

**MINUTES OF A MEETING OF THE LEARNING AND SKILLS SCRUTINY  
COMMITTEE HELD AT BY TEAMS ON WEDNESDAY, 13 JANUARY 2021**

PRESENT: County Councillor P Roberts (Chairman)  
County Councillors B Davies, S C Davies, D R Jones, L Roberts, R G Thomas,  
K M Roberts-Jones, M Weale, and Mrs A Davies, Mrs S. Davies and Mrs M Evitts (Co-opted Members)

Cabinet Portfolio Holders In Attendance: County Councillors P Davies (Portfolio Holder for Education and property) and A W Davies (Portfolio Holder for Finance and Transport)

Officers: Caroline Turner (Chief Executive), Lynette Lovell (Chief Education Officer), Wyn Richards (Scrutiny Manager and Head of Democratic Services), Caroline Rees (Education Consultant), Mari Thomas (Finance Manager, Jennie Spraggon (Finance Business Partner) and Simon Anderson (ALN Manager)

<b>1. APOLOGIES</b>
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The Chair welcomed County Councillors K Roberts-Jones and M Weale to their first meeting of the Committee.

Apologies for absence were received from County Councillor E Roderick and G Robson (Co-Opted Member)

<b>2. ELECTION OF VICE-CHAIR</b>
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**RESOLVED** that A Davies be elected Vice-Chair for the ensuing year.

<b>3. DECLARATIONS OF INTEREST</b>
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The Committee received the following declarations of interest from Members:

Item 5 – Amendments to the School Funding formula.

County Councillor K Roberts-Jones declared a personal and non-prejudicial interest as Chair of Governors of Brynlywarch Special School, appointed by the County Council to the Governing Body.

County Councillor S Davies declared a personal and non-prejudicial interest as a member of the Governing Body of Ysgol Dyffryn y Glowyr and Ysgol Bro Tawe, appointed by the County Council to the Governing Body.

<b>4. DECLARATIONS OF PARTY WHIP</b>
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The Committee did not receive any disclosures of prohibited party whips which a Member has been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

<b>5. AMENDMENTS TO THE SCHOOL FUNDING FORMULA</b>
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**Documents Considered:**

- Report of the Portfolio Holders for Education and Property and Finance.

**Issues Discussed:**

- The pandemic has had an impact on the review of the funding formula, but work undertaken highlighted the need for adjustments to the delegated funding for Special Educational Needs / Additional Learning Needs (SEN / ALN). SEN / ALN means any pupils who are on school action, school action plus or who have an SEN statement.
- This is a review of delegated funding to mainstream schools and not funding to special schools. Issues had been raised by headteachers and the current formula did not always target the right pupils all the time. An adjustment is necessary as whilst pupils with statement of SEN receive funding, schools do not have any additional funding for those with additional needs who are not statemented or for pupils whose needs are identified during the year.
- An ALN Sub-Group which included headteachers and officers identified the changes, required and developed and tested a number of models.
- The proposed changes relate to primary schools only with the review of secondary schools SEN / ALN funding being undertaken with the wider review of the formula in 2022. The revisions will mean that statemented pupils will have sufficient funding for their needs but that there will also be funding available for other pupils' needs as they arise during the year (allocated by the Powys Inclusion Panel [PIP] Panel).
- One of the most important actions being proposed to mitigate the risks of the new formula is to introduce a dampener to minimize disruption in the first year i.e. that gains and losses by schools are introduced more gradually. The changes will be part of a wider move to reform school funding. A monitoring and moderation process will also be introduced.
- The Council has 23 specialist centres, 19 in primary or secondary and 4 in pre-school. The Council is required to no longer include the pupils in specialist centres in the pupil numbers when calculating overall school budgets in accordance with School Funding (Wales) Regulations.
- Specialist centres are small classes funded by the Local Authority for pupils that have either autism, or moderate learning difficulties / complex learning needs. These are between 6 to 12 pupils. A dampener will also be introduced to minimize disruption in the first year.

