

EDUCATION ATTAINMENT IMPROVEMENT BOARD

31 January 2017

Commenced: 3.30 pm

Terminated: 4.55 pm

Present:

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| Councillor L Travis (Chair) | |
| Councillor Peet | |
| Councillor Robinson | |
| Councillor M Smith | |
| Councillor R Welsh | |
| Paul Jacques | ASCL |
| Jon Murray | Head Teacher, St Mary's Catholic Primary School |
| Alan Ford | Commissioning Business Manager for Children, Young People and Families, CCG |
| Steven Pleasant | Chief Executive |
| Sandra Stewart | Executive Director, Governance, Resources and Pensions |
| Bob Berry | Interim Assistant Executive Director, Learning |
| Catherine Moseley | Head of Access and Inclusion |
| Helen Mellor | Head of Pupil Support Services |

Apologies for Absence: Councillors J Fitzpatrick and K Quinn.

56. DECLARATIONS OF INTEREST

There were no declarations of interest submitted by Members of the Board.

57. MINUTES

The Minutes of the Education Attainment Improvement Board held on 25 October 2016 were approved as a correct record, with the amendment of the date of the previous set of Minutes approved as a correct record (at Minute 48), to 28 July 2016.

With reference to Minute 50, Provisional GCSE Results 2016, the Chair made reference to recent difficulties at a local Academy school and the intensive intervention work undertaken in conjunction with the Unions to resolve issues and avert planned strike action this week. She added that, currently a 'truce' prevailed, however there was still a lot of work needed to be done in order to resolve the situation.

The Chief Executive also commented Attainment 8 results for the aforementioned Academy and the Local Authority's statutory responsibility in respect of the attainment of pupils in the school and suggested that a letter be sent from the Board to the Sponsors/Governing Body of the Academy to formally raise the issue of pupil support, in particular with regard to Year 11 pupils.

58. EXECUTIVE SUMMARY OF EDUCATION IN TAMESIDE 2016

The Interim Assistant Executive Director, Learning, submitted a report, summarising the successes of the Education service in Tameside in 2016 and the priorities of the service for 2017.

It was reported that, by the end of the year, 93% of primary-age pupils were attending a 'Good or better' primary school. This represented an increase of 12% from the start of the 15/16 academic year and continued the improving trend. There were currently only five primary schools 'requiring improvement, this placed Tameside 10th in the North West and 5th in Greater Manchester. 59% of pupils in Tameside secondary schools now attended a good or outstanding secondary school. This placed Tameside 20th in the North West and 10th in Greater Manchester. This was in nearly every instance due to the performance of secondary academies in Tameside.

It was explained that, at the end of Key Stage 2, 55% of pupils reached the expected standard in Reading, Writing and Maths (RWM) combined in Tameside – 2% above the national average. Tameside was joint 8th in the North West and joint 6th in Greater Manchester. 4% of pupils in Tameside achieved a higher standard in Reading, Writing and Maths combined – in line with national of 5%. At the end of Key Stage 4, there was a new regime of measuring performance – Attainment 8: Tameside was ranked 11th out of 23 local authorities in the North West and 7th out of 10 authorities in Greater Manchester on Progress 8. A*-C in English and Maths: 63% - 7th in the North West and 3rd in Greater Manchester.

It was further explained that with regard to Key Performance Indicator's, both in terms of Ofsted and standards, the primary sector in partnership with the Local Authority, had seen significant improvements over the past three years. In the secondary sector the LA achievement/attainment figures were distorted by the under-performance of two schools, and the Ofsted picture may improve only slightly over the next twelve months. To improve the Borough's Performance 8 figures, secondary schools needed to focus on the teaching of Modern Foreign Languages and the Humanities subjects in particular.

The Interim Assistant Executive Director informed the Board that senior leaders in Education had worked together to produce two key documents: 'Our Core Business' and 'Education in 2020 – A Vision'. These documents would be used to: ensure that all who worked within the service retained a sharp focus on the four key priorities; and to define the role of Education within Tameside, and its work with schools as partners, regardless of designation. He stressed the need for greater collaboration and cross-service/cross-sector thinking.

He added that all leaders from the service had come together to begin the process of writing a self-evaluation form, in order to identify common practices, how the service worked together and the impact of the work undertaken. A development plan and a training programme would be generated in due course.

