

Schools Forum Agenda

14th December 2020 at 2:30 pm
Virtual Meeting via Microsoft Teams
(Open to the Public and Press)

1. Apologies

To receive any apologies for absence

2. Declaration of interest

Schools Forum members to declare any interest in matters to be discussed at the meeting.

3. Minutes

To confirm the minutes of the meeting(s) held on 9th November 2020 as a correct record.

4. School Forum Membership

5. Schools Revenue Funding 2021/22 Consultation Response

6. SEN and High Needs Block – Period 7 Monitoring report

7. AOB

Next Meeting:

18th January 2021; Virtual Meeting



Schools Forum Distribution to Members:

Head Teachers Advisory Forum - Primary Schools (6)

Mr G Linford, S Ramsay, W Lawrence, J Barrie, L Bray, S Baker

Head Teachers Advisory Forum – Secondary Schools (4)

Mr P Shone, Mr D Irish, M Arnall, J Topham

Head Teachers Advisory Forum – Special School (1)

Mr N Toplass

School Governors (4)

Mr B Patel, Ms. C. Gallant, Mr J Smallman, Ms L Howard

Trade Union (1)

Mr. D Barton

Early Years Partnership (1)

Mr Z Padda

14-19 Provider (1)

Ms J Bailey

Pupil Referral Unit (1)

K Morgan

Contact: democratic_services@sandwell.gov.uk

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Schools Forum

Monday 9 November 2020 at 2.30pm
Virtual online meeting via MS Teams

Present: N Toplass (Vice Chair) in the Chair
M Arnull, J Bailey, S Baker, J Barry, L Bray, P Jones, W Lawrence, G Linford, K Morgan, B Patel, P Shone, J Smallman, J Topham.

Officers: C Ward, R Kerr, A Timmins, S Lilley, M Tallant

Also present: D Maher

44/20 Apologies:

Apologies were received from D Irish, D Barton, S Ramsay.

45/20 Declarations of Interest

There were no declarations of interest.

46/20 Minutes

Agreed that the minutes of the meeting held on 28 September 2020 were a correct record

47/20 Matters Arising from the Minutes of the Meeting Held on 28 September 2020

- In respect of minute no. 36/20 – Pupil referral unit Balances 2019/20, members received an update from the Local Authority's Finance Business Partner, Steve Lilley. The school had appointed an experienced and independent finance officer who after carrying out a review had confirmed that the information provided by the finance service supplier was not accurate and that the school was in



Schools Forum – 9 November 2020

deficit. Steve Lilley had attended the Schools Finance and Staffing pay Committee that had supported and approved a number of mitigations. In addition, the school had taken a range of actions to manage the deficit. The Local Authority would continue to work with the school and provide support required in the future. It was confirmed that the deficit sum referred to in the minutes was an accurate figure.

- In respect of minute no. 43/20 – Special Educational Needs and High Needs Block monitoring report, the Vice Chair, Schools Forum had requested a report outlining the placement splits, this had been supplied and it was asked that this be forwarded to all Schools Forum Members for information.
- P Shone, enquired about the SMRA report which had been completed and submitted to the DfE. The DfE had sought the comments of the Local Authority which would be undertaken within the next few days and then the report could be released to schools.

Agreed that the placement report be circulated to Schools Forum members (Moira Tallents/Shane Parkes)

48/20 Membership update

Schools Forum received an update on the current membership. It was noted that a Governor representative had not yet been nominated. B Patel advised that he had raise the matter at the ASGB and would chase up at the next meeting.

Schools Forum was advised that the membership would be reviewed to ensure that it complied with the criteria set out in the Schools Forum constitution and would report back to the Schools Forum at the next meeting.

Agreed

1. that a nomination for a school governor representative would be pursued at the next meeting of the Governors partnership;
2. that the membership review be presented at the next meeting of Schools Forum.

Schools Forum – 9 November 2020 School Revenue Funding 2021/22 Consultation document

Schools Forum received a report in respect to the Schools Revenue Funding 2021/22 Consultation and approval was sought for the document to be issued to schools and academies and other interested stakeholders.

Links to School Improvement Priorities:

Sandwell had an ambition to ensure that all schools and academies in the borough be rated as Good or Better by Ofsted however it was recognised that there were significant financial challenges in the education sector despite recent funding announcements, proposed schools funding arrangements would not fully offset the effects over the last 10 years when schools budgets had not risen in line with inflation.

The government announced that funding for schools and high needs would increase by £2.6 billion for 2020/21, £4.8 billion for 2021/22, and £7.1 billion for 2022/23, compared to 2019/20 funding.

In September the government has published provisional schools and high need funding allocations for 2021/22, which was the second year of the three-year funding increase.

The Dedicated Schools Grant consisted of 4 blocks; schools, high needs, early years and the new central schools services block. Each of the blocks of the (DSG) had been determined by a separate national funding formula (NFF).

The DfE confirmed that in light of the need to focus efforts on meeting the challenges of COVID-19 that they would not be changing local authorities flexibility over the distribution of school funding in 2021/22.

The government would shortly put forward proposals to move to a 'hard' NFF in future, which would determine schools' budgets directly.

The Schools Block NFF in 2021/22 had been updated with new factor values and there had been two technical changes.

The additional monies for schools had resulted in an increase to the key factor values in the NFF by 3.0%; and the following adjustments had also been made:

- The teachers' pay grant (TPG) and the teachers' pension employer contribution grant (TPECG) including the supplementary fund had been added to schools' NFF allocations for 2021/22. It had been added to the basic per pupil entitlement, to the minimum per pupil funding levels and to schools' baseline so that it was protected through the funding floor. In an effort to reflect the current grant funding the government had added £180 per pupil for primary

Schools Forum – 9 November 2020

school and £265 per pupil for secondary schools onto the basic entitlement.

- The 2019 update to the Income Deprivation Affecting Children Index (IDACI) has been incorporated so that the deprivation funding allocated through the formula was based on the latest data.
- The minimum per-pupil levels would be set at £4,180 for primary schools and £5,215 for KS3 and £5,715 for KS4. This meant a standard secondary school with 5 year groups receive at least £5,415 per pupil. (These rates were a reflection of the TPG and TPECG being rolling into the NFF).
- The funding floor was set at 2.0%, which was broadly in line with the current inflation.
- The Schools Block NFF would benefit from an increase of 4% to the formula's core factors. Exceptions to this were that the free school meals factor, which would be increased at inflation and premises funding would continue to be allocated at local authority level on the basis of actual spend in the 2019 to 2020 APT, with an RPIX increase for the PFI factor only.
- Growth funding would be based on the same methodology as in previous years and had the same transitional protection. There would be no capping or scaling of gains from the growth factor. All modelling excludes the growth factor funding.

The DfE had also made some other changes to local formulae as follows:

- The Local authorities would continue to set a Minimum Funding Guarantee in local formulae, which in 2021-22 must be between +0.5% and +2.0% per pupil.
- The changes to the NFF to roll in teachers' pay and pension grants and to incorporate the 2019 IDACI would also be reflected in local funding formulae. The government had stated that they do not expect the incorporation of these changes alone required consultation with schools.
- Following the cancellation of assessments in summer 2020 due to COVID-19, local authorities would not be able to use this data as part of setting a low prior attainment factor in local funding formulae. Instead authorities would use 2019 assessment data as a proxy for the 2020 reception and year 6 cohort, which would be reflected in the data received from the DfE.
- Local authorities would continue to be able to transfer up to 0.5% of their school's block to other blocks of the DSG, with schools forum approval. In 2021/22 the total schools block available for such

Schools Forum – 9 November 2020

transfers had to exclude the additional funding that had been allocated for TPG and TPECG to guarantee that all of this funding remained with schools. If the authority were to consider such a transfer it would equate to £1.392m. A disapplication was required for transfers above 0.5%, or for any amount without school forum approval.

