

**MINUTES OF A SPECIAL MEETING OF THE CHILDREN AND YOUNG PEOPLE  
POLICY AND SCRUTINY COMMITTEE HELD AT COUNTY HALL, CHELMSFORD,  
ON TUESDAY 1 MAY 2012**

**Membership**

**Councillors**

* J Aldridge (Chairman)	* A Hedley (substitute for C Riley)
* S Barker	* T Higgins (Vice-Chairman)
* J Baugh	* S Hillier
* R Boyce (substitute for R Pearson)	* R Madden
* A Brown (substitute for E Hart)	D Morris
* J Deakin	R Pearson
* W Dick (substitute for D Morris)	C Riley (Vice-Chairman)
* I Grundy	* T Sargent
E Hart	J Young

**Non-Elected Voting Members**

* Mr R Carson	* Rev R Jordan
Mr S Geddes	Ms M Uzzell
(* present)	

The following Members were also present:

Councillor D Finch                      Councillor V Metcalfe

The following officers were present in support throughout the meeting:

Graham Redgwell                      Governance Officer  
Matthew Waldie                      Committee Officer

The meeting opened at 11.00 am.

**1. Apologies and Substitutions**

The Committee Officer reported the receipt of the following apologies:

<b>Apologies</b>	<b>Substitutes</b>
Cllr E Hart	Cllr A Brown
Cllr D Morris	Cllr W Dick
Cllr R Pearson	Cllr R Boyce
Cllr C Riley	Cllr A Hedley
Cllr J Young	
Mr Stuart Geddes	--

**2. Declarations of Interest**

The following individuals declared an interest as school governors:

Cllr J Aldridge	Cllr R Madden
Cllr R Boyce	Mr R Carson

Cllr W Dick	Rev. R Jordan
Cllr S Hillier	

Cllr Stephen Castle declared an interest as the parent of two children currently being educated in state schools in Essex.

### 3. Call in on Decision on Essex formula for funding schools

The Chairman welcomed all to the meeting and set out the procedure:

- The Appellant states the purpose of the call in and explains her case, calling any witnesses, as required (witnesses to speak for a maximum of 3 minutes each)
- The Cabinet Member responds, calling any witnesses, as required (witnesses to speak for a maximum of 3 minutes each)
- Committee Members ask questions of either side
- Chairman to ask the question to be put to the meeting. There are three courses of action open to the meeting:
  - i. Accept the decision
  - ii. Ask the Cabinet Member to reconsider his decision
  - iii. Refer it to the full Council

(This Committee cannot overturn the decision itself, but only refer it back for further consideration)

**Councillor Higgins**, as Member making the call in, pointed out that the proposed changes would have disastrous consequences in small schools. There would be an inevitable loss in human resourcing, with the likelihood of increased class sizes at Key Stage 2. This was contrary to the County Council's stated aim to enable every child to achieve. The Equality Impact Assessment had suggested that the detrimental effect of the SEN changes would fall heavily on boys in particular. Finally, announcing these changes at this stage gave those schools that will be subject to significant cuts little opportunity to plan appropriately. Details of her concerns were set out in the Response to the 2012-15 Formula Review Process, which had been circulated to Members.

She then called three witnesses.

**Witness One: Derek Adams**, Chair of Governors, Stisted CE Primary Academy.

Mr Adams considered that the process undertaken to produce the Schools Forum's Recommendations for 2012-15 had been inappropriate. No minutes had been produced of some meetings of the Schools Forum and there was no audit trail. The consultation period had included the Christmas and New Year period. Small primary schools in particular had had no voice and so any representation of the schools most likely to be affected by these changes was poor. Their views had not been taken into account.

He suggested that the schools may not have realised the significance of the exercise. He finished by pointing out that the sums involved here were

substantial: £900 million per annum – a total of some £2.7 billion over the period under consideration.

Before inviting the second witness to speak, the Chairman reminded the meeting that the Schools Forum, which was responsible for these recommendations, was a statutory body over which the County Council had no control, and that this meeting was considering the Decision taken by the Cabinet Member, and not the recommendations of the Schools Forum, or indeed the process that had led up to these being made.

**Witness Two: Martin Hawrylak**, Headteacher, Sisted CE Primary Academy.

Mr Hawrylak suggested that the forthcoming requirement for schools to fund the first 12.5 hours of SEN provision will lead to a shortfall of provision for other children with a lower level of need. His own school was likely to see a £30,000 shortfall.