It was reported that Tameside primary schools were categorised in terms of the level of support they required from the LA or external partners. As an authority, there was also an awareness of the performance of primary pupils in geographical clusters within Tameside. This was significant as the majority of collaborative work between schools in the Borough had taken place within these geographical clusters, producing analyses of school performance by cluster enabled these clusters to target intervention collaboratively. The performance of vulnerable groups of pupils such as disadvantaged pupils, pupils with Special Educational Needs (SEN), Looked After Children (LAC) and pupils with English as an Additional Language (EAL) had also been scrutinised rigorously. Whilst school performance was very information rich in terms of the attainment and achievement of Tameside's pupils, gaps still remained. Not enough was known about both the attendance of pupils in Tameside and the number of Fixed Term Exclusions (FTE) schools were issuing to pupils and this needed to be addressed as a matter of urgency.

The Interim Assistant Executive Director outlined priorities for 2017 as follows:

- **Inclusion** – Increasing numbers of young people were being permanently excluded from school, and, more recently, opting to be educated at home in the form of 'Elective Home Education (EHE). It was clear that this was inappropriate for many of those young people and a strategy to both support schools and families to seek a more measured solution was urgently required;
- **The new school** – There was an urgent need to find a venue for this;
- **SEND** – There was a lot of work to be done to ensure that effective systems of governance and strategic planning underpinned SEND work, in order that responsibilities could be discharged appropriately as well as prepare for an inspection; and
- **Financial Stability** – It was anticipated that a number of schools would find themselves in challenging financial situations over the next few years, and work was required in order to support them in this.

He concluded by thanking the Head of Access and Inclusion and the Head of Pupil Support Services for their hard work and commitment.

Members thanked the Interim Assistant Executive Director for the presentation and commented on inclusion policies and the priority work required to address the level of exclusions.

RESOLVED

That the content of the report, including the priorities for 2017, be noted.

59. SCHOOL FINANCES UPDATE

A report was submitted by the Executive Director, People and the Executive Director, Finance, providing an update on the current and projected levels of school balances (non Academy) together with the associated risk implications for the Council.

The report outlined the compliance requirements of schools relating to the Scheme for Financing Schools (adopted by all non-Academy school governing bodies), the role and responsibilities of the Schools Forum relating to schools balances, the impending risk to the Council of schools with either existing or projected deficit balances and options for the Council to mitigate this risk.

It was reported that total reconciled school balances (inclusive of revenue and capital) at 31 March 2015 were £8.789 million. This was a decrease of £2.792 million on the balance reported at 31 March 2014.

The reconciled level of school balances at 31 March 2016 were £7.187 million, a decrease of £1.602 million on the balance reported at 31 March 2015. It was important to note that two Tameside schools became Academies prior to 31 March 2016, which accounted for £0.250 million of the reduction in balances. The reduction in balances during 2015/16 for those schools, which were Maintained Schools at 31 March 2016 was £1.352 million.

There were currently eight Academy Conversions, which had been confirmed to take place during 2016/17. This was a comparatively large number of conversions in one financial year and consequently they would have an effect on the level of school balances at the end of 2016/17.

A detailed breakdown of school balances over the last three years was appended to the report.

In respect of schools with deficit balances, as at 31 March 2016, there were seven schools with deficit balances. The total of these deficit balances was £1.345 million (Primary Schools - £0.056 million, Secondary Schools - £1.289 million). Information was also provided on the level of projected school deficits up to 31 March 2019. Whilst the number and level of schools in deficit in the Secondary sector was already a concern, it was highlighted that the trend was also likely to be replicated in the Primary and Special School sectors in future years.

The report further provided details of the associated rules on school balances provided within the Scheme of Financing which was adopted by all non-Academy school Governing Bodies within the Borough.

It was explained that, whilst the projections highlighted most likely represented a worst case scenario position, the trend in the decline of school balances could not be ignored. The Tameside Scheme of Financing for Schools stipulated that licensed deficits would be no more than 20% of gross surpluses held by schools. As at 31 March 2016 cumulative school deficits represented 16% of gross school surpluses. Based on the projections, at the end of March 2017 this figure would rise to 79%, which would equate to a reduction in balances during the current financial year of approximately £6.2 million.

Any school projecting a deficit budget position, either during or by the end of the existing three year budget period was required to submit a deficit budget recovery plan to ensure a balanced budget was delivered. The Head of Resource Management Service wrote to those schools where this applied at the beginning of October 2016 to explain the recovery plan procedure utilising the latest approved three year budget plan submitted to the Council. Recovery plans would require approval prior to the end of the current financial year.

