

**TITLE OF REPORT: Role of Schools Forum – SEND Inspection**

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**Purpose of the Report**

The purpose of this report is to bring to Schools Forum information on a new type of joint inspection carried out by Ofsted and the Care Quality Commission.

**Background**

These new inspections, which started in May 2016, “will provide an independent external evaluation of how well a local area carries out its statutory duties in relation to children and young people with special educational needs and/or disabilities in order to support their development.”

They “are designed to hold local areas to account, they also intend to assist local areas in improving and developing their processes and support systems in order that local areas become more effective and deliver better outcomes for children and young people.”

Children and young people with SEN and/or disabilities often receive a variety of services. These could be provided by nurseries, schools or colleges, specialist therapists, and professionals in education, health and social care.

Under the Children and Families Act 2014, the government placed new duties on the local health, social and education services that provide for those with SEN and/or disabilities. The Special Educational Needs Code of Practice was updated to reflect these new duties.

In particular, the local area has to:-

- publish an accessible ‘local offer’ detailing the support and services available in the area
- work with children/young people and parents/carers, to ensure SEN and/or disabilities are identified in a timely manner
- assess the needs of children and young people who may need an education, health and care (EHC) plan in discussion with them and their parents/carers
- work with all relevant agencies, children/young people and their parents/carers to produce an EHC plan
- provide children and young people with the support agreed in their EHC plan, and keep the plans under review.

## **Process**

In order to prepare for the area inspection a number of working groups have been formed to ensure that we have all the information that we may need when the inspection takes place.

One aspect of this information gathering was to look at all groups that have an input into SEND. To gather information on all the different groups a template was devised. A copy of the draft completed template on the role of Schools Forum is provided as Appendix 1.

As part of the inspection process it is possible that the Chair of Schools Forum could be interviewed.

## **Proposal**

It is proposed that Schools Forum review the content of the template, suggest any amendments and agree a final version to be held on record and to note that, as part of an Ofsted area inspection for SEND, the Chair of Schools Forum could be interviewed as part of the inspection process.

## **Recommendations**

It is recommended that Schools Forum reviews, discusses and agrees any proposed changes to the SEND template and notes that the Chair of Schools Forum could be interviewed as part of the inspection process.

## **For the following reasons:**

- To enable Schools Forum to have reviewed, discussed and agreed the template at Appendix 1
- To inform Schools Forum that the Chair could be interviewed as part of a SEND area inspection.

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**CONTACT: Carole Smith**

## Appendix 1

### Gateshead SEND Strategy

#### Schools Form working group remit

##### Membership

Chair: Ken Childs

Core Members: With voting rights

| <b>Primary Heads</b>               | <b>School</b>           |                     |
|------------------------------------|-------------------------|---------------------|
| Clive Wisby                        | Caedmon                 |                     |
| Joanne Allen                       | Brighton Ave            |                     |
| Matt Younger                       | Colegate                |                     |
| Andy Ramanandi                     | St Joseph's Blaydon     |                     |
| Mustafaa Malik                     | Wardley                 |                     |
| Julie Goodfellow (primary academy) | Riverside Academy       |                     |
| <b>Primary Govs</b>                |                         |                     |
| Allan Symons                       | Caedmon                 |                     |
| Sarah Diggle                       | Bede                    |                     |
| <b>Secondary Heads</b>             |                         | <b>School</b>       |
| Chris Richardson                   | Heworth Grange          |                     |
| Mark Lovett (academy)              | Lord Lawson             |                     |
| Jonathan Parkinson (academy)       | St Thomas More          |                     |
| Steve Haigh(secondary academy)     | Whickham                |                     |
| <b>Secondary Govs.</b>             |                         |                     |
| Elaine Pickering                   | Heworth Grange          |                     |
| <b>Special Heads</b>               |                         |                     |
| Martin Flowers (academy)           | The Cedars              |                     |
| Michelle Richards                  | Furrowfield             |                     |
| <b>Special Govs</b>                |                         |                     |
| Ken Childs                         | Eslington               |                     |
| <b>Nursery Heads</b>               |                         | <b>Setting</b>      |
| Denise Henry                       | Bensham Grove           |                     |
| Ethel Mills                        | PVI Nursery             |                     |
| <b>PRU</b>                         |                         |                     |
| Steve Williamson                   | PRU                     |                     |
|                                    |                         |                     |
| <b>Non School Members</b>          |                         | <b>Representing</b> |
| Christine Ingle (Corpus Christi)   | RC Diocesan             |                     |
| Peter Lague (Vice Chair)           | Trade Union             |                     |
| Cllr McHugh                        | Non exec elected member |                     |
| Judith Doyle (Gateshead Coll.)     | 14 to 19 Partnership    |                     |
|                                    |                         |                     |

It is a statutory duty for all Local Education Authorities to have a Schools Forum that meets at least 4 times a year.

Only specific officers can speak at meetings of the schools forum. These officers are:

- Director of Children's Services or their representative
- Chief Financial Officer or their representative
- Any person invited by the Schools Forum to provide financial or technical advice

- Any person presenting a paper to the Schools Forum but their ability to speak is limited to the paper that they are presenting.

Schools Forums are usually supported by a specific officer. In the course of Schools Forums work, they will be required to consider a whole range of issues and they may consider it appropriate that other officers attend for specific items of business. Where this is the case, the local authority should meet the Schools Forum's requests as far as possible.

### Aim of working group

Schools forums generally have a consultative role on issues that affect school funding. However, there are situations in which they have decision-making powers. The respective roles of schools forums, local authorities and the DfE are summarised in schools forum powers and responsibilities (below).

