

SCHOOLS FORUM

MINUTES OF THE MEETING HELD ON MONDAY, 7 DECEMBER 2020

Present: Reverend Mark Bennet (Church of England Diocese), Councillor Dominic Boeck (Executive Portfolio: Children, Young People and Education), Jonathon Chishick (Maintained Primary School Governor), Catie Colston (Maintained Primary School Governor), Jacquie Davies (Pupil Referral Unit Headteacher), Keith Harvey (Maintained Primary School Headteacher), Jon Hewitt (Maintained Special School Headteacher), Brian Jenkins (Early Years Private, Voluntary and Independent Provider Representative), Hilary Latimer (Maintained Primary School Headteacher), Councillor Ross Mackinnon (Executive Portfolio Holder: Finance and Economic Development), Maria Morgan (Maintained Nursery School Headteacher), Julia Mortimore (Academy School Headteacher), Ian Nichol (Maintained Primary School Governor), Janet Patterson (Maintained Primary School Headteacher), Gemma Piper (Academy School Headteacher), Chris Prosser (Maintained Secondary School Headteacher), Graham Spellman (Roman Catholic Diocese) and Charlotte Wilson (Academy School Headteacher)

Also Present: Avril Allenby (Early Years Service Manager), Melanie Ellis (Chief Accountant), Mike Lindenburn (Health and Safety Manager), Ian Pearson (Head of Education Services), Leah Rinaldi (Insurance Manager), Jane Seymour (Service Manager, SEN & Disabled Children's Team), Jessica Bailiss (Policy Officer (Executive Support)), Stephen Chard (Principal Policy Officer) and Moira Fraser (Democratic and Electoral Services Manager)

Apologies for inability to attend the meeting: Antony Gallagher, Richard Hawthorne, Sheila Loy, David Ramsden, Jayne Steele and Gary Upton

PART I

41 Minutes of previous meeting dated 19th October 2020

The Minutes of the meeting held on 19th October were approved as a true and correct record and signed by the Chairman.

42 Actions arising from previous meetings

The Chairman drew the Schools' Forum's attention to the actions for the last meeting on 19th October 2020. All actions were completed or were in hand.

Oct20-Ac4, Early Years Block Budget – Deficit Recovery Plan: Councillor Dominic Boeck stated that he had raised the issues regarding the early years sector with local MP Laura Farris who felt strongly about the matter. The area would be discussed at Westminster on Thursday 10th December 2020. Councillor Boeck would share the outcome of the debate with the Schools' Forum.

RESOLVED that Councillor Boeck would share the outcome of the debate at Westminster with the Schools' Forum.

43 Declarations of Interest

There were no declarations of interest received.

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44 Membership

Jessica Bailiss read out the following updates with regards to Membership:

- Campbell Smith had been duly elected to the role of academy school governor representative on the Schools' Forum.
- As well as the election for the academy governor position an election had also been held for a maintained primary school business manager. There had however, been no nominations received and therefore the election would be run again in the New Year.
- No Schools' Forum Members were approaching the end of their term of office.

45 Final School Funding Formula 2021/22 (Melanie Ellis)

Melanie Ellis introduced the report (Agenda Item 6) which aimed to set out the results from the consultation with all schools on the proposed primary and secondary school funding formula for 2021/22 and to make a final recommendation.

The Schools' Forum noted the outcome of the consultation with schools and the recommendations listed under section two of the report.

The Chairman invited the relevant members of the Forum to vote on each of the recommendations as follows.

Recommendation (1):

To mirror the DfE's 2021/22 National Funding Formula to calculate the funding allocations

Catie Colston proposed that the Forum approve the above recommendation and this was seconded by Ian Nichol. At the vote (with school members and the PVI nursery representative only), the vote was carried.

Recommendation (2):

To award a lower increase to the schools sparsity factor in the local formula.

Hilary Latimer proposed that the Forum approve the above recommendation and this was seconded by Ian Nichol. At the vote (with school members and the PVI nursery representative only), the motion was carried.

Recommendation (3):

To address any surplus or shortfall in funding by adjusting the AWPU values.

Keith Harvey proposed that the Forum approve the above recommendation and this was seconded by Jon Hewitt. At the vote (with school members and the PVI nursery representative only), the motion was carried.

Recommendation (4):

To apply a top slice of 0.25% to the schools' funding, in order to support High Needs.

Hilary Latimer proposed that the Forum approve the above recommendation and this was seconded by Jon Hewitt. At the vote (with school members and the PVI nursery representative only), the motion was carried.

Recommendation (5):

To approve the criteria for additional funds as per the consultation.

