



Wirral Schools Forum

Date:	Wednesday, 13 December 2017
Time:	6.00 pm
Venue:	Council Chamber, Wallasey Town Hall

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AGENDA

1. FORUM TRAINING AT 5PM, FOR NEW MEMBERS
2. MINUTES OF THE MEETING HELD ON 27TH SEPTEMBER 2017
(Pages 1 - 6)
3. MATTERS ARISING
4. SCHOOL IMPROVEMENT (Pages 7 - 10)
5. SCHOOL FORMULA AND HIGH NEEDS CONSULTATION (Pages 11 - 20)
6. EARLY YEARS CONSULTATION (Pages 21 - 32)
7. SCHEME FOR FINANCING SCHOOLS AND TEACHER CONDITIONS (Pages 33 - 34)
8. FORUM MEMBERSHIP & EARLY YEARS REPRESENTATION
(Pages 35 - 36)
9. WORKPLAN (Pages 37 - 38)
10. ANY OTHER BUSINESS

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WIRRAL SCHOOLS' FORUM

27th September 2017

MINUTES

Present: Adrian Whitely (Chair)

Schools Group

L Ayling	T Kelly
S Baker (Vice Chair)	N Lightwing
B Bellamy	E Neal
K Brown	D Spencer
S Duggan	T Taylor
C Hibbard	V Woods
H Johnson	K Podmore

Non-Schools Group

S Bennett	A Donelan
M Bulmer	I Harris
S Davies	N Prance

In Attendance:

S Allen	D Gornik
S Ashley	M Morris
J Bush	L Rice
A Davies	A Roberts
C Fenlon	A Rycroft

Apologies:

J Billinge	S Jamieson
B Chadwick	R Mahony
M Forber	Cllr C Meaden
Cllr P Hayes	Cllr B Mooney
S Higginson	T Quinn
L Ireland	

1. Election of Chair and Vice Chair

Adrian Whitely was elected as Chair and Steve Baker was elected as Vice Chair for 2017-18.

2. Minutes from the Meetings held on 5th July 2017

The minutes from the meeting were accepted as a true record.

3. Matters Arising

There were no matters arising, however Deborah Gornik gave an update on children's Services including the following:-

- A new Director Children's Services (DCS) - Paul Boyce (currently the DCS at Knowsley Council) has recently been appointed. The offer is subject to usual clearances but plans are that Paul will take up his appointment on the 4th December 2017.
- The LA's budget setting process is underway for 2018-19. The financial position for Children's Services and the Council as a whole remains very challenging.
- Work is ongoing with Ofsted. Improvements are being made, as detailed in the letter following the latest monitoring visit which took place on the 30th and 31st August 2017. A clear yardstick is that - we are making progress, but we are not there yet.

4. Library Services update

Louise Rice updated the Forum on the recent changes to the Library Service. Most of their funding is through de-delegation from Primary Schools. In addition they are developing a premium service which will have a small charge. Library Services are also available to academies through an SLA. A new Year 7 service for secondary schools is being piloted at Ridgeway High and will be available to all Secondary Schools next year.

Resolved

Forum noted the report.

5. Contingency, Special Staff Costs and Insurance

Shaun Allen outlined the purpose and use of Contingency, Special Staff costs and Insurance budgets. These budgets are currently de-delegated. There is funding held in Primary Contingency for Managed Moves which Forum should consider transferring to Behaviour Support in 2018-19.

Resolved

Forum noted the report.

6. Early Years Update

Carol Fenlon updated the Forum on the additional 15 hours of childcare for working families and an Early Years Funding consultation that has been sent to all providers.

The DfE's evaluation from the pilot implementation of 30 hours childcare identified that this provided increased flexibility for those parents looking for work, less reliance on informal care and a positive impact on family finances.

Although there had been technical issues at a national level for parents registering for the extra 15 hours, at the date of the Forum meeting 75% of applications had been validated, and can therefore take up their entitlement this term. Work to develop take up will continue as parents register for the spring term.

The introduction of the extra 15 hours does not appear to be causing any issues with sufficiency at this time.

A copy of the Early Years consultation was included in the Agenda. The consultation seeks the views of the Early Years sector in the following areas:-

- The Inclusive Practice Fund
- The introduction of monthly payments
- Claims received after the termly count
- The amount of grant passed onto early years providers
- Existing formula supplements.

The Consultation will run until Friday 20th October.

Resolved

- Forum noted the report
- Inclusive practice fund changes are implemented subject to the views of the consultation
- The outcome of the consultation is reported to the December meeting.

7. PFI Budget Update

Andrew Roberts updated the Forum on the PFI budget and the work carried out by the PFI support team. The National Funding Formula will increase the PFI element in line with inflation. The 2 PFI CLCs are now being used for other purposes.

A further round of benchmarking for facilities management costs is due to commence, with an implementation date of 31st August 2018. A working group will be set up to discuss this.

There are ongoing discussions with the EFA concerning future use of Kingsway School.

Resolved

Forum noted the report

8. National Funding Update – Executive Summary

Andrew Roberts highlighted the main areas included in the recent announcement on the National Funding Formula (NFF), as detailed in appendix 1. It was also noted that the LAC Pupil Premium will increase to £2300 in 2018-19 as a result of a Looked after Children element not being included in the NFF.

The NFF information is based on October 2016 pupils and will be updated for 2018-19 using the October 2017 Census. The Formula Working Group will meet in late October/Early November to approve a consultation document, which will seek the views of all schools on any changes to be introduced as a result of the NFF. The outcome of the consultation will be reported back to the December Forum Meeting.

Resolved

Forum noted the report.

9. Pressure on High Needs Funding 2018-19

Margaret Morris updated the Forum on the continued pressures on High Needs Funding. The Tables compared pupil numbers and places in special schools and bases in mainstream schools in September. Numbers will be closely monitored and any adjustments required will be brought back to the Forum.

The High Needs Working Group will meet to discuss places and other budget pressures in October. Colleen Hibbard agreed to be a primary representative on this working group.

Resolved

Forum noted the report and referred the funding issues to the High Needs Working Group.

10. High Needs Funding for Sensory Services

Margaret Morris explained the proposal to change an element of funding for sensory children. The plan is to move to an approach which is consistent with the other SEN needs in schools. Mainstream schools will be expected to cover the first £6000 of support from their Low Cost High Incidence (LCHI) element of their delegated budget before further funds are allocated from the High Needs budget. Further discussion is required through the High Needs Working Group during the autumn term.

Resolved

The Forum noted the report.

11. SEND Support Services

Margaret Morris explained the proposed services for SEND support. It is planned to change the structure of the service to include Educational Psychology Assistants and Clinical Psychologists. This is a long term move to provide appropriate support services for children, which meet needs. The changes will be monitored to ensure effective outcomes. The project aims are identified in section 3 of the agenda paper. The CAMHS team will be included in discussions to avoid overlap or duplicated services.

Resolved

Forum noted the report and referred the proposal to the High Needs Working Group.

