

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Education Board

Date: Tuesday, 4th June, 2019

Place: Tickfield Centre

Present: Mr Maurice Sweeting - Hinguar Primary Governor (Chair)
Dr Robin Bevan - Southend Boys - Vice-Chair
Mr Darren Woollard - Blenheim Primary (academy)
Dr Niki Banister - Milton Hall Primary Governor (maintained)
Julia Jones - Barons Court Primary (maintained)
Tim Barrett - Temple Sutton Primary (academy)
Lisa Clark - Hamstel Infant (academy)
Jim Johnson - Edwards Hall Primary (maintained)
Anthony McGarel - South Essex College (14-19 sector)
Jackie Mullan - ST Christophers (SEN Trust Southend)
Stuart Reynolds – Southchurch High School (academy)
Jerry Glazier – Trade Unions
Vicky Wright – Early Years

In Attendance: C Hickey, P Grout, E Hammans, R Harris, B Martin. C Braun and G Bloom.

Start/End Time: 8.15 - 10.30 am

1 Apologies for absence

Apologies for absence were received from Dr P. Hayman (WHSB), A. Turner (YMCA), M. Jordan (Victory Park Academy PRU), V. Wright and L Yelland (Early Years).

2 Minutes of the meeting held on 26th March 2019

Resolved:

The minutes of the meeting held on 26th March 2019 were agreed as a correct record.

3 Matters arising (not covered elsewhere on the agenda)

Data-sharing (item 8c refers)

The Board considered a paper from the Director of Learning updating on the progress with schools signing up to and adhering to the data-sharing protocol/agreement. Currently there are a number of schools that have not responded and require escalation.

The Board emphasised that there was a clear expectation for information to be shared in a timely and efficient way and it was not acceptable for schools not to share information, specifically in terms of safeguarding and putting children at significant risk of harm.

The Board discussed the implications for schools not adhering to the protocol, which included submission to Ofsted.

Resolved:

That the Director of Learning escalates the matter and writes to the Chairs of Governors and Headteachers at those schools that have not signed up or are adhering to the data-sharing protocol drawing attention to the significant implications for non-compliance and urging them to comply (i.e. referral to Ofsted). Further non-compliance would be escalated further with the Regional Schools Commissioner in relation to academy trusts.

4 Education Board Membership and Vacancies (including attendance)

The Board considered a report from the Clerk covering the current membership and vacancies, details of attendance since January 2018 and presented a revised/updated Constitution for the Board's consideration.

Subsequent to the publication of the report the Board was informed that Mr Neil Houchen, Eastwood Academy, had resigned from the Board as of 3rd June 2019. Therefore there were now 3 vacancies in this sector. The Board also noted that this was Tim Barrett's last meeting and therefore there was now a vacancy in the academy primary sector.

The Board was informed that no expressions of interest had been received for the vacancy in the primary maintained sector and four expressions of interest had been received in respect to the secondary academy trust sector. Two of the interested parties are governors at the same school and therefore the school/trust will need to confirm/agree which person they wish to appoint to the Board.

The Board was also informed that a request has been received from the CEO Multi-Academy Trusts (MAT) group in Southend to be represented on the Board. This would be one representative and they would not be eligible to vote on schools forum matters.

The Board discussed the matter and although it recognised that there would be benefits in appointing a representative from the CEO MAT Group the Board wanted to see the terms of reference/constitution of the group before taking further forward.

The Board discussed the proposed revised and updated Constitution and suggested a number of additions/revisions to further enhance and strengthen the document. These included but were not limited to:

- The rules pertaining to attendance at meetings (Paragraph 1.4)
- Expanding Section 7 and provide more details re: sub groups (membership, role, chair, etc);

Resolved:

1. That the expressions of interest received in respect to the vacant positions in the secondary academy trust sector be progressed with a view to fill the vacancies before the next meeting in October 2019.
2. That it be noted that further expressions of interest for the primary maintained vacancy will be sought, with a view to filling the vacancy by the next meeting in October 2019.
3. That the attendance record from January 2018 to March 2019, be noted.
4. That, in principle, a representative of the CEO MATs group be welcomed to sit on the Board, subject to receipt and confirmation of the groups constitution/terms of reference.
5. That the Education Board constitution be revised and updated accordingly and the final version be presented to the Board in October for final approval.

