



NOTICE OF MEETING

SCHOOLS FORUM

WEDNESDAY, 26 MAY 2021 AT 4.30PM

VIRTUAL REMOTE MEETING

Telephone enquiries to Lisa Gallacher 023 9283 4056

Email: lisa.gallacher@portsmouthcc.gov.uk

Membership

Schools Members

Two head teacher representatives - primary phase

One head teacher representative - secondary phase

One head teacher representative - special phase

Four academy representatives - primary proprietor

Five academy representatives - secondary proprietor

One academy representative - special proprietor

One governor - primary phase

One governor - secondary phase

Non School Members

Four Councillors (one from each political groups)

One 16-19 Education Providers representative

One Early Years Providers 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 of the previous meeting held on 10 February 2021 and Matters Arising (Pages 5 - 8)**

5 Early years sufficiency update report (Pages 9 - 12)

Purpose

Update on sufficiency in early years due to the impact of COVID 19 - latest information about sufficiency across the city and any long term impact from the pandemic that may continue to affect providers.

RECOMMENDED that School Forum Members to note the report as set out in section 3.

6 An evaluation of initiatives to manage the DSG's High Needs Block spending (Pages 13 - 18)

Purpose

The purpose of this report is to provide an evaluation of the impact of initiatives implemented with the aim of managing demand on the DSG's High Needs Block funding:

- 1 The establishment of a SEND 'Monitoring and Review' Hub to monitor the impact of element 3 funding attached to EHCPs and ensure value for money on behalf of Schools Forum.
- 2 A pilot project to test the use of AV1 'No Isolation' robots to increase the inclusion of children who are unable to physically attend school, and thereby increase the value for money of the medical tuition offer.
- 3 The Turnaround project, funded by a DfE grant which has now come to an end, and which focused on increasing the successful reintegration of children from Alternative Provision (AP) to mainstream schools thus increasing the availability of AP places.

RECOMMENDED

2.1 It is recommended that Schools Forum note:

2.1.1 The progress the SEND Monitoring and Review Hub has made and that a full evaluation of the impact of the work after 18 months will be brought to Schools Forum in 2022.

2.1.2 Continued funding of 6 AV1 'No Isolation' robots £15k per annum.

2.2 It is expected that Schools Forum approve:

2.2.1 Funding the Turnaround project circa £100k per annum with a minimum commitment of 3 years. Any future funding would be based on a full evaluation of the project.

7 Schools Forum Constitution 2021-22 (Pages 19 - 36)

Purpose

- To update the Schools Forum on the composition of membership which has been updated to provide for appropriate representation between maintained schools and academies within the city,
- To seek Schools Forum approval to revise the constitution attached at Appendix A.

RECOMMENDED that Schools Forum approves the revised constitution attached at appendix a, to take effect from 26 May 2021.

8 Schools Specific Contingency request (Pages 37 - 52)

Purpose

To request the use of the Schools Specific Contingency by Manor Infant School to support the financial impact of the loss of pupil premium funding as set out in the business case in Appendix 1

RECOMMENDED that schools forum approve the request from manor infant school for financial support to the sum of £17,485 from the schools specific contingency to cover a shortfall in funding as set out in appendix 1.

9 Quarter 3 Budget Monitoring (Pages 53 - 60)

Purpose

The purpose of this report is to inform Schools Forum of the projected revenue expenditure of the Dedicated Schools Grant (DSG) for the current financial year 2020-21 as at the end of December 2020.

RECOMMENDED

It is recommended that Schools Forum notes the forecast year-end budget position for the Dedicated Schools Grant as at 31 December 2020, together with the associated explanations contained within this report.

10 Future Schools Forum meetings

The dates of future meetings are as follows:

- 26 May 2021
- 7 July 2021
- 6 October 2021
- 1 December 2021
- 19 January 2022
- 9 February 2022

All meetings are at 4:30pm

The Schools Forum are asked to consider whether they wish to proceed with virtual meetings going forward as permitted under the amended Schools and Early Years Finance (England) regulations 2021 or whether they wish to revert to face to face meetings.

This page is intentionally left blank

Agenda Item 4

SCHOOLS FORUM

MINUTES OF THE MEETING of the Schools Forum held on Wednesday, 10 February 2021 at 4.30 pm as a virtual meeting.

Present

Jackie Collins	Head Teacher	Primary Phase
Dave Jones	Head Teacher	Primary Phase
Jason Crouch	Governor	Secondary Phase
Share D'all	Governor	Primary Phase
Sharon Burt	Academies	Special Schools
Nys Hardingham	Academies	Secondary Phase
Sean Preston	Academies	Primary Phase
Nathan Waites	Academies	Secondary Phase
Simon Barrable	Representative	16 - 19 Education
Terry Norton	Councillor	Conservative Party
Lynne Stagg	Councillor	Liberal Democrat Party
Judith Smyth	Councillor	Labour Party

8. Apologies

Apologies for absence were received from David Jeapes and Cllr Claire Udy.

Dave Jones as Vice Chair chaired the meeting today.

9. Declarations of Interest

Alison Egerton said there were no outstanding declaration of interest forms.

No further interests were declared.

10. Membership Changes

Alison Egerton reported that an academy sponsor had expressed an interest in being a secondary school academy representative on the Forum and Chris Purnell from the Thinking Schools Academy Trust would be joining the Forum from the May meeting.

There are two remaining secondary school academy vacancies and Alison would be sending an email after the meeting to seek representatives.

There are two primary academy representatives. Laura Flitton from Court Lane Junior School was attending the meeting today as an observer and it was hoped that she would decide to join the Forum after the meeting.

With regard to tenures that are due to expire before the next meeting, Nathan Waites tenure was due to expire on 22 May and she would be in contact with him to see if he is willing to renew his tenure.

11. Minutes of the previous meeting held on 13 January 2021 and matters arising

RESOLVED that the minutes of the previous meeting held on 13 January 2021 be confirmed as a correct record.

There were no matters arising from the minutes.

12. Dedicated Schools Grant Budget 2021-22

The report was introduced by Angela Mann, Finance Manager.

In response to a question about the Turnaround Project Mike Stoneman advised that this was funded through the Innovation Fund and had been successful in reintegrating pupils in Key Stage 3 at the Harbour School back into mainstream schools through a holistic whole family approach. It is a relatively expensive programme and the funding has come to an end. Officers want to see if this can be continued and will be carrying out some consultation with secondary head teachers and other colleagues to consider working up a model to consider how this could be funded going forward. More detailed proposals would come back to the May Schools Forum once the consultation had been completed.

Julia Katherine added that the evaluation of the project was very positive in terms of increasing the number of children who were successfully reintegrated back into their mainstream schools. The aim is to build on this for any model going forward.

Nys Hardingham had been involved in the project from the outset. She said as a secondary headteacher she had seen a significant advance in the quality of the short stay alternative provision and the impact it has had on children and families. It has allowed more children to remain in secondary schools which has reduced numbers of potential permanent exclusions and reduced some of the increased pressures on SEMH places. She felt this was a small investment in inclusion across the city to prevent pressures on the high needs block.

RESOLVED Schools Forum:

- (1) Endorsed the initial determination of the Schools Budget for 2021-22 as set out in Appendix 1.**
- (2) Endorsed the 2021-22 Special School, Inclusion Centre and**

Alternative Provision Places as set out in Appendix 2.

- (3) Endorsed the 2021-22 Element 3 Top-up values for Special Schools, Inclusion Centres, Alternative Provision settings and pupils with an EHCP in Mainstream schools as set out in Appendix 3**
- (4) Endorsed the proposal to consult with The Harbour School and secondary schools with reference to the Turnaround project as set out in paragraph 5.23.**
- (5) Endorsed the proposal that any carry forward of balances from 2020-21 be used to assist with the continued introduction of the funding reform changes and fund any potential financial pressures arising during 2021-22.**

13. 2020-21 Early Years Providers Covid-19 Additional Grant, Spring 2021

The report was introduced by Mike Stoneman, Deputy Director of Children, Families Education - Education.

In response to a question Mike said that this would be the final payment for this financial year. Alison Egerton added that with regards to the funding relating to Covid, the only legislation change has been to this financial year. With the DSG there is a change in funding in July when the census data is reviewed. With the lower pupil numbers this year, officers are not clear on what the impact will be on funding mid-year. It was not proposed to come back with another grant proposal unless the legislation was to change in the 2021-22 financial year.

RESOLVED

Schools Forum endorsed the proposed grant values to be paid in the spring term 2021 subject to the forecast year end position as set out in Table 1.

The meeting concluded at 4.52 pm.

.....

