

**Meeting of Education Board**

**Date: Wednesday, 15th March, 2017**

**Place: Darwin Room - Tickfield**

**Present:** Mr M Sweeting (Chair) – Academy Governor – Hinguar Primary  
Tim Barrett - Primary Head - Temple Sutton Primary  
Robin Bevan - Academy Head - Southend High for Boys  
Lisa Clark - Academy Head - Hamstel Infant  
Jerry Glazier - Trade Unions  
Anthony Mcgarel - 14/19 Sector - South Essex College  
Jackie Mullan - Academy Special Head - St Christopher Special  
David Parker - Academy Governor - Shoeburyness High  
Lionel Pryor - Primary Governor - Fairways Primary  
Stuart Reynolds - Secondary Head - Futures Community College  
Jane Youdale – Essex Pre-School Learning Alliance  
Annette Turner – Alternative Provision Academy – YMCA  
Margaret Rimmer – Maintained Special Head – Kingsdown

**In Attendance:** Councillor James Courtenay – Executive Councillor Children & Learning  
Ian McFee - People Directorate  
Cathy Braun - People Directorate  
Ian Ambrose - Chief Executive's Directorate  
Brin Martin – People Directorate  
Robert Harris – Independent Clerk  
Craig Jones – Chief Executives Directorate (agenda item 14a only)  
Christine Hickey – Chief Executive's Directorate

**Start/End Time:** 8.15 - 11.00 am

**1 Apologies, Substitutions and Introductions**

Apologies for absence were received from Neil Houchen (Eastwood Academy), Jim Johnson (Edwards Hall Primary), Paul Hayman (Westcliff High for Girls), Vicky Wright (Early Years), Elaine Hammans (People Directorate) and Simon Leftley (Deputy Chief Executive (People)).

**2 Board Membership**

The Clerk provided an update on the Board membership and it was noted that:-

- Annette Turner has been nominated to fill the vacancy for Alternative Provision Academy group;
- There were still vacancies in the Maintained Primary (2), Academy Secondary (2), Academy Primary (1) and the Pupil Referral Unit (1);

Resolved:

1. That the current membership situation be noted.

2. That further request for nominations be sought to fill the vacancies for maintained primary schools, primary academies, secondary academies and the Pupil Referral Unit.

### **3 Minutes of the meeting held on 18th January 2017, Matters arising and Summary Action Sheet**

The minutes of the meeting held on 18<sup>th</sup> January 2017 were received.

#### Summary Action Sheet

The Board also discussed the Summary Action Sheet which included items that had been added arising from previous meeting and members were informed of the progress made against the actions.

The Board discussed the strategic review of retention and recruitment of teachers (action 307 refers) and made the following comments:

- Recruitment and retention is a significant priority for the Local Authority;
- Suggested that the apprenticeships could be used to train new teachers but this would be a long process and would not resolve the current problems with recruitment;
- The challenges concerning accommodation for teachers were highlighted as a barrier for recruitment;
- Reference was made to the Fair Workload Charter implemented in Nottingham and other parts of the country. The Charter aims to reduce pressure on teachers in response to the growing shortage and sets out what teachers and other staff can expect from schools signed up to the Charter. The Board agreed that a similar charter should be explored.

Resolved:

1. That, subject to a minor amendment, the minutes be approved as a correct record and signed by the Chair.
2. That the summary action sheet and the progress made be noted.
3. That a small sub group be set up to look at Recruitment and Retention, with a view to developing a local Fair Workload Charter.

### **4 Schools Budget 2016/17 - Forecast Outturn**

Ian Ambrose presented his report which updated the Board on the anticipated outturn for the 2016/17 schools budget.

The Board commented, as follows:

- Key area of concern continues to be the significant overspend in the High Needs Block and how the position has changed so quickly and significantly. The High Needs Block was discussed in greater depth under Agenda Item 7 below.

- There were several discrepancies within the figures for the 2016/17 outturn which need to be resolved (e.g. St Christophers Special Academy place funding forecast outturn of £80,000);
- There needs to be a comprehensive overview and further clarity on the funding which Seabrook receives;

In answer to questions and the above comments it was noted that:

- The primary cause for the overspend in the High Needs Block relates to schools rebanding pupils into higher bands;
- The overspend in the High Needs Block is not sustainable and needs to be rebalanced to ensure expenditure was controlled within the available resources;
- A detailed statement and overview of Seabrook's funding would be provided to the next meeting.