5 Dedicated School Grant (DSG) Final Outturn 2018/19

The Board considered a report from the Senior Finance Officer providing an update on the Dedicated Schools Grant (DSG) final outturn for the 2018/19 schools budget, high needs, early years and centrally retained funds.

The Board discussed the report and commended the officers and all those involved in preparing the budget reports which provide a clear picture of the funding and resources across the DSG.

Resolved:

That the final 2018/19 outturn, be noted and the subsequent DSG reserve balances for each funding block to be carried forward into 2019/20 (as referenced in paragraph 4.15 of the report) be agreed.

6 Dedicated School Grant (DSG) High Need Detailed Budget Allocations 2019/20

The Board considered a report from the Senior Finance Officer presenting the High Need's Block detailed budget allocations for 2019/20.

The Board discussed the report and commended the position that there is a balanced budget set for 2019/20 with some capacity for growth compared to 2016/17 and 2017/18 where there was considerable overspends.

Resolved:

1. That the EHCP hourly top up funding rate passed over to support pupils within in borough mainstream schools be returned to the 2017/18 funded level from Sept 2019 (circa. 4% increase) to both reverse the required funding cuts imposed in 2017/18 and recognise inflationary funding pressures within mainstream schools. (As referenced in section 8.2 of the report)

2. That, to assist with the safeguarding of enhanced provisions within mainstream schools, compensation funding be awarded from the 1st April 2019 of £4,000 per annum per pupil place to cover the equivalent funding loss a school would incur due to the changes administered under the National Funding Formulae. (As referenced in section 6.3)

3. That the high needs top funding rates awarded to enhanced provisions be uplifted by 4% from Sept 2019, to both further assist with the safeguarding of enhanced provisions and recognise inflationary funding pressures within mainstream schools. (As referenced in section 7.4 of the report)

4. That, although the number of commissioned places in Special School have now been updated from September 2019, the historic flexible place top up funding allocation will continue to exist to further aid funding pressures above place number allocation. (As referenced in section 7.1 of the report)

5. That the 2018/19 high needs top up funding rates passed over to Special schools and the Alternative Provision / Pupil Referral Unit from September 2019 be held to their same respective banded rates as the 2018/19 academic year, which is also based on consideration with the additional place funding allocations the applicable special schools will now receive from September 2019 and affordability within the overall high needs block. (As referenced in section 7.3 of the report).

6. That the detailed High need budget allocations for 2019/20 as presented in this paper be agreed and adopted as set out in the report.

7 Maintained and Academy School Year End Balances

The Board received a verbal update from the Resources Sub Group Chair providing an overview of the maintained and academy end of year balances and setting out the financial concerns relating to the year-end deficit balances shown for the Legra Academy Trust, Parallel Learning Trust and Challenger Multi Academy Trust.

There were also concerns with Southend High School for Boys Academy Trust balances which were very low and the reducing balances for some of the maintained schools. The Council has been working actively and directly with the maintained schools for recovery plans.

The Board discussed the issues concerning the deficit balances recognising the significant risks, implications and impact for pupils if a school was no longer financially viable and how it is difficult within some of Multi Academy Trusts accounts to see how they are allocating their year end financial balances between all the schools individually within their Trust.

The Board sought clarification on the level of risk and although the risk was hard to judge it could be viewed as follows:

- Legra Academy Trust – low risk;
- Parallel Learning Trust – moderate risk;
- Challenger MAT – moderate risk

In relation to the Parallel Learning Trust balances a submission was received from the Chief Executive of the Parallel Learning Trust to the Director of Learning setting out that part of the deficit has been caused by the Council's Special Educational Needs service referring more pupils to the academy school without any additional resources/funds.

