

# **SCHOOLS FORUM**

## **MINUTES OF THE MEETING HELD ON MONDAY, 6 DECEMBER 2021**

**Present:** Reverend Mark Bennet (Church of England Diocese), Jonathon Chishick (Maintained Primary School Governor), Emily Dawkins (Maintained Primary School Headteacher), Keith Harvey (Maintained Primary School Headteacher), Jon Hewitt (Maintained Special School Headteacher), Hilary Latimer (Maintained Primary School Headteacher), Maria Morgan (Maintained Nursery School Headteacher), Ian Nichol (Maintained Primary School Governor), Gemma Piper (Academy School Headteacher), Chris Prosser (Maintained Secondary School Headteacher), Graham Spellman (Roman Catholic Diocese) and Charlotte Wilson (Academy School Headteacher)

**Also Present:** Melanie Ellis (Chief Accountant), Ian Pearson (Head of Education Services) and Jane Seymour (Service Manager, SEN & Disabled Children's Team), Jessica Bailiss (Policy Officer (Executive Support)), Councillor Dominic Boeck (Portfolio Holder for Children, Young People and Education) and Michelle Sancho (Principal EP & Service Manager)

**Apologies for inability to attend the meeting:** Catie Colston, Jacquie Davies, Michelle Harrison, Councillor Ross Mackinnon, Catherine McLeod, Julia Mortimore, David Ramsden and Campbell Smith

### **PART I**

#### **55 Minutes of previous meeting dated 18th October 2021**

The minutes of the meeting held on the 18<sup>th</sup> October 2021 were approved as a true and correct record and signed by the Chair.

#### **56 Actions arising from previous meetings**

All actions were in hand or completed.

#### **57 Declarations of Interest**

There were no declarations of interest received.

#### **58 Membership**

Jessica Bailiss confirmed that Charlotte Wilson and Jacquie Davies had recently reached the end of their terms of office and having consulted their relevant groups had confirmed that they would continue for a further term.

Other members of the Forum approaching the end of their terms of office would be contacted individually.

An election was currently taking place for the Academy Governor vacancy and the closing date for nominations was 6<sup>th</sup> December 2021.

#### **59 School Funding Formula 2022/23 (Melanie Ellis)**

Melanie Ellis introduced the report (Agenda Item 6), which set out the results of the consultation with all schools on the proposed primary and secondary school funding formula for 2022/23 and sought a final decision from the Schools' Forum.

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Melanie Ellis added that the results of the consultation had been discussed at the Heads' Funding Group (HFG) and the recommendations from this group were set out under section 2.1 of the report.

Melanie Ellis reported that 28 schools had responded to the consultation and she highlighted the results for each of the seven questions. The questions and results for the proposals on the sparsity factor and transfer of funding required further discussion.

1. *Do you agree that, subject to final affordability, West Berkshire should mirror the DfE's 2022/23 NFF as closely as possible and that this formula should be used to calculate funding allocations?* All 28 schools had supported this proposal. This was also supported by the HFG.
2. *Do you support using a Sparsity Factor?* 14 schools had supported awarding reduced sparsity funding to eligible schools and 13 schools had supported the full sparsity amount being awarded. The option to award reduced sparsity funding had been supported by the HFG and a detailed discussion on what reduction option should be recommended took place. The overall support was for using the National Funding Formula rules but capping this at 80%.
3. *Do you agree that any shortfall or surplus in funding is addressed by adjusting the AWPV values?* This had been supported by the majority of schools. This had also been supported by the HFG.
4. *What percentage transfer of funding would you support from the Schools Block to the High Needs block (HNB)?* 13 schools had supported a 0.5% transfer and 12 schools had supported a 0.25% transfer. When taking in to account the number of schools that had supported a 0% transfer the HFG had decided to recommend that a 0.25% transfer should be supported.
5. *Would you support any of this transfer supporting any of the other funding blocks?* 14 schools had supported this and 12 schools had said that they would not support this. The HFG had recommended that a block transfer should be used to support the High Need Block including support for Early Years development and capacity.
6. *Do you agree with the criteria set to access additional funds outside the school formula?* This was supported by the majority of schools and was supported by the HFG.
7. *Do you agree with the proposed De-delegated Services, Education Functions and Health and Safety Service for all maintained schools?* This was supported by the majority of schools however, Melanie Ellis reported that this would not be voted on at the current Forum meeting and a full report on the de-delegation proposals would be brought for consideration in January 2022.

