

CAMBRIDGESHIRE SCHOOLS FORUM: MINUTES OF A SPECIAL MEETING

Date: 17th July 2020

Time: 10 a.m. 11.06 a.m.

Venue: Virtual meeting in line with the Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020 making provisions to enable schools forums to meet remotely while they are unable to meet physically in a room during the outbreak of the coronavirus (COVID19)

Present:

<u>Maintained Primary Heads</u>	Liz Bassett Tony Davies Sasha Howard Guy Underwood
<u>Academy Primary</u>	Susannah Connell
<u>Other Academy Sector Appointments</u>	Adrian Ball Christopher Bennet Jonathan Culpin (Chairman) Philip Hodgson Ryan Kellsall John King Patsy Peres Richard Spencer
<u>Maintained Pupil Referral Unit</u>	Amanda Morris-Drake
<u>Early Years Reference Group</u>	Deborah Parfitt
<u>Post 16 Further Education</u>	Jeremy Lloyd
<u>Maintained Governor</u>	Paul Stratford
<u>Maintained Nursery School</u>	Claire Palmer
<u>Maintained Special School</u>	Joanne Hardwick
<u>Academy Special School</u>	Dr Kim Taylor OBE
<u>Cambridgeshire County Council</u>	Councillor Simon Bywater Councillor Peter Downes Councillor Simone Taylor
<u>Observers</u>	Jon Duveen (Teachers Unions) Julie Cornwall Andrew Read (Diocese of East Anglia)
<u>Officers</u>	J Lewis, R Sanderson, M Wade,

Apologies: Maintained Secondary Carole Moss (Secondary Maintained)

Observers

Joe McCrossan (Roman Catholic Diocese of East Anglia)

Quorum on current voting
membership: 8

152. APPOINTMENT OF CHAIRMAN/CHAIRWOMEN AND VICE CHAIRMAN/ WOMAN

Having been duly nominated and seconded,

It was resolved:

To appoint Jon Culpin as Chairman and Paul Stratford as the Vice Chairman for the Municipal Year 2020-21.

The new Chairman took the opportunity to pay tribute to the outgoing Chairman, Philip Hodgson, for his outstanding contribution with nearly 20 years service on the Forum for his calm and thoughtful leadership during the financially difficult times the County had faced.

153. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were as set out above. There were no declarations of interest.

154. SCHOOLS FORUM MINUTES – 25TH FEBRUARY 2020

The minutes of the meeting held on 25th February 2020 were approved as a correct record and would be signed by the Chairman when Forum was able to return to Shire Hall for meetings.

155. ACTION LOG

The Forum noted the Minute Action Log with the following update:

- Minute 120 – Review of Maintained Nurseries – The Service Director, Education stated Officers had been expecting an announcement on the DSG that day from the Department of Education but at the time of the meeting nothing had been received with officers therefore still waiting for further Central Government announcements.

156. CAMBRIDGESHIRE COUNTY COUNCIL'S RESPONSE TO COVID 19 PANDEMIC

This report provided an update on the Council's ongoing response to the current Coronavirus pandemic in relation to Education and the actions that were being taken as reported to the Children and Young People Committee and which it was felt would be useful to share with Forum.

The report highlighted amongst other things:

- a summary of recent guidance received from the Department for Education on openings during school holidays which were not to be compulsory and a summary of the process for opening schools for September.
- Details around the Ofsted inspection process which would remain suspended for the autumn term,
- The position on assessments
- Details of the Government's £1b for pupil catch up.
- Details of new challenges and activities
- Recovery activities for schools in September
- New financial implications since the last report to the Service Committee
- Workforce changes
- Communications details

In introducing the report the Service Director, Education praised the magnificent response of Cambridgeshire schools who recorded overall some of the highest attendance rates for pupils in the Country and also their hard work in preparing and being ready for the September start of term.

Starting with the representative for academy special schools which was then echoed by all others present for the various sectors, the Director and his staff were thanked for the excellent support that they had provided to schools during the current pandemic crisis.

