

**Oxfordshire Schools' Forum  
Services and Contracts Sub-Committee**

**Meeting: Thursday 7 May 2020**

*(online via email exchange, in place of face to face, due to COVID-19)*

*Members: Brenda Williams (Chair), Michael Dennison, Donald McEwan, Geoff Sutton, Carole Thomson,  
Sue Tomkys - Jo Clarke (Co-opted); Clerk: Kit Howells*

**Minutes (draft)**

Item	Item for Discussion
1	<p><b>Apologies and Welcome</b> to OCC Officers newly in support of this Committee: Sarah Fogden, Kim James and Anne-Marie Taylor</p>
2	<p><b>Minutes of meeting held on 28 January 2020</b> Minutes circulated and agreed as an accurate record.</p>
3	<p><b>Matters arising from the Minutes of 28 January 2020, if not on Agenda</b></p> <ul style="list-style-type: none"> <li>- <b>Swimming teaching OCC policy – update following meeting with Jean Noonan</b> (Donald McEwan/ Maureen Thompson) MT was sent a draft questionnaire that did not properly address the issue. She offered to circulate her own questionnaire but OCC asked her to revise theirs. She responded but has heard nothing further.</li> <li>- <b>OCC Traded Services – charges – update following January meeting</b> (Name of responsible OCC Officer to be advised) The lack of accurate information about officer support is regrettable.</li> </ul>
4	<p><b>HCC-OCC Partnership (IBC), including HR support &amp; IBC User Group views - update/any issues</b> (Paper 4/S&amp;C/070520) (No User Group meeting since Nov 2019) Anne-Marie Taylor (Shared Services Performance Manager, OCC) Noted.</p>
5	<p><b>Oxfordshire Hospital Schools consultation outcome</b> (Paper 5/S&amp;C/070520) <i>Debbie Bell</i> The DfE confirmed that 'It is the responsibility of the local authority to provide suitable education as soon as it is clear that the child will be away from school for 15 days or more, whether consecutive or cumulative. They should liaise with appropriate medical professionals to ensure the minimal delay in arranging appropriate provision for the child.' In view of this it is essential that OCC provides access to the hospital school (or an appropriate alternative) for any school that is not willing to pay the full AWPU for a pupil irrespective of how long they are out of school. Therefore an alternative offer needs to be made available. Schools Forum should be further consulted about any proposed offer. CT wrote a letter in response to the consultation when the request to have this withdrawn was not actioned, though regrettably this letter was not published on School News until after the closing date (copy attached *). CT remains of the opinion that the consultation was misleading e.g. by implying that safeguarding responsibility would remain with the home school when clearly the hospital school must be responsible for this on behalf of OCC for the period that they are educating the pupil. The issue of tight funding applies to all schools not simply small schools and Schools Forum has a responsibility to consider the impact of any proposal on all types of school. The implementation of the NFF has hit small schools particularly hard so it is appropriate for us to consider proposals in light of this information.</p>

6	<p><b>Alternative Provision recommissioning</b> <i>(Paper 6/S&amp;C/070520)</i>  <i>Debbie Bell</i>  In her email on High Needs funding Jayne Howarth said "Alternative Provision The specification for the tender for the AP provision across Oxfordshire has nearly been completed and will be launching on the portal within the next month. Due to Covid 19 it is likely to be open for a longer period that we had first thought, but the timescales set out previously should still be manageable. The new service should be in place for September 2021."  This was not mentioned in the paper that came to us. The timescales may need to be updated. Does this leave enough time should there be any redundancy implications for the current AP provider?  The top up funding figure for Oxfordshire in the benchmarking table at '£16,864,000 (based on 71 places)' is clearly nonsensical. Please could we have the correct figure for circulation to SHN committee members?  Any funding that is included in the expenditure for Meadowbrook for SEND support should be shown separately and not included in the benchmarking information.  What is the total funding level for AP that is being assumed for 2021? #</p> <p>The Unions have asked for an update on the process at their meeting on 11 June.</p>
7	<p><b>Overview of building/maintenance work programmes for Maintained Schools to 2022, highlighting Carillion legacy work</b> <i>(No paper provided)</i>  <i>George Eleftheriou, Director Property, Investment &amp; Facilities Management, Communities, OCC / Liz Clutterbrook</i>  It is deeply regrettable that OCC are apparently unable to provide Schools Forum with this information. There needs to be greater clarity amongst all OCC officers in regard to the Statutory nature of Schools Forum.</p> <p>On 11.02.2020 OGA was advised that the schools maintenance programme was due to go to the Cabinet at the February meeting, a quick review of the agenda does not suggest this happened though if the list was made available it should be easy to share it with Schools Forum. In the March 2020 cabinet papers it was reported that 'There are seven projects within the School Structural Maintenance Programme totalling £1.4M that have now been rescheduled for delivery in 2020/21 with minimal impact on the schools' operation.' It would have been helpful to explore the reasons for this and the impact on projects that should be happening in the 2020/2021 year.</p>
8	<p><b>Schools Catering report, inc performance to date and forecast</b>  <i>Gail Witchell</i> <i>(Paper 8/S&amp;C/070520)</i>  Noted. No specific questions to raise.</p>
9	<p><b>Items referred by the Schools &amp; High Needs Committee</b> - None</p>
10	<p><b>Items for referral to Schools &amp; High Needs Committee</b>  <b>Items 5 and 6. (to SHN Committee on 3 June)</b></p>
11	<p><b>Date of next meeting:</b> tba in Autumn Term to feed into Autumn SF mtg  <i>(Agenda to include: Joint Use Agreements update [or to autumn 2020 meeting]; All Standing Items: buildings, catering, HCC-OCC P'ship)</i>  -<i>Spring 2021 meeting: Update re RPA for Maintained Schools (per mins 23.1.20)</i>  -<i>Item for June Forum : Update on OCC progress re objectives for carbon reduction in education - Sarah Gilbert This was listed for this Committee, but has since been moved to update June Forum meeting</i></p>

