

Minutes of the Schools Forum Meeting

Meeting title:	Schools Forum Meeting	
Date/time	20 April 2022, 17.30-19.00	
Members:	<p><u>School Members</u> Kevin McDonnell (Special School Headteacher rep) Asarena Simon (Maintained Pri Headteacher rep) Sian Davies (Maintained Pri Headteacher rep) Robin Warren (Maintained Pri Headteacher rep) Lee Laudat-Scott (Maintained Pri Governor rep) Lisa Neidich (Maintained Pri Governor rep) Jane Heffernan (Maintained Sec Headteacher rep) Wendy Mason (Maintained Sec Governor rep) Lisa Clarke (Nursery School Headteacher rep) Richard Brown (PRU rep, Headteacher)</p>	<p><u>Academy Members</u> Claire Syms (Academy Principal rep) Phoebe Clapham (Governor rep)</p> <p><u>Alternative Provision</u> Anna Cain (Special Academy rep)</p> <p><u>Special School Members</u> Jo Clare (Special School rep)</p> <p><u>Non School Members</u> Cathy Murphy (EY/PVI rep) Adrian Cottrel (16-19 rep) David Davies (Staff rep)</p>
Additional attendees:	Cllr Anntoinnette Bramble, Cabinet member for Education, Young People and Children Social Care Annie Gammon (DoE, Hackney Education) Naeem Ahmed (Director of Finance (C&Ed), Hackney Council) Jo Larkin (Head of Human Resources, Hackney Education) Ophelia Carter (Head of Schools Finance) Sajeed Patni (Interim Head of Finance, Hackney Education) Monica Imbert (Head of Education Operations, Hackney Education) John Davies (Cover Clerk to the Forum)	
Apologies:		
Absent:		

	Item
1.	<p>The Schools Forum Chair welcomed attendees to the meeting.</p> <p>Robin Warren, recently appointed Maintained Primary Headteacher representative was introduced to the Forum.</p>
2.	<p>Minutes of the last meeting held 9 February 2022</p> <p>The minutes of the last meeting were reviewed and agreed as an accurate record of the meeting held 9 February 2022.</p> <p>2.2. Action log</p> <p>It was noted that actions recorded in the action log were either complete or addressed on the agenda of this or following meetings.</p> <p>2.3. Matters arising with written responses:</p> <p>2.3.1 Consultant Asset Management role and DfE return query</p> <p>It was agreed that the response answered the Member's question.</p> <p>2.3.2 3 & 4 year olds and nursery funding</p>

	<p>Donna Thomas explained that awareness of the inclusions fund is high, as the service receives a large number of applications. She explained that any funds that are not spent are rolled forward or are used to support children in other ways, and that there may be a need to revisit the use of the funds as Hackney is comparatively generous compared to other local authorities.</p> <p>Member comment: There are currently issues with accessing the Inclusion Fund as a result of pupils who arrive at settings at the beginning of a term, meaning the settings could not have applied for the funding during the previous term for those pupils. There are also issues in terms of EHCPs being processed on time, which creates a problem in terms of accessing the fund.</p> <p>It was agreed that these questions would be addressed outside of the meeting via email.</p> <p>2.3.3 Highest redundancy payment</p> <p>Member comment: It was said that this information hadn't been received, therefore the member raised a more wide-ranging Freedom of Information request asking for information about redundancy payments.</p> <p>The Chair explained that the response to the original question was included on the agenda.</p>
<p>3.</p>	<p>Update on 5 recommendations from Schools Forum Working Group</p> <p>Recommendation 5 - The council provides clarity on its stance on redundancy payments as outlined in section 37 of the 2002 Education Act to enable schools to effectively plan for school reductions. This should include the mechanisms in place to access support for redundancy costs.</p> <p>Monica Imbert explained that, having worked with Naeem Ahmed, Sajeed Patni, Ophelia Carter and Hackney Council's Chief Finance Officer, it has been agreed that Hackney Council will be providing support for redundancies as outlined in Section 37 of the 2002 Education Act. She explained that the mechanisms for the criteria for this support will be provided to the sub group on this issue on 27 April 2022, and there will be an opportunity to work through the criteria in the sub group and then update the Schools Forum meeting in June.</p> <p>Recommendation 4 - The group recommends the council provide clarity on the background to the enhancement.</p> <p>Monica Imbert explained that there is no documentation that provides this clarity, but the position is that it has been customary practice up to this point, and that as outlined above, the support and its outline will be provided to the sub group on 27 April.</p> <p>Recommendation 3 - The group does not recommend a review of the 70% uplift for schools in isolation from the wider council approach. However the group recommends greater clarity be provided from the council on options for supporting schools with the uplift from other council funds either in part or in whole.</p> <p>Monica Imbert explained that the uplift is something that is applied across Hackney Council and that while legal counsel has been sought on removing the uplift, it is a Hackney Council wide policy.</p> <p>The Chair clarified that the question was focussed on whether support in relation to the 70% uplift could be provided to schools not eligible for support under the criteria being presented to the sub group.</p> <p>Annie Gammon suggested that this should be looked at by the sub group. Naeem Ahmed agreed with this proposal.</p> <p>Member comment: What does the legal advice say on the issue of whether support in relation to the 70% uplift could be provided to schools not eligible for support under the criteria being presented to the sub group?</p> <p>Monica Imbert explained that legal advice received was focussed on the removal of the 70% uplift, and that the Council is yet to receive advice on the issue of support in relation to the 70% uplift could be provided to schools.</p>