Chair

This page is intentionally left blank

Agenda Item 5



THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

Title of meeting:	Schools Forum
Subject:	Sufficiency update for Early Years.
Date of meeting:	26 th May 2021
Report by:	Mindy Butler Update on Sufficiency in early year's due to impact of Covid 19.
Wards affected:	All

1. Purpose

- 1.1 Update on sufficiency in early years due to the impact of COVID 19 - latest information about sufficiency across the city and any long term impact from the pandemic that may continue to affect providers.

2 Recommendation

- 2.1 School Forum Members to note the report as set out in section 3.

3 Early year's sufficiency and the impact of the pandemic

- 3.1 The past year has brought many challenges for the Early Years sector, and sufficiency has been at the heart of this. Many settings temporarily closed their doors at the start of the pandemic and although they were able to claim their forecast funding amount and any additional payment if they had offered more hours than had been paid by the end of the Summer term, many lost a lot of private income and a change in guidance meant that staff could only be furloughed on the percentage of private income not their funding income. A number of discretionary grants were given to eligible providers, and those who pay business rates were given a freeze on these payments until the end of the financial year (this has since been extended until June with a 75% discount for the rest of the year).
- 3.2 The DfE advised LA's to pay providers on their indicative budget in the autumn term, and this helped many settings who were experiencing a significant drop in hours that children were attending during this period. 21 settings were paid significantly more in hours than they had children attending. However there were some settings who exceeded the hours of their indicative budget and therefore were paid the excess amount according to the number of hours children attended their setting during the term.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

- 3.3 Following agreement from schools forum and Cabinet members in the autumn term we were able to give all providers who offer funded places across the city a COVID 19 discretionary grant at the beginning of the spring term. £2700 for nurseries and £500 for childminders. Following agreement in the spring term schools forum for a second COVID grant payment (the amount to be dependent on funds available), we were very pleased to have been able to make a payment to providers this term for the same amount as the previous grant. As larger numbers of children are starting to return to childcare again, and levels of infection decrease within the city, we hope that early years will be able to start getting back to a 'new normal' this term and that the grant will give them a welcome boost to the income that they may have lost during lockdowns.
- 3.4 Since the pandemic started we have had 4 nurseries close across the city and two childminders resign their posts. These providers had been struggling prior to COVID 19 and the drop in attendance and private income during this challenging period made their decision to close unequivocal. On a positive note, two new nurseries have been registered over the past six months, and there have been a few enquiries from people wanting information about starting up as a childminder.
- 3.5 Two of our larger day care facilities had to close during all lockdowns due to their being based on the site of a gym. Places were found for these children in other settings owned by these nurseries but obviously these closures have impacted these businesses significantly. One of these settings will not re-open until September as they do not have enough children on the register to re-open this term.
- 3.6 Our Quality and Sufficiency officers have been in regular contact with providers in their localities, and the larger day care providers are reporting good numbers and fewer concerns about sufficiency than the smaller pre-schools some of which are attached to school sites. These settings often open from 9-3.30 to reflect school hours and are less likely to welcome full time working parents due to their hours. Many parents whose school children have been at home, have not registered their siblings, who would, in normal times, attend pre-school. We have seen an increase in registrations since schools re-opened but it will be these smaller settings who will need to see a quick return to normal in order to remain sufficient moving forward.
- 3.7 In recent conversations with providers we have been told that many settings are full over the summer period and numbers are looking promising for registered children in September. We hope that as parents start to return to a regular working pattern again and some return to offices and workplaces that we will see an increase in the hours that are being taken up in settings. Many providers decreased the hours that they were open during the last few months as parents who were working from home were not using the early starts and late finishes as

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

much as before. We hope that they will be able to extend their hours again soon. Providers benefitted in the summer and autumn term from business support and advice from Hempsalls early years consultants, who gave 1:1 support to some businesses and group support in the form of four training sessions over a few months, looking at how to adapt businesses to the new world and how to get the most from funded hours and private income, as well as some invaluable tools to create accurate forecast reports, and how to adapt in a constantly changing market during the pandemic. Many settings and childminders reported how useful this advice has been and changed some of their business practice accordingly.

- 3.8 In summary, the sector has faced some very significant difficulties over the past year that have impacted their businesses considerably. We are hopeful that we can continue to support those struggling, with business support, and signposting families to targeted settings to increase their numbers. The COVID grant has been a welcome addition of funds to boost deficits that may be present due to the pandemic. Later in the summer the full Sufficiency assessment for the city will be written as part of our statutory duty, and it is hoped that we will have a clearer picture of the full impact of the pandemic, and will be able to focus on providers that may need extra support. It is worth noting that the resilience and 'can do' attitude of the sector has been very humbling, and we hope that the positive 'green shoots' that we see with increasing numbers of children attending childcare across the city, will continue, and early years will be able to get back to 'business as usual' as soon as possible.

.....
Signed by (Director)

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Not applicable	

This page is intentionally left blank

Agenda Item 6

Title of meeting:	Schools Forum
Date of meeting:	26 th May 2021
Subject:	An evaluation of initiatives to manage the DSG's High Needs Block spending
Report from:	Alison Jeffery, Director of Children, Families and Education
Report by:	Julia Katherine, Head of Inclusion, Education Service
Wards affected:	All
Key decision:	Yes/No
Full Council decision:	Yes/No

1. Purpose of report

- 1.1 The purpose of this report is to provide an evaluation of the impact of initiatives implemented with the aim of managing demand on the DSG's High Needs Block funding:
 - 1.1.1 The establishment of a SEND 'Monitoring and Review' Hub to monitor the impact of element 3 funding attached to EHCPs and ensure value for money on behalf of Schools Forum.
 - 1.1.2 A pilot project to test the use of AV1 'No Isolation' robots to increase the inclusion of children who are unable to physically attend school, and thereby increase the value for money of the medical tuition offer.
 - 1.1.3 The Turnaround project, funded by a DfE grant which has now come to an end, and which focused on increasing the successful reintegration of children from Alternative Provision (AP) to mainstream schools thus increasing the availability of AP places.

2. Recommendations

- 2.1 It is recommended that Schools Forum note:
 - 2.1.1 The progress the SEND Monitoring and Review Hub has made and that a full evaluation of the impact of the work after 18 months will be brought to Schools Forum in 2022.
 - 2.1.2 Continued funding of 6 AV1 'No Isolation' robots £15k per annum.
- 2.2 It is expected that Schools Forum approve:

- 2.2.1 Funding the Turnaround project circa £100k per annum with a minimum commitment of 3 years. Any future funding would be based on a full evaluation of the project.

3. Monitoring and Review Hub

- 3.1 In February 2021, Schools Forum endorsed and the Cabinet Member approved the establishment of a SEND 'Monitoring and Review' Hub to work on behalf of Schools Forum to ensure value for money within the high needs provision both in the city and with Out of City providers. It was expected that this spend to save initiative would help to cap the increase in costs seen across the high needs sector by ensuring the appropriate level of funding to meet support requirements.
- 3.2 The initiative was expected to run for two financial years starting in April 2020 at an annual cost of £180,000, but due to the national lockdown the start date for the recruitment process was delayed until September 2020. The unspent balance has been returned to the DSG and will form part of the 2020-21 carry-forward balance.
- 3.3 The funding has enabled recruitment to four posts, two SEND Caseworkers and two SEND Advisers. These four new posts make up the Monitoring and Review hub and have now been recruited to. Two members of staff started in January 2021, the remaining two started after the February half term.
- 3.4 The purpose of these posts will be to focus on annual reviews of EHCPs to ensure that:
- The support specified within the EHCP is being delivered and is achieving the intended outcomes
 - The EHCP is being funded at the correct level, in line with the child's needs
 - Where there is evidence to suggest that the support required should be reduced or an EHCP should be ceased, then this is actioned
 - All out of city placements are proactively reviewed to ensure that plans are in place for when these children's needs can be met within the city.
 - Ensure timescales are met for responding to requests for changes in provision following annual review meetings, as well as amending or ceasing EHCPs, where this is appropriate.
- 3.7 The above actions will contribute to the increased accountability for DSG spending and the value for money assurance requested by Schools Forum. Given the delay in recruitment due to the pandemic, It is proposed that a full evaluation of the impact of the work of the Monitoring and Review Hub across a full year is brought to Schools Forum in early 2022.

4. AV1 'No isolation' robots

- 4.1 The Local Authority commissions The Harbour School to provide tuition to those pupils who are in hospital, or unable to attend school due to a decision

made by a medical practitioner. The funding for 2021-22 remains at £660,000 for this provision.