The Chair asked if there were any queries regarding any of the proposals set out within 2.1 of the report and no queries were raised. The relevant Forum representatives moved on to vote on each of the proposals.

Keith Harvey proposed that the DfE's 2022/23 NFF to calculate the funding allocations should be mirrored (2.1(1)). This was seconded by John Hewitt. At the vote the motion was carried.

Hilary Latimer proposed that a reduced sparsity factor, set at 80% of the NFF values should be applied (2.2(2)). This was seconded by Emily Dawkins. At the vote the motion was carried.

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Ian Nichol proposed that any surplus or shortfall in funding should be addressed through adjusting the AWPU rates (2.2(3)). This was seconded by Richard Hawthorne. At the vote the motion was carried.

Keith Harvey proposed that a 0.25% top slice should be applied to the school's funding (2.2(4)). This was seconded by Emily Dawkins. At the vote the motion was carried.

Ian Nichol proposed that a block transfer should be used to support the HNB including support for Early Years development and capacity (2.2(5)). This was seconded by Keith Harvey. At the vote the motion was carried.

Ian Nichol proposed that the criteria for allocating additional funds should be approved (2.2(6)). This was seconded by Emily Dawkins. At the vote the motion was carried.

**RESOLVED that** all recommendations set out under 2.1 of the report (apart from recommendation 7 regarding the proposed de-delegated serviced, which would be considered at the Forum in January 2022) were approved by the Schools' Forum.

### 60 Budgets for Additional Funds 2022/23 (Melanie Ellis)

Melanie Ellis introduced the report (Agenda Item 7), which set out the proposed 2022/23 budgets for the Growth fund, Primary Schools in Financial Difficulty fund (SIFD) and Additional High Needs fund.

Melanie Ellis reported that a discussion was required on the Growth Fund. This funding would be awarded in December 2021 and it was anticipated that about £900k would be awarded to the Local Authority based on growth rate. The table under section 5.4 of the report detailed the estimated draw on the growth fund up to 31<sup>st</sup> March 2023. It showed that currently there was £1.5m in the fund and Highwood Copse would need to be supported from this as a new school. It was expected by March 2023 that there would still be £786k in the Growth Fund. The recommendation supported by the HFG was therefore that the current year estimated allocation of £900k should be distributed back out to schools via the schools formula. Melanie Ellis reported that this approach had also been agreed in 2020/21 however, the funding had been used to increase the HNB transfer.

Regarding the Schools in Financial Difficulty Fund (SIFDF) it had been agreed in previous years that the fund should be kept topped up to £200k. It was topped up through de-delegations when it fell below this amount. No bids had yet been approved in the current year however, there were several bids for consideration being presented to January HFG meeting. Agreement was being sought from the Forum to top the fund back up to £200k if required at the beginning of the next financial year.

Finally regarding additional funding for high needs, Melanie Ellis reported that the proposed spending for this area was set out in the table under 7.1. The proposal was to set aside £40k for this fund in 2022/23. Ian Pearson clarified that this was fund that provided financial support to schools that had reached the financial trigger point to make their own contribution to EHCPs. It had been queried at the HFG what would happen if requests from schools for this purpose reached over the allocated £40k. Ian Pearson reported that no school would be disadvantaged if this was to occur and if more than £40k was required then this would be spent to ensure the Local Authority's commitment to schools to provide the top up funding was met.

The Chair asked if there were any queries regarding any of the proposals set out within 2.1 of the report and no queries were raised. The relevant Forum representatives moved on to vote on each of the proposals.

Jon Hewitt proposed that the 2022/23 growth funding should be distributed to all schools (2.2). This was seconded by Richard Hawthorne. At the vote the motion was carried.

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Jonathan Chishick proposed that the SIFDF should be topped up to £200k (2.2). This was seconded by Hilary Latimer. At the vote the motions was carried.

Hilary Latimer proposed that the additional high needs fund should be set at £40k (2.3). This was seconded by Ian Nichol. At the vote the motion was carried.

**RESOLVED** that recommendations 2.1, 2.2 and 2.3 as set out in the report were approved by the Schools' Forum.

### 61 Draft Central Schools Block Budget 2022/23 (Lisa Potts)

Ian Pearson introduced the report (Agenda Item 8), which set out the budget proposal for services funded from the Central Schools' Services (CSSB) block of the Dedicated Schools Grant (DSG).