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Hilary Latimer proposed that the Forum approve the above recommendation and this was seconded by Jon Hewitt. At the vote (with all Forum members), the motion was carried.

Recommendation (6) would be considered under agenda item eight – Delegations 2021/22.

RESOLVED that recommendations (1) to (5), as listed under section 2.1 of the report, were approved by the Schools' Forum. Recommendation (6) would be considered under agenda item eight – De-delegations 2021/22.

46 **Budgets and Criteria for Additional Funds 2021/22: High needs (Melanie Ellis)**

Melanie Ellis introduced the report (Agenda Item 7) which set out the proposed budgets for additional funds for 2021/22 in relation to high needs only. The full report was agreed at the Schools Forum in October 2020, but the budget for high needs required further discussion.

The recommendation had initially been to set the budget at £100k for schools with disproportionate numbers of high needs pupils. It had however been noted at the Schools' Forum in October 2020 that there had been an underspend in this area over previous years. Following further analysis it was proposed that a lower amount of £40k be agreed.

The Chairman invited members of the Forum to consider the proposal under section 4.1 of the report. Keith Harvey proposed that the recommendation be approved and this was seconded by Catie Colston. At the vote the motion was carried.

RESOLVED that the Forum agreed that the budget for additional high needs funding be set at £40k in 2021/22.

47 **De-delegations 2021/22 (Ian Pearson/Melanie Ellis)**

Ian Pearson introduced the report (Agenda Item 8) which set out the details, cost, and charges to schools of the services on which maintained school representatives are required to vote (on an annual basis) whether or not they should be de-delegated. The report came to the Schools' Forum on an annual basis.

Ian Pearson highlighted section two of the report, which detailed each of the recommendations that would need to be considered by maintained school representatives. A summary of each proposal was shown within Table A on page 22 of the agenda. The third column of the table showed that the Heads Funding Group (HFG) had supported each of the de-delegation proposals. The HFG had supported one of the two options available for health and safety and this had been the enhanced support option. Fluctuations in price for each service was normally due to efficiency savings or inflation.

The area that had historically required further discussion was health and safety. Ian Pearson suggested Mike Lindburn provide further detail on this area, particularly on the enhanced level of service, which had been supported by the HFG.

Mike Lindburn explained that the report provided a great deal of detail on the area under Appendix G. In the past, schools had been offered two levels of service. Level One had been provided through the de-delegation of the service and then Level Two, a higher level of service, was offered through an optional buy back by schools. The aim of the proposal was to have a unified service across all maintained schools. If all schools bought into this unified service then it reduced the overall cost of the service.

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Mike Lindburn drew attention to Table 1 under Appendix G, which showed the 2020/21 cost to schools for the Level 2 Service, compared to the cost of the unified service for 2021/22 if all schools agreed to it.

Ian Pearson highlighted that although the discussion related to services for maintained schools, the services were also available to academy schools if they wished to purchase them.

Keith Harvey commented that the Health and Safety Service had provided an enhanced level of service to all maintained schools throughout the pandemic and therefore in his view, it seemed the right time to increase the level of service to enhanced for all schools.

The Chairman invited the relevant members of the Forum to vote on each of the recommendations as follows.

Recommendation 2.1:

That representatives of maintained primary schools should agree to de-delegate funds in the 2021/22 financial year for:

- *Behaviour Support Services*
- *Ethnic Minority Support*
- *Trade Union Representation*
- *Schools in Financial Difficulty*
- *CLEAPSS*
- *Statutory and Regulatory Duties comprising:*
 - *Statutory accounting functions in respect of schools*
 - *Internal Audit of schools*
 - *Administration of pensions for school staff*
 - *Health and Safety (enhanced support – level one plus a top up level two)*

Jonathan Chishick proposed that the recommendation be approved by maintained primary school representatives and this was seconded by Ian Nichol. At the vote the motion was carried.

Recommendation 2.2:

That representatives of maintained secondary schools should agree to de-delegate funds in the 2021/22 financial year for:

- *Behaviour Support Services*
- *Ethnic Minority Support*
- *Trade Union Representation*
- *CLEAPSS*
- *Statutory and Regulatory Duties comprising:*
 - *Statutory accounting functions in respect of schools*
 - *Internal Audit of schools*
 - *Administration of pensions for school staff*
 - *Health and Safety (enhanced support – level one plus a top up level two)*

(It was proposed that the vote go ahead with one of the two maintained secondary representatives present. This was in line with the constitution where at least 40% need to be present from a phase to be quorate. There were no objections raised to this proposal by members of the Forum.)