• **Attachment: CT's letter re OHS Consultation Feb 2020 (below)**

7.02.2020

Dear Colleagues,

I am writing with the support of other members of Schools Forum to clarify Schools Forums position regarding the Hospital School consultation posted onto School News on 28<sup>th</sup> January with a closing date of February 13<sup>th</sup>.

<http://schools.oxfordshire.gov.uk/cms/schoolsnews/oxfordshire-hospital-school-funding-arrangements>

There is a statement on the introduction page "Please note, this consultation is being carried out at the request of The Schools Forum." Whilst it is absolutely true that Forum did request a consultation we do not believe the three options as presented will help inform our discussion when the issue is considered again at our meeting on 29<sup>th</sup> April.

During the Forum discussion it was made explicit that removing the entire Age Weighted Pupil Unit (AWPU) for a child for the whole time they are out of school (even if this is for a period of more than a year) is not a "nominal" contribution so far as the school is concerned. Schools have a legal obligation to retain a medically unfit child on roll, and therefore to fund a class teacher etc. throughout the period the child is absent but with no funding for this if the whole AWPU is charged. After the first 15 days the responsibility for educating these pupils transfers from the school to the local authority, a fact that was not shared with Forum in earlier discussions prior to this year. This means that no charge should be made to schools by the Hospital School for provision after day 15 of absence.

The allocation from the DfE to OCC for the Hospital School is increasing by 8% for 2020-2021 (announced in January 2020). This fact has not been included in the consultation. It is worth noting that something like 50% of Oxfordshire Schools will receive only 1.84% uplift to their budgets in the same financial year, well below the inflation costs we are facing. It should also be noted however, that it is a decision for the County Council whether or not to allocate the full 8% to children with medical needs when overall the High Needs block is running at a very significant deficit, despite the additional funding allocated by the Government.

Most schools do not have children in this situation in any given year and there is no way of predicting need and therefore including it in prudent budget planning. Forum acknowledged the excellent work of the Hospital School and we discussed various options including an insurance type buy-back or for a package of reintegration support to be offered for a price. We did not discuss the only new proposal in the consultation for a "flexible charging structure based on individual needs" with the comment about "the need to attend a complex case review meeting". Schools will in any case need to devote considerable resource to supporting the pupil back into school.

If "the income achieved through charges made to schools for pupil facing work are minimal" as stated in the consultation paper it is hard to see how this can equate to only providing three of the services listed. The assumption has been made that a 'suitable education' refers only to the tuition phase and apparently doesn't include risk assessments, safeguarding, etc. which is an area of concern for us all.

Once the Oxfordshire Hospital School has completed its audit of costs and is able to provide full transparency then greater clarity should be available of what the DfE allocation provides and what additional costs would be appropriate for additional services. Hopefully this information will be available to inform further discussions at Schools Forum. Clearly the Hospital School does need some certainty around its income for budget planning like the rest of us.

Forum were clear that we recognise and value the excellent provision from the Hospital School but whilst we are unable to provide a Rolls Royce service to all our SEND children we questioned if it was reasonable to expect this level of funding to be removed from schools, particularly as many schools will never have to fund a child and others may be charged several times over. We therefore would have expected at least one or two additional questions in the consultation document to provide an opportunity for schools to suggest alternative ideas. It would also have been helpful to know if the

responding school had experienced long term pupil absence, if they had used the Hospital School for support and if so, whether they thought being charged the full AWPU provided value for money.

If you have yet to complete the questionnaire please do so. If you wish to comment on this letter or other aspects of the consultation please feel free to contact me via the Clerk to the Schools Forum using an email message through this link

<https://www2.oxfordshire.gov.uk/cms/node/364>; if you provide contact details I will be able to respond.

Carole Thomson

Chair of the Oxfordshire Schools Forum