- The authority would not be requesting a movement of funding from the Schools block to another DSG funding block, as its recognised the significant budget pressures schools had been facing in recent years and it did not anticipate a budget pressure on the High Needs block for 2021/22 given the increases in funding from the Government.

Central School Services Block

The central schools services block provided funding for local authorities to carry out central functions on behalf of maintained schools and academies.

- for ongoing responsibilities;
- a cash sum for historic commitments.

The DfE undertook an exercise a few years ago at a national level to re-baselines historic commitments. This included:

- Schools Forum – classified as an ongoing responsibility.
- Admissions Service – classified as an ongoing responsibility.
- Pensions Administration – was classified as an historic Commitment.

The DfE had cut historic commitment funding by 20% to £0.182m with the expectation that funding would continue to reduce and ultimately end over time; and therefore, any commitment would also reduce and end over time.

Consultation Proposals

The government had stated that “The new banding methodology would ensure that the proportion of pupils attracting funding through each band will remain broadly unchanged from 2020-21. Where there had been small changes in the proportions, we had increased the factor values of some bands by more than 3.0% in the schools NFF to ensure that the average funding, per eligible pupil, allocated through IDACI increases by 3.0%.”

The changes in data showed that using the same pupil numbers and pupil characteristics and the same IDACI band rates as used for 2020/21 that funding for Sandwell schools even though there were more pupils that could attract funding (1,708 more pupils fall in bands A – F with the 2019 update) the total funding overall would reduce by £0.913m.

As a result of the above data, the authority has made every effort to stabilise the funding through this factor by increasing the factor values to

Schools Forum – 9 November 2020

ensure that at least the same level of funding as 2020/21 was achieved. The percentage increases in the factor values had not been applied consistently throughout but had been completed in the context of movement of pupils between the bands.

The authority has adopted an approach broadly in line with the Government to deal with the Sandwell specific issues of the 2019 IDACI update.

At the Cabinet meeting in January 2020, cabinet advised Schools Forum that although the funding ratio between Primary and Secondary schools remained unchanged for the financial year 2019/2020 this was with the expectation that a ratio change would be implemented towards the NFF values from April 2020.

The consultation on the formula funding for schools for 2021/22 provided detail on the IDACI update and included proposals on the following:

That the formula to use for allocating schools budgets:

- Option 1 Stepped change in the ratio – LA Formula (change in AWPU/MFG) with a ratio of 1:1.25 in year one, 1;1.27 in year two and 1;129 in year three. This would be the second year of the stepped change.
- Option 2 – Secondary Schools received 1% more above the overall increase in funding.
- Option 3 – National Funding Formula Factor Values
 - **Pupil Number Growth Contingency Fund**; a fund of £1.091m was being proposed.
 - **De-delegation proposals**; there were 5 de-delegated proposals to be considered by maintained schools. The trade union bodies for; the National Association of Head Teachers (NAHT); the National Education Union (NEU) and the Association of school and college leaders (ASCL) has written to the authority requesting their letter was passed onto the Schools Forum so that they can consider voting for both Primary and secondary phases for trade union facilities time.
 - **Education Functions**; there were 3 Education function proposals to be considered by maintained schools.
 - **Minimum funding guarantee and capping of gains**; this would ensure the costs of providing the minimum funding guarantee protection were covered.

Schools Forum – 9 November 2020

- **Central Schools Services Block**; there were 4 proposals to be considered by all schools, maintained schools and academies.

This consultation was applicable for one year only (2021/22).

The deadline for stakeholders to respond to the consultation was **noon on Wednesday 2nd December 2020**.

A vote on the recommendation that the document be issued to schools and academies and other interested stakeholder was held – 8 votes For the recommendation and 1 vote against.

Agreed that the Schools Revenue Funding 2021/22 Consultation document be issued to schools, academies and other interested stakeholders.

50/20 SEN and High Needs Block – Period 6 Monitoring report.

Agreed that the SEN and High Needs Block – period 6 report be deferred to a future meeting of the Schools Forum.

The Next Meeting of Schools Forum 14 December 2020 @ 2.30pm

Meeting ended at 4.15 pm

Democratic_Services@Sandwell.gov.uk

Agenda Item 4

Schools Forum

14 December 2020

Schools Forum Membership

This report is for decision

1. Recommendations:

That Schools Forum members:

- 1.1 Approve the current membership of the Forum to remain in effect until 30 June 2021
- 1.2 Note the requirements on nominating substitute members

2. Purpose

- 2.1 The purpose of the report is to seek approval to extend the current membership of the Forum until 30 June 2021

3. Links to School Improvement Priorities

- 3.1 Not appropriate for this report

4. Report Details

- 4.1 The Constitution of the Schools Forum, see Appendix 1, states the following

A forum member shall remain in office until—

(a) The member's term of office expires; the term of office being 4 years.

- 4.2 The exceptional nature of this year has resulted in a procedural oversight and a small number of members of the Forum have been members in excess of the 4 year term of office.

- 4.3 This report seeks approval to extend the current membership of the Forum to 30 June 2021. This will allow time to undertake appropriate consultation and recruitment processes in the new calendar year. It is anticipated that new members will be recruited and can take their place earlier than 30 June 2021.
- 4.4 The constitution also details the following requirement regarding the nomination of a substitute:

Each representative group may nominate a named substitute for each of their members. Substitute members must be named on appointment of the substantive member or, where the position of a named substitute becomes vacant in year, as soon as a replacement substitute is identified. The Secretary to the Forum must be notified in writing of the name of a substitute and written confirmation of acceptance issued by the Secretary before a substitute can act.

5. Recommendations

- 5.1 That Schools Forum approve the current membership of the Forum to remain in effect until 30 June 2021
- 5.2 That Schools Forum note the requirements on nominating substitute members

Steve Lilley, Finance Business Partner – Children’s Services

Date: 08/12/2020

Contact Officer: Steve Lilley

Sandwell Metropolitan Borough Council

Constitution and Functions of the
Sandwell Schools Forum

1. Title

The Forum shall be known as the Sandwell Schools Forum. (referred to as “the Forum”).

2. Object and Functions

The Schools’ Forum has both a consultative and decision making role as shown in Appendix A which details Schools Forum Structure and Appendix B which identifies current powers and responsibilities.

The Forum is constituted in accordance with the Schools Forum (England) Regulations 2012(amended version).

The Local Authority shall, in particular, consult the Forum on the following areas:

I. Contracts:

The terms of any proposed contract for supplies or services to be funded from the Schools Budget which exceeds the thresholds defined in the Public Contracts Regulations 2006 (b); at least one month prior to the issue of invitations to tender.

II. Financial Issues:

Annually, in respect of the authority’s functions relating to the Schools Budget in connection with:

- (a) arrangements for the education of pupils with special educational needs;
- (b) arrangements for the use of pupil referral units and the education of children otherwise than at school;
- (c) arrangements for early years provision;
- (d) administrative arrangements for the allocation of central government grants paid to schools via the authority;

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- (e) the authority may consult the forum on such other matters concerning the funding of schools as they see fit.

The Forum shall inform the governing bodies of schools maintained by the authority of any consultation carried out by the authority under these regulations, as soon as it reasonably can.

