

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## SCHOOLS FORUM

### MINUTES OF THE MEETING HELD ON MONDAY, 19 JUNE 2023

**Present:** Reverend Mark Bennet (Church of England Diocese), Melissa Cliffe (Maintained Primary School Headteacher), Councillor Heather Codling (Executive Portfolio Holder: Children, Education and Young People's Services), Catie Colston (Academy School Governor), Jackie Davies (Pupil Referral Unit Headteacher), Richard Hand (Trade Union), Michelle Harrison (Maintained Primary Schools), Keith Harvey (Maintained Primary School Headteacher), Richard Hawthorne (Academy School Headteacher), Jon Hewitt (Maintained Special School Headteacher), Jo Lagares (Maintained Primary School Headteacher), Maria Morgan (Maintained Nursery School Headteacher), Chris Prosser (Maintained Secondary School Headteacher), David Ramsden (Maintained Secondary School Headteacher), Ant Sizer (Maintained Secondary School Deputy Headteacher), Campbell Smith (Academy School Governor), Graham Spellman (Roman Catholic Diocese), Phil Spray (Maintained Primary School Governor), Charlotte Wilson (Academy School Headteacher) and Lindsay Wood (Academy School Headteacher)

**Also Present:** Melanie Ellis (Chief Accountant), Nicola Ponton (SEN Manager), Jane Seymour (Service Manager, SEN & Disabled Children's Team), Jessica Bailiss (Policy Officer (Executive Support)) and Michelle Sancho (Acting Head of Education Services)

**Apologies for inability to attend the meeting:** Avril Allenby (Service Manager for Early Years), Rose Carberry (Principal Advisor for School Improvement), Councillor Iain Cottingham (Executive Portfolio Holder: Finance and Corporate Services), Paul Davey (Maintained Primary School Governor), Gemma Duff (Maintained Primary School Governor) and Gemma Piper (Academy School Headteacher)

#### PART I

##### 1 Election of Chair and Vice-Chair 2023/24

Michelle Sancho invited the Schools' Forum to nominate and vote on the position of Chair for the coming year.

**RESOLVED that** Graham Spellman would continue as Chair of the Schools' Forum for the 2023/24 municipal year.

Graham Spellman invited the Schools' Forum to nominate and vote on the position of Vice-Chair for the coming year.

**RESOLVED that** Catie Colston would continue as Vice-Chair of the Schools' Forum for the 2023/24 municipal year.

##### 2 Minutes of previous meeting dated 13th March 2023

The minutes of the meeting held on 13<sup>th</sup> March 2023 were approved as a true and correct record and signed by the Chair.

##### 3 Actions arising from previous meetings

Action Mar23-Ac1 was completed. Jane Seymour would update verbally regarding Mar23-Ac2 under Agenda Item Seven (Resourced Schools' Funding).

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### 4 Declarations of Interest

Lindsay Wood declared an interest in agenda item seven (Resourced Schools' Funding), by virtue of the fact that Speenhamland School formed part of the Newbury Academy Trust. As her interest was a disclosable pecuniary interest or an other registrable interest, she would be leaving the meeting during the course of consideration of the matter.

Reverend Mark Bennet declared an interest in agenda item seven (Resourced Schools' Funding), by virtue of the fact he was a Member and Director of Kennet School Academies Trust. As his interest was a disclosable pecuniary interest or an other registrable interest, he would be leaving the meeting during the course of consideration of the matter.

Michelle Harrison declared an interest in agenda item seven (Resourced Schools' Funding), by virtue of the fact she was the Safeguarding Director at Kennet School Academy Trust. As her interest was a disclosable pecuniary interest or an other registrable interest, she would be leaving the meeting during the course of consideration of the matter.

### 5 Schools' Forum Membership and Constitution from September 2023 (Jessica Bailiss)

Jess Bailiss introduced the report (Agenda Item 6), which aimed to review and assess the membership and constitution, which the Schools' Forum was required to do on an annual basis.

