

Schools Forum

Minutes of meeting held on Tuesday, 7th December, 2010 at 4.00 p.m. at Blakenall Village Centre, Thames Road, Blakenall, Walsall

Present:- Mr. J. Baker (Chairman)
Mr. S. Flynn (Vice-Chairman)
Mr. D. Brownsword
Mr. G. Crowther
Ms. H. Lomas
Ms. M. Cryan
Ms. A. Barker
Mr. S. Onions
Mrs. M. Robinson
Mr. D. Clough
Mr. G. Thornton (substitute for Mr. A.F. Cheminais)

In Attendance:- Mrs. V. Buckley (Walsall MBC)
Mr. D. Mortiboys (Walsall MBC)
Ms. J. Black (Walsall MBC)
Ms. A. Walton (Walsall Children's Services - Serco)
Ms. D. Morris (Walsall Children's Services - Serco)
Mrs. J. Taylor (Walsall Children's Services - Serco)

| | | |
|--|--|--|
| | The Chairman adjourned the meeting for 10 minutes to enable Members to attend and the meeting to be quorate. | |
|--|--|--|

| | | Action |
|---------------|--|---|
| 1. 7.12.10 | Apologies Apologies for non-attendance were submitted on behalf of Mr. A.F. Cheminais, Mr. J.P. Clarke, Mrs. V. Birch, Mr. N. Stubbs, Mrs. J. Morgan and Mr. C. Hopkins. | |
| 2. 7.12.10 | Minutes - 19th October, 2010 | The minutes of the meeting held on 19 th October, 2010 be approved and signed by the Chairman as a correct record. |

| | | |
|-------------------------------------|--|--|
| <p>3. 7.12.10</p> | <p>Matters arising from the minutes</p> <p>(a) Pensions Policies - Local Government and Teachers</p> <p>Mr. Mortiboys gave a brief update and confirmed that legal advice on the draft consultation following changes in the White Paper was awaited. As soon as this was received, the document would be circulated for comment.</p> <p>Mr. Flynn questioned the status of Schools Forum and officers undertook to circulate this to Members as soon as possible. Mr. Flynn questioned whether the views of Schools Forum could be over-ridden if the Secretary of State was contacted.</p> <p>Mr. Mortiboys confirmed that in the event of a large number of schools transferring to Academy status and not liable for the charges, these would transfer to community schools and would lead to community schools being disadvantaged.</p> <p>Julie Taylor confirmed that it may be necessary to make amendments to the scheme for financing schools and Schools Forum would be consulted on this. That power was with Schools Forum rather than the Secretary of State. Julie Taylor confirmed that any changes to financing schools would need to be agreed by Schools Forum; in the event of Schools Forum disagreeing, the Local Authority would have the power to write to the Secretary of State and if the Authority had a strong case the Secretary of State could rule against Schools Forum. She confirmed that the Authority had never contacted the Secretary of State in connection with a dispute.</p> <p>(b) Include Ms. H. Lomas in the list of those present</p> <p>(c) Transforming Learning in Walsall - Financial Close report</p> <p>Mr. Crowther indicated that his Governing Body had asked him that, having received Transforming Learning in Walsall, it go on record that the handling of BSF that was carried out by the Council was exemplary.</p> | |
|-------------------------------------|--|--|

| | | |
|------------------------------|---|--|
| | <p>In response to points raised, Ms. Walton stated that the Council would not have an opinion on the legal challenges made by other Authorities on BSF. She pointed out that Walsall was benefiting from the new capital regime.</p> <p>Resolved</p> <p>That the information contained in the matters arising from the minutes be noted.</p> | |
| <p>4. 7.12.10</p> | <p>Local Government (Access to Information) Act, 1985 (as amended)</p> <p>Resolved</p> <p>That the public be excluded from the meeting during consideration of the item set out in the private part of the agenda for the reasons set out therein and Section 100A of the Local Government Act, 1972.</p> | |
| <p>5. 7.12.10</p> | <p>Changes to the Balance Control Mechanism (BCM)</p> <p>A report was submitted.</p> <p>Julie Taylor confirmed that the results of the consultation were largely supportive of the recommendations made by the School Balances Working Group but it would constitute a change in scheme for which a decision by the Forum would be required.</p> <p>No decisions had been made on specialist status monies as the schools settlement funding paper was awaited. It was expected that this would be considered at the January meeting of Schools Forum.</p> <p>Resolved</p> <p>That Schools Forum agree to maintain a balance control mechanism and approve the changes to the balance control mechanism in line with the proposals consulted upon and detailed as follows:-</p> | |

