

Minutes of the Schools Forum Meeting

Meeting title:	Schools Forum Meeting	
Date/time	9 February 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) 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) Fran Cox (Head of High Needs and School Places) Naeem Ahmed (Director of Finance (C&Ed), Hackney Council) Jo Larkin (Head of Human Resources, Hackney Education) Mizanaur Rahman (Head of Finance, Children & Education) Ophelia Carter (Head of Schools Finance) Hakim Islam (Group Accountant, Hackney Education) Sajeed Patni (Interim Head of Finance, Hackney Education) Monica Imbert (Head of Education Operations, Hackney Education) Chenelle Blake (Clerk to the Forum)	
Apologies:	Anna Cain (Special Academy rep), Cathy Murphy (EY/PVI rep), Claire Syms (Academy Principal rep), Donna Thomas (Head of Early Years, Early Help & Wellbeing)	
Absent:	David Davies (Staff rep), Lee Laudat-Scott (Maintained Pri Governor rep)	

	Item
1.	<p>The Schools Forum Chair welcomed attendees to the meeting.</p> <p>Sajeed Patni, new Interim Head of Finance for Children's and Education was introduced to the Forum; it was noted that Sajeed will replace Mizanur Rahman.</p> <p>It was noted that Caroline Tyson has resigned from the Forum, due to her impending retirement from Easter 2022; it was confirmed that a new primary representative will be appointed before the next meeting.</p>
2.	<p>Minutes of the last meeting held 10 November 2021</p> <p>The minutes of the last meeting were reviewed and agreed as an accurate record of the meeting held 10 November 2021, subject to the following corrections:</p> <ul style="list-style-type: none"> decision for transfer for 0.5% to be corrected to reflect 3 primary votes, rather than 5 votes. <p>The minutes were agreed.</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.</p>

Annie Gammon advised that there are 2 returns linked to Education property; one is related to capital funding which the borough receives to increase places and the other is the SCAP return. The capital funding return was completed in 2020, however the SCAP return did not take place in summer; this is following the government's temporary removal of this requirement during the pandemic. Both returns were subsequently completed in 2021. Further details on this to be provided at the next meeting.

Action 1: Annie Gammon to provide a full response at the April meeting, in relation to the DfE Education Property returns.

2.3. Matters arising with written responses:

2.3.1 Formal decision making process to implement potential redundancy enhancement proposals

Jo Larkin, Head of Hackney Education HR, provided a report detailing the formal process which would need to be considered for the removal of the 70% enhancement severance payment. The report confirms that this enhancement has been in existence for many years.

The statutory maximum on an ordinary basis for weekly redundancy payments is £544; although support staff in schools do not usually earn beyond this maximum payment. The Council's enhancement provides a 70% uplift to this statutory maximum; however if the removal of this were to be considered, it would affect all staff in the council.

The first option to consider this removal would be through a Corporate Committee; section 4 of the report provided outlines this, however notes that the proposal to remove the enhancement is unlikely to be approved, due to there being a cumbersome process and not far reaching.

The second option to consider this removal would be through the Chief Executive, who is the officer holding responsibility for all staff terms and conditions; therefore, the Scheme of Delegation could be used to produce a policy to suggest the removal of this enhancement. The sign off of this option could be undertaken via the Chief Executive's decision making process, however this would require discussion with the Hackney Management Team and Councillors; if considered, there will be a consultation with the Trade Unions.

If a decision is made to implement the change, it will take a minimum of 6 months; this will allow the maximum 3 month notice period to be taken into consideration.

Member comment: It is understood that the request was for an interim arrangement, given that a removal of the enhancement would take some time and schools are already moving forward. Additionally, based on the legal basis, it is understood that a vote would be required to decide whether the enhancement would be funded by the local authority.

Jo Larkin responded - *the main purpose of the report was to explain the process, should the proposal to remove the enhancement be considered by the Council as a whole.*

The Chair confirmed that the report presented by Jo Larkin addressed the query raised, outlining the process for removal; however, there are reports further on the agenda which will address funding.

2.3.2 Funding HE redundancy payments

Following a query on how Hackney Education redundancy payments are funded, Mizanur Rahman provided a report to provide more detail.

Hackney Education forms a part of the Council's general fund, which includes all areas, with the exception of schools and housing; this general fund covers all Hackney Education redundancy costs for any Hackney Education service staff or council staff.

It was noted that Over recent years, due to austerity, the general fund has been facing severe pressures, resulting in the need to make savings for £12 million in the next financial year.

Member question: What is the highest redundancy payment for any individual employee?

