

Cheshire West & Chester Council

Cheshire West and Chester Schools Forum

Tuesday 16 July 2024
4.30pm – 6.30 pm

Virtual Meeting

Schools Forum Clerk
Children and Families
Cheshire West and Chester Council
Telephone 07584 206913



Notes for members of the public

Cheshire West and Chester Schools Forum

The Council welcomes and encourages you to be at its meetings and Committees.

You are requested to remain quiet whilst the meeting is taking place.

The agenda is sometimes divided into two parts. You are allowed to stay for the first part. When the Forum is ready to deal with the second part you will need to leave the meeting because the business will be of a confidential nature, for example, dealing with individual people, contracts and financial affairs of other parties.

Members of the public wishing to attend Schools Forum meetings should contact the Schools Forum Clerk:

Email: school.relationshipteam@cheshirewestandchester.gov.uk

Telephone: 07584 206913

Agenda for Cheshire West and Chester Schools Forum 16 July 2024

1.	4.30	Introductions and apologies		
2.	4.40	Minutes and matters arising of last meeting 2.1 To agree the minutes held 12 February 2024 2.2 Matters arising		Page 4-8
3.	5.00	Dedicated Schools Grant (DSG) 2023-2024 Final Outturn	Lynsey Taylor	Page 9-10
4.	5.20	Maintained School Balances Financial Year 2023-2024 and Academy Balances 2022-2023	Lynsey Taylor	Page 11-14
5.	5.40	Updated guidance on the Scheme for Financing Schools for 2024-2025	Lynsey Taylor	Page 15
6.	6.00	Annual review of the Cheshire West and Chester Schools Forum's membership, constitution, and terms of reference	Charlotte Fenn	Page 16-30
7.	6.20	Any Other Business		
8.	6.30	Next meeting: Tuesday 8 October 2024		
	Finish	Schedule of meetings 2024-2025		Page 31-32

**Cheshire West and Chester
Schools Forum
16 July 2024**

Agenda item 2

Minutes of Cheshire West and Chester Schools' Forum, virtual meeting, on 12 February 2024

Members	Representing	Attendance
Schools and Academies		
Jan Diamond	Primary headteachers	Apologies
Kerry Forrester	Primary headteachers	Substitute
Nicky Dowling	Primary headteachers	Attended
Kate Docherty	Primary headteachers	Attended
Beth Hacking	Primary headteachers	Absent
Vacancy	Primary headteachers	Vacancy
Sharon Broughton	Primary governors	Absent
Lisa Rigby	Primary governors	Absent
Nick Lacey	Primary governors	Attended
Vacancy	Primary governors	Vacancy
David Curry	Secondary headteachers	Attended
David Rowlands (Vice Chair)	Secondary governors	Attended
Vacancy	Secondary governors	Absent
Neil Oxley	Special headteachers	Apologies
Judith McGuinness	Special headteachers	Substitute
Philip Hopwood	Special governors	Attended
Andy Stewart	PRU	Attended
Deborah Beaumont	Academies - mainstream	Apologies
Simon Faircloth	Academies - mainstream	Attended
Darran Jones	Academies - mainstream	Attended
Duncan Haworth (Chair)	Academies - mainstream	Attended
Cathryn McKeagney	Academies - mainstream	Apologies
Karen Vitalis	Academies - mainstream	Attended
Vacancy	Academies - mainstream	Vacancy
Vacancy	Academies - mainstream	Vacancy
Michelle Duval	Academies - special	Apologies
Emma Leach	Academies - special	Substitute
Non Schools		
Natasha Kirkwood	PVI early years providers	Apologies
Vacancy	PVI early years providers	Vacancy
Kathryn Magiera	Diocese	Absent
Caroline Vile	Diocese	Absent
Greg Foster	Unions	Absent
Geoff Wright	Unions	Absent
Ian Devereux Roberts	CWAPH	Apologies
Vacancy	16-19 providers	Vacancy
Official Observers		
Councillor Adam Langan	Cabinet Member Children & Families Education Skills & Funding Agency	Attended Absent
Invited Observer		

Councillor Lynn Stocks

Shadow Cabinet Member for Children Apologies
and Families

Officers in attendance

Andrew Brindley

Senior Finance Manager

Debbie Edwards

Head of Education and Inclusion

Charlotte Fenn

Clerk

Sarah Lister

Early Years Foundation Stage Manager

Lynsey Taylor

Finance Manager

1. Introductions and apologies

Duncan Haworth informed Forum that the meeting was being recorded.

Apologies were noted.

Duncan reported the following update to Forum membership: -

Natasha Kirkwood - new PVI representative.

2. Minutes and matters arising of last meeting

2.1 To agree the minutes from the meeting held 16 January 2024

The minutes of the meeting held on 16 January 2024 were agreed as a correct record.

2.2 Matters arising

None to report.

3. Early Years Funding for 2024-2025

Andrew Brindley introduced the report which provided Schools' Forum with a summary of the changes to the local early years' funding formulae for 2024-2025.

Andrew drew Forums attention to the early years entitlements for 2024-2025 outlined in paragraph 7 and the main changes outlined in paragraph 9. It was noted that the new early years' supplementary grant had been rolled into the formula along with the Early Years Teachers Pay Additional Grant.

Andrew drew Forums attention to the increase in the Early Years hourly rate for CW&C and the new funding for 9 months to 2-year-olds. Andrew reminded Forum that the early years funding block of £37.76m was an indicative allocation based on the 2023 census and would be updated in July 2024.

Forum members' attention was drawn to appendix A which detailed the proposed changes to the local early years' funding formulae for 2024-2025.

Andrew explained that although the 2-year-olds rate looked like it had gone down, for 2024-2025 funding had been allocated across the different supplements as well. It was also noted that the SEN inclusion fund had been reduced; in 2023-2024 £200k funding had been allocated from the High Needs block to Early Year, for 2024-2025 it had been decided to fund children with EHCPs direct from the High Needs block. A contingency fund of £115k had been set aside as the figures for 2-year-old and under

2s were an estimate from the DfE and subject to change. It was also noted that the rates quoted for 9 months to 2-year-olds were similar and competitive of other authorities.

