

## Minutes

## SCHOOLS FORUM

**MINUTES OF THE MEETING OF THE SCHOOLS FORUM HELD ON TUESDAY 19 JANUARY 2016 IN KNIGHT HALL (MAIN ROOM 2), THE COACH HOUSE, GREEN PARK, ASTON CLINTON, COMMENCING AT 2.10 PM AND CONCLUDING AT 5.15 PM**

### PRESENT

Headteachers	Mr P Rowe (Vice-Chairman) Mr D Hood Susan Hartley Ms S Stamp Mr A Rosen Mr S Sneesby Ms S Skinner Mr K Patrick Mr A Gillespie Mr O Lloyd Ms J Mitchener Ms L Elkes Ms S James	Princes Risborough School  Cressex Community School Spinfield School Long Crendon School Aylesbury High School Kite Ridge House PRU Bowerdean School Chiltern Hills Academy Burnham Grammar School Iver Heath Junior School Haddenham Infant School Brookmead Primary School Seer Green CofE School
Governors	Ms T Haddon (Chairman) Mr D Letheren Ms A Coneron Dr K Simmons Mrs G Bull	Newton Longville Church of England Combined School Wycombe High School The Vale Federation of Special Schools Cressex Community School Haddenham St Mary's Church of England School
Representative	Mr A Nobbs Fiona Brooks Mr M Moore Ms W Terry Mr D Berry Ms L Jackson	Ashmead School St Mary's Pre-School Catholic Diocese of Northampton Manor Farm Pre-School Marsh Infant and Nursery School Holmer Green Schools
In Attendance	Mr Z Mohammed	
Officers	Mr J Huskinson, Ms S Griffin, Carter, Mr D Johnston, Mr N Wilson, Ms M Coyne and Ms Y Thomas	



INVESTOR IN PEOPLE



## **1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP**

Apologies for absence were received from Debra Rutley, Annette Pryce, Atifa Sayani, Olwyn Davison-Oakley (Sharon James attended as substitute), Karen Collett (Justine Mitchener attended as substitute) and Katherine Douglas (Lorna Elkes attended as substitute).

## **2 DECLARATIONS OF INTEREST**

There were no declarations of interest

## **3 MATTERS ARISING**

The responses to the questions raised about the DBS Charges Review would be requested for the March meeting.

**Action: Emma Wilding/Sharon Griffin**

## **4 DISAPPLICATION TO DFE FOR AYLESBURY VALE ACADEMY**

Members of Schools Forum were advised that Aylesbury Vale Academy is a growing school; the school is full in the secondary phase and it is growing in the primary phase.

Due to secondary pupils attracting a higher level of funding, the primary pupils will be protected under the minimum funding guarantee (MFG) at an artificially higher level of funding than they should be.

**Members took a vote on applying the DfE MFG exemption, to address the situation described above.**

**In favour of applying disapplication and withdrawing protection: 13**

**Against: none**

**Abstain: 7**

## **5 DSG 2016/17 PROPOSALS**

Members of Schools Forum discussed the reports and proposed models presented, during which the following comments were made and questions asked.

- The key problem is there is no explanation with the reports which makes it difficult to give a view on the right way to proceed or not.
- The proposals did not give the rationale why there is a fundamental shift in the policy of the local authority from last year which is to close the gap between disadvantaged pupils and their peers to a differing approach where little justification is given for the shift in money. Members of Schools Forum were advised that this shift would bring

the local authority more in line with the national average. The responses to the consultation show why Bucks is different from the national average. The concern is that if the discussion about the proposals goes ahead, the principle of the local authority to commit to closing the gap will be lost. There is still a large gap to be closed.