| | | | | | | | | | | | | |
|---|--|--|--------------------------|---|----|---|----|--|----|-------------------|----|--|
| | <div>1. To maintain the following percentages of uncommitted balances within the BCM:-</div> <table><tr><td></td><td>Maximum Allowance</td></tr><tr><td>Primary/Special schools with annual resources less than £1.399m</td><td>8%</td></tr><tr><td>Primary/Special schools with annual resources of £1.4m to £2.0m</td><td>7%</td></tr><tr><td>Primary/Special schools with annual resources over £2m</td><td>6%</td></tr><tr><td>Secondary schools</td><td>5%</td></tr></table> | | Maximum Allowance | Primary/Special schools with annual resources less than £1.399m | 8% | Primary/Special schools with annual resources of £1.4m to £2.0m | 7% | Primary/Special schools with annual resources over £2m | 6% | Secondary schools | 5% | |
| | Maximum Allowance | | | | | | | | | | | |
| Primary/Special schools with annual resources less than £1.399m | 8% | | | | | | | | | | | |
| Primary/Special schools with annual resources of £1.4m to £2.0m | 7% | | | | | | | | | | | |
| Primary/Special schools with annual resources over £2m | 6% | | | | | | | | | | | |
| Secondary schools | 5% | | | | | | | | | | | |
| | <div>2. To include the following grants in the BCM calculation for the 2010-11 financial year</div> <ul style="list-style-type: none">• Delegated Budget Share (DSG)• Schools Development Grant• Primary Strategy• Secondary Strategy• Schools Standards Grant• Schools Standards Grant - Personalisation | | | | | | | | | | | |
| | <div>3. That, with effect from 1st April, 2011, and relating to the 2011-12 financial year, the total annual resources within the BCM as the amount of Government funding provided to every schools during a financial year be defined. However, this proposal may be superseded by a new national claw back mechanism.</div> | | | | | | | | | | | |

| | | |
|------------------------------|--|--|
| <p>6. 7.12.10</p> | <p>Early Years Funding Sub-Group - 9 November, 2010</p> <p>A report was submitted.</p> <p>Julie Taylor confirmed that all schools had been contacted for examples of good practice and the pattern in Walsall related to 5 x 2½ hour sessions or 5 x 3 hour sessions as demand had not been apparent. Those requiring longer sessions could find the provision in the PVI sector for parents to purchase. It was considered that an early years specialist be engaged to investigate the issues that arose and to compile information packs for every early years provider in the maintained and PVI sectors and for parents in order that they are clear about their entitlement and rights.</p> <p>A legal opinion had been received from Walsall Council that spare places in maintained nurseries could be sold and it would be necessary for a specialist to interpret the legislation relating to EYSF and compile guidance for all parents and providers.</p> <p>Resolved</p> <ul style="list-style-type: none"> (1) That approval be given to a one term secondment of an early years specialist to deliver on the work detailed in Paragraph 2.2 of the annexed report and that the use of the £90,000 contingency fund be approved for that purpose; (2) That regular updates on the progress be submitted to Schools Forum; (3) That any unspent funds be re-allocated to schools using the previously agreed formula. | |
| <p>7. 7.12.10</p> | <p>2011-12 Schools Funding</p> <p>A report was submitted.</p> <p>Julie Taylor asked Members to consider whether to formulate bids for the funding sources mentioned in the White Paper which related to education endowment fund and the new collaborative incentive</p> | |

| | | |
|------------------------------|---|--|
| | <p>as set out in Paragraph 2.17 of the annexed report and Members agreed to keep the issue on the Forward Plan in order that further consideration could be given when information became available.</p> <p>It was suggested that a small Working Group be set up to meet on 11th January, 2011 to consider potential funding changes. The paper could be circulated to Forum Members on 14th January and would be submitted to Cabinet on 9th February, 2011 on formula changes.</p> <p>The consultation paper on pupil premium had indicated that every deprived child in the country would be funded at the same level and the implications on funding for Walsall could not be measured until more detail had been received.</p> <p>Resolved</p> <p>(1) That the contents of the report be noted;</p> <p>(2) That a Working Group consisting of the following Members be arranged to take place on 11th January, 2011 at 8.30 a.m. at St. Thomas More Catholic Business and Enterprise College:-</p> <p style="text-align: right;">Mr. J. Baker, Mr. S. Flynn, Mr. G. Crowther, Mr. D. Brownsword, Ms. M. Cryan and Ms. H. Lomas</p> | |
| <p>8. 7.12.10</p> | <p>Analysis of current Walsall formula factors which include free school meals to allocate funding</p> <p>A report was submitted.</p> <p>Ms. Morris informed the Forum that the SEN non-pupil specific factor related to School Action Plus. She referred to a review of SEN funding and draft monitoring policy and non-pupil specific were factored through the core provision. The review group looked at building blocks in various sized primary and secondary schools. School Action Plus was considered to be predominantly a support by support staff in schools and the formula used the percentage of free school meal children in a school on a banded basis. Income generated was term</p> | |

