

Minutes of Schools Forum

**Monday, 8 November 2021 at 2.30 pm
In the Council Chamber, Sandwell Council House, Oldbury**

Present: S Baker, J Barry, W Lawrence, G Linford, L Howard, C Handy-Rivett, D Irish, M Arnall, J Topham and N Toplass

Officers: J Gill, S Lilley, R Kerr, M Barnett, A Timmins, M Tallents and F Hancock

41/21 Apologies for Absence (FH)

Apologies were received from E Benbow, B Patel, D Barton, E Pate, J Bailey and K Berdesha.

42/21 Declarations of Interest (AT)

There were no declarations of interest made.

43/21 Minutes (AT)

Resolved that the minutes of the meeting held on 27 September 2021 be approved as a correct record.

44/21 Appointment of Chair & Vice Chair (AT)

The Forum was invited to nominate to the positions of Chair and Vice-Chair for the remainder of the agreed meetings during 2021/22.



N Toplass was nominated to, and duly accepted, the position of Chair.

Agreed that N Toplass be appointed as Chair of the Forum for the remainder of the agreed meetings during 2021/22.

N Toplass in the Chair.

J Barry was nominated to, and duly accepted, the position of Vice-Chair.

Resolved that J Barry be appointed as Vice-Chair of the Forum for the remainder of the agreed meetings during 2021/22.

45/21

To hold a one-minute silence in respect of Jane Grey (Chair)

The Forum held a one-minute silence in respect of Jayne Gray and the service she had provided to the Forum / Education in the Borough.

46/21

To agree that G Linford remain in his current Membership category for the remainder of the Forum meetings agreed for 2021 / 22 (AT)

A Timmins advised the Forum that G Linford now represented a school which had been converted to an Academy, and sought approval that he remain in his current category of Membership (Head Teachers Advisory Forum – Maintained Primary Schools) for the remainder of the meetings agreed meeting during 2021. A Timmins further advised that he would seek to recruit a replacement for G Linford for 2022 onwards.

Resolved that approval be granted for G Linford to remain as a Forum Member in his current category for the remainder of the agreed meetings during 2021.

47/21

To agree that Christina Handley-Rivett formally replace Jane Grey on the Forum Membership for the remainder of the Forum meetings agreed for 2021 / 22 (AT)

The Chair sought approval from the Forum in respect of Christina Handley-Rivett replacing Jayne Gray on the Forum Membership.

Resolved that approval be granted for Christina Handley-Rivett to replace Jayne Gray on the Forum Membership, commencing a 4-year term of office.

48/21

School Revenue Funding 2022/23 Consultation Document (RK)

Schools Forum received a report which sought approval of the Schools Revenue Funding 2022/23 Consultation document, to be issued to schools and academies.

Sandwell had an ambition to ensure that all schools and academies in the borough were rated as Good or Better by Ofsted. To achieve this during times of austerity would require astute and prudent usage of finite, and reducing, resources.

There remained significant financial challenges in the education sector at present. It was clear that, despite recent funding announcements, proposed schools funding arrangements would not fully offset the effects over the last 10 years of inflation, the national pay awards, the apprenticeship levy and changes to employers pay contributions. Equally, schools would also have to source many services once provided free by the council.

Given that these factors had impacted, over time, detrimentally on local budgets, the decisions which had been taken by the current Schools Forum would need to consider how the factors contained within the schools budget formula delivered an equitable spread of resources to all schools, which targeted areas of need whilst protecting those that were most financially vulnerable.

Schools Forum would need to consider the impact of a “hard” National Funding Formula, if and when implemented, and the continued steps the borough should be required to take to move towards this, taking in to account minimum funding guarantees to allow schools time to prepare for, and manage, future changes in funding.

At the end of August 2019, the government had 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.

The government had published provisional schools and high need funding allocations for 2022/23, which was the third year of the three-year funding increase (as illustrated in the table below).

