

Agenda Schools Forum

Monday, 13 December 2021 at 2.30 pm
Virtual Online Meeting - MS Teams

The School and Early Years Finance (England) Regulations 2021 amended The Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020 to make permanent provisions to enable schools forums meetings to be held remotely.

[Schools Forum Live Link](#)

This agenda gives notice of items to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1 **Apologies for Absence**

To receive any apologies for absence.

2 **Declarations of Interest**

Members to declare any interests in matters to be discussed at the meeting.

3 **Minutes**

7 - 24

To confirm the minutes of the meeting held on 8 November 2021.



- 3.1 To agree that Mrs S Mistry be appointed to the Forum for a 4-year Term of Office (Chair)
- 4 **School Revenue Funding 2022/23 Consultation Responses (R Kerr)** 25 - 50
- School Forum members to consider and make a decision on the consultation proposals as set out.
- 5 **High Needs Block – October 2021 Budget Monitoring Report (J Gill)** 51 - 60
- School Forum to note the report and the data provided.
- 6 **SEND Review Follow up (M Tallents)** 61 - 76
- Schools Forum to note the report and make recommendations on the options consulted on.
- 7 **Early Years Block Report (S Lilley)** 77 - 80
- Schools Forum to note the report.
- 8 **Fair Funding Scheme – Update (S Lilley)** 81 - 84
- Schools Forum to approve consultation with schools on an amendment to the text of the Fair Funding Scheme.
- 9 **DSG Settlement 2022/23 – Verbal Update (R Kerr)**
- Schools Forum to receive a verbal update on the DSG Settlement 2022/23
- 10 **Government Consultation – School Improvement Grant - Verbal Update (A Timmins)**
- Schools Forum to receive a verbal update on the Government Consultation regarding the School Improvement Grant.

11 **Director of Children's Services – Verbal Update
(M Jarrett)**

Schools Forum to receive a verbal update from the new Director of Children's Services Michael Jarrett.

12 **AOB**

Kim Bromley-Derry CBE DL
Interim Chief Executive
Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution

Councillor N Toplass (Chair)
Councillors J Barry, M Arnull, S Baker, J Bailey, D Barton, L Bray, E Benbow,
K Berdesha, D Broadbent, C Handy, L Howard, D Irish, W Lawrence,
G Linford, S Mistry, E Pate, B Patel and J Topham

Contact: democratic_services@sandwell.gov.uk

Schools Forum Distribution to Members:

Body / Number of positions on Forum	Nominated Member	Nominated Substitute
Head Teachers Advisory Forum – Maintained Primary Schools (5)	Ms S Baker Mr J Barry Ms W Lawrence Mr G Linford Mrs S Mistry - <i>Subject to formal approval by the Forum</i>	Nomination awaited Nomination awaited Nomination awaited Nomination awaited Nomination awaited
School Governors – Maintained Primary Schools (3)	Ms L Howard Mrs E Benbow Mr B Patel	Nomination awaited Nomination awaited Nomination awaited
Head Teachers Advisory Forum – Maintained Secondary Schools (1)	Christina Handy-Rivett	Nomination awaited
School Governors – Maintained Secondary Schools (2)	Mrs D Broadbent Vacancy	Nomination awaited Nomination awaited
Academies (4)	Ms L Bray Mr D Irish Mr M Arnull Mr J Topham	Nomination awaited Nomination awaited Nomination awaited Nomination awaited
Head Teachers Advisory Forum – Special School (1)	Mr N Toplass	Nomination awaited
Trade Union (1)	Mr. D Barton	Phil Jones
Early Years Partnership (1)	M E Pate	Nomination awaited
14-19 Provider (1)	Ms J Bailey	Nomination awaited
Pupil Referral Unit (1)	Ms K Berdesha	Ms K Hazelwood

Schools Forum: Voting Blocks (Who can vote and on what?)

Secondary Maintained Block	Voting
Headteachers	Can vote on all business except primary school de-delegation.
J Christina Handy-Rivett <i>(Subject to formal approval by the Forum)</i>	
Governors	
Mrs D Broadbent	
Vacant	

Primary Maintained Block	Voting
Headteachers	Can vote on all business except secondary school de-delegation.
Sally Baker	
Jamie Barry	
Gary Linford	
Wendy Lawrence	
Vacant	
Governors	
Ms L Howard	
Mrs E Benbow	
Mr B Patel	

Special Block	Voting
Neil Toplass	Can vote on all business except primary and secondary school de-delegation and education functions.