Andrew drew Forum's attention to appendix B which provided the local authority's compliance with the 95% pas-through requirements calculation for 2024-2025. More funding had been put through the 3- and 4-year-olds formula to meet needs. Andrew highlighted the increase in central services funding of £87k to fund local authority staffing requirements and additional costs associated with the implementation and extension of the new early years' provisions from April 2024.

Andrew also informed Forum that it was officer's intention to notify providers of the funding rates for 2024-2025 after the Forum meeting this week.

David Rowlands asked how many extra staff the £87k would fund. In response Andrew confirmed it would fund two staff at different levels including oncosts.

Resolved that Schools' Forum

- i. endorsed the base rate funding for 2024-25; and
- ii. approved the central services spend of £930,000 (vote: unanimous)

4. Arrangements for funding from the High Needs Block 2024-2025

Andrew introduced the report which updated Schools Forum on proposed arrangements for allocations from the High Needs Block for 2024-2025.

Andrew took Forum through the report and added that the intention was for High Needs budget allocation notifications to schools to be done by the end of February in advance of the statutory date, end of March, quoted in the paper.

Judith McGuinness brought to Forum's attention that the place numbers (paragraph 6) were incorrect for the academic year 2024-2025 and were higher in special schools than the stated commissioned places and agreed to pass on what data she had to Andrew. Judith explained that pupil numbers were over the PAN and by not increasing the PAN they were not getting the place value (£10k) for the extra pupils. Judith also stated, on behalf of Special Heads, that although Heads had said they could not meet need they had been instructed, on several occasions, to take the pupils adding additional pressure on the school. Judith also stated that place value funding had not increased for a long time and there were various other factors that had impacted on special school's finances including increase in pay. Judith cited her school with 70 teaching assistants and the resulting massive pay increase. Judith added that a number of special schools were going into deficit this year, the number of referrals and requests for placements this year had been phenomenal, needs were much more complex and took a lot of support and funding, and it was getting increasingly difficult to manage needs and budget. Judith acknowledged the difficulties mainstream schools were having with SEN pupils but wanted to share the position from the perspective of special schools.

Judith stated that her school had 10 extra pupils and was aware of another school that had 17 over and one school had been instructed to take 23 year 7 SEMH pupils which was also unsafe.

Andrew acknowledged that special schools were taking pupils above their commissioned places but would receive additional top-up funding depending on the number over PAN and relevant top-up banding rate.

Judith explained that only receiving the top-up does not assist when trying to budget for additional pupils and cited an example of the £11k top-up funding for pupils with profound and multiple learning difficulties not covering the additional support and equipment required to meet their level of need.

Judith added that they used to get a little bit of funding from Health towards their medical needs, but Health budgets were stretched as well and their criteria was now so high they didn't meet it.

Philip Hopwood supported Judith's comments and added that from a Governor's perspective his school had been operating at up to 10 over PAN for a number of years and don't get the additional place funding which put a strain on the pupil to staff ratio and generated lower learning outcomes and worse behaviours. This was a systemic problem with how special schools were funded.

Philip also commented on the wider aspects and on special schools being consulted on other provision such as residential that supported the school and were 'cutting our cloth far too close to the bone' to be able to support the needs of pupils and should expect significantly lower outcomes in the future. This was one element of a warning Philip wanted to support as a governing body faced with decisions brought to them by the headteacher and having to make choices around supporting the headteacher against the local authority or supporting changes in school that were putting at risk some of the pupils' outcomes.

Emma Leach supported the comments made by Philip and Judith and added that historically special schools had been able to help out and go the extra mile but now all special schools were massively over PAN and were putting at risk pupils and their education. Emma raised her concerns over health and safety, which was not being taken into consideration when going over PAN, and getting children out in the event of a fire due to their complex needs and felt it was getting very dangerous.

Andy Stewart supported the comments and added that the situation was the same in PRU, his was currently 19 over PAN, essential 50 percent over.

David Rowlands commented that Forum should endorse the comments for better funding of special schools, Philip Hopwood felt they should take it further and recommend where there was consistent over demand for pupils going into specific schools, they should receive the funding for that demand rather than a place and top-up system.

Duncan sought clarification from Andrew Brindley as to where stood in terms of the ability to change the funding formula.

Andrew agreed to take away the responses and asked colleagues to email him so he could review each case.

Judith added that it was only fair that they got the place value for all the pupils, they were going above and beyond but were not in a safe position.

In response to the comments, Debbie Edwards stated that they had recently started working with a consultant who had written papers for the DfE on how best to spend the High Needs budget and had been looking at best practice across the country. Officers recognised there were challenges around budgets and were engaging with her expertise on how best to amend systems and redress the issues.

Philip Hopwood challenged Debbie's comments as there was already a mechanism to deal with it in place funding under the existing formula, just needed to recognise that they were placing pupils in schools above the number they were set at and moving that number would alleviate the problem. Philip also commented that the lead time on the consultant's report and implementation could be up to 18 months before resolution, but the pain was now and there was already a mechanism to address it.

David Rowlands commented that it was not acceptable that youngsters were potentially unsafe and when dealing with disadvantaged children it couldn't be right that we were hampering them from reaching a limited potential.

Resolved that Schools Forum ask Officers to note the comments and views on special school funding noted in the minutes.

5. Schools Financial Value Standard 2023-2024

Lynsey Taylor introduced the report which was for information only and to remind schools that the SFVS was to be submitted by 31 March 2024. It was noted that the report included key findings from last year's SFVS audit.

Resolved that Schools Forum note the report and the submission date.

6. Any Other Business

None to report.

7. Next meeting

Next Schools Forum meeting Tuesday 2 July 2024.