Description	Schools Block	High Needs	Central Schools Services Block
	£	£	£
2022/23 – Provisional NFF Allocations	303,269,139	60,638,720	2,263,500
2021/22 – Initial Allocations December 2020	297,545,210	55,737,931	2,249,075
Increase	5,723,929	4,900,789	14,425
Note: The funding for both years are based on Pupil numbers in the October 2020 census of 55,511 pupils.			

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 Early Years Block allocations would also be released at a later date.

Schools block funding was based on notional allocations for each school, which would be aggregated to arrive at the schools block funding for each local authority.

Local authorities would continue to have the responsibility to set a local formula to distribute the funding allocated to them, to schools in their area in 2022/23.

The government had stated in their consultation “Fair school funding for all: completing our reforms to the National Funding Formula” which has been issued on the 8th July 2021, with a closing date of 30th September 2021; that their intention since the introduction of the NFF had always been to move to a funding system in which all individual schools’ funding allocations would be set directly by the national formula without substantive further local adjustment. The government had referred to this as the “hard” NFF.

The consultation was part 1 of a 2-stage consultation process. It was expected that the Government would issue a response to the first stage in Autumn 2021.

The following items were a list of key changes to the schools NFF in 2022/23: -

- The NFF factor values had been increased 3% to basic entitlement, free school meals at any time in the last 6 years (FSM6), income deprivation affecting children index (IDACI), lower prior attainment (LPA), English as an additional language (EAL) and the lump sum.
- 2% to the floor, the minimum per pupil levels and free school meals (FSM);
- 0% on the premises factors, except for PFI which had increased by RPIX.
- Data on pupils who had been eligible for FSM6 was now taken from the October 2020 school census instead of the January 2020 census, to make the factor more up to date and bring it in line with arrangements for other NFF factors as well as the pupil premium.
- In calculating low prior attainment proportions, data from the 2019 early years foundation stage profile (EYFSP) and key stage 2 (KS2) tests was used as a proxy for the 2020 tests, following the cancellation of assessment due to coronavirus (COVID-19).
- Pupils who had joined a school between January 2020 and May 2020 attract funding for mobility based on their entry date, rather than by virtue of the May school census being their first census at the current school (the May 2020 census did not take place due to coronavirus (COVID-19)).
- Further to the consultation on changes to the payment process of schools business rates, schools business rates would be paid by ESFA to billing authorities directly on behalf of all state funded schools from 2022 to 2023 onwards.
- 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 would 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 would be set at 2.0%, which was broadly in line with the current inflation.
- Schools would benefit from an increase of 4% to the formula's core factors. Exceptions to this were that the free school meals factor, 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 last year, and would also have the same transitional protection. There would be no capping or scaling of gains from the growth factor.

The key features of local authority formulae arrangements in 2022/23 were: -

- The minimum per-pupil levels would be set at £4,265 for primary schools and £5,321 for KS3 and £5,831 for KS4. This meant a standard secondary school with 5-year groups receive at least £5,525 per pupil.
- Local authorities would continue to be able to set a Minimum Funding Guarantee in local formulae, which must be between +0.5% and +2.0%.
- Teachers' pay grant (TPG) and Teachers pension employers contribution grant (TPECG) were now fully rolled in to the NFF; no separate adjustments were needed in the local formulae, beyond what had already been done in 2021/22 to account for these grants in 2022/23.
- Following the cancellation of assessments in summer 2020 due to COVID-19, local 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 schools block to other blocks of the DSG, with schools forum approval. As the TPG and TPECG were now fully incorporated into the NFF, unlike last year, no adjustment would need to be made from the total schools block to account for these grants when calculating the funding to be transferred. If the authority were to consider such a transfer it would equate to a maximum of £1.516m. A disapplication would be required for transfers above 0.5%, or for any amount without schools forum approval.
- The authority would not be requesting a movement of funding from the Schools block to another DSG funding block, as it was recognised that 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 2022/23 given the increases in funding from the Government.

The central schools services block provided funding for local authorities to carry out central functions on behalf of maintained schools and academies. The block comprised two distinct elements; one for ongoing responsibilities and a cash sum for historic commitments.

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

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

The DfE had cut historic commitment funding by 20% to £0.146m 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.

