

# Schools Forum Agenda

Thursday, 15 March 2018

**4.30 pm – 6.30pm**, Committee Room 3 - Civic Suite  
Lewisham Town Hall  
London SE6 4RU

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Including updates on: financial monitoring, Minimum Funding Guarantee, 3 and 4 year old hourly funding and contingency bids.	
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This report will consider the planned work of the Forum over the coming year.

**14. Any Other Business**

**Future Meetings**

21 June 2018  
04 October 2018  
06 December 2018  
17 January 2019  
21 March 2019

All meetings will be held between 16:30 and 18:30

**Sub Group Meetings**

<b>High Needs Sub Group</b>
05 June 2018 18 September 2018 20 November 2018 05 March 2019

# Agenda Item 3

## LEWISHAM SCHOOLS FORUM

### Minutes of the meeting held on Wednesday 17th January 2018

Membership (Quorum = 40% i.e. 8)      ✓ = present      ✗ = absent      a = apologies  
s = substitute

		Attendance				
		16/3	22/6	05/10	07/12	17/01
<b>Primary School Headteachers</b>						
Liz Booth	Dalmain	✓	✓	✓	✓	a
Paul Moriarty	Good Shepherd	a	✓	✓	✓	✓
Michael Roach	John Ball	✗	✓	✓	✓	✓
Sharon Lynch	St William of York	✓	a	✓	✓	a
Keith Barr	Kender	✓	✓	✓	✓	✓
<b>Nursery School Headteacher</b>						
Nikki Oldhams	Chelwood	✓	✓	✓	a	✓
Cathryn Kinsey	(Substitute)				s	
<b>Secondary School Headteachers</b>						
Jan Shapiro	Addey & Stanhope	✓	a	a	a	✓
David Sheppard	Leathersellers Federation	✓	a	✓	✓	✓
Mark Phillips	Deptford Green	✓	✗	✓	✗	✗
Clare Cassidy	Sedgehill				a	✓
<b>Special School Headteacher</b>						
Lynne Haines	Greenvale	✓	✓	✓	✓	✓
<b>Pupil Referral Unit Headteacher</b>						
Heather Johnston	Abbey Manor				✓	✗
<b>Primary School Governors</b>						
Rosamund Clarke	Perrymount	✓	✓	✓	✓	✓
Dame Erica Pienaar	John Ball	a	✓	a	✓	a
Keith D'wan	King Alfred Federation	a	a	✓	✗	a
<b>Secondary &amp; Special School Governors</b>						
Pat Barber	Bonus Pastor	✓	✓	✓	✓	✓
James Pollard	Addey & Stanhope	a	✓	✓	✓	✓
Ruth Elliot	Watergate	✓	✓	✓	✓	✓
<b>Academies</b>						
Declan Jones	Haberdashers' Aske's	✓	✓	a	✓	✓
<b>14-19 Consortium Rep</b>						
Gordon Gillespie	14-19 Consortium	✗	✗	✗	✗	✗

Early Years - PVI						
Dawn Nasser	Rose House Montessori	✓	✓	a	a	✓
Diocesan Authorities						
Sara Sanbrook-Davies	Southwark Diocesan Board of Education	✓	✓	✓	a	✓
Stephen Bryan	Education Commission – Catholic Diocese Southwark	a	a	a	a	a
Yvonne Epale	Substitute – Education Commission – Catholic Diocese	✓	✓	✓		✓

Also Present	
Dave Richards	CYP Group Finance Manager
Hayden Judd	Principal Accountant - Schools
Sara Williams	Executive Director for CYP
Kate Bond	Head of Standards & Inclusion
Ruth Griffiths	Access, Inclusion & Participation
Fiona Gavin	LB Lewisham
Jackie Jones	Standards, Inclusion & Intervention
Selwyn Thompson	Head of Financial Services
Martin Cunningham	Leathersellers' Federation
Kim Knappett	ATL
Janita Aubun	Clerk

### 1. Apologies and Acceptance of Apologies

Apologies received from Liz Booth, Sharon Lynch, Keith D'Wan, Dame Erica Pienaar and Stephen Bryan.

Apologies accepted.

Substitute for Education Commission-Catholic Diocese of Southwark – Yvonne Epale.

### 2. Declaration of Interests

There were no declaration of interests.

### 3. Minutes of the Meeting held 7 December 2017

Schools Forum 5 October 2017, Action Summary – Item 7, Annual Health & Safety Report. Step by Step Guidance Notes to Appoint a School-based Apprentice, was circulated to Forum members. The same is to go out in Schools Mailing next week. Schools advised to contact Charlotte Gibson in the Mayor's office if any queries on the guidance.

Schools Forum 7 December 2017, Action Summary – AOB. Clarification on the voting procedure for all-through schools. Executive Head for Leathersellers is to vote in the capacity of Secondary Headteacher as the appointment was made by the Secondary sector.

Minutes were agreed.

#### 4. Matters Arising

No matters arising.

#### 5. Dedicated Schools Grant Budget Report 2018/19

##### Settlement - Funding Announcement

Forum were informed that the 2018/19 DSG is £292.3M, but will change during the year as pupil numbers change. This is a £2.7M increase on 2017/18.

##### National Funding Formula

The DfE has introduced a national funding formula (NFF) for schools and for pupils with high needs, from 2018 to 2019. Under the NFF, all Lewisham schools will lose funding but be protected to their current funding level. Lewisham has £1M available for both 2018/19 and 2019/20, a 0.5% increase in their schools budgets on pupil related factors.

##### National Funding Formula versus Lewisham Funding Formula

Schools have been consulted on whether Lewisham should use the new funding formula to allocate funding in the future. The consultation closed 4 January 2018 and only one response had been received. This was not deemed significant enough to warrant delaying the move to the national formula. It was explained to Forum that the total amount to be allocated will be the same with both options.

##### Minimum Funding Guarantee (MFG)

The MFG has in the past been set by the Department of Education. As a new power this year, Local Authorities are now allowed to set a pre-16 minimum funding guarantee in their local formulae. It was raised at Forum that as agreed at the meeting on 7 December 2017, the MFG should be set at a maximum rate possible within the funding envelope.

##### Contingency Bids

There is provision for schools from the contingency fund, for allocations of amounts where schools have suffered large reductions in funding. For example where a fall in funding would result in significant staff redundancies impacting on curriculum delivery. Where the school's funding falls by more than 5% plus early years funding, a school can bid for funding to replace the amount lost over and above 5%.

Forum were presented with 3 schools which fall within this criteria:-

	Fall in funding above %	School's budget position
Primary A	£126,267	Viable budget plan
Primary B	£7,500	Only just balanced

		budget plan
Secondary C	£337,566	Large Deficit

It was recommended that the fall in funding at Primary B and Secondary C be funded from the contingency. The details from Primary A have only been received today but not in time for Forum, so this paper will be brought to Forum in March.

In light of this, Forum raised concern about voting without having informed data on this. Issues were raised about assurances of due diligence and control of the budget. A risk analysis is to be undertaken.

New Woodlands – (although this was described as Primary PRU provision update for the purpose of the meeting).

For the remainder of this academic year, 10 revolving door intervention placements will be available at the Lambeth Primary PRU, via referral. In September 2019 the permanent Primary phase Alternative Provision will be formed in Lewisham.

Primary Fair Access Panel 12 December 2017 – view was taken that:-

- i. Schools pay towards the placement cost from the AWPU for the child referred to the Primary PRU, based on the length of the placement.
- ii. Schools pay 50% of the transport cost for the child to attend the Lambeth Primary PRU which would be capped at £4,875.

### **Decision:**

Forum agreed the following:-

- The introduction of the national funding formula to replace Lewisham's own funding formula from April 2018.
- The minimum funding guarantee be set at 0.25% for 2018/17 financial year.
- **To defer** the decision to allocate £336,566 from the Contingency Fund to Secondary C as a consequence of a year on year fall of greater than 5% in funding.
- **To defer** the decision to allocate £7,500 from the Contingency Fund to Primary B as a consequence of a year on year fall of greater than 5% in funding.
- **To defer** the decision to consider the bid from Primary A to allocate £126,267 from the Contingency Fund as a consequence of a year on year fall of greater than 5% in funding.
- A voluntary code of practice of AWPU funding following a child for an intervention placement at out of borough primary PRU provision.

- **To defer** the agreement of a voluntary code of practice of funding 50% of the transport costs to an out of borough primary PRU provision which would be capped at £4,875 (pro rata of the annual cost per child).

## 6. Catering

Forum were presented with a report on the catering charge for schools.

### Charging

Discussions were held about the surplus in the trading account which has been subsidising school meals for the remaining years of the catering contract. School meals have been charged at a lower than cost rate during the second and third years of the contract and there has still remained a surplus on the trading account. However this surplus is reducing and the contract cost is increasing - this difference will need to be passed onto schools.

Under the contract there is an obligation to increase the London Living Wage (LLW) to £10.20 in May 2018; a rise of 4.6%.

Forum are being asked to agree an uplift to the schools charge in April 2018 to reflect the increase in LLW. Forum were also given an early warning of a potential additional 5% increase in September 2018. The 2018/19 budget notification is due to be sent to schools shortly and this will give more detail.

The London Living Wage is to be phased over the first two years of the contract and with this it is expected that staffing costs will increase by approximately 20%. Lewisham propose allowing the increase in school meals costs to be evened out over the remaining life of the contract (2 years plus 2 year extension). This is to avoid non-secondary schools experiencing a steep rise in costs.

Chartwells have requested a contract review be undertaken and Lewisham have an experienced Contracts Officer who will be leading on this. The outcome of this strategic review will be reported back to Forum in the summer.

Forum were also informed that should Headteachers require more details, they can email Kate Bond, [kate.bond@lewisham.gov.uk](mailto:kate.bond@lewisham.gov.uk)

### **Decision:**

- Forum agreed a 5% increase in the Catering Charge for Non-Secondary Schools from April 2018.
- Forum noted that the current contract review taking place intended for completion before the end of the summer term 2018.
- Forum noted that arising from the review, it may be necessary to increase the charge from September 2018.

## 7. DfE Consultation Responses

Forum looked through a report on the consultations received from the Department for Education on Loans to Schools and Eligibility for Free School Meals and the Early Year's Pupil Premium under Universal Credit.

### Loans to School Consultation

The consultation commenced 15 November 2017 and ended 13 December 2017. In this consultation, the DfE proposed that if a loan is given to a school to cover a deficit balance, and the school converts to an academy, that loan will remain with the Local Authority. If the proposal goes ahead, there is a potential risk to the contingency fund and council funds in general.

### Eligibility for Free School Meals and the Early Year's Pupil Premium under Universal Credit

This consultation commenced 16 November and closed 11 January 2018. It looked at the proposed approach to free school meals eligibility for pupils under Universal Credit.