Jo Larkin responded - *This question does not appear to be an issue that is relevant for the Schools Forum, as the redundancy payments are not funded from the de-delegated budget for schools. It is funded through the Council's central pot. I will need to confirm if a response to this question is in the interest of the public.*

Member comment: This is a legitimate question, as general funds could potentially be used to fund other school staff redundancies. There is a lack of clarity around how the 70% enhancement was established, a concern that it is not being funded for schools and a more significant concern that a disproportionate sum of money is being made available to fund other redundancies within Hackney Education. The question raised is one of openness and transparency and a legitimate question, in light of the paper which has been presented to the Forum.

It was requested that the Chair provide a judgement on this request.

The Chair responded - *If the answer to the question relating to the highest redundancy payment can be provided through a Freedom of Information request; there is no reason why it should not be shared; however, Jo Larkin has noted the need to check whether this is in the interest of the public.*

Member comment: It is disappointing that as a member of Hackney Schools Forum, this information cannot be shared upon a legitimate request.

Member question: There is a focus on the 70% enhancement, however it is equally important not to lose sight of what the 70% is based on; whether it be full salary or the statutory figure of £544 per week. There are 2 parts to the Hackney policy 1) enhancement is based on full salary 2) the multiplier; however, it is unclear if there is a proposal around whether the model applied should be for the weekly salary or whether there is an appetite for this figure to be capped.

Jo Larkin responded - *If the school staff member is paid more than £544 per week, they would receive the weekly salary, with an additional 70% enhancement added to the total redundancy figure; this is in line with the Organisational Change Policy.*

The Chair advised that there have been discussions through a series of meetings around the question raised; however, there is further work to be completed by the working group before any recommendations can be made.

Member question: What is a General Fund?

Mizanur Rahman responded - *The General Fund is the main revenue account which summarises the cost of all services (except those related to Council housing and schools) provided by the Council.*

Member comment: On a point of equity, this raises a concern as some redundancies i.e those within Hackney Education, are funded from the general fund; however, individual schools are expected to fund redundancies for their staff. Schools have a personal responsibility due to the expectation to fund redundancies themselves, however there are less concerns for those who are funding redundancy enhancements from the general fund. Consequently, some schools are losing out 2 fold, as they are also ultimately affected by deductions from the general fund.

Mizanur Rahman responded - *Redundancies are also related to council services losing their funding; Hackney Education lost £3 million during the last period. Redundancies are linked to restructures and transformation projects across the council.*

Member comment: Schools, through no fault of their own, are also losing funds; however, they are still required to fund redundancies from their depleting budgets. This is no different from the position of Hackney Education and there should be fairness across the board.

Annie Gammon noted the small proportion of Education staff funded through the DSG; the majority of colleagues within Hackney Education are funded from the general fund, with some being funded through the High Needs Block. It might be useful at the meeting scheduled in April, to review this in more detail. However, there are very few staff funded through the DSG.

2.3.3 Consultant Asset Management role and DfE return query

It was noted that this was addressed under the review of the action log.

3. Update and recommendations from Schools Forum Working Group

Monica Imbert advised that the paper provided does not replace the minutes from the Schools Forum Working Group meetings; minutes from this group will be provided in due course. The purpose of the report is to provide a written update to Schools Forum.

Monica brought to the Forum Members' attention that it was not a recommendation of the working group to remove the 70% uplift for schools; instead, it was intended to provide greater clarity around the council options to fund the enhancements in part or whole.

In light of the report provided, Members were invited to provide comments/raise questions in relation to the recommendations set out in section 2 of the report. .

Member comment: The wording is not entirely clear around the recommendation relating to the 70% being funded.

The Chair responded - *This is addressed under item 2.3 of the report which states ' 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 supporting schools with the uplift from other council funds, either in part or whole'.* The recommendation has been included as it relates to gaining clarity on where funding can come from; modelling the scenarios for redundancies goes back to item 2.1 and is a recommendation that the 70% can be provided, given there is clarity on how it can be provided.

Member comment: It is clear that de-delegation or top slicing cannot take place until the next financial year; however, it was discussed whether schools required to make redundancies before this, due to falling rolls, could receive support this financial year from the central fund or an alternative fund.

The Chair responded - *This is addressed under section 2.3 of the report, which focuses on the need to establish where this financial support can come from for the approaching financial year.*

Member comment: There were unallocated surplus carry forward funds reported at the last meeting; can these funds be used to support schools in the approaching financial year?