Academies Block	Voting
James Topham (Secondary)	Can vote on all business except primary and secondary school de-delegation and education functions.
Dave Irish (Secondary)	
Mark Arnull (Secondary)	
Lucy Bray (Primary)	

Pupil Referral Unit	Voting
Kuldip Berdesha	Can vote on all business except primary and secondary school de-delegation and education functions.

Schools Forum: Voting Blocks (Who can vote and on what?)

Continued...

NON-SCHOOL MEMBERS

Early Years Partnership	Voting
Emma Pate	Can vote on all business except primary and secondary school de-delegation and education functions.

Trade Union	Voting
Darren Barton NUT	Can vote on all business except primary and secondary school de-delegation and school funding formula.

16-19 Provider	Voting
Jane Bailey	Can vote on all business except primary and secondary school de-delegation and school funding formula.

Schools Forum: Quorum

- (a) A meeting will only be quorate if 40% of the total active membership is present (Voting Members Only). Where a nominated 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

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Minutes of Schools Forum

**Monday 8th November 2021 at 2.30pm
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:

A Timmins opened the meeting in view of the fact that there was no permanent Chair currently appointed to the Forum.

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

42/21 Declarations of Interest

There were no declarations of interest.

43/21 Minutes

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



44/21 **Appointment of Chair & Vice-Chair**

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.

Agreed 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 Jayne Gray**

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 in 2021**

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.



Agreed 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 Jayne Grey on the Forum Membership

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

Agreed 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

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 rolled 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-baselines 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 AWPU/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.

Agreed 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

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.

Agreed 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 model*) 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 paces 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

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 - MS Teams.



Meeting ended at 4.30pm

Contact: democratic_services@sandwell.gov.uk



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Schools Forum

13th December 2021

Funding Formula Review 2022-23 – 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 2022/23
 - Implementation of an MFG of between +0.5% and +2.00%.
 - The level at which to set the Pupil Number Growth Contingency Fund.
- 1.2 That Schools Forum Maintained school members make a decision on the following consultation proposals:
 - De-delegation budget proposals.
 - The Education Functions budget proposals.
- 1.3 That Schools Forum makes a decision on the following consultation proposals:
 - The Central Schools Services Block proposals.
- 1.4 That Schools Forum approves that a review of the Attendance and Safeguarding Team be undertaken as outlined in section 4.39 and 4.40:
- 1.5 That Schools Forum consider the comments received in the consultation and agree on a way to take these forward.

[ILO: UNCLASSIFIED]

2. Purpose

- 2.1 To gain a recommendation from Schools Forum members for the basis for the school funding formula for 2022/23 following consultation with schools.
- 2.2 To make a decision on which de-delegated proposals are approved for 2022/23.
- 2.3 To make a decision on which Education Function proposals are approved for 2022/23.
- 2.4 To make a decision on which Central Schools Services Block proposals are approved for 2022/23.

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, 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 10th November 2021 after approval at the Schools Forum meeting on 8th November 2021; with a deadline of noon 1st December 2021 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 was held:

- Joint Executive Group – 11th November 2021
- Primary/Secondary Partnership – 15th November 2021
- Joint Union Panel - 16th November 2021
- Association Sandwell Governing Bodies – 24th November 2021

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4.3 A total of 53 responses were received (compared with 70 last year), with 43 out of 94 (46%) primary schools/academies, and 10 out of 20 (50%) secondary schools/academies responding.

4.4 The authority has received two responses from individual unions.

Consultation Responses

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

4.6 The funding formula to use for allocating schools budgets;

- Option 1 – Stepped change in the ratio - LA Formula with a ratio of 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.
- Minimum funding guarantee and capping of gains.
- Education Functions.
- De-delegation proposals.
- Central Schools Services Block.

4.7 Funding Options – Consultation responses

4.8 The authority modelled 3 options for calculating schools revenue budget for 2022/23. There are some general adjustments which apply to all options which are as follows:

- Q3 Langley opened in September 2016 with a PAN of 240 for each year group. The PAN has increased to 300 from September 2021. (however, for modelling purposes the pupils numbers are the same as 2021/22 to allow for comparison)

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- The Shireland Technology Primary opened in September 2019 with a PAN of 60 for Reception.
- 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 into Bleakhouse Primary School on 1st September 2020. The guidance states that where schools have amalgamated during the financial year, they retain the equivalent of 85% of the predecessor schools' lump sums for the following financial year (2021/22).

For example, assuming a lump sum of £100,000, the additional payment would be £70,000 ($(£100,000 \times 2) \times 85\% - £100,000$).