Agenda Item 3

Dedicated Schools Grant (DSG) 2023-2024 Final Outturn

Purpose of the Report

1. The purpose of the report is to report on the 2023-2024 final outturn position for the centrally held DSG budget and reserve.

Recommendations

2. The Forum is asked to note the final outturn on the 2023-2024 centrally held DSG and reserve and next steps.

Final Outturn

3. The outturn position against DSG funded budgets was a pressure of £4.769m.
4. Within this overall position, there was a pressure of £2.704m on the high needs provision budgets for SEN pupils with mainstream and special school top up funding, £1.263m independent school placements, alternative provision and tuition packages. There was a pressure of £0.457m from Targeted Education Access, EOTAS £0.395m, Additional Needs £0.184m.
5. This has been mitigated by vacancy savings and Independent school fees Non SEN with a net underspend of £0.234m.

Position of the DSG Reserve

6. As a consequence of the overspend in year position and use of reserves, this has resulted in an increase in the existing deficit on the DSG reserve brought forward from 2022-23 and the cumulative overspend on the DSG reserve at the end of the year is £7.482m. The following tables summarise the cumulative position on the centrally held DSG deficit reserve.

	£000
DSG deficit reserve brought forward 2022-23	2,714
In year overspend 2023-24	4,769
DSG deficit reserve carried forward	7,482

Next Steps

7. A SEND Implementation Board is now established and the service will move to implement the recommendations from the High Needs Strategic Review. This will seek to balance the in-year DSG budget and recover the deficit in future years although SEND demand will still represent a financial challenge for the Council as projections reflect a level of overspend for two to three years as the recommendations are implemented.

Agenda Item 4

Maintained School Balances Financial Year 2023-2024 and Academy Balances 2022/2023

Purpose of the Report

1. To inform Schools Forum of the final outturn position of maintained schools in the Borough for the 2023-2024 financial year. Also, as requested by Schools Forum, this report also includes academy balances for the latest reported position for the 2022/2023 academic and financial year accounts.

Recommendations

2. For Schools Forum to note the outturn position and movement in balances for both schools and academies.

Background

3. Under the Scheme for Financing Schools, schools can carry forward from one financial year to the next any surplus or deficit relative to the school's budget share. Following the closure of accounts for the financial year, a cumulative surplus or deficit is determined for each school to be transferred to the school in the following financial year. This balance represents the funds available to an individual school at a determined point in time at the end of the financial year.

Draft Outturn Position 2023-2024 for maintained schools

4. The net surplus in maintained school balances for 2023-2024 reported in the draft notification to schools (May 2024) is £8.723m (approx. 4% of gross expenditure budgets). A summary of the balances by sector is shown in the table below. This position is draft and subject to some final accounting adjustments and audit.

School Balances draft outturn position 2023-2024

	Primary Schools	Secondary Schools	Special Schools	Alternative Provision	All Schools
	£000	£000	£000	£000	£000
Revised Budget	129,607	62,644	22,636	2,954	217,841
Net Expenditure	124,531	60,183	21,708	2,696	209,118
Net Surplus	-5,076	-2,461	-928	-258	-8,723

5. The net surplus is made up of £11.766m of surplus balances across 76 schools (compared to £12.7m across 95 schools in 2022-2023) and £3m of deficit balances (an increase of £1.6m from 2022-2023). There are 29 schools with deficit balances which is an increase from 21 in 2022-2023. A breakdown by sector and the number of schools with surplus and deficit balances is shown in the table below.

	Primary Schools	Secondary Schools	Special Schools	Alternative Provision	All Schools
	£000	£000	£000	£000	£000
Total Surplus	-6,883	-3,298	-1,327	-258	-11,766
Total Deficit	1,807	837	399	0	3,043
Net Surplus	-5,076	-2,461	-928	-258	-8,723

Number of schools with a surplus balance	63	6	5	2	76
Number of schools with a deficit balance	25	1	3	0	29
Total number of maintained schools	88	7	8	2	105

Movement in School Balances

6. The overall position shows a decrease in school balances of £2.589m since the end of 2022-2023 when the net surplus balance was £11.312m. The movement in balances held by sector is included in the table below.

Financial Year	Primary Schools	Secondary Schools	Special Schools	Alternative Provision	All Schools
	£000	£000	£000	£000	£000
2023-2024	-5,076	-2,461	-928	-258	-8,723
2022-2023	-6,214	-3,791	-1,039	-268	-11,312
Change	-1,138	-1,330	-111	-10	-2,589

Maintained Schools with Deficit Balances

7. The number of schools ending the year with deficit balances has increased from 2022-2023 from 19 to 29. Some of these schools are set to recover those balances in the next financial year. There are currently 20 schools unable to set a balanced budget for 2024-2025 all of which are progressing with recovery plans. All schools setting an overall deficit budget for 2024-2025 are having their budgets approved individually where they need to demonstrate that setting a balanced budget would be detrimental to the operation of the school. Schools with approved deficit budgets are being issued with a Notice of Concern which is an internal control on the agreed budget plan. These school budgets will be monitored regularly and deviations approved by the Local Authority.

Academy Balances

8. At the meeting in July 2017, Forum requested that the balances for academies in the Borough as reported in their audited accounts be presented on an annual basis along with those of maintained schools. In order to present a comparable balance to that of maintained schools, the balances reported are only for the general

unrestricted and restricted funds and exclude pension and fixed asset funds. The balances for 2021/2022 and 2022/2023 are included in Appendix A with surplus balances of £11.596m reported at the end of the 2022/2023 academic year in Cheshire West and Chester academies.

9. Forum members should note that in the same way as the balances for maintained schools, these are balances held at a defined point in time (i.e. at the end of the academic and financial year). They do not represent the financial viability of the academy and in the absence of further context, do not explain the way the academy is operating or represent future spending plans or pressures.

Next Steps

10. To publish maintained school balances on the Schools Forum internet site and to make available the Consistent Financial Reporting submission for all maintained schools once approved by the ESFA.