12. Home Education

Margaret Morris updated the Forum on the changing needs of the Home and Continuing Education Service, a service which supports pupils who cannot attend school for physical or mental health reasons. Demand for services is growing and it is currently taking longer for children to re-integrate into mainstream schools. The report outlined changes to increase staffing capacity and to introduce charges to the pupils home school after receiving one terms support. It is expected that the service will have an additional cost of £50k.

Resolved

- Forum noted the report, the shortfall of funds, and the need to consider the additional funding as part of the 2018-19 budget.

13. Budget Monitoring Update and Final DSG

Shaun Allen updated the Forum on the Schools Budget for 2017-18. At this time the schools budget is expected to balance. DSG income will be reduced in year to take account of 4 primary schools who converted to Academy status in June and a reduction of 3/4 year olds taking up free places. These changes result in a matching reduction in expenditure within the budgets.

The final DSG for the 16/17 financial year was £169m, this was slightly higher than expected due to additional Pupil Premium numbers.

Resolved

Forum noted the report

14. Update on School Budget Position

Sue Ashley informed the Forum on the indicative school balances for March 2018 and 2019, which are reducing. The number of schools with expected deficit balances in future years continue to rise. Work is ongoing in schools to review projections and ensure plans are financially sustainable. The projections used do not take account of the effect of the National Funding Formula in future years.

147 pupils were identified in the summer term to transfer to other Schools from Kingsway in September. Receiving schools will receive pupil led funding for these pupils. For those schools who have accepted pupils since September these will be included in the October census and funded from the start of the next financial year.

Resolved

Forum noted the report

15. ESG Update

Shaun Allen informed the Forum of the changes to the former Education Services Grant (ESG) and highlighted the services covered by this grant. The grant was removed from April 2017 and replaced by a transitional amount to August 2017 and a block of funding within DSG. In addition a further amount was de-delegated by maintained schools for part year costs from September. In 2018-19 the de-delegation from maintained school would increase to £500k.

Resolved

Forum noted the report and referred it to the report to the Funding Working Party for decisions in respect of the 2018-19 funding.

16. School Funding Operational Guidance

Andrew Roberts summarised the school funding guidance which sets out the framework for budgets in the following year.

Resolved

Forum noted the report and referred the contents to the Formula Working Group

17. Workplan and Dates of Future Meetings

The workplan was provided for information.

The dates of the meetings for the coming academic year are:-

Wednesday 13th December 2017 (additional meeting)

Wednesday 17th January 2018

Wednesday 25th April 2018

Wednesday 4th July 2018

18. Any Other Business

There was no other business.

WIRRAL COUNCIL

WIRRAL SCHOOLS FORUM December 13th 2017

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

The impact of the School Intervention Grant and Combined Budget Contributions to School Improvement

EXECUTIVE SUMMARY

This report outlines the expenditure and impact of School Budget contributions in 2016-17 in the following areas:

- School Intervention £674,500
- School Improvement £359,900

BACKGROUND

1. School Intervention £674,500

The School Intervention contribution was combined to support the schools in most need of support. During this period of time there were three schools in special measures (one maintained secondary school and two primary schools (one church school and one maintained school)). One secondary school and another education establishment are sponsored academies as a result of a previous Ofsted judgement of inadequate. A total of £153,000 was used to support the following work:-

- Leadership development both at middle and senior level
- Raising standards in the quality of teaching and learning
- Improving accountability frameworks
- Improving or stabilising governance

The Local Authority Anti-Bullying Strategy has been supported, through £12,000 funding to provide leadership and support for anti-bullying projects in schools.

A total of £130,000 was used to offset the costs of the primary headteacher and secondary headteacher consultant posts. This enabled headteachers and schools to be represented on key consultation groups such as the Safeguarding Board and the appropriate subgroups.

Schools identified as Band 3 by the Locality Boards accessed advice, guidance and support. A total of £46,000 was devolved to key schools where the headteachers and/ or their leadership teams were providing relevant and bespoke support in primary schools. A total of £50,000 was used to commission school improvement support for secondary schools irrespective of whether the schools are academies (both sponsored and stand alone) or maintained schools.

£36,000 was used for developing assessment and moderation.

£31,000 was used to commission a bespoke Wirral Teaching Leaders Programme the impact of which was strengthen middle leadership in primary schools.

£30,000 was used to commission the Mathematics Ark Mastery programme for 11 secondary school.

An increasing concern has been the number of permanent exclusions in secondary schools. Last academic year there were 70 permanent exclusions, and increase of 11 from the previous academic year. Nationally it is recognised that a student is more likely to not be in education, employment or training (NEET) after Year 11 if a student has been permanently excluded. To try and reduce the number of permanent exclusions and support schools with strategies to prevent these students from being permanently excluded a number of strategies have been commissioned at a cost of £85,000. Work has focussed on:-

- A review of the membership and operation of the Fair Access Panel to include in year transfers, Alternative Provision Census applications and fairly allocating students who have been permanently excluded once back into mainstream secondary schools;
- Successful commissioning of a 12 week reintegration process with the recently establish Progress-School in Birkenhead for Key Stage 3 students permanently excluded for the first time. This has included a number of Key Stage 3 students who had previously attended the Pupil Referral Unit;
- The implementation of the Wirral Alternative Education Guild to coordinate alternative provision, monitor student attendance, behaviour and progress.

2. School Improvement £359,900

IMPACT

Funding by the Schools Forum and the amounts previously agreed have supported the aggregated school outcomes which are:

1. The number of 5 year olds reaching a good level of development (GLD) overall remained static. The South Wirral and Wallasey localities showed improvement from last year 1.8% and 2.8%.
2. More children at the age of 7 attained the expected standard this year (an improvement of 4%) for attainment in reading and writing and mathematics combined (RWM). When scrutinising individual subjects writing showed the biggest improvement (an increase of 3.4%) for all pupils. The gender gap has narrowed in reading and writing due to improved attainment by the boys. There is no significant gap between boys and girls in mathematics. This is attributed to more boys attaining the expected standard.
3. More children at the age of 11 attained the expected standard in reading and writing and mathematics (RWM) than last year – an increase of 8% (49% to 57%). More looked after children attained the expected standard this year. The gap between all Wirral pupils and CLA has narrowed by 1% from 17.1% to 16.2%. Attainment in mathematics and reading showed the biggest improvement, 7% and 6% respectively.
4. At the age of 16 the percentage of pupils achieving a grade 4 or above in English (77.1%) or mathematics (71.7%) was above the national average. Outcomes in English were higher than in mathematics. This was the same for each locality. The percentage of Wirral pupils attaining a Grade 4+ in English and Mathematics is above the national average by 7.9%.

5. Overall the percentage of Wirral pupils attaining a grade 5 or higher in English and mathematics is higher than the national average by 4.6%. South and West Wirral localities are above the national average. The percentage of pupils attaining a grade 5 or higher in English was significantly above the national average. The percentage of pupils attaining a level 5 or higher in mathematics was just above the national average.
6. 60% of primary schools in Band 3 exited into a higher band requiring less support and challenge. 64%% of Band 2 schools exited into a higher band.
7. At the time of writing this report at least 90% of all Wirral schools have been judged as good or better by Ofsted which is well above national average. 90% of all Wirral students attend good or better schools.
8. Due to bespoke intervention by headteachers on the Locality Boards and the two School Improvement officers, five schools were prevented from going into an Ofsted category.