	<p>Member comment: Did they comment on customary practice? Was legal advice sought on customary practice, and if not, can it be?</p> <p>Monica Imbert explained that they did not provide advice on customary practice, and that they were not asked to, but that they can be asked.</p> <p>The Chair explained that officers should be cautious about seeking legal advice on this issue as it has been previously agreed that this option wouldn't be pursued.</p> <p>Member comment: The school members of the sub group agreed that the 70% uplift should be paid by the Council, meaning something must be done to support schools struggling with these payments.</p> <p>Annie Gammon suggested that the issue is whether any support beyond the 70% will be provided, and the criteria for redundancies and the impact on whether support is provided.</p> <p>The Chair explained that the issue remains of support for redundancies that do not meet the criteria for support.</p> <p>Member comment: Do we have figures on how much this will cost, for example based on last year, to support redundancy costs in relation to the 70% uplift?</p> <p>Sajeed Patni explained that this information is available.</p> <p>ACTION - Sajeed Patni to provide data on severance costs for the last year.</p> <p>Member comment: There would be more redundancies taking place if schools could afford to make them. We are going towards a situation where small primary schools can't pay redundancies but also can't pay the wages of staff, and so something is needed to help bring about a solution.</p> <p>Monica Imbert explained that the Council is saying that it will fund redundancies, based on a set of criteria, and that in most instances, schools with falling rolls would fall under the criteria. The issue being debated is how the 70% will be paid for at schools where they do not meet the criteria.</p> <p>Recommendation 2 - Schools forum decision making should be informed by clearer information from officers. Guidance should be provided to ensure the eligibility to support for all types of settings is established.</p> <p>Monica Imbert and the Chair agreed that this had been answered above.</p> <p>Recommendation 1 - Support for schools for redundancy payments or through the falling rolls fund via delegation or top slice of the DSG can only be identified through schools forum mechanisms in Autumn 2022 for availability from April 2023. It is recommended that officers model scenarios for further meetings of the working group to better understand the possible size of top slice and delegation and to better inform recommendations.</p> <p>Monica Imbert explained that the falling rolls fund will not be used for redundancies, and that its use will be explained in item 5. She explained that modelling was used to make the decision on financial support for redundancies.</p>
<p>4.</p>	<p>Models and recommendations for use of unallocated surplus funds from growth and school contingency</p> <p>Sajeed Patni explained that this report was produced to respond to a question from Schools Forum on the Growth Fund and Schools Contingency Funds and what happens to these at year end. He said that routinely, this can be carried forward with the agreement of Schools Forum, but Schools Forum wanted to see if there was any way of distributing unspent budgets to schools. He explained that the final figures from 2021/22 are not yet established, but section 5 of the report sets out potential options for using any unspent amounts if Schools Forum decided to use it in these ways. For example, it suggests appointing a panel to decide on applications for the funding and using different criteria for distributing the funding.</p>