Academy Balances for Schools Forum https://beta.companieshouse.gov.uk/		Appendix A					
Total of restricted and unrestricted funds as at date of published accounts		2021/22		2022/23		Movement in funds	
		Carried forward 31/8/2022		Carried forward 31/8/2023			
Provider Name	Academy Trust	School Total	Trust total	School Total	Trust total	School Total	Trust total
Boughton Heath Primary School	Cheshire Academies Trust	193,289		132,704		-60,585	0
Kelsall Primary School	Cheshire Academies Trust	298,207		239,842		-58,365	0
Mill View Primary School	Cheshire Academies Trust	143,655		123,738		-19,917	0
Cheshire Academies Trust TOTAL (including CAT and CLTA)			1,484,329		1,749,741	0	265,412
Christleton High School	Christleton Learning Trust					0	0
Queen Park High	Christleton Learning Trust					0	0
International School	Christleton Learning Trust					0	0
Belgrave Primary School	Christleton Learning Trust					0	0
Christleton Learning Trust TOTAL			994,000		1,264,000	0	270,000
Delamere Cof E Academy	North West Academies Trust	10,000		-31,000		-41,000	0
The Oak View Academy	North West Academies Trust	-66,000		-142,000		-76,000	0
St Martin's Academy Chester	North West Academies Trust	5,000		-13,000		-18,000	0
Grosvenor Park CE Primary	North West Academies Trust	1,000		-9,000		-10,000	0
Weaverham Primary	North West Academies Trust	-10,000		-19,000		-9,000	0
Rudheath Senior Academy	North West Academies Trust	-55,000		169,000		224,000	0
Acresfield Primary	North West Academies Trust	209,000		152,000		-57,000	0
North West Academies Trust TOTAL			340,000		132,000	0	-208,000
Neston High School	Neston High School	719,910	719,910	730,189	730,189	10,279	10,279
Tarporley High School	Sandstone Trust					0	0
Eaton Primary School	Sandstone Trust					0	0
Tarvin Primary School	Sandstone Trust					0	0
Weaverham High School	Sandstone Trust					0	0
Sandstone Trust TOTAL		1,361,100	1,361,100	2,386,066	2,386,066	1,024,966	1,024,966
The Bishops' Blue Coat CofE High School	The Bishops' Blue Coat CofE High School	877,185	877,185	865,000	865,000	-12,185	-12,185
The Catholic High School	The Chester Catholic Academies Partnership Trust	483,000	483,000	139,000	139,000	-344,000	-344,000
Cloughwood Special School	Cloughwood Academy Trust	1,127,911	1,127,911	1,278,474	1,278,474	150,563	150,563
Rudheath Primary Academy	Focus AcademyTrust (UK) Ltd	452,000	3,107,000	360,000	2,448,000	-92,000	-659,000
St Bernard's Roman Catholic Primary School	Holy Family Multi Academy Trust	422,000	2,304,000	291,000	2,399,000	-131,000	95,000
The County High School Leftwich	Sir John Brunner	352,475	6,571,421	251,048	7,118,695	-101,427	547,274
Over Hall Academy	Over Hall Academy	117,971	117,971	110,591	110,591	-7,380	-7,380
The Winsford Academy	Fallibroome Trust	705,669	4,659,954	914,489	5,689,876	208,820	1,029,922
Ellesmere Port CofE College	Frank Field Trust	-423,710	183,161	0	600,000	423,710	416,839
The Russett School	The Russett Learning Trust	2,057,034	2,057,034	1,613,000	1,613,000	-444,034	-444,034
Victoria Road Primary	The Aspire Educational Trust	-21,000	2,963,000	-90,000	3,133,000	-69,000	170,000
Barnton Primary	Weaver Trust	721,000		959,000		238,000	0
Grange Primary	Weaver Trust	260,000		261,000		1,000	0
Comberbach Primary	Weaver Trust	20,000		-39,000		-59,000	0
Leftwich Community Primary	Weaver Trust	89,000		96,000		7,000	0
Westminster Community Primary School	Weaver Trust	30,000		36,000		6,000	0
Weaver Trust TOTAL			773,000		766,000	0	-7,000
Wolverham Primary	Concordia Trust	213,000		112,000		-101,000	0
Parklands Primary	Concordia Trust	87,000		127,000		40,000	0
Childer Thornton Primary	Concordia Trust	-9,000		7,000		16,000	0
Concordia Trust TOTAL			525,000		423,000	0	-102,000
Upton Heath Primary	The Samara Trust	142,000				-142,000	0
Little Sutton Primary	The Samara Trust	49,000				-49,000	0
Clutton Primary	The Samara Trust	153,000				-153,000	0
The Samara Trust TOTAL			314,000		298,000	0	-16,000
Cuddington Primary School	CREATE Learning Trust	60,000		45,000		-15,000	0
Little Leigh Primary School	CREATE Learning Trust	32,000		47,000		15,000	0
Sandiway Primary School	CREATE Learning Trust	-27,000		-13,000		14,000	0
CREATE Learning Trust TOTAL			76,000		131,000	0	55,000
Utkinton St Paul's C of E Primary School	Chester Diocesan Academies Trust	33,380		31,257		-2,123	0
St Oswald's C of E Aided Primary School	Chester Diocesan Academies Trust	0		25,135		25,135	0
Chester Diocesan Academies Trust TOTAL			1,542,171		1,262,331		-279,840
Frodsham Weaver Vale Primary School	Warrington Primary Academy Trust	190,702	1,007,575	149,430	522,164	-41,272	-485,411
Whitley Village Primary	Rowan Learning Trust	49,000		54,000		5,000	0
The Acorns Primary	Rowan Learning Trust	137,000		106,000		-31,000	0
Rowan Learning Trust TOTAL			5,500,000		4,549,000	0	-951,000
Ellesmere Port Catholic High School	Our Lady Help of Christians Catholic Academy Trust		2,439,000	140,000	2,937,000	140,000	498,000
Academies total		11,190,778		11,595,963		405,185	

Agenda Item 5

Updated guidance on the Scheme for Financing Schools for 2024-2025

Purpose of the Report

1. The purpose of this report is to update the Schools Forum on the changes in the latest guidance on Schemes for Financing Schools issued by the Department for Education (DfE) on 31 March 2024 and the amendments to be incorporated in the Cheshire West and Chester Scheme.