The DfE proposed amending the eligibility criteria for FSM by introducing a £7,500 per annum earnings threshold for free school meals; to take effect from April 2018. The Department for Education are proposing keeping the threshold constant until the end of the Universal Credit rollout period and after that point, the threshold will be kept under review.

The plan is to ensure that existing pupils of free school meals do not lose their entitlement following the introduction of the new eligibility criteria and that these pupils be given protection against losing their meals during the rollout of the Credit. Any protected pupil still in receipt of free school meals once the transition is complete, would continue to receive protection until the end of their current education phase.

### Concerns

Forum were informed of the following points raised, in response to the consultation:-

- a. The eligibility threshold of £7,500 does not take into account the higher levels of earnings in London. The threshold should be adjusted.
- b. There is inconsistency in the arrangements of the protection system.
- c. There is a concern that with an earning threshold set nationally, London could see a decrease in entitlement.

### Decision:

Forum agreed the following:-

- To note the report.



## 8. Any Other Business

Chair reminded Forum members of the importance of prioritising Schools Forum Meetings and for officers to take steps to avoid future meeting clashes where possible.

This will be the last Forum meeting for Dave Richards, Group Finance Manager. Forum thanked him for all his hard work and patience over the past years, and wished him the very best for the future.

No other business was raised.

Forum noted the date of next meeting:-

15 March 2018 4.30 to 6.30pm

Meeting closed 17.40pm.

### SCHOOLS FORUM ACTION SUMMARY

<b>ITEM</b>	<b>ACTION TO BE TAKEN</b>	<b>OFFICER (S) RESPONSIBLE</b>	<b>OUTCOME/ CURRENT POSITION</b>
<b>Forum 07 Dec 2017, Item 5, Appendix B - New Woodlands Primary PRU Capacity</b>	Advisory Board to complete the drafting of a report on the future of the Outreach Service.	Claudia Smith	For Schools Forum March 2018.
<b>Forum 17 January 2018, Item 5 - DSG Budget Report 2018/19</b>	Primary A paper to be drafted.  Risk analysis to be undertaken.  Deferred recommendations 3, 4, 5 & 7 to be voted on.	Officers  Officers  Forum Members	March 2018 Forum.
<b>Forum 17 January 2018, Item 6 - Catering</b>	Contracts Review.		Forum in Summer 2018.

# Agenda Item 5

Schools Forum			
REPORT TITLE	Finance Report and Update on Key Issues		
KEY DECISION	Yes	Item No.	5
WARD	N/A		
CLASS	Part 1	Date	15 March 2018

## 1 Purpose of the Report

- 1.1 The purpose of this report is to update members of the Lewisham Schools' Forum on the latest issues and key financial developments which impact on schools.

## 2 Recommendations

- 2.1 The Schools Forum is recommended to:-
- 2.1.1 Note the latest position on the budget monitoring returns.
- 2.1.2 Agree the revised Minimum Funding Guarantee final estimate at 0.28%.
- 2.1.3 Agree the school contingency bids for schools A, B and C, as set out in the body of the report.
- 2.1.4 Agree 3 and 4 year old hourly funding rate.
- 2.1.5 Note the Capital Reserve update and expect to be presented with a proposed plan for usage at the next Schools Forum in June 2018.
- 2.1.6 Note the position of the Schools Financial Value Standard.
- 2.1.7 Note the early closing of accounts process for 2017/18.

## 3 School Budget Monitoring Returns

- 3.1 The schools December budget monitoring returns were due by the end of January 2018. Members are asked to note that the latest indications are that the schools carry forward at the end of the year will be £10.3m for revenue balances and an £800k capital balance. Therefore, the total combined balances are forecast at £11.1m for the year-end.
- 3.2 This figure compares to the £7.3m which had been forecast in the schools budget plans received in April 2017, which would indicate that the early projections were a 'worst case scenario'.

- 3.3 To date the local authority has now received the following returns from schools. These have been summarised in the table below:

	Received	Outstanding
Primary	61	2
Secondary	11	0
Special	5	0
Nursery School	2	0
PRU	1	0

Note: Finance is currently looking at the latest school submissions in detail any discrepancies found will impact on balances reported above.

- 3.4 As at the end of February 2018, a total of 13 schools are forecasting deficits with an aggregate forecast position of £4.4m. In addition, there are three schools deemed to be at risk with an aggregate forecast position of £146k. Members will be aware that several measures are being put in place to improve the position via individual financial support and advice. Furthermore, where it's deemed appropriate and subject to the necessary agreements, the issuing of loans are considered as corrective measure.

#### **4 Minimum Funding Guarantee**

- 4.1 From the 2018/19 financial year, local authorities are responsible for setting the pre-16 minimum funding guarantee (MFG) in their local mainstream primary and secondary Individual School Budgets (ISB) formulae. This MFG protects schools from excessive year-on-year per pupil reductions resulting from changes in pupil characteristics or in the formula method, whilst allowing changes in pupil numbers to be reflected. It is a requirement that consultation takes place with the Schools Forum.
- 4.2 In the past, the MFG level has been set by the Department for Education and restrictions remain in place: for 2018 to 2019, the MFG has to be set between 0.5% and minus 1.5% per pupil.
- 4.3 The MFG should not be confused with the 0.5% increase per pupil provided in the calculation of the Dedicated Schools Grant.
- 4.4 The Schools Forum has previously agreed to set the MFG at the maximum affordable level (December 2017) and, once information on pressures like National Non-Domestic Rates and changes to the PFI factor calculation were provided, to set the rate at 0.25% (January 2018).
- 4.5 Once the detailed calculations of the ISB formula were completed, the available funding allowed for the MFG is to be set at a level of 0.28%.
- 4.6 Therefore, the Schools Forum is being asked to note and approve the higher than previously agreed MFG to a level of 0.28%.

## 5 School Contingency Bids Update

- 5.1 Under the terms of reference for the contingency fund, there is provision for the allocation of amounts to schools with reductions of more than 5% in their ISB allocations.
- 5.2 Where funding falls from one year to the next, the normal expectation would be that schools should manage this.
- 5.3 In recognition of the fact that there is a practical limit to how much can be achieved in the first year following a step change in funding, given the time frame for redundancies and the needs of the curriculum, the contingency fund has provision which requires schools to manage the first 5% of the reduction and allows Schools Forum to replace the amount lost above that 5%.
- 5.4 Circumstances within the school will be taken into account by the Schools Forum on deciding the level of support.
- 5.5 Members of the Schools Forum should note that the following schools faced a 5% fall in their ISB formula share between 2016/17 and 2017/18.

	<b>Fall in funding above 5%</b>	<b>School's Budget Position</b>
Primary A	£126,267	Viable budget plan
Primary B	£7,500	Only just balanced budget plan
Secondary C	£337,566	Large Deficit

### 5.6 Primary School A

- Year on year reduction of £295k which equates to 8.75%.
- Reductions in Free School Meals (FSM) Ever 6 funding, IDACI deprivation funding, prior attainment funding and EAL funding totalling 13% across these categories.
- Further £80k reduction in Pupil Premium funding.
- Started 2017/18 with a £583k revenue surplus which is forecast to fall by £202k this financial year.
- Year on year reductions in staffing spend are set to hit £260k

### 5.7 Primary School B

- Year on year reduction of £118k which equates to 5.34%.
- Reductions in FSM Ever 6 funding, IDACI deprivation funding, prior attainment funding and EAL funding totalling 8% across these categories.
- Started 2017/18 with a £56k revenue surplus which is forecast to fall by £44k this financial year.
- Year on year reductions in staffing spend are set to hit £113k

### 5.8 Secondary School C

- Year on year reduction of £713k which equates to 9.5%.

- Reductions in FSM Ever 6 funding, IDACI deprivation funding, prior attainment funding, mobility funding and EAL funding totalling 14% across these categories.
- Further £550k reduction in 6<sup>th</sup> form and Pupil Premium funding.
- Started 2017/18 with a £846k revenue deficit which is forecast to increase by £363k this financial year.

5.9 As all three schools have been subject to a year on year reduction in funding of more than 5%, which is at least in part due to cohort changes that are difficult to predict, and all have made significant savings (with Secondary C on the verge of a balanced budget were the allocation to be agreed), it is recommended that the allocations be agreed.

## 6 The 3 and 4 Year Old Hourly Funding Rate

6.1 The Department for Education provides the DSG in four blocks (up from three in previous financial years). The Early Years Block is comprised of funding for:

- 3 and 4 year old universal provision
- 3 and 4 year old extended provision (working families provision)
- 2 year old provision (disadvantaged households)
- Early Years Pupil Premium
- Disability Access Fund
- Nursery school protection

6.2 The Early Years block allocation is initially calculated on the January census returns 15 months prior to the start of the financial year. In the July of the financial year, the allocation is updated to reflect the January census returns 3 months prior to the start of the financial year concerned. In the following July after the end of the financial year, the allocation is updated so that two terms reflect the January census returns from during the financial year concerned.

6.3 As the actual amount of the allocation is not fixed prior to the start of the year, there is a risk that funding rates for schools and PVI's could be set at an unaffordable rate.

6.4 The calculation of the hourly rate for 3 and 4 year old provision is the result of regulations and previous policy decisions, rather than a decision in itself.

6.5 It should be noted that the Regulations require that:

- No more than 5% of 3 and 4 year old funding can be held back for central spend
- No more than 10% of 3 and 4 year old funding can be held back for supplements
- Every local authority must have an Inclusion Fund to provide funding to support better outcomes for pupils with SEN.

6.6 The previous policy decisions were that:

- The central spend share should be set at 5% (includes funding passed to providers for additional free hours).
- 5% of the funding will be set aside for a Deprivation supplement (provided on the basis of pupils' home postcodes).
- The Inclusion Fund total be set at £200,000 (this funding is all passed to providers).

6.7 Current calculations indicate that once the above amounts have been removed from the funding total and the resulting figure has been divided by the estimated hours, it will be possible to set an hourly rate of £5.00. This is slightly in excess of the £4.94 hourly rate that providers were notified of prior to the start of the 2017/18 financial year. Early notification was given as the 2018/19 financial year is the year by which the PVI hourly rate must be in line with the funding rate for schools.

	<b>3 and 4 Year Old Hourly Rate Calculation</b>	<b>£</b>
A	DfE 3 and 4 Year Old Allocation	£ 21,098,447
B	5% Central Spend	£ 1,054,922
C	5% Deprivation Supplement	£ 1,054,922
D	Inclusion Fund	£ 200,000
E=A-B-C-D		£ 18,788,602
F	Estimate of Hours of Provision	3,754,172
G=E/F	Indicative Hourly Rate	£ 5.00

6.8 As previously stated, the DfE's current allocation is based on pupil data from January 2017 and will be updated twice to take account of pupil data from January 2018 and January 2020. It is therefore prudent that an estimate of the pupil data at these points in time be made before the hourly rate be finalised. At the time of the publication of these papers, the final census data for January 2018 is not yet available so the £5.00 hourly rate remains indicative.