- 4.2 In 2020-21 funding was included in the budget for a pilot using AV1 robots to support remote learning and engagement for pupils unable to attend school for medical reasons. A small pilot began in September 2020 and initial feedback was positive. All schools involved in the pilot have reported that they believe the AV1 devices to be a valuable tool as part of the medical continuum.
- 4.3 The pilot was paused due to the 'lockdown' restrictions between January and March 2021. This was at no cost to the LA as the cost of the trial is deductible from the overall cost of purchase. The trial was re-started once schools returned to full on-site attendance. £3,896 has so far been spent on the rental of the AV1 robots. Originally this was intended to cover the 3 month pilot, but the pilot has now been running for nearly a year at no additional cost.
- 4.4 The pilot has involved 6 AV1 devices, deployed across 5 schools, including primary, secondary and special schools. So far 7 children have been allocated an AV1 'robot'.
- 4.5 Feedback from schools and families involved in the pilot included the following points:
- Use of the AV1 by a child with a long term medical condition (heart related) has meant that during the Covid19 pandemic, she has been able to attend school throughout and spend time with her peers.
 - Feedback from pupils in school has been positive; they have liked the idea that they could keep in contact for the periods of time that the pupil was unable to attend.
 - Feedback from the pupils using the devices has been positive; they have really enjoyed still being part of the class, keeping up to date with topics, joining in with lessons and seeing their peers.
 - Parental feedback has been positive; they have reported being very happy with the way that it allows the child to stay in touch with the class and what is going on in school.
 - The benefit of the AV1s have been identified by schools as maintaining the child's engagement with the class, keeping up to date with the learning taking place in class, gaining the teacher's direct input, being able to get instant responses from the child and enabling the child to maintain relationships with their peers.
- 4.6 It is recommended that there is a continuation of the funding for AV1 devices in order to enable AV1s to become part of the offer of support for children who are unable to physically attend school for a period of time. Decision making about suitability of this approach for an individual child can be made by the Inclusion Support Panel (Fair Access Panel), where decisions are already made about access to medical tuition.

4.7 Between September 2020 and April 2021, there have been 20 new referrals for medical tuition. Having the option of providing an AV1 robot in response to referrals for medical tuition will enhance the offer by ensuring that the child remains more connected to their mainstream class and is therefore more ready for reintegration at the appropriate time. In addition, AV1 devices enable more hours of education to be delivered more cost effectively than individual tuition as well as ensuring the provision is more tailored to individual need. Currently, medical tuition is block funded and so increased demand can result in a reduction in the hours available for individual children.

5. Turnaround project

- 5.1 The Turnaround Project was funded by DfE grant money which ended in August 2020. Turnaround was focussed on Key Stage 3 pupils accessing Short Stay School as well as pupils at The Harbour School through Alternative Provision. The focus was on increasing the successful reintegration of pupils to their mainstream school - and evidence showed the project had significant impact on reintegration rates. Evaluation evidence points to a number of key factors including; retaining and building relationships between the pupil and their mainstream school, long-term wrap-around family-based support and the utilisation of the principles underpinning PACE (Playfulness, Acceptance, Curiosity and Empathy).
- 5.2 The Turnaround approach included support for mainstream schools, one-to-one key working for the pupils and advocacy for the family. This approach enables better management of the system of accessing short episodes of Alternative Provision at The Harbour School, which in turn means an improved flow of children through the school, freeing up spaces for other children and reducing long-term Alternative Provision costs for schools.
- 5.3 Following the success of the Turnaround Project, we have consulted with The Harbour School and secondary schools about how best to build on this work to further increase successful reintegration of pupils from Alternative Provision at The Harbour School back to mainstream.
- 5.4 The evaluation of the Turnaround project has shown that the outcomes of the project included:
- Reintegration to mainstream - 85% of pupils successfully returned to their mainstream school.
 - Social and emotional skills - 100% of pupils evidenced an increase in their emotional literacy skills.
 - Support for families - 86% success achieved in at least 2 areas of Troubled Families outcomes. 38% of the families being supported had no other agency involvement in terms of Early Help. By the end of the project, 71% of these had Early Help Assessments and plans in place (36% had targeted Early Help or Children's Social Care involvement). As a result of the project, additional support was being provided to 19 siblings in addition to the pupils directly involved.

- Improved relationships within the home - 100% of parents reported relationships as 'better' or 'very much better'. 80% of pupils reported relationships as 'better' or 'very much better'.

5.5 Qualitative comments included the following:

- *'Constant communication fromwith myself and mainstream. Help from During her CAMHS assessment' (Parent)*
- *'Being able to talk to someone about things made me buck my ideas up' (Pupil)*
- *'There's been a real transformation in ...' (Head Teacher)*

5.4 It is proposed that £100k (full year effect) High Needs Block funding is used to continue the work of the Turnaround Project. This would fund one band 8 and two band 6 workers. Funding would need to be agreed for at least 2 consecutive years in order to enable recruitment and training of staff with the skill set required.

5.5 The outcomes that can be expected from this investment are: increased successful reintegration from Alternative Provision to mainstream schools, ensuring that Alternative Provision places are available for those who most need them, as well as improved relationships with families.

5.5 One of the key factors contributing to the success of the Turnaround Project was the perception of staff as independent to both The Harbour School and the mainstream school. It is therefore proposed that this work is located as part of the Inclusion Outreach Service, alongside the Multi-Agency Behaviour Support Service, with accountability to the Inclusion Group.

6. Equality impact assessment

6.1 An equality impact assessment is not required as the recommendations do not have a negative impact on any of the protected characteristics as described in the Equality Act 2010.

7. Legal implications

7.1 Local authorities are required to inform and consult with the Schools Forum in respect of financial issues relating to arrangements for pupils with special educational needs.

7.2 The high needs funding system supports provision for children and young people with special educational needs and disabilities (SEND) from their early years to age 25, enabling both local authorities and institutions to meet their statutory duties under the Children and Families Act 2014 (the Act).

7.3 Under section 27 of the Act the local authority is under a duty to keep under review the educational provision, training provision and social care provision made in its area for children and young people who have special educational

needs or a disability.

- 7.4 The recommendations sought in this report contribute towards monitoring the value for money provision in the High Needs Block and assisting the local authority in managing demand on the High Needs Block funding to ensure the LA can continue to meet its statutory duties.

8. Head of Finance comments

- 8.1 In February 2021, Schools Forum endorsed and the Cabinet Member approved the Dedicated Schools Grant (DSG) budget for 2021-22. The budget contained funding for both the SEND Hub and AV1 Robots as detailed in the report.
- 8.2 At the time of approving the budget a decision had not been made on the proposals regarding the reintegration of pupils from Alternative Provision back to their mainstream school. Should the proposals be endorsed by Schools Forum and subsequently approved by the Cabinet Member for Children, Families and Education, the DSG budget will be revised to include the part-year costs and brought to a future meeting for approval.

.....
Signed by: Alison Jeffery, Director of Children, Families and Education

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:

Agenda Item 7



Portsmouth
CITY COUNCIL

Title of meeting: Schools Forum

Date of meeting: 26 May 2021

Subject: Schools Forum Constitution 2021-22

Report by: Alison Jeffery, Director of Children, Families and Education

Wards affected: All

Key decision: Yes/No

Full Council decision: Yes/No

1 Purpose of report

1.1 The purpose of this report is to:

- 1.1.1 update the Schools Forum on the composition of membership which has been updated to provide for appropriate representation between maintained schools and academies within the city,
- 1.1.2 seek Schools Forum approval to revise the constitution attached at Appendix A.

2 Recommendations

2.1 It is recommended that Schools Forum:

- 2.1.1 approves the revised constitution attached at Appendix A, to take effect from 26 May 2021

3 Background

3.1 The Schools Forums (England) Regulations 2012 (as amended), together with the 'Schools Forum: operational and good practice guide' published by the Education and Skills Funding Agency¹, set out how the membership of Schools Forums should be constituted, the requirements relating to the meetings of the Schools Forum and their proceedings, as well as the financial issues on which forums must be consulted.

¹[Schools forum operational and good practice guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/544441/schools_forum_operational_and_good_practice_guide.pdf)



Schools Forum approved the current constitution in May 2018, May 2019 and again in July 2020. Following a review of the current make up, as set out in section 4 of this report, it is proposed to revise the constitution to reflect the change to the proportion of pupils in academy primary schools following recent academy conversions.

4 Membership

- 4.1 The membership structure is required to be reviewed regularly to ensure appropriate representation is maintained, particularly where there is a change in the number of academies in the city.
- 4.2 Whilst there is no specified maximum or minimum size required for a Schools Forum, it is recommended that the membership should be kept to a reasonable size. The proposals below seek to retain the overall membership at 22.

School & Academy Members

- 4.3 The School and Academy members together must number at least two-thirds of the total membership of the Schools Forum and the balance between maintained primary, maintained secondary and academies must be broadly proportionate to the pupil numbers in each category.
- 4.4 Since the last constitution was approved by Schools Forum, there have been further Academy conversions within the city so that currently there are 20 maintained schools and 39 academies.
- 4.5 The table below summarises the pupil numbers across the categories, (based on the October 2020 census) and shows that Academies account for 68% of the pupil population in the city.