Recommendations

2. The Schools Forum (maintained schools only) is asked to approve the revisions to the scheme which will be reflected in the updated Scheme to be published July 2024.

Background

3. The DfE issues statutory guidance on local authority Schemes for Financing Schools which is updated as required. The guidance includes provisions which a local authority's scheme must, should or may include. Schools Forum approval must be obtained for changes made to the local published schemes.

Changes for issue 16 for 2024-2025

4. There following are directed revisions for issue 16 of the guidance:
 - i. section 5.8: Borrowing by schools - we have updated guidance on borrowing to reflect the introduction of International Financial Reporting Standard 16 (IFRS16) and the Secretary of State providing blanket consent to certain categories of finance lease
 - ii. section 5.8: Borrowing by schools, first paragraph - the introduction of IFRS16 for local authorities from 1 April 2024 ends the distinction between operating and finance leases at maintained schools and in effect, all leases will be classified as finance leases for accounting purposes.

Next Steps

5. Officers to publish the revised Scheme for Financing Schools on the Council's website in July 2024 to reflect the updated changes and a communication to schools to be included in the next School Bulletin. Schools Forum representatives are also responsible for communicating revisions to maintained schools.

Agenda item 6

Annual review of the Cheshire West and Chester Schools Forum's membership, constitution and terms of reference

Purpose of the Report

1. The purpose of this report is to review the Schools Forum's membership, constitution and terms of reference and ensure that the composition of the Schools Forum is compliant with the regulations.

Appendix 1: Constitution and terms of reference

Appendix 2: Schools Forum Membership

Appendix 3: Finance subgroup terms of reference and membership

Appendix 4: High Needs subgroup terms of reference and membership

Appendix 5: Early Years Reference group terms of reference and membership

Recommendations

2. The Schools Forum is asked to note
 - i. that Officers have determined that the pupil ration does not warrant a revision of the Schools Forum membership at this time; and
 - ii. there are no changes to the constitution and terms of reference.

Background

3. The Schools Forum's constitution requires that the membership, constitution and terms of reference be reviewed annually.
4. Officers have reviewed the pupil numbers based on the current make up of schools and academies to ensure that the composition of the Schools Forum is compliant with the Schools Forums (England) Regulations 2012 which states that 'primary schools, secondary schools and academies must be broadly proportionately represented on the forum, having regard to the total number of pupils registered at them'.
5. Officers have determined that the pupil ration does not warrant a revision of the Schools Forum membership at this time.
6. No formal revisions to the schools forum regulations have been issued by the DfE, therefore no amendments to the current constitution and terms of reference are proposed.

The regulations can be accessed at:

<http://www.legislation.gov.uk/ukxi/2012/2261/contents>

Appendix 1

Cheshire West and Chester Schools Forum

Constitution and Terms of Reference (revised July 2023)

Definitions

The Forum is the Schools Forum for the area covered by Cheshire West and Chester Council. The Constitution complies with The Schools Forum (England) Regulations 2012, and in its procedures and terms of reference takes account of advice issued by the Department for Education (DFE).

The Council is Cheshire West and Chester Council in its role as Local Authority.

Membership

1. The Cheshire West and Chester Schools Forum (the Forum) will consist of 32 Members made up of 24 school members and academies members and eight non-school members made up as follows: -

School Members (15)

- nine primary representatives (five headteachers, four governors)
- three secondary representatives (one headteachers, two governors)
- two special school representatives (one headteacher, one governor)
- one Pupil referral unit representative

Academy (including free schools) Members (nine)

- eight primary/secondary representatives
- one special representative

The proportion of school members and academy members will always be at least two thirds of the membership of the forum.

Non School Members (eight)

- one Roman Catholic Diocese representative
- one Church of England Diocese representative
- two Private, voluntary or independent sector provider representatives
- one 16-19 provider representative

two Trades Union representative

one Chair of the Association of Primary Headteachers (if not a serving headteacher)

In addition, the following are entitled to attend and speak at meetings of the School Forum, but are not members and have no voting rights:

Observers

- The Education and Children Portfolio Holder of the Council
 - The Resources Portfolio Holder of the Council
 - Director of Children's Services of the Council or their nominated representative
 - Chief Finance Officer of the Council or their nominated representative
 - Education and Skills Funding Agency (ESFA) representative
2. The term of office for Forum Members will be four years from the date of appointment/election at which time elections will take place for school and academy members and nominations will be sought for the non-school members. Should a resignation be tendered from the Forum, an election (or nominations where appropriate) will be held for the vacancy which will ensure that the representational balance is maintained or improved. Each representative group (Headteachers and Governors by phase) will be responsible for the method by which they elect and nominate school and academy member representatives.
 3. The Academy members represent the governing bodies of the Academies situated in the authority's area, so do not necessarily have to be a Principal or a governor. It is for the governing bodies of the Academies concerned to elect their members; if there is only one Academy in the authority's area, its governing body will select the member.
 4. The Council will maintain a written record of the composition of the Schools Forum including the method by which representatives are elected or nominated. The Council will inform all schools of the membership of the Forum and will provide details of any non-school Member appointed to the Forum within one month of appointment. This will be carried out when constituting the Forum and after the appointment of any new or replacement Member.
 5. Elected Members who hold an executive role within the Council and officers who have a role in strategic resource management of the authority are unable to be members of the Forum (these restrictions do not apply to officers employed as teachers or who work for, and those who directly manage, a service which provides education to individual children and/or advice to schools on learning and behavioural matters).
 6. The Education and Children Portfolio Holder of the Council and a representative of the Education Funding Agency will be invited to attend meetings of the Forum as observers.

