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

SCHOOLS FORUM

MINUTES OF THE MEETING HELD ON MONDAY 2 DECEMBER 2024

Present: Councillor Heather Codling (Executive Portfolio Holder: Children and Family Services), Paul Davey (Maintained Primary School Governor), Jacquie Davies (Pupil Referral Unit Headteacher), David Fitter (Academy School Headteacher), Richard Hand (Trade Union), Michelle Harrison (Maintained Primary Schools), Jon Hewitt (Maintained Special School Headteacher), Trevor Keable (Academy School Governor), Jo Lagares (Maintained Primary School Headteacher), Julie Lewry (Academy School Headteacher), Chris Prosser (Maintained Secondary School Headteacher), Lesley Roberts (Maintained Primary School Headteacher), Graham Spellman ((Chair) Roman Catholic Diocese), Phil Spray (Maintained Primary School Governor), Chloe Summerville (Maintained Nursery School Headteacher) and Edwin Towill (Academy School Headteacher)

Also Present: Rose Carberry (Principal Adviser for School Improvement), AnnMarie Dodds (Executive Director - Children's Services), Melanie Ellis (Service Lead - Finance)), Nicola Ponton (SEN Manager), Lisa Potts (Finance Manager), Jessica Bailiss (Democratic Services Officer))

Apologies for inability to attend the meeting: Reverend Mark Bennet (Church of England Diocese), Nicolle Browning (Maintained Secondary School Headteacher), Keith Harvey (Maintained Primary School Headteacher), Beth Kelly (Head of Early Years), Jo MacArthur (Maintained Primary School Headteacher), Jamie Morton (Post 16 Representative), David Ramsden (Maintained Secondary Headteacher), Charlotte Wilson (Academy School Headteacher) and Councillor Iain Cottingham (Executive Portfolio Holder: Finance and Resources)

PART I

1 Minutes of previous meeting dated 14th October 2024

The Minutes of the meeting held on 14th October 2024 were approved as a true and correct record and signed by the Chair.

2 Actions arising from previous meetings

It was noted that the one action from the previous meeting had been completed and an update was included.

Trevor Keable referred to the action that had been completed concerning the Equalities Impact Assessment (EIA) for the Schools' Funding Formula Consultation item. He commented that one of the questions raised had been whether or not the assessment process was correct or if there was a negative, positive or neutral impact. The argument raised had been that if there was no change for the Local Authority (LA), but a negative impact for schools if this would be marked as neutral in the EIA. He asked for this to be clarified. Melanie Ellis reported that she had consulted with the EIA Team at the LA and had also reviewed relevant information on the DfE website and had revised the EIA in accordance with this. Trevor Keable further asked if this revised version took account of

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the repercussions for the LA and schools. Melanie Ellis reported that it did however, no negative aspects had been identified.

3 **Declarations of Interest**

There were no declarations of interest received.

4 **Membership**

Jess Bailiss reported that an election for the two academy governor vacancies would be held in the new year. There were no further membership updates at this stage.

5 **School Funding Formula 2025/26 (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 2025/26. The results of the consultation were provided in various charts in the report.

Melanie Ellis drew attention to section 2.1 of the report, which set out the Local Authority's (LAs) recommendations and highlighted those where the Heads' Funding Group (HFG) recommendation differed to that of the LA. Section 2.2 of the report set out the recommendations from the HFG and it could be seen that the HFG's recommendation differed from that of the LA for recommendation (c) where the HFG was recommending a 0 percent block transfer, whereas the LA was recommending a transfer of 0.5 percent.

Melanie Ellis also drew attention to recommendation 2.2 (e) where it was set out that the HFG recommended that the services for de-delegation be agreed for 2025/26 however, recommended that a detailed review was commenced of de-delegations on a service-by-service basis, with a view to voting on each service separately for 2026/27.

Melanie Ellis went through the consultation results to each of the questions in detail, as set out in section five of the report. The key item for discussion by the Schools' Forum was regarding question three on the block transfer. In the consultation, 50 percent of schools had supported a transfer and the majority of these had supported a 0.25 percent transfer. 50 percent of schools had supported a 0 percent transfer.

Trevor Keable voiced his disappointment that only 25 percent of schools had responded to the consultation.