6.9 Schools Forum is asked to agree that, should the £5.00 rate prove to be affordable, it be adopted for all providers from April 2018.

## **7 Capital Reserve**

7.1 Within the Capital Programme, there is a historic budget of £1.2m brought forward balance from DSG CERA money that was originally earmarked for 'House on the Hill'. This money is now deemed to be unallocated as there have been no related transactions for years.

7.2 The local authority is presently considering various options for effective use of this budget and hence would deliberate at operational management level and inform Schools Forum once a concrete proposal is developed. One of the options being considered is to cover looming pressures within High Needs

Block. Members should note that a further update will be provided at the next Schools Forum in June 2018.

## **8 Schools Financial Value Standards (SFVS)**

8.1 At the time of writing this report there were 63 (from 86) schools who have not returned their SFVS. Returns outstanding on the 31 March 2018 will need to be reported to the Department of Education.

8.2 However, officers remain optimistic that this position will significantly improve over the next two weeks when many schools are schedule to hold their Governing body meetings. Members are nevertheless urged to remind their representative groups that with the tightening of the financial position in schools that it is important to undertake the standards and that governors' ensure proper processes are being undertaken in schools and to ensure that there is also proper governance.

## **9 High Needs Block**

9.1 The high needs block is currently forecasting a balanced position for this year. However, for next year onwards the growing numbers of pupils with high needs indicate that we will start to see significant overspends going forward. Unfortunately this is the prevailing position across the country. The high needs sub group will be asked to look at the position over the coming months to look at areas where cost might be reduced.

9.2 The High needs block budget in 2018/19 will specifically see increasing provisions in:

- Increase demand for 105 independent places a year costing circa £1.4m
- Increase in top-up rate for Abbey Manor college by £6k per pupil
- Increase in top up funding for New Woodlands as pupils move onto EHCP based funding. These have estimated costs of some £500k
- Mainstream re-banding of SEN Matrix and Resource bases estimated increase costs of £270k
- Provision for a Primary PRU with 30 places (September start) estimated at £191k

9.3 Based on above increases in demand, estimated most likely budget pressure outcome is forecast as follows:

- £380k in 2018/19
- £2m in 2019/20
- £4.7m in 2020/21
- £8.5m in 2021/22

9.4 The High Needs block sub-group have been tasked with identifying areas where savings can be found to manage the risk of over spend. This proactive approach will ensure measures are planned and controlled.

## **10 Accounts Closure 2017/18**

- 10.1 The timetable for local authorities for closing their financial accounts has gradually been reducing. Several years ago it was in the September after the year end, then it moved to June. However, this has now however been brought forward to May in 2017/18.
- 10.2 For the 2015/16 and 2016/17 closing of accounts processes, the council had undertaken a dry-run of an accelerated closedown process in these years. This proved successful. To comply with formal with the regulations, earlier closedown is now obligatory. Members of the Schools Forum should note that the fall of the Easter Holidays will mean that schools will need to supply their data and close their accounts on the 27 March 2018. Comprehensive notes detailing this have already been sent out to schools and training sessions were held for Schools Bursars on 1 March 2018. In Summary, the key dates to note are as follows:
- 1<sup>st</sup> March – Closing Briefing
  - 1<sup>st</sup> March – Published Guidance and Documentation on [www.fronter.com/lewisham](http://www.fronter.com/lewisham)
  - 27<sup>th</sup> March – Returns due
  - 18<sup>th</sup> April – Agree Final balances
  - 20<sup>th</sup> April – Final School journals
  - 4<sup>th</sup> May – Final DSG and Schools reserves journals

## **11 Further Information**

- 11.1 Should you require any additional information regarding the items contained in this report please contact:

Selwyn Thompson  
Head of Financial Services on 020 8314 6932  
[selwyn.thompson@lewisham.gov.uk](mailto:selwyn.thompson@lewisham.gov.uk)

Or

Yusuf Shaibu  
Interim Group Finance Manager for CYP on 020 8314 9442  
[yusuf.shaibu@Lewisham.gov.uk](mailto:yusuf.shaibu@Lewisham.gov.uk)



<b>Schools Forum</b>			
<b>REPORT TITLE</b>	<b>High Needs Sub Group - New Woodlands School Transition Plan</b>		
<b>KEY DECISION</b>	<b>No</b>	<b>Item No.</b>	<b>6</b>
<b>WARD</b>	<b>N/A</b>		
<b>CLASS</b>	<b>Part 1</b>	<b>Date</b>	<b>15 March 2018</b>

## 1. Purpose of the Report

- 1.1 The purpose of this report is to set out the current position of the Lewisham Primary Phase Alternative Provision as a result of the New Woodlands School transition plan which was put in place in September 2016.
- 1.2 This report also sets out the views from the High Needs Sub Group (HNSG) and Schools Forum on the proposal to temporarily commission the Lambeth Primary PRU to provide Primary Alternative provision places for Lewisham children and make arrangements for transport to the provision. Members of the Forum should note that this arrangement will be required until September 2019 when it is proposed that a permanent solution to Lewisham Primary Phase Alternative Provision is implemented.

## 2 Recommendation

- 2.1 The Schools Forum is recommended to:-
- 2.2 Agree that schools pay 50% of the transport cost for the child referred to in section 3 of this paper to attend the Lambeth Primary PRU and that this be capped at £4,875.

## 3. Primary Phase Alternative Provision Transition Plan 2017-2018

- 3.1 For the remainder of this academic year, 10 revolving door intervention placements will be available at the Lambeth Primary PRU, via local authority referral. From September 2019, the permanent Primary phase Alternative Provision will be formed in Lewisham.
- 3.2 Schools will voluntarily pay towards the placement cost from the AWPU for the child referred to the Primary PRU, based on the length of the placement.
- 3.3 At the Schools Forum on 17<sup>th</sup> January 2018, the matter was discussed that schools would pay 50% of the transport cost for the child to attend the Lambeth Primary PRU would be capped at £4,875. However, this was deferred on the basis of looking at the contingency funding for the next meeting.

#### **4. Next Steps**

- 4.1 That the local authority continue to work on the transition plan and preparation for the primary pupil referral unit to be transferred under new management in Lewisham by September 2019.

#### **5. Further Information**

- 5.1 Should you require any additional information regarding the items contained in this report please contact:

Ruth Griffiths  
Service Manager Access, Inclusion & Participation  
on 020 8314 3499  
[ruth.griffiths@lewisham.gov.uk](mailto:ruth.griffiths@lewisham.gov.uk)

<b>Schools Forum</b>			
<b>REPORT TITLE</b>	<b>New Woodlands Outreach Service – Outcome of the Review and Interim arrangements for 2018-2019</b>		
<b>KEY DECISION</b>	Yes	<b>Item No.</b>	7
<b>WARD</b>	N/A		
<b>CLASS</b>	Part 1	<b>Date</b>	15 March 2018

## 1 Purpose of the Report

1.1 The purpose of this report is to provide an outline of the review undertaken by the local authority of the New Woodlands Outreach Service. This report also describes the second stage of the review which was based on the development, testing and implementation of a new model for behaviour outreach support in Lewisham. The final part of this report sets out the interim arrangements for the Outreach Service for 2018-2019.

## 2. Recommendations

2.1 The Schools Forum is recommended to:

2.1.1 Agree that the New Woodlands Outreach Service remain under the management of New Woodlands School for 2018-2019, with the proviso that the New Woodlands Advisory Board led by the Chair and the Consultant Senior Education Advisor provide additional support the Outreach Manager to provide clear strategic objectives for the Outreach Service and provide oversight of its work for the interim period of 2018-2019.

2.1.2 Agree that the New Woodlands Advisory Board continue through to July 2019 to provide strategic direction and oversight to the Outreach Service.

2.1.3 Note that a decision about the longer term plans for the Outreach Service (September 2019 and beyond) will be made by October 2018. This will be considered in line with decisions about the primary PRU and other services currently under review.

2.1.4 Asks that the Advisory Board provide the Forum with termly updates on the progress of the Outreach Service during 2018-2019.

2.1.5 Note the work undertaken by the New Woodlands Advisory Board and thank members of the Advisory Board for their contribution to date.

### **3. Background**

- 3.1 The New Woodlands Outreach Service was established in 2003, originally to support primary schools. The service was extended to secondary schools in 2007 when the KS3 school was built at New Woodlands.
- 3.2 A two-day review of the Outreach Service was previously undertaken in January 2016 as part of a wider review of Alternative Provision (AP) in Lewisham. It focused primarily on providing developmental guidance and advice in order to further improve the service.
- 3.3 However, a number of issues prompted the commissioning of a more in-depth review of outreach provision in April 2017:
- *Funding* – pressure on the High Needs Block element of the DSG as a result of changes to the national funding formula (alongside ongoing budget reductions across all Council services)
  - *Strategic direction* – work to transition New Woodlands School from the current provision (PRU) to specialist provision for pupils with social, emotional & mental health needs (SEMH) is likely to have a significant impact on the way that the Outreach Service is structured and delivered
  - *Challenging behaviour* – high levels of permanent and fixed-term exclusions within Lewisham schools, more pupils in receipt of SEN support than the London average

### **4. The Review – Second Stage**

- 4.1 The second stage of the work focused on the development, testing and implementation of a new model for behaviour outreach support across Lewisham. The three key areas identified were:
- New model for behaviour outreach support – whole family, multi-disciplinary approach (including CAMHS, social care, health professionals) based on effective case management and achievement of identified outcomes by pupils, underpinned by the principles of capacity building, peer support and sharing of expertise across schools
  - Delivery mechanisms – with opportunities to charge (either for all outreach support or as an add-on to a basic offer) and/or develop a single outreach service (integrating different areas of need)
  - Strategic objectives – clarity on the strategic role of behaviour outreach support and how it fits with other services (linked to a partnership vision for SEMH/challenging behaviour and Early Help)

## 5. New model for behaviour outreach support

5.1 The two main principles which were considered in the design process were:

- Direct intervention – whole family, multi-disciplinary approach (potentially including CAMHS, social care, health professionals) based on effective case management and achievement of individual outcomes by pupils;
- Indirect intervention – focus on capacity building, peer support and sharing of expertise across schools.