It was resolved unanimously to:

Note the continuing commitment of leaders and staff across children's services and partner agencies to ensure that the education needs of all children and young people continue to be met.

157. UPDATE ON HIGH NEEDS RECOVERY PLAN

This report provided an update on the 14 main work streams in respect of the Special Educational Needs and Disabilities (SEND) Recovery Plan prepared in response to the budgetary pressures on the High Needs Block element of the Dedicated Schools Grant (DSG) budgets from the continued increase in the number and complexity of need of children and young people with an Education, Health and Care Plan (EHCP) while minimising the impact on the needs of the children.

It was highlighted that;

- In June 2019 the Recovery Plan had been submitted to the Department for Education (DfE) outlining a number of options identified and previously discussed

with Schools Forum aimed at reducing the levels of High Needs spend in the coming years, with the detail as set out in the Appendix to the report and whose implementation would now be monitored by the DfE.

- During the Covid-19 crisis lockdown period as a result of the instruction from Government to close schools on 20th March, Special Educational Needs (SEND) recovery work requiring engagement with schools and providers, including discussion on top up rates, had been paused, but other work in relation to the Plan had continued and was captured in the Plan.
- The Government had issued temporary legislative changes to the arrangements for Education, Health and Care Needs assessments and plans as a result of Covid-19 allowing Local Authorities and health commissioning bodies to use 'reasonable endeavours' to deliver or arrange the provision included in EHCPs with the detail as set out in the report and would have a financial cost going forward.
- The intention would be in the autumn to review the funding for High Needs and the new modal for top ups.

Individual members raised issues including:

- Asking whether since COVID the financial position had changed for the better or worse. At the current time it was not possible to say, as there had not yet been any fundamental changes made. Outturn figure were not showing anything yet. More EHCPs requests had continued to come through since schools started catching up with their paperwork. The pressure would be when schools returned to full attendance and Children's needs could be better assessed. There was some expectation that in terms of behaviour, it was possible that there could be an increase in fixed term and permanent exclusions, but this was as yet unknown, Set out in Appendix A were still the Officer intentions.
- It was highlighted that nationally there more EHCPs were being approved placing more pressure on local Authorities. There was an expectation that schools would face many difficulties on their return in September in terms of children's mental health, re-establishing special needs provision and the requirements around more training, all of which would place additional pressure on schools budgets and make the recovery plan more difficult to achieve. This was confirmed by the Service Director, Education who highlighted other additional costs associated with the Pandemic including increased uptake of 10 % for free school meals. Currently it was not known what catch up funding would be available, with the grant so far received having been very limited in terms of maintaining Cambridgeshire as an inclusive county able to deal with poverty and SEN and also children's mental issues resulting from the crisis, all of which represented huge challenges.
- A query was raised regarding SEN top up and the aim for implementation by April 2021 asking whether this was the safest target for academies to work to. It was explained that whichever date was chosen would be out of kilter with one of the education sectors. It was confirmed that was the intention and would involve a consultation period which required time. Also, as the DfE would be monitoring the recovery plans, best endeavours would be needed regarding practical implementation.
- It was highlighted that the additional Government COVID budget support did not currently include any extra resources for SEN and special schools. Special and other schools had, had to use existing resources to purchase Personal Protection Equipment (PPE) for staff. Dr Kim Taylor suggested that the Forum should write to the Government to lobby for additional funding to cover such extra expenditure especially as all extra financial support was due to end at the end of the month.