Annie Gammon responded - *This is not something we can instantly make a decision about; this would need to come back to Schools Forum for consideration, as it is money carried forward from the DSG. However, it is important to establish the criteria/circumstances under which these funds could be allocated to schools. This can be explored through a few suggested models at another meeting.*

The Chair noted the guidance which states that schools can request for the local authority to cover their redundancy costs. Once this request is made, the local authority is required to look at the criteria and evaluate whether the school is eligible to have their redundancy payments met. However, there is clarity required to confirm where this funding will come from, if schools make this request in the immediate future.

Member comment - As Headteacher representatives of this forum, we are not advocating for the uplift to be removed; however, we are aware of the consequences for primary schools, that through no fault of their own, are experiencing falling rolls and are likely to be forced to make redundancies. However, the cost of redundancies makes it almost impossible for these schools, which leaves them in a very challenging situation. Therefore, it is important that we do more to find solutions that can potentially support those schools.

Annie Gammon responded - *This can be looked at, however it is important to note that some of the unallocated surplus funds has other potential uses being considered. This will need to be further discussed at the April meeting, with recommendations considered at the November meeting.*

Action 2: Models and recommendations for use of unallocated surplus funds to be discussed at the April meeting.

Action 3: Schools Forum to decide on the use of the unallocated surplus funds at the November meeting.

Ophelia Carter confirmed that this unallocated surplus is from the contingency for growth and not falling rolls.

Action 4: Clarity to be provided on other sources of funding available to support redundancies, which does not come from a top slice or delegated funds.

The Chair noted the importance to remember, in this context, that everyone is losing money, with no spare funds available. Historically, both Hackney Education and Hackney schools have been well funded by the local authority; in light of this fact and recent Forum discussions, we can become combative, so it is important to make decisions in an informed state.

The Chair further noted that despite a number of ongoing discussions and reports presented, we have not moved forward with gaining the clarity needed. It will be a failure of the Forum and Officers if these matters are not resolved by April 2022.

A member noted dissatisfaction with the 3 months it has taken to move matters, which were raised in November 2021; It was further noted that Hackney Education Officers should have acted with more urgency to take action.

4. Administration arrangements for allocation of Early Years Funding 2022-23

Hakim Islam advised that the report has been provided for Schools Forum to note and give a view on the proposed financial arrangements for the administration of the Early Years National Funding Formula (EYNFF), and planned central spend on the Early Years Block provision for 2022- 23

It was noted that the basis of the EYNFF is that all providers who offer 15 and 30hrs early years education for 3 and 4 year olds, receive a guaranteed hourly rate based on the hours children attend multiplied by 38 weeks a year.

The following key points were brought the attention of the Forum:

- There will be an increase in the way the local authority funds 2 & 3 year olds; Hackney will receive an uplift to the hourly rate in 2022-23 by 21p per hour for 2 year olds and 17p for 3 and 4 year olds.
- Although unit funding has increased, the impact of Covid has affected all three funding years, from 2021-2023.
- Since writing this report, budgets have been adjusted, highlighting that we have worked with a lower overall pot of money for 3 & 4 year olds. Consequently we had an underspend, however the government made a limited claw back of £600,000 for the 2020-21 financial year.
- For the year 2021-22, there are more frequent censuses taking place on a termly basis.
- We are awaiting the January 2022 census to set the budget for 2022-23
- Pre-covid levels should resume, with an increase in funding after the January 2022 census; this will be shared once the 5% central services, inclusion and contingency funds are deducted.
- From the balance of the pot for 3 & 4 years old, a maximum of 10% will be allocated to providers as weighted supplements for deprivation and quality; the remaining 90% will be allocated using a universal base rate for all types of provider.

The Chair noted the requirement for Forum members to give a view on the Early Years proposed funding arrangements for 2022-223, the inclusion fund and the use of the central spend and values. Forum Members were invited to comment/give a view on the recommendations summarised under section 2.1 of the report.

Member comment: I am pleased to see money for IDACI and FSM; however, the falling roll should not be attributed solely to Covid, as there are other contributing factors, such as Brexit. These other continuity factors will result in a challenge for schools.

Member question: What is the percentage of 3 & 4 year olds not accessing provisions? Do we use all the inclusion funds? When will maintained nursery funding be clarified?

Hakim Islam responded - *In relation use of the Inclusion Fund, there is £40-50k forecasted underspend for the current year 2021-22. Figures for previous years would need to be confirmed.*

Member comment: In relation to the response on use of Inclusion funds, it is important for provisions to know they can access the money to support children.