5.2 Members of the NW Advisory Board explored four different options in respect of the future model of the service.

<b>Option 1 Proposal</b>	<b>Enhanced Current Model</b>
<b>Key Features</b>	<ul style="list-style-type: none"> <li>▪ Outreach Teachers and Behaviour Mentors grouped together into specialisms (EYFS, KS1/2, KS2/3, KS4)</li> <li>▪ Outreach Teachers continue to undertake classroom observations, provide assessment &amp; advice (incl reports &amp; strategies), plan and deliver interventions as well as attending TAFs and liaising with SENCOs, teachers &amp; other professionals</li> <li>▪ Behaviour Mentors continue to deliver 1:1, small group &amp; whole class interventions and provide feedback to schools (under the guidance of Outreach Teachers)</li> <li>▪ Development of more bespoke training courses/INSETs for teaching staff, support staff &amp; families, focusing on positive behaviour management</li> <li>▪ Introduction of trainee art and drama therapists who will work closely with Behaviour Mentors in specific schools</li> </ul>
<b>Costs</b>	1 x Outreach Manager = £80k 4 x Outreach Teachers = £264k 4 x Behaviour Mentors = £140k 6 x Student Therapists (supervision only) = £11k 1 x Drama Therapists (one day per week) = £8k 1 x Integrative Therapist (one day per week) = £8k Total = £511k

<b>Option 2 Proposal</b>	<b>Casework Model</b>
<b>Key Features</b>	<ul style="list-style-type: none"> <li>▪ Multi-disciplinary team of Behaviour Mentors and Social Workers, Therapists, CAMHS &amp; SEND professionals deliver a range of bespoke behaviour-related interventions, mentoring and coaching to individual pupils</li> <li>▪ Small number of Outreach Teachers support assessment &amp; planning activities (providing an academic framework for delivery &amp; links to schools)</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Referrals made by schools via FAP and/or Early Help panel – if accepted, then TAF held (with outreach worker as lead professional) and formal plan agreed</li> <li>▪ Wider family involved at all stages – focus on Troubled Families outcomes (not just pupil improvements)</li> </ul>
<b>Costs</b>	<p>1 x Outreach Manager = £80k  1 x Outreach Teacher = £66k  5 x Behaviour Mentors = £175k  1 x Specialist Social Worker = £57k  3 x CAMHS Worker/Therapist/SEND = £180k  Total = £558k</p>

<b>Option 3 Proposal</b>	<b>Consultancy Model</b>
<b>Key Features</b>	<ul style="list-style-type: none"> <li>▪ Team of Outreach Teachers provide strategic assessment and advice (as outlined in Option 1), plus bespoke training &amp; coaching for individual staff (based on identified CPD needs), drop-in sessions, training for other agencies, whole school policy development (including review of existing policies, behaviour audits) and enabling peer support/sharing of expertise across schools</li> <li>▪ Limited direct intervention – only provided by Outreach Teachers (higher threshold for access)</li> </ul>
<b>Costs</b>	<p>1 x Outreach Manager = £80k  7 x Outreach Teachers = £462k  Total = £542k</p>

<b>Option 4 Proposal</b>	<b>Two-Team Model</b>
<b>Key Features</b>	<ul style="list-style-type: none"> <li>▪ Two separate teams deliver direct &amp; indirect interventions (drawing on key elements of other options)</li> <li>▪ Small team of Outreach Teachers work with schools, focusing mainly on capacity-building support (e.g. training, policy development)</li> <li>▪ Behaviour Mentors assess, plan &amp; deliver interventions to pupils, engaging with parents and establishing time-limited, outcome-focused plans (not necessarily full TAFs)</li> <li>▪ Interventions supported by a dedicated mental health worker, with other specialists utilised on a case by case basis (Behaviour Mentors act as lead professional where appropriate)</li> </ul>
<b>Costs</b>	<p>1 x Outreach Manager = £80k  3 x Outreach Teachers = £198k  6 x Behaviour Mentors = £210k  1 x CAMHS Worker = £60k  6 x Student Therapists = £11k  Total = £559k</p>

5.3 At the meeting of the Advisory Board on 25 January 2018, it was agreed that in light of the findings from phase one of the review Option 2 and 3 were ruled out as unsuitable. The general consensus was that Option 1 and 4

had particular strengths and were much more in line with what schools required to meet the needs of children and young people with who present with behaviours that challenge a setting.

## 6. Current Model

- 6.1 Members of the Advisory Board were also of the view that the recent changes made by the Outreach Manager which were implemented in September 2017 had been recognised as a step in the direction of a multi-disciplinary team. The changes made were as a response to some of the early findings from the review of the Outreach Service. The changes included increase in Behaviour Mentors and dedicated time from other professionals such as Integrative and Drama Therapists supporting children or schools around behaviour. The most recent change includes the introduction of 6 student therapists (from Goldsmiths University) working as part of the Outreach Service.

## 7. Proposed model for 2018-2019

- 7.1 The Advisory Board strongly supported the view that limited changes should be made to the model for 2018-2019 particular as some positive changes had already been made in September 2017.

<b>Outreach Model for 2018-2019</b>	<b>A combination of Option 1 and Option 4</b>
<b>Key Features</b>	<ul style="list-style-type: none"> <li>▪ Outreach Teachers and Behaviour Mentors grouped together into specialisms (EYFS, KS1/2, KS2/3, KS4)</li> <li>▪ Outreach Teachers work with schools, focusing mainly on capacity-building support (e.g. training, policy development)</li> <li>▪ Behaviour Mentors assess, plan &amp; deliver interventions to pupils, engaging with parents and establishing time-limited, outcome-focused plans (not necessarily full TAFs)</li> <li>▪ Interventions supported by a dedicated mental health worker, with other specialists utilised on a case by case basis (Behaviour Mentors act as lead professional where appropriate)</li> <li>▪ Outreach Teachers continue to undertake classroom observations, provide assessment &amp; advice (including reports &amp; strategies), plan and deliver interventions as well as attending TAFs and liaising with SENCOs, teachers &amp; other professionals</li> <li>▪ Behaviour Mentors continue to deliver 1:1, small group &amp; whole class interventions and provide feedback to schools (under the guidance of Outreach Teachers)</li> <li>▪ Development of more bespoke training courses/INSETs for teaching staff, support staff &amp; families, focusing on positive behaviour management</li> <li>▪ Introduction of trainee art and drama therapists who will work closely with Behaviour Mentors in specific schools</li> </ul>
<b>Costs</b>	<p>1 x Outreach Manager = £80k            4 x Outreach Teachers = £263k            4 x Behaviour Mentors = £145k            6 x Student Therapists (supervision only) = £11k            1 x Drama Therapists (one day per week) = £8k</p>

	1 x Integrative Therapist (one day per week) = £8k 1 x Admin Support (1 day per week) £6K CPD resources contribution to NW £60K Total £582
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## 8. Delivery mechanism

8.1 As key consideration for the NW Advisory Board included the delivery mechanism and strategic objectives for the outreach service.

- Options for delivery mechanism included:
- Single behaviour outreach service managed by the LA
- Integrated behaviour & ASD Outreach Service managed by LA
- Single behaviour outreach service managed externally (special school/PRU)
- Integrated behaviour & ASD outreach service managed externally (special school/PRU)
- Behaviour and/or ASD outreach service delivered by a social enterprise or commissioned by the LA

8.2 Members of the Advisory Board agreed that as this is an interim arrangement it would recommend minimal changes at this stage. Consideration has been given to management by the LA or Abbey Manor College.

<b>Option 1</b>	
Management by the Local Authority – a model akin to: <ul style="list-style-type: none"> <li>• Specialist Teaching &amp; Educational Psychology Service (STEPS)</li> <li>• Access, Inclusion &amp; Participation Service</li> <li>• Virtual School</li> </ul>	This would enable the Outreach Service to be part of one of the existing services within the LA. Whilst it is accepted that there may be some synergy between the Outreach Service and these services, it would require further exploration to identify the most appropriate service to take on the management role. Further time is required to explore some comparative costs of such as model.
<b>Option 2</b>	
Management by an individual school or institution	This would enable the Outreach Service to be closely linked with an individual school or institution. There are a range of advantages to such a model but this would need to be explored further. This option would also require further exploration to see whether this would be cost effective.
<b>Option 3</b>	
Remain with New Woodlands	New Woodlands School is currently still working through the transition from a pupil referral unit to a special school for children and young people with social, emotional mental health (SEMH). A key priority for the school is to improve standards to a ‘good’ following the inspection in July 2017 when it received a ‘Requires Improvement’ (RI) judgement. Since September 2017 the Outreach Service has operated with the



	support and direction of the NW Advisory Board.

8.3 Options 1 and 2 above would have major HR implications as there would be a need to transfer staff from the Outreach Service over to the LA or to another institution. Given that this is an interim arrangement it would not be advisable to make such a major change at this stage.

8.4 It is recommended therefore that as an interim arrangement the Outreach Service should continue to be managed under the remit of New Woodlands School as outlined in Option 3 and that additional capacity should be put in place by the LA:

- To ensure support is in place to support the continued progress of the Outreach Service; and
- That there are clear strategic objectives in respect of delivery of the service for 2018-2019.
- Strengthen partnership working of the Outreach Service with other services such as those mentioned in Option 1 and 2 and other support services.

8.5 The fundamental principles which underpin the Outreach Service protocol are:

- To ensure that, wherever possible and appropriate, children and young people remain educated in a mainstream setting by supporting and promoting an inclusive education for every learner.
- To ensure that the work of the Outreach Service is underpinned by data and analysis that provides clear strategic direction to the work of the service.
- To provide direct in-reach/outreach support for pupils at KS3 and to ensure successful reintegration back into mainstream from the PRU or alternative provision.
- Work across all mainstream educational settings including early years, primary and secondary schools, free schools and academies.
- Devise modalities of intervention include providing quality individual, group and whole class intervention.
- Early identification and pathways for treatment or intervention
- Committed to promoting and facilitating the individual needs of children with a wide range of SEMH issues within the mainstream sector of Lewisham borough.
- Working in collaborative partnership with schools, parents/carers and other professionals.

8.6 The above list is not exhaustive but provide a broad outline of the fundamental principles of the service. Further work will be done on this to agree and finalise the principles through the NW Advisory Board in April 2018.

## **9. Next Steps**

- 9.1 One of the key areas that will be taken forward in the summer term will be exploration of the longer term plan for the Outreach Service. Further work will be undertaken to explore the best way forward for the Outreach Service. This will following the principles of transparency, equity and fairness but most fundamentally will consider what would be the best for children, families and schools in Lewisham. There are a number of different options for consideration including whether the Outreach should be aligned with the primary PRU or an existing service or those currently under review. A progress report of the future plans will be provided for Schools Forum in the summer term.
- 9.2 During the summer term 2018 preparation work will be undertaken to ensure that the Outreach Service continues to deliver a service to all schools under the new model as outlined in para 7.1 of this report. A key priority is to ensure that the work of the Outreach Service is underpinned by evidence and data that highlights the behaviour needs across all schools and that this should provide a basis for the strategic direction of the service.
- 9.3 Key elements of this work will include:
- Strategic work with other services such as Early Help, ASD Outreach, Access, Inclusion & Participation, Children with Complex Needs Service, Early Years and STEPS;
  - Team to work in a targeted way and to signpost schools in the right direction for intervention, prevention and targeted pieces of work to manage some of the difficult issues in schools;
  - Outreach/in-reach to support both primary and secondary reintegration including work with Parallel Learning Trust the current provider for Lewisham primary PRU children;
  - Having a clear consistent message to schools about what is available in terms of early intervention services.
  - Oversee the timescale for making a decision about the longer term future of the Outreach Service by autumn 2018.
- 9.4 The progress of the work will continued to be monitored by the Advisory Board and regular updates will be made available to future meetings of Schools Forum.