- The understanding is the some secondary non selective academies were against the initial consultation and that this view remains. The question is should the process continue unless there is a driver?
- The impact of the changes to IDACI has not been explained. If there are adjustments to be made in light of IDACI changes, this is a very different process to the one current being undertaken. John Huskinson explained that the data set for IDACI was received from the Government after the consultation had closed. There has been a slight change in IDACI. The Government Office for National Statistics (ONS) reset data for 2015 and the eligibility for certain benefits as part of the 2015-16 minimum funding levels. For a pupil who is both eligible for free school meals and lives in an IDACI band 1 to 6 area, the local authority will attract both the FSM and relevant IDACI band minimum funding levels. 15,000 children were in Bands 1-6. This figure has reduced to 10,000.
- Could the local authority not use the same formula as last year there would be £1.6m unallocated after the cost of protection which would need allocating. This was shown in model 2a. If the Government has not guaranteed the current £4305 per pupil funding in 2016/17, the authority would have lost funding.
- Could a compensatory approach be taken if this is the effect of using the same formula as last year? There does not seem to be a starting point in the consultation and the supporting documents.
- The changes were announced after the consultation had closed. Members of Schools Forum need to look at the formula and the consequences.
- If the Funding Formula does not allow a number of schools to be economically viable, this needs to be looked at in more detail.
- Economic viability is one issue; Ofsted outcomes are another. The hard data about what constitutes need should be looked at.
- Some schools only receive 90% of their funding from grants. The remaining 10% is self-funded. Basic needs have to be met. During a SFFG meeting the point was raised that no child coming into school in Buckinghamshire should be disadvantaged.
- The basic principle is not one sector is finding it easy. The basic needs funding schools are presently receiving is not enough. The basic premise is that all schools are underfunded. As a result of the agreement last year by Schools Forum secondary non selective schools received slightly more funding than selective schools.
- Evidence was taken to the SFFG meeting on the 28 November 2014 to show that selective schools and non selective secondary schools were relatively underfunded at that point, following which the decision about funding was made which left one sector at a disadvantage.
- Current data shows that 55% of non-selective secondary schools in Bucks have a rating of less than good. This indicated there is a critical performance problem.
- It would be good to see the gap narrowed further than it has already. High achieving

children are seen to continue to move forward faster which is the reason for the increase in the gap. Bucks Learning Trust said it was investing in young children and this was starting to make a difference. The County Council put vulnerable children at the top of its strategic plan and priorities. During discussions the difference in funding has been pointed out as being fairly significant. It has been recognised that there is not enough money in the system. What can be done to close the gap and give children the best opportunities? Nick Wilson, the Interim Director of Education said there is the awareness that those children who are not doing so well in school are sometimes the ones who also have involvement with the social care function. One of the future aims is not to define the child by one description i.e. SEN but to have a range of services to support the child and their family. It is about recognising the population needs an extra injection of resources where possible and the common ground of vulnerable groups.

- There is the recognition that there are only a limited number of factors that Schools Forum can direct the funding to. If there is funding available for BLT to address a particular need, could this be enhanced by other Sources? The Interim Director of Education advised that the pot remains the same in terms of the public money available from BCC. Thought needed to be given about how this could be invested the most effectively. BLT has the ability to raise money to generate business and to supplement income.
- BLT is a non-profit making organisation so would the extra income have to be reallocated? Is the local authority minded to ask BLT to focus the extra resources in particular areas? The Interim Director of Education advised that this discussion needed to take place.
- The analysis raised questions such as was the reason for the difference in the gap at the end of KS2 and KS4 because of import of pupils and was there the need for a more coherent data strategy to identify strengths and weaknesses to help clarify issues such as why are children receiving FSM are underperforming.
- The evidence seems to point to a gap in EAL performance. Buckinghamshire has traditionally been funded at a lower level. One suggestion is that the data could be reanalysed and funding reinvested in EAL.
- EAL funding can be received for up to three years when a child enters the schools system. Additional funding is not received for those pupils coming into the secondary sector unless certain criteria are met.
- One critical absence in the model is the consideration of prior attainment. Case studies from individual schools have shown this is a multiplier effect which needs to be taken into account.
- Was it possible to have an explanation of MFL and the impact? John Huskinson explained that MFL is based on a set of historic averages across the country with the Government's interpretation of them as recommended levels. It doesn't mean that this amount is passported. Models based on MFL show that 96% of MFL can be afforded in Bucks, partly as a result of rates, MGF fringe payments and other exceptional costs not being taken into account in the MFL. The Bucks model is limited by factors allowed by the DfE but the rates are not mandatory. If there was agreement to retain the current formula, would it be possible to look at the impact of the changes to IDACI and the adjustments in light of this? The Chairman said this

would not address the lack of basic need in schools.