In relation to the block transfer, Edwin Towill commented that the HFG had been clear that it did not support a top slice to the Schools' Block. The consultation results from schools showed a clear split between no transfer and a 0.25 percent transfer. Only two schools that had responded to the consultation had supported a 0.5 percent transfer. Edwin Towill expressed that he was deeply concerned about taking money away from school budgets for two main reasons. Firstly, because if money was taken away from school budgets it would mean schools would not be able to fulfil responsibilities in supporting children with high needs. These responsibilities had increased exponentially over recent years and therefore a 0.25 or 0.5 percent transfer in his view would be prejudicial to young people in the community. The second reason was that he was worried the money would essentially disappear if transferred. There was a £13m projected overspend set out in the report for item eight on the High Needs Block (HNB), which highlighted a significant and increasing overspend, and Edwin Towill was concerned that there did not seem to be a plan in place for the problems facing the HNB. He therefore stated that he would not be minded to support a transfer.

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Trevor Keable supported comments raised by Edwin Towill and commented that because cuts had already been made to Education Welfare Officers (EWOs) and other similar professionals, his school (Denefield) had needed to spend more on support for pupils. It was important to recognise that schools were having to spend more just to retain the level of support required.

Neil Goddard stated that he understood the concerns raised and it was known that it was a national problem with LAs across the country struggling to meet the increase in demand on the HNB. Neil Goddard clarified that the deficit highlighted under agenda item eight (£13m) was for the next financial year 2025/26. This would lead to a cumulative deficit of about £30m, which equated to the annual HNB allocation.

Neil Goddard explained the impact on the LA of holding the deficit. Although the deficit in the HNB did not fall onto the LA's balance sheet, the LA did have to maintain the debt and pay the interest on it. It therefore impacted on what the LA was able to deliver and the reason why the LA would want to minimise the deficit as quickly as possible and not allow it to continue to escalate. Neil Goddard reported that Delivering Better Value (DBV) provided a plan and a detailed strategy. He accepted that plans such as the Special Educational Needs and Disabilities (SEND) Strategy were high level and that there was more work to do to form an overarching plan. The LA was under very close scrutiny from the DfE around DBV and what it was doing to manage the deficit. The impact from actions identified through DBV were not expected to be seen until 2025/26. If money was transferred from the Schools' Block to the HNB, then it would be targeted on the basis of need and potentially therefore have a greater level of impact. However, Neil Goddard fully accepted the pressures facing school budgets. The report helpfully set out discussions that had taken place at HFG and its proposals.

Lesley Roberts referred to discussions that had taken place at the HFG and highlighted that schools felt the impact of other decisions. Schools could not continue to manage with money being taken away continuously because needs in schools were increasing. Lesley Roberts felt that Council Members needed to be aware that many schools were unable to have full time staff due to having to cater for high needs. The impact on schools needed to be understood. Lesley Roberts acknowledged the pressure facing the LA but felt a transfer would further increase pressure on schools.

Paul Davey commented that school budgets were spread very thinly, and this was placing increasing pressure on staff and senior leadership teams. Paul Davey commented on a position advertised at his school for a full-time classroom teacher and that no application has been submitted in eight weeks. This would mean administration time would have to be taken away from the senior leadership team in order to provide teaching time and maintain the required standards. Paul Davey stated that if more money was taken from schools through a transfer, it would make the situation even more difficult. The acceleration of the rate that staff were being lost from the teaching profession would only increase, exacerbating the problems faced. A transfer would provide a short-term fix and would not resolve the fundamental issue that education was underfunded.

Edwin Towill clarified that the LA were expecting funding from Government for high needs that would lead to a 5.7 percent increase in funding. It was appreciated that this was not enough however, it needed to be taken into account. The indicative figures from Government for schools currently suggested that once increases in employer national insurance contributions were taken into account, the budget increase for schools would equate to one percent. Once other elements like increases in salaries had been taken into account it was likely schools would face going further into deficit. Edwin Towill supported previous comments raised that anything taken away from school budgets would immediately impact the front line and the children they served would be in crisis.

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The Chair invited the Schools' Forum to consider recommendations 2.1:

- (a) To mirror the Department for Education's (DfE) 2025/26 National Funding Formula (NFF) to calculate the funding allocations.
- (b) To address any surplus or shortfall in funding by adjusting the AWPU values.

It was proposed and seconded that recommendations 2.1 (a) and 2.1 (b) should be approved. At the vote with all school representatives the motion was carried.

The Chair invited the Schools' Forum to consider recommendation 2.1:

- (c) To apply a 0.5% top slice to schools' funding to support the HNB.