Developments 2017-18

As part of the Schools Budget for 2017-18 the funding for School Intervention and School Improvement has been restructured.

There is ongoing support for School Intervention of £136,000 to fund Headteacher consultancy and within School Improvement there is funding for a programme of £770,000 including part year de-delegation and transitional ESG support of £205,200.

Separately from September the LA has received a School Improvement Monitoring and Brokering Grant of £200,289. This grant is to monitor and broker School Improvement provision for low performing maintained schools and to intervene in certain cases. The grant is for a part year, on this basis should increase in future years to over £300,000, although no detailed allocations have yet been announced.

Developments 2018-19

The withdrawal of ESG in its entirety from September 2017 left a shortfall in funding School Improvement Services. In response the Forum agreed to de-delegate funding from schools to support the service from September onwards. As a part year amount this was £101,600. The budget for 2018-19 will include a proposal to increase de-delegation to full year costs of £174,200 (an increase of £72,600).

RECOMMENDATIONS

1. Schools Forum to note the contents of the report.

Paul Boyce
Director of Children's Services

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**WIRRAL COUNCIL
SCHOOLS FORUM – 13th DECEMBER 2017
REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES**

CHANGES TO THE SCHOOLS FUNDING FORMULA 2018-19

1. EXECUTIVE SUMMARY

This report recommends a number of changes to the local funding formula for schools as a first step in a transition to the new National Funding Formula announced by the Department for Education in the summer.

In addition the report recommends a top slice of up to ½% of the Schools Block in order to fund the outcome of the High Needs review.

2. BACKGROUND

The Secretary of State confirmed details of the new National Funding Formula (NFF) for schools in September which will be in place from April 2018. The format of the formula remains largely unchanged from earlier consultation papers with a few important additions:

- At least a 0.5% increase per pupil for each school in 2018/19;
- At least £4,800 per pupil funding for each secondary school and £3,500 per pupil funding for each primary school by 2019/20, with a transitional amount of £4,600 and £3,300 in 2018/19;
- The overall schools' block funding provided to local authorities to be ring-fenced, with some limited flexibility to transfer up to 0.5% out of the Schools Block to High Needs, subject to Schools' Forum approval.

These changes result in an additional £3m for Wirral schools using October 2016 data, which is equivalent to a 1.6% increase against the published baseline budget. This is a significant improvement both on earlier papers and previous funding settlements.

The High Needs Block will also increase from £34m to £34.8m, an increase of £0.8m.

3. LOCAL SCHOOLS FUNDING FORMULA GUIDELINES

Wirral remains responsible for agreeing the funding formula for schools until a "hard" formula is implemented; which is expected in 2020-21. During this intervening time the NFF will run alongside any local formula for schools.

This "soft" period is seen by the DfE as a transition, giving LA's flexibility to move towards the NFF and may also protect against turbulence.

In agreeing any changes to the funding formula for schools the final decision is taken by the Council and Cabinet. The LA is required to consult with schools on any proposals. In addition School Forum members must also be consulted on their views.

Regulations confirm that in considering the recommendations arising from this report Forum voting is restricted, by the exclusion of all non-schools members except PVI representatives.

4. CONSULTATION WITH SCHOOLS

Schools have been consulted on the following proposals:

1. Retaining the local funding formula or a move to the NFF;
2. A revised MFG;
3. A reduction of the Looked after Children (LAC) factor;
4. Use of any "Headroom" monies;
5. High Needs Review and transfer of up to 1/2% of schools block funding in to the High Needs Block.
6. The priorities for High Needs funding
7. Changes in High Needs places
8. The redesign of some SEN support including the introduction of a traded service for some hearing and vision support in schools
9. The services that should continue to be offered through De-delegation

The consultation ran for 3 weeks from 12th November until 4th December. In addition there were briefings with Headteacher groups and some earlier discussions with governors.

In total there were 33 responses:

- 11 from Secondary schools (c.50%)
- 16 from Primary schools (c.20%)
- 6 from Special schools. (c.50%).

Whilst this is not a large response, comments received covered a wide range of provision across the school estate.

5. SUMMARY OF RESPONSES

Q1. Should Wirral retain the local funding formula or move to the NFF from April 2018?

4 options were presented for schools to consider as part of the funding consultation, these illustrated the overall implications for schools and the individual implications for each school. The options were:

- Option 1 – move straight to NFF values
- Option 2 – use existing funding formula
- Option 3 – transition and introduce some elements of NFF
- Option 4 – As above with up to a 1/2 % top slice for High Needs

The responses received did not give a clear view. A number of schools commented that they thought that the new NFF gave an opportunity to correct a level of historic underfunding, whilst some others said they had voted on the option that best suited them. Schools that selected a top slice commented on the need to have both a transition to the NFF and to be able to respond to High Needs demands and the increasingly complex needs in mainstream schools.

A similar number of primary and secondary schools chose option 1 (NFF) and option 4 (top slice). Including special schools option 4 was the preferred option.

Recommendation

That taking account of additional comments in Question 5 a transition and High Needs top slice (Option 4) is implemented as the basis for the school funding formula for 2018-19.

Q2. A revised Minimum Funding Guarantee of 0%

Nearly all responses supported this option, as it was seen as ensuring no school would lose pupil funding in 2018-19 unless there is a reduction in pupil numbers.

Recommendation

That the funding formula includes a 0% MFG in 2018-19

Q3. Reduction of Looked after Children (LAC) factor

The proposal to reduce this factor to take account of changes within Pupil Premium was generally supported. Those that didn't commented that there was a need for more support for children looked after.

Recommendation

The unit value of the LAC element within the formula is reduced to take account of an increase in the Pupil Premium.

Q4. Use of Headroom in the Formula

There were not many responses to this question. Those that did commented that the increase in funding should be evenly distributed across all formula values. Some commented that PFI funding should be uplifted (PFI costs would be increased both locally and nationally within the NFF).

Recommendation

That Headroom is allocated evenly over all funding formula elements and that the PFI element is increased in line with the contract inflation provision.

Q5. High Needs Review and transfer of up to 0.5% of Schools Block funding in to the High Needs Block

Those schools selecting funding formula Option 4 also agreed with this question. The possibility of a top slice off school funding for high needs has been put in place by the DfE to give some flexibility to authorities responding to national increases both in high needs numbers and complexity of needs. Locally these pressures in Wirral are similar to many other areas.

A longer term strategy is being developed including a review of provision to take account of the impact of current and future pupil trends. Some outcomes from this review will need to be implemented quickly, including the expansion of some resource bases in mainstream schools. In making changes this will require an additional financial commitment over a transition period until numbers are brought more in line with averages elsewhere.

Guidance from the ESFA is written on the basis that a funding transfer is to be seen as a one off and that funding in future years requires additional approvals. Finally there is an expectation that plans are in place to avoid such transfers over the longer term.