To begin, Jess Bailiss drew the Forum's attention to some minor amendments within the report as follows:

- Table 2 on page 13 of the agenda – the total in column one should be 14 and the total in column two should be 6.
- Table 3 on page 14 of the agenda – the total at the bottom of column one should be 14.

Jess Bailiss explained that the Forum's membership needed to be split to broadly reflect the pupil numbers in each phase. There had not been any changes to legislation requiring a change to the Forum's current practice. Table 1 showed that there had been an increase in academy pupil numbers and therefore it was proposed that the membership be increased by one academy member increasing the number of schools members from 17 to 18. It was suggested that the proposed academy position be an academy governor position to reflect how the groups had been split in the past.

Section five of the report highlighted the current vacancies on the Forum and that no current Forum members were approaching the end of their term of office in 2023.

No changes were proposed to the Constitution apart from the amendments highlighted in blue in sections 2.1, 2.2 and 2.4, which ensured it would reflect the membership change if approved.

Jess Bailiss reported that the proposal was for the Forum to approve the membership and the Constitution from September 2023 as set out in the report.

The Forum proposed and seconded that the recommendation set out in section 2.1 of the report be approved. At the vote the proposal was carried.

**RESOLVED** that the Schools' Forum approved the membership and Constitution from September 2023. This included increasing the academy membership by one.

## 6 Resourced School Funding (Jane Seymour)

*(Reverend Mark Bennet, Michelle Harrison and Lindsay Wood left the meeting at 17:30)*

Jane Seymour introduced the report (Agenda Item 7), which presented a possible new funding model for Physical Disability resourced provisions at Kennet and Speenhamland and the Hearing Impaired resourced provision at Westwood Farm.

Jane Seymour explained that in the 2022/23 financial year resourced schools had flagged to the Local Authority (LA) that they had concerns about budgets meeting need. It had become a particular theme. However, focus had been given to the particular provisions where there was the greatest financial challenges and deficit positions.

Jane Seymour explained that the funding model and banding values had not changed for resourced provision for approximately ten years.

The report proposed a new funding model for consideration for the three resourced schools. Jane Seymour highlighted that when the funding models were reviewed it was felt that the staffing ratios on which the funding bands were based continued to be appropriate and were based on national guidance. More detail on this area was included under section 5.1 of the report. The main issue seemed to be that the banding values had not been increased despite rising costs.

Section 5.3 of the report set out how the band values would change if the proposal was approved and 5.4 set out an estimate of additional costs that would be generated in 2023/24 for the three resourced schools. Jane Seymour explained that in addition the three schools had asked for assistance with their deficits, which were set out in section 5.7 of the report. It was proposed that where a deficit came within the amount that the new model would generate, this be paid in full and if the deficit exceeded the amount generated by the proposed model then it should be capped. The payments for deficits that would result if this was agreed were set out under section 5.9 of the report.

Jane Seymour reported the funding for the resourced schools and addressing the deficits would be an additional pressure on the High Needs Block (HNB) however, believed they would still be in a position where the unit cost for a place was very cost effective compared to alternatives in the independent specialist sector.

The Forum proposed and seconded that the recommendations set out in the report be approved. At the vote the proposal was carried.

**RESOLVED** that the Schools' Forum agreed that the revised funding model set out in the report was approved and agreed to the payments of deficit for 2022-23 as set out in section 5.9 of the report.

*(Reverend Mark Bennet, Michelle Harrison and Lindsay Wood re-joined the meeting at 17:40)*

The Chair referred back to agenda item four and asked Jane Seymour to provide an update on Action Mar23-Ac2 regarding the number of additional placements between the previous two reports on the High Needs Block. Jane Seymour confirmed that there had been two additional placements.

## 7 School Balances 2022/23 (Melanie Ellis)

Melanie Ellis introduced the report (Agenda Item 8), which set out for information purposes the year end balances for all maintained schools, highlighting those schools with a deficit or significant surplus.

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At the 31<sup>st</sup> March 2023 the balance of all schools totalled £13.7m, which was an increase of £2.9m since 2022. This was the third year where there had been a significant increase in schools' reserves representing an increase of 27 percent.