- Questions:

<p>Section 6.6 – top up funding – what are the implications of a pupil moving in from out of county with a statement or assessment. Will the statement and any costs be transferred across or is this the responsibility of the school until the next financial year.</p>	<p>The Panel would need to decide if Powys would adopt the statement or not. The majority of statements are accepted. However, we will have to look at the threshold and level of support that we can provide which may be different from that in England. Schools must also review the statement once the child has been in the school for approximately a term, and advise the Local Authority the if statement needs to be changed or the resources are not available.</p>
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	<p>This will be the same in the new system and we need to avoid delays for the pupil. Therefore support would be made available immediately and then the school would be funded after that.</p>
<p>P4 – Para 2.5 - development of funding formula for future schools estate – Can this be clarified.</p>	<p>The funding formula for all schools not just the SEN / ALN requirement needs to be developed to support the education transformation programme. The Service could clarify the language in the document to make the meaning clearer. Consultation on changes to formula</p>
<p>P5 - 4.5 - budget should be retained as a contingency for those with significant needs. How will this be managed if a school is in deficit.</p>	<p>This is funding held back for the PIP panel (Powys Inclusion Panel) so the school would make a referral to the panel, who would decide on the matter. What would make it easier in future is the development of electronic individual development plan (IDP) for pupils to replace statements, will make this easier for the panel as all the information about the child will be available electronically. A Provision map from schools will show what kinds of support the pupil needs and what the school can provide, so that well informed decisions can be made by the panel.</p> <p>One of the risks is that many schools can make many applications, but the authority should be aware of pupils in the county and their needs. The needs of pupils coming from out of county will not be known.</p> <p>The Chair suggested that it may be worth stating in the document that the budget is retained by the Council not an individual school.</p>
<p>Will there be an uniformity in the IDP information especially for pupils coming in from out of county whose IDP may be different to the format used by Powys.</p>	<p>The new Act provides statutory sections for the IDP stipulated by Welsh Government. Although the look of an IDP may be different, the content will be the same as its been stipulated by Welsh Government. Information can also be drawn down from other electronic systems used by individual Councils.</p>
<p>The Committee has been advised</p>	<p>There has been a change over the</p>

<p>that the Pupil comes first which is a change of policy from past. How will schools recognise that there has been a change of policy.</p>	<p>last year in the way that officers are working with schools which Estyn had recognised. For any proposals that are being developed these are discussed with schools. A Headteacher has been seconded to work with the Service to develop proposals.</p> <p>Person centred planning is the key with the child and family come at the centre of any decisions. Electronic systems will allow access for parents and schools to view IDPs. Training been undertaken on the person centred practice as well as assisting schools write person centred objectives and whole person centred reviews. With new buildings consideration has been given to ensuring that schools have spaces to undertake person centred activities. Every school in Powys is working within a person centred framework.</p>
<p>Para 4.7 - specialist centres in mainstream schools. The document suggests that numbers in specialist centres should be separate from the numbers in the mainstream school. This is one of the bones of contention for those schools without a specialist centre as Powys has traditionally funded the centre rather than the pupils within it. Therefore, if a child moves from a specialist centre to a school with no centre funding did not follow the child. Is this going to change.</p>	<p>If a pupil moves from out of county or between schools, there will need to be an application to the PIP panel to see what the pupil needs and therefore this will change.</p> <p>What the document is stating is that there will be no double funding and if there is a 100 pupil school with 4 pupils in a specialist centre the school will be funded for 96 pupils.</p>
<p>If a pupil moves home and to a different school why would they need to be reassessed.</p>	<p>Whilst the Council may know the needs of a child, what they need in a specialist centre with smaller numbers will be different in a mainstream school with a bigger class size. The likelihood is that the child will need more support in a mainstream class, hence the need for a reassessment.</p> <p>The Chair clarified that under the new model the funding is linked to the child. When the child moves to a new setting, there will be a reassessment not of their condition</p>