He suggested this would lead to indirect discrimination. He drew attention to a previous legal case involving Oxfordshire County Council and the potential for legal challenge

**Witness Three: George Constantinides**, Chair of Governors, Langham Academy.

Mr Constantinides tabled a paper, demonstrating the impact of these proposals on primary schools, by way of three case studies. In the examples given, the two four-class schools would, over time, each lose a class teacher, which would have a significant impact on teaching in the schools and the size of year groups. The three-class school would suffer a 22% reduction in funding, meaning the loss of two teachers, which would mean the school would not be able to teach the current roll in the one remaining class.

Mr Constantinides had calculated that there would be 59 schools in a similar position, suffering the loss of at least one teacher.

**Councillor Castle**, the Cabinet Member for Education, introduced his reply by acknowledging that there would always be winners and losers within a closed system. However, he added that he had managed to introduce extra funding, to mitigate the overall impact.

He reminded the meeting that the Schools Forum had asked for changes to be made in 2010, but he had not thought these appropriate at that time. At that point, the creation of a new National Formula had been expected from the Government, but none had been forthcoming; and, although several changes would be required in the formulae used in the next financial year, the present Coalition Government did not intend to introduce a National Formula before the next General Election. Therefore, the time had come to apply changes that had been identified as necessary for some time.

He reminded the Committee that the Schools Forum is a statutory body with broad representation of schools across the County. It backed the proposals – but without the alleviation added by the Cabinet Member. The proposals had also been sent to all schools, but there had been a fairly low response rate in the consultation.

Schools had been provided with indicative budgets, subject to the result of this call in.

The Cabinet Member raised issues about the adverse effect on small schools, and indicated that he had taken steps to mitigate this, limiting the annual reduction to 1.5% at the most. (This compared favourably with some areas of the public sector, which are experiencing cuts of 10-15%.) He indicated that the Council does value small schools, believing that they are important part of their local communities, but these schools have historically benefited from a higher proportion of available funding per pupil. Other schools will benefit from this redistribution of funding.

In respect of children with special needs/SEN Provision and Statements, there had been an anomaly in funding for some years. The current system very much favoured SEN pupils, at the expense of those falling under AEN and the modifications were to redress this imbalance.

Overall, he appreciated the work carried out by everyone involved here, including those who had opposed his approach. It showed a commitment to the work of schools within the County and the desire for the best possible education for its young people.

### **Board - Discussion**

The Cabinet Member responded to several queries raised by Members:

- The redistribution of the AEN funding will not be ringfenced; but there was an assumption that schools will use the funding for the benefit of all their pupils.
- There seemed to be anomalies in the current system with regard to the distribution of funding. The Government found the principle of a national formula attractive, in reducing the varied approaches of local authorities but the implementation of a national formula was considered to be too difficult to achieve at present.
- The apparent discrepancy between the figures used in the case studies (suggesting for example 5.1%, 11.9% and 22% losses) and the 1.5% cap on reduced funding was explained; by pointing out that the case studies assumed a 1.5% reduction per annum over a five-year period, so leading to these higher figures.
- The Cabinet Member had been active in lobbying for schools. Education provision in Essex had benefited from increasing budgets over the years. This was the first time it had seen a reduction, so the County Council must ensure it provided support and assistance for schools in the best way possible

Councillor Dick proposed that the question be put to the meeting; and this was seconded by Councillor Sargent. The voting was as follows: For – 10; Against – 2; Abstained – 1. As a result of this decision it was therefore AGREED that the decision of the Cabinet Member should be implemented forthwith.

In conclusion, the Chairman thanked all those attending – both Committee Members and those in the public gallery – for their interest in and concern over this important matter. In his view, the different parties were at least unified in their desire to see the best outcome for young people in education. The Committee supported the views of the Cabinet Member in reiterating the importance of small schools particularly those in the rural community.

One further point was made. Comments had been made at the meeting about how the Schools Forum represented schools and how it had gone about this process. Although such issues did not lie within the scope of this meeting, they were germane to the work of the Committee and it was AGREED that this would be an issue for the Committee to consider at a future meeting.

The meeting closed at 12.05 pm.

Chairman