On this point the Service Director Education highlighted that a figure in the region of £15k had so far been spent on PPE on schools with so far, no recompense from Government. There were also additional costs associated with additional cleaning in schools, and as already referenced the increase in school meals, as well as additional overtime incurred by caretakers. Currently there was no details of what the catch up Government funding could be used for. In terms of representation, the Service Director was meeting weekly with local MPS to brief them and they were aware that no direct funding had so far been provided. What was required was for schools to be able to show what additional spend they had incurred as the result of COVID and that they had not been able to claim it back from exceptional grant. **Action: It was agreed that the Director in consultation with the Chairmen of the Children and Young People Committee and Schools Forum should prepare a letter of representation.**

- Reference was made to catch up funding being expected at the end of the week. The Chairman made reference to the £650m national figure but that the details of the allocation formula were still to be provided. The Director updated the meeting that he had been in discussions with the DfE that morning but no details were as yet available. The Director would notify schools as soon details were received and once officers had calculated schools' entitlements.
- One extra big cost highlighted was the extra costs of staff cover who had been identified as extremely vulnerable with a member citing NEU guidance just received which suggested that a school and the employer would be in breach of Government advice if such staff were working in a school or had been asked to attend the workplace, which appeared to contradict other advice. The Director acknowledged that additional staffing costs would be significant, including those for Caretakers and with further guidance expected on 17th August, this could increase costs further.

It was resolved:

To note the report.

158. SCHOOLS AND DEDICATED SCHOOLS GRANT (DSG) FINANCIAL HEALTH

This report analysed the 2019/20 final closing balance position of maintained schools and the overall Dedicated Schools Grant (DSG) as at 31st March 2020. The figures for maintained schools were based on the year-end returns but could change slightly following further validation of the Consistent Financial Reporting (CFR) returns. The balances for academies reported to 31st August 2019 was based on the latest information published by the Department for Education (DfE).

Key points in the report included:

- The table in paragraph 2.1 showed the rounded revenue balances in each sector and while the total of the balances for the maintained sector showed little change from the previous year individual schools had movements both upwards and downwards.
- Appendix A of the report provided the revenue balances for each maintained school as at 31st March 2020.

- Paragraph 2.4 included a summary of the value of the surpluses balances held by maintained schools as at 31st March 2020 with the table in paragraph 2.5 showing that 10 schools were showing a slight deficit.
- Officers would be looking carefully at schools budgets and the effect of COVID as part of a second budget exercise in the autumn as some schools who were previously borderline of being in a deficit position, seemed likely to tip over as a result of additional COVID costs and in some cases loss of income.
- Section 5 and Appendix B set out details of Academy balances.
- Section 6 set out the overall Dedicated Schools Grant (DSG) position of a carry-forward DSG cumulative deficit position of £16.6 m and at the time of the meeting an estimated deficit on the High Needs Block of around £12m, which would result in a year end overall deficit of £28-29m.
- It was highlighted that the Government's emphasis had now changed from the submission of a DSG Recovery Plan to having a conversation on the template of what they required from the Recovery Plan in order to take it forward.
- It was hoped that there would be an announcement from Government on additional DSG funding but officers were not expecting the £30m that was required

The report highlighted the large balances still held by some schools, some of which had been held by the same schools for a number of years and was why the report was originally asking Schools Forum to consider the reintroduction of a more vigorous balance control mechanism (as the previous mechanism had been relaxed a number of years ago) and also a mechanism to provide more information, so that officers had a better understanding of what the balances were being held for. However, as there had not yet been the opportunity to consult with schools more widely on this, officers orally clarified that they would not be asking the maintained sector representatives to consider making any changes at the current meeting. Further information would be shared with schools in the autumn term with a planned implementation from April 2021.

In discussion:

- It was highlighted that while the report made reference to primary schools losing income, many secondary schools had also lost income as a result of not being able to hire out their sports centre facilities during the lockdown. If there was a further spike, these might require to be closed again.
- There was a request that the text setting out the mechanism be looked at again to ensure that there was reference to any proposed intervention strategy having the involvement of the receiving trust if there was a proposal to convert it to an academy. **Action Jon Lewis / Martin Wade agreed to amend accordingly** with the point being made that the same should also apply where schools were being brokered between trusts.
- It was highlighted that the Education and Skills Funding Agency (ESFA) required academies to carry out three year budget projections to be able to look to the Medium term not just year to year and therefore Schools sometimes had to save money for strategic planning and required a level of balances to be maintained

which the officers agreed they understood. The Director commented that there had been the expectation of a two year settlement being announced that day from Government which would help with future planning going forward, especially as it was known that at year 3, teachers' salaries would rise.