Resolved:

That the anticipated outturn for the 2016/17 schools budget, and the anticipated level of balance carry forward to 2017/18, be noted.

## **5 NFF Consultation Update on Current Position**

Brin Martin presented the detailed responses to the National Funding Formula (NFF) consultation questions. The responses have been prepared in consultation with the Education Board members and with all schools in the borough. The consultation responses will include a strong statement about the unique problems in Southend.

The Board noted that the Executive Councillor and relevant officers have met with Sir David Amess MP who was in full support of Southend's position. Robust responses have also been made to the Secretary of State for Education.

Schools were encouraged to also make their own submission and respond to the NFF Consultation.

The Board also noted that a robust response to the High Needs NFF consultation would be made and the document would be circulated to the Education Board members for comments prior to submission.

Resolved:

1. That the robust response to the NFF consultation, subject to minor amendments, be endorsed.
2. That the response to the High Needs NFF consultation be circulated to all Board members for their views, comments and endorsement, prior to submission.

## **6 Update on Arrangements for Monitoring the Effectiveness of all SLA's**

Brin Martin reported that robust monitoring of the effectiveness of the SLA's (including Value for Money) would be undertaken by officers and the sub groups and where necessary the required challenges will be made to ensure the SLA's are being delivered effectively.

Cathy Braun provided an update on progress with the implementation and conversion of the SLA's in respect to Seabrook. Discussions are on-going with The Parallel Learning Trust (PLT), particularly around the provision for a one year SLA. The PLT have confirmed that they would accept a one year SLA but only on very clear terms and four options have been proposed and are being taken forward. The four options are:

- Staff at Seabrook stay on SBC payroll;
- TUPE with a clause that SBC will pick up the redundancy costs;
- Agree to a 3 year SLA and not a 1 year SLA;
- No deal;

The Board discussed the issues around the responsibility for staff costs and the legal implications but were clear that staffing / employment was the PLT's responsibility. Reference was also made to the break out clauses within the SLA's.

Resolved:

That the update on the arrangements for monitoring all SLA's and the current position with the PLT/Seabrook be noted.

## **7 High Needs Funding**

The Board considered a report from Ian McFee/Paul Grout which presented the High Needs budget allocations for 2017/18.

The Board discussed the report in depth and commented, as follows:

- There will be a significant impact on Special Schools;
- Important to note the significant pressures and that the continuing position was unsustainable;
- There were increasing numbers of pupils with EHCP and increasing demand for high needs support;
- The problem is continuing and there was already an overspend in the high needs block;
- There needs to be clarity for special schools as those pupils coming into the schools are those with the highest needs (i.e. are Band 1 and 2) and it would not be appropriate to allocate funding based on an average banding;
- Overall the concept for average banding was agreeable but it should be recognised that it is based on figures from four years ago;
- There were anomalies within the high needs block which need to be resolved:

- Need clarification on what the choices and alternatives are for the high needs funding block;
- It would be helpful to have comparisons with other local authorities how they have managed the high needs block funding;

In response to questions/comments the Board noted:-

- That the average banding, particularly in regard to special schools will be based on Bands 1 and 2 (Band 3 pupils should not be going to special schools);
- The current position in terms of overspend was not sustainable and immediate measures were needed to address the current financial pressures within the high needs block;
- A significant 'deep dive' into high needs funding would be undertaken – this will involve a wide ranging and transparent review to address the long term sustainability of the high needs funding block .
- Emphasised that the in-depth review into the future of high needs funding may not identify alternatives and may need to reaffirm the proposals contained in the report (e.g. average banding and EHCP top ups). The outcome of the review will be brought to the June Board meeting or if necessary to an extraordinary meeting if the June deadline cannot be met.

Resolved:

1. That the 2017/18 High Needs budget be approved and adopted as set out in the report, including the revised funding allocations in relation to mainstream and special school top ups as referenced in the report to achieve the savings required between current spend and budget available.