- How can lower funding for schools with a high number of pupils in a specific minority group who are under achieving at the expense of others be justified?
- Yvette Thomas, Policy and Equalities Manager explained that the Equality Impact Assessment was currently still in draft form. From her point of view and based on the Equalities Act 2010 law, no policy of statutory decision should adversely impact on protected characteristics such as sex, race, disability and religion or belief. Under achievement of specific pupils is pertinent to School Forum Members. It is very challenging to address Narrowing the Gap in Buckinghamshire because of the work and achievement in some schools. The formula should aspire to support the most vulnerable children. If the agreed formula was shown to adversely affect large number of ethnic minorities, Schools Forum has to show how to mitigate against this adverse impact or the local authority could be liable. Schools Forum has to show how it is dealing with BME and that this group is not being adversely impacted upon. Pupil Premium is in addition to the Funding Formula so can be used as mitigation. Bucks Learning Trust has been charged with undertaking work which includes specifically targeting schools which are underachieving. Trying to narrow the gap with limited resources and funding is challenging. If the policy is going to be changed the legal requirement is that an Equality Impact Assessment should be done. If a decision was challenged, the local authority would need to show that due process has been followed and that mitigation measures has been put in place to support some schools where there were a large number of underachieving pupils.
- Page 5 of draft Equality Impact assessment states 'the Council, through Buckinghamshire Learning Trust (BLT) and also directly, has targeted significant funding (£2m plus) for specific targeted projects, such as narrowing the gap in Aylesbury and Wycombe, with the latest £0.5m of targeted funding just being agreed with the BLT'. Is this correct? The fact that this funding and work is time limited needs to be acknowledged. The Policy and Equalities Manager said the understanding was this is what work had taken place so far.
- During initial conversations about the Funding Formula, the possibility of producing a document identifying the winners and losers was discussed. A decision could not be made as there had not been sight of this document and there was limited time within which a decision about the Formula had to be made. Without the data to show the impact would be a risk in terms of the possible legal implications. John Huskinson explained that several different models had been produced which included modelling based on DFE MFL, using 2015-16 factors including adjustment for de-delegation and the alternative model proposed by the SFFG It was not possible to take no action as some schools were losing money and the data was changing i.e. it was not possible to disapply for MFG. Whatever formula was chosen unfortunately there would always be some schools slightly worse off.
- The point being made is those schools losing out as a result of the formula cannot all be those serving disadvantaged children. This cannot be clarified as the level of data required is not available.
- Which model relates most closely to the current year's funding with the IDACI changes? John Huskinson said that model 2A related most closely. This model resulted in £1.627 in spare change due to data changes.