3. Membership

- I. The Panel shall consist of 20 members appointed annually by the following bodies: -

Membership Type	Minimum Requirement	Head teacher	Governor	Other	Total
<u>School Member</u>	2/3rds of Forum membership	At least 1 representative	At least 1 Representative		
Primary	1 rep	5	3		8
Secondary	1 rep	1	2		3
Special	1 rep		1		1
PRU	1 rep		1		1
<u>Academy Member</u>	1 rep				4
<u>Non School Member</u>					
Early Years	1 Rep			1	1
16- 19 Provider	1 Rep			1	1
Church of England				0	0
Roman Catholic				0	0
Trade Unions				1	1
Total					20

[ILO: UNCLASSIFIED]

- 2 -

- II. School Member - Headteacher representatives will be elected by the Primary and Secondary Headteacher from maintained schools within the Partnership groups.
- III. School Member - Governor representatives will be elected by the governing bodies of maintained primary, secondary and special schools.
- IV. A forum member shall remain in office until—
- (a) The member's term of office expires; the term of office being 4 years.
 - (b) The member ceases to hold the office by virtue of which the member became eligible for election or appointment to the forum;
 - (c) The member resigns from the forum by giving notice in writing to the authority;
 - (d) In the case of a non-schools member, the member is replaced by the authority, at the request of the body which the member represents, by another person nominated by that body; or
 - (e) The member has failed to attend 3 consecutive meetings and the Schools Forum votes whether their membership should be revoked.
- V. **Substitute Members**
- (a) Each representative group may nominate a named substitute for each of their members. Substitute members must be named on appointment of the substantive member or, where the position of a named substitute becomes vacant in year, as soon as a replacement substitute is identified. The Secretary to the Forum must be notified in writing of the name of a substitute and written confirmation of acceptance issued by the Secretary before a substitute can act.
 - (b) Where a duly appointed member attends for the whole of, or any part of a meeting, a substitute member may not attend any part of that meeting.
 - (c) Substitute members will receive a copy of any distributed papers for meetings of the Forum to assist them in keeping abreast of its deliberations.

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VI. **Cessation of Membership**

- (a) If a member of the Forum ceases to be a member of the body who appointed him/her to the Forum, he/she shall immediately cease to be a member of the Forum. Any resulting casual vacancy shall be filled as soon as possible by the appointing body and notification sent to the Secretary to the Forum.
- (b) A non-schools member of the Forum will cease to be a member on the direction of the Secretary of State that the appointing body may not be a member of the Forum. Any resulting vacancy shall be filled as soon as possible by the identification of a replacement member body or the re-allocation of the place amongst the remaining member bodies as determined by the Local Authority.

4. **Chair of the Forum**

- I. The Chair and Vice-Chair of the Forum shall be elected by the Forum at its first meeting of the new academic year or in the event of a vacancy arising in the position of Chair or Vice-Chair, at the first subsequent meeting.
- II. The Chair and Vice-Chair shall not both be representatives of the same appointing body and shall not be related or in a personal relationship.
- III. In the absence of both the Chair and Vice-Chair at any meeting or in the event of their inability to act, a Chair for the meeting shall be elected from amongst those duly appointed persons present (substitute members may not take the Chair)

5. **Officer Support**

- I. The following persons may speak at meetings of the forum, even though they are not members of the forum-
 - (a) the director of children's services at the authority or their representative;
 - (b) the chief finance officer at the authority or their representative;

[ILO: UNCLASSIFIED]

- 4 -

- (c) any elected member of the authority who has primary responsibility for children's services or education in the authority;
 - (d) any elected member of the authority who has primary responsibility for the resources of the authority;
 - (e) any person who is invited by the forum to attend in order to provide financial or technical advice to the forum;
 - (f) an observer appointed by the Secretary of State; and
 - (g) any person presenting a paper or other item to the forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that the person is presenting.
- II. It will be the responsibility of the Secretary to call meetings of the Forum, to keep a non verbatim record of the matters discussed by the Forum at any meeting and to maintain a record of the decisions of the Forum.

6. **Meetings**

- I. The Forum shall meet at least four times per year in accordance with a programme of meetings agreed at the first meeting of the Forum convened in the new academic year.
- II. All meetings of the Schools Forum must be public meetings.
- III. Non school members, other than those who represent early years providers, must not vote on matters relating to the formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers in accordance with regulations made under 47 and 47ZA of the Act. All members are entitled to vote on all other matters.
- IV. The proceedings of the forum are not invalidated by:
- (a) any vacancy among their number;
 - (b) any defect in the election or appointment of any member;
 - (c) any defect in the election of the Chair
- V. Additional meetings may be called;

[ILO: UNCLASSIFIED]

- 5 -

- (a) at the discretion of the Chair/Vice Chair at times to be determined by the Secretary in consultation with the Director of Children's Services.
- (b) by six members of the Forum who shall submit a written request to the Secretary to the Forum stating the reason for calling the meeting. On receipt of such a request, the Secretary will call a meeting as soon as is practicable but within ten working days of the date of the receipt of the request unless a later date is agreed with the persons having submitted the request.

VI. Papers and Advice

- (a) The Chair/Vice Chair, in consultation with the Secretary of the Forum, will determine the content of any agenda. Any individual member may request the Secretary to include an item on the agenda for consideration at a particular meeting. The Secretary reserves the right to use discretion to include/not include such an item except where the request for inclusion of an item is given in writing from at least two representative groups, and is supported by six members of the Forum.
- (b) The Secretary to the Forum shall be responsible for the distribution of the agenda and any supporting papers for each meeting of the Forum.
- (c) Papers shall normally be circulated to all members with the notice of the meeting, five working days before the meeting.
- (d) Agendas, minutes and all papers will be recorded promptly on the Councils Corporate Committee Information System, and all documents and papers will be held on the Schools Virtual Office Website.
- (e) Any questions regarding the entitlement of any person to receive such papers shall be determined by the Chair/Vice Chair.

VII. The notes of the meetings of the Forum, prepared by the Secretary, will be submitted to the next succeeding meeting of the Forum for confirmation as a correct record and to discuss any matters arising.

7. Rules for Conduct of Meetings

- I. Meetings of the Forum are open to the public. Persons other than those identified in this Constitution may only speak with the consent

[ILO: UNCLASSIFIED]

- 6 -

of the Forum. Such persons may be permitted to speak at the discretion of the Chair.

II. The meeting shall commence at the time and place stated in the notice of the meeting, subject to a quorum being present.

III. **Quorum**

(a) A meeting will only be quorate if 40% of the total active membership is present (Voting Members Only). Where a substitute member is in attendance on behalf of a duly appointed member, he/she shall be included in the number of persons present for the purposes of determining if a quorum has been achieved.

(b) If the meeting is inquorate it will be able to proceed but cannot legally take decisions (Eg: Election of a Chairperson, or a decision relating to funding conferred by the funding regulations). An inquorate meeting can respond to authority consultation, and give views to the authority. The authority can take account of such views

IV. The meeting shall consider items of business in the order in which they appear on the Agenda unless agreed otherwise by the Chair/Vice Chair.

V. No business shall be considered by the Forum which does not appear on the Agenda, otherwise than with the consent of the majority of members present at the meeting.

VI. Where an item has been raised by a representative body of which no representative is present at the meeting, that item shall be deferred and placed on the agenda for the next meeting of the Panel, unless the matter is of such urgency that it cannot be reasonably delayed.

VII. **Speeches**

(a) While a member is speaking, the other members shall not speak. Only the Chair/Vice Chair may intervene in order to seek clarification on a point raised, seek guidance from an officer/advisor present on a point raised or to prevent a speaker speaking further where the Chair/Vice Chair considers the matter has been sufficiently debated or he

[ILO: UNCLASSIFIED]

- 7 -

considers the speaker is abusing the privilege of holding the floor.

- (b) The right of members to speak is at the discretion of the Chair/Vice Chair, however, the Chair/Vice Chair must act reasonably in preventing a member from speaking.
- (c) The following must be given the opportunity to speak on a matter before it is put to a vote:
 - (i) the director of children's services at the authority or their representative;
 - (ii) the chief finance officer at the authority or their representative;
 - (iii) any elected member of the authority who has primary responsibility for children's services or education in the authority;
 - (iv) any elected member of the authority who has primary responsibility for the resources of the authority;
 - (v) any person who is invited by the forum to attend in order to provide financial or technical advice to the forum;
 - (vi) an observer appointed by the Secretary of State; and
 - (vii) any person presenting a paper or other item to the forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that the person is presenting.

VIII. Consent of the Forum

Where a decision needs to be made and there is general consensus, a formal vote will not be necessary. If the Chair determines a vote is necessary, voting will take place by a show of hands by members and decided by simple majority. Where there is an equality of votes, the Chair has a second and casting vote. If the voting is deemed to be a contentious issue by the members of the Forum, then a named vote can be sought and maintained by the clerk.