No proposal was put forward. Jon Hewitt stated that as a headteacher at a special school, which was funded from the HNB, it might be expected that he would be in support of this recommendation. He stated however that he did not support the recommendation because even a 0.5 percent transfer would be such a small amount and not make any difference. He concurred with concerns raised by other headteachers earlier in the discussion. Jon Hewitt stated that he questioned why funding was divided into blocks as it unhelpfully depicted special schools against mainstream schools and early years.

The Chair invited the Schools' Forum to consider an alternative proposal to that set out in 2.1 (c). Edwin Towill proposed that a transfer would not go ahead, and this was seconded by David Fitter. At the vote the motion was carried.

The Chair invited the Schools' Forum to consider recommendations 2.1:

- (d) To approve the criteria to be used to allocate additional funds.

It was proposed and seconded that the recommendation should be approved. At the vote with all Forum representatives the motion was carried.

The Chair proposed that the Forum consider recommendation 2.1 (e) following a discussion on the next item (Final De-delegations 2025/26). This was agreed. Following this discussion, the Chair invited the Schools' Forum to consider recommendation 2.1:

- (e) To approve the proposed services to be de-delegated.

It was proposed and seconded that the recommendation should be approved. At the vote with all maintained school representatives the motion was carried.

Trevor Keable asked if there was a LA response to the decision taken by the Forum on the transfer at the current stage. Neil Goddard stated that the decision taken by the Forum would be fed into and considered as part of the LA's budget setting process. As discussed previously, the LA could then take a view to appeal the decision by the Schools' Forum on the transfer to The Secretary of State. Clearly however the LA would want to reflect on the discussion and decision that had taken place at the Schools' Forum.

Neil Goddard confirmed that if an appeal was progressed, a formal process would be followed and all supporting information including the minutes and recording of the meeting at which the item was discussed, would be sent to the DfE for review. There was currently no indication that the decision would be appealed however, it was important that the options available to the LA were clear and that this would be considered by Members of the LA as part of the budget setting process. Councillor Heather Codling indicated her agreement with this comment (*via chat function due to technical issue*).

RESOLVED that:

- Recommendations 2.1 (a), (b), (d) and (e) were approved as set out in the report.

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- Recommendation 2.1 (c) was not approved as set out in the report and an alternative proposal for there to be no transfer of funding between the Schools Block and HNB was approved.

6 Final De-delegations 2025/26 (Lisa Potts)

Lisa Potts introduced the report (Agenda Item 7), which set out the details, cost and charges to schools of the services on which maintained school representatives were required to vote (on an annual basis).

Lisa Potts reported that none of the services identified in the report for de-delegation had changed from previous years. A list of these services could be found under section 2.1 of the report along with a breakdown of the costs for each of the individual services for primaries and secondaries. The values in Appendix A were based on the previous year's census data from October 2023 and the actual calculations would be based on the October 2024 census data once available.

Lisa Potts reported that the consultation with schools had included a question asking if schools agreed that the services should be de-delegated. There were 15 responses, and all had agreed. For next year, all the services would be reviewed along with the implications if they were not de-delegated in 2026/27. This piece of work would be brought back to the Schools' Forum around springtime 2025.

(The Chair directed the Schools' Forum back to item six to consider recommendation 2.1 (e))

7 Draft HNB Budget Proposals 2025/26 (Nicola Ponton/Neil Goddard)

Nicola Ponton introduced the report (Agenda Item 8), which provided information on the proposed 2025-26 High Needs Block (HNB) budget.

Nicola Ponton drew attention to page 77 of the report, which provided a detailed summary of all the costs. Section 3.10 of the report outlined the budget required in the HNB for 2026/26 which equated to about £43m. The in-year overspend was predicted to be approximately £13m and the total cumulative overspend would be £30m. These were significant figures, and Hester Collicut would provide further detail on the Delivering Better Value Project (DBV) later on the agenda, which aimed to improve services for young people whilst looking reducing the deficit in the HNB. The Chair noted that the numbers were enormous and that the deficit was increasing exponentially each year for multiple reasons. Edwin Towill commended the report and concurred with the Chair. He acknowledged the difficulty facing the LA and stated that he would be interested to see the longer term three to five year plan, which showed the deficit decreasing and a position reached where needs were being met with available funds.

RESOLVED that the Schools' Forum noted the report.