Chris Prosser proposed that the recommendation be approved and at the vote the motion was carried.

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Recommendation 2.3:

That representatives of maintained special, nursery and PRU heads should agree to de-delegate funds in the 2021/22 financial year for:

- *Statutory and Regulatory Duties comprising:*
 - *Statutory accounting functions in respect of schools*
 - *Internal Audit of schools*
 - *Administration of pensions for school staff*
 - *Health and Safety (enhanced support – level one plus a top up level two)*

Jon Hewitt proposed that the recommendation be approved by maintained special, nursery and PRU representatives and this was seconded by Maria Morgan. At the vote the motion was carried.

RESOLVED that each of the recommendations set out under section two of the report were agreed.

48 Update on RPA For Schools (Leah Rinaldi)

Leah Rinaldi introduced the report (Agenda Item 9) which sought to update Schools' Forum on the Risk Protection Arrangement (RPA) for maintained schools.

The RPA was run by the Department for Education (DfE) and had initially only been available to academy schools however, had now become available to maintained schools. Leah Rinaldi clarified that the RPA was not insurance but was a risk transfer mechanism and therefore was not a like for like replacement of the insurance scheme offered by the Local Authority. Schools' would need to carefully assess cover options and make informed individual decisions on whether to remain within the Local Authority's insurance arrangements or switch to the RPA.

RESOLVED that the Schools' Forum noted the report.

49 DSG Funding Settlement Budget Overview 2021/22 (Melanie Ellis)

Melanie Ellis introduced the report (Agenda Item 10) which set out the provisional Dedicated Schools Grant (DSG) allocation for 2021/22. The final allocation would be available once the DfE had updated the information following the October 2020 census data.

Melanie Ellis drew attention to section 4.1 which provided the initial allocations and the increase from the previous year. It showed that the Schools' Block was increasing by £8.8m compared to the previous year and the High Needs Block was increasing by £1.9m. The budget for the Central Schools Services Block was decreasing by £20k. The figures for early years were not yet known.

RESOLVED that the Schools' Forum noted the report.

50 Draft Central Schools Block Budget 2021/22 (Melanie Ellis)

Ian Pearson introduced the report (Agenda Item 11) that set out the budget proposal for services funded from the Central Schools' Services (CSSB) block of the DSG and to propose measure to enable the budget for this block to be balanced.

The CSSB covered funding allocated to Local Authorities (LAs) to carry out central functions on behalf of pupils in state-funded maintained schools and academies in England. This included special schools, maintained nurseries and pupil referral units.

Ian Pearson referred to the table at the top of page 68 of the agenda. Funding within the CSSB had been reduced year on year over the last three years. A variety of different methods had been used to balance the block over this period of time, including savings against various teams. In 2018/19 the block was balanced by a small transfer from the

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Early Years and High Needs Blocks. The reason for this transfer was that the CSSB is calculated on pupil numbers, but only the numbers attending primary and secondary schools. However, both nursery and special schools benefitted from some of the services provided by the block. A report would need to be brought back to the next meeting of the Schools' Forum which included proposals on how to balance the block. Each area would need to be looked at in time for the meeting in January 2021 to see what potential savings could be delivered.

Catie Colston noted from the table at the top of page 68 that the current cost for Education Welfare was higher than it would be in 2021/22, whereas the cost for the Provision of Education Data would increase going into 2021/22. Catie Colston questioned the reasoning behind these figures and whether the balance was right. Regarding the Provision of Education Data whether this was as important as children's welfare, Ian Pearson responded that he had discussed the matter with the Data Manager to see if costs could be reduced in this area. Data costs fell into two areas, firstly the costs for the contract with Capita to deliver the education data modules and secondly costs relating to staffing. It was possible that the figure for 2021/22 might change in time for the meeting of the Forum in January 2021.

Reverend Mark Bennet raised a question regarding Education Welfare and queried if an aspect of this service would be impacted on by Covid-19. Ian Pearson explained that the Welfare Team were responsible for elected home education, which was an area that had been impacted on by the pandemic. The number of children being educated at home had already increased three fold. If the number of children being home educated continued to rise then there would be an increased pressure on this area.

RESOLVED that the Schools' Forum noted the report and that a further report with recommendations on how to balance the block would be brought to the next cycle of meetings in January 2021.

51 **Draft High Needs Budget 2021/22 (Jane Seymour)**

Jane Seymour introduced the report (Agenda Item 12), which set out the current financial position of the high needs budget for 2020/21 and the position known so far for 2021/22, including the likely shortfall.