IX. Prevention of Disorderly Conduct

[ILO: UNCLASSIFIED]

- 8 -

If the Chair/Vice Chair is of the opinion that any member has misconducted him/herself by persistently disregarding the ruling of the Chair or behaving inappropriately, he/she may ask that the Forum:

- (a) agree, without debate, that the member may not speak further during the course of the meeting;
- (b) in the event of the disruption continuing, agree, without debate, that the member leaves the meeting.
- (c) where a member believes the Chair is acting unreasonably in preventing debate or is otherwise considered to be abusing the privilege of holding the Chair, the member, on a point of order, may move:
 - (i) that the person(s) be permitted to speak; or
 - (ii) a vote of no confidence in the Chair.

If such a motion is seconded the Vice Chair (or his/her representative) shall assume control of the meeting and shall put the motion to the vote without debate. (The Chair is unable to vote). There must be a majority in favour of the motion for it to succeed. Following the conclusion of the vote the Chair shall resume control of the meeting or the procedure under Paragraph 4 above shall be instigated.

X. Members Interests

- a) If a member has any interest to declare in any matter to be discussed at a meeting, he/she must declare the interest orally at the commencement of the meeting or where during the debate on an item it becomes apparent he/she has an interest, as soon the member becomes aware that he/she has an interest.
- b) Subject to (c) below, where a member declares an interest he/she shall take no further part in the debate nor attempt to influence the debate on that item and shall not vote on any proposal in relation to that item or attempt to influence the vote on that item.

At the discretion of the Chair, or of their own volition, a member having an interest may be asked to leave the meeting during the debate on the item in which they have declared an interest.

[ILO: UNCLASSIFIED]

- 9 -

c) A member will be considered to have an interest where:

- the issue affects them, the appointing representative body, a partner, relative or friend, more than it would affect any one else *;
- another person who knows the relevant facts, would view the personal interest in the issue to be so great as to prejudice the members judgement.

(* A member will be judged to have an interest where a matter directly affects a clearly identified individual school with whom the member is associated but will not be considered to have an interest where the school is one of a type or group of schools similarly affected)

8. Working Groups

- I. The Forum may make provision for the establishment of working group(s) in order to facilitate detailed consultative discussions on any of the matters within paragraph 2 (Object) of the Constitution and Functions. The Forum will be responsible for determining the terms of reference, duration and membership of any working group.
- II. Working groups may only comprise members of the Forum (or their substitutes where one has been appointed under paragraph 3 above) but may be supported in an advisory capacity only by officers of the Council or the appointing bodies. Any dispute in relation to the appropriateness of the persons advising a working group will be determined by the Chair/Vice Chair of the working group.
- III. Formal decisions cannot be made by the working group. All recommendations will be referred to the Forum for consideration and final decision.

9. Communications

All communications relating to the work of the Forum shall be addressed care of the Secretary to the Sandwell Schools Forum, Finance , 1 Providence Place, West Bromwich, West Midlands, B70 8SZ or via e-mail to richard_waterhouse@sandwell.gov.uk

[ILO: UNCLASSIFIED]

- 10 -

10. **Members Expenses**

Members may claim expenses for attendance at meetings of the Forum in accordance with a scheme of allowances from time to time approved by the Local Authority.

11. **Charging of Schools Forum's Expenses**

The local authority must pay the expenses of the schools forum and charge those expenses to the schools budget.

12. **Amendments to the Constitution and Functions**

This constitution may not be amended unless notice of the proposed amendment is circulated to each member of the Forum at least five working days prior to the day of the meeting at which the proposed amendment is to be considered. No amendment to the constitution shall be deemed to be approved unless and until it has been approved by the Forum.

End

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- 12 -

APPENDIX A

SCHOOLS FORUM STRUCTURE

Category

Represented groups

Schools Members

Where the LA maintains the following types of school, they must be represented on the Schools Forum:-

- Secondary Schools
- Special Schools
- Nursery Schools
- PRUs

Academies Members

No specific groups, but academies members will represent academies, free schools, UTCs and Studio Schools

Non-School Members

16-19 providers
Early years Private, Voluntary and Independent (PVI) providers
Before considering other groups, the LA must consider diocesan representation

Type of member

There is no specific requirement in Regulations for a primary rep, but this is captured by requiring membership to be based on pupil proportions

Within each of the five groups above there are the following types of member:-

- Headteachers (or their representative)
- Governors
- Headteachers and Governors

In overall terms there must be at least one headteacher (or their representative) and one governor

Any

Any

[ILO: UNCLASSIFIED]

- 13 -

Category	Schools Members	Academies Members	Non-School Members
Schools Forum Structure		Schools members and academies members must comprise at least 2/3rds of the Schools Forum membership Primary schools, secondary schools and academies must be broadly proportionately represented on Schools Forum, based on the total number of pupils registered at them	
Voting	Only primary representatives can vote on primary school de-delegation Only secondary representatives can vote on secondary school de-delegation All schools members can vote on any other Schools Forum business, including the consultation on the funding formula	No voting on de-delegation All academies members can vote on any other Schools Forum business, including the consultation on the funding formula	No voting on de-delegation Only PVI representatives can vote on the consultation on the funding formula. All non-school members can vote on any other Schools Forum business
Elected by	The relevant sub-group of the relevant type of school e.g. primary school governor representatives are elected by the governors of primary schools, secondary school headteachers are elected by the	Proprietors of academies	Election only applies to the representative for the 16-19 providers, who is elected by all 16-19 providers ¹

[ILO: UNCLASSIFIED]

headteachers of secondary schools.

Category

LA appointment of members

Schools Members

Only if no election takes place by the agreed date or in the event of a tie

Academies Members

Only if no election takes place by the agreed date or in the event of a tie

Non-School Members

Can appoint a 16-19 representative only if no election takes place by the agreed date or in the event of a tie
For all other non-schools members the LA appoints, but it is good practice to seek nominations from the relevant bodies

Other attendees who are permitted to contribute to a Schools Forum meeting

An observer appointed by the Secretary of State
The Chief Financial Officer
The Director of Children's Services Officers providing financial & technical advice to Schools Forum
The Executive Member for Children's Services Presenters (restricted to the paper they are presenting)
The Executive Member with responsibility for resources

[ILO: UNCLASSIFIED]

APPENDIX B

SCHOOLS FORUMS: POWERS AND RESPONSIBILITIES 2014-15

Function	Local Authority	Schools Forum	DfE Role
Formula change (including redistributions)	Proposes and decides	Must be consulted [Voting restrictions in table 1 above] and informs the governing bodies of all consultations	None
Contracts	Propose at least one month prior to invitation to tender, the terms of any proposed contract	Gives a view and informs the governing bodies of all consultations	None
Financial issues relating to: arrangements for pupils with special educational needs; arrangements for use of pupil referral units and the education of children otherwise than at school; arrangements for early years provision; administration arrangements for the allocation of central government grants	Consult annually	Gives a view and informs the governing bodies of all consultations	None
Minimum funding guarantee (MFG)	Proposes any exclusions from MFG for application to DfE	Gives a view	Approval

[ILO: UNCLASSIFIED]

- 16 -

Function	Local Authority	Schools Forum	DfE Role
De-delegation for mainstream schools for: contingencies administration of free school meals insurance licences/subscriptions staff costs - supply cover support for minority ethnic pupils/underachieving groups behaviour support services library and museum services	Proposes	Primary and secondary school member representatives will decide for their phase	Will adjudicate where Schools Forum does not agree LA proposal
Central spend on and the criteria for allocating funding from: growth fund (to meet requirements for basic need and infant class size regulations) falling rolls fund for surplus places in good or outstanding schools where a population bulge is expected in 2-3 years	Proposes	Decides	Adjudicates where Schools Forum does not agree LA proposal
Central spend on: funding for significant pre-16 pupil growth equal pay back-pay places in independent schools for non-SEN pupils early years expenditure	Proposes	Decides	Adjudicates where Schools Forum does not agree LA proposal