In the response to the question about a top slice no school suggested a different percentage either higher or lower than that proposed. Positive comments were the

need for investment to meet demands and provide greater support; that this was the best option for the majority of schools and that all schools should contribute to the support costs for young people. Alternative views were that if agreed there would be less funding for mainstream schools when all schools face increasing pressures and that a top slice decision should be taken after the High Needs review is completed.

Recommendations

That a ½% top slice from the schools budget is approved and used to support the outcomes of the High Needs Review

That the Forum receives an update on the review at its next meeting in January.

Q6a Priorities for High Needs funding

There were a range of comments to this question. Some talked about the support provided to settings, the need for speech and language resources, and the need for sufficient specialist placements. Existing commitments are a priority; however there was also support for proposals around SEMH, CLD and Alternative Provision. A further report will be considered at the January Forum meeting alongside the 2018-19 budget.

Recommendation

That the High Needs working group consider the priorities for High Needs funding and report to the January Forum meeting

Q6b Excluded Pupils

This proposal will change the basis of budget adjustments in secondary schools to bring them in line with statutory guidance.

Nearly all responses supported this change to cease a local agreement whereby a secondary school pays a full year fee regardless of the point in time of an exclusion took place. However whilst this change will reduce costs in schools it will increase High Needs costs by c £170,000.

Recommendation

That the basis for exclusion budget adjustments in secondary schools is amended in line with statutory guidance from September 2018 and that where necessary an agreement is made between the LA and academy schools for the recovery of charges.

Q7. Changes in High Needs Places

The changes described were generally endorsed. Comments made were that the number of funded places need to accurately reflect numbers and that this gives priority to support the most vulnerable children and young people.

Others commented on the need to ensure children are correctly placed and highlighted that they felt there were increasing needs that were having to be met in mainstream due to specialist provision being full. In light of this it was felt that if additional places were to be created then it had to cater for these needs. Schools endorsed removing any surplus places at the same time as increasing provision.

Recommendation

That the place changes described are agreed and implemented from September 2018.

Q8a Redesign of SEN support – Clinical Psychology Intervention Team

This proposal was supported by most schools, although a number chose not to answer. The comments made were that a central team would be better than a

resource in each school and that secondary schools would also want to access this support. A few responses felt the impact of outreach in schools was marginal and that it needs a significant level of school resources to deliver this approach.

Recommendation

That SEN support is redesigned to create a Clinical Psychology team.

Q8b Use of Element 2 funding to support Hearing and Vision support and the introduction of a traded service

2/3rds of responses agreed that Element 2 funding should be used for Hearing and Vision support in schools. Comments included that this would bring the funding in line with other areas of support in schools. Those that didn't support the approach said that Hearing and Vision should be LA funded, that this is a further demand on school budgets and that element 2 is already fully utilised through small group teaching.

With regard to a traded service being developed, there was no clear view from the consultation. However this would be necessary to provide support where needed.

Recommendation

That element 2 funding in schools is taken into account for Hearing and Vision support from September 2018 and that a traded service is developed through the Forum High Needs working group.

Q9 Services that should continue to be offered through de-delegation

There were few comments or views expressed by schools on this question. Some schools noted that de-delegation is helpful and supports the school budget, whilst another felt schools should choose the services needed themselves. They are:

- Contingency (£110,500) – for exceptional / unforeseen costs.
- Special Staff costs (£674,400) –maternity / paternity and Trade Union Facility time.
- School Library Service (£191,700) Primary schools
- FSM eligibility (£19,700) – handling applications for FSM's.
- Behaviour Support (£84,200)
- Insurance – (£29,200) costs of VA governors liability insurance (Primary only)
- School Improvement (£101,600),de-delegated for a part year from September 2017.

Of these some minor changes are proposed - School Improvement (full year costs), Behaviour Support transfer and VA insurance saving.

Recommendation

That de-delegated services continue to be offered as part of the Schools Budget for 2018-19

6. CONCLUSIONS

The consultation has given useful feedback to inform the plans for the School Funding Formula and Budget for 2018-19.

In some High Needs areas work will be ongoing through the Forum's High Needs group. Given the significance of the proposals and implications for all schools the membership of this group could be reviewed / expanded.

7. RECOMMENDATIONS

That:

- 7.1. Option 4, a transition and top slice, is implemented as the school funding formula for 2018-19.
- 7.2. The funding formula includes a 0% MFG in 21018-19
- 7.3. The unit value of the LAC element within the formula is reduced to take account of an increase in Pupil Premium.
- 7.4. Headroom is allocated evenly over all funding formula elements and that PFI is increased in line with the contract inflation provision
- 7.5a. A ½% top slice from the schools budget is approved and used to support the outcomes of the High needs Review
- 7.5b. The Forum receives an update on the review at its next meeting in January.
- 7.6a. The High Needs working group consider the priorities for High needs funding and report to the January Forum meeting
- 7.6b. The basis for exclusion budget adjustments in secondary schools is amended in line with statutory guidance from September 2018 and that where necessary an agreement is made between the LA and academy schools
- 7.7. The place changes described are agreed and implemented from September 2018.
- 7.8a. SEN support is redesigned to create a Clinical Psychology team
- 7.8b. Element 2 funding in schools is taken into account for Hearing and Vision support from September 2018 and that a traded service is developed through the Forum High Needs working group
- 7.9. De-delegated services continue to be offered as part of the Schools Budget for 2018-19
- 7.10. Forum advise on membership of the High Needs working group.

Paul Boyce
Director of Children's Services

Appendices

1. Notes from Formula working group 1st November
2. Schools responding to the consultation

Schools Forum Working Group meeting 1st November 2017

Present: Andrew Roberts, Shaun Allen, Richard Edwards, Helen Johnson, Mark Bellamy, Lynne Ireland, Adrian Whiteley.

Funding Formula Options 2018-19

4 options were presented for inclusion in the schools funding formula consultation:

1. Move straight to the National Funding Formula
2. Use the current formula and continue with -1.5% MFG, with additional funding allocated to factors in line with current proportions.
3. Current formula continuing, with additional funding allocated to factors in line with current proportions, but with 0.5% MFG.
4. Current formula continuing with -1.5% MFG, with additional funding allocated to factors in line with current proportions, but with a 0.5% top slice for transfer to the High Needs block.

The group felt that Wirral should ideally move directly to National Funding Formula, but, while acknowledging we would need to move to NFF by 2020/21, that this would mean some schools gaining significantly, while others barely gain anything due to the reserves funding not being included in baseline budgets.

Similarly, just using the existing formula with the additional funding would not be appropriate, as continuing as we are and only implementing NFF when forced to do so may be a huge change for some schools when fully implementing.

Due to the additional funding, no school should lose in 2018-19 and so there should be a minimum 0% MFG, and it was felt that ideally there should be a transition period so that there were no large variations for any school from one year to the next. A smoother transition model was requested, which made steps towards NFF without fully implementing it in year 1.