The consultation on the formula funding for schools for 2022/23 included proposals on the following:

The funding formula to use for allocating schools budgets;

1. Option 1 – Stepped change in the ratio - LA Formula (change in AWP/MFG) with a ratio of 1:1.25 in year 1, 1:1.27 in year 2; and 1:1.29 in year 3. This will be the third year of the stepped change.
 2. Option 2 – Secondary Schools receive 1% more above the overall increase in funding.
 3. Option 3 – National Funding Formula Factor Values
- Pupil Number Growth Contingency Fund; two options have been proposed for consideration:
 - Option 1 to continue with the current criteria of funding LA agreed PAN/Bulge class increases, new and growing schools and mid-year admissions; with a fund of £1.850m being proposed.
 - Option 2 to amend the criteria to fund PAN/Bulge class increases, new and growing schools, but cease funding of mid-year admissions. It is estimated this would require a fund of £1.300m.

- De-delegation proposals; there are 5 de-delegated proposals to be considered by maintained schools.
- Education Functions; there are 3 Education function proposals to be considered by maintained schools.
- Minimum funding guarantee and capping of gains; this is to ensure the costs of providing the minimum funding guarantee protection are covered.
- Central Schools Services Block; there are 4 proposals to be considered by all schools, maintained schools and academies.

This consultation was applicable for one year only (2022/23).

The draft Schools Funding 2022/23 Consultation document was attached to the report for review / information. The deadline for stakeholders to respond was noon on Wednesday 1st December 2021.

R Kerr advised that she would be presenting to JEG on 11th November and to all Head Teachers on 15th November. At JEG on 11th November, all lead officers would also be present to answer questions.

Forum Members discussed the report and the proposals contained therein. In particular, Members requested the following information to be added to the consultation document, to enable schools to be in a position to make an informed decision: -

- Risk / Impact assessment report to be included for the safeguarding and attendance aspect of the consultation.
- Whether safeguarding and attendance could be split and if this was a viable proposal for schools to make as part of the consultation process.
- That the figures for both safeguarding and attendance / prosecution be provided where the two services were separated from one another to see how much was allocated to each.
- That the option to split these two services, if deemed appropriate to do so, be retained as an option for the Forum to make.
- Last year Primary Heads had queried why it wasn't an option to maintain the status quo in terms of formula funding. It was requested that the reasons why it wasn't possible were provided so it was absolutely clear this year to avoid similar confusions.

Resolved that: -

1. approval be granted for the Schools Funding 2022/23 Consultation document to be issued to schools and academies and other interested stakeholders, subject to the additional information requested above being addressed within the document.
2. approval be granted for the submission of a disapplication request to the Education and Skills Agency for Bleakhouse Primary school to receive a second year of lump sum protection, which equates to £180,680.

49/21

SEND Review - To be tabled (MT)

Schools Forum received a report which provided the Forum with the outcome of the Special Educational Needs and Disabilities (SEND) Provision and High Needs Block (HNB) Review consultation with schools and parents. In addition, the report presented the Forum with recommendations for future the allocation of financial resources through the High Needs Block and Highs Needs Capital Allocation Grant.

Sandwell had seen a significant rise of children/young people (C/YP) with SEND requiring additional support in recent years. The number of C/YP requiring an Education, Health and Care Plan had doubled since the introduction of the SEND Reforms in 2014. Professionals reported that there had been an increase in the complexity of needs of pupils and current capacity of Special schools within the local area was limited.

A sufficiency analysis had been undertaken using historic and current data to predict anticipated need in the future. Data included population growth of pupils with SEND, trends in specific areas of SEND needs, capacity within specialist provision and financial implications.

Proposals had been constructed through steering group meetings with: Special, Focus Provision schools and Pupil Referral Units (through Extended Special Heads meetings), mainstream primary and secondary schools. These had then been further developed by a sub-group of schools forum which had representation from

Special School, PRU, Focus Provision Schools, mainstream primary and mainstream secondary school.