[ILO: UNCLASSIFIED]

Function	Local Authority	Schools Forum	DfE Role
Central spend on: admissions servicing of schools forum	Proposes up to the value committed in 2013-14	Decides for each line	Adjudicates where Schools Forum does not agree LA proposal
Central spend on: capital expenditure funded from revenue contribution to combined budgets schools budget centrally funded termination of employment costs schools budget funded prudential borrowing costs special education needs transport costs	Proposes up to the value committed in 2013/14 and where expenditure has already been committed.	Decides for each line	Adjudicates where Schools Forum does not agree LA proposal
Carry forward a deficit on central expenditure to the next year to be funded from the schools budget	Proposes	Decides	Adjudicates where Schools Forum does not agree LA proposal
Scheme of financial management changes	Proposes and consults the governing body and Head of every School	Approves	Adjudicates where Schools Forum does not agree LA proposal
Membership: length of office of members	Decides	None (but good practice would suggest that they gave a view)	None
Voting procedures	None	Determine voting procedures	None
Chair of Schools Forum	Facilitates	Elects (<i>may not be an elected member of the Council or officer</i>)	None

[ILO: UNCLASSIFIED]

Schools Forum

14th December 2020

Funding Formula Review 2021-22 – Results of the Consultation

This report is for decision

1. Recommendation

1.1 That Schools Forum makes a recommendation on the following consultation proposals:

- The preferred option to use for calculating the school funding formula for 2021/22
- Implementation of an MFG of between +0.5% and +2.00%.

1.2 That Schools Forum makes a decision on the following consultation proposals:

- The level at which to set the Pupil Number Growth Contingency Fund.
- De-delegation budget proposals.
- The Education Functions budget proposals.
- The Central Schools Services Block proposals.

2. Purpose

2.1 To gain a recommendation from Schools Forum members for the basis for the school funding formula for 2021/22 following consultation with schools.

2.2 To make a decision on which de-delegated proposals are approved for 2021/22.

2.3 To make a decision on which Education Function proposals are approved for 2021/22.

2.4 To make a decision on which Central Schools Services Block proposals are approved for 2021/22.

3. Links to School Improvement Priorities

3.1 The decisions of the Forum define the budget setting processes for all schools and academies within the borough for the next financial year. Given national government announcements on future funding for schools, this process will assist schools in preparing strategic plans for the next three years, ensuring schools are able to create viable budget, staffing and curriculum plans. All decisions will affect the amount available to be delegated directly with schools and focus on what funding is centrally retained to protect services and schools with falling rolls.

4. Report Details

4.1 The Schools Budget Consultation was issued to schools on 11th November 2020 after approval at the Schools Forum meeting on 9th November 2020; with a deadline of noon 2nd December 2020 to respond.

4.2 A summary of responses to this consultation can be found in **Appendix (1), (2), (3) (4) and (5)**.

Consultation with the following stakeholders were held:

- Joint Executive Group – 12th November 2020
- Joint Union Panel - 16th November 2020
- Association Sandwell Governing Bodies – 18th November 2020
- Primary/Secondary Partnership – 19th November 2020

4.3 A total of 70 responses were received (compared with 69 last year), with 60 from primary schools/academies, 10 from secondary schools/academies. The authority has not received a response either collectively or individually from unions.

Consultation Responses

4.4 The consultation on the formula funding for schools for 2021/22 includes proposals on the following:

4.5 The funding formula to use for allocating schools budgets;

- Option 1 – Stepped change in the ratio - LA Formula (change in AWPU/MFG) with a ratio of 1:1.27 (year 2); and 1:1.29 in year 3.
- Option 2 – Secondary Schools receive 1% more above the overall increase in funding.
- Option 3 – National Funding Formula Factor Values
 - Pupil Number Growth Contingency Fund.
 - Central Schools Services Block
 - Education Functions.
 - De-delegation proposals.
 - Minimum funding guarantee and capping of gains.

4.6 **Funding Options – Consultation responses**

4.7 The authority modelled 3 options for calculating schools revenue budget for 2021/22. There are some general adjustments which applies to all options which are as follows:

- Q3 Langley opened in September 2016 with a PAN of 240 for each year group.
- The Shireland High Technical Primary opened in September 2019 with a PAN of 60 for Reception and this has been reflected in the “Schools funding model” as required by the DfE.
- The West Bromwich Collegiate Academy opened in September 2019 with a PAN of 150 for each year group.
- The amalgamation of Warley Infants and Bleakhouse Junior Schools in Bleakhouse Primary School on 1st September 2020. The guidance states that where schools have amalgamated during the financial year 2020/21, they will retain the equivalent of 85% of the predecessor schools’ lump sums for the financial year 2021/22.

[ILO: UNCLASSIFIED]

4.8 The funding formula options were as follows:

Option 1: Stepped increase to the 2021/22 Local authority model - Increase of the Primary: Secondary Ratio to 1:1.27 (2nd Year) and 1:1.29 (3rd Year)

4.9 This model uses the same factors as in previous years, with some of the factor values increased to reflect the increase in funding and the rolling in of the TPG and TPECG, a reflection of the changes in the IDACI factor values and the primary: secondary ratio set at 1:1.27. The following factors were updated to reflect the changes detailed above in section 4.8 and:

- Basic Entitlement for Primary, KS3 and KS4 pupils.
- IDACI Factor Values.
- MFG so as to remain within the total funding available.

Option 2: Secondary Schools receive 1% more above the overall increase in funding.

4.10 This model gives secondary schools 1% more of the additional funding than primary pupils (The 1% is calculated on the basis of funding to primary and secondary schools after adjusting for TPG and TPECG, but prior to applying MFG and MPPF).

Option 3: National Funding Formula Factor Values

4.11 This model uses the factor values used in the National Funding Formula, without applying the Area Cost Adjustment. In order to fund the Pupil Number Growth fund at £1.091m and the MFG to be set at 0.5% to keep in line with the modelling of the other options, the basic entitlement for each phase had to be reduced by approximately £5 in order to remain within the overall funding available. The pupil characteristics will be updated for the October 2020 census and as a result the MFG as well as the funding available could change.

4.12 The respondents voted with a slim margin for Option 1.

- Option 1 – 32 Agreed, 29 against
- Option 2 - 5 Agreed, 28 against
- Option 3 – 4 Agreed, 28 against

[ILO: UNCLASSIFIED]

4.13 28 primary schools voted no to all 3 options with some stating that there should have been a standstill option, others mentioned “the inaccuracies of the figures brought to Schools forum.” And other comments stated “The current climate has placed additional burden on school budgets and now is not the right time to remove more funding from the primary sector”

4.14 The comments above are a small reflection of the comments received in relation to the options for the authority funding formula. **Appendix 5** provides further detail the comments made for about the funding formula as well as detailing comments on each question in the consultation and general comments overall.

4.15 **Pupil Number Growth Fund**

4.16 Local authorities may topslice the DSG to create a growth fund. The growth fund is ring-fenced so that it is only used for the purposes of supporting growth in pre-16 pupil numbers to meet basic need, to support additional classes needed to meet the infant class size regulation and to meet the costs of necessary new schools. These will include the lead-in costs, post start-up costs and any diseconomy of scale costs

4.17 Local authorities are responsible for funding these growth needs for all schools in their area, for new and existing maintained schools and academies.

- Local authorities must fund all schools on the same criteria.
- Where growth occurs in academies that are funded by ESFA on estimates, the ESFA will use the pupil number adjustment process to ensure the academy is only funded for the growth once.