Meetings and proceedings of the Schools Forum

7. There will be a minimum of four meetings per school year.

8. Schools forums meetings may take place by remote means. This includes (but is not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming.¹
9. Where a schools' forum decides to hold a public meeting by remote means only, the forum should provide support or make alternative arrangements so that any interested parties who do not have telephone or online access can attend virtual meetings.
10. The meetings of the Forum will be open to the public. Exceptionally, the Chair of the Forum may determine that a meeting or part of a meeting will be held in private. Prior to making any such determination, the Chair must take legal advice and the determination must be in accordance with this legal advice. The reasons for this determination must be recorded in the minutes of the meeting.
11. Participation by local authority members and officers will be limited to a Lead Member for education and children's services, a Lead Member for resources, Director of Children's Services (or their representative), Chief Finance Officer (or their representative) or officers who are providing specific financial or technical advice to Schools Forum. Other individuals (including Council officers) will be able to participate where they are presenting a report, but their participation must be limited to their specific agenda item.
12. The meetings are quorate if at least 40% of the total membership (excluding vacancies) is present at the meeting. In the event of a meeting not being quorate, members present may by majority vote decide to continue the meeting and thus be able to offer advice to the Council and/or respond to any consultation, but will be unable to exercise any of the decision making powers of the Forum.
13. The Council will consult the Forum annually on arrangements for substitutes.
14. Each group of Schools Members will agree two named substitutes and provide this information to the clerk. Agendas and papers for meetings will be sent to named substitutes as a matter of course. It is up to individual members of the Forum to contact a substitute if they are unable to attend meetings.
15. In exceptional circumstances Headteachers' substitutes can be drawn from senior members of staff (a deputy headteacher, bursar or other person responsible for the financial management of the school).
16. Members of the Forum are required to make declarations of interest on appointment and when, for example, the Forum is considering matters relating to contracts.
17. Meetings of the Forum will be called allowing at least two weeks notice. Supporting papers will be sent out at least five working days before the meeting.

¹The School and Early Years Finance (England) Regulations 2021 amended The Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020 to make permanent provisions to enable schools forums meetings to be held remotely.

18. The Council shall appoint a Clerk for the Schools' Forum who shall be in attendance at each meeting of the Forum and will take minutes. Meetings may be recorded for the purposes of the accuracy of the minutes only.
19. Minutes of meetings will be placed on the Council's website and all schools and associated groups will be informed when new minutes are available. All schools and associated groups will be informed of action taken by the Council on Forum advice.
20. Claiming of expenses for Forum Members will be in accordance with the Forum expenses policy document and claims will be made on the specific claim forms and duly authorised. In case of dispute, the official record of attendance signed at the meeting will be used to determine attendance, and mapping tools used to determine mileage claimed.
21. An appropriate budget will be available for each financial year for costs associated with the operation of the Forum e.g. hiring a venue, refreshments and other expenses and clerking costs. This will be a charge against the Council's Schools Budget within the centrally retained budgets. The level of the budget will be reviewed annually by the Council in consultation with the Forum.
22. The Schools Forum may convene various task and finish sub groups to look at specific topics for discussion and consultation and to report back with outcomes and recommendations. The membership of any sub group to be agreed by Schools Forum.

Items for Forum Discussion

23. The Forum will discuss and be consulted upon the following matters:-

Consultation on School Funding Formula

- a) The Council shall consult the Forum on any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in their formula made in accordance with regulations made under section 47 of the School Standards and Framework Act 1998, and the financial effect of any such change.
- b) Consultation shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the Council's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

Consultation on Contracts

24. The Council shall, at least one month prior to the issue of invitations to tender, consult the Forum on the terms of any proposed contract for supplies or services being a contract paid or to be paid out of the Council's schools budget where the estimated value of the proposed contract is not less than the threshold which applies to the authority for that proposed contract pursuant to regulation 8 of the Public Contracts Regulations 2006.

Consultation on Financial Issues

25. The Council shall consult the Forum annually in respect of its functions relating to the schools' budget, in connection with the following:

Financial issues relating to:

- arrangements for pupils with special educational needs, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding;
- arrangements for use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding;
- arrangements for early years provision;
- administration arrangements for the allocation of central government grants

Consultation on other matters

26. The Council may consult the Forum on such other matters concerning the funding of schools as they see fit.

27. The Forum shall also have the following powers:

a) De-delegation for mainstream primary/secondary schools for:

- contingencies
- administration of free school meals
- insurance
- licences/subscriptions
- staff costs – supply cover
- support for minority ethnic
- pupils/underachieving groups
- behaviour support services
- library and museum services
- School improvement

b) in exceptional circumstances only:

to recommend changes to the Council's funding formula subject to approval by the Education and Skills Funding Agency

28. Should a judgment be necessary on whether a matter falls within the remit of the Forum, for example whether an item has financial implications, the Council's Chief Finance Officer and The Director of Education and the Chair of the Forum shall jointly make the necessary determination.

29. For decision-making purposes each Forum member will be entitled to 1 vote on all matters put to the vote other than matters relating to the funding formula in which case only schools members (which includes mainstream schools, Academies, special schools and PRUs) and representatives of the Private, Voluntary and Independent (PVI) sector will be able to vote. In the case of an equal number of votes for and against a proposal, the Chair shall have a second or casting vote.

30. Where an urgent proposal needs to be considered in advance of a meeting, the Forum may be consulted via post or e-mail.

31. The Constitution, Terms of Reference and Membership of the Forum will be reviewed annually.
32. A Chair and Vice-Chair will be elected by the Forum from its voting membership every two years, or at the first meeting following any resignation. A voting Member who is also an elected Member or officer of the Council may not be elected Chair or Vice-Chair. At any meeting where both the Chair and Vice-Chair are absent, the Forum shall elect, from those voting Members present, a person to take the Chair for that meeting only.