	<p>The Chair asked whether this will come back to Schools Forum once final amounts are established.</p> <p>Sajeed Patni explained that this item could be on the next Schools Forum meeting agenda, as the final amounts will be established, and the criteria for distribution could be agreed.</p> <p>Member comment: How many schools would fall under the criteria?</p> <p>Sajeed Patni said that this had not yet been established. He explained that the unspent balances might be low and therefore spread thinly.</p> <p>Annie Gammon said it is important that the distribution is fair, and that there are some schools in deficit as a result of falling rolls and factors outside their control, whereas others are due to how finances have been managed.</p> <p>Member comment: Would schools be ineligible for the funding if they have not made redundancies because they cannot afford them, and thereby deemed not to have managed their finances effectively? Some primaries have not made redundancies because they thought that reception numbers might increase in the next academic year.</p> <p>Annie Gammon said that the points raised above should be addressed in the paper coming to Schools Forum in June.</p> <p>ACTION - Sajeed Patni to produce a paper on the use of unallocated surplus funds from growth and school contingency, once the final unspent balances are established.</p>
<p>5.</p>	<p>Calculations and proposed mechanisms for a potential falling rolls fund</p> <p>Sajeed Patini explained that the paper outlines the criteria that the DfE stipulates for the use of the falling rolls fund, which is tightly defined. Sajeed Patini explained, for example, that the criteria stipulates that the falling rolls funds should be used for schools where the pupils numbers are expected to be recovered in the proceeding years, and should not be used for schools where declines are expected to be ongoing. He clarified that the paper also sets out how the Growth Fund and Contingency Funds can be used.</p> <p>Member comment: With the increased number of refugees, has any projection been calculated on whether additional school places might be needed, particularly at secondary level?</p> <p>Monica Imbert explained that there will be families from Ukraine arriving in Hackney, however the numbers of children arriving do not mean a need to create additional school places is envisaged.</p> <p>Member comment: Does the data produced for the School Estates Strategy indicate a downward trajectory for the next few years in terms of pupils rolls? This would mean that all schools would not be eligible for the falling rolls fund.</p> <p>The Chair agreed that very few schools would be eligible for the falling rolls fund, which is why other avenues for financial support are being explored. The Chair said that the most important thing is maintaining the quality of education for those pupils who are in schools with falling rolls.</p>
<p>6.</p>	<p>Update on source, use and Schools Forum remit for unallocated funding related to school expansions/ARPs</p> <p>Annie Gammon explained that the paper was produced in response to a request to see if there was any funding available from ARP and special school places. She explained that it is capital funding for specialist spaces and cannot be used for other purposes.</p> <p>Member comment: Now that the focus is on refurbishment, rather than new buildings, schools can claim back the 20% VAT on refurbishment. Is it the same for local authorities, and if so will 20% be added to the budget, to reflect the fact that VAT can be claimed back at a later date?</p>

	<p>It was agreed that this question should be answered at the next meeting.</p> <p>ACTION - Sajeed Patni to provide an answer on whether local authorities can claim back the 20% VAT on refurbishment and if so whether 20% will be added to the budget, to reflect the fact that VAT can be claimed back at a later date.</p>
<p>7.</p>	<p>Overview of the Education Estates Strategy / Q&A</p> <p>Annie Gammon summarised the slides on the Education Estates Strategy:</p> <ul style="list-style-type: none"> • There is a significant surplus of 505 places at primary school reception as of January 2021, and an expected significant surplus at secondary level by 2025. She said that there is a growth in the number of pupils needing specialist provision, resulting in a need for an additional 336 places in special provision. • The strategy is to create additional in-borough special school places via ARP or extending existing Special Schools. The strategy also includes working with mainstream primary schools with falling rolls to find viable solutions, and mainstream secondary schools over the next five years where it is expected there will be admissions below PANs. The strategy also includes having long term sustainable use plans for all education sites in Hackney. • Equalities will be considered in taking this strategy forward, so that areas of deprivation, racial equality, are considered when making decisions on provisions. All relevant stakeholders will be considered at all appropriate stages. • The additional SEND provision at phase 1A is addressing the most urgent need for pupils with autism or severe learning difficulties. This is being met through the existing capital SEND budget and has gone to Cabinet. There are a number of feasibility assessments under way where schools have proposed having additional resource on their site. • Phase 1B will go to Cabinet for additional capital approval in July. Once the feasibility assessments are complete a paper will come back to Schools Forum for additional funding with an ‘invest to save’ business case. • Phase 2 provides larger units of space and expansion of existing Special Schools. There are two vacant sites currently. An assessment of special schools’ current capacity is also needed to establish where expansion is possible. • At the February Cabinet meeting there was sign off of Schools Estates Strategy and phase 1a projects. The SEND provision ‘invest to save’ business case will also go to Cabinet. • In terms of working with primary and secondary schools with low and falling rolls. a number of schools have reduced their PANs to respond to this issue. Hackney Education is looking at how this is working. The Council is keen to see every school continue as far as it is feasible, but is looking at options such as amalgamation where schools are close and have low numbers. • Hackney Education is looking at a review of data and trends, schools with surplus places, and those with deficits. It is looking at options based on data and a framework in the coming months. This will involve individual meetings with headteachers. We expect there to be a more comprehensive view on this in September. • Opportunities for schools include leading and developing an ARP, merging with another school, and reducing PANs. • The strategy includes a commitment to equality. The percentage of pupils eligible for free school meals (FSM) and ethnic makeup of communities are some of the indicators that will be used when making decisions. <p>Member comment: FSM and ethnicity data on secondary schools was shared, can this be shared with the group? This data is being used to make decisions and Schools Forum needs access to this data.</p> <p>Annie Gammon said that this can be shared with Schools Forum, provided it is up to date, and is shared in the right forums.</p> <p>The Chair said that this data used to be available through the Primary Data Booklet, and asked whether this can be provided to schools again.</p> <p>Annie Gammon said that there has been no intention to stop data being shared that has usually been shared, and so if the Primary Data Booklet has not been shared, then it can be again.</p>

Member comment: Earlier in the academic year, meetings were held on the different planning areas and data was shared, which was very useful. It would be helpful to have another round of these meetings with up to date data.