4.18 The Authority has estimated the costs for authority led expansions of schools to cater for the increase in birth rates, pre-opening and diseconomy of scale costs for West Bromwich Collegiate Academy and it has also estimated mid- year admissions costs. The total estimated growth fund required is £1,091,100

4.19 The majority of respondents agreed with a Pupil Number growth fund set at £1,091,100. (65 agreed; 5 against).

De-delegation Proposals

4.20 There were 5 de-delegation proposals and the details are set out in the table below.

De-delegation Budget Proposals 2021/22				
Ref	Service	Total Budget	Primary Phase Cost	Secondary Phase Cost
		£	£	£
1	Health & Safety Licenses	28,000	22,800	5,200
2	Evolve Annual Licence	6,200	5,100	1,100
3	Union Facilities Time	242,000	202,000	40,000
4	School Improvement Service	100,000	81,400	18,600
5	School in financial difficulty	250,000	203,500	46,500
	Total De-delegation proposals	626,200	514,800	111,400

4.21 Schools Forum maintained school members are asked to make a decision on these budgets taking into consideration the responses from schools.(Refer to appendix 2).

Education Functions Proposals for maintained schools

4.22 Local authorities can fund services previously funded from the general funding rate of the ESG (for maintained schools only) from maintained school budget shares, with the agreement of maintained school members of the schools forum.

4.23 The relevant maintained schools members of the schools forum (primary and secondary), should agree the amount the local authority will retain.

4.24 Sandwell, in line with guidance, intend to set a single rate per 5 to 16 year old pupil for all mainstream maintained schools, both primary and secondary. The rate of £14.41 per pupil is based on October 2019 census data, this will be updated to be based on October 2020 census data.

- 4.25 If the local authority and schools forum are unable to reach a consensus on the amount to be retained by the local authority, the matter can be referred to the Secretary of State.
- 4.26 There are 3 education function proposals and the details are set out in the table below.

Education Functions Budget Proposals 2021/22		
Service	Total Budget	Amount per pupil
	£	£
Education Benefits Team	175,000	5.34
Children’s Clothing Support Allowance	33,000	1.01
Safeguarding & Attendance	264,000	8.06
Total Education Functions	472,000	14.41

4.27 Schools Forum maintained school members are asked to make a decision on these budgets taking into consideration the responses from schools. (Refer to appendix 3).

Minimum Funding Guarantee

- 4.28 Local authorities continue to have the ability to set a pre-16 minimum funding guarantee (MFG) in their local formulae, to protect schools from excessive year-on-year changes and to allow changes in pupil characteristics (for example reducing levels of deprivation in a school) to flow through.
- 4.29 The DfE have stated there is greater flexibility for the MFG in 2021/22; local authorities are now able to set an MFG between plus 0.5% and plus 2.00% per pupil. Setting the MFG between these rates gives the authority the flexibility to make local decisions about the distribution of funding and enables the authority to manage any changes in pupil characteristics when characteristics data is updated in December.
- 4.30 The majority of respondents agreed an MFG of between 0.5% and 2.00% if modelling proved this was achievable within the funding given (69 agreed,0 against).

4.31 The majority of respondents agreed with the scaling and capping of the MFG if it proves necessary to ensure the MFG is within the funding envelope. (62 agreed, 6 against).

4.32 Central School Service Block

4.33 The Central Schools Service Block (CSSB) continues to provide funding for local authorities to carry out central functions on behalf of maintained schools, and academies, comprising two distinct elements:

- Ongoing responsibilities; such as admissions and schools forum costs.
- historic commitments; in this case pensions administration.

4.34 Funding for historic commitments is based on the actual cost of the commitment. The DfE have stated they expect these commitments to reduce and cease over time and there will be no protection for historic commitments in the CSSB.

4.35 For 2021/22 the DfE have reduced Historic commitment funding by 20%; this has resulted in a cut for Sandwell from £0.228m to £0.182m.

4.36 Schools Forum approval is required each year to confirm the amounts on each line for central school services the detail of which is included in the table below. In the event that schools forum does not agree with the authority CSSB proposal as detailed below, the authority can ask the DfE to adjudicate.

Central School Services Budget Proposals 2021/22	
Service	Total Budget
	£
Statutory & Regulatory, Education Welfare and Asset Management	1,441,400
Schools Forum	3,000
Admission Service	452,600
Pensions Administration	182,400
Total Central School Services	2,079,400

4.37 The majority of respondents agreed with each service element detailed in the table. Schools Forum members are asked to make a

decision on these budgets taking into consideration the responses from schools. (Refer to appendix 4).

Schools Response

4.38 The anonymised comments from schools in relation to the consultation are included in Appendix 5.

Trade Union Response

4.39 The authority has consulted with the Joint Union Panel and did not receive any response.

Proposed Schools Funding Formula 2021/22

4.40 The views of all stakeholders will be taken into consideration in relation to the consultation on the schools funding formula for 2021/22. The authority will consider the recommendation of School forum, but ultimately it is a local authority decision.

Contact Officer: Rosemarie Kerr, Principal Schools Accountant
Tel No: 0121 569 8318

Date: 08/12/2020

Consultation Response Summary

Question	Primary		Secondary		Total	
	Yes	No	Yes	No	Yes	No
1. Please indicate the option you prefer to use for calculating school funding for 2021/22						
a) Option 1: LA formula with a stepped increase in the primary: secondary ratio of 1: 1.27 (2nd year) 1:1.29 (3rd year)	27	29	5	0	32	29
b) Option 2: Secondary Schools receive 1% funding than primaries above the overall increase in funding.	3	28	2	0	5	28
c) Option 3 – National Funding Formula factor values.	1	28	3	0	4	28
2. Do you agree that we should set the pupil Number Growth Fund for 2021/22 at £1,091,100	57	3	8	2	65	5
4. Which of the De-delegated budget proposals do you agree with (see Appendix 2)	See Appendix (2)					
5. Which of the Education Function budget proposals do you agree with (see Appendix 3)	See Appendix (3)					
6. Please indicate whether you agree with:						
a). MFG of 0.05% and up to 2% if modelling proves this achievable with the funding given.	59	0	10	0	69	0
b) If an MFG where with scaling and capping in order for the MFG to be within the funding envelope.	53	5	9	1	62	6
7. Do you agree for the authority to provide for the responsibilities it holds for all schools from the “Central School Services Block” funding. The provisional 2021/22 allocation is £2,079,400.	See Appendix (4)					

De-delegated Budgets Consultation Responses

Ref	Name	Lead Officer	Primary		Secondary	
			Yes	No	Yes	No
1	Health & Safety Licences & Subscriptions	Group Head – Learning Improvement	49	3	4	0
2	Evolve Annual Licence	Residential Manager	52	0	4	0
3	Union Facilities Time	Group Head – Learning Improvement	34	18	1	3
4	School Improvement Services	Group Head – Learning Improvement	48	4	4	0
5	Schools in financial difficulties	Group Head – Learning Improvement	37	15	2	2

Education Functions Budgets Consultation Responses

Ref	Name	Lead Officer	Maintained Schools	
			Yes	No
1	Education Functions	Group Head: Education Support	55	2
2	Children's Clothing Allowance Support	Group Head: Education Support	48	10
3	Safeguarding and Attendance	Attendance & Prosecution Manager	53	6

Central Schools Services Block Budgets Consultation Responses

Service	£m	Yes	No
Provisional Allocation 2021/22	2.079		
Expenditure Items:			
Statutory & Regulatory, Education Welfare and Asset Management	1.441	62	0
Schools Forum	0.003	60	2
Admissions Service	0.453	58	4
Historical Commitment – Pensions Administration.	0.182	52	10
Total Central Schools Services Block	2.079		

[ILO: UNCLASSIFIED]

**MAIN THEMES/COMMENTS ON SCHOOL FUNDING 2021/22
CONSULTATION**

Question 1: Please indicate the option you prefer to use for calculating school funding for 2021/22 (Please only mark one option).