	<p>but how they will be supported in the new setting as there may be additional resources needed to support them at the same level as they would have had in the specialist centre.</p>
<p>Why in the report does it equate SEN and free school meals. Is there a need for a link.</p>	<p>In the new formula it is proposed that 80% of the pot will go on SEN and 20% on FSM. There is a recognised correlation but it is not always the case that an FSM pupil will also be an SEN pupil. A number of authorities in their delegation to schools do include an FSM element. This is a proxy indicator and funding for FSM will go to the school rather than the pupil.</p>
<p>Previously the FSM and SEN budgets were merged and in a future review they are being separated. Is it only there currently as the review is if SEN / ALN funding.</p>	<p>FSM is 20% of the current budget and this is currently being retained. Based on the SEN and FSM data the funding will be delegated on a three year average. This average will mean less difference in school budgets from year to year to prevent large increases or reductions.</p>
<p>This is good for numbers going down but not for numbers increasing where there are pupils with additional need as this will place a burden on the school.</p>	<p>Any additional funding needs linked to a statement would be funded immediately. FSM data is used as a proxy indicator for deprivation the figures can fluctuate from year to year so averaging this will smooth out the fluctuations.</p>
<p>Where do the gifted children fit into this</p>	<p>The more able and talented pupils come under the school improvement part of the Service and there are programmes such as the Seren programme (junior and Post 16) which are successful.</p>
<p>With the ongoing transformation of schools will the number of specialist centres decrease</p>	<p>The ALN strategy was published recently. The centres will change as currently there is a lack of consistency across the County. The key will be that wherever someone lives there is access to appropriate provision. Specialist centres will be for pupils who do not need special school provision but also need support in a mainstream school. The number of these centres is not known as yet but they will be different. In the strategy the aim is to establish satellites of the special</p>

	<p>schools which will be more local for pupils. They will be run by the special schools.</p>
<p>The funding review last year could not be completed. Will be review be completed by April 2022.</p>	<p>A review of the full formula is to be undertaken to make it fit for purpose for the structure that will be in place following transformation. It is unlikely to be fully completed by April 2022, and it will be undertaken in stages to minimise disruption. To be ready for April 2022 proposals would be needed by Sept 2021.</p>
<p>Would that mean that pilots could be undertaken to trial some of the proposals</p>	<p>It is hoped that modelling and an impact assessment of proposals could be built into the process.</p>
<p>PLASC (Pupil Level Annual School Census) data – to achieve the standardised approach across the county, do we have the people to change the system as there was a concern of the Council's ability to do this based on the staffing structure in place.</p>	<p>Capacity was the issue last year. A restructuring of the School Service including ALN was undertaken and appointments are being made although not completed. A number of posts have been identified and although it will not be a large team it will be able to deliver the changes. In addition the electronic system has a quality assurance module within it and the Service can access documents electronically and quality assure them. Schools will also be involved in the moderation of documents.</p>
<p>There are a number of pupils currently in special schools or units who should be taught in mainstream schools. As there is no proposal to increase funding, are we spreading funding too thinly if we have pupils in special schools coming into mainstream education? Will there also be a modification of buildings and are there sufficient teachers who can teach pupils with those needs. How can the same funding go further.</p>	<p>Special school funding will be reviewed next year. Funding is available to establish 3 satellites, of up to 6 pupils each and additional funding has been obtained for that. Formula changes have to remain within the same quantum and budget. There is a separate process in budget process for budget pressures. It is a process of additional funding in the ALN budget first and then addressing issues through the Council budget. Procedures are in place so that specific training and skills can be provided for schools through PIP, and a holistic view can be taken across schools about what additional skills and training might be required. This year the Council is using grant funding for 14 teachers to undertake post graduate</p>

	diplomas in a variety of subjects.
There may be more pupils in mainstream schools, but funding is the same. Whilst more funding is being made available to the Service and specialist centres there is no additional funding for mainstream schools.	There is no additional funding for the specialist centres. In terms of pupils moving into mainstream schools, there is no proposal for a mass transfer of pupils from specialist centres into mainstream and this will be undertaken on a pupil by pupil basis and be based on pupil and parental choice and will take time.
Where is money for specialist centres coming from.	This is coming from the same pot of money but used in a different way, if that is appropriate following discussions with headteachers. Specialist centres are funded separately from the mainstream school. The proposal is to fund only the number of pupils in the mainstream school which is accordance with the School regulations. This does release an element of funding which can be used to support those schools if there are pupils moving from the specialist centre into mainstream to provide that support. The specialist centre will receive support but not for those pupils, as they are not included in the school's standard roll. It is that funding which creates the new funding to support pupils moving out of specialist centres. There will be a dampening scheme initiated as well to mitigate significant changes.
There is some concern about funding moving away from mainstream schools. Is this due to a lack of understanding of the role of specialist centres or how the funding is to be allocated.	There was a view that pupil numbers should include mainstream and specialist centre pupils. However, the School Funding Regulations have required this change to how pupil numbers are calculated.
If child attends a primary school in Powys but lives out of county who funds the additional need, is it the home county or Powys.	It depends on whether the pupil has a statement or not. If they do not have a statement then Powys pays for their ALN need. If they have a statement then the home authority would be recharged for any additional support.
Does SEN include behavioural needs.	Yes it does. Behaviour is dealt with through the Pupil Referral Units and