8. White and Green Policy Papers

Annie Gammon summarised the slides on the White Paper:

- The White Paper sets out the government's long term ambition for education by 2030, underpinned by increased targets for attainment in core subjects at primary and secondary level
- There is a focus on quality teacher and professional development, and high standards in curriculum behaviour and attendance

She explained that it includes proposals on:

- Targeted support for every child who needs it, and continuing funding for tutoring
- Workforce development, including updating Initial Teacher Training early career and NPQ frameworks, and adding new professional qualifications
- New tests of literacy and numeracy of a sample of pupils at year 9.
- Oak Academy becoming a government body
- A network of Modern Foreign Language hubs
- A new national behaviour survey, national data system to improve attendance, and revised fixed term and permanent exclusion guidance.
- All schools becoming part of MATs, with a single regulatory approach. It is not clear whether it will be forced to happen. Local authorities will be able to form MATs where not enough strong trusts exist in that area
- Schools being required to become academies if they received two consecutive Requires Improvement inspections
- LAs having a focus on championing children, particularly those who are most vulnerable
- LAs receiving increased powers on the coordination of admissions, and that trusts will be statutorily required to follow the admissions code.
- Changes to Keeping Children Safe In Education
- An additional focus on attendance with new statutory guidance
- Legislation to create a register for children who do attend school, and increasing Ofsted inspection of illegal schools.

Annie Gammon explained that Hackney Education will be writing to schools in the near future, explaining that the current position with regards to the DfE's proposals on academisation, is that there will be a home for any school with Hackney Education as long as is needed, but that the Council will be looking at setting up its own MAT. It will emphasise that all schools have a future with Hackney whatever the structure.

Annie Gammon summarised the slides on the Green Paper, and explained that it includes proposals on:

- LAs having a local inclusion plan
- Updates to the SEND code of practice
- Bringing consistency to and digitising the EHCP process
- Increased funding for a national qualification
- Alternative Provision (AP) being provided through MATs, and a performance framework for AP
- Funding for additional respite places
- Better support for children with SEND as they reach adulthood
- A new national SEND delivery Board and Plan

Annie Gammon explained that there is a 13 week consultation process that Hackney Council will be responding to.

Member comment: Previously, when schools became an academy, any deficit was taken on by the Council. Is there a mechanism to stop this happening, and can we raise the issue via the consultation?

	<p>The Chair raised the issue of pensions liabilities and whether LAs would also have to take these on.</p> <p>Annie Gammon explained that she is not sure if a pot is going to be made available to cover these costs, which means that work ongoing on ensuring schools don't go into deficit is important.</p>
<p>9.</p>	<p>Any Other Business</p> <p>Annie Gammon provided an update on the response to the Child Q review. She explained that the terrible incident resulted in a review with a number of recommendations for Police, but also some for the local safeguarding partnerships, which involves Hackney Education. She said that the child and her family are being supported. The incident has caused significant distress among many people and produced memories of racism and discrimination. She explained that Hackney Education is providing guidance on what support can be provided to people who are traumatised by the incident. She said that support has been given to the school concerned and additional leadership capacity is being provided. She said that, at an appropriate time, a more in depth review of processes will take place. There is an immediate question of how Police work in Hackney schools, and a working group will be formed to refresh the current guidance. She said that we must all ensure we are actively anti-racist, and that the statement on antiracism that has been circulated to all headteachers is now published on the Hackney Education website and that a session will be held for all school staff with Jim Gamble.</p> <p>Monica Imbert provided an update on the Anti-racist Praxis conference, which is being held 9 - 12 May and encouraged members to attend.</p>
<p>10.</p>	<p>Dates of forthcoming meetings:</p> <ul style="list-style-type: none"> ● 22 June 2022
<p>11.</p>	<p>Summary of actions agreed:</p> <ul style="list-style-type: none"> ● ACTION - Sajeed Patni to provide data on severance costs for the last year. ● ACTION - Sajeed Patni to produce a paper on the use of unallocated surplus funds from growth and school contingency, once the final unspent balances are established. ● ACTION - Sajeed Patni to provide an answer on whether local authorities can claim back the 20% VAT on refurbishment and if so whether 20% will be added to the budget, to reflect the fact that VAT can be claimed back at a later date.