 14th September, further technical and supporting information is yet to be published. As soon as this additional information is available, the team will start to analyse and review it.

DECISIONS

The Schools Forum:

1. Noted the Department for Education's proposed changes to the school revenue funding arrangements for 2018 to 2019 and 2019 to 2020, as set out in sections 4 and 5.
2. Noted that full national funding formula for 2018 to 2019 and 2019 to 2020 will be confirmed by the Department for Education in September alongside the responses to the national funding formula consultations.

3. Noted that the Local Authority level allocation for 2018 to 2019 for the schools, central school services and high needs blocks will also be published by the Department for Education in September. Final allocations will follow as usual in December, on the basis of pupil numbers recorded in the October census.

4. Endorsed the proposals for implementing the funding formula arrangements locally as set out in section 6
(agreed unanimously).

35. Future Meeting Date.

Due to the delays in the publication of the technical and supporting information in respect of the future school funding arrangements, it was proposed that the October meeting be cancelled and that an alternative meeting be arranged in November. Following discussion it was agreed that the next meeting take place on:

Tuesday 21st November 2017, 4.30pm, Conference Room A.

The meeting concluded at 5:45pm.

David Jeapes
Chair

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Agenda Item 7



Dear Director

We are writing on behalf of all employees working in your local authority area who are members of NAHT and the ATL and NUT sections of the National Education Union.

You will recall that, from last April, local schools decided through your Schools Forum to delegate funding for supply cover costs, which included trade union facilities time. We were disappointed with this decision – it is at odds with the overwhelming majority of local authorities in England and the advice issued by the Local Government Association and National Employers' Organisation for School Teachers in October 2015.

Discussions are now taking place in your authority on funding arrangements for supply cover costs from April next year and we are asking you to support the view taken by the vast majority of other Schools Forums that these funds should be retained at local authority level through de-delegation.

Successive governments have recognised the importance of good industrial relations and have legislated to provide a statutory basis for facilities time as follows:

- Paid time off for union representatives to accompany a worker to a disciplinary or grievance hearing
- Paid time off for union representatives to carry out trade union duties
- Paid time off for union representatives to attend union training
- Paid time off for union 'learning reps' to carry out relevant learning activities
- Paid time for union health and safety reps paid time during working hours to carry out health and safety functions.

These provisions are contained within the Employment Relations Act 1999, the Trade Union Labour Relations (Consolidation) Act 1992, and the Safety Representatives and Safety Committees Regulations 1977.

But most importantly, de-delegation will help maintain a coherent industrial relations environment where issues and concerns whether individual or collective can be dealt with more effectively. In other local authorities, de-delegation of the fund has allowed trade union representatives who understand the local context to continue to deal with issues arising within schools, without necessarily being a member of staff of the particular school. It has also allowed experienced trade union representatives to seek to resolve problems at an early stage, often informally. Well organised trade union representation has helped to support morale, reduce staff turnover and lower recruitment costs. We believe that co-operation and co-ordination between schools on these matters assists school leaders and governors in arranging the trade union representation to which staff are entitled.

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Irrespective of the funding arrangement, our chosen representatives are still entitled to be released to represent our members. Without a central pool, each employer is required to consult and negotiate separately with trade unions on employment procedures. Each employer is required to negotiate, fund and manage separate arrangements for trade union facilities and time off with pay for each trade union with membership at the school. And without a central pool all schools face higher costs by having to release trade union representatives from each union at the school to undertake their trade union duties and attend relevant union training in order to perform the role effectively.

Further, even having delegated the funding to schools, the local authority retains the statutory duty to allow paid release for trade union officers to carry out their trade union duties in respect of its employees. We expect our officers to be released from maintained schools as and when necessary to exercise their statutory rights. The funding delegated to a single school is not sufficient to meet the cost of releasing a local officer for their trade union duties, for example to allow them to negotiate with the local authority on the terms and conditions of teachers in the maintained schools within the authority. The local authority is therefore required to refund the school the release time or it will need to explain to the school that it must release our officers whether it is reimbursed or not.

We believe that co-operation and co-ordination between schools on these matters assists school leaders and governors to cost-effectively arrange the trade union representation to which staff are entitled.

All these arguments regarding cost-effectiveness and efficiency are echoed in the advice issued by the LGA and NEOST.

We hope that you will now reflect that your local authority should establish a central pool to cover staffing costs for trade union facility time and other civic responsibilities (including service as a magistrate and jury service), and accordingly that you will pass this information on to Schools Forum members advising them to vote for de-delegation.

Yours sincerely

Paul Whiteman

Mary Bousted

Kevin Courtney

Paul Whiteman
Mary Bousted
Kevin Courtney

**Children, Families and
Education**

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Date: 20th October 2017

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Dear Paul, Mary and Kevin

Trade Union Facility Time

Thank you for your recent letter regarding Trade Union Facilities time and your request that the local authority should establish a central pool to cover staffing costs.

Whilst I sympathise with some of the points you have made, the council's current view is to continue with the arrangements that are in place. This is based on the following observations:

- The government's direction of travel in recent years has been to increase accountability and responsibility for schools, allowing them to make their spending decisions directly. The published [advice on trade union facility time](#) makes it clear that, where the local Schools Forum has decided not to de-delegate facility time, individual schools manage their own facility time arrangements, and provides advice to school leaders on their responsibilities.
- Portsmouth Schools Forum agreed on 7th December 2016 that de-delegation should no longer take place for facility time after 31st August 2017 and that a traded service should be available from 1st September 2017 instead. This agreement was carried by 7 votes to 1, with one abstention. As of October 2017, 53 schools and academies (out of a total 63 schools) are signed up to the agreement which suggests that the switch from de-delegation to trading has not significantly harmed the level of funding available for facility time.
- The arrangements for de-delegation can be onerous and out of proportion to the level of funding involved. For example, any de-delegated services must be agreed by Schools Forum by phase and on an annual basis. Also, where schools change status during the year, then the funding de-delegated from the closing maintained school must be effectively paid back to the opening academy. Special schools and PRUs cannot have funds de-delegated, so separate traded services arrangements have to be put in place for them.

- The council would be reluctant, therefore, to propose a change to the current traded services arrangement, since this would add to the administrative burden, with little perceivable benefit for the trade unions or schools.
- As maintained schools in Portsmouth have continued to convert to academy status (academies now make up more than 50% of Portsmouth schools), the value of de-delegation has been outweighed by the administration involved. We have therefore moved more towards offering traded services (including one for facility time) so that all maintained schools and academies have an equal opportunity, as well as individual choice, to buy the services on offer. Services can be offered for multiple years where appropriate, which provides more clarity over funding.
- The introduction of the traded service appears to fit better with the government's decision to provide more autonomy to schools and the reduction in the role of local authorities. It also allows trade unions to engage more directly with schools and thus illustrate the benefits to schools of a co-ordinated approach to providing facility time.

I will continue to review the position and will share your letter and this response with Schools Forum Members.

Yours sincerely



Mike Stoneman
Deputy Director of Education

cc Alison Jeffery, Director of Children, Families and Education