It was agreed this should be the current formula, but with 0% MFG so no schools lose, and with the minimum per pupil funding rates (£3,300 for Primary and £4,600 for secondary) included. Also the LAC factor to be reduced by £400 to offset the increase in LAC Pupil Premium.

Similarly a fourth model would replicate the new option 3, but with 0.5% top slice for High Needs, although a transfer to High Needs must reflect need, not just because the regulations allow it.

High Needs Pressures

The HN block will increase by £816k in 2018-19 to £34.8m. HN pressures for 2018-19 were outlined as follows:

Agreed place changes - Schools, colleges and EMA	125,000
New place changes in 2018-19 - Claremount and other provision	250,000
CLD and SEMH pressures (phasing)	200,000
Previous use of Reserves	190,000
Inflation to school budgets 0.5%	125,000
School Meals	100,000
	990,000
Speech and Language support	150,000
Home Tuition	50,000
CLD / SEMH pressures in resource bases / schools	200,000
Emslie Morgan / Alternative provsion	200,000
Statutory Exclusions	200,000
Inflation for EHCP's	25,000
	825,000

- it was agreed that the £100k for school meals should not result in a budget increase. All schools face cost pressures.

- Proposed changes to top up funding (CLD and SEMH) were full year figures, but should only be 7/12ths as would only be from September 2018.

- The above figures include an increase of £125k being an increase of 0.5% to special school budgets in line with primary and secondary schools. It also includes £190k previously funded from reserves. It was felt that the increase should only be the difference of these 2 figures, as the 0.5% increase to primary/secondary school budgets is offset by the removal of reserves, and so should be the same here.

- The increase for Emslie Morgan and AP was discussed, more information is needed. This was a full year increase and should also be part year.

Consultation/Briefings

The models will be revised as described above, and included within the consultation. It was requested that AR attends Headteacher groups to explain the consultation and answer any questions.

Schools responding to the Formula Funding Consultation

Pensby High School
West Kirby Grammar School
Weatherhead High School
Wirral Grammar Boys
St Anselms
Birkenhead Park School
Upton Hall School
Wirral Grammar Girls
South Wirral High
Prenton High School
Irby Primary
Fender Primary
Sacred Heart Catholic Primary
Mersey Park
St Peters Heswall
Woodlands
Great Meols
Pensby Primary
Church Drive
Christchurch Moreton
St Michaels and All Angels
Riverside Primary
St Peter's and Paul's
Holy Spirit
Oxton St Savours
Well Lane
Foxfield
Orrets Meadow
Wirral Hospital School
Meadowside
Kilgarth
Gilbrook

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WIRRAL COUNCIL

SCHOOLS FORUM – 13th DECEMBER 2017

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

EARLY YEARS UPDATE AND CONSULTATION

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to recommend a number of changes within Early Years Funding following a consultation with providers and to update the Forum on Early Years Funding more generally.

2.0 EARLY YEARS CONSULTATION

- 2.1 A consultation was issued to Early Years providers at the beginning of the autumn term. This was to seek views and comments from the sector on a number of areas, including:

- The reform of the Inclusion Practice Fund,
- The introduction of monthly payments,
- Claims arriving after the termly headcount date,
- An increase in Early Years funding
- A change to the overall pass through rate,
- A review of existing formula factors.

- 2.2 The consultation papers were issued to approximately 225 providers with the consultation period running for 8 weeks, and as part of this a briefing was held at Birkenhead Town Hall to explain the proposals and give providers the opportunity to ask questions or seek clarification. There were 22 responses to the consultation, and a list of respondents can be seen in Appendix 3.

- 2.3 The consultation responses were discussed during a meeting of the Schools Forum Early Years working group on 8th November, the minutes of which can be found at Appendix 1. At September's Schools Forum it was agreed that the EY working group would approve changes to the Inclusive Practice Fund subject to the views of the consultation. Forum is now asked to vote on the proposals, and there are no voting restrictions on these matters.

2.4 Inclusive Practice Fund

The consultation gave a mixed response to the Inclusive Practice Fund changes, with various comments made and summarised in Appendix 1. However it was agreed to implement changes to the Inclusion Practice Fund as described at September's Schools Forum. These include an awards allocation panel including representation from both health and social care, a "one payment" for a child's academic year to replace the current termly payments, more regular sittings of the awards allocation panel, and to award "top-ups" to 2 year olds in exceptional cases. The fund will also be available to maintained nursery schools and F1 nursery classes.

2.5 In addition it was also agreed that awards could be made based on a minimum 6 weeks of evidence, as opposed to the current 2 terms to help speed up the process.

2.6 Monthly Pay

There was a mixed response to the proposal for monthly payments to providers for the 'free' childcare hours, which are currently made in 2 termly payments. However it is not administratively possible or practical to operate on 2 different payment bases. Therefore it is proposed that monthly payments are implemented from the Autumn 18 term in accordance with Early Education and Childcare Statutory Guidance. A number of changes to the original consultation are being proposed and were discussed with the Early Years Working Group. These include a payment in August to make 12 payments a year as opposed to the 11 originally suggested. It was also agreed to make payments earlier in the month so as not to cause hardship to providers, and where possible providers will be able to have more input into their estimate payments that at present.

2.7 Headcount

In terms of children arriving after headcount date (who are new to the area or claiming the funding for the first time) this was agreed. In other instances it should be for the providers concerned to liaise and resolve any placement changes between themselves. The LA would not administer these transfer of funds, however an expectation this should happen would be included in the 2018-19 Provider Agreement.

2.8 Increasing Funding

The consultation strongly supported the proposal for the additional funding available from increasing the pass through rate (the proportion of funding that it passed on to providers) to 95% is added on to the base rate. It is therefore proposed to increase the base rate within Wirral's Early Years funding formula from £3.60 to £3.68 from April 2018.

2.9 Funding Formula

Conversely there was little support in the consultation for a change to the existing structure of the Early Years formula, and so it is proposed to keep the formula for 2018-19 in its current form.

3.0 EARLY YEARS OPERATIONAL GUIDE 2018-2019

3.1 In November 2017, the Education & Skills Funding Agency issued an updated Operational Guide to 2018-19. This document provides a guide for Local Authorities to the rules relating to how they fund providers to deliver the early years entitlements in the financial year 2018-19.

3.2 This includes the 15 hours entitlement for disadvantaged 2 year olds, the universal 15 hours entitlement for all three and four year olds, the additional 15 hours entitlement for eligible working parents of three and four year olds, as well as additional funding available for eligible three and four year olds through the Early Years Pupil Premium and the Disability Access Fund.

- 3.3 Wirral's funding for the Early Years block in 2018-19 is based on the census figures in January 2018 (5/12ths) and January 2019 (7/12ths), with final allocations not known until July 2019. Details of the initial allocation will be published in December 2017.
- 3.4 The Early Years National Funding Formula was introduced in April 2017, and sets an hourly rate for each local authority to deliver the universal and additional elements for three and four year olds. These hourly rates for 2018-19 have been published alongside the Operational Guide, and for Wirral remains unchanged at £4.31.
- 3.5 The key points and changes for 2018-19 are summarised in Appendix 2. This includes the requirement for Local Authorities to pass 95% of their three and four year old funding from Central Government to early years providers. This has increased from 93% in 2017-18 and is to ensure that the majority of Government funding reaches providers so they can deliver the free entitlements.