Percentage of pupil numbers in each school category as at October 2020						
Category	NOR maintained schools	%	NOR academies	%	NOR Total	%
Primary	6,417.00	76%	9,694.00	54%	16,111.00	61%
Secondary	1,978.00	24%	7,569.00	42%	9,547.00	36%
Special / AP	0.00	0%	691.00	4%	691.00	3%
TOTAL	8,395.00	100%	17,954.00	100%	26,349.00	100%
%	32%		68%		100%	

- 4.6 Whilst Academies account for 68% of the total pupil population in the city, this differs by phase as shown below.



Percentage of pupil population by Phase as at October 2020			
Category	% pupils in maintained schools	% pupils in academies	Total
Primary	40%	60%	100%
Secondary	21%	79%	100%
Special / AP	0%	100%	100%

- 4.7 Following the conversion of four primary schools over the last two years and the recent conversion of the last maintained special school to academy status, the proportion of pupils in academy schools has increased significantly. It is therefore proposed to update the structure of the Schools Forum membership in respect of the 'School Members' and 'Academy Members', as shown below.

School Members:	Current Structure	Proposed Structure
Head teacher representative - primary phase	2	2
Head teacher representative - secondary phase	1	1
Head teacher representative - special phase	1	0
Governor representative - primary phase	1	1
Governor representative - secondary phase	1	1
Total School Members	6	5
Academy Members:		
Primary Academy Proprietor	4	5
Secondary Academy Proprietor	5	5
Special Academy Proprietor	1	1
Total Academy Members	10	11
Total School & Academy Members	16	16

- 4.8 The summary below shows how the schools will be represented in total by phase (both maintained and Academy).

Primary Members	8
Secondary Members	7
Special Members	1
Total School Members	16

- 4.9 A maintained school member must stand down from membership of Schools Forum if their school converts to Academy status, as the member will no longer occupy the office by which he or she became eligible for election.



- 4.10 There are no proposed amendments to the remaining membership which is as follows:

Councillors	4
Post-16 representative	1
Early Years representative	1
Total Other Members	6

5 Meetings

- 5.1 Due to the Coronavirus pandemic the Government updated the Schools Forum regulations. The Schools Forum (England) (Coronavirus) (Amendment) Regulations 2020 which came into effect on 18 June 2020 to provide Schools Forum with the powers to meet remotely while they are unable to meet physically due to the Coronavirus. These powers were in place to the 31 March 2021.
- 5.2 On 26 March 2021 the Education and Skills Funding Agency wrote to all local authorities confirming that the School and Early Years Finance (England) regulations 2021 amended The Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020 to make permanent the provision to enable Schools Forums meetings to be held remotely. The regulations set out that Schools Forum must be public meetings, which includes meetings that the public can access remotely. This includes but is not limited to telephone conferencing, video conferencing, live webcast and live interactive streaming.
- 5.3 Consideration has been given regarding the impact on the current constitution of the permanent revision to the legislation and it is proposed to update Section 4 to include this revision.

6 Reasons for recommendations

- 6.1 The proposals within this paper are required to ensure that operation of the Schools Forum in Portsmouth is compliant with the relevant regulations and good practice guidance issued by the Department for Education.
- 6.2 In particular it is necessary to regularly review the Schools Forum membership to ensure that appropriate representation is made, particularly where there is a change in the number of Academies in the city.

7 Integrated impact assessment

- 7.1 An integrated impact assessment is not required as the recommendations do not have a positive or negative impact on communities and safety,

regeneration and culture, environment and public space or equality and diversity.

8 Legal implications

- | | |
|-----|---|
| 8.1 | Regulation 35 of the School and Early Years Finance (England) Regulations 2021 has effect to permit, on a permanent basis, public meetings of the Schools Forum to be held by remote means. |
| 8.2 | The form of constitution attached at Appendix A continues to reflect the requirements of the Schools Forums (England) Regulations 2012 (as amended). |

9 Director of Finance's comments

- 9.1 There are no financial implications contained within this report.

Signed by: Alison Jeffery, Director Children Families and Education

Appendices:

Appendix 1: Schools Forum Constitution (including the powers and responsibilities)

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
The Schools Forums (England) Regulations 2012 (as amended)	<u>The Schools Forums (England) Regulations 2012 (legislation.gov.uk)</u>
Schools Forums: operational and good practice guide	<u>Schools forum operational and good practice guide amended March 2021.pdf</u>
School and Early Years Finance (England) Regulations 2021	<u>The School and Early Years Finance (England) Regulations 2021 (legislation.gov.uk)</u>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

Signed by:

This page is intentionally left blank



SCHOOLS FORUM CONSTITUTION with effect from 26th May 2021

1. Composition

Membership of the Schools Forum should be as follows:

Membership:

School Members:

Head teacher representative - primary phase	2
Head teacher representative - secondary phase	1
Governors - primary phase	1
Governors - secondary phase	1
	5

Academy Members:

Academy representative - primary proprietor	5
Academy representative - secondary proprietor	5
Academy representative - special proprietor	1
	11

Total School & Academy Members **16**

Non School Members:

Councillors – a non-executive representative from each political group	4
16-19 Representative	1
Early Years providers (from PVI sector)	1

Total Non School Members **6**

Total Membership **22**

Named substitutes may be nominated for each representative in case of unavailability. Substitutes will be named by the appropriate electing body and will have full voting rights.

The membership structure of the schools forum will be reviewed regularly to ensure appropriate representation is maintained; particularly where there is a change in the number of Academies in the city.

School & Academy Members:

Maintained school head teacher representatives should be elected by the appropriate **Phase Conference**.

Maintained school Governor representatives should be elected by Governors. If it is not possible to appoint sufficient numbers of Governor representatives, then additional maintained school head teachers from the relevant phase can be appointed in their place.

Academy Members will be elected by the **Proprietor bodies** of the academies in the area, through their election processes:

- Academies members representing mainstream Academies must be elected to the Schools Forum by the Proprietors of mainstream Academies in the Authorities area by phase.
- Academies members representing Special Academies must be elected to the Schools Forum by the Proprietors of special Academies in the Authorities area.

The Proprietor bodies (or governing bodies) of the Academies must determine the nomination process by which Academy representatives are nominated and elected to the Portsmouth Schools Forum.

Academy members represent the Proprietor bodies of Academies and therefore members are not restricted to Head Teacher or Governors.

If for any reason the Proprietor bodies are unable to select Academy representatives through their election process by the date notified, the Authority will seek representatives via the appropriate phase conferences.

Non-Schools Members:

The local authority will be responsible for seeking nominations from relevant bodies.

The Authority may not appoint any executive member or relevant officer of the authority to their forum as a non-schools member.

“executive member” means— any elected member of the authority appointed to the executive of that authority.

“relevant officer” means—

- (a) the director of children’s services of the authority,
- (b) any officer employed or engaged to work under the management of the director of children’s services, other than one who directly provides education to children or who manages such a person, or
- (c) any officer whose work involves management of, or advice on, school funding.

Observers:

The following additional members will have observer status, but participate fully in the debates of the Forum:

- Lead Cabinet Member for Children & Education
- Director of Children's Services
- Education Funding Agency representative (EFA)

2. Term of Membership

The term of membership for **any** member, the Chair and Vice Chair shall be **two** years, but members may hold office continuously if nominated by their appropriate forum.

A Forum member remains in office until—

- (a) the member's term of office expires;
- (b) the member ceases to hold the office by virtue of which the member became eligible for election, selection or appointment to the forum;
- (c) the member resigns from the forum by giving notice in writing to the authority; or
- (d) in the case of a non-schools member, the member is replaced by the authority, at the request of the body which the member represents, by another person nominated by that body
- (e) whichever comes first.

If a member of the Forum has not attended for three consecutive meetings the clerk shall contact those members. If the reason for non-attendance is deemed inadequate by the Forum, then their appointment will be reconsidered by the phase that they represent.

3. Powers and Responsibilities

The powers and responsibilities of the Schools Forum are set out in appendix 1 attached.

4. Sub groups

Two sub groups shall meet as necessary to discuss in detail the key responsibilities of the Schools Forum and to report back:

- (1) Service Level Agreements / contracts
- (2) Revenue funding formula matters

Membership of sub groups will be agreed by Schools Forum and may include non-Schools Forum members.

4. Meetings

The Schools Forum shall meet at least 4 times a year and are quorate if at least 40% of the total membership is present. *(This excludes any observers, and it is 40% of the current membership excluding vacancies).*

If a meeting is inquorate it can proceed but it cannot legally take decisions *(e.g. election of a Chair, or a decision relating to funding conferred by the funding regulations).*

All meetings of the schools forum must be public meetings. Meetings can be face to face or held remotely, this includes (but is not limited to) telephone conferencing, video conferencing, live webcast and live interactive streaming. All papers considered by the forum and the minutes of their meetings will be published on the Council website.