- Many primary schools felt there should be a standstill (status quo) option for schools; particularly in the current climate of uncertainty
- “Purpose of National Funding Formula is to reduce the historical inequalities between different geographical locations and not close the gap between secondary and primary funding per pupil. No clear rationale provided, from an educational perspective, to move funds from Primary to Secondary. Surprised not to see a fourth option of 'standstill'.
- The current climate has placed additional burden on school budgets and now is not the right time to remove more funding from the primary sector. The issue should be re-visited and reviewed in 12 months time and only then in light of a clear educational rationale being created to fully support any argument for any future ratio change. This should take full account of the unique context of Sandwell as a local authority.
- Some schools do not believe that adjusting the primary:secondary ratio any further will increase the likelihood of secondary schools' results improving

Question 2: Do you agree that we should set the Pupil Number Growth fund for 2021/22 at £1,091,100.

- Some schools have stated they would like to see a list of the amounts already agreed for schools and how much would be left in contingency

Question 4: De-delegations: Health and Safety Licences

- Advise schools what the forecast to spend for each area is, also actual
- Risk of duplicating options which are already available to most

schools through subscriptions such as The Key

Question 4: De-delegations: Union Facilities Time

- Some of the comments focussed on the level of funding being requested.
- There is the belief that all schools should contribute/shared equally to this area
- Governors recognise the work of trade unions and the extra information provided. They felt there should still be a breakdown of hours, costs etc. to provide confidence in the spending commitment
- Time too generous, no consideration to austerity and reducing budgets. Primary is subsidising Secondary's, along with Consultation Q1 it appears majority of funds being directed to secondary schools

Question 4: De-delegations: School Improvement Team

- The roles in the team should reviewed including those fixed term appointments agreed previously at JEG. An effective team can generate it's own income by using expertise to offer bespoke leadership support and support packages inside and outside of the borough

Question 4: De-delegations: Schools in financial difficulties

- The majority of comments stated that Schools should manage the money they have and make appropriate changes
- In effect of sponsored conversion LA needs to put in measures to manage any potential overspend; having a provision available may result in LA being pressured to utilise such a fund in order to push a conversion through. May result in unintended consequences and inequitable use of reserves.

Question 5: Education Functions: Education Benefits Team

- It was felt by some that the services could be achieved more cost effectively and schools could administer this themselves.
- how much is forecast to be spent in 2020/21 for each area.

Question 5: Education Functions: Clothing Support Allowance

- Why has this increased by 10% compared to the 2020/21 proposals?
- No information provided in relation to actual impact. Schools could utilise their own Pupil Premium in order to fund uniforms if it is a local

issue, which would then result in an increase FSM / pupil premium applications and attendance.

Question 5: Education Functions: Safeguarding & Attendance

- Could you advise how much is forecast to be spent in 2020/21 for each area
- Unsure - Need further information in order to make informed decision. Other LA's have this as a fully funded/traded service, with costs associated with fines covering operational costs - how much has the service generated the past two years and what is forecast in future years?

Question 6: An MFG of between +0.5% and 2% if modelling proves this is achievable within the funding given; and

- Primary schools will lose significant funding, both in real terms and because of consultation proposals. Protection, even in the short term, is essential in the current climate.

Question 6: The application of scaling and capping if it proves necessary to be able to implement an MFG as outlined in a). And to remain within then available funding

- If gains aren't capped and MFG isn't cost neutral then losing schools would be top sliced (along with gaining schools) to provide their own protection.

Question 7: Do you agree for the authority to provide for the responsibilities it holds for all schools from the "Central School Services Block" funding? The provisional 2020/21 allocation is £2,079,400 (This figure will be adjusted in December to reflect the October 2020 census pupil numbers).

For all 4 sections: (1) Statutory & Regulatory, Education Welfare & Asset Management £1,441,400, (2) Schools forum £3,000; Admission Services £452,600; Historical Commitment – Pensions administration £182,400

- I do agree with the principal for central services however, I do think 2020/2021 actual expenditure needs to be shared with schools as we can agree to the funding for each area which is stated and do a comparison

Specific response Statutory & Regulatory.....

- This cost has increased by 7.89%, cost savings should be made for the future in line with Gov guidance. In future could this be broken down between the different headings./functions.
- In 2018/19 was £1,155k, therefore, there has been a 25% increase over 3 years (8%+ per annum). During this time frame it appears that the schools block total has reduced, resulting in schools have to find financial reductions whilst this proposal grows. It would be helpful to have sight of this spend in order to understand current and future position, especially during times of austerity and limited increases in school funding.

Specific response: Admissions Service

- Would like an option where LA manages admissions at the beginning of the year, with schools managing in year admissions.
- In principle happy with the figure however, as an academy why am I paying for a service level agreement for admissions when this is a statutory function and should only be charged for managing appeals. If the managing of appeals is an additional service why aren't all schools charged for this service. If this cost is included this should be removed before being included in the central service block

General Comments

- As a primary head, it is very difficult to agree to any of the options in question 1. Sandwell primary schools have an excellent record, because we have had funding to support out Childrens many needs. Moving funding from primary school to secondary schools could have dire consequences for all children, without the early support out children. To justify it purely on the basis of it is what other authorities do, does not seem relevant to me, when no comparative data of school performance is offered
- Would be useful to see forecast to be spent for 2020/2021. This year has been an extraordinary year with budgets stretched more than usual, this has lead to not having finalised figures to help in the consultation responses
- This has been completed in consultation with Governors and discussed in a Provisions meeting 24/11/2020. Governors would like to request that a stand still option is incorporated into question 1. This has historically been an option for schools to vote on but is no longer

available. With the projections for primaries looking bleak and our youngest children still coming into provision well below age related expectations Governors feel this is where funding should be placed. Governors would like schools forum to take due consideration of their request. With regards to union facilities time Governors felt that employees contribute heavily through their subscription fees to unions. In addition Governors noted that the policies quoted as having a hand in writing have not been reviewed for a number of years so could not justify money being spent from the public purse on this aspect.

- One school reported Governors raised concerns at the way information was presented and felt it doesn't help Governors and Headteacher to make informed decisions. Governors also raised concerns at how short the timescale has been between receiving the first pack of information.
- Would be beneficial to have oversight of current year spend versus initial delegated funds, in order to assess performance in an open manner, prior to finalising consultation responses.
- As with previous budget consultations, over a number of years, the issues that cause greatest discussion are: the Primary:Secondary funding ratios and the cost of the provision for Union Facilities. There would seem to be a potentially damaging impact on the Primary sector if any of the three options in Question 1 are followed. XXXXXXXX inform Governors that they believe the figures consulted over at Schools Forum were inaccurate, resulting in a standstill option not being put forward for consultation. As the three options do not financially support the educational aim of ensuring all schools are good or better a standstill option would be considered best at this challenging time. Union Facilities time of £242,000 in 2021 continues to be an area that needs greater clarity. From the proposal it is not clear how the amount is deployed, as although the proposal is for facilities time the proposal also states that 100% is spent on salaries, which clearly would be paid for via union subscriptions. This significant amount needs greater clarification.
- If there had been a stand still option for question 1 the school would have chosen that. School understands about the ratios but with so many primary schools reaching a point of near negative budgets the school don't believe now is the time to do this. Given the comparative

results of high schools compared to primaries the school would also have liked to see what plans the high schools have to actually raise the attainment and progress of their pupils

- With regards question one, we are disappointed that forum did not consider an option to maintain the 19/20 school funding calculation. We are aware that last year there was a move towards the national ratio and last year this was supported. However, it was understood that this move would be reviewed each year. The basis of moving more slowly towards the NFF is to help primary schools to be ready to move to the national funding formula when (or if) it happens. We do not see this as a help, primary schools should be given the professional credit to be aware of and plan for the NFF in their own way. Taking money away from primary schools in the lead up to any NFF is just taking more money away from next years primary aged children. Covid has had, and continues to have such an impact the primary sector, funding is desperately needed to support children to catch up for so much lost learning. In addition to this, we are currently seeing much greater numbers of high needs SEN pupils enter lower down in school. Inclusion Support have shared that this influx will certainly not be slowing down. How will primary schools manage such high level of need on less funding in 20/21 and beyond? As well as the increased number of high needs pupils, year on year we are seeing an increase in children entering the school system who are not school ready. Lack of funding lower down in the education system will only give education settings in upper years a greater mountain to climb in years to come. Investing in the children in their early years makes greater economic sense, We don't deny that secondary schools need funding properly but is it sensible to invest in secondary education at the expense of primary. Sandwell outcomes at primary level demonstrate that primary settings spend their funding wisely and are effective. Take this away and there will be a negative impact on pupil outcomes, staff will become stretched, resources will deplete. Both staff moral and outcomes will inevitably fall. We would urge forum to consider recommending a further option of a standstill budget and allow all schools additional time to reconsider their options and resubmit their consultation response.
- MFG/Capping - the indicative of 0.5 should be the minimum amount and should be as high as it can be based on the level of funding SMBC gets.
Hope that the Forum follow the recommendation of the Cabinet last

year in terms of looking at the AWPU ratio between primary and secondary, not to back track with staying the same (even though this isn't in the proposals).