## **10 Further Information**

- 10.1 Should you require any additional information regarding the items contained in this report please contact:

Claudia Smith  
Consultant Senior Education Advisor – Children and Young People  
Contact on 0203 049 1475 or by e-mail at [Claudia.smith@Lewisham.gov.uk](mailto:Claudia.smith@Lewisham.gov.uk)

<b>Schools Forum</b>			
<b>REPORT TITLE</b>	<b>High Needs Sub Group - Abbey Manor College: Pupil Place Funding for 2018-19</b>		
<b>KEY DECISION</b>	Yes	<b>Item No.</b>	8
<b>WARD</b>	N/A		
<b>CLASS</b>	Part 1	<b>Date</b>	15 March 2018

## 1 Purpose of the Report

- 1.1 The purpose of this report is to set out the proposed pupil places funding allocation for Abbey Manor College, Lewisham Secondary Pupil Referral Unit, for the financial year 2018/19.
- 1.2 This report seeks the views from High Needs Sub Group (HNSG) and Schools Forum on the proposal to:
  - 1.2.1 Increase the Pupil Placement Top Up funding allocation for 2018/19 so that it is in line with other local authority PRUs and our statistical neighbours.

## 2. Recommendation

- 2.1 The Schools Forum is recommended to:
- 2.2 Agree to increase the Top Up allocation to £14,000 per pupil for 160 places and fund the PRU on the fully funded basis during 2018/19.

## 3. Pupil Place Funding 2018/19

- 3.1 In 2016/17 and 2017/18, the pupil funding allocation was decreased and which impacted significantly on the college's sustainability. With the new Headteacher at Abbey Manor College a baseline exercise was undertaken.
- 3.2 A comparison of the pupil place (non-SEN and group tuition) funding for all local authority PRUs in London, including our statistical neighbours, and the Schools Forum agreed SEN funding allocations for Lewisham special schools was undertaken. This provided the local authority with benchmarking for PRU Top Up funding. Abbey Manor College is currently significantly behind other London local authorities and our statistical neighbour PRUs.
- 3.3 The College continues to educate some of Lewisham's most vulnerable children and young people on intervention placements or those who have been permanently excluded and the need to maintain the college at a 'Good' Ofsted judgement is imperative.

3.4 It is proposed that the increase for Abbey Manor College for 2018/19 will bring the PRU in line with all London local authority PRUs and our statistical neighbours:

- Core: £10,000 per pupil for 160 places
- Top Up: £14,000 per pupil for 160 places
- To fund the college on the fully funded basis during 2018/19

3.5 The local authority will continue to fund the college on a fully funded basis during 2018/19. This allocation will be reviewed annually to ensure that the budget planning is financially sustainable, and reported to Schools Forum in the next financial year.

#### **4 Further Information**

4.1 Should you require any additional information regarding the items contained in this report please contact:

Ruth Griffiths  
Service Manager Access, Inclusion & Participation  
on 020 8314 3499  
[ruth.griffiths@lewisham.gov.uk](mailto:ruth.griffiths@lewisham.gov.uk)

<b>Schools Forum</b>			
<b>REPORT TITLE</b>	<b>Banding – Resource Base Provision &amp; Mainstream Funding</b>		
<b>KEY DECISION</b>	No	<b>Item No.</b>	9
<b>WARD</b>	N/A		
<b>CLASS</b>	Part 1	<b>Date</b>	15 March 2018

## 1. Purpose of the Report

- 1.1 The purpose of this report is to provide a brief update on banding for mainstream schools and resource base provisions (RBPs) following the agreement by Schools Forum of the revised funding arrangements from banding review.

## 2. Recommendation

- 2.1 The Schools Forum is recommended to:

- 2.1.1 Note the developments on the review on a universal banding system;
- 2.1.2 Note the continued pressures on the HNB as outlined in the HNB Forecast Report.

## 3. Review of Banding

- 3.1 In 2016, the Schools Forum agreed that a review of banding should take place to put in place a universal banding system for all Lewisham schools. The review has now been undertaken and completed for all 5 special schools and was implemented in April 2017. Further work has been carried out to look at a range of options in respect of the funding levels for mainstream primary and secondary schools and resource base provisions.
- 3.2 On 7 December 2017, the Forum agreed the revised funding for mainstream schools and RBPs. All schools have been notified of the outcome and the impact on their schools or RBPs. As agreed by the Forum, schools that were 'gain to lose' funding have been protected until July 2018. Changes in funding will be implemented as of April 2018 with the exception of the schools that were set the lose funding as they will be protected until July 2018.

## 4. Next Steps

- 4.1 The work on banding is almost complete and provides the local authority with a universal banding system for all children in Lewisham. The final phase of the banding descriptors will be a review of funding for those children with an EHCP in nursery or early years settings. Financial modelling for nursery/early years

settings will be undertaken during March and a detailed report will be submitted to this Forum in the summer term 2018.

## **5. Further Information**

- 5.1 Should you require any additional information regarding the items contained in this report please contact:

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<b>Schools Forum</b>			
<b>REPORT TITLE</b>	<b>Section 251 Local Authority Benchmarking</b>		
<b>KEY DECISION</b>	<b>No</b>	<b>Item No.</b>	<b>10</b>
<b>WARD</b>	<b>N/A</b>		
<b>CLASS</b>	<b>Part 1</b>	<b>Date</b>	<b>15 March 2018</b>

**1 Purpose of the Report**

1.1 The purpose of this report is to inform members of the Schools Forum how the Local Authority's spend on education services compares with its statistical neighbours.

**2 Recommendation**

2.1 The Schools Forum is recommended to:

2.1.1 Note the position for Lewisham Schools as reported in the benchmarking analysis.

**3 Background**

3.1 Local Authorities are required to submit a budget statement to the DfE in April of each year. This is known as the Section 251 statement and it sets out the Local Authority's expenditure plans for the next financial year.

3.2 Each local authority's statement is summarised on the DfE website. This provides benchmarking data that can be compared against other local authorities, nationally, locally or with any chosen group of authorities.

3.3 The most useful comparison is considered to be with an authority's statistical neighbours. An authority's statistical neighbours are determined by a range of indicators set by the National Audit Office.

3.4 For Lewisham, its statistical neighbours are the London Boroughs of:

- Brent
- Croydon
- Enfield
- Greenwich
- Hackney
- Haringey
- Islington
- Lambeth
- Southwark
- Waltham Forest

## **4 Benchmarking Results 2017 / 2018**

- 4.1 Attached at Appendix 1 to this report is a comparison which is mostly on a per pupil basis, but in part on the basis of population of all the budget headings within the Dedicated Schools Grant and General Fund for Lewisham's statistical neighbours.
- 4.2 In total, there are 11 local authorities in Lewisham's statistical neighbour group. The ranking compares Lewisham's position in the table, and therefore the higher the ranking, the higher the expenditure. It stands then that if the ranking is 1, it reflects the highest spending local authority.
- 4.3 Such statistics are always difficult to interpret as not all local authorities categorise their expenditure in exactly the same way or they organise services and expenditure differently. Therefore, a degree of caution is always advised when reviewing these comparisons. It is not necessarily either good or bad to be either at the lowest or highest end of the spending spectrum. It is more important that the statistics provide a challenge to the current policies being adopted and their costs. It could well be that the level of spend is appropriate.

## **5 High Needs**

- 5.1 Lewisham has the second highest spend of our statistical neighbours and England on the High Needs block. It is approximately 39% higher than the average spend, mainly due to the highest top-up funding for maintained schools in England, which in the high needs block of £51m is circa £19.8m. The High Needs Group will continue to review all the expenditure in this area to see if the costs can be reduced.
- 5.2 Statutory/ Regulatory duties (education) - This covers expenditure on the management and planning of the CYP directorate. The average across our statistical neighbours is £23 per pupil, while for Lewisham it is £11 per pupil.
- 5.3 Education Services Grant - As previously announced, the ESG for retained duties was been transferred into the DSG for 2017/18 and is now included within the schools block unit of funding for each local authority.

## **6 Next Steps**

- 6.1 This dataset provides useful information and allows the local authority to challenge itself on whether it is providing value for money. However, there are complexities with using this data as local authorities interpret the regulations very differently as the spending should be included in each heading. In order to get a better understanding, Lewisham is a member of two CIPFA benchmarking clubs. CIPFA have run these benchmarking clubs for several years and the council has belonged to the Children Social Care benchmarking club for a number of years which has helped to develop and drive some of the strategic thinking and improve the value for money in this area. The Special Education Needs club is still a relatively new club. The latest SEN benchmarking report will need to be discussed at the High Needs Sub group.



## **7 Further Information**

7.1 Should you require any additional information regarding the items contained in this report please contact:

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### **Appendix 1 – s251 Benchmarking Schedule for 2017/18**