Melanie Ellis reported that the nursery schools and PRU balances had decreased and the balances of other schools had gone up. Table two under 4.3 of the report summarised the balances of West Berkshire maintained schools by fund and showed that special schools accounted for £1.9m of the increase and secondary schools accounted for £0.9m. Melanie Ellis reported that £11.3m was being held in revenue balances and £2.2m was capital balances.

Section five reported on schools with significant surpluses. Table four showed the schools with a main school surplus balance greater than ten percent of their funding in 2022/23 and this totalled £4.4m. This was most notable in special schools.

Melanie Ellis reported that as the result of a detailed discussion at the Heads' Funding Group, she would bring another report back to the next round of meetings on surplus balances. It would provide an opportunity to obtain more information from those schools with a surplus balance and also provide options that the Schools' Forum might wish to consider.

Melanie Ellis drew attention to section six of the report. It detailed that given the combination of reduced pupil numbers, cost pressures and the decrease in additional funding to support education recovery, the primary school balances were forecast to continue to reduce in the coming year, with a forecast reduction of £5m.

Reverend Mark Bennet asked if Melanie Ellis could comment on where the pressures were. Melanie Ellis drew attention to the table in Appendix A of the report, which showed balance reductions in red. About half of primary schools had seen a reduced balance. This information for other settings was shown under Appendix B.

Reverend Mark Bennet asked if there were any apparent reasons for some schools being in surplus and others seeing a decrease in their balance. Melanie Ellis reported that there did not seem to be a pattern however, she would look at this again when pulling together the surplus balance report for the next meeting.

Keith Harvey commented that he wondered how much the difference in balances was down to the number of children with additional needs that schools were supporting. Keith Harvey commented that his school had seen a large increase in the number of children requiring support.

Catie Colston felt that the huge uncertainty facing the education sector currently would be a factor for schools. Schools were having to make more judgements on what might happen rather than having data that informed what funding would be. Catie Colston commented on the role of governors in supporting budget production and management, and queried if the reduction in training was having an impact. Previously there had been introduction to school funding training for governors followed by further training on school finance. Catie Colston was unsure if all staff in a schools leadership team were now receiving this level of training. Michelle Sancho reported that there was still training available, particularly for business managers. Melanie Ellis reported that the Schools Accountancy Team were working on a refreshed set of training for governors.

Councillor Heather Codling referred to the surplus for the special schools and asked if this was due to the number of vacancies. Melanie Ellis drew attention to section 4.5 (4) of the report, which detailed that the main reason for the surplus balances was due to recruitment and retention in special schools. Councillor Codling noted that this therefore accounted for why a reduction could be seen in future years, as it was hoped staff would be recruited.

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Jon Hewitt reported that both special schools had very clear rationale for their balances. Neither school wanted a surplus balance however, the fundamental issue was it was extremely challenging to recruit. There were 145 members of staff at The Castle and the vast majority were support staff and there was currently a huge draw to other places that paid more money. If fully staffed, both The Castle and Brookfields would be facing a deficit in three years' time. The Castle was currently not able to operate to the level it should due to not being able to sufficiently recruit staff.

Maria Morgan commented that she agreed with comments raised by Keith Harvey and Jon Hewitt. As a nursery school headteacher, Maria Morgan reported that she was not currently struggling with recruitment however, if schools were very inclusive and had high numbers of children with special needs this was a high cost to the school particularly in terms of the recent pay rise. Victoria Park Nursery's carry forward had reduced substantially over the past two years and this was because it was very inclusive and was carrying a high number of staff at teaching assistant level. Regarding comments from Catie Colston on finance training, Maria Morgan reported that governors at her school had been quite anxious about putting revenue funding into capital due to concerns about the future.

Reverend Mark Bennet referred to comments regarding training and governors. He stated that he was also a non-academy governor at a primary school and one of the concerns raised at the school was the pressure being placed on the school business manager (SBM) and headteacher to manage a budget during times of uncertainty, which posed increased risk. There was a need for governors to own their budget and for SBMs to have confidence in engaging governors when a difficult situation arose rather than front line staff. This would help ease mental health pressures.