Primary's have had a number of years of retaining their higher than average funding in comparison to other authorities and should have been planning for this. They were aware that the NFF would impact on their funding negatively, so why is this a surprise.

Please consider the fact that Secondary's are the minority on school forum and we have supported Primary partners in the past above and beyond other authorities.

Agenda Item 6

Schools Forum

14 December 2020

SPECIAL EDUCATIONAL NEEDS HIGH NEEDS BLOCK 2020/21
OCTOBER 2020 MONITORING REPORT

This report is for Information

1. Recommendations:

That Schools Forum members:

- 1.1 Note the contents of the report in relation to the 2020/21 HNB Grant budget monitoring for the period 1 April – 31 October 2020.
- 1.2 Note the data provided on the commissioned places and occupancy for special provisions as at 1 December 2020.

2. Purpose

- 2.1 To provide Schools Forum with the HNB monitoring position as at 31 October 2020 projected to 31 March 2021 and special provision occupancy as at 1 December 2020.

3. HNB Budget 2020/21

- 3.1 The HNB current grant for 2020/21 is £48.583m.
- 3.2 Table 1 shows budget for 2020/21, the anticipated outturn as at 31 March 2021 and variance from budget.
- 3.3 The anticipated in year surplus as at 31 August 2020 projected to 31 March 2021 is £0.137m.
- 3.4 The balance brought forward as at 1 April 2020 is £0.561m Deficit.
- 3.5 The increases in staffing and provision agreed by Schools Forum in December 2019 have been built into the budget figures.

Table 1 - HNB 2020/21 Budget Allocations

Budget Heading	Budget 2020/21 £000	Anticipated Outturn 31/3/21 £000	Variance from Budget £000
1) Out of Borough Placements	4,929	6,073	1,144
2) Pupil Top Up and Place Funding	29,433	30,128	695
3) Post 16 Colleges	2,323	2,323	0
4) Hospital PRU	1,073	1,173	100
5) SEN Support Services	1,412	1,271	(141)
6) Support for Inclusion	4,574	3,997	(577)
7) Alternative Provision	1,911	1,287	(624)
8) SEN Developments	1,099	514	(585)
8) Other SEN Funding	1,677	1,602	(75)
10) Exclusions & Reintegration	152	77	(75)
TOTAL	48,583	48,445	(138)

3.6 The main variances are as follows:

- Out of Borough Placements – This heading incorporates pupils placed in other local authority maintained and academy, mainstream and special school, and independent special schools. There is a small overspend on OLA schools of £60K but and £1,084k overspend on independent special schools. The original budget for independent schools was for 75 pupils. There are currently 111 pupils placed out of borough which is an increase of 33 pupils. An allowance was made for an in-year increase of 10 places. This is due to an

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increase in the number of EHCP assessments and a lack of specialist in borough provision.

- Pupil Place and Top up - £695k overspend is predominantly due to an increase in assessments for EHCPs. The data shows that there has been a net increase of approximately 150 pupils who have been assessed and received EHCPs since January 2020.
- Hospital PRU - £100k it was agreed by Schools Forum as part of the budget consultation that places would increase in Albright from 40 to 50. This was originally budgeted for under the SEN Developments heading.
- SEN Support Services - £141k underspend is due to staff vacancies
- Support for inclusion – 585K underspend is staff vacancies and the Preventing Secondary Exclusions Team which is still under discussion which was budgeted at £199k
- Alternative provision – £624k underspend is due to a reduction in the number of pupils placed in AP settings following the introduction of the AP panel in Sept 2019. There were 201 pupils accessing alternative provision during the Summer Term 2020 which included 134 that were in year 11. Currently the LA is funding 71 pupils through the HNB. The AP Panel have placed 12 pupils into alternative provision since September 2019. The panel still sat during the lockdown period is Summer 2020, however referrals were low. Currently the panel only uses AP with independent school status so that pupils are on a school roll and are entitled to full time provision.
- SEN Developments £585K underspend – This budget head currently covers independent appeals and reports, and any funding agreed that does not clearly fit onto any other budget head. The additional 10 places allocated to Albright was originally budgeted for here. It also holds an initial balancing figure of £521k, which is difference between the calculated budgets as at 1 April 2020 and the HNB Grant initial settlement 2020/21.

- Exclusions & Reintegration - £75k underspend is all related to staffing.

4. Other SEN Funding

4.1 Table 2 shows the breakdown of the other SEN funding of £1.677m

Table 2 Other SEN Funding

Description	Budget 2020/21 £000	Anticipated Outturn 31/3/21 £000
Central Recharges	508	508
SLAs with Health	87	87
Equal Pay Claim Special Schools	50	50
Transfer to CWD	96	96
Hospital Tuition	30	50
Mediation	30	30
Medical Malpractice Insurance	15	15
Non-Statutory SEN Support	770	675
ITT Staff contribution	23	23
Joint Commissioning	49	49
SENDIASS	19	19
TOTAL	1,677	1,602

5. Focus Provision and Special School Place Funding

5.1 The Focus Provisions average under occupancy as at 1 December 2020 is 16%. The table below shows the current commissioned places, current occupancy, vacancies and consultations in the pipeline. A meeting is to be arranged in January 2021 to discuss place planning going forward across Focus Provisions and Special Schools.

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5.2 There are 9 consultations out with schools that will reduce the vacancies to 24 once agreed.

School	Current Available Places	Current Occupancy	Vacancies
Christchurch	8	8	0
Crocketts	12	9	-3
Devonshire Infants	5	2	-3
Devonshire Junior	5	9	4
Ferndale	10	10	0
Galton Valley	10	10	0
Grace Mary	20	18	-2
Gt Bridge Primary	12	12	0
Hargate HI	17	12	-5
Hargate SEMH	10	7	-3
Ocker Hill Academy	10	6	-4
St Martin's SEMH	5	4	-1
Uplands	3	3	0
Bristnall Hall	25	20	-5
St Michael's	20	14	-6
Wodensborough HI	5	2	-3
Wodensborough ASD	24	22	-2
TOTAL current vacancies	201	168	-33

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5.3 Special Schools - The commissioned places are the places that the LA purchase at the beginning of the financial year and are not the actual numbers that the schools can accommodate (PAN). However, the commissioned places at the Meadows and the Orchard are, the physical capacity of the schools at the moment. The data as at 1 December 2020 for special schools is as follows.

	Commissioned Places	Occupancy 1 December 2020
The Orchard	145	144
The Meadows	185	184
The Westminster	210	218
Shenstone/Brades	95	93
TOTAL	635	639

5.4 The data for PRUs has been run on SYNERGY as at 1 December 2020 and the table below shows the commissioned places against occupancy.

	Commissioned Places	Occupancy 1 December 2020	Vacancies
Sandwell Community school	180	129	-51
Primrose	25	19	-6
Albright	50	38	-12
TOTAL	255	186	-69

6. Recommendations

6.1 That Schools Forum note the contents of the report.

Date: 3/12/2020

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