**Schools Forum 15 March 2018**  
**Item 10 Appendix 1**  
**s251 Local Authority Benchmarking 2017/18**

Col	Heading	209	Rank	Average	Median	208	306	309	204	320	210	308	304	203	206
		Lewisham		£	£	Lambeth	Croydon	Haringey	Hackney	Waltham Forest	Southwark	Enfield	Brent	Greenwich	Islington
		£		£	£	£	£	£	£	£	£	£	£	£	£
1	1.0.1 Individual Schools Budget (before Academy recoupment) (B)	5,863	5	4,552	4,453	6,139	4,477	5,693	6,425	5,283	6,079	4,853	5,097	5,516	6,161
2	1.1.1 Contingencies (A)	18	6	8	5	0	21	7	34	0	35	0	8	23	29
3	1.1.2 Behaviour support services (A)	0	4	6	0	0	0	0	21	0	66	0	0	17	0
4	1.1.3 Support to UPEG and bilingual learners (A)	2	4	4	0	0	0	22	17	0	0	0	0	0	14
5	1.1.4 Free school meals eligibility (A)	2	4	1	0	0	0	0	3	0	6	1	1	3	2
6	1.1.5 Insurance (A)	0	1	3	0	0	0	0	0	0	0	0	0	0	0
7	1.1.6 Museum and Library services (A)	0	1	0	0	0	0	0	0	0	0	0	0	0	0
8	1.1.7 Licences/subscriptions (A)	0	4	2	0	0	0	0	3	0	1	0	0	0	4
9	1.1.8 Staff costs – supply cover excluding cover for facility time (A)	48	1	6	0	0	0	0	0	3	29	1	11	0	15
10	1.1.9 Staff costs – supply cover for facility time (A)	3	5	2	2	4	3	4	7	0	3	4	0	3	3
11	1.1.10 School improvement (A)	8	4	2	0	9	0	4	0	0	28	10	0	0	0
12	DEDELEGATED ITEMS (A)	81	3	34	31	13	24	38	85	3	169	15	20	46	67
13	1.2.1 Top-up funding – maintained schools (E)	327	1	127	120	254	156	202	266	98	263	161	212	130	265
14	1.2.2 Top-up funding – academies, free schools and colleges (E)	54	5	61	55	38	17	35	50	174	65	29	181	111	35
15	1.2.3 Top-up and other funding – non-maintained and independent providers (E)	101	5	81	75	94	160	89	147	35	117	95	104	67	90
16	1.2.4 Additional high needs targeted funding for mainstream schools and academies (E)	0	7	5	1	21	1	31	0	1	0	0	0	13	6
17	1.2.5 SEN support services (E)	23	7	34	34	3	53	56	46	15	13	25	36	73	17
18	1.2.6 Hospital education services (E)	3	5	3	1	0	4	2	0	5	0	4	3	6	0
19	1.2.7 Other alternative provision services (E)	7	5	10	6	7	15	0	2	3	31	25	6	31	4
20	1.2.8 Support for inclusion (E)	24	5	12	9	72	5	2	1	31	13	29	13	12	43
21	1.2.9 Special schools and PRUs in financial difficulty (E)	0	1	0	0	0	0	0	0	0	0	0	0	0	0
22	1.2.10 PFI/ BSF costs at special schools, AP/ PRUs and Post 16 institutions only (E)	0	2	1	0	0	0	0	0	0	0	0	11	0	0
23	1.2.11 Direct payments (SEN and disability) (E)	0	3	1	0	1	0	1	0	0	0	0	0	0	0
24	1.2.12 Carbon reduction commitment allowances (PRUs) (E)	0	1	0	0	0	0	0	0	0	0	0	0	0	0
25	1.2.13 Therapies and other health related services (E)	15	1	2	0	7	8	8	0	0	5	0	6	0	0
26	HN TOTAL (E)	554	2	337	325	498	419	427	512	362	507	370	573	445	460
27	1.3.1 Central expenditure on children under 5 (D)	10	11	16	15	74	24	17	37	21	22	57	17	26	74
28	1.4.1 Contribution to combined budgets (B)	3	6	16	8	0	0	0	26	0	0	10	7	71	34
29	1.4.2 School admissions (B)	13	8	9	8	12	22	8	13	17	16	15	14	15	21
30	1.4.3 Servicing of schools forums (B)	2	1	1	0	0	1	0	2	1	0	0	1	0	2
31	1.4.4 Termination of employment costs (B)	0	5	4	0	0	4	0	0	0	0	0	12	12	4
32	1.4.5 Falling Rolls Fund (B)	0	4	1	0	15	0	0	0	0	2	0	0	0	12
33	1.4.6 Capital expenditure from revenue (CERA) (B)	0	2	4	0	0	0	0	0	0	0	0	0	82	0
34	1.4.7 Prudential borrowing costs (B)	0	4	3	0	0	50	0	0	0	0	5	0	27	0
35	1.4.8 Fees to independent schools without SEN (B)	0	4	1	0	0	11	21	0	0	7	0	0	0	0
36	1.4.9 Equal pay - back pay (B)	0	1	1	0	0	0	0	0	0	0	0	0	0	0
37	1.4.10 Pupil growth/ Infant class sizes (B)	28	6	21	15	0	51	29	18	65	14	17	73	84	16
38	1.4.11 SEN transport (B)	0	5	3	0	0	4	0	0	0	19	0	0	8	17
39	1.4.12 Exceptions agreed by Secretary of State (B)	0	3	1	0	0	0	0	0	0	12	0	0	0	90
40	1.4.13 Other Items (B)	0	9	4	4	0	4	39	4	4	0	4	4	1	4
41	1.5.1 Education welfare service (B)	0	9	3	3	0	1	4	3	2	5	7	0	5	9
42	1.5.2 Asset management (B)	5	2	2	2	0	11	0	2	3	1	2	0	4	3
43	1.5.3 Statutory/ Regulatory duties (B)	9	3	8	8	0	1	10	8	10	8	9	0	6	2
44	1.6.1 Central support services (B)	0	3	0	0	0	0	0	0	9	0	0	2	0	0
45	1.6.2 Education welfare service (B)	0	3	1	0	0	0	0	0	0	1	0	2	0	0
46	1.6.3 Asset management (B)	0	1	0	0	0	0	0	0	0	0	0	0	0	0
47	1.6.4 Statutory/ Regulatory duties (B)	0	3	2	0	0	0	0	0	0	7	0	2	0	0

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Col	Heading	209	Rank	Average	Median	208	306	309	204	320	210	308	304	203	206
		Lewisham		£	£	Lambeth	Croydon	Haringey	Hackney	Waltham Forest	Southwark	Enfield	Brent	Greenwich	Islington
		£		£	£	£	£	£	£	£	£	£	£	£	£
48	1.6.5 Premature retirement cost/ Redundancy costs (new provisions) (B)	0	1	1	0	0	0	0	0	0	0	0	0	0	0
49	1.6.6 Monitoring national curriculum assessment (B)	0	1	0	0	0	0	0	0	0	0	0	0	0	0
50	1.7.1 Other Specific Grants (B)	0	1	0	0	0	0	0	0	0	0	0	0	0	0
51	1.8.1 TOTAL SCHOOLS BUDGET (before Academy recoupment) (B)	6,993	5	5,222	5,053	7,189	5,412	6,597	7,579	6,035	7,138	5,596	6,213	6,673	7,411

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		£		£	£	£	£	£	£	£	£	£	£	£	£
52	2.0.1 Central support services (B)	0	5	4	1	0	0	5	15	0	0	1	0	0	8
53	2.0.2 Education welfare service (B)	9	3	5	4	8	0	12	17	5	2	0	8	0	4
54	2.0.3 School improvement (B)	12	6	12	9	30	14	16	19	8	34	0	4	0	10
55	2.0.4 Asset management - education (B)	1	6	4	2	0	104	0	6	5	1	0	0	5	6
56	2.0.5 Statutory/ Regulatory duties - education (B)	11	8	23	15	14	30	62	22	54	6	6	43	1	26
57	2.0.6 Premature retirement cost/ Redundancy costs (new provisions) (B)	3	2	2	0	0	0	5	0	0	0	0	0	0	2
58	2.0.7 Monitoring national curriculum assessment (B)	0	4	0	0	0	0	0	6	0	2	0	7	0	0
59	2.1.1 Educational psychology service (B)	7	7	12	12	0	0	21	14	2	25	14	2	17	27
60	2.1.2 SEN administration, assessment and coordination and monitoring (B)	0	10	14	12	3	11	9	15	8	16	5	0	12	22
61	2.1.3 Independent Advice and Support Services (Parent partnership), guidance and information (B)	2	4	2	2	0	1	0	6	0	4	2	0	3	0
62	2.1.4 Home to school transport (pre 16): SEN transport expenditure (C)	55	7	66	63	24	87	89	81	54	87	54	4	70	79
63	2.1.5 Home to school transport (pre 16): mainstream home to school transport expenditure (C)	0	3	35	16	0	0	0	2	0	0	2	0	0	0
64	2.1.6 Home to post-16 provision: SEN/ LLDD transport expenditure (aged 16-18) (F)	58	2	27	19	0	101	0	19	54	0	53	0	42	0
65	2.1.7 Home to post-16 provision: SEN/ LLDD transport expenditure (aged 19-25) (G)	4	4	4	1	0	18	0	2	15	0	11	0	2	0
66	2.1.8 Home to post-16 provision transport: mainstream home to post-16 transport expenditure (F)	0	1	6	0	0	0	0	0	0	0	0	0	0	0
67	2.1.9 Supply of school places (B)	0	6	2	1	0	1	0	5	5	0	7	0	0	1
68	2.2.1 Other spend not funded from the Schools Budget (B)	0	2	2	0	0	0	50	0	0	0	0	0	0	0
69	2.3.1 Young people's learning and development (B)	0	4	4	0	0	0	0	7	0	5	3	0	0	0
70	2.3.2 Adult and Community learning (B)	0	6	6	0	0	-9	0	10	6	0	215	0	7	76
71	2.3.3 Pension costs (B)	37	2	28	26	0	13	37	0	25	20	26	0	46	0
72	2.3.4 Joint use arrangements (B)	0	2	0	0	0	0	0	2	0	0	0	0	0	0
73	2.3.5 Insurance (B)	0	3	0	0	0	0	0	1	0	0	0	0	1	0
74	2.4.1 Other Specific Grant (B)	0	2	0	0	0	0	0	0	0	5	0	0	0	0
75	2.5.1 Total Other education and community budget (B)	150	9	225	206	78	280	302	229	191	201	348	69	167	257
76	3.0.1 Funding for individual Sure Start Children's Centres (D)	42	6	34	33	60	24	1	167	0	41	19	51	83	151
77	3.0.2 Funding for local authority provided or commissioned area wide services delivered through Sure Start Children's Centres (D)	0	9	6	0	15	3	0	23	24	5	4	1	0	36
78	3.0.3 Funding on local authority management costs relating to Sure Start Children's Centres (D)	0	7	3	1	16	0	0	2	4	0	1	0	2	15
79	3.0.4 Other early years funding (D)	8	7	9	7	12	25	30	8	0	23	0	13	5	28
80	3.0.5 Total Sure Start Children's Centres and Early Years Funding (D)	50	8	52	47	103	52	31	200	28	68	23	64	90	231
81	3.1.1 Residential care (D)	110	3	84	76	126	15	58	31	58	112	28	37	92	77
82	3.1.2 Fostering services (D)	185	4	140	131	162	35	180	122	126	254	80	100	228	239
83	3.1.3 Adoption services (D)	22	5	25	22	27	18	22	26	18	36	17	19	22	47
84	3.1.4 Special guardianship support (D)	7	11	18	17	39	16	37	30	19	28	11	21	31	45
85	3.1.5 Other children looked after services (D)	17	8	16	9	0	88	93	47	25	44	9	7	29	23
86	3.1.6 Short breaks (respite) for looked after disabled children (D)	10	3	3	0	14	0	1	0	0	0	0	0	0	14
87	3.1.7 Children placed with family and friends (D)	0	10	7	4	5	0	18	9	5	8	2	5	12	14
88	3.1.8 Education of looked after children (D)	0	9	2	2	0	1	6	17	4	3	2	-75	3	7
89	3.1.9 Leaving care support services (D)	17	7	24	22	64	17	45	7	40	30	45	14	14	51
90	3.1.10 Asylum seeker services children (D)	3	6	2	0	9	0	4	0	0	2	5	4	0	49
91	3.1.11 Total Children Looked After (D)	371	6	321	296	446	191	466	290	296	517	199	132	431	567