The Forum shall elect every two years a chair and vice-chair from among their number. The vice-chair has the authority to act on behalf of the chair in their absence. The chair can convene additional meetings as required.

The following persons may speak at meetings of the forum, even though they are not members of the forum-

- (a) the director of children's services at the authority or their representative;
- (b) the chief finance officer at the authority or their representative;
- (c) any elected member of the authority who has primary responsibility for children's services or education in the authority;
- (d) any elected member of the authority who has primary responsibility for the resources of the authority;
- (e) any person who is invited by the forum to attend in order to provide financial or technical advice to the forum;
- (f) an observer appointed by the Secretary of State; and
- (g) any person presenting a paper or other item to the forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that the person is presenting.

The Authority will be responsible for preparing agendas, papers and minutes of the Forum's meetings, in consultation with the chair and for their publication of such papers on the Authority's website.

5. Voting procedures

All Members are entitled to vote on all matters put to a vote, except that non-schools members, other than those who represent early years providers, must not vote on matters relating to the formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers in accordance with regulations made under sections 47 and 47ZA of the Schools Standards and Framework Act 1998.

Only the schools members of the schools forum who are representatives of primary schools may vote to decide whether or not to authorise items to be removed from maintained schools budget shares (i.e. items that can be de-delegated) where they relate to primary schools.

Only the schools members of the schools forum who are representatives of secondary schools may vote to decide whether or not to authorise items to be removed from maintained schools budget shares (i.e. items that can be de-delegated) where they relate to secondary schools.

Only the school members of the schools forum who are representatives of primary schools, secondary schools, special schools (including pupil referral units) may vote to decide whether or not to authorise the redetermination of the schools budget shares by removal of the expenditure referred to in Part 7 Schedule 2 (items to be removed from maintained schools budget shares) of The School and Early Years Finance Regulations.

Voting will be based on the majority vote of those present (subject to quorate rules) with the Chair holding the casting vote if voting is equal.

This page is intentionally left blank



Schools forum powers and responsibilities

A summary of the powers and responsibilities of schools forums.

Function	Local authority	Schools forum	DfE role
Formula change (including redistributions)	Proposes and decides	Must be consulted [voting restrictions apply - see schools forum structure document] and informs the governing bodies of all consultations	Checks for compliance with regulations
Movement of up to 0.5% from the schools block to other blocks	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
Contracts (where the LA is entering a contract to be funded from the schools budget)	Proposes at least one month prior to invitation to tender, the terms of any proposed contract	Gives a view and informs the governing bodies of all consultations	None

Function	Local authority	Schools forum	DfE role
Financial issues relating to: <ul style="list-style-type: none"> • 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 	Consults annually	Gives a view and informs the governing bodies of all consultations	None
Minimum funding guarantee (MFG)	Proposes any exclusions from MFG for application to DfE	Gives a view	Approval to application for exclusions

Function	Local authority	Schools forum	DfE role
De-delegation for mainstream maintained schools for: <ul style="list-style-type: none"> 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 School improvement 	Proposes	Maintained primary and secondary school member representatives will decide for their phase. Middle schools are treated according to their deemed status	Will adjudicate where schools forum does not agree LA proposal
General Duties for maintained schools <ul style="list-style-type: none"> Contribution to responsibilities that local authorities hold for maintained schools (please see operational guide for more information) 	Proposes	Would be decided by the relevant maintained school members (primary, secondary, special and PRU).	Adjudicates where schools forum does not agree LA proposal
Central spend on and the criteria for allocating funding from: <ul style="list-style-type: none"> funding for significant pre-16 pupil growth, including new schools set up to meet basic need, whether maintained or academy 	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal

Function	Local authority	Schools forum	DfE role
<ul style="list-style-type: none"> funding for good or outstanding schools with falling rolls where growth in pupil numbers is expected within three years 			
<p>Central spend on:</p> <ul style="list-style-type: none"> early years block provision funding to enable all schools to meet the infant class size requirement back-pay for equal pay claims remission of boarding fees at maintained schools and academies places in independent schools for non-SEN pupils admissions servicing of schools forum Contribution to responsibilities that local authorities hold for all schools 	Proposes	Decides	Adjudicates where schools forum does not agree LA proposal
<p>Central spend on:</p> <ul style="list-style-type: none"> capital expenditure funded from revenue – projects must have been planned and decided on prior to April 2013 so no new projects can be charged contribution to combined budgets – this is where the schools forum agreed prior to April 2013 a 	Proposes up to the value committed in the previous financial year and where expenditure has already been committed.	Decides for each line	Adjudicates where schools forum does not agree LA proposal

Function	Local authority	Schools forum	DfE role
<p>contribution from the schools budget to services which would otherwise be funded from other sources</p> <ul style="list-style-type: none"> existing termination of employment costs (costs for specific individuals must have been approved prior to April 2013 so no new redundancy costs can be charged) prudential borrowing costs – the commitment must have been approved prior to April 2013 	Read establishing local authority DSG baselines for more information.		
<p>Central spend on:</p> <ul style="list-style-type: none"> high needs block provision central licences negotiated by the Secretary of State 	Decides	None, but good practice to inform forum	None
Scheme of financial management changes	Proposes and consults the governing body and Head of every school	Approves (schools members only)	Adjudicates where schools forum does not agree LA proposal
Membership: length of office of members	Decides	None (but good practice would suggest that they gave a view)	None
Voting procedures	None	Determine voting procedures	None

Function	Local authority	Schools forum	DfE role
Chair of schools forum	Facilitates	Elects (may not be an elected member of the Council or officer)	None

Agenda Item 8



Portsmouth
CITY COUNCIL

Title of meeting: Schools Forum

Date of meeting: 26 May 2021

Subject: Schools Specific Contingency Request

Report by: Alison Jeffery, Director of Children, Families and Education

Wards affected: All

Key decision: Yes/No

Full Council decision: Yes/No

1 Purpose of report

1.1 The purpose of this report is to:

- 1.1.1 request the use of the Schools Specific Contingency by Manor Infant School to support the financial impact of the loss of pupil premium funding as set out in the business case in Appendix 1

2 Recommendations

2.1 It is recommended that Schools Forum:

- 2.1.1 approve the request from Manor Infant School for financial support to the sum of £17,485 from the schools specific contingency to cover a shortfall in funding as set out in Appendix 1.

3 Background

3.1 The School and Early Years Finance (England) Regulations, permit the creation of a 'schools specific contingency' via the de-delegation of funding through the schools revenue funding formula. The contingency fund supports only Primary and Secondary maintained schools.

3.2 Appendix 2 sets out the details of the fund and associated criteria.

3.3 The criteria sets out that where as a result of exceptional expenditure or loss of income a school is experiencing financial difficulty, then financial support will be considered for eligible schools where the following criteria are met:

- The costs or loss of income must have had a disproportionate effect on the schools budget.



- The costs or loss of income:
 - Arose as a consequence of decisions by bodies outside of the control of the school or its governing body;
 - Are exceptional in nature;
 - Could not have been foreseen by the school or governing body.
 - The governing body has taken steps to mitigate the impact, where possible.
- Additional costs for new, amalgamating or closing schools.

3.4 The attached business case from Manor Infant School requests financial support totalling £17,485 from the schools specific contingency fund. It sets out the circumstances behind the loss of funding and the impact on the school's budget.

3.5 As set out in the schools specific contingency fund criteria the Business Case has been sent to both the Deputy Director of Children, Families and Education and the Finance Manager for Children, Families and Education, who have assessed that the request meets the criteria set out in paragraph 3.3.

4 Reasons for recommendations

4.1 The proposals within this paper are in line with the Schools and Early Years Finance (England) Regulations and the criteria for accessing the schools specific contingency fund to support maintained schools.

5 Integrated impact assessment

5.1 An integrated impact assessment is not required as the recommendations do not have a positive or negative impact on communities and safety, regeneration and culture, environment and public space or equality and diversity.

6 Legal implications

6.1 There are no legal implications arising from the recommendation in this report.

7 Director of Finance's comments

7.1 The 2021-22 Dedicated Schools Grant (DSG) budget contains funding of £141,800 for the schools specific contingency fund. This budget was funded by delegated funding from maintained schools, which has been carried forward annually as approved by Schools Forum and Cabinet Member. Access to the fund is limited to maintained schools.

7.2 This is the first request by a school to utilise the fund, the requested contribution falls within the criteria, and should it be approved by schools Forum would provide a fund of £124,300 for future use.