The purpose of the CSSB was to fund central services provided to schools. As detailed within the table on page 38 under section 4.4 the current year's budget was £1,017,756 and the budget required in 2022/23 was £984,055, so there was a reduction of about £34k. The budget had overspent in previous years because the Government had reduced it year on year however a balanced budget had been set for 2022/23.

Keith Harvey proposed that the Forum agreed the 2022/23 budget for the CSSB. This was seconded by Chris Prosser. At the vote the motion was carried.

**RESOLVED** that the Schools' Forum approved the CSSB budget as recommended in section 2.1 of the report.

### 62 Draft High Needs Budget 2022/23 (Jane Seymour)

Jane Seymour introduced the report (Agenda Item 9), which set out the current financial position of the high needs budget for 2021/22 and the position as far as it can be predicted for 2022/23, including the likely shortfall.

Jane Seymour introduced the report (Agenda Item 9), which set out the current financial position of the high needs budget for 2021/22 and the position as far as it can be predicted for 2022/23, including the likely shortfall. Key points of the report included:

- There was a forecast shortfall of £2,147,538 in the 2022/23 High Needs Block (HNB) budget and an estimated cumulative deficit of £5,835,939.
- Key areas of pressure were highlighted under Appendix A and Jane Seymour explained each of these in more detail. .
- Place Funding was agreed by the ESFA. Place funding could only be changed for Academy and FE places. Slightly less budget was required as there had been a reduction by one planned place. No additional funding could however, be obtained for maintained schools and this created additional pressure on those budgets.
- The Top Up Funding table on page 49 of the agenda showed the difference between the 2021/22 budget and 2022/23 budget. There were some reductions in funding including for non-West Berkshire Special Schools placements and FE College high needs placements. There were however significant areas of pressure including independent special schools, maintained special schools, maintained and academy mainstream EHCPs and non-maintained special schools. Jane Seymour highlighted that the table on page 49 also showed the revenue cost of the new secondary SEMH provision in Theale.
- Detail on Pupil Referral Units was detailed under section three of Appendix A. It was expected that an extra £200k would be required for children with EHCPs.

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- Jane Seymour moved on to other statutory services under section four of Appendix A where the increases were generally not significant. There were however, spending increases related to the education of children with health needs and medical tuition for children with health needs. This related to children out of school with emotional health needs and increasing levels of children who were Emotionally Based School Avoiders (EBSA). There was a duty to provide tuition for these children.
- Table five under section five of Appendix A detailed non-statutory service budgets for 2020/21 and 2021/22 and estimates for 2022/23. Jane Seymour highlighted that there were no significant budget increases predicted in this area.
- Jane Seymour reported that the next section of the report looked at the two sets of Invest to Initiatives. The impact of the first set of initiatives had been reported to the last Forum meeting in October 2021 including placements that had been avoided and the savings from these projects were detailed in the report on page 58 and 59. It was proposed that the first set of projects were funded permanently based on evaluation data. It was proposed that funding for the second set of projects should be continued for a further year pending further evaluation data.

**RESOLVED** that the Schools' Forum noted the report, which would return to the Forum for consideration in January 2022.

### **63 High Needs Block - Deficit Recovery Plan (Jane Seymour)**

Jane Seymour introduced the report (Agenda Item 10), which proposed a draft 6 year HNB deficit recovery strategy for consideration by the Schools Forum.

The HNB budget would be almost £6 million overspent by the end of 2022/23 and a large proportion of increasing costs could be attributed to increases in the number of children requiring Education, Health and Care Plans (EHCPs) across all settings and age groups from 0 to 25. The main areas of pressure were set out in section 3.3 of the report.

Jane Seymour stressed that there were robust systems in place in West Berkshire for managing demand however, there had been an overall increase in EHCPs in West Berkshire of 41% since the Children and Families Act came in in 2014, which had placed pressure on the HNB.

Jane Seymour reiterated that the budget required for 2022/23 would exceed the current budget by £2.14m. Jane Seymour reported that her report attempted to model the changes in placement patterns, which would be needed in order to achieve expenditure within budget. The focus of the recovery strategy was on reducing expenditure on independent, non-maintained and free special school placements and also on I-College placements, as these placements had the potential to be reduced through earlier intervention. Jane Seymour stressed that it was not about denying children placements who needed them but was about ensuring that the additional support put in place was enabling the Local Authority to cater for more children's needs in mainstream schools so that fewer requires specialist placements.