Local authorities may apply to provide a second year of protection. Applications must specify the level of protection sought, although the expectation from the DfE is that the additional protection would not exceed 70% of the combined lump sums. They have stated they will consider applications on a case-by-case basis.

At its meeting on 8th November 2021; Forum members agreed that an application could be submitted for Bleakhouse Primary School requesting a second year of the lump sum protection equivalent to 70% of the predecessor schools lump sum for the financial year 2022/23.

The ESFA has approved the application request.

4.9 The funding formula options were as follows:

Option 1: Stepped increase to the 2022/23 Local authority model - Increase of the Primary: Secondary Ratio to 1:1.29 (3rd Year)

4.10 This model uses the same factors as previous years, except for the two factors mentioned below. In Sandwell's local school funding formulae, the 2021/22 rate for Basic Entitlement/AWPU is significantly above the National Funding Formula (NFF) rate. The recommendation was therefore to keep these rates the same for

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2022/23 and instead introduce for the first time, factor value rates for Free School Meals (FSM) and Free School Meals Ever 6 (FSM6) in order to reflect the change of moving to a primary secondary ratio of 1:1.29:

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

- 4.11 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 prior to applying MFG and MPPF). The model uses the same factors as previous years, except for the FSM6 which was introduced for the first time in order to reflect the change of secondary schools receiving 1% more above the overall increase in funding.

Option 3: National Funding Formula Factor Values

- 4.12 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 and the MFG to be set at 0.5% to keep in line with the modelling of the other options, the English as an additional language factor had to be changed from those eligible pupils recorded on the census as having entered state education in England during the last three years, whose first language is not English, to those pupils entering during the last two years to remain within the funding envelope announced.
- 4.13 Most respondents voted for Option 1. The responses for each option is shown below.

- Option 1 – 42 Agreed, 11 against
- Option 2 - 1 Agreed, 52 against
- Option 3 – 0 Agreed, 53 against

- 4.14 The following responses reflect some of the comments received:

- *“I have not indicated an option as my preference is to request a standstill as I do not believe any more money should be moved from primary sector to secondary sector as no evidence /research as been provided to support. Further consultation is needed through schools forum.”*

- *“Without discussing and agreeing an educational rationale, it should not be possible to make any of the changes to school funding mechanisms as proposed”*

4.15 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 on the comments made about the funding formula as well as detailing comments on each question in the consultation and general comments overall.

4.16 **Pupil Number Growth Fund**

4.17 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

4.18 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.

4.19 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.

4.20 For the last 4-5 years the pupil number growth fund has been set at £2.269m, however since 2019/20 the level of recoupment that the LA has been able to retain has increased to an average of £0.544m per year compared to levels of £0.178m per year prior to 2019/20. This has therefore increased the total Pupil number growth funding in the last few years.

4.21 In 2021/22 the Pupil number growth fund was reduced from the levels set in previous years of £2.269m to £1.091m as a result of accrued balances built up over the last few years.

4.22 The government have stated in their consultation document “Fair School Funding for all: completing our reforms to the National Funding Formula” that they are planning to change growth funding and the basis on which they fund new and growing schools.

DFE Growth fund – Current formulaic method

4.23 Growth funding is within local authorities’ schools block NFF allocations. Since 2019/20, growth funding has been allocated to local authorities using a formulaic method based on lagged growth data. The change in the method of funding to local authorities has not changed the way in which authorities can allocate funding locally.

4.24 For each local authority, the growth factor will allocate:

- £1,485 for each primary “growth” pupil,
- £2,220 for each secondary “growth” pupil
- £70,800 for each brand new school that opened in the previous year (that is, any school not appearing on the October 2020 census but appearing on the October 2021 census).

4.25 The authority currently funds schools as follows:

- LA agreed PAN Increase/Bulge Class at 100% of Basic Entitlement/AWPU; which for 2021/22 is £3,512 for primary pupils and £4,977 for secondary pupils.
- Mid Year Admissions at 50% of Basic entitlement/AWPU for 2021/22.
- New/Growing schools – ESFA rates for leadership and resources.