It was noted that, to date, only a small number (less than ten) deficit recovery plans had been received from associated schools, which were subject to scrutiny and validation by the Financial Management Service. There was therefore an urgency during this current term and prior to 31 March 2017 to ensure that all schools projecting a deficit budget position either during or by the end of the existing three year budget planning period, had a recovery plan approved by both the Governing Body of the respective school and the Section 151 officer of the Council.

At 31 March 2016, one school had breached the maximum permitted deficit of 5% of the school's annual budget, at 17.6% of its budget. At the end of the current financial year the school was forecasting a cumulative deficit balance equivalent to 30% of the annual budget, which would be six times the permitted maximum.

At 31 March 2017, a further five schools were forecasting to breach the maximum permitted deficit. One school was forecasting a deficit more than double the permitted maximum (at a figure of 12.8%). The two schools with the highest forecast deficits had both benefited from new school buildings financed by arrangements under the Private Finance Initiative (PFI), in return for which the Schools' Governing Bodies agreed to make annual payments from their annual school budget. An explanation of the PFI arrangements was detailed in the report.

It was explained that financial support to schools was also permitted in the form of a loan. The relevant school loan extracts from the Scheme of Financial for Schools, adopted by all non-Academy School Governing Bodies was detailed in the report.

It was proposed that the council make an urgent request to the DfE to provide loans to associated schools with extended repayment periods to the three years as stated in the guidance, where it was evident that this would not be financially viable for the associated school. It was also essential that any repayable loan arrangements were included within any subsequent legal agreements should the school transfer to Academy status.

It was concluded that most schools had operated within their approval budget, however there were an increasing number forecasting deficits. The Council was complying with the scheme for financing schools to ensure formal agreed deficit recovery plans were in place prior to 31 March 2017. There were, however, some schools with projected deficit balances causing major concern. It was extremely unlikely that a limited number of schools would be able to comply with the current requirement to correct their deficit position within a maximum period of three years.

It was proposed that the Council made an urgent request to the DfE to permit loan agreements to be entered into with schools with extended repayment periods beyond the three years stated in the

scheme for financial schools guidance where it was evident that this repayment period would not be financially viable for relevant schools.

The associated extended repayment period term was to be agreed between the Section 151 Officer of the Council and the School Governing Body once a response to the request was received from the DfE. It was also essential that any repayable loan arrangements were included within any subsequent legal agreements should the school transfer to Academy status.

Following a new requirement to delegate PFI costs to individual schools, binding agreements needed to be entered into with School Governing Bodies to ensure payment was made from the school budget for such PFI costs.

The Chair and Board Members expressed concern with regard to schools with deficit/surplus balances and the Council's duty to all schools in the Borough to raise standards.

RESOLVED

- (i) That the deficit budget recovery plans be agreed with relevant schools prior to 31 March 2017 and on an ongoing basis thereafter, in compliance with the scheme for financing schools. The recovery plan is to be formally agreed and monitored by the Section 151 Officer of the Council and the relevant school Governing Body;**
- (ii) That the Council make an urgent request to the DfE to provide loans to schools with extended repayment periods beyond the three years stated in the scheme for financing schools guidance where it was evident that this repayment period would not be financially viable for relevant schools. The associated extended repayment period term was to be agreed between the Section 151 Officer of the Council and the School Governing Body once a response to the request is received from the DfE. It is also essential that any repayable loan arrangements are included within any subsequent legal agreements should the school transfer to Academy status;**
- (iii) A binding agreement be entered into with associated PFI schools to recover the sum delegated within their section 251 budget allocated for PFI related expenditure from 1 April 2017 to finance the continuing cost of PFI for the duration of the contracts; and**
- (iv) That a further update be presented at a future meeting of the Education Attainment Improvement Board and in particular setting out the options that Aschool's Forum have to address overspends and reserves in schools.**

60. SPECIAL EDUCATION NEEDS AND DISABILITY (SEND) REFORMS IMPLEMENTATION UPDATE

The Head of Access and Inclusion, TMBC and the Commissioning Business Manager to Children, Young People and Families, CCG, submitted a report providing an update on the implementation of the Special Education Needs and Disability (SEND) reforms enshrined in Parts 3 of the Children and Families Act 2014 in identifying and meeting the needs of Children and Young people with SEND in the local area.