Appendix 2

Cheshire West and Chester Schools Forum Membership (July 2024)

Chair: Duncan Haworth **Vice chair:** David Rowlands

The Cheshire West and Chester model comprises 32 members in total, representing both schools and non-schools sectors and is constituted as follows:

School members (15)

Primary heads (five)

		Term of office ends
Jan Diamond	Hartford Manor Primary School & Nursery	November 2026
Kate Docherty	Rivacre Valley Primary	September 2027
Nicky Dowling	Highfield Community Primary School	November 2026
Beth Hacking	Cherry Grove Primary	October 2026
Michelle Ashfield	The Arches Community Primary School	June 2028

Substitutes

Kerry Forrester	Tarporley Church of England Primary
Vacancy	

Primary governors (four)

Sharon Broughton	Overleigh St Marys C of E Primary School	November 2024
Lisa Rigby	Antrobus St Mark's Church of England Primary	October 2025
Vacancy		
Vacancy		

Substitutes

Vacancy
Vacancy

Secondary heads (one)

David Curry	Bishop Heber High	November 2025
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Substitute

Vacancy

Secondary governors (two)

David Rowlands	Upton-by-Chester High School	January 2026
Vacancy		

Substitute

Vacancy

Special school head and governor (two)

Neil Oxley	Oaklands School	August 2025
Philip Hopwood	Greenbank School	November 2024

Substitute

Jude McGuinness	Dee Banks School
Vacancy	

Pupil referral units

(one)

Andy Stewart	The Bridge Short Stay School	July 2025
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Substitute

Sian Thomas	Ancora House School	
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Academies (including Free Schools) members (nine)**Primary/Secondary (eight)**

Deborah Beaumont	The Fallibroome Trust	October 2025
Simon Faircloth	Concordia Multi Academy Trust	December 2026
Duncan Haworth	Neston High School	September 2027
Cathryn McKeagney	The Catholic High School, Chester	December 2026
Karen Vitalis	Weaver Trust	October 2027
Vacancy		
Vacancy		
Vacancy		

Substitutes

Steven Ellis	Cheshire Academies Trust	
Vacancy		

Special (one)

Michelle Duval	Kaleidoscope Learning Trust	September 2027
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Substitute

Emma Leach	The Russett School	
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Non-schools members (eight)**Chair of Primary Headteachers Association (one)**

Ian Devereux Roberts	CWAPH	August 2025
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Diocesan authorities (two)

Kathryn Magiera	Witton Church Walk CE School	October 2027
Caroline Vile	Ellesmere Port Catholic High School	June 2028

Private, voluntary and independent early years' providers (two)

Paula Adolph	S4YC	July 2028
Natasha Kirkwood	Little Weavers Day Nursery	February 2028

Substitute

Angela Thornton	Dandelions	
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Trade unions (two)

Greg Foster	Joint Consultative Negotiating Panel	December 2024
Geoff Wright	Joint Consultative Negotiating Panel	October 2026

Substitute

Bevanie Robinson		
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16-19 providers (one)

Vacancy		
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Total: 32

Non-voting observers

Councillor Adam Langan Cabinet Member for Children and Families
Education and Skills Funding Agency (ESFA) representative

Clerk Charlotte Fenn Schools Monitoring Officer

Appendix 3

Schools Forum Finance Subgroup Revised July 2023

Terms of Reference: -

1. To keep under review the formula and allocation of the DSG.
2. To act as a point of scrutiny and interrogation regarding policy options in the DSG, Government consultations and policy.
3. To provide detailed examination of issues identified by the Schools Forum.
4. To make recommendations to the Schools Forum.

Membership:

Chair of Schools Forum	Duncan Haworth
Primary Headteacher	Kate Docherty
Secondary Headteacher	David Curry
Special Headteacher	Neil Oxley
Two Governors	David Rowlands tbc
Trade Union Representative	Geoff Wright

If not included in any of the above, an academy representative and a maintained school representative.

Local Authority officers as appropriate.

Observers:

Chairs of the Headteacher and Governor Associations, if members of the Schools Forum.

Appendix 4

Schools Forum High Needs sub-group – under review

Terms of Reference:

1. To find alternative proposals to address the high needs block overspend
2. To provide detailed examination of issues identified by the Schools Forum
3. To make recommendations to the Schools Forum

Membership

Secondary Headteacher

Primary Headteacher

Primary Headteacher

CWASSH Chair

Secondary Governor

Primary Governor

PRU

Observers:

CWAPH Chair

Local Authority Officers as appropriate

Appendix 5

Cheshire West and Chester Council Early Years Reference Group Terms of Reference

1. Introduction

The Early Years Reference Group (EYRG) was brought together in 2007 as a sub-group of the Cheshire West and Chester Schools' Forum in response to the Government's plans for Nursery Education Funding reform.

Key to successful delivery of the free entitlement is for local authorities (LAs) to achieve a balance in their priorities; securing sufficiency, quality and accessibility in free provision. Critical to achieving this is a strong partnership between LAs and providers in all sectors; private, voluntary, independent, maintained and childminders, to enable them to assess and meet demand according to local circumstances and market.

2. Purpose

The purpose for the EYRG is to offer advice, experience, information and recommendations to the Council and the Cheshire West and Chester Schools' Forum to ensure early years and childcare funding follow national and local requirements and priorities to secure the best possible outcomes for children by delivering an entitlement which is high quality, flexible and accessible, and gives parents choice about what is best for their children.

The group will:

- Promote sustainability and preservation of a mixed market, as well as encouraging clear terms of engagement with parents as key delivery partners;
- Act as the principal channel by which those involved in ownership and management of early years settings may convey their views;
- Monitor the impact of the single formula including undertaking ongoing costing analyses of the free early years entitlement as necessary, and reviewing its operation for future funding periods, including impact assessment;
- Provide a view on the arrangements for the administration of central government grants for early years and childcare administered locally.