.....
Signed by: Alison Jeffery, Director Children Families and Education

Appendices:

Appendix 1: Manor Infant Business case

Appendix 2: Supplementary Budget Share Guidance Notes for The Growth Fund and Schools Specific Contingency for Primary and Secondary Schools 2021-22

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
School and Early Years Finance (England) Regulations 2021	The School and Early Years Finance (England) Regulations 2021 (legislation.gov.uk)

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:

This page is intentionally left blank



Manor Infant School Request to Schools Form



Business case to Schools Specific Contingency Fund for the loss of pupil premium funding

The school is presenting this as due to a clerical error at Portsmouth City Council with the Free School Meal Checks, the school will not receive its full allocation of Pupil Premium Funding for 2021/2022 financial year. The error will result in a loss of funding for 13 pupils at £1,135 each, totalling £17,485. This error has been agreed by the Head of Inclusion at Portsmouth City Council.

The correct information was sent to the checking service at Portsmouth City Council in July 2020 and these checks should have been carried out before the October census had to be submitted to the Department for Education in October.

The fact that the Department for Education changed the regulations, resulting in the October census being used to allocate the pupil premium funding for the 2021/2022 financial year instead of the January 2021 census was outside of the control of the school.

The announcement of the new regulations that the October census would be used to calculate the pupil premium payments for 2021/2022 financial year was received very late (i.e. after the October census). If the allocation of funding had been based on the January census, it would not have resulted in a loss in funding.

The implications to our Budget 2021/2022 by not receiving the additional pupil premium funding can be seen by reviewing the Summary Reports below which is generated by the Schools HCSS Budget Software. Without this additional pupil premium funding the school would not be able to get a balance budget and be looking at a deficit at the end of March 2022.

Report including additional funding

Report excluding additional funding

Summary Report for Manor Infant School			Summary Report for Manor Infant School		
DfE: 2719			DfE: 2719		
		2021 - 22			2021 - 22
	NOR	228		NOR	228
	FTE Teacher	11.39		FTE Teacher	11.39
Manor Infant School - Summary Income and Expenditure Projection			Manor Infant School - Summary Income and Expenditure Projection		
CFR Code	Details	2021 - 22	CFR Code	Details	2021 - 22
Income			Income		
I01 - I04 / I14	Individual School Budget	(1,199,919)	I01 - I04 / I14	Individual School Budget	(1,199,919)
I05	Pupil Premium	(135,120)	I05	Pupil Premium	(117,635)
I06 - I07	Other Grants	0	I06 - I07	Other Grants	0
I08 - I13	Other Income	(42,500)	I08 - I13	Other Income	(42,500)
I15 - I18	Com. Foc. Schools Income	(78,212)	I15 - I18	Com. Foc. Schools Income	(78,212)
Total Income		(1,455,751)	Total Income		(1,438,266)
Expenditure			Expenditure		
E01 - E02 / E26	Staff Costs - Teaching	641,064	E01 - E02 / E26	Staff Costs - Teaching	641,064
E03 - E07	Staff Costs - Support	533,771	E03 - E07	Staff Costs - Support	533,771
E08 - E11	Other Employment Costs	15,212	E08 - E11	Other Employment Costs	15,212
E12 - E18	Occupancy Costs	62,383	E12 - E18	Occupancy Costs	62,383
E19 - E21	Learning Resources	49,457	E19 - E21	Learning Resources	49,457
E22 - E25 / E27	Other Costs	141,207	E22 - E25 / E27 - E30	Other Costs	141,207
E31 - E32	Com. Foc. School Costs	0	E31 - E32	Com. Foc. School Costs	0
Total Expenditure		1,443,093	Total Expenditure		1,443,093
In Year (Surplus) / Deficit			In Year (Surplus) / Deficit		
		(12,658)			4,827
(Surplus) / Deficit Brought Fwd		6,682	(Surplus) / Deficit Brought Fwd		6,682
Cumulative (Surplus) / Deficit C/Fwd		(5,976)	Cumulative (Surplus) / Deficit C/Fwd		11,509
Revenue C/F as % of Budget Share			Revenue C/F as % of Budget Share		
		1%			-1%



Manor Infant School Request to Schools Form



According to the criteria stated in 'Growth Fund 2021 and School Specific Contingency' published by Portsmouth City Council, as a result of loss of income due to the error in Pupil Premium Fund allocation, Manor Infant School would experience financial difficulty as demonstrated in the above finance reports.

The consequence of loss of income could not have been foreseen by the school or the Governing Body and is exceptional in nature. The loss of income would have a disproportionate effect on the school budget.

5th May 2021

Helen Castle
Head Teacher

Schools Funding Formula

**Supplementary Budget Share Guidance Notes
For
The Growth Fund
and Schools Specific Contingency**

For

**Primary and Secondary
Schools**

2021-22



**Portsmouth
CITY COUNCIL**

Primary and Secondary Schools

Supplementary Budget Share Guidance Notes For The Growth Fund and Schools Specific Contingency

Contents

1	Centrally held funds to support Primary and Secondary Schools in 2021-22	3
1.1	Exceptional Growth Fund	3
2	School Specific Contingency	8

1 Centrally held funds to support Primary and Secondary Schools in 2021-22

1.1 Exceptional Growth Fund

Applies to: Maintained schools and Academies

Increasing Published Admission Number

Funding additional to the budget share will be allocated to schools that experience a planned increase in the Published Admission Number (PAN). The criteria (see below) to determine whether a school is eligible for funding for growth was agreed at schools forum in January 2021 for implementation from April 2021.

Criteria

Growth funding will be allocated to schools who meet the following criteria:

- *Funding will only be allocated when the growth (either permanently or as a bulge class) meets the basic need requirement of the local authority and the school is increasing both its Published Admission Number (PAN) and its planned intake of pupils in the current financial year (1 April to 31 March).*
- *And - The Deputy Director of Education formally approves to increase the capacity of a school.*
- *¹And - The planned growth in pupil numbers is a multiple of a complete half form entry, where a half form entry is equal to 15 pupils.*

1. It is acknowledged that some form entries may be below the full form number of 30 pupils e.g. 28 pupils. In these instances numbers will be rounded to the nearest eligible entry level.

What the growth fund covers

The additional pupils joining a school in September will be included in the October census. The census data is used to calculate the funding for the following financial year; which maintained schools receive from April. Therefore the growth fund finances the "gap" for maintained schools from September to March.

Academies are funded through the same local formula as maintained schools but receive their funding on an academic year basis, rather than the financial year basis of maintained schools.

Therefore academies will not receive their formula funding based on the October census until the following September. The growth fund for academies finances the "gap" from September up to the following August. The additional 5 months funding for academies is paid by the Local Authority and reimbursed by the Education and Skills Funding Agency.

Methodology

The allocation from the growth fund to schools who meet the above criteria will be as follows:

The annual payment for approved growth for a full form entry of 30 pupils will be equal to a lump sum of £60,900 for Primary Schools and Academies and £144,000 for Secondary Schools and Academies.

Where a growth payment has been approved for a maintained or academy school the amount paid will be as follows:

Period September to March - maintained schools and academies

Payments for the period September to March will equate to 7/12ths of the annual amount as follows:

- £35,525 - Primary schools and academies
- £84,000 - Secondary schools and academies

Period April to August - academies only

Payments to academies for the period April to August will equate to 5/12ths of the annual amount as follows:

- £25,375 - Primary academies
- £60,000 - Secondary academies

Funding will be pro-rated for part form or multiples of full form entry, for example:

- The total sum above will be multiplied by 0.5 for a part form entry of 15 pupils
- For an increase of one and a half form entry (45 pupils) the total sum will be multiplied by 1.5
- Entry numbers falling under the half form or full form levels will be rounded to the nearest eligible entry level. Where form entries are less than 50% of the half form entry numbers these entries will not be eligible for growth funding.

A payment will be made for each year that the school is growing until the earliest of the following:

- The school reaches full capacity attributable to the increase in PAN approved by the Deputy Director of Education
- The Growth Fund criteria changes due to affordability
- There is a change in the funding formula as directed from the Education and Skills Funding Agency.

No allocation will be made to a school or academy where the school or academy:

- *Has surplus places and then takes additional children up to the PAN*
- *Admits over PAN at their own choice*
- *Admits extra pupils where those pupils have a reasonable alternative school place*
- *Increases the PAN of one year by reducing the PAN of another (e.g. increasing the PAN in year 7 by reducing the PAN in year 10)*
- *Is directed and/or requested to admit additional pupils as a result of errors, appeals, fair access protocol, SEN, LAC etc. as these numbers will be low on an individual school basis.*

Funding will not be allocated from this fund to a school which has received additional funding in the year, through its budget share as a result of an agreed variation in its pupil numbers.

***Example**

The maintained/academy primary school has been requested by the Local Authority to increase the PAN from a one and a half form entry (45 pupils) to a two form entry (60 pupils) from September 2021; this was approved by the Deputy Director of Education in October 2020.

Whilst the increase was agreed in 2020-21, the payment will be made in financial year 2021-22 as this is the year that the changes will come into effect.

The Increase in PAN is for half a form entry of 15 pupils therefore the payment will be pro-rated by 0.5.