It was reported that a new framework for the inspection of local areas' effectiveness in meeting the needs of children and young people with (SEND) had been implemented. The new inspection programme began in May 2016, with potentially a Tameside assessment likely in 2017. It was noted that this was a local area inspection, not a local authority inspection. The local area included the Local Authority, CCGs and Public Health. The new joint inspection framework for SEND would seek to hold the local area to account and ensure that plans were appropriate to meet local demand and to ensure they had an effective relationship with key providers to ensure effective arrangements for delivering completed and implemented EHC plans. All areas in England would be inspected over the next five years. Two inspections had already taken place in Greater Manchester and Derbyshire had also been inspected, the outcomes of which had been published by Ofsted and CQC. A link to the outcomes was provided in the report.

The local area had recognised that it needed to complete a comprehensive self-evaluation (SEF). The SEF would clearly document the local area's strengths and areas for improvement and lead to an area wide action plan in addition to individual organisation plans.

It was explained that, in order to complete the SEF, the local authority had used some of the SEND implementation grant to engage the services of an external consultant to give an objective assessment of the local area's current situation. The CCG had undertaken a SEND diagnostic audit and together with the robust external evaluation of the Local Area would assist the development of an accurate self-evaluation by the Local Area and ensure strategic ownership of the SEF and its outcomes. This work would assist the Local Area in developing a shared vision and strategy to answer three key questions:

- How effectively the local area identified children and young people who had special educational needs and/or disabilities;
- How effectively the local area assessed and met the needs of children and young people who had special education needs and/or disabilities; and
- How the local area improved the outcomes of children and young people who had special education needs and/or disabilities.

The assessment had identified the following themes for improvement:

- Strategic Leadership;
- Data and Intelligence;
- Assessing Impact and Outcomes;
- Local offer; and
- SEND Reforms.

The report concluded by stating that there is still much work to do in the Local Area to ensure that the reforms were fully embedded across all services to meet the needs of children and young people with SEND.

RESOLVED

That the content of the report be noted and relevant steps be taken to progress arrangements to further the implementation of the SEND reforms as follows:

- **Ensure the coproduction, development and delivery of a shared vision and strategy across the Local Area for children and young people with SEND;**
- **Ensure that families, children and young people with SEND are at the centre of the development of the strategy and services;**
- **Support the creation of a governance framework for the SEND agenda, which ensured executive oversight and reflected on performance report implications;**
- **Ensure the establishment of a clear line of sight accountability to the Health and Wellbeing Board; and**
- **Ensure the development of a performance matrix for SEND that included prevalence and outcome information.**

61. PUPIL SUPPORT SERVICES

A report of the Interim Assistant Executive Director, Learning, was submitted and a presentation of the Head of Pupil Support Services delivered, outlining the work of the Pupil Support Service within the Education Service.

It was explained that the Pupil Support Service was made up of:

- Sensory Service – supporting pupils with hearing Impairments (HI) and Visual Impairments (VI);
- Communication, Language and Autistic Spectrum Support (CLASS);
- Specific Learning Difficulty Support (SPLD);
- Behaviour for Learning and Inclusion Service (BLIS); and

- Equality and Multicultural Access Team (EMAT).

It was further explained that the Service offered advice/consultation, support, training and assessment. In addition, some specialist personnel worked on universal and strategic issues. Many of the teams worked across phases, potentially from 0-19 whilst the remainder directed time to specific age groups.

All activities undertaken had regard to, and were underpinned by, the guidance in relevant legislation. The emphasis was on effecting positive outcomes for children and young people through their direct involvement as well as engagement with key adults including parents/carers, teachers and specialist support staff.

Service priorities were outlined as follows:

- Creating a seamless service with a single point of entry which offered advice, consultation, support and training; and
- Creating an efficient and effective service which was flexible, adaptable and designed for purpose.

Recent developments were detailed, including work around Neuro Developmental Pathways – ASD/ADHD and a Communications Strategy.

Positive feedback on the Service from a pupil, parent and Head Teacher was also shared.

RESOLVED

That the content of the report and presentation be noted.

62. OUTCOME OF THE CONSULTATION ON SECONDARY SCHOOL PLACES FOR SEPTEMBER 2018

The Head of Access and Inclusion submitted a report stating the outcome of the consultation on the proposals to increase published admission numbers for Tameside Community Secondary Schools for admission in September 2018 and the recommendations that would be considered by the Executive Cabinet of the Council on 9 February 2017.

It was reported that in October 2016, the Local Authority circulated the proposed published admission numbers and admission arrangements for community and voluntary controlled schools for consultation. The closing date for the consultation was 11 November 2016.