| | | |
|--|---|--|
| | <p>time only LSA support; secondary provision was higher and supported more staff.</p> <p>With regard to deprivation funding, a combination of pupils eligible for free school meals and those not eligible but were disadvantaged was used. The personalised learning factor related to the proportion on attainment, number of children below Level 3 in Key Stage 2 and below Level 2 in Key Stage 1, pupil numbers and free school meal eligibility. Ms. Taylor undertook to provide modelling for consideration at the Working Group meeting when more information on funding had been received. Work was also required on the minimum funding guarantee calculations for 2011/12 and to building the amount of grant received by each school from the Standards Fund into their baseline for 2010/11 in order that assessments could be made on amount per pupil for 2011/12. She indicated that Schools Forum had the power to change the minimum funding guarantee or exempt schools from it as long as it related to less than 50% of pupils being affected, any amount above 50% would need to be referred to the Secretary of State.</p> <p>Members were of the view that the banding for SEN should be removed and relate to “per pupil” rather than percentages. Ms. Taylor undertook to look into producing a model in respect of the banding to be built into the Early Years Funding Formula whereby 20% would have special educational needs.</p> <p>Resolved</p> <ol style="list-style-type: none"> (1) That the contents of the report be noted; (2) That the funding be calculated on actual eligibility and be annually driven rather than based on an historic formula; the funding to follow the need of the child; (3) That Schools Forum examine and consider modelling to change free school meals in personalised learning to free school meals and IDACI. | |
|--|---|--|

| | | |
|-------------------------------|---|--|
| <p>9. 7.12.10</p> | <p>Issues raised by Walsall Secondary Headteachers</p> <p>A report was submitted.</p> <p>The Forum was advised that the issues relating to free school meals, redundancy and deprivation element on the formula had already been dealt with.</p> <p>With regard to EMAG funding, Mr. Flynn stated that the White Paper indicated that some EMAG funding would be retained and rather than the funding being held centrally, it was felt that it should be 100% delegated to schools.</p> <p>Ms. Taylor informed the Forum that this matter was being investigated with colleagues but it was necessary to await the funding settlement to establish the rules. At such time as the information was available, it could be considered at the 11th January meeting to suggest a way forward.</p> <p>Resolved</p> <p>That Schools Forum agree in principle to look at EMAG funding being delegated 100% to schools.</p> | |
| <p>10. 7.12.10</p> | <p>Forward Plan</p> <p>The Forward Plan was submitted.</p> <p>Resolved</p> <p>That the following items be added to the Forward Plan:-</p> <p style="padding-left: 40px;">Working Group outcomes - 11th January, 2011</p> <p style="padding-left: 40px;">Education Endowment Fund - Julie Taylor - every meeting</p> <p style="padding-left: 40px;">New collaboration initiative - Julie Taylor - every meeting</p> | |

| | | |
|--------------------------------------|--|--|
| <p>11. 7.12.10</p> | <p>Correspondence</p> <p>The Chairman referred to correspondence received from Mr. Flynn regarding specialist status funding.</p> <p>The secondary heads had indicated that the funding would be moved into the DSG for the next financial year and were of the view that it would replicate the level of funding that existed when it came under the Standards Fund umbrella.</p> <p>Resolved</p> <p>That the correspondence be received and referred to the Working Group meeting to be held on 11th January, 2011.</p> | |
| <p>12. 7.12.10</p> | <p>Date and time of next meeting</p> <p>It was NOTED that the next meeting of Schools Forum would be held on Tuesday, 18th January, 2011 at 4.00 p.m. at Blakenall Village Centre, Thames Road, Blakenall, Walsall.</p> | |
| <p>13. 7.12.10</p> | <p>Local Government (Access to Information) Act, 1985 (as amended)</p> <p>It was agreed that the public be excluded from the meeting during consideration of the following item under Section 100A of the Local Government Act, 1972.</p> <p>Mr. Clough and Mrs. Barker declared interests in the item to be considered in private session and accordingly withdrew from the meeting.</p> | |
| <p>14. 7.12.10</p> | <p>Equal Pay and Pay and Grading Update</p> <p>Reports were submitted.</p> <p>Mr. Mortiboys outlined the content of the Equal Pay report and stressed the importance of all schools attending the workshops they had booked onto on 14th and 15th December, 2010.</p> | |

| | | |
|--|---|--|
| | <p>In response to points raised, Mrs. Buckley confirmed that information would be available at the workshops relating to potential claims, actual claims costs and the offer as well as the staff involved.</p> <p>Ms. Black informed Schools Forum that members of the team would be at the signing days and schools would be requested to indicate when staff could be available in order that ACAS could be present. With regard to single status, colleagues were carrying out forecastings and likely outcomes at present.</p> <p>Mrs. Buckley stated that capitalisation would be used to fund this process and pay back would be agreed. There would be no interest charged by the Council but there would be interest on the borrowing.</p> <p>It was recommended:-</p> <ol style="list-style-type: none"> (1) That the reports be noted and colleagues be encouraged to participate as actively as possible; (2) That Schools Forum note that Walsall Council anticipates schools being allowed to use DFC to fund equal pay claims. <p>(Exempt information under Paragraph 4 of Part I of Schedule 12A of the Local Government Act, 1972) (as amended)</p> | |
|--|---|--|

The meeting terminated at 5.45 p.m.