2. That the above resolution be subject to the proviso that an in-depth review of high needs funding would take place on its longer term sustainability and that the outcome and proposals of this review be presented to either the Education Board meeting in June 2017 or to an extraordinary meeting if necessary.

## **8 Secondary School Pupil Places**

The Board considered a report from Cathy Braun which provided an update on progress made on the strategy for the provision of secondary places as overseen by the School Places Working Party.

The Board discussed the provision of secondary school places and commented as follows:-

- Recognition of the urgent need for school places from September 2018;
- The availability of land in the borough for a new Free School is a significant issue, particular given that the greatest need is in the Central to West of the borough – can a more precise location for a new free school be identified – concern that if not in the right place impact on school journey times, etc;
- Need to be mindful that the process for providing a new Free School is onerous and the timescales are tight;

- Other options need to be explored such as expansion at those schools which require improvement and questioned if a new Free School was sustainable for the future;
- The need to bare in mind the impact that the significant reduction in the availability of school places in Essex;

In response to comments/questions the Board noted:-

- Welcomed views from Board members on what more could be done;
- A new Free School was sustainable and assurance has been given by the DfE that the timescale was achievable for September 2019;
- A comprehensive survey of potential sites for a new Free School was being undertaken;
- Forecasting of school places was not an exact science but can share the message that there will be a reduction in places available in Essex with parents;

Resolved:

That the report be noted.

## **9 PriceWaterHouse Coopers Audit and Action Plan**

The Board considered a report from Brin Martin which shared the published Internal Audit Report from the PwC on the establishment of the Education Board.

Resolved:

That the Audit Report as it stands be accepted and that the implementation action plan be approved.

## **10 Area Based Review Update**

The Board received a verbal update from Antony McGarel regarding the area based review of the post-16 education and training sector in the borough.

The Board noted that the review has identified a number of recommendations which will be presented to the governing body meeting on 20<sup>th</sup> March 2017 for their consideration.

Resolved:

That the update on the area based review be noted.

## **11 Education Department Service Learning Plan 2017-18**

The Board received the Council's People Directorate Learning Service Plan, for information.

Resolved:

That the Learning Service Plan be noted.

## **12 Updates from Sub Groups**

Brin Martin provided a verbal update on the actions agreed by the School Performance Sub Group (SPSG) held on 8<sup>th</sup> February 2017 and also presented the draft terms of reference for the Vulnerable Learners Sub Group (VLSG).

The Board noted that the key piece of work being undertaken by the SPSG was looking at ways to improve and have greater visibility of school performance across the borough. The proposed way forward would be presented to a future meeting of the Board.

Resolved:

1. That the minutes of the SPSG be circulated to Board members for information.
2. That the draft terms of reference for the Vulnerable Learners Sub Group be endorsed and that Lisa Clark fill the third Education Board vacancy on the group.

## **13 SBC Staffing Structure and Changes Update**

The Board received a verbal update from Brin Martin on the Council's current senior management structure. The Board noted that the current Chief Executive, Mr Rob Tinlin, had retired and the process to appoint a new Chief Executive was underway.

The Board also noted that there had been a slight revision to the Council's senior management structure.

Resolved:

That the update on the staffing structure at the Council be noted.

## **14 Any other business**

### **(a) Apprenticeship Levy**

The Board received a verbal report from Craig Jones on the Apprenticeship Levy, summarised below:

- The levy comes into effect on 6<sup>th</sup> April 2017; and
- All employers with a pay bill over £3 million a year will be required to pay a levy; less than £3 million there was no levy;
- The levy is paid to the HMRC;
- The process for paying the levy will be different for each type of school (e.g. for community schools the Council has set up a digital account to pay the levy);

Resolved:

That the update on the Apprenticeship Levy be noted.

(b) Academy Trust Accounts as at 31<sup>st</sup> August 2016

The Board considered a report from Christine Hickey which advised on the financial position of Southend Academy Trusts as at 31<sup>st</sup> August 2016.

Resolved:

That the report be noted.

**15 Date and time of next meeting**

Wednesday 7<sup>th</sup> June 2017 at 8.15am – Tickfield Centre

**Chairman:** \_\_\_\_\_