8 Update on the DfE's Delivering Better Value Programme (Hester Collicut)

Hester Collicut introduced the report (Agenda Item 9), which intended to draw attention to the progress and the risks associated with the Delivering Better Value programme (DBV). The appendices provided the detail on the progress over the period April – October 2024.

Hester Collicut commented on the concerning figures detailed in the previous HNB report and reported that Delivering Better Value (DBV) was in place to manage part of these figures but was not a total solution. It was anticipated that the impact from DBV would be seen from September 2025 onwards. It would not solve all issues facing the HNB. Hester

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Collicut referred to page 99 of the previous HNB report which identified DBV mitigations and the percentage against the unmitigated deficit. The figures were as follows:

- 16.8 percent in 2025/26
- 16.47 percent in 2026/27
- 15.67 percent in 2027/28

This showed that the DBV would not solve the full ask against the HNB and this was the reflection across the national picture. Hester Collicut reported that 54 LAs were involved in the DBV and even with efforts associated with the DBV programme, LAs remained in deficit. The Department for Education (DfE) was fully aware of this. Five of the LAs had moved into the Safety Valve Programme, which was currently being reviewed by the DfE. The 54 LAs had been part of a trial and this work would now be rolled out nationally. Strategies had been formed as part of the trial that had impacted on HNB pressures and work undertaken in West Berkshire had been reflected nationally.

Hester Collicut reported that the Heads' Funding Group had requested to see the impact of the DBV programme in West Berkshire so far and this was set out in Appendix One to the report. Increased impact would be seen over the next six months, which would be reported to the Schools' Forum and the DfE through a quarterly report. The grant would be extended for some projects due to delayed start dates.

RESOLVED that the Schools' Forum noted the report.

9 Deficit Schools (Melanie Ellis)

Melanie Ellis introduced the report (Agenda Item 10), which in the first section provided details of the schools in deficit during 2024/25. The second section of the report provided information on lessons learned from monitoring schools in deficit.

Ten schools had ended 2023/24 in deficit and all but one of these now had a licensed deficit for 2024/25. The remaining school was going through the final approvals. An update would be provided on the in-year position at the next Forum meeting in January.

The main focus of the report was following a request to provide lessons learnt from deficit schools. The main reasons for schools being in deficit were set out in section five of the report. Reasons for why schools had not been able to recover deficits were set out in section six of the report followed by a good practice section covering those schools that had managed to put a good recovery in place and had either come out of deficit or were making good progress.

Trevor Keable noted that falling rolls was a reason for schools being in deficit and he highlighted that it was known nationally that rolls would be falling for the next two to three years. He queried if the LA had a plan in place on how to cope with this in terms of local schools. Neil Goddard reported that some detailed work was being undertaken on pupil place projections, which were informed by the static low birth rate and also building works/developments going on across the district. The aim was to take a long-term view of this matter in terms of the ongoing need for school provision, the financial viability of schools and the outcomes that were delivered for children and young people. This work would develop over the course of the coming year, moving towards a broader set of proposals. There was currently a report going through the political process looking at reducing the PAN at two West Berkshire Schools. Neil Goddard stated that the issue faced was recognised but it was important the process was not rushed and was conducted in an informed way.

Michelle Harrison felt that one area not identified as a reason for schools not being able to recover a deficit was the huge increase in special educational needs. Children often

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came to a school without funding and had to be supported with the same level of support staff.

RESOLVED that the Schools' Forum noted the report.

10 Forward Plans

The Chair drew attention to the forward plans on page 119 and 121 of the agenda. The Schools' Forum noted the forward plans.

Trevor Keable reported that he had submitted a question regarding the legal responsibilities of the LA. He had asked that a response be broken down for each of the legal responsibilities listed below by indicating staffing including vacancies and for an understanding to be provided on the financial budget of each area:

- 1) Identifying children not receiving a suitable education
- 2) Arranging suitable education for permanently excluded children
- 3) Supporting Fair Access Arrangements and
- 4) Supporting pupils with medical conditions

Trevor Keable requested that the response to his question be provided as a report to the next Forum meeting in January.

Neil Goddard reported that a response had been drafted. Melissa Perry would bring a report to the next Forum meeting on the specific items so that a discussion could take place.

RESOLVED that a response to Trevor Keable's questions would be brought as a report to the next meeting in January 2025.

11 Date and format of the next meeting

The Schools' Forum noted that the next meeting would take place virtually on Monday 20th January 2025. The subsequent meeting on 10th March would take place in person at Shaw House.

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

CHAIR

Date of Signature