For example the calculation would be: 7/12ths of £60,900 lump sum ($£60,900/12 \times 7$) = £35,525

$£35,525 \times 0.5 = \textbf{£17,763 payment to the school.}$

For an academy school they will receive an additional payment to cover the period April 2022 to August 2022, which would be calculated.

5/12ths of £60,900 lump sum ($£60,900/12 \times 5$) = £25,375

$£25,375 \times 0.5 = \textbf{£12,687 payment to the school.}$

**Example calculated using primary school rate*

Payment method

Where a maintained or academy school meets the criteria and the growth is known at the point of setting the budget for the financial year, payment will be made within 30 days of the beginning of the financial year which runs 1 April to 31 March

Where growth is identified during the financial year funding will be paid within 30 days of the receipt of the following notification:

- Maintained and Academy schools - PAN increases
Written approval to change the Published Admissions Number (PAN), by the Deputy Director of Education
- Maintained and Academy - Bulge classes:
The receipt by the Children's Finance team of the written confirmation from Deputy Director of Education that the Bulge class has materialised.

Applies to: Maintained schools and Academies

Increasing Age Range

Where a school is amending its age range, funding may be allocated from the 'Growth Fund' up to a maximum of £280,000, with the specific approval of schools forum, where the following criteria are met:

- The increased school places are required in order to meet basic need within the area and have been agreed with the Local Authority.
- The increased places relate to pre-16 pupils.
- The new school places are not within the schools current phase.
- A business case has been submitted by the school which sets out the expected set-up costs to be incurred.
- Any funding allocated would be to support the following areas of expenditure:
 - additional leadership team capacity
 - additional secretarial support
 - publicity, promotion and advertising of the new school
 - consultancy
 - curriculum costs
 - recruitment costs
 - other revenue costs related to set-up of the new school

If the above criteria are met, the funding would be allocated from the 'growth fund' in full to the school in a single funding period. The funding allocation would be calculated as £445 multiplied by the total number of additional places anticipated to be created in the school as a result of the change in the schools age range up to the maximum permitted.

Where a school is eligible for an allocation from the growth fund based on both the 'Increasing Published Admission Number' and the 'increased age range' criteria, then the school will only be eligible for an allocation from one of these mechanisms within the financial year.

2 School Specific Contingency

Applies to: Maintained Primary and Secondary Schools only

Purpose of the fund

The School and Early Years Finance (England) Regulations, permit the creation of a 'schools specific contingency' via the de-delegation of funding through the schools revenue funding formula. The contingency fund supports only Primary and Secondary maintained schools.

The purpose of the fund is to support maintained Primary and Secondary schools that have incurred expenditure, which it would be unreasonable to expect them to meet from the schools' budget share. This may include:

- schools in financial difficulty
- new, amalgamating or closing schools
- the writing-off of deficits of schools which are discontinued, excluding any associated costs or overheads
- other expenditure where the circumstances were unforeseen when initially determining the schools budget share.

Section 4 of the Scheme for Financing Schools continues to apply in respect of schools that are or are likely to be facing a deficit balance.

Criteria for accessing the fund

The fund is only available to maintained Primary and Secondary Schools in Portsmouth

Where as a result of exceptional expenditure or loss of income a school is experiencing financial difficulty, or has incurred other expenditure which it would be unreasonable to expect the school to meet from its budget share, then financial support will be considered for eligible schools where the following criteria are met:

- The costs or loss of income **must** have had a disproportionate effect on the schools budget.
- The costs or loss of income:
 - arose as a consequence of decisions by bodies outside of the control of the school or its governing body;
 - are exceptional in nature;
 - could not have been foreseen by the school or governing body.
 - The governing body has taken steps to mitigate the impact, where possible.
 - Additional costs for new, amalgamating or closing schools.

Criteria for new maintained schools:

Funding of costs in respect of the initial set-up of new maintained schools will be considered where a business case has been submitted by the school which sets out the expected costs to be incurred; and the following conditions are met:

- The increased school places are required in order to meet basic need within the area and have been agreed with the Local Authority.
- The increased places relate to pre-16 pupils.
- Any funding allocated would be to support the following areas of expenditure:
 - Initial leadership team capacity
 - Initial secretarial support
 - publicity, promotion and advertising of the new school
 - consultancy
 - curriculum costs
 - recruitment costs
 - other revenue costs related to set-up of the new school

One-off funding will be allocated based on the business case submitted, up to a maximum funding allocation of £445 multiplied by the total number of additional places anticipated to be created in the school.

Criteria for amalgamating schools:

Where two or more schools amalgamate, an amount equivalent to the closing balances of the previously maintained schools will be allocated to the new school.

Criteria for closing schools:

In the case of closing maintained schools, which are not amalgamating or converting to academy status under the Academies Act 2010, the contingency may fund additional costs where the school has insufficient balances and the costs are eligible to be funded from the Dedicated Schools Grant.

Where a maintained school is discontinued, any remaining deficits balances may be charged against the contingency. Where it is necessary to use the contingency for this purpose it will be reported to the Schools Forum at the next scheduled meeting.

Decision Making Process

Where a school believes that their circumstances warrant support from the 'schools contingency fund', then the governing body should submit a request to the Finance Manager for Children, Families and Education.

The submission will be reviewed by the Deputy Director of Education and the Finance Manager for Children, Families and Education. The level of the schools revenue and capital balances will also be considered as part of the review of any submission.

Any application which the Deputy Director of Education and the Finance Manager for Children Families and Education assess as meeting the above criteria, will be presented to the Schools Forum at the October and February meetings to make the final decision as to whether to provide financial support from the fund.

Agenda Item 9



THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

1

Title of meeting:	Schools Forum
Subject:	Dedicated Schools Grant 2020-21 Quarter 3 Budget Monitoring
Date of meeting:	26 May 2021
Report by:	Chris Ward, Director of Finance and Section 151 Officer
Wards affected:	All

1. Requested by

Schools Forum.

2. Purpose

- 2.1 The purpose of this report is to inform Schools Forum of the projected revenue expenditure of the Dedicated Schools Grant (DSG) for the current financial year 2020-21 as at the end of December 2020.

3. Recommendations

It is recommended that Schools Forum:

- 3.1 Notes the forecast year-end budget position for the Dedicated Schools Grant as at 31 December 2020, together with the associated explanations contained within this report.

4. Background

- 4.1 The DSG is a ring-fenced grant for Education and can only be used for the purposes of the Schools Budget as defined in the School and Early Years Finance (England) Regulations.
- 4.2 The original DSG budget for the financial year 2020-21, was set in February 2020, with subsequent revisions endorsed by Schools Forum and approved by the Cabinet Member for Children, Families and Education in September and October 2020. Further decisions regarding an early years grant and the transfer of balances relating to Wimborne Infant and Junior schools to Wimborne Primary were made after the end of the third quarter but have been included in this report for completeness and to

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

provide Schools Forum with the latest forecast estimate of the year-end outturn as at 31 December 2020.

4.3 Table 1 below sets out the forecast year-end financial position of the DSG budget as at 31 December 2020.

Table 1 - Dedicated Schools Grant				
	Original budget 2020-21 £000's	Revised Budget 2020-21 £000's	Projected outturn 2020-21 £000's	Projected over / (under) spend £000's
Income				
DSG Brought forward 2019-20	0	(3,115)	(3,115)	0
DSG and other specific grants	(72,309)	(75,155)	(74,933)	222
Total Income	(72,309)	(78,269)	(78,048)	222
Expenditure				
Primary ISB	28,753	27,302	27,302	0
Secondary ISB	11,680	12,543	12,543	0
Special school place funding	1,578	1,218	1,193	(24)
Inclusion Centre Place funding	302	374	374	0
Alternative provision place funding	1,090	1,090	1,090	0
Total Delegated	43,403	42,526	42,502	(24)
De-delegated and central budgets	1,580	2,401	2,430	29
Early Years	14,138	14,110	13,776	(334)
High Needs	13,189	16,635	14,870	(1,765)
Total Expenditure	72,309	75,673	73,578	(2,095)
Net forecast position	0	(2,597)	(4,470)	(1,873)
DSG Carried forward	0	2,597	4,470	1,873

Academy conversions / school closures

4.4 As at 31 December 2020 there have not been any academy conversions this financial year.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

De-delegated and Central Budgets

- 4.5 As previously reported the forecast position includes Growth Fund allocations that have been issued to all eligible schools and academies meeting the criteria for 2020-21 financial year. This will result in a planned £368,000 underspend compared to budget, which will carry forward to 2021-22 to support on-going payments to schools.
- 4.6 The underspend has been offset by the transfer of the Wimborne Infant and Junior School balances to Wimborne primary as endorsed by Schools Forum and approved by the Cabinet Member in January 2021. Providing a net overspend of £29,000.