Jane Seymour drew attention to section three of the report, which provided some background and detailed how the budget had not kept pace with demand. This was an issue being faced by West Berkshire and nationally. A number of savings had been implemented across the block in 2017/18 and 2018/19 and these were set out in section 3.3 of the report. It had since been found that some of these savings had been counterproductive and had led to an increase in expenditure on strategic SEND services.

There had been a significant increase in the number of children with SEND, both in those children below the threshold for an Education, Health and Care Plan (EHCP) and also in those requiring an EHCP. In particular there had been a rise in the number of children with autism and social and emotional mental health (SEMH) needs. Jane Seymour reported that over the last five years there had been an increase of 26% in children needing an EHCP however, in mainstream schools there had only been a rise of 5%. The largest rise was within specialist settings, which were very expensive.

Jane Seymour drew attention to section 3.7 of the report which detailed the net shortfall for the HNB budget. The deficit included an overspend that had been rolled forward for three years, which took the total net shortfall for 2021/22 to £3.9m. If these overspends had not needed to be rolled forward then the shortfall in 2021/22 would be around £849k.

Jane Seymour reported that although savings had been made against the HNB in recent years, the Local Authority had a number of statutory duties that it had to provide children

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with SEND in line with the 2014 Children and Families Act and therefore expenditure was needs driven. If a child met the criteria for an EHCP then this provision had to be put in place regardless of budgetary restraints.

Jane Seymour drew attention to section 3.9 of the report, which provided detail on the SEN Strategy and the five key priority areas. The aim was to bring costs down in the block in a range of ways. One aim was to improve local provision through the strategy and this would involve improving provision within mainstream schools and creating more in house provision, particularly for children with Autism and SEMH. A new provision was planned to open in September 2022, or possibly earlier.

Jane Seymour drew attention to Appendix A which provided more detail on each of the budgets included within the HNB and the reasons for the pressure on the 2020-21 budget. Regarding Place Funding, 12 additional places were required and funding for this would need to be top sliced from the HNB budget. More detail on this was included under section one to Appendix A.

Jane Seymour explained that Top Up Funding was the largest pressure within the block, with placements at independent special schools and maintained special schools causing the greatest pressure. This could be seen in detail under section two of the report.

Jane Seymour reported section 2.6 of the report included a proposal for special schools for 2021/22 that they should be paid the full £10k for each additional place and this had been allowed for in the projected 2021-22 costs. Special Schools had also put forward a case for further additional funding, which would be brought as a report to the next Schools' Forum in January 2021.

Jane Seymour explained that the report detailed the other areas of pressure within Top Up Funding from section 2.7 of the report.

Section three of the report provided detail on the pressure facing Pupil Referral Units (PRUs). There was a pressure of about £14k in this area for children requiring EHCPs. A new provision for pupils with EHCPs was set up in 2019 and placements at this setting were usually more cost effective than independent and non-maintained special schools placements.

Detail on other statutory services and non-statutory services could be found under section four and five of Appendix A. Jane Seymour referred to Table 5 on page 83 which showed the non statutory costs and currently included the additional funding that was agreed in 2020/21 for invest to save projects. This funding had not yet been agreed for 2021/22 and therefore this information could be removed if necessary.

A report would be brought to the next round of meetings in January 2021, which included savings options for consideration. Ian Pearson added that the report was not for decision at this time. Dialogue would be kept with the different schools phases to discuss how the issues could be addressed. Dialogue would also be required with the DfE.

Ian Pearson referred to the decision taken to transfer funding from the Schools' Block the HNB in 2020/21. Consultation had taken place with the Schools' Forum regarding what this funding should be spent on. Going forward here was not an assumption that this money should be used for what it was assigned to previously and schools would ultimately be able to decide what the funding was used for in 2021/22. The overall aim was improve service whilst ensuring they were more efficient and cost effective.

RESOLVED that the Schools' Forum noted the report, which would be brought back to the next meeting in January 2021 for decision.

52 Outline Early Years Forecast 2020/21 (Avril Allenby)

Lisa Potts introduced the report (Agenda Item 13) which updated the Schools' Forum on the forecast position for the Early Years Block (EYB) for 2020/21.

Lisa Potts reported that additional payments had been made to providers for the autumn term to ensure they did not miss out on funding due to lower numbers as a result of Covid-19. Lisa Potts added that there had been a reduction in the number of hours being taken up by children in early years settings. There were still parents who were not working due to the pandemic and therefore there had been a reduction in the take up of the 15 free hours, particularly for the autumn term.

There was not yet any guidance from Government regarding how hours calculated through the January 2021 census would be funded. It was hoped that the guidance would be received by the end of December 2020 as this would be required to calculate the income stream for the year. Estimates currently had to be used.