4.0 MAINTAINED NURSERY SCHOOL PROTECTION

- 4.1 As part of 2017-18 Dedicated Schools Grant (DSG), Wirral received supplementary funding from DfE to enable them to protect 2016/17 funding rates for Maintained Nursery Schools. Wirral has used this to protect the 3 Maintained Nursery Schools' 2016/17 hourly rate for 3 and 4 year olds claiming Universal hours only, as well as a lump sum of £100k for each MNS.
- 4.2 Wirral's initial indicative allocation for the supplementary funding was £518k but in the latest DSG update published in October, this has reduced to £495k due to allocations being revised and based on the MNS pupil count from the January 2017 census as opposed to the January 2016 census. The allocation will not be finalised until July 2018, and will use a weighting of the 2017 and 2018 census.
- 4.3 Based on hours paid for the 2017 summer and autumn terms and estimated spring hours the protection for MNS in 2017-18 will cost approximately £520k.
- 4.4 The supplementary funding will still be available in 2018-19, but it is expected to be withdrawn from April 2019.
- 4.5 Within the Operational Guidance, DfE have confirmed that Local Authorities will be required to have a universal base rate in their funding formulas for all types of childcare providers from 2019-20. This would have a significant impact on Maintained Nursery Schools due to their base rate currently being protected at 2016/17 rates. However this guidance also states "Local authorities can use lump sum payments and we will continue to allow local authorities to provide a higher level of funding to MNS once the base rate becomes compulsory in 2019 to 2020".

5.0 3 & 4 YEAR OLD EXTENDED OFFER

- 5.1 Autumn 2017 was the first term of Central Government's extended offer of an additional 15 hours childcare entitlement for working parents. This has presented an enormous administrative challenge, both for providers in terms of additional

paperwork required from parents and the Authority in reviewing the additional evidence and resolving the increased level of discrepancies.

- 5.2 Although all eligible providers have received payment for the Autumn 17 term, there are still ongoing checks being made and in some cases queries to resolve and small adjustments to be made. However, provisionally 290,660 extended hours have been claimed at a cost of £1.18m. If the equivalent were claimed in the spring term this would give a total cost in 2017/18 of £2.1m against a budget of £2.4m, although it is expected to increase in the spring term as take up increases.
- 5.3 To date, 2,020 codes in Wirral have been checked by providers for eligibility. Of these 1,718 (85%) are currently eligible to claim funding in the spring term, and 168 are due to expire at the end of December, although could still become valid for the spring term if the parents reconfirm their eligibility.

6.0 DISABILITY ACCESS FUND

- 6.1 From April 2017 the Department for Education introduced this fund to support disabled children's access to the entitlements for three and four year olds. Wirral was given an indicative allocation of £100k for this, which was based on the number of children in Wirral who are in receipt of Disability Living Allowance.
- 6.2 Take up from providers has been fairly slow in relation to the indicative allocation, and at the time of writing only 37 applications have been received, each attracting an award of £615 for their setting.

Indicative budget	Paid as at 30 th November 2017	Potential Remaining Spend
£100,000	£22,755	£77,245

- 6.3 Providers will be contacted before the Christmas break to remind them that this fund is available, and to encourage their parents to apply for the funding.

7.0 EARLY YEARS PUPIL PREMIUM

- 7.1 Early Years Pupil Premium gives providers additional funding to support disadvantaged 3 and 4 year olds. Wirral operates on an 'opt-out' basis, whereby qualifying children are automatically awarded the funding unless the parents choose not to be.
- 7.2 Awards in the summer term in 2017-18 increased significantly from 2016-17. At the time of writing numbers for the autumn term are yet to be confirmed. An update will follow at January Forum.

	Summer	Autumn	Spring	Total
2016-17 children	709	676	908	2,293
2017-18 children	1,223	TBC		
2016-17 value	£73,272	£75,268	£79,368	£227,908
2017-18 value	£126,388	TBC		

8.0 RECOMMENDATIONS

- 8.1 That the Forum notes the report.
- 8.2 That the arrangements for the Inclusive Practice Fund are confirmed.
- 8.3 That monthly payments are introduced for childcare providers from the autumn 2018 term, with payments made at the beginning of each month.
- 8.4 Wirral's Early Years funding formula is retained in its current structure, with the supplements included and their rates unchanged.
- 8.5 Additional funding from increasing the pass through rate is added to the base rate.

Paul Boyce
Director of Children's Services

Appendix 1

Schools Forum Early Years Working Group meeting 8th November 2017

Present: Andrew Roberts, Carol Fenlon, Simon Davies, Nicky Prance, Lynne Ireland, Sarah Harper, Shaun Allen

Apologies: Michael Forber, Penny Bishop

Minutes / actions from previous meeting

Notes from the previous meeting referred to the extended 15 hours as being for childcare rather than education. It was noted that this is DfE guidance, not OFSTED.

Consultation Summary

The early years consultation was discussed at Schools Forum on 27th September, and Forum agreed subject to the views of the EY working group to implement changes to the Inclusive Practice Fund, and that the outcome of the consultation will be reported to Forum on 13th December. Working group members also to report back to the groups they represent regarding the types of responses in the consultation, but not decisions.

Out of approximately 225 providers the consultation was sent to (170 PVI, 52 schools, 3 maintained nurseries) there were 22 responses (16 PVI, 4 schools, 1 maintained nursery, 1 organisation).

This is a standard response rate from Early Years providers. May need to follow up with the National Day Nursery Association (NDNA) as to why it is always low.

Methodology of distributing future consultations needs to be considered, and need to check why the consultation was sent to schools without F1 provision.

Consultation responses

Inclusive practice fund

8 agreed with the proposals for the Early Years Inclusive Practise Fund, 13 disagreed. Comments included:

- *the panel should meet more than 2/3 times a year* - they are now diarised bi-monthly so scheduled to meet 6 times a year, to include applications for the fund, but also monitoring and the impact of allocated funds.

- *the process is too slow* – the group agreed that 2 terms delay prior to award was excessive. The needs of the child should determine how long evidence takes to gather i.e. greater needs could be seen straight away (within 6 weeks). However, it can also depend on how often the child attends, how knowledgeable the parents are etc. A term is too long if the child is a danger to themselves and other children. There needs to be a minimum period to ensure the money goes to those who need it most, but ultimately the panel assesses need. To apply for the fund providers have to have engaged with the

EY SEND team which provides some background. There has to be a graduated approach, and it was agreed that a minimum 6 weeks evidence is required.

- *the panel should include reps from the sector* – It would be hard to make this representative of all sectors (PVI, childminders etc). The panel is currently represented by Cathy O'Connor (Ed Psych), Carol Fenlon (Early Years lead), Ellie Wright (0-19 Complex Needs NHS), Penny Bishop (EY SEN) and Sue Kenyon (Family Worker). It was agreed that these are the relevant professionals and should be able to make independent judgements, but that it could report to the Early Years Group on the number of applications, awards, and what makes a good application. There is a right of appeal on decisions taken, so should there be sector representative on that panel.