### Key areas of work

|    | Function                                                                                                                                                                                                                                                                                                               | Local Authority                                                                                                                                                                                     | Forum                                                                                            | DfE Role                                               |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1  | Formula Change (including redistributions)                                                                                                                                                                                                                                                                             | Proposes and decides                                                                                                                                                                                | Must be consulted. [Voting restricted to schools members plus PVI members]                       | None                                                   |
| 2  | Contracts                                                                                                                                                                                                                                                                                                              | Propose at least one month prior to invitation to tender, the terms of any proposed contract                                                                                                        | Gives a view                                                                                     | None                                                   |
| 3  | Financial Issues relating to:<br>arrangements for pupils with special educational needs;<br>arrangements for use of pupil referral units and the education of children otherwise than at school;<br>arrangements for early years provision;<br>administration arrangements for the allocation of central gov't grants. | Consult annually                                                                                                                                                                                    | Gives a view and informs the governing bodies of all consultations carried out in lines 1, 2 & 3 | None                                                   |
| 4  | Minimum funding guarantee                                                                                                                                                                                                                                                                                              | Proposes any exclusions from MFG for application to DfE                                                                                                                                             | Gives a view                                                                                     | Approval                                               |
| 5  | De-delegation for mainstream schools for:<br>contingencies<br>administration of free school meals<br>insurance<br>licences/subscriptions<br>staff costs - supply cover<br>support for minority ethnic pupils/underachieving groups<br>behaviour support services<br>library and museum services                        | Will propose                                                                                                                                                                                        | Primary and secondary school member representatives will decide for their phase.                 | Will adjudicate where Forum does not agree LA proposal |
| 6  | Central spend on<br>funding for significant pre-16 pupil growth<br>equal pay back-pay<br>places in independent schools for non-SEN pupils<br>early years expenditure                                                                                                                                                   | Proposes                                                                                                                                                                                            | Decides                                                                                          | Adjudicates where Forum does not agree LA proposal     |
| 7  | Central spend on<br>admissions<br>servicing of schools forum<br>carbon reduction commitment<br>capital expenditure funded from revenue<br>contribution to combined budgets<br>schools budget centrally funded termination of employment costs<br>schools budget funded prudential borrowing costs                      | Proposes up to the value committed in 2012/13 and where expenditure has already been committed                                                                                                      | Decides for each line                                                                            | Adjudicates where Forum does not agree LA proposal     |
| 8  | Carry forward a deficit on central expenditure to the next year to be funded from the schools budget                                                                                                                                                                                                                   | Proposes                                                                                                                                                                                            | Decides                                                                                          | Adjudicates where Forum does not agree LA proposal     |
| 9  | Scheme of financial management changes                                                                                                                                                                                                                                                                                 | Proposes and consults GB and Head of every School                                                                                                                                                   | Approves                                                                                         | Adjudicates where Forum does not agree LA proposal     |
| 10 | Membership : length of office of members                                                                                                                                                                                                                                                                               | Decides                                                                                                                                                                                             | None (but good practice would suggest that they gave a view)                                     | None                                                   |
| 11 | Membership: appointment of Schools and Academies Members                                                                                                                                                                                                                                                               | Appoints those elected by members of the relevant sub groups. Facilitates election where required and appoints member if there is a tie or the election does not take place by a date set by the LA | None                                                                                             | None                                                   |
| 12 | Membership: Non Schools Members                                                                                                                                                                                                                                                                                        | Seeks nominations from the relevant bodies then appoints                                                                                                                                            | None (but good practice would suggest that they gave a view)                                     | None                                                   |
| 13 | Voting Procedures                                                                                                                                                                                                                                                                                                      | None                                                                                                                                                                                                | Determine voting procedures                                                                      | None                                                   |
| 14 | Chair of Forum                                                                                                                                                                                                                                                                                                         | Facilitates                                                                                                                                                                                         | Elects<br>(may not be an elected member of the council or officer)                               | None                                                   |

## **Key areas of work and timescales**

Key areas of work that link to the SEND agenda are:-

- Consultation on formula changes for mainstream schools (notional SEN calculation) Special Schools, the PRU and high needs top ups in mainstream schools
- Funding proposals that affect the calculation of mainstream school budgets must be agreed before 20<sup>th</sup> January each year (notional SEN)
- Funding arrangements for Special Schools, the PRU and top up amounts for mainstream schools must be agreed by mid-February
- The number of commissioned high needs places in mainstream schools, special schools and PRU

## **Links to other Groups**

- Special Schools Funding Review Group
- PRU Working Group
- Funding Sub Group of Schools Forum (formed from members as required)
- Care Wellbeing and Learning Portfolio Holders

## **Meeting Frequency**

The group will meet approximately 9 times a year, depending on workload, with a break for summer and Easter.

## **Monitoring**

### **The role of executive elected members**

A schools forum needs to ensure that there are systems in place for executive members of the Council to be aware of its views on specific issues and, in particular, any decisions it takes in relation to the Schools' Budget and individual budget shares.

Executive members with responsibility for education/children's services or resources of the local authority are able to participate in schools forum meetings. By doing so such elected members are able to contribute to the discussion and receive first-hand the views of the schools forum: it is clearly good practice for this to be the case and the regulations provide the right for executive members to attend and speak at schools forum meetings. However, there is no requirement for this to happen so, at the very least, there should be clear channels of communication between the schools forum and executive members. Communication may also be assisted if schools forum members attended relevant Cabinet meetings as members of the public, e.g. when the funding formula is decided.