Richard Hand commented that the school teachers' pay review body had submitted a proposal to the Government, which had said they would release information on the normal pay. Richard Hand commented that in the last couple of years this had meant on the last day of term, which had huge implications for budgeting. Richard Hand was not confident that the Government would support the 6.5 percent or that any award would be fully funded. This would impact on some schools more than others, particularly small schools. In his observation, given that 80 percent of most schools' budgets went on staffing, the picture was not very promising.

David Ramsden expressed his deep concern regarding school balances and felt reconsideration of the claw back mechanism was required. This did not necessarily mean clawing back money but rather ensuring there were robust discussions on surplus positions that were past a certain percentage. Due to connection issues experienced by David Ramsden at the meeting, Melanie Ellis reported that she would be happy to receive an email from him with his thoughts on the matter that could be incorporated in to her report for the next round of meetings.

Michelle Sancho commented that the matter of surplus balances had been discussed by the Forum about eight years ago at a time when school balances were significantly different to what they were currently. It was therefore a helpful time for Melanie Ellis to come back with a further report for the Forum to consider.

### **RESOLVED that:**

- Melanie Ellis would look in to whether there was a pattern in those schools reporting a surplus balance when pulling together her report for the next round of meetings in July.
- Melanie Ellis would bring a further report to the next round of meetings with more details on schools with a surplus balance.

**8 DSG Outturn 2022/23 (Lisa Potts)**

Lisa Potts introduced the report (Agenda Item 9), which updated on the outturn of the services funded by the Dedicated Schools Grant (DSG), highlighting any under or over spends, and to highlight the cumulative deficit at 31 March 2023.

Lisa Potts reported that the overspend against the DSG had increased from £2.9m to £4.7m and more detail on this was included under section four of the report.

Lisa Potts reported that there had been a large increase in the overspend against the HNB. West Berkshire would form part of the Delivering Better Value Programme and Lisa Potts had met with Jane Seymour to begin the process for this.

There had not been an overspend in the Schools' Block and detail was included under section five of the report.

Lisa Potts reported that the Early Years Block had seen a slight increase in overspend. There was a five year recovery plan in place for this block and Lisa Potts reported that year one had seen a reduction in the overspend however, year two had finished with an increase of £138k due to a high pass through rate. The aim was to reduce this within the next couple of years. Further detail could be found under section six of the report.

Regarding the Central School Services Block, at year end, overall DSG funding received for the block was on budget and expenditure was underspent by £25k. The cumulative deficit on this block at the end of 2022/23 was £39k and it was hoped that this would continue to reduce.

Lisa Potts drew attention to section eight of the report, which detailed changes against the HNB. The DSG now had a cumulative deficit of £4.76m. The deficit against the HNB had increased by £1.5m to £5.0m. A £1.4m surplus in the Schools' Block was reducing the overall total for the authority. The table under section nine of the report provided a summary of changes between 2022 and 2023, and use of reserves.

**RESOLVED** that the Schools' Forum noted the report.

**9 The DfE's Better Value SEND Programme (Jane Seymour)**

Jane Seymour introduced the report (Agenda Item 10), which informed the Schools' Forum about the Delivering Better Value Programme (DBV).

Jane Seymour reported that West Berkshire was one of 55 Local Authorities (LAs), which were part of the Government's Delivering Better Value (DBV) Programme. 20 LAs with the highest overspends in their High Needs Block (HNB) were part of the Safety Valve Programme.

There were three tranches of the DBV Programme based on the level of overspend, with LAs with the higher overspends in tranche one. West Berkshire would be in tranche three, suggesting it had one of the lower overspends.

An initial meeting had taken place with the DBV Team and the initial piece of work had been to provide some very detailed pupil level data which had been submitted successfully. The data which had been submitted would feed in to a diagnostic process which would predict future spend and identify key drivers of rising HNB costs. West Berkshire would also be attending conferences in August and September and as part of this process would be asked to look in detail at some case studies. This would involve key staff in the LA and stakeholders including schools. Consultants would then work with the LA to provide a programme of activities to address key drivers based on the diagnostic.