- *awards should cover 2 year olds, and be available for 15 hour extension and cover school holidays* – Statutory guidance says Inclusive Practise is not for 2 year olds, although 2s will be considered in exceptional circumstances. Regarding extended 15 hours, providers may employ additional staff to look after children with additional needs, funding for them is only for universal 15 hours, but can't realistically say the child can only attend for 15 hours a week. But if funding covered the additional 15 hours, the rate paid would need to be halved to accommodate this. As the process is only changing half way through the year there is likely to be an underspend in 17-18. However, at the end of the year the service can report back on what has been spent, and what this would have been if funding was for the full 30 hours. This could be a basis for reviewing if the additional hours can be accommodated in future.

- *the rate is too low and not sufficient for 1:1 support* – It has been made clear that this fund is not for 1:1 support. The latest batch of applications have shown creative ideas and not requested 1:1 support. The rate has been set based on the available funding.

- *will the £100k underspend (from 16/17) be included in the available budget?* – Schools Forum took the decision to use this as part of the overall schools budget, so it is no longer available, as the funds are not ringfenced. It could be considered to carry over underspends in the future, but this would also need to consider carrying over potential overspends, which would in turn reduce the rate.

- *awards need to reflect needs* – the group agreed and thought funding should represent individual needs as, for example, there can be varying levels of autism. Outcomes will be monitored and analysed to see if this could be possible for a future review.

- *awards should stay in place until the child goes to school* – awards will now be made for a fixed 12 month period, so there may be a reapplication but this will not be termly.

- *there is more paperwork not less* – more important than the volume is the quality of paperwork – it is important that paperwork is right and settings know what evidence is

required. Recent applications have been clear and concise and are now more consistent.

- *the fund should also support English as an Additional Language* – the group didn't support this as children's speech is still developing anyway and they learn from their peers. Generally parents want providers to talk to the children in English. Instances such as these should be directed to the children's centres services for support.

The proposals for the fund are broadly the same as agreed at Forum in September 17 and will be implemented. Payments will be made termly and are banked for the child i.e. if a child changes setting, the payments will follow them.

The fund will also remain for the universal 15 hours, not the extended offer.

Monthly payments

8 agreed with the proposal to introduce monthly payments, 11 disagreed.

LAs are expected to make monthly payments unless there is good reason not to. It is not administratively possible or practical to operate on 2 different payment bases. Early Years funding received by the LA is in 25 instalments, and settings would usually pay salaries (biggest financial burden) at the end of the month. The % of the estimate payments cannot be increased as it has to relate to the costs being incurred, and so need more accurate estimates from settings. It was agreed that where possible providers should have more input into their estimate, as they need to be confident they are right. A payment could be made in August to make 12 payments a year, and the LA could pay earlier in the month, but the Authority has a responsibility to protect the funding. Equally, a new payment model cannot cause hardship to providers.

AR to set out a payments model for SD and NP to take to the NDNA, who are currently against the idea.

Children arriving after headcount date (new to the area or first taking up the EY offer)

Everyone agreed that these should be funded. Comments included that this should be included in the provider agreement, and that providers should also be paid for the weeks a child spends up to Headcount (if they leave).

Whilst this point can go in the Provider agreement, the LA would not administer it. It was agreed that this should be for the providers to sort out between themselves.

Early Years Funding Formula increase

16 agreed that the additional funding should be added to the base rate, 1 disagreed, with one comment suggesting the 3 year old base rate be increased to the same as the 2 year old rate (this isn't possible as there is not enough funding). It was agreed that no setting should lose out as a result of the new formula, as any reduction may impact on whether settings continue with the Extended 30 hour offer.

Formula review

There was little support for a change to the existing formula, with the strongest opinion being on the quality supplement being retained. The term 'quality' is misleading, as

providers can offer quality childcare without having the qualifications, but the supplement cannot be renamed - it has to be called 'quality'. Providers pay graduates more than other staff and notice the difference graduates make to the children. 7 agreed the flexibility supplement should be removed, 12 disagreed.

It was agreed the formula should be kept in its current form, with additional funding being used to increase the base rate. Flexibility will be revisited in 12 months' time when the impact of the 30 hours offers is known.

Next Steps

Minutes of the working group meeting will be circulated, and PVI reps will take them to their groups and provide feedback.

AR will produce a model for monthly payments.

The results of the consultation will be reported to Schools Forum in December.

Schools Forum representatives

A report will go to schools forum proposing to increase Early Years representation by 2. The NDNA Chair is a potential rep. This report will need to consider other non-school representatives and if they're happy with their level of representation. There would be an election process for any new Forum reps.

If a representative cannot attend a Schools Forum meeting, they can send someone on their behalf, but would need to advise the LA in advance.

Appendix 2

Extract from “Early years entitlements: local authority funding of providers Operational guide 2018-19” (pages 6-7)

Key points for 2018 to 2019

11. The key points on local authority funding of providers are that local authorities:
 - should set a single funding rate (including same base rate and supplements) for both entitlements for three and four year olds (that is, both the universal 15 hours, and the additional 15 hours for working parents)
 - must plan to spend at least 95% of their three and four year old funding from government on the delivery of the government entitlements for three and four year olds
 - may request that the 95% requirement be disapplied in specific, exceptional circumstances
 - should be moving towards a universal base rate for all types of provider in their local three and four year old formula, and should do this by 2019 to 2020
 - must use a deprivation supplement in their local three and four year old formula, and any other supplements used must fall within one of the allowable categories
 - must not channel more than 10% of their funding for three and four olds through funding supplements
 - can continue to use ‘lump sums’ (as well as a differential base rate) to distribute Government funding, including the supplementary MNS funding for Maintained Nursery Schools to enable the protection of their 2016 to 2017 funding rates
 - must provide a SEN Inclusion Fund (SENIF) for three and four year olds
 - must pass on EYPP in full to providers for eligible three and four year olds
 - must pass on DAF funding in full to providers for eligible three and four year olds

12. We will monitor compliance with the above through Section 251 (s251) returns. We will also monitor provision on the ground in order to follow up any anomalous results.