- At a previous meeting there was a debate about whether capping should be used to pay for MFG protection. Model 4A uses a 4% cap which allows for Prior Attainment to be set at £1400. Modelling could be done on an infinite number of possibilities i.e. Prior Attainment at £1600. Models 4bi and 4Bii take into account the impact on primary and secondary schools.
- The proposal at a SFFG meeting was the core principles of funding in Buckinghamshire should ensure that all children should be as well funded as if they attended a school outside Buckinghamshire, subject to overall affordability; the Bucks Funding Formula targets Basic Need and Additional Need equitably; where overall funding is inadequate, there should be equal pain across all funding factors that are used. Bucks has not allocated any funding to Looked After Children up to now. Looked After Children currently living in Bucks could move to another county and receive funding. The same level of funding should be received no matter what county the child lives in. It would be good to see a model using LAC and EAL etc. John Huskinson explained that Buckinghamshire does not currently use FSM6 in comparison with MFL.
- Could the possibility of Bucks using FSM6 be explored? John Huskinson explained that the possibility of Bucks using FSM6 and the impact had taken place. FSM6 would be more beneficial to schools with fewer pupils than FSM; therefore in Bucks moving to FSM6 would result in less deprivation funding for schools with the highest deprivation issues.
- The problem remains that without seeing a school by school analysis of the winners and losers it was difficult to see the impact and therefore the questions in the EIA could not be answered.
- In terms of the analysis of the consultation responses, the figures in green indicate the questions with the most responses. These calculations have been quantitatively not in terms of pupil numbers. All discussions have been predicated on 25% of primary schools having responded to the consultation. This is of concern when the text for question 8 states 'there is clear overall support from Primary schools for proposals'. There is also concern about the scrutiny of the perspective of drawing a conclusion from 25% of 180 schools and proportionality if the secondary modern responses are put together. Care also needs to be taken with the wording of question 5.2 'the response was unified on questions 1-5 but opposite in questions 6 & 7'. This implies a positive response when the response could be for or against. 15 secondary modern schools replied to the consultation. Taking the proportionality of those against the initial consultation into account, it is difficult to find anything to move forward on. The majority of the respondents are against the changes.
- The Policy and Equalities Manager said that EAL learners are still achieving in line with their peers no matter what ethnic background. In some schools EAL learners are doing exceptionally well and some are doing poorly based on the level of EAL. There is a lot of disparity in funding. It is about equality, who is the most vulnerable and who we as leaders feel are the most important.
- If the decision was made to fund Prior Attainment, would this address the disadvantaged groups proportionally? If Prior Attainment was used would funding be focussed on where the need was greatest?

- Compared to the national picture, significantly more funding is given to Prior Attainment in Bucks. This amount is reduced in the proposed formula but would still be significantly more than statistical neighbours.
- A vote cannot be taken on the models without the relevant data to give an understanding of the impact on the groups of schools. It would be unwise to take a decision on something which is not understood. It would be wise to defer the work and to advise the DfE of this decision. It is difficult to recommend a model when the impact is unknown as well as the unintended consequences. It is difficult to make a decision for the group of schools being represented without a model which highlights the impact on the different sectors.
- The Policy and Equalities Manager said it was up to Members of Schools Forum to make a decision about the Funding Formula. An Equalities Impact Assessment would be done whatever model was chosen. This would include any mitigating action, the impact on a school by school basis and whether a disproportionate amount of schools would be disadvantaged.
- Without extra funding it is difficult to think what the mitigation factors could be which could balance significant change/issues.
- It would be good to look at the amount of money per sector/group and the impact to individual schools as well as the overall pot of money available.
- In the first model there was no question that certain secondary and urban primary school funding had fallen. Schools Forum members need to know if the model impacts on a clear group of schools.
- It is dangerous to look at the current model and assume it is fair to all schools.
- There could be a better model which would be perfectly acceptable with a few changes. Some of the comments about the EIA have been reassuring.
- £1.6m was put into other factors. Could this extra money be used to change the percentage of other factors? If more than £1.6m is taken, it comes out of other factors. If less than £1.6m is used, the money could potentially go into AWPU. The same size pot remains. John Huskinson explained that in model 2A the £1.6m has not been allocated; model 2B prorata on an AWPU basis; 3C is the alternative model which includes £1.6m in the dataset.
- Could Schools Forum members vote on a set of principles which are in the best interests of the children in Bucks and remodelling take place to show the impact.
- There is often an overlap in pupil eligibility for FSM, EAL and Prior Attainment, which could result in the overall income received for a pupil reflecting both increased and decreased rates e.g. an EAL KS3 child in the secondary sector who also qualifies for Prior Attainment funding would receive:
  - an additional £840 of EAL funding
  - a reduction of £429 Prior Attainment funding
  - an additional £183 of AWPU funding (based on model 4a)

The overall impact in this model is an increase of £594 funding for that EAL child.