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There would be the opportunity to bid for up to £1m to implement projects. This would be one off funding and sustainability would need to be considered and how it could help to address the overspend in the HNB in the long term.

Jane Seymour explained that some funding had been provided to help oversee the work and the intention was to use this to recruit a member of staff to project manage the area. It was thought that West Berkshire would be ready to make a bid for the grant funding by December 2023.

Catie Colston raised her concern about the approach as it was one that had been used in other areas previously. It was a very resource intensive and expensive process aimed at trying to find out what areas could be improved. Catie Colston felt it was worth engaging and thanked those who had put effort in to doing so. Catie Colston commented however that she was not aware of anything significant being found historically when using this approach that had provided a sustainable impact. Catie Colston suspected that what would be discovered was that one of the key drivers of the overspend was that there was not enough money. She was not convinced that a different answer would be found.

Reverend Mark Bennet echoed the comments and concerns raised by Catie Colston and felt that £1m was a relatively small amount of money to do anything other than re-arrange what was already in place. He did not feel that the money would solve the problem.

**RESOLVED** that the Schools' Forum noted the report.

### 10 **Vulnerable Children's Fund - Annual Report for 2022/23 (Nicola Ponton/Beth Cartwright)**

Nicola Ponton introduced the report (Agenda Item 11), which provided a review of the Vulnerable Children's Grant (VCG) 2022/2023.

Nicola Ponton explained that the VCG was a relatively small grant at £50k and was really appreciated by schools. It was an emergency fund for when a child was in crisis or a new child moved into the area and required a large amount of support. The VCG involved a simple process for schools to access the support. Over the last year 27 settings had applied for funding for 62 pupils and the vast majority of these were from primary schools.

Nicola Ponton reported that most of the requests for funding had been around children's social, emotional and mental health needs. There was some support requested for learning and also some support requested for medical needs. Most of the schools spent the funding received on Teaching Assistant (TA) support (69%). Some of the funding (20%) was spent on agency involvement (such as requesting Educational Psychologist reports). The table at the top of page 59 of the agenda pack showed how pupils' needs were managed following the conclusion of the VCG.

Nicola Ponton highlighted the powerful comments from schools regarding the impact of the VCG funding, which were detailed on page 60 of the report.

**RESOLVED** that the Schools' Forum noted the report.

### 11 **Trade Union Facilities Time - Annual Report for 2022/23 (Richard Hand)**

Richard Hand introduced the report (Agenda Item 12), which aimed to inform members about the activities of the teaching trade unions.

Richard Hand ran through the main highlights in the report. Casework mainly related to the position schools were finding themselves in as a result of recruitment and retention, funding, and stress on the system, which was putting stress on members and causing ill health, sickness absence and work related stress. These were elements that had been

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cumulating over a number of years and were coming to a head, apparent from the industrial action being taken.

ASCL, which consisted of mainly secondary heads, was due to start their ballot that day (19<sup>th</sup> June). Richard Hand was aware that NAHT had already reached the threshold of 60 percent for action in the autumn term. The NEU was currently at about 42 percent and seemed to be in line with what was happening nationally. NEU's ballot would remain open until 28<sup>th</sup> July 2023 and the ASCL ballot would likely run until the same point in time. If the teachers' pay review body report was released by the end of term it would be within the window of the ballot phase.

Richard Hand concluded that many of the issues being seen related to the current state of funding and pay in schools.

**RESOLVED** that the Schools' Forum noted the report.

### 12 **Forward Plans**

The Schools' Forum noted the forward plan and contracts forward plan.

### 13 **Date and format of the next meeting**

The next meeting of the Forum would take place virtually on 17<sup>th</sup> July at 5pm.

*(The meeting commenced at 5.00 pm and closed at 6.01 pm)*

**CHAIR** .....

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