	<p>Annie Gammon emphasised the importance of ensuring the surplus £40-50k is well spent/carried forward appropriately; however, it is important to consider whether there were few children in places this year and fewer applications.</p> <p>Action 5: Finance Officers to provide a written response to be provided for the remaining 2 member questions, relating to 3 & 4 year olds and nursery funding: 1) What is the percentage of 3 & 4 year olds not accessing provisions? 2) When will maintained nursery funding be clarified?</p> <p>Councillor Bramble noted that given the need for inclusion, the pressure on schools and children at the risk of exclusion, if there is an underspend, it is important to establish if the fund has been accessed in its entirety and the process for schools how schools are informed and how they are applying for its use. This will be an area of discussion for myself and Annie Gammon to take forward.</p>
<p>5.</p>	<p>Final Schools Budgets and Funding Formula 2022-23</p> <p>Ophelia Carter highlighted the purpose of the report, to inform Schools Forum of the final schools funding formula for 2022-23, to note the individual Schools Budget allocation for 2022-23, to note the final 2022-23 schools formula agreed by The Director of Education (illustrated in the appendices A and B and outlined in section 4 of the report) and to note the impact of large roll variances on school budgets (shown in appendix B).</p> <p>There is 1 significant change to the formula, as Hackney has opted to align FSM Ever6 factor to the NFF; this has been increased from £350 to £700 per eligible primary pupil. For secondary education the amount has been increased from £398 to £1026 per eligible pupil.</p> <p>Forum members were asked to note that the minimum funding guaranteed per pupil, has remained at the same value as it has in previous years, at +1.6%, equating to approximately £1.4 million for 24 schools.</p> <p>In line with the funding report presented at the last meeting, Hackney Education has not set aside any funding for explicit growth in the financial year 2022-23.</p> <p>The change to the local funding formula 2022-23 was agreed in order to more closely align the local formula with the national funding formula, with the exception of all funding factors, which are at NFF rate.</p> <p>Forum Members were invited to comment/give a view on the report.</p> <p>The Chair commented on the aligning of budget spreadsheets from June 2021 and noted that some schools are suffering significantly. The comparison of both budget spreadsheets shows a further challenge for the same schools in this financial year.</p> <p>Member comment: Given the AWPU ratio between primary and secondary is approximately 1 to 1 ½ , it is important to consider whether this is an average across the country. This should form a part of School Forum thinking, particularly if one sector is less proportionately well funded, compared to the national average.</p> <p>Hakim Islam responded - <i>The primary and secondary funding ratio was reviewed; however once the hard formula comes into effect, the rates set across the country will all convert to the NFF.</i></p> <p>Member question; What is the ratio that we are converting to?</p> <p>Hakim Islam responded - <i>The ratio is 1.35.</i></p> <p>Member comment: In previous years, a constant theme has been the cost of schools contribution as employers to the Hackney Local Government Pension Scheme. As we get closer to a national funding formula, are we taking sufficient account of what used to be historically high pension contributions required by Hackney schools in comparison to other London boroughs. There has not been a recent report presented to the Forum addressing whether those contributions continue to reduce; the Forum should be keeping an eye on some of these exceptional costs as they can cause budgetary pressures and may even be unique to the borough.</p> <p>The Chair responded - <i>a report was presented to Forum Members within the last 2 years, which indicated the pension costs. However, I do not recall the details of the report.</i></p>