Early Years Block

- 4.7 Table 2 below sets out the forecast position as at the end of December 2020.

Table 2 Early Years Block Forecast two three and four year old place funding			
	Total 2020-21		
	Budget 2020-21	Forecast	Variance (Under)/ Over
	£	£	£
Two year olds	1,681,700	1,798,600	116,900
Two year old contingency growth fund	42,700	0	(42,700)
Three & four year olds universal hrs	7,973,300	8,001,900	28,600
Three and four year olds additional hours	3,284,500	2,569,500	(715,000)
Three & four year old contingency growth fund	177,500	177,500	0
Total	13,159,700	12,547,500	(612,200)

- 4.8 As stated previously the impact of the Coronavirus lockdown on the early year's provision has provided a level of uncertainty for both the local authority and early years settings across the city. In line with government guidance, the authority has paid providers based on the forecast hours at the beginning of the summer term, this was adjusted in July and August for any actual pupils that may have attended over and above the initial forecast hours. For the autumn 2020 term the authority has paid settings the indicative budget based on the actual hours paid in autumn 2019, which was adjusted for any additional hours over and above the indicative budget.
- 4.9 In addition to the actual cost of payments to providers the forecast contains the forecast provision for the spring 2021 term based on the indicative budgets. These figures may change following the receipt on the actual hours delivered by early years settings at the end of the financial year.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

- 4.10 It should be noted that the two year old budget is forecast to overspend and the whole of the contingency has been released to cover the additional costs.
- 4.11 Table 3 sets out the forecast position on the other areas of expenditure relating to the early years block. This shows a small overspend on the Early Years pupil premium for three and four year olds due to increased numbers of eligible pupils. It also includes the additional Covid-19 grant payments made to providers in December 2020/January 2021.
- 4.12 A further report setting out the proposed use of any underspend was taken to the February 2021 Schools Forum and Cabinet Member meetings to pay additional Covid-19 grant funding for the spring 2021 term. As the proposal contains a range of options depending on the final outturn position, the impact of this decision has not been included in the forecast position.

Table 3 Early Years Block Forecast Other Expenditure			
	Total 2020-21		
	Budget 2020-21	Forecast	Variance (Under)/ Over
	£	£	£
Disability Access Fund	65,800	65,800	0
Inclusion Fund (2,3 and 4 year olds)	114,600	114,600	0
Central services	630,000	630,000	0
Three & four year olds Pupil Premium	140,100	143,400	3,300
Early years Covid-19 Support Grant	0	274,900	274,900
Total	950,500	1,228,700	278,200

High Needs Block

- 4.13 The forecast position includes all payments made to the end of October and a forecast for the rest of the year based on autumn term pupil numbers continuing to 31 March 2021 and assumed growth based on 2019-20 activity.
- 4.14 Place funding for Special Schools is showing a small forecast underspend due to the number of locally agreed additional places agreed being lower in the summer term and the first part of the autumn term than budgeted. All other individual school budgets remain on budget following the approval of the revised budget in October 2020.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

4.15 Overall the High Needs Block is forecasting an underspend of £1.789m (including individual school budgets).

4.16 The Table below summarises the forecast outturn position for the remaining elements of the high needs block (excluding individual school budgets).

Table 4 High Needs Budget			
	Total 2020-21		
	2020-21 Revised Budget	Forecast Outturn as at 31-Dec-20	Variance (Under)/ Over
	£	£	£
Element 3 Top up	11,656,900	10,346,900	(1,310,000)
Out of City providers	2,976,800	2,617,100	(359,700)
Permanent exclusion recharge	0	(70,400)	(70,400)
EYs Complex Needs Inclusion Fund	200,000	251,000	51,000
SEN support services	877,300	801,300	(76,000)
Medical Education	672,100	672,100	0
Outreach	191,900	191,900	0
Fair Access Protocol	60,000	60,000	0
Total High Needs Block	16,635,000	14,869,900	(1,765,100)

The forecast position reflects a decrease in the number of pupils in receipt of Element 3 Top-up over the course of the summer and the autumn term. It is currently not clear if the forecast underspend is as a result of the national lockdown and a reduction in the numbers of requests for Education Health and Care Plans (EHCP) or an overall reduction in the level of need across the city.

4.17 It is not known if the impact of the March 2020 and the subsequent early 2021 national lockdowns will create an increase in the number of new EHCP requests over the remainder of the financial year. This area will continue to be monitored closely, however if the number of EHCP requests do increase, the timescale for agreeing an EHCP means that it is more likely to impact on the High Needs Block budgets in 2021-22 financial year.

Element 3 Top-up funding

4.18 Table 5 below breaks down the forecast overspend position for the Element 3 Top up funding as at the end of December 2020.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

Table 5 - Element 3 Top-up			
	Total 2020-21		
	2020-21 Revised Budget	Forecast Outturn as at 31-Dec-20	Variance (Under)/ Over
	£	£	£
EHCP Mainstream	2,408,100	2,042,800	(365,300)
Element 3 Top Up Special Schools	7,289,100	6,808,600	(480,500)
Element 3 Top Up - Inclusion Centres	263,100	230,500	(32,600)
Element 3 Top Up - AP	242,300	201,800	(40,500)
Post 16 Special Educational Needs	1,024,400	633,300	(391,100)
Element 3 Top Up - OLA School	429,900	429,900	0
Total Element 3 Top-up	11,656,900	10,346,900	(1,310,000)

- 4.19 The Mainstream EHCP forecast underspend is a combination of a reduction in pupil numbers (45) and average cost per pupil compared to budget.
- 4.20 The Special School underspend (£480,500) is due to 38 pupils placed in Portsmouth Special Schools by other local authorities for which Portsmouth is not responsible for paying the Element 3 Top-up and a lower than budgeted number of pupils placed at The Harbour School for the autumn term.
- 4.21 The Inclusion Centre underspend relates to an overall reduction on the number of pupils on roll at the Inclusion Centres over the summer term. The autumn term class lists showed that the Inclusion Centres were full and the forecast assumes they will remain full for the remainder of the financial year.
- 4.22 The forecast underspend reflects the reduction in the pupil numbers at the Flying Bull Academy and The Harbours School alternative provision settings for both the summer and autumn terms.
- 4.23 The September 2020 in-take of Post 16 pupils has been agreed and finalised with Colleges and the forecast updated in line with the pupil numbers for the 2020-21 academic year providing a £391,000 underspend. The underspend is a combination of lower numbers of pupils in the 2020-21 academic year compared to the budget, a reduction in the average cost per pupil, element 2 refunds relating to the 2018-19 academic year which have been negotiated with the colleges and a number of accounting adjustments relating to the 2019-20 financial year which are no longer required.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

Out of City Providers

- 4.24 The table below sets out the position regarding the current forecast underspend on the Out of City providers. As at the end of December the number of pupils in both the Independent and Specialist providers and Child and Adolescent Mental Health Services (CAMHS) is lower than budgeted. As set out in paragraph 4.17 it is not clear if the reduced numbers are related to the national lockdown and a decrease in the number of pupils that have moved or been placed in specialist settings. This area will continue to be monitored closely.

Table 6 - Out of City Placements						
	Budget		Forecast position		Variance	
	£	Pupils	£	Pupils	£	Pupils
Independent & Specialist providers	2,915,600	50	2,570,700	42	(232,600)	(8)
CAMHS	61,200	11	46,400	7	(14,800)	(4)
Total	2,976,800	61	2,617,100	49	(359,700)	(12)

Permanent Exclusion Recharge

- 4.25 The credit of £70,400 represents the proportion of permanent exclusion income from schools where pupils have been placed in an alternative provision setting for a period of time before moving to a new mainstream placement. This is an annual contribution to the element 3 top-up costs.

Early Years Complex Needs Inclusion Fund

- 4.26 The overspend reflects the increase in the number of pupils with complex needs receiving additional support in mainstream early years settings. The forecast overspend has reduced slightly to reflect more accurately the number of pupils expected to be eligible for funding in the spring term 2021.

Grant funding

- 4.27 The DSG allocation is lower than budgeted as a result of a reduction in grant due to the recoupment of the central licences funding, and the 2019-20 early years adjustment in July 2020. This is partially offset by an increase in funding following a challenge relating to the High Needs Block import/export factor.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

Carry forward balance

4.28 As at the 31 December 2020 the forecast carry forward is £4.5m, a net decrease of £0.1m on Quarter 2.

5. Reasons for recommendations

5.1 It is recommended that Schools Forum notes the contents of the report in respect of the financial forecast outturn for 2020-21 as at the end of the third quarter.

.....
Signed by (Director)

Appendices:**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

The information upon which this report has been based has been drawn from a variety of sources: however much of the information used is held in budget files prepared by the children and Education Finance Team. Please contact Angela Mann, Finance Manager, if required.

Title of document	Location