The net forecast for the block had been anticipated to be around £1m however, this had increased slightly to about £1.2m and this was a cumulative deficit. The table under section 4.1 of the report showed this in more detail.

Brian Jenkins stressed the volatility of the sector, particularly with regards to numbers. This was an issue faced on an annual basis and it was an impossible task to set near to accurate predictions.

RESOLVED that the Schools' Forum noted the report.

53 Financial Impact of Covid19 on the Early Years Block (Avril Allenby)

Avril Allenby introduced the report (Agenda Item 14) which updated the Schools' Forum on the financial impact of COVID-19 on the Early Years Funding Block. Avril Allenby explained that the report linked to the earlier report on the Early Years Block Budget.

Similar to schools, the majority of early years providers had remained open throughout the period of Covid, working with vulnerable children and children of key workers. There was a direct impact in that funding for many early years settings was split between funding from the early years Dedicated Schools Grant (DSG) and private income generation. Increasingly it was becoming apparent that the impact would be long term rather than short term. Avril Allenby stressed the impact of the issues being faced on vulnerable children.

Avril Allenby referred to section 3.8 of the report and highlighted that there were also other hidden costs, for example there had been no additional funding given to early years settings for PPE. There were a lot of challenges to deal with, with limited resources.

Avril Allenby drew attention to section 3.10 of the report and stated that the hours and number of total funded children for autumn 2019 had been viewed in comparison with the hours for autumn 2020. It could be seen that extended hours had dropped considerably and to some extent universal hours had dropped too. Avril Allenby explained that parents were still not accessing the same level of hours as they were prior to the pandemic. This was partly due to more parents working from home and not requiring the wrap around aspect of childcare.

Since lockdown there had been three confirmed closures of early years settings. Avril Allenby stressed that many others were struggling financially and were facing a range of issues including redundancy costs. Providers most at risk were community run settings, which were non-profit organisations.

Avril Allenby reported that settings would have been funded for the current term based on levels from the previous autumn term, which had been a great support to sector. There

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was uncertainty however, regarding what would happen going forward. Positively the early years market in West Berkshire was a buoyant one and providers worked very well with the Local Authority.

Avril Allenby commented that the report gave a picture of what was being faced by the early year's sector and the difficulty of budget constraints.

Brian Jenkins reiterated his point regarding the volatility around numbers within the sector. He asked that members of the Forum use the two reports that had been presented on the Early Years sector as a tutorial regarding what the sector was faced with. Unlike schools, most of the organisations in sector were privately run with any losses impacting directly on owners. Those within the sector were being constructive in their approach and were doing their best in a very difficult situation, but were very dependent on Covid-19 being defeated. Early years settings often ran at a loss during the winter period and made up costs over the summer. As a result of Covid-19 settings had been faced with two winter periods and had missed out on the financial benefit of the summer due to it being spent in lockdown. The Early Years Funding Group were due to meet on the 14th December and would be discussing the issue again in time for the Schools' Forum meeting in January.

Maria Morgan concurred with Brian Jenkins and stressed the huge impact upon all types of settings across the board, including large settings like Victoria Park and Hungerford Nurseries. She stressed the impact on private billing, which was an issue that had been raised by MP Laura Farris in Parliament.

RESOLVED that the Schools' Forum noted the report.

54 **Scheme for Financing Schools (Melanie Ellis)**

Melanie Ellis introduced the report (Agenda Item 15), which advised of the consultation responses on the updated Scheme for Financing Schools. There had been two responses to the consultation for this area and both had been in support of the suggested amendments.

RESOLVED that the Schools' Forum noted the report and that the adopted Scheme for Financing Schools would be adopted from 1st April 2021.

55 **DSG Monitoring 2020/21 Month 7 (Ian Pearson)**

Ian Pearson introduced the report (Agenda Item 16), which aimed to forecast financial position of the services funded by the Dedicated Schools Grant (DSG), highlighting any under or over spends, and to highlight the cumulative deficit on the DSG.

Ian Pearson drew attention to the table under section five of the report, which showed the forecast position at the end of October 2020 for each of the funding blocks. Explanations for each of the blocks was provided under sections six to nine of the report.

Section nine of the report looked at the High Needs Block and helpfully listed the main variances against expenditure. Some of the savings achieved were of high value.

RESOLVED that the Schools' Forum noted the report.

56 **Forward Plan**

The forward plan was noted.

57 **Date of the next meeting**

Monday 25th January 2021 at 5pm.

(The meeting commenced at 5.00 pm and closed at 6.20 pm)

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CHAIRMAN

Date of Signature