	<p>Ophelia Carter advised the November meeting would be appropriate to consider this matter, alongside the de-delegated budget decisions.</p> <p>Action 6: Hackney Schools contribution to the Hackney Local Government Pension Scheme, to be reviewed at the November meeting, in line with the de-delegated budget decisions.</p>
<p>6.</p>	<p>Administration arrangements for allocation of grants 2022-23</p> <p>Ophelia Carter highlighted the purpose of this report, which is to inform Schools Forum on the arrangements for distributing grants to schools, as required by The School and Early Years Finance Regulations 2018. Forum Members were asked to note the content of the report.</p> <p>It is anticipated that the ESFA grants will continue at the same terms and conditions, as in previous years. The Finance team has made efforts to assist schools with terms and conditions, by providing guidance on the Schools Finance webpage.</p> <p>It was noted that all maintained schools will receive funds from the DfE, once allocation is confirmed.</p> <p>The Chair commented on the importance for information to be appropriately communicated to schools. Ophelia Carter responded - <i>this is communicated through mail merged letters to individual schools; this was the process followed in previous years and will continue.</i></p>
<p>7.</p>	<p>Review of the Travellers Service</p> <p>Chris Roberts highlighted the purpose of the report, which is to update Schools Forum on the work undertaken by the Traveller Education Service (TES) during the 2020/21 academic year, including case studies. It was noted that this report was requested by the Forum last year.</p> <p>The following key points were brought to the attention of Forum Members:</p> <ul style="list-style-type: none"> ● The service consists of 1 FTE Officer, following a restructure in 2017. ● There are 398 White Irish Traveller children known to the service ● The remit of this service has 3 main areas of focus: <ol style="list-style-type: none"> 1. Access to learning: working with families to submit applications for primary and secondary school places at the appropriate times and in-year when they do not have school places. 2. Working in partnership with agencies: maximising capacity to ensure the needs of the community are met and building links with officers in various services 3. Inclusion - providing advice on how to engage the community and bringing in expertise to inform plans. <p>It was noted that this is a group at high risk of exclusion and nationally amongst the highest groups for exclusion; however, we are well below the comparable rates for England, which is testament to the work of the officer and work within the schools to ensure inclusion. There has not been an exclusion of a Gypsy Roman Traveller in many years.</p> <p>Member question: This is an excellent service and I applaud the work undertaken. Are the 398 children known to the service based on children in mainstream settings or all of the traveller community? A concern raised at Forum in the past, is the potential number of children from this community who are electively home educated.</p> <p>Chris Roberts responded - <i>this covers the whole community from 0-19.</i></p> <p>Member question: Do we know what proportion of the 398 children are in mainstream settings, compared to electively home educated post pandemic?</p> <p>Chris Roberts responded - <i>I do not have this data to hand; however, a review of data provided on the year 6-7 transition points, it is clear that around 15% transfer to elective home education.</i></p> <p>Member comment: There is a need to look at the numbers, particularly the year 9 girls; there are a number of traveller girls who go into elective home education in year 9 and this is a constant challenge for secondary schools.</p>

	<p>Member question: 1 FTE based on 398 children does not appear to be an appropriate or well resourced service; this highlights a vulnerability in the service, Chris Roberts responded - <i>Having 1 officer makes it impossible to manage every case, therefore it is critical to prioritise, with focus on key transition points and/or respond to where the need is most pressing at any given time. The service is also mindful and aware of succession planning issues, as having only 1 officer creates a challenge with sharing of knowledge.</i></p> <p>Member question: Is the admissions office open? Is there a physical presence for parents who have queries in relation to admissions? Fran Cox responded - <i>During the pandemic we often had families come into 1 Reading Lane requiring support and admissions presence was in the office to assist them. There is currently an interim arrangement in place at the Hackney Service Centre, with consistent admissions presence available to support families, with drop in sessions and bookable appointments in place.</i></p> <p>Member comment: This is an area of concern, particularly for those families who do not have English as a first language and/or find the admissions process stressful. Additionally, schools, particularly primary, need all the children they can get. Fran Cox responded - <i>As we phase back with a consistent return to the office, it is planned to have the admissions reception reopen before Easter;</i></p> <p>Annie Gammon advised that sessions will be made available to allow parents to be seen face to face, particularly with admissions from 1 March.</p> <p>Councillor Bramble emphasised the importance of ensuring Reading Lane staff to escort parents/families to the service centre.</p> <p>The Chair concluded that the report on the Travellers Service was very helpful.</p>
<p>8.</p>	<p>Any Other Business</p> <p>The Chair advised that Caroline Tyson is retiring from Easter 2022, so has stepped down from the Forum; Caroline was formally thanked for contribution to Schools Forum thus far.</p>
<p>9.</p>	<p>Dates of forthcoming meetings:</p> <ul style="list-style-type: none"> ● 20 April 2022 (<i>held for training</i>) Presentation on Education Estates Strategy, Fran Cox ● 22 June 2022
<p>10.</p>	<p>Summary of actions agreed:</p> <ul style="list-style-type: none"> ● Action 1: Annie Gammon to provide a full response at the April meeting, in relation to the DfE Education Property returns. ● Action 2: Models and recommendations for use of unallocated surplus funds to be discussed at the April meeting. ● Action 3: Schools Forum to decide on the use of the unallocated surplus funds at the November meeting. ● Action 4: Clarity to be provided on other sources of funding available to support redundancies, which does not come from a top slice or delegated funds. ● Action 5: Finance Officers to provide a written response to be provided for the remaining 2 member questions, relating to 3 & 4 year olds and nursery funding: 1) What is the percentage of 3 & 4 year olds not accessing provisions? 2) When will maintained nursery funding be clarified? ● Action 6: Hackney Schools contribution to the Hackney Local Government Pension Scheme, to be reviewed at the November meeting, in line with the de-delegated budget decisions.