The group will meet termly and cover matters relating to:

- the Early Years Single Funding Formula (EYSFF)
- compliance with the Early Years Statutory Guidance for Local Authorities
- the Early Education Funding Provider Agreement.
- Early Education Funded places.
- communication methods.

The group will report to Schools Forum (incl. Finance Sub Group) as required and invite relevant guest speakers/attendees as required to attend the group.

3. Membership

The membership of the EYRG should be representative of the different types of early years education providers across the county who are eligible and registered to offer free entitlement nursery education. The table below details membership for 2023/24.

Required number of EY provider representatives	Representatives 2023/24
4 Private sector nursery providers	Natasha Kirkwood Little Weavers Day Nursery (CWAC NDNA Chair)
	David James S4YC Ltd (Commissioned provider of CC Nurseries)
	Claire Taylor Jigsaw Curzon Park/Jigsaw Ashtree Farm
	Vacant TBC
2 Preschools	Helen Walters Weaverham Academy Preschool
	Vacant TBC
2 Childminder	Sarah Nejaz (West rep) Sarah's Jungle Tots
	Rebecca Coventry (East rep) Becky's Tots Childminding
4 Primary schools with nursery units	Kate Docherty Rivacre Valley Primary School
	Kelsey Morte Tilston Primary School
	Jane Bramham Woodfall Primary School
	Cathy Davies Tushingham-with-Grindley CE Primary School & Shocklach Oviatt CE Primary School
Council Officer – Education	Bo White – Early Years Commissioner (Chair) Sarah Lister - Early Years Team Manager/ Dan Spry Early years Consultant Tom Norman – Early Years Data Lead
Council Officer – Finance	Lynsey Taylor – Finance Manager Childrens Services
Council Officer – Early Years Specialist Services	SEN Manager Lead Teacher Early Years Specialist Teaching Service

Members will be selected by inviting expressions of interest from all nursery education providers and selected by the LA in consultation with the Chair of the Schools' Forum with a view to maintaining a spread of provider types across the Early Years sector.

Membership is refreshed annually in line with representation on the Schools Forum (who make decisions on early years funding guided by recommendations from the reference group).

The group will be supported by officers of Cheshire West and Chester Council as determined by the Director for Education.

The Council will provide the services of a clerk to the EYRG.

4. Conduct

It is important that EYRG members take a strategic view of the issues they are considering when contributing to the Group's business by focussing on the needs of the children and young people of Cheshire West and Chester generally (0-19).

Members of the group must confirm or send their apologies if they are unable able to attend a meeting.

If a member does not attend two consecutive meetings they will lose their right to be a member of the EYRG.

Members are permitted to send a representative on their behalf, as long as they are from the same setting, fully briefed and the appropriate person to attend the meeting.

Agenda items will be set prior to the meeting, either by email request and/or set at previous meeting.

Meetings will include budget information, presentations (where applicable) and group discussions.

Members of the group shall ensure that all matters discussed during the time duration of meetings remain confidential and information is only shared with other colleagues where necessary and appropriate.

All members of the group must be aware that a conflict of interest may arise from time to time in respect of their personal position or in respect of their organisation. Such conflicts of interest may arise, for example, where a member has an existing or recent financial, business, personal or family involvement with an early years setting. Group members should disclose any such conflict of interest with the chair when/where relevant.

Non-members will be invited to attend the group if deemed necessary by the members. Information and resources will be shared via email or during the meetings.

All members of the group must adhere to equal opportunity and human rights principles in accordance with the policies and procedures set out from time to time by the LA and will adopt and maintain anti-discriminatory practices in the furtherance of the aims.

5. Approval

The above proposals were endorsed by the Early Years Reference Group. Schools Forum adopted these Terms of Reference as set out above.

**Cheshire West and Chester
Schools Forum
16 July 2024**

Agenda item 8

Schedule of meetings 2024-2025

Schools Forum – all meetings 4.30pm – 6.30pm

Date	Venue	Proposed agenda
Tuesday 8 October 2024	MS Teams tbc	<ul style="list-style-type: none"> • School Funding Arrangements 2025-2026 • Early Years Funding Formula Consultation and proposal for 2025-2026 • Final Allocation of the Dedicated Schools Grant for 2024-2025 • Dedicated Schools Grant (DSG) 2024-2025 Forecast Outturn at First Review • Education – Basic Need Capital Programme 2024-2027
Tuesday 3 December 2024	MS Teams tbc	<ul style="list-style-type: none"> • DSG 2023-2024 Forecast Outturn at Mid-Year Review • Initial Planning for DSG Allocations for 2025-2026 and Budget Setting
Tuesday 14 January 2025	MS Teams tbc	<ul style="list-style-type: none"> • Indicative Dedicated Schools Grant Allocations for 2025-2026 • Dedicated Schools Grant (DSG) budget setting 2025-2026 • Draft of 2025-2026 School Funding Formula for January Submission • De-delegation – Proposals for 2025-2026 • DSG 2024-2025 Forecast Outturn at Third Review • Update - SEND HN programme
Monday 10 February 2025	MS Teams tbc	<ul style="list-style-type: none"> • Early Years Funding for 2025-2026 • Arrangements for funding from the High Needs Block 2025-2026
Tuesday 1 July 2025	MS Teams tbc	<ul style="list-style-type: none"> • DSG 2024-2025 outturn • School balances at the end of 2024-2025 (with appendices for schools and academies) • Directed revisions to schemes for financing schools • Annual review of Schools Forum membership, constitution, and terms of reference

Schools Forum Finance sub-group

Date	Time	Venue
Tuesday 17 September 2024	2.00 – 4.00 pm	MS Teams
Tuesday 12 November 2024	2.00 – 4.00 pm	MS Teams
Tuesday 21 January 2025	2.00 – 4.00 pm	MS Teams
Tuesday 10 June 2025	2.00 – 4.00 pm	MS Teams

Schools Forum High Needs sub-group – being reviewed