

**ST. HELENS COUNCIL**  
**SCHOOLS FORUM**

**Draft minutes of the Meeting of the Schools Forum**  
**Held on Thursday 19th September 2019 at 4.30 p.m. at the Town Hall**

**Members:**

**Primary School Head Teachers**

- \*Mrs A Richardson, Rainford CE Primary
- \*Mr D McCann, The Federation of St Mary's Catholic Schools
- \*Mrs S Birchall, Corpus Christi Catholic Primary
- \*Mr I Wellens, Bleak Hill Primary
- Mrs J Sweeney, Rectory CE Primary

**Secondary School Head Teachers and Representatives**

- Mr A Rannard, De La Salle
- Mrs C Twist, St Cuthbert's Catholic High School

**Special School Head Teacher**

- \*Mr W Brooks, Mill Green

**Primary School Governors**

- \*Mr W Leatherbarrow, Birchley St Mary's Catholic Primary
- Ms L Cunliffe, The District CE Primary
- Mr F Taylor, Eccleston Lane Ends Primary
- \*Ms L Moore, Broad Oak, Bleak Hill Primary
- \*Ms D Bate, Rainford CE Primary

**Secondary School Governors**

- Mr S Neal, St Cuthbert's Catholic High School
- Ms N Winstanley, Haydock High School

**Special School Governor**

- \*Mr W Bradbury, Mill Green School

**Nursery School Head Teacher/Governor**

- Ms E Nicholson, Rainhill Nursery

**14-19 Partnership**

- \*Ms M Williams, Carmel College

**Union Representative**

- \*Mr M Burrows

**PVI Early Years Provider Representative**

- Mrs N Politis, Portico Day Nursery

**Diocesan and Archdiocesan Representative**

- \*Mr T Warren

**Academy Representatives**

- Mr S Hughes, Hope Academy
- \*Ms K Sawe, The Three Saints Academy Trust
- Mr R Owens, Rainhill Learning Village Multi Academy Trust
- Mrs J Tallant, The Sutton Academy

**PRU Representative**

- Mrs D Clayton

## **Elected Member Observer**

Councillor S Murphy

\*Denotes Members Present

**Also Present:** Mrs J Davies, Senior Assistant Director, Education and Children's Health  
Mr G Tyrer, Business Support Manager  
Mr S Webb, Finance Manager  
Mrs D Gilchrist, Principal Accountant for Schools.

### 1. Apologies for Absence

Apologies for absence were received from Mrs Twist, Ms Politis, Mr Hughes, Mrs Tallant, Cllr Murphy and Ms Winstanley.

### 2. Minutes of the Meeting held on 11<sup>th</sup> July 2019

It was the view of Schools Forum that, although the first paragraph of Section 9 accurately recorded the comments made in respect of the off-rolling of pupils, the intention of the comments was to seek clarity about the reasons for the removal of pupils from a school's roll and the involvement of the local authority in this process. This was a particular concern given that the issue was raised during a recent Ofsted inspection of Sutton Academy.

### 3. Matters Arising from the Minutes

It was confirmed that the local authority do not encourage schools to off-roll students, and has previously advised that students accessing alternative provision should remain on roll at school as the school still have responsibility for their education. In exceptional circumstances both Head Teachers may agree to have the student single registered.

Through school reviews the local authority has challenged schools around the rigour and rationale of their use of alternative educational provision.

It was also confirmed that the local authority are not planning to set up their own alternative provision, though some schools are looking at this on an internal basis.

The local authority explained that there are ongoing discussions with trade unions regarding term time only employees and their pay calculations, and further updates will be brought to the Forum once an agreement has been reached.

### 4. School Balances 2018/19

The Chair clarified that members of the Forum should not be involved in discussions regarding their individual school's budget positions, and that the remit of the Forum is to make decisions regarding how the entire funding of the borough is distributed to schools.

The responsibility for the decision regarding clawback of high balances lies with the Strategic Director of People's Services, and the Forum had previously asked for clarity on the decision taken.

The Chair requested that discussions are constructive regarding the whole school population, and not just individual schools.

Papers circulated to members included school year end balances for financial year 2017/18 and 2018/19. There has been an overall reduction in total balances even taking into consideration schools that have academised. Academy balances are excluded from the list and will be reviewed by the Education and Skills Funding Agency (ESFA).

Arrangements have been in place for some years regarding the control of schools balances (automatic clawback mechanism). The Strategic Director of People's Services has the authority to exclude any school from the automatic clawback mechanism. The thresholds in the scheme above which some clawback is applied were prevalent with the Department for Education (DfE) at the time the scheme was written:

8% of the budget share for secondaries  
12% of the budget share for primaries and special schools

Not all of the excess balance gets clawed back, just a small proportion. In 2018/19 the total clawback for all schools would be £71k. Compared to the actual amount of funding delegated to schools this is not a material amount.

The current guidance from the DfE states that local authorities should have regard to autonomy for schools and should only clawback balances where they are significantly excessive and uncommitted.