Changes for 2018 to 2019

13. The main changes from the requirements for the 2017 to 2018 financial year are:

- the pass-through rate increases from 93% in 2017 to 2018 to 95% in 2018 to 2019
- clarification that local authorities' formulas should not distinguish between the two entitlements for three and four year olds
- clarification that funding supplements are intended to be in addition to the base rate and not used to reduce it; that is, they should not be 'negative'

Appendix 3

List of organisations that responded to the second stage of consultation

Brookhurst Pre School
Bethany Day Nursery
Ganneys Meadow Nursery School & Family Centre
Bedford Drive Primary School
Debbie Thelwell
Town Lane Infant School
St Andrews Pre School
Mersey Park Primary
Catherine Reilly
Woodlands Primary School
Pitter Patter Day Nursery
Penguins Nurseries
NDNA Wirral Network
Oakdale Playgroup @ Serpentine
Oakdale Children's Nursery
Barnston Buddies
Smarties Nursery
Little Robins Nursery
Marigold Day Nursery
Little Cherubs Day Nursery & Preschool (Wallasey & Birkenhead)
St Bridget's Preschool
Overton Nursery

WIRRAL COUNCIL

WIRRAL SCHOOLS' FORUM 13th December 2017

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

Scheme for Financing Schools & Teacher Employment Rights – Consultation Outcome

EXECUTIVE SUMMARY

This report recommends a number of changes to the Scheme for Financing Schools and also a change to teacher employment rights following a period of consultation with schools.

Revisions to the Scheme for Financing Schools

Local Authorities are required to publish Schemes for Financing Schools setting out the financial relationship between the LA and the schools they maintain. DfE guidance lists the provisions which a local authority's scheme must, should or may include. The scheme does not apply to Academy Schools

The changes consulted on were:-

1. Circumstances in which charges may be made to a school where governing body consent is not required

Para 6.2.3 Judgements and awards by Courts and Employment Tribunals against the Council or out of court settlements arising from action or inaction of the governing body or its staff or agents which was either contrary to the Council's advice or where the governing body or its staff or agents did not seek the Council's advice when it was open to them to do so.

This revised wording specifically covers a failure by a school to seek advice as well a failure to act on advice given.

2. Service Level Agreements

Para 8.3.2 All services offered by the LA through service level agreements will be available to schools for the term of the agreement irrespective of whether extended agreements are offered. The LA may offer extended agreements and where it does so, may charge at a different rate. Schools wishing to end an agreement must give one year's notice. Academy conversions may be treated outside this process.

This revised wording includes a requirement for 12 months' notice to be given in respect of SLA's, unless a contract end date is reached earlier or the contract ceases through academy conversion.

3. Licenced Deficits (4.9.1(g))

Para 4.9.1g Deficit budgets should not be sought for minor predicted shortfalls which could be managed in-year. Neither should they be allowed to become too large to be practicably manageable within the three year timescale. The minimum amount for which a licensed deficit may be sought is for 0.5% of a school's budget share. The maximum licensed deficit which may be considered is **10% of a school's budget share**.

This revised wording increases the maximum licenced deficit from 5% to 10% of a school budget.

Consultation

There were 20 responses from governing bodies in total. Comments made included the following:-

1. Circumstances where charges may be made to a school
Nearly all responses supported this change

2. Service Level Agreements
There was no overall view from responses received. Many schools were reluctant to agree a 12 month notice period, commenting on the need for flexibility, the need to take into the account the annual budget process and the need to cease contracts quickly if they are not meeting needs.
In response however there is an existing procedure for contract resolution which deals with service standards and needs. In addition shortened notice periods are possible where contracts are signed in 12 month blocks (ie the contract would have a natural end date within a 12 month period). However the same would not be possible for extended contracts since these are often discounted. All contracts cease in their existing format when a school converts to an academy.

3. An increase to the maximum licenced school deficit
Nearly all responses supported this change

Teacher Employment Rights

Most schools agreed that teachers moving from an Academy school to a maintained school should keep their existing employment rights such as maternity leave and sick pay, bringing their terms and conditions in line with employment rights of other school staff. Subject to the views of the Forum this matter will be reported to Cabinet.

Recommendations

1. The Scheme is updated as described above, along with changes to School Redundancy Costs which have already been consulted on.

2. The Forum endorses the views of schools that teachers moving from an Academy School to a Maintained School should keep their employment rights.

Recommendation

That Forum notes the report.

Paul Boyce
Director of Children's Services

WIRRAL COUNCIL

WIRRAL SCHOOLS' FORUM 13th December 2017

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

Forum Membership and Early Years Representation

EXECUTIVE SUMMARY

This report seeks the views of the Forum to increase the Early Year representation from 3 (1 nursery rep and 2 PVI reps) to 5 (1 Nursery Rep and 4 PVI reps) and to consider any other changes required.

Current Representation

Schools Forum regulations require school and academy representation to be at least 2/3rds of total membership. There are currently 23 reps accounting for 3/4s of full membership.

Total Membership	
5	Primary Headteachers
5	Primary Governors
1	Secondary Headteachers
1	Secondary Governors
1	Special Headteacher
1	Special Governors
1	Nursery Representative
1	Academy Pupil Referral Unit (EMA)
7	Academy Representative
23	Total School and Academy Members
1	Non-teacher representative
1	Teacher representative
1	Catholic Diocese
1	Church of England Diocese
1	Further Education
2	PVI Early Years Providers
7	Total Non-Schools Membership
30	Total Membership

With 23 school and academy reps the maximum permitted for non schools would be 11, which is 4 more than currently offered. Guidance indicates the LA should appoint at least 1 person to represent Early Years PVI providers.

It is intended that non-school representatives should come from a range of stakeholders and partners. These include appropriate faith groups, SEN providers, post 16, professional associations and TU's and representatives of youth groups.

Increasing the Early Years Membership

The Private, Voluntary and Independent Sector within Early Years have requested that their membership on the Forum is increased by 2 to 4 places. This change would give the opportunity to more broadly reflect views and the growth in provision. If agreed membership would continue to be managed by the group as currently and one post would be held by the chair of Wirral's National Day Nursery Association.

Other School Forum Members

On the basis of the above there are a further 2 places that could be offered to partners. Members' views are requested on any further changes to be considered

Recommendation

That Forum approves the changes described to Early Years PVI representation.

Paul Boyce**Director of Children's Services**

**WIRRAL SCHOOLS FORUM – 13th December 2017
WORK PLAN**

Meeting Date	17th January 2018	25th April 2018	Wed 4th July 2018	September 2018
				Elect chair & vice chair
Budget	Budget Monitoring Schools Budget 2018-19 Changes to Schools, High Needs and Early Years funding formula De-delegation of budgets Update on School budgets/balances	Schools Budget update 2018-19 Schools Budget provisional outturn Update on School budgets/balances	Schools Budget Outturn 2017-18 School Balances and Reserves School Budget Monitoring	Budget monitoring and Final DSG Update on School budgets/balances
Consultation	National Funding Formula for Schools & High Needs			Early Years Inclusion and Funding
DfE Regs & guidelines	School Finance Regulations Schools Forum Structure (identifies voting rights)			DfE Operational Guide
Working Groups	School Formula High Needs Early Years	School Formula High Needs Early Years	School Formula High Needs Early Years	School Formula High Needs Early Years
Other	School Contracts MEAs Update Academy update Arrangements and funding for School Exclusions	School Admissions Early Years Traded services Free School Meals eligibility update	Arrangements for Alternative Provision Energy update Arrangements for High Needs /SEND	Forum Membership Combined budgets PFI budgets Other central budgets High needs funding & places Primary place planning De-delegated services <ul style="list-style-type: none"> • Contingency • Special Staff Costs • Library Service • Insurance • Behaviour Support

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