	<p>applications go to the PIP panel. One nurture programme is being established as early intervention is important and if this is successful then others will be established. Additional funding has been gained for this through the ALN Strategy. By addressing some of these needs early it is hoped that their needs will be less in the long term.</p>
<p>Table 1 Page 13 – Why is the FSM proxy indicator only used in primary sector and not the secondary sector. Why is pastoral needs only in the secondary sector and not the primary sector.</p>	<p>Pastoral care was included in the development of the current formula. This was following consultation with secondary headteachers who wanted flexibility with the funding and not targeted at individual pupils. They also wanted the flexibility in smaller class sizes to help with pupils with ALN. Pupils with ALN would have additional pastoral needs. These two elements of the formula for primary and secondary were developed completely separately.</p>
<p>Is there educational evidence to support that smaller class sizes is better for pupils with ALN rather than other interventions.</p>	<p>Specialist centres are there for those who need small classes. It would be preferable to see more pupils in mainstream classes if they do not need specialist centre or special school provision. There needs to be monitoring and quality assurance of the use of funding in schools.</p>
<p>The reason for supporting ALN funding is to assist pupils play full part in society both within and having left school. Unless we provide a stream of funding for ALN then the support would not happen.. Do we need another stream for immersive funding for bilingual education.</p>	<p>The Council is piloting Trochi which gives immersion for latecomers to the Welsh Language. This is being rolled out county wide by using Microsoft Teams. Athrawon Bro have been redeployed to provide Trochi support remotely across the authority.</p>
<p>It was noted that officers were disappointed in quality and quantity of responses received. What would change for the next consultation to improve responses..</p>	<p>A number of consultations are being undertaken at present. There is a need to ensure that as many individuals as possible are involved in the consultations and this is being addressed.</p>
<p>In relation to the 3 elements - proxy indicators – which proxy indicators are referred to the simplified ones or complicated ones and which ones</p>	<p>The one proposed going forward is the simplified version. The more complicated ones are used currently. However, it would not</p>



are to be reviewed.	have been possible to measure some of these indicators this year due to Covid as there was no testing during the period.
There are more primary schools in Powys than high schools and more pupils in primary schools. Why is the funding not more appropriate, that is more for primary rather than secondary schools. Why is there such a differentiation between types of schools, why is it not simplified for both. Why is the Council only reviewing primary schools and not primary and secondary schools at the same time.	The issues raised with the authority about SEN. ALN funding were primarily from the primary sector. Secondary schools were generally content with the distribution of funding. For primary schools the issue was that they had to use their formula funding first before they could access additional funding for pupils with a statement. This is why this area needed to be reviewed before the full review of the formula. Pastoral funding for secondary schools – it is not clear why this is coming under SEN / ALN and needs to be looked at as well as class sizes in the overall review.

The Chair summed up the discussion thanked officers and the Portfolio Holder for their attendance and advised that the Committee was content that the review had been undertaken, but was mindful of any unintended consequences arising from the review. There were also some areas of further clarity required in the document.

**Outcomes:**

(i)	<b>That detail be included in the report that support funding for more able and gifted children falls under the School Improvement Service</b>
(ii)	<b>That the Funding Review Group be asked to consider reviewing the inclusion of pastoral care for secondary schools within the funding formula.</b>
(iii)	<b>The Chief Education Officer was asked to report back on the outcome of the Trochi pilot project to a future meeting of the Committee.</b>

Additional Matters which the Chair had raised with the Chief Education Officer.