- The Academy special schools representative highlighted that special schools, both maintained and academies had not received an uplift in funding as other schools. As a result they had been paying teacher pay increases from existing budgets which was also an important point when looking at deficit / surpluses / balances, as over three years they had struggled to ensure staffing levels were sufficient. Martin Wade made the point that there was an expectation teachers' pay grants would be baselined into funding and it would be interesting to see how this worked across the different sectors. None of the grant increases had matched expenditure increases, or been sufficient to cover pay increases.
- Cllr Downes as the Member representing the Council on the F40 Group (a pressure group representing the 42 worst funded Local authorities) highlighted that the difficulties faced by Cambridgeshire on special needs funding was not dissimilar to other F40 local authorities.
- Martin Wade as a member of the F40 finance managers resources team (FMRT) was aware a survey on High Needs deficits was being undertaken with F40 members and would check back on how it was progressing, as this would be very useful information for the officers and CYP Committee, commenting that the level of deficit was not recoverable or sustainable in the longer term.

For the reasons explained in the discussion,

It was resolved to just,

Note the contents of the report.

159. REVIEW OF SCHOOLS FORUM CONSTITUTION TERMS OF REFERENCE

At the July 2018 Forum meeting it was agreed that there should be an annual review of the terms of reference at around March / April. This had not been possible due to the suspension of all meetings in Cambridgeshire following the Covid 19 outbreak and resultant cancellation of the May Forum meeting. In term of Forums being able to meet remotely, this had not been possible until a change of legislation set out in the latest DfE update guidance published in June allowing remote meetings up to the 31st March 2021.

The report proposed a limited number of changes to the Schools Forum Constitution / terms of reference to reflect recent Department for Education (DfE) guidance and to also help safeguard continuity of membership in a similar crisis.

It was resolved to:

- a) Agree the changes set out in section 2 of the report at paragraphs 2.5, 2.7 and 2.8 as set out below:
 - A decision summary to be published two working days following the day of the meeting.
 - Minutes to be published 10 working days after the date of the meeting.

- The term of office for members of the Cambridgeshire Schools Forum is unlimited, providing they are re-elected every 4 years by the group they represent. All terms will conclude on 31 August of their final year unless there are extraordinary circumstances such as the recent COVID crisis which either prevents an election taking place, or there is not a scheduled Schools Forum to confirm any new appointments. In such circumstances membership is extended by one year or until such time a replacement is agreed.
- Under C) Operating Conventions of Cambridgeshire Schools Forum Changing the reference to the number of meetings of Forum to now read as follows:

Ordinary meetings

An ordinary meeting of the Forum shall be held, at a minimum, of four times a year with additional meetings to be scheduled around budget setting time or if an urgent decision is required from Forum.

- b) Agree that Democratic Services in consultation with the Chairman/ woman and the Service Director Education is authorised make any minor changes in the Forum Constitution referencing seats allocated on Forum to reflect any changes made in the proportionality of the Forum representation that may be agreed during the year.

160. REVIEW OF MEMBERSHIP AND PROPORTIONALITY

At the July 2018 Forum meeting it was agreed that there should be an annual report of Forum membership and composition in the light of the guidance contained in the *Schools Forum Operational and Good Practice Guide – September 2017* taking account of the most up to date pupil data, in order to assess whether any further changes were required regarding Forum seats allocated between the maintained and academies sector.

The report provided the background to the present review and the rationale for proposing a change to the membership arrangements, as well as also updating changes to Forum membership since its last meeting in February 2020.