It was clarified that the majority of schools that are at risk of clawback are likely to have forecast deficit budgets over the next three years, as do most other schools, and have implemented efficiencies in 2018/19 which will have increased their year-end balance.

The Forum was informed that the Strategic Director of People's Services does not intend to clawback any funds from 2018/19 school balances.

The Chair requested that the automatic clawback mechanism is included in the minutes of the meeting to ensure that future members of the Forum understand the mechanism, and recommended that the scheme is retained.

The Forum agreed to retain the automatic clawback mechanism.

#### Automatic clawback mechanism

##### *Reporting on and control of the use of surplus balances*

*In exceptional circumstances, the Senior Assistant Director, Quality and Finance, People's Services Department reserves the right to exclude any school from the clawback process.*

*Surplus balances held by schools as permitted under this scheme are subject to the following restrictions:*

- a) *the Authority shall calculate by 30 June each year the delegated budget surplus balance, if any, held by each school as at the preceding 31 March;*
- b) *if the surplus balance is greater than 8% of the preceding year's budget share (secondary schools) or 12% (nursery, primary, and special schools), then the authority shall automatically deduct from the current year's budget share an amount increasing on a sliding scale according to the extent to which the permitted threshold has been exceeded;*

*1% above the permitted threshold – 5% of the excessive surplus balance will be deducted*

*2% above the permitted threshold – 7.5% of the excessive surplus balance will be deducted*  
*3% above the permitted threshold – 10% of the excessive surplus balance will be deducted*  
*4% above the permitted threshold – 12.5% of the excessive surplus balance will be deducted*  
*5% above the permitted threshold – 15% of the excessive surplus balance will be deducted*  
*Amounts deducted will continue to rise in accordance with above.*

*(Budget Share = Delegated Budget + Pupil Premium Grant + Education Funding Agency Sixth Form Funding)*

*(Excessive surplus balance = excess balance above permitted threshold)*

- c) *The amounts calculated at (b) above will be capped at the following rates:*  
*Secondary schools: £30,000*  
*Primary, Special and Nursery schools: £10,000*

*Funds returning to the LA under the above scheme provision would be applied to the Schools Budget of the Authority.*

## 5. Spending review

The local authority referred to the recent government announcements relating to school funding and confirmed that more detail is due to be announced in October, with final allocations in December. It is not yet clear how the additional funding will impact on St Helens.

The announcements confirmed:

- additional funding for schools of £2.6 billion in 20/21, rising to £4.8 billion in 21/22 and £7.1 billion in 22/23 compared to 19/20 levels;
- minimum per pupil amounts in 20/21 £3,750 primary and £5,000 secondary (primary schools rising to £4,000 in 21/22);
- additional funding in 20/21 includes £700m high needs funding – additional funding for high needs has previously been announced and it is unclear whether or not the £700m includes this or is in addition to this
- £1.5 billion to fund additional pension costs over the next three years, which is separate to the main school funding settlement
- £400 million additional for Further Education
- £66m additional for Early Years
- Cap on gains in the National Funding Formula (NFF) to be removed at local authority level
- Still intention to move to hard NFF but not in 20/21

The announcements also indicated that teaching starting salaries are due to increase to £30k by 2022/23, but no additional funding is expected to cover this increase in cost. It is also expected that existing teaching salaries will increase to maintain the differentials on the teachers' payscale.

The Forum was also advised that any non-teaching increases in pay, as in previous years, would be unlikely to attract any additional funding.

The local authority is expecting final allocations in December with individual school allocations sent to the DfE for approval in January. Notifications to Head Teachers of

budget allocations are expected to be along the same timescales as in previous years.

6. Consultations

The local authority referred to a number of recent DfE consultations which schools are not obliged to respond to but are welcome to do so.

Financial Transparency.

The aim of this consultation is to bring maintained schools in line with existing arrangements for academies. The consultation includes proposals to:

- Make public local authorities which fail to comply with deadlines for completing assurance returns and financial collections e.g. SFVS, CFR,
- DfE will capture the amounts that LAs have recovered from investigating fraud
- Schools to declare all related party transactions, whether through their SFVS or direct to LA's.
- Schools to seek permission from the LA before entering into a RPT above a certain amount
- LA maintained schools required to publish annually on their websites the number of individuals earning over £100K in £10K bandings.
- Schools required to publish annually on their website their latest Consistent Financial Reporting statement of income, expenditure and balances.

The local authority may need to request information from schools in order to respond to the DfE under the proposed regulations.

The local authority is due to respond to this consultation.

Minimum Funding Levels.

This is a technical consultation linked to the NFF and local FF. The DfE are consulting on how to implement the minimum funding levels in the NFF on a mandatory basis.

The local authority is due to respond to this consultation.

Home to School Transport

This consultation relates to statutory guidance and is aimed at local authorities.

The local authority is due to respond to this consultation.

7. Any other business

There was no other business

8. Date and time of next meeting

Thursday, 7<sup>th</sup> November 2019