**New Welsh Medium School, Welshpool.**

The Chair referred to the recent correspondence between the Portfolio Holder for Education and Property, himself and the Chair and Vice-Chair of the Audit Committee in relation to the increasing cost for the new Welshpool Welsh Primary School that had been discussed at Cabinet on 12<sup>th</sup> January 2021. The Portfolio Holder had confirmed that the information requested would be provided.

**Changes in arrangements for Schools following the recent second national lockdown.**

The Chief Education Officer reported that the Council was in a period of change with a second national lockdown. The position for schools is different from the first lockdown where schools were repurposed and closed and childcare hubs were established. This time schools have closed and blended learning is taking place. Welsh Government Guidance has been clear that during the current lockdown learning is to take place whilst in the previous lockdown the focus was on childcare.

It was reported that some families were choosing not to take part in online learning but were engaging in blended learning. Attendance at Powys schools in the first week of lockdown was around 16% for each day of the week (i.e. present in the school). For remote learning the attendance was around 78% i.e. those engaging in remote learning. The total attendance figure was around 94% for the week.

For those children not learning the Education Service jointly with Children's Services and Youth Services established a protocol to ensure that those children are seen. Education Welfare Officers and the Youth Service will be visiting some of the learners who are hard to reach. Supporting blended learning is a priority for the Service and a consistent approach to quality blended learning is the aspiration. To support this a Team around the Cluster approach is being adopted to share resources and expertise. Teachers are expected to share materials and platforms are being established on HWB with Challenge Advisers supporting clusters. There are some excellent examples of blended learning already in existence in the county. Lessons learned from the previous lockdown are assisting schools in addressing issues which were identified previously.

Welfare of Staff	This is key. There is some evidence of rising sickness levels but headteachers are focussing on the wellbeing of their staff. A task group is also considering the health and safety of staff working from home. Measures are being implemented to support the wellbeing of staff.
If there is a cluster with one Welsh medium school how are resources shared for that school. What support is provided for pupils who are concerned about the pandemic?	With regard to Welsh Medium there is an opportunity using technology to have a Welsh Medium schools cluster so that they can share resources and good practice. In relation to the 6% of pupils who are not engaging, there is a clear protocol in place working with schools. The Team around the cluster is multi agency with protocols in place to ensure that where required, families can be supported by the most appropriate agency.
Quality of support for children receiving free school meals has been in the press recently. What is	Vouchers are being sent or Bacs payments made to parents. Not all those receiving free school meals

the position in Powys?	are in school as vulnerable learners. All families will receive vouchers or BACS payments, and for those children who are attending school and receive free school meals then that meal is provided for them at the school.
Access for pupils to broadband or digital devices.	There are currently 4 primary schools who do not have sufficient digital devices which are being provided by the Council. 300 laptops are being distributed this week to schools, most of which are for teachers. 1,100 laptops have been ordered for every teacher in Powys which are expected by the end of January.

**Exempt Item.**

RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under category 3 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

The Monitoring Officer has determined that category 3 of the Access to Information Procedure Rules applies to the following item. His view on the public interest test (having taken account of the provisions of Rule 14.8 of the Council's Access to Information Rules) was that to make this information public would disclose information relating to the financial or business affairs of any particular person (including the authority holding that information).

These factors in his view outweigh the public interest in disclosing this information. Members are asked to consider these factors when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.

**Clyro School – update.**

The Committee received a briefing from the Chief Education Officer regarding the recent intervention by the Council in relation to the school budget.

<b>6.</b>	<b>WORK PROGRAMME</b>
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The Committee noted that future meetings of the Committee were scheduled as follows:

25-01-21	14.00 - 16.00	Budget
26-02-21	14.00 - 16.00	

Learning and Skills Scrutiny Committee – 13-01-2021

01-04-21	10.00 - 12.00	
14-05-21	10.00 - 12.00	Post 16 Performance Q4 + Risk
24-06-21?	10.00 - 12.00	WESP (To be confirmed)
10-09-21	10.00 - 12.00	Performance Q1+ Risk
22-10-21	10.00 - 12.00	Performance Q2+ Risk
03-12-21	10.00 - 12.00	

**County Councillor P Roberts (Chairman)**