4.26 Given the disparity between the Growth funding rates received by the authority and the Pupil number growth rates used to pay schools; and because of the government’s plans to change the basis of funding; the authority is proposing two options for setting the allocation:

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- 4.27 Option 1 – Continue with the current criteria as set out in section 4.25. above. An estimation of the Pupil Number Growth amount required is £1.850m.
- 4.28 Option 2 – To fund schools for LA agreed PAN/Bulge increase and New/growing schools only. The funding for mid year admissions would cease. An estimation of the Pupil Number Growth amount required is £1.300m.
- 4.29 Option 2 was put forward for schools to consider working towards aligning the authority’s Pupil growth fund with the government’s direction of travel; particularly in relation to the growth values.
- 4.30 The majority of respondents agreed option 2 with a Pupil Number growth fund set at £1,300,000.
- Option 1 – 21 Agreed, 32 against
 - Option 2 - 35 Agreed, 18 against

De-delegation Proposals

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

De-delegation Budget Proposals 2022/23				
Ref	Service	Total Budget	Primary Phase Cost	Secondary Phase Cost
		£	£	£
1	Health & Safety Licenses	5,990	4,970	1,020
2	Evolve Annual Licence	6,300	5,200	1,100
3	Union Facilities Time	213,000	177,000	36,000
4	School Improvement Service	100,000	83,000	17,000
5	School in financial difficulty	88,000	73,000	15,000
	Total De-delegation proposals	413,290	343,170	70,120

4.32 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

4.33 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.

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

4.35 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 £14.97 per pupil is based on October 2020 census data, this will be updated to be based on October 2021 census data.

4.36 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.

4.37 There are 3 education function proposals and the details are set out in the table below.

Education Functions Budget Proposals 2022/23		
Service	Total Budget	Amount per pupil
	£	£
Education Benefits Team	175,000	5.55
Children’s Clothing Support Allowance	33,000	1.05
Safeguarding & Attendance	264,000	8.37
Total Education Functions	472,000	14.97

4.38 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).

Attendance and Safeguarding Team

- 4.39 At the last meeting Schools' Forum expressed an interest in better understanding the services provided by the Attendance and Safeguarding team and the appropriateness of the funding approved by the Forum. The request for additional information was made at a stage in the current consultation process that would not allow time for wider consideration and enable the Forum to make an informed decision about future funding.
- 4.40 It is suggested that the Children's Directorate undertake a review of the team, with the assistance of the Forum, seeking to assess the value added by the team compared to the funding made available from DSG. The review to be completed in the first half of 2022 and reported to Schools Forum no later than the meeting scheduled for 20 June 2022, with the objectives of the review agreed in advance with the Chair of the School Forum.

Minimum Funding Guarantee

- 4.41 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.
- 4.42 The DfE have stated there continue to have greater flexibility for the MFG in 2022/23; local authorities are 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.
- 4.43 The respondents have unanimously voted for an MFG of at least 0.5% and up to 2.00% if modelling proved this was achievable within the funding given (53 agreed, 0 against).
- 4.44 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. (40 agreed, 13 against).

Central School Service Block

- 4.45 The Central Schools Service Block (CSSB) continues to provide funding for local authorities to carry out central functions on behalf

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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.

4.46 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.

4.47 For 2022/23 the DfE have reduced Historic commitment funding by 20%; this has resulted in a cut for Sandwell from £0.182m to £0.146m.

4.48 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 2022/23	
Service	Total Budget
	£
Statutory & Regulatory, Education Welfare and Asset Management	1,662,000
Schools Forum	3,000
Admission Service	452,600
Pensions Administration	145,900
Total Central School Services	2,263,500

4.49 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

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

Trade Union Response

4.51 The authority has consulted with the Joint Union Panel and received responses from the National Education Union (NEU) and the National Association of Head Teachers (NAHT).

4.52 The NEU response commented:

“Sandwell is NOT what you call an ‘average’ area. In 2018, according to a report on childcare, it was reported that more than 20,000 children were living in poverty in Sandwell, which is one in every four children. It is for you to decide if you think things have improved since then. According to The English Indices of Deprivation 2019, which is an official measure of deprivation, Sandwell is one of the most deprived areas in the country. On most measures, Sandwell is the most deprived local authority within the Black Country.

The DfE acknowledged the essential role of LAs during the pandemic to support education, however, such praise will be short lived. The consultation document mentions significant financial challenges ahead such as the increasing outsourcing of services, once provided by the council. This is a further step towards a fragmented, privatised system in which, sadly, competition and profit will come before pupils.”

4.53 The NEU stated in relation to question 1:

“Whilst Sandwell NEU recognises the historic primary/secondary ratio as being favourable to primary schools, there is a reason for this. As stated above, Sandwell is not an ‘average’ LA, regarding poverty and deprivation. Sandwell NEU would have preferred a standstill option.”