The report highlighted that as the academy sector number of pupils, as a proportion of the total number of pupils in schools in Cambridgeshire had increased from 60% to 65% since the last census in 2019, it was appropriate to consider increasing the academy representation by at least one seat and reduce the Maintained Sector representation on Forum by one place. The current Membership was shown at Appendix 1. Officers recommended that the easiest way to reduce the Maintained sector seats (which also reflected the proportionate decrease in primary pupil numbers) would be to reduce the Primary Heads seats from 4 to 3. As Primary Headteacher Tony Davies's term of Office was due to end at August 2020 this was suggested as the easiest way to implement the new Forum seating allocation from September 2020 without having to ask any other

member to step down. However, it was also highlighted that the Maintained Head teachers' provided an appropriate election process was employed, were entitled to reshuffle their representatives as they saw fit within this reduced number.

In discussion

- One Member asked why it was necessary to change the proportions between the sectors, citing that the constitution of SACRE allowed different bodies when voting at meetings to have one vote to cover their sector, so overall representation did not matter. It was explained that Forum membership was governed by DfE regulations which included the requirement for Academies and Maintained sector representatives to be in proportion to the number of pupils that their sector represented aggregated across the County. It was highlighted that it was rare for Forum to have to vote on issues unless they were limited to a particular sector, as the aim was always to try to achieve a consensus.
- One observer while not having a solution, highlighted that the lack of ethnic diversity on Forum was striking, and suggested appointment processes should be reviewed to recognise the need for Forum to embrace a greater degree of ethnic diversity in its membership and should be taken into consideration when making future appointments. **Action: Jon Lewis agreed and would highlight this suggestion to the Representative Groups that approved Maintained and Academy sector appointments** The Chairman agreed he would also take the suggestion away to discuss it further with the Academy sector representatives.

It was resolved:

- a) To note the current report.
- b) To agree to Increase the academy sector membership seats representation by one and decrease the maintained sector seats representation by one place to come into effect from September 2020.
- c) The reduction in the Maintained sector to be achieved by the reduction in the number of Primary heads seats from four to three.

161. SCHOOLS FORUM FORWARD AGENDA PLAN

Looking at the Forward agenda plan the Director indicated that some of the future dates might require to be changed in due course following Government confirmation of funding to enable an earlier consultation exercise with schools than had previously been the case and to facilitate reporting back the results to Forum in good time.

It was resolved to:

Note the agenda plan as set out on the agenda and that Officers in August would review it and provide an updated version to the scheduled Forum meeting in November.

DATE OF NEXT MEETING

The next scheduled Cambridgeshire Schools Forum was on Friday 6th November 2020 at 10:00 a.m. in the Kreis Viersen, Shire Hall, Cambridge (subject to any ongoing pandemic lockdown restrictions requiring it to again be a virtual meeting). Rob Sanderson Democratic Services raised the issue of whether, (as the change in the law allowed virtual meetings until the end of March 2021 and as the current meeting had worked well and also going forward it would reduce representatives having to travel from different parts of the County), Forum would wish to make all the forthcoming meetings virtual.

While there was a clear majority in favour, as there was not a complete consensus, this could be revisited at the November meeting, as it was considered that some meetings of Forum would be better held as face to face meetings, and they could be identified nearer the time.

In closing the meeting the Chairman placed on record his thanks:

- As it was her last meeting, to Amanda Morris–Drake for her contributions to Forum meetings. In reply she thanked everyone and asked that they continued to support children and young people with mental health difficulties referencing the hubs that still needed to be established having been discussed over a long period. The Chairman agreed that this should be an essential part of the new way of providing services going forward
- Rob Sanderson and Democratic Services officers for their support over the year and making the current virtual meeting happen.
- To Jon Lewis and Martin Wade and the rest of the LA Team for their support over the academic year and especially in the last months during the COVID crisis which had been particularly impressive.
- The Chairman thanked all of Schools Forum for their attendance at the meeting and for their contributions during the year.

Chairman
November 2020