The consultation had been sent electronically to Head Teachers, included in the school's bulletin and posted on the Local Offer. It had also been advertised through Sandwell Parent Voice United social media platforms and a parents meeting organised.

The Consultation period had run from 27th September 2021 to the 15th October 2021. The proposals were set out in the Appendix 1 to this report. Appendix 2 to the report set out the outcomes of the consultation and specific feedback from the review.

There were 41 respondents in total to the consultation proposals including 25 Head Teachers, 3 members of SLT, 10 SENCOs and 3 Parent / carers.

Proposal 1: Time allocation of Inclusion Support Services to Secondary Schools

In total 95% of participants in the consultation had voted to change time allocation of Inclusion Support Services within Secondary schools to a formula model.

Option 1.1: 55% had felt the new formula should be aligned to the primary school model.

Option 1.2: 41% had felt the formula needed further discussion and agreement through a secondary school steering group.

Option 1.3: 4.8% had voted to maintain current flat rate model 62% of secondary schools who had taken part in the consultation voted for Option 1.2, only 14.0% voted for Option 1.3 (to maintain current flat rate) and 24% had voted for the primary formula.

The cost of this proposal on the HNB was Nil.

The Recommendation presented to the Forum was: To change time allocation of Inclusion Support Services in Secondary Schools to a formula model. To ensure that the model was viewed as a fair and consistent approach across Secondary schools, it was recommended that Secondary colleagues were consulted on the key indicators and weightings within the model.

Proposal 2: Determine the use of funding being held within SEN Support Services category of the High Needs Block for a Secondary Preventing Exclusions Team

Option 2.1: 40% of participants had voted to use HNB funding to employ a new Secondary Preventing Exclusions team.

Option 2.2: 60% of participants had voted to use HNB funding to employ the Transition / Integration Team who are currently funded through the Exclusion Levy.

The Recommendation presented to the Forum was: To use HNB funding to employ the Transition / Integration Team who are currently funded through the schools Exclusion Levy funding.

The cost of the PSE team is already built into the HNB at a cost of £198,600 so will have no significant impact.

Proposal 3: To determine the level of top up funding allocated to C/YP with an Education Health and Care Plan

Option 3.1: 11.6% of participants had voted for 1% increase of Top Up funding to all pupils in mainstream and special schools.

Option 3.2: 20% of participants had voted for 2% increase of Top Up funding to all pupils in mainstream and special schools.

Option 3.3: 8.3% of participants had voted for 1% increase of Top Up funding to pupils in mainstream schools.

Option 3.4: 25% of participants had voted for 2% increase of Top Up funding to pupils in mainstream schools.

Option 3.5: 23% of participants had voted to maintain current levels of Top Up funding.

There was 1 vote difference between Option 3.4 and Option 3.5. The financial implications for this proposal would need to be carefully considered by schools forum.

Option 3.4 would have a cost implication and assuming that the HNB did not have any future substantial increases in the grant after 2022/23, this would produce an in-year deficit in 2025/26 and subsequent years.

Option 3.5 would maintain current predicted surplus from the baseline position. However, decisions around increasing specialist placements would impact on surplus going forward and these would need to be taken into consideration when deciding on this proposal.

The Recommendation presented to the Forum was: For schools forum to consider the financial implications of Option 3.4 and Option 3.5.

Proposal 4: To incrementally increase specialist places for pupils with severe learning difficulties / complex needs and secondary aged SEMH students.

The list below provided suggested examples of incremental changes to Specialist Provision within Sandwell to address the current short fall. Designation of need was based on current priorities for placement.

- KS3 SEMH FP – 10 places HNB £231,290 + capital costs.
- KS3 / 4 SEMH Specialist – 10 places HNB annual cost £347,370 + capital costs.
- Increase SLD / Complex Needs provision primary + secondary Satellite Schools / extension – 20 places HNB annual cost £482, 920 + capital costs.

Capital costs would be met through the High Needs Capital Allocation Grant.

Option 4.1: 87.5% of participants had agreed with the proposal to increase additional specialist places for pupils with SLD/complex needs and secondary aged SEMH students.