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		Lewisham				Lambeth	Croydon	Haringey	Hackney	Waltham Forest	Southwark	Enfield	Brent	Greenwich	Islington
		£		£	£	£	£	£	£	£	£	£	£	£	£
92	3.2.1 Other children and families services (D)	1	6	6	2	39	1	60	2	0	27	1	0	32	0
93	3.3.1 Social work (including LA functions in relation to child protection) (D)	118	10	166	162	248	204	124	277	180	238	82	129	197	470
94	3.3.2 Commissioning and Children's Services Strategy (D)	13	6	19	12	10	18	0	29	0	48	3	7	27	36
95	3.3.3 Local Safeguarding Children Board (D)	0	11	3	2	5	2	3	5	1	2	2	1	2	4
96	3.3.4 Total Safeguarding Children and Young People's Services (D)	131	9	187	181	263	224	128	311	181	289	87	138	226	510

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		£		£	£	£	£	£	£	£	£	£	£	£	£
97	3.4.1 Direct payments (D)	11	4	8	7	16	0	0	9	6	7	5	6	21	24
98	3.4.2 Short breaks (respite) for disabled children (D)	13	7	17	16	20	29	14	20	30	12	8	7	7	20
99	3.4.3 Other support for disabled children (D)	3	4	4	1	14	4	14	0	0	0	0	0	0	0
100	3.4.4 Targeted family support (D)	47	4	40	36	22	5	37	99	13	36	55	36	18	79
101	3.4.5 Universal family support (D)	2	5	6	1	0	0	0	42	0	22	0	5	0	5
102	3.4.6 Total Family Support Services (D)	75	4	74	71	72	38	65	170	49	77	68	53	47	128
103	3.5.1 Universal services for young people (D)	22	4	15	11	34	10	11	51	0	20	2	11	18	88
104	3.5.2 Targeted services for young people (D)	11	6	17	14	11	3	0	30	19	24	3	9	28	38
105	3.5.3 Total Services for young people (D)	33	6	32	30	45	13	11	82	19	45	5	20	46	126
106	3.6.1 Youth justice (D)	18	7	13	12	38	21	18	18	8	41	22	7	19	32
107	4.0.1 Capital Expenditure from Revenue (CERA) (Non-schools budget functions and Children's and young people services) (D)	0	2	3	0	0	0	0	0	0	0	0	7	0	0
108	5.0.2 Total Children and Young People's Services and Youth Justice Budget (excluding CERA)(lines 3.0.5 + 3.1.11 + 3.2.1 + 3.3.4 + 3.4.6 + 3.5.3 + 3.6.1) (D)	677	7	687	649	1,006	540	778	1,073	580	1,063	404	414	890	1,594
109	Total Children and Young People's Services and Youth Justice Budget (inc CERA)(lines 5.0.2 + 4.0.1) (D)	677	7	691	652	1,006	540	778	1,073	580	1,063	404	420	890	1,594

Pupil Divisors Used

- A - Total pupils aged 3-19 from maintained schools only.
- B - Total pupils aged 3-19 from maintained schools and all academies.
- C - Total pupils aged 3-15 from maintained schools and all academies.
- D - Total population aged between 0-17.
- E - Total population aged between 0-19.
- F - Total population aged between 16-18.
- G - Total population aged between 19-25.

<b>Schools Forum</b>			
<b>REPORT TITLE</b>	<b>Proposed Amendments to the Scheme of Delegation</b>		
<b>KEY DECISION</b>	Yes	<b>Item No.</b>	11
<b>WARD</b>	N/A		
<b>CLASS</b>	Part 1	<b>Date</b>	15 March 2018

## 1 Purpose of the Report

1.1 The purpose of this report is to consider a revision to the Scheme of Delegation to schools.

## 2 Recommendation

2.1 The Schools Forum is recommended to:

2.1.1 Agree to incorporate the proposed amendments to the scheme of delegation to schools as set out in Appendix 1 to this report.

## 3 Background

3.1 Prior to the start of each financial year the Schools Forum undertakes an annual review of the scheme of delegation and its finance manual. This is to incorporate any legislative changes required and any changes which the Schools Forum consider desirable to make. In response to a potential legal challenge to the current provision of Section 6 of the scheme of delegation (pertaining to the costs of dismissals, resignations and premature retirement set out in Annex E of the Scheme) and an enquiry from the DfE following a complaint to the Secretary of State, it has become necessary to review the provision set out in this section of the Scheme.

## 4 Redundancy

4.1 Lewisham's Scheme of Financial Delegation, in line with national requirements which have been in place for many years, gives schools the freedom to exercise choice over their spending plans. Like other local authorities, Lewisham Council can only impose regulations which are consistent with the need for accountability and control over the expenditure of public funds. The Scheme expects all schools to set a balanced budget and to manage within the resources made available to them. This is specifically a duty on the governing body of the school.

4.2 Proposed changes to the Scheme of Delegation to schools were considered by the Schools Forum in October 2017. There was subsequent consideration

and agreement to changes to the Scheme in December 2017. In the light of further concerns raised by the DfE and in accordance with further external advice, it is proposed that further amendments are necessary and these changes are reflected in the documents appended to this report.

- 4.3 The Council had the approach of automatically charging redundancy costs to school budgets unless it identified good reason to do otherwise. After discussions with the Department for Education and having sought external legal advice, the local authority has revisited its procedures and proposes the amendments set out in Appendix 1.
- 4.4 Members of the Schools Forum should note that the Appendix to this report sets out a proposed revision to Section 6 of the Scheme ‘for the costs of dismissals, resignations and premature retirement’ with the revised Annex E to the Scheme incorporating these proposed changes.
- 4.5 Essentially, the proposed revisions to the Scheme clarifies the position in relation to the circumstances in which costs incurred in respect of dismissals, resignations and premature retirement may or must be met from a school’s budget in accordance with the requirements of section 37 of the Education Act 2002. The proposed amendments of Annex E, which is attached at Appendix 1 sets out the Council’s policy in relation to the consideration of such matters.
- 4.6 As set out in the proposed amendments at Annex E, Section 37 of the Education Act 2002 sets out two basic rules for members of staff of a maintained school. Firstly, that costs incurred by the local authority in respect of premature retirement must be met from the school’s budget share unless (and to the extent that) the authority and governing body agree otherwise in writing. Secondly, that costs incurred by the local authority in respect of dismissal or securing the resignation of a staff member may be met from the school’s budget share, but only if (and to the extent that) the local authority has “good reason” to deduct those costs from the school’s budget share.
- 4.7 Members of the Schools Forum will note that the proposed revision to the Scheme sets out the local authority’s policy and revised process for the consideration of such matters on an individual case basis. Members will also note that whilst it is not considered possible to satisfactorily provide an advance definition of what may constitute “good reason” for charging school’s budget share, the examples provided in DfE guidance whilst helpful, are not to be treated as exhaustive.
- 4.8 Members will also note that even in cases where “good reason” for charging a school’s budget share exists in principle, the local authority may exercise its discretion so as not to do so, in whole or in part.

## **5 Further Information**

- 5.1 Should you require any additional information regarding the items contained in this report please contact:



Selwyn Thompson  
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**Appendix 1 – Draft proposed amendments to Scheme of Delegation**

## **Appendix 1 – Proposed revisions to the Scheme of delegation to schools**

### **Proposed amendments to Scheme of Delegation to Schools**

#### **Section 6**

Para 6.2.25 to be reworded as follows:

“For the costs of dismissals, resignations and premature retirement, see Annex E.”

#### **New Annex E (to appear as set out below)**

##### **Costs of dismissals, resignations and premature retirement**

###### **Statutory framework**

The circumstances in which costs incurred in respect of dismissals etc. may or must be met from a school’s budget share are addressed by section 37 of the Education Act 2002.

Separate rules apply where the member of staff concerned is employed for “community purposes” (see below).

Otherwise, the two basic rules laid down by the legislation for members of the staff of a maintained school are that:

- (A) Costs incurred by the local authority in respect of premature retirement MUST be met from the school’s budget share UNLESS (and to the extent that) the authority and the governing body agree otherwise in writing [section 37(4)]; and
- (B) Costs incurred by the local authority in respect of dismissal or securing the resignation of the staff member MAY be met from the school’s budget share BUT ONLY IF (and to the extent that) the authority has “good reason” to deduct those costs from the budget share [section 37(5)].

What follows sets out the LA’s policy in relation to these matters. Further guidance and assistance may, if required, be sought from the LA’s Schools HR service in particular cases.

### Premature retirement costs

Any governing body contemplating incurring costs in respect of premature retirement, and inviting the LA to agree that the costs will be met otherwise than from the school's budget share, should raise the issue with the LA at the earliest opportunity, and certainly in any normal case before any commitment to such costs has been made. The LA will normally require a full reasoned justification as to why it would be appropriate to give its agreement, and (given what is said below about the management of staffing and budgets) it is expected that such agreement will only exceptionally be forthcoming, although applications will be considered on their merits.

### Other dismissal/resignation costs

The legislation does not define what is a "good reason" to charge such costs to the school's budget share (save that a "no redundancy" policy cannot itself be a good reason).

#### *DfE guidance*

The DfE's guidance *Schemes for Financing Schools* (December 2015) suggests that schemes should contain a provision setting out the circumstances "in which exceptions will be made". When read with Annex B to the guidance, it appears that the DfE's advice is that an authority's scheme should set out its policy on what it will treat as a good reason for charging dismissal/resignation costs to a school's budget. Annex B suggests that: "Although each case should be considered on its merits, this should be within an agreed framework." Annex B also sets out a number of examples of situations in which a good reason for charging costs to a school's budget might exist:

- Where a school has decided to offer more generous terms than the authority's policy.
- Where a school is otherwise acting outside the authority's policy.
- Where staffing reductions are being made which the authority does not believe to be necessary to set a balanced budget or meet the conditions of a licensed deficit.
- Where staffing reductions arise from a deficit caused by factors within a school's control.
- Where a school has excess surplus balances, and no agreed plan to use them.
- Where a school has refused to engage with the authority's redeployment policy.