The Council consulted on increasing the published admission number at four secondary schools to accommodate the forecast demand for secondary school places based on the number of pupils currently in primary schools in the Borough. The proposals were outlined in the report.

It was explained that six responses had been received to the consultation; three from Head Teachers, two from the governing body of the school and one from a parent. Details of all responses and the subsequent responses of the Directorate of People were also contained within the report.

The Head of Access and Inclusion informed the Board that the Council had been proactive in tackling the issue of rising births over recent years. The Published Admission Number (PAN) had been increased at many primary schools but these primary pupils were now beginning to move through to secondary schools and more needed to be done to accommodate all pupils. The surge in births was not expected to be a permanent issue as it had now begun to fall. Therefore, proposals needed to be a mix of permanent and temporary as these would become surplus in years to come. It was highlighted that Tameside Council was the admission authority for six community schools in the Borough and therefore could propose increases in published admission numbers at its own school. However, those schools in the Borough that were voluntary aided or

academies were in control of their own published admission numbers and the Council could not dictate increases in those schools.

Board Members were reminded of a successful free school application for Tameside that had been proposed by the Laurus Trust, a multi-academy trust, with Cheadle Hulme High School as its founder member school. This would bring an additional 180 places per year group from September 2018.

It was explained that Tameside had used a mixture of permanent and temporary places in primary schools to accommodate the increase in population. A bulge group in secondary schools was somewhat different to a bulge class in a primary school due to the different nature of how learning took place. Primary provision was largely based in one classroom so a bulge class could be accommodated with the addition of one classroom which were often accommodated in either surplus accommodation such as a room that was used as a community room or IT suite within a school or in a demountable classroom. Secondary school pupils moved around school for different lessons and also learned in specialist resources such as science labs and so a bulge group required more detailed consideration of the accommodation required.

Given the predicted number of pupils for September 2018 and for the following six years, the Council had little choice but to put forward proposals to increase numbers in its community schools even though three out of the four schools were objecting to the increase (copies of Head Teacher/Governing Body responses were appended to the report). Without progressing the proposals, the Council would need to consider how it could meet its statutory responsibility to provide sufficient places in the Borough. The only way that the Council could reasonably do this would be to bring forward proposals for a second free school.

In respect of financial resources, it was reported that Basic Need funding had been allocated to local authorities by the DfE. This was because local authorities were responsible for ensuring that there were sufficient schools locally to meet demand.

It was explained that the Council was allocated £12,488,962 Basic Need capital funding for the two financial years 2016/17 to 2017/18, to support the delivery of capital projects necessary to increase the capacity for schools and meet increased demand for places. Unfortunately, the Council had not been allocated any basic need funding for 2018/19.

The estimated capital cost of providing the increase to the published admission number at the four secondary schools referenced above totalled £2.969 million. These costs needed to be both confirmed and assessed from a value for money perspective, as a matter of urgency. The revenue implications of the additional accommodation also needed to be confirmed as soon as possible by the PFI providers to enable the Council to draft updated governing body agreements that reflected the increased contributions required from each school as a result of the proposals. It was further noted that significant numbers of additional pupil places would still be required beyond the proposals relating to the four community schools in the report. The establishment of new free schools may also require a financial contribution from Basic Need resources.

With regard to future demand for school places, Board Members were informed that the birth rate in Tameside had fallen slightly overall in the last four years and this was following the same pattern of the birth rate curve in the Borough over the last 40 years. The current prediction was that the birth rate would continue to fall but, as with the last high in births which was not as high as the peak in 1991, the low may not be as low as it was in 2002. In effect, the curve appeared to be flattening out. Should this pattern continue, the need to increase primary school places diminished but it increased in secondary schools as the rise in the population moved through primary schools.

RESOLVED

- (i) That the content of the report be noted; and
- (ii) That the Board support further discussions with secondary schools in the area to increase places, to ensure that there are sufficient places for all pupils who require a place, in future years.

63. TAMESIDE SAFEGUARDING CHILDRENS BOARD

The Interim Assistant Executive Director, Learning, informed Board Members of the intention for the Board to receive reports from Tameside Safeguarding Childrens Board (TSCB) in the future, in order to increase knowledge of the work of the TSCB across the Service. He added that Safeguarding would be a fixed item on the agenda, going forward.

64. URGENT ITEMS

The Chair reported that there were no urgent items received for consideration at this meeting.

65. DATE OF NEXT MEETING

It was noted that the next meeting of the Education Attainment Improvement Board will take place on Tuesday 28 March 2017 commencing at 3.30 pm.

CHAIR