Option 4.2: 12.5% of participants had disagreed with this proposal.

The Recommendation presented to the Forum was: To use HNB Funding and High Needs Capital Allocation to support the increase of specialist places for pupils with SLD/Complex needs and secondary aged SEMH pupils.

If it was assumed that there were no significant increases in the HNB Grant after 2022/23, the incremental effect of funding additional specialist places would put the HNB into deficit from 2023/24 at the earliest worst-case scenario.

Proposal 5: To support development specialist teaching spaces in mainstream schools

Option 5.1: 68% of participants had agreed with the proposal to use High Needs Capital Allocation Funding to support development of specialist teaching/intervention spaces within mainstream schools.

Option 5.2: 32% of participants had disagreed with the proposals.

The Recommendation presented to the Forum was: To use funding from the High Needs Capital Allocation to implement a grant system to support mainstream schools in developing specialist teaching spaces to support pupils with SEND needs.

Proposal 6: To provide a limited resource grant through HNB funding to schools establishing specialist teaching spaces.

Option 6.1: 65% of participants had agreed with this proposal to provide a small resource grant (£2000) to contribute to resources when establishing specialist hubs.

Option 6.2: 35% of participants had disagreed with the proposal.

The Recommendation presented to the Forum was: To use HNB funding to implement a grant system for allocation of a limited resource grant to contribute to the equipping of specialist teaching spaces.

The cost of this proposal would be minimal and could be met from the HNB carry forward as at 1 April 2023 as one-off expenditure.

The Forum discussed the various proposals and sought clarification on a number of points. In particular, the Forum queried what the potential impact of agreeing the options contained within the report were (what the projections were) on any potential deficits from the High Needs Block in future years.

Having discussed the various proposals further, the Forum was minded to defer proposals 3, 5 and 6 in view of the fact that the report had been tabled and Members had not had sufficient time to digest the information in order to reach an informed decision.

In particular, M Tallents was requested by the Forum to attend Partnership Meetings so that she could discuss the deferred

proposals in more detail and answer questions. M Barnett clarified that this would not be another consultation exercise. It would simply be an exercise to provide and seek clarity on the deferred proposals.

Resolved that: -

1. proposal 1 at 5.2 of the report (To change time allocation of Inclusion Support Services in Secondary Schools to a formula model. To ensure that the model is viewed as a fair and consistent approach across Secondary schools, it is recommended that Secondary colleagues are consulted on the key indicators and weightings within the mode) be approved.
2. proposal 2 at 6.2 of the report (To use HNB funding to employ the Transition /Integration Team who are currently funded through the schools Exclusion Levy funding) be approved.
3. proposal 3 at 7.5 of the report (For schools forum to consider the financial implications of Option 3.4 and Option 3.5) be deferred until the next meeting.
4. proposal 4 at 8.3 of the report (To use HNB Funding and High Needs Capital Allocation to support the increase of specialist places for pupils with SLD/Complex needs and secondary aged SEMH pupils) be approved.
5. proposal 5 at 9.2 of the report (To use funding from the High Needs Capital Allocation to implement a grant system to support mainstream schools in developing specialist teaching spaces to support pupils with SEND needs) be deferred until the next meeting.
6. proposal 6 at 10.2 of the report (To use HNB funding to implement a grant system for allocation of a limited resource grant to contribute to the equipping of specialist teaching spaces) be deferred until the next meeting.

50/21

To agree the venues of future meetings (Chair)

Schools Forum agreed that it would be presumed that all future meetings of the Forum would take place 'in person' at the Council House, Oldbury, unless anything relating to COVID-19 would prevent meeting in person. In such cases, the meeting would revert to an 'on-line virtual' meeting via Microsoft Teams.

51/21

AOB

The dates of future Forum meetings were noted, as set out below:-

13 December 2021

17 January 2022

14 March 2022

20 June 2022

The Next Meeting of Schools Forum: 13th December 2021 @ 2.30pm.

Location: Virtual Online Meeting.

Meeting ended at 4.30pm

Contact: democratic_services@sandwell.gov.uk