*Lewisham's policy*

The LA has considered the DfE guidance as set out above. It agrees that it is appropriate for each case to be considered on its own merits. To that end, when relevant costs have been or are expected to be incurred, the school will normally be expected to complete a proforma giving details of the member of staff whose employment is terminating or has terminated, the reasons for and terms of the termination, and other relevant circumstances. The LA may seek other information if necessary. The LA's Schools HR service will then record on the proforma what the costs associated with the dismissal are, and will give an initial view as to whether (and if so, why) good reason exists to charge all or part of those costs to the school's budget. The school will have the opportunity to comment upon any such proposal to charge costs to its budget. If there is disagreement between Schools HR and the school as to what should happen, a decision will normally be taken by an officer at a senior level within the Directorate of Children and Young People, consulting if necessary with Schools HR and/or other officers. Exceptionally, the Executive Director Children and Young People may decide to refer such an issue for decision at an appropriate level outside the Directorate. Schools will be expected to co-operate fully and promptly with this process, and a failure to do so may itself be treated as a good reason to charge the relevant costs to the school's budget share.

The LA does not consider that it is possible satisfactorily to provide a complete advance definition of what may constitute a good reason for charging the school's budget share. The examples of "good reason" given in the DfE guidance, whilst helpful, will not be treated as exhaustive. In particular, the LA expects schools to manage their staffing and budgets responsibly, both in the short term and over longer periods. This includes developing plans to adjust expenditure in line with actual and anticipated funding and income levels. There is an expectation that in many cases it should be possible to avoid the need for redundancies, or payments in lieu of notice, by appropriate planning and vacancy management. Schools which have incurred redundancy costs will normally be expected to explain why such costs could not reasonably have been avoided, and the absence of a satisfactory explanation is likely to be regarded as a good reason for charging the school's budget share. Likewise, schools are expected to engage at an early stage with the Schools HR service, and to follow the LA's policies, and other good employment practice, with a view to avoiding or minimising the cost of redundancies through redeployment.

Where an individual's employment is terminated for reasons other than redundancy (e.g. misconduct or lack of capability), it should normally be possible to effect this without additional cost by following proper procedures, and giving any notice to which the individual may be entitled. It is acknowledged that there may be cases where that is not so, but the incurring of unnecessary costs will normally be regarded as a good reason for charging the school's budget share. Where liability for costs arises from an adverse decision of a court or tribunal concerning the lawfulness of a dismissal, or where it has been necessary to pay sums by way of settlement in the face of a claim or potential claim of such unlawfulness, then that will normally be regarded as a good reason for the school's budget share to be charged – although the LA will always be prepared to consider the individual circumstances of the case.

It is only in unusual cases that it is appropriate for payments to be made to secure the resignation of an individual employed to work at a school. Schools which anticipate offering such payments should consult with Schools HR in advance. A failure to do so, or a departure from the advice given, will generally amount to a good reason for charging any resulting additional costs to the school's budget share.

Even where "good reason" for charging costs to a school's budget share in principle exists, the LA may exercise its discretion so as not to do so, in whole or in part. A favourable exercise of discretion may sometimes be appropriate, for example, if meeting the costs in full would have a disproportionate impact upon the school's budget and functioning. However, schools must be aware that there is no centrally retained budget or contingency fund for meeting such costs, and that the LA is therefore likely to take a rigorous approach in such cases. By the same token, if a school has significant unspent and uncommitted balances (even if those balances are not "excess" ones as contemplated by the DfE guidance), and no pressing need to retain those balances, then that may constitute a good reason why costs should fall to the school's budget share, rather than having to be met from other hard-pressed budgets.

#### Staff employed for community purposes

"Community purposes" refers, in relation to the staff of a maintained school, to members of staff employed for the purposes of the provision of services and facilities under section 27 of the Education Act 2002.

In such cases, the legislation requires both costs in respect of premature retirement, and costs in respect of dismissal, or incurred for the purpose of securing resignation, to be recovered from the governing body except in so far as it is agreed in writing between the authority and the governing that they shall not be so recoverable.

Where schools wish to seek such agreement, the same guidance and policy applies as set out under “Premature retirement costs” above.

The governing body may meet such costs out of the school’s budget share, but only if it is satisfied that to do so will not to a significant extent interfere with the performance of its duties.

Schools Forum			
REPORT TITLE	Schools Forum Terms of Office		
KEY DECISION	Yes	Item No.	12
CLASS	Part 1	Date	15 March 2018

## 1. Purpose of the Report

This report updates members on terms of office that are coming to an end for 8 schools and the need to rebalance the membership to reflect recent or expected changes in pupil numbers

## 2 Recommendation

The Forum agree

- a. To agree recommended membership rebalancing to reflect pupil numbers
- b. That affected schools re-elect representatives or elect new member for expiring terms

## 3. Expiring tenures

- 3.1 8 out of 23 members have their terms expiring in June 2018. The list of members are summarised below and the affected schools need to re-elect or select new representatives.

Name	Position	Month/Year
Pat Barber	Secondary School Governor	Jun-15
Liz Booth	Primary Head	Jun-15
Declan Jones	Academies	Jun-15
Paul Moriarty	Primary Head	Jun-15
Nikki Oldhams	Nursery School Head	Jun-15
James Pollard	Secondary School Governor	Jun-15
Michael Roach	Primary Head	Jun-15
Dave Sheppard	Secondary Head	Jun-15

#### **4. Rebalancing School Forum Membership**

- 4.1 The membership of the Schools forum needs to be reviewed and rebalanced for fairness of representation from the various school categories. There have been some movements (or some is anticipated) especially around academisation in particular that needs to be reflected in the School Forum membership. The table below shows the current and proposed representation;



Category	Current nos	Proposed nos
Secondary school governors	2	2
Primary Head	4	4
academies	1	2
Nursery head	1	1
Primary school governor	3	2
secondary head	4	4
special school governor	1	1
14-19 consortium	1	1
chair	1	1
vice chair	1	1
Diocesan Authority	2	2
PRU	1	1
Early Years -PVI	1	1
<b>Total</b>	<b>23</b>	<b>23</b>

Yusuf Shaibu,

Group Finance Manager – Children and Young People

Contact on 0208 314 9442 or by e-mail at  
Yusuf.Shaibu@Lewisham.gov.uk

## Schools Forum Members – Dates of Appointment

Name	Position	Month/Year
Pat Barber	Secondary School Governor	June 2015
Liz Booth	Primary Head	June 2015
Declan Jones	Academies	June 2015
Paul Moriarty	Primary Head	June 2015
Nikki Oldhams	Nursery School Head	June 2015
James Pollard	Secondary School Governor	June 2015
Michael Roach	Primary Head	June 2015
Dave Sheppard	Secondary Head	June 2015
Sharon Lynch	Primary Head	Oct 2015
Rosamund Clarke	Primary School Governor	Dec 2015
Jan Shapiro	Secondary Head	Dec 2015
Keith Dwan	Primary School Governor	Mar 2016
Ruth Elliott	Special School Governor	Mar 2016
Gordon Gillespie	14-19 Consortium	Mar 2016
Keith Barr	Vice-Chair	Oct 2017
Lynne Haines	Chair	Oct 2017
Mark Phillips	Secondary Head	Oct 2016
Dame Erica Pienaar	Primary School Governor	Oct 2016
Sara Sanbrook-Davies	Diocesan Authority	Dec 2016
Clare Cassidy	Secondary Head	Dec 2017
Heather Johnston	PRU	Dec 2017
Dawn Nasser	Early Years - PVI	Jan 2017
Yvonne Epale	Diocesan Authority	Feb 2018

\*Forum agreed that the term of office for all members is 3 years and would commence June 2015, or their start date, if later.

**15 March 2018**

# Agenda Item 13

<b>Schools Forum</b>			
<b>REPORT TITLE</b>	<b>Proposed Dates of Future Meetings and the Work Plan for the Year Ahead</b>		
<b>KEY DECISION</b>	<b>No</b>	<b>Item No.</b>	<b>13</b>
<b>WARD</b>	<b>N/A</b>		
<b>CLASS</b>	<b>Part 1</b>	<b>Date</b>	<b>15 March 2018</b>

## **1 Purpose of the Report**

- 1.1 The purpose of this report is to provide the dates and the work plan for future meetings of the Schools' Forum over the coming year.

## **2 Recommendation**

- 2.1 The Schools Forum is recommended to:
- 2.1.1 Review the schedule of future meeting dates and the work programme. This has been attached at Appendix 1.

## **3 Background**

- 3.1 The work of the Schools Forum is considerable, complex and involved. It is important that over the coming year it is planned in a logical and structured way. Attached is a suggested programme of work.
- 3.2 The fact that an item is not on the plan does not preclude it from being added after this meeting if Schools Forum so wishes. It is expected that in the latter months of the plan, a considerable number of items will be added to the work programme.
- 3.3 The Schools Forum currently has one operational sub-group, the High Needs sub group. This sub-group will continue to look at the changes to the national funding formula and how it is implemented. The dates for the coming year have been set so that the sub-group meets shortly before the full Schools Forum meetings. This will allow reports and minutes to be reported back to the full Schools Forum in a timely fashion.

## **4 Further Information**

- 4.1 Should you require any additional information regarding the items contained in this report please contact:

Selwyn Thompson  
Head of Financial Services on 020 8314 6932  
[selwyn.thompson@lewisham.gov.uk](mailto:selwyn.thompson@lewisham.gov.uk)

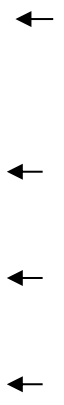
Or

Yusuf Shaibu  
Interim Group Finance Manager for CYP on 020 8314 9442  
[yusuf.Shaibu@Lewisham.gov.uk](mailto:yusuf.Shaibu@Lewisham.gov.uk)

**Appendix 1 – Proposed Dates of Future Meetings and the Work Plan for the  
Year Ahead**

Schools Forum - Calendar 2018/19

Schools Forum
21 June 2018
04 October 2018
06 December 2018
17 January 2019
21 March 2019



High Needs Sub Group
05 June 2018
18 September 2018
20 November 2018
05 March 2019

Proposed Date	Agenda Items	Purpose
21 June 2018	School Balances Traded Service Report Budget Monitoring Report Absence Report By School Schools Forum constitution and membership Catering contract annual report - update	To report to Forum on the year-end balances for schools Update of the current buy back levels To inform members of spending patterns and address issues To update members on the latest school position To review the current constitution Annual review and monitoring of catering contract
04 October 2018	Election of Chair and Vice-Chair Budget Monitoring Report Annual Internal Report Health and Safety Report	To inform members of spending patterns and address issues To receive a report about the outcomes of school audits To receive a report about the outcomes of school audits
06 December 2018	Budget Monitoring Report High Needs Sub Group Report Budget Setting	To inform members of spending patterns and address issues To consider the sub group proposals for next year To consider and develop next years budget proposals
17 January 2019	Budget Setting	To consider and develop next years budget proposals
21 March 2019	Budget Monitoring Report Budget and capital update S52 Benchmarking Election of members Work Plan	To inform members of spending patterns and address issues To consider details of the programme To inform members of spending patterns to provide a more informed debate on the budget Members three year term of duty expiration To agree the draft work plan for the coming year