Jane Seymour highlighted that section four of the report set out the invest to save initiatives 2020-22 and the intentions of the SEND Strategy. It detailed that the aim was to create good quality provision for children locally, whilst looking at how to do this in a cost effective and sustainable way.

Jane Seymour explained that the report set out how placements patterns would need to change in order to meet the required savings. Table one on page four of the report showed savings required by cost centre if apportioned in line with 2022/23 estimated spend.

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Section six of the report detailed savings on independent, non-maintained and free special schools by 2028/29. Jane Seymour reported that in order to achieve the savings required in this budget, the total number of children placed would need to reduce as shown in Table three on page 65 of the report.

Section seven of the report detailed savings on I-College by 2028/29 and in order to achieve the savings required in the budget, the total number of children would need to reduce as shown in Table four on page 66 of the report.

Jane Seymour concluded by drawing attention to section eight of the report which detailed factors for consideration, this also included factors that were outside of the Local Authority's control. If other cost centres in the HNB increased in future years by more than inflation, additional savings would be needed to achieve expenditure in line with the budget. Jane Seymour reported that the strategy also only addressed in year costs and not cumulative overspends. The Local Authority needed to work closely with schools in the area to ensure that they were aware of and accessing the support available to help reduce exclusions and avoid external placements.

Keith Harvey noted that the overspend in the budget had started to occur when the age range for EHCPs was increased from 19 to 25 without any additional budget provided. Keith Harvey stated that he would be interested to know if there would still be an overspend if the age had remained at 19 years old. He asked if an answer on this could be brought to a future meeting. Secondly Keith Harvey stated that he felt that the deficit recovery strategy was very ambitious and although he understood the reason for this, he queried how likely it would be that the reduced suggested numbers could be achieved. He was concerned that realistically it might not be possible.

In response to Keith Harvey's first comment, Jane Seymour confirmed that she would look in to data regarding this. Regarding Keith Harvey's second question, Jane Seymour agreed that the deficit recovery strategy was ambitious. There were increasing numbers however, success was being seen through the different strategies set out in the SEND Strategy including through the invest to save initiatives. It was difficult to estimate to what extent the success would continue and the success of the strategy very much depended on the ongoing funding of the different initiatives. It might need to be considered if more investment was required for preventative work in order to achieve what had been set out.

Ian Pearson stated that he concurred with the comments by Jane Seymour that the deficit recovery strategy was ambitious. Ian Pearson drew attention to the detail on the invest to save initiatives under the previous agenda item (Item 9) and stated that the figures presented indicated that if these initiatives had not been put in place then spending would be £1m higher. It was therefore possible to invest in areas that would save money over time.

Ian Pearson referred to the large figures that had been discussed, which as reported by Jane Seymour depended on expenditure overtime, inflation and how many cases were coming forward for more expensive placements. Part of this would form an element of the current SEND Review being undertaken by the Government together with how it wished to utilise the additional money for schools that was voted for in the recent spending review. It was anticipated that the SEND Review would be completed by March 2022 and the Government were then proposing to prepare a Green Paper. Ian Pearson felt it would be interesting to see what part the Government were going to play in supporting local authorities more broadly in addressing the issue of provision for SEND children and the associated costs.

### **RESOLVED that:**

- Jane Seymour would look in to whether there still would have been an overspend in the HNB if the age range for EHCPs had not been increased to 25.

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- The Schools' Forum noted the report.

### **64 Final Scheme for Financing Schools 2021/22 (Melanie Ellis)**

Melanie Ellis introduced the report (Agenda Item 11), which advised the Schools' Forum of the consultation responses on the updated Scheme for Financing Schools. It was noted that no comments had been received and therefore the updated Scheme for Financing Schools would be adopted from 1<sup>st</sup> December 2021.

### **65 Forward Plan**

The Schools Forum noted the forward plan.

### **66 Date of the next meeting**

The next meeting of the Schools' Forum would take place on 24<sup>th</sup> January 2022 on Zoom.

The Chair gave his thanks and appreciation to all those present currently working on the front line and the amazing work carried out since the beginning of the Covid pandemic. He acknowledged that the situation was not getting any easier and thanked everyone for their hard work.

*(The meeting commenced at 5.00 pm and closed at 6.00 pm)*

**CHAIR** .....

**Date of Signature** .....