Resolved:

That the maintained and academy end of year balances, be noted and agreed that it was appropriate, legitimate and reasonable for the Board to discuss and consider the financial concerns relating to end of year deficit balances.

8 Public Duties Update

The Board received a verbal update from Robin Bevan presenting the outcome of the discussions from the Directors Briefing concerning the way forward in respect of the Public Duties fund.

The Board noted that the majority of schools/Directors indicated their support to a fund for public duties activities. The mechanism to ensure that the academy trusts pay into the scheme needs to be determined, as well as how the fund would be managed and administered.

The Director of Learning advised that the Council through its services for schools department will now work on a process to administer and manage the public duties fund, subject to a top slice to cover administrative costs.

Resolved:

That the update and progress to date on the public duties fund be noted and the process the Director of Learning will return a proposal for administering and managing the fund.

9 Commissioning and Procurement of Service Level Agreements

The Board considered a short briefing paper from the Director of Learning providing an overview of the commissioning and procurement of DSG funds.

Resolved:

1. That a time limited Task and Finish Group be set-up to pull together the scrutiny of all relevant service level agreements and all contractual arrangements that the Council holds to deliver education services and report back to the Board in October 2019.

2. That the following Board members and officer(s) be involved in the Task & Finish Group:

Senior Finance Business Partner (or representative)
Dr Niki Lamont

10 Inclusion

The Board considered a short briefing paper from the Director of Learning on strengthening inclusion and effective use of alternative provisions and set out a proposal to engage with a company called ISOS to carry out a major piece of work in this area over the summer period.

The Board welcomed the approach and confirmed their willingness to fully engage with ISOS.

Resolved:

That the approach to strengthening inclusion be welcomed and the engagement of ISOS to carry out intensive work over the summer be supported and the outcomes and recommendations from the enquiry be presented to the Board in October.

11 Written Statement of Action (WSOA)

The Board considered a short briefing paper from the Director of Learning providing an update on the Written Statement of Action (WSOA).

Resolved:

That the update on the WSoA, be noted.

12 Schools and Other Updates

The Board received verbal updates in respect of a range of school and other matters, set-out below:

(a) SBC - Following an extraordinary meeting of the Council on 3rd June 2019 a new leader and joint administration was formed. The new Cabinet Member for Children and Learning will be Councillor Anne Jones.

(b) National Announcements – There have been a number of policy decisions made recently covering a range of areas. Particularly attention was drawn to the Auger review/consultation on SEN High Needs funding.

(c) Schools Update – The work to support the three vulnerable schools in the borough was underway.

(d) Cecil Jones – formal handover to the new Trust was undertaken on 1st April 2019.

(e) Children's Services Inspection – There was nothing further to report at this stage.

Resolved:

That the updates on various schools and other matters be noted.

13 Reports back from Sub Groups

The Board received and noted the minutes of the Resources Sub Group (held 23rd May) and the Vulnerable Learners Sub Group (held 21st May).

14 Consideration of Annual Plan for Education Board Agenda

The Board considered the draft work programme/forward plan of activity for the Education Board 2019/20.

Resolved:

That the draft work programme be approved and further suggestions for matters to be included on the forward plan be sent to the Director of Learning and the Clerk.

15 Any other business

Tim Barrett Retirement

The Board noted that this was Tim Barrett's last meeting of the Board and extended its thanks and appreciation for his work and dedication to the Board and wished him well in his retirement.

16 Date and time of future meetings

The dates and times of future meetings were noted as follows:

22nd October 2019 at 08.15am
17th December 2019 at 08.15am
21st January 2020 at 08.15am
17th March 2020 at 08.15am

All meetings will be held at the Tickfield Centre, unless otherwise notified.