- If Schools Forum members made a decision based on a set of principles, would this be acceptable for the local authority? The Interim Director for Education said that asking for an extension from the DfE was not advisable. It was difficult for officers of the Council to use a set of principles to construct a formula to be presented to the

- Cabinet Member for due process through Cabinet.
- The third model seems to incorporate the direction of travel that has been discussed. Could this model be recommended unless there are any unexpected consequences?
  - Some Members of the Forum felt that a vote could not be taken on the proposed models without the relevant data.

John Huskinson asked for a steer on whether the principle of capping should or shouldn't be applied. Capping of 12 % was applied last year in comparison to 2.33% two years ago. Models 4a and 4b show capping at 2% for indicative purposes.

**Members of Schools Forum voted on capping between 2% and 2.5% as follows:**

**In favour: 19**

**Against: 0**

**Abstain: 0**

- Is it possible to keep the same current year model for the Funding Formula, for funding to be reallocated in light of the IDACI, to wait for the Government announcement on Fair Funding to make any small tweaks and the additional funding put into Prior Attainment?
- Should the £1.6m just go into AWPU in light of the discussions that have taken place about better data being needed to make an informed decision about which factors funding should be put into?
- Model 3a redistributes the £1.6m within the parameters of the existing formula.
- The number of LAC is very small. Could the money out of IDACI be ringfenced which would result in still having additional funding?
- The basic concern is that schools would lose money though IDACI and that funding should be distributed to factors of concern. Members do not have the data to make a decision about the best factor. Isn't 3d the best model if it redistributes monies to these factors within the funding envelope?
- Which model is similar to 3d but puts funding back into Prior Attainment? John Huskinson said that models 4a and 4b were similar to model 3d but put funding back into Prior Attainment. 4b was the affordable model.
- Which model is nearest to 4bii with more of the £1.6m put into Prior Attainment to retain the percentages? John Huskinson explained that models 4bii and 3d were the affordable models recommended by SFFG. Prior Attainment is £1600 not £1200 which gives less ability to put money into AWPU.
- There are two clear choices; retain the current Funding Formula and put £1.6m into Prior Attainment or model 4bii which tries to recognise the basis need of some funding being put into AWPU and the balance put into other factors.
- Concern was expressed about voting on models without understanding the nuances and the impact. Some schools represented are not aware of the changes to IDACI.
- Was it possible to go to the DfE and advise that in light of the changes to IDACI a postponement was needed Schools Forum members clearly do not have all the factors to determine the impact on educational sectors.



The Cabinet Member for Education and Skills reiterated that the deadline for the submission of the formula to the DfE was Thursday 21 January 2016. Members were advised if they did not vote on a proposed model, the Cabinet Member would be forced to make the decision. The preference was a recommendation from Schools Forum members.

Members voted on whether a vote on the proposed models should take place.

In Favour: 17

Against: 5

Abstain: 0

A vote took place for the following 3 models: 4a; 4bii; the model which retained the current levels of funding.

*Model 4a*

In Favour: 9

Against: 5

Abstain: 6

*Model 4bii*

In Favour: 17

Against: 0

Abstain: 2

*Current Model*

In Favour: 7

Against: 9

Abstain: 4

The model which retained the current level of funding was discounted

A second vote took place on model 4a and model 4bii

*Model 4a*

In Favour: 10

Against: 7

Abstain: 4

*Model 4bii*

In Favour: 9

Against: 10

Abstain: 2

**Schools Forum considered models 4a and 4bii and were in essence balanced in their judgement of the two models.**

Details of the funding allocation to schools would be circulated to Members.

**Action: Finance Officer**

**6 ANY OTHER URGENT BUSINESS**

None

**7 DATE OF NEXT AND FUTURE MEETINGS**

The next meeting will take place on Tuesday 15 March 2016, 2.30pm, Green Park, Aston Clinton.

*Future meeting dates*

3 May            27 September

21 June         29 November

**CHAIRMAN**