4.54 The NAHT agreed with the proposal to change the Pupil Number Growth criteria and they agreed with all the other proposals for the MFG and capping and scaling, de-delegations, Education functions and the Central Schools Services Block.

4.55 The NAHT did not respond to question 1 in the consultation but stated that *“A number of members have been in touch to express disappointment that there was no standstill option presented this year given the significant increases in their ongoing expenditure.”*

4.56 The NAHT agreed with the proposal to change the Pupil Number Growth criteria and they agreed with all the other proposals for the

MFG and capping and scaling, de-delegations, Education functions and the Central Schools Services Block.

Proposed Schools Funding Formula 2022/23

4.57 The views of all stakeholders will be taken into consideration in relation to the consultation on the schools funding formula for 2022/23. The authority will consider the recommendation of School forum, but ultimately it is a local authority decision.

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Tel No: 0121 569 8318

Date: 05/12/2021

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 2022/23						
a) Option 1: LA formula with a stepped increase in the primary: secondary ratio of 1:1.29 (3rd year)	33	10	9	1	42	11
b) Option 2: Secondary Schools receive 1% funding than primaries above the overall increase in funding.	0	43	1	9	1	52
c) Option 3 – National Funding Formula factor values.	0	43	0	10	0	53
2. Do you agree that we should set the pupil Number Growth Fund for 2022/23 at:						
Option 1: Current Pupil Number Growth formula with an estimated cost of £1.850m	16	27	5	5	21	32
Option 2: Current Pupil Number Growth formula with an estimated cost of £1.300m	29	14	6	4	35	18
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.	43	0	10	0	53	0
b) If an MFG where with scaling and capping in order for the MFG to be within the funding envelope.	36	7	4	6	40	13

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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 2022/23 allocation is £2,263,500.	See Appendix (4)
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De-delegated Budgets Consultation Responses

Ref	Name	Lead Officer	Primary		Secondary	
			Yes	No	Yes	No
1	Health & Safety Licences & Subscriptions	Group Head – Learning Improvement	35	7	3	0
2	Evolve Annual Licence	Residential Manager	40	2	3	0
3	Union Facilities Time	Group Head – Learning Improvement	27	15	1	2
4	School Improvement Services	Group Head – Learning Improvement	39	3	3	0
5	Schools in financial difficulties	Group Head – Learning Improvement	28	14	3	0

Education Functions Budgets Consultation Responses

Ref	Name	Lead Officer	Maintained Schools	
			Yes	No
1	Education Functions	Group Head: Education Support	42	3
2	Children's Clothing Allowance Support	Group Head: Education Support	38	7
3	Safeguarding and Attendance	Attendance & Prosecution Manager	40	5

Central Schools Services Block Budgets Consultation Responses

Service	£m	Yes	No
Provisional Allocation 2022/23	2.264		
Expenditure Items:			
Statutory & Regulatory, Education Welfare and Asset Management	1.662	49	4
Schools Forum	0.003	52	1
Admissions Service	0.453	49	4
Historical Commitment – Pensions Administration.	0.146	50	3
Total Central Schools Services Block	2.264		

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**MAIN THEMES/COMMENTS ON SCHOOL FUNDING 2022/23
CONSULTATION**

Question 1: Please indicate the option you prefer to use for calculating school funding for 2022/23 (Please only mark one option).

- *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 to my knowledge. No clear rationale provided, from an educational perspective, to move funds from Primary to Secondary. Should be a 4th option "Standstill (Status Quo)" position - especially noting current climate and considering requests made at Schools Forum both last year and this year. This should be revisited at Cabinet due to changes in the educational landscape since they last discussed this in 2019. Furthermore, when reviewing the minutes of the Cabinet meeting in February 2019, it states in the resolution that primary and secondary schools should "work together to consider the educational journey or children of staged movement towards the NFF". To my knowledge no education rationale has ever been discussed. Without discussing and agreeing an educational rationale, it should not be possible to make any of the changes to school funding mechanisms as proposed.
- Without discussing and agreeing an educational rationale, it should not be possible to make any of the changes to school funding mechanisms as proposed
- A request to include a standstill option was made at Schools Forum last year and again this year. The request was denied on both occasions. The Cabinet Member for Children and Education has been contacted to ask for her reasoning behind endorsing the original directive from Councillor Simon Hackett, the Cabinet Member during the 2019/20 consultation The Local Authority regularly refers back to this directive from Councillor Hackett as the justification for only offering options that move money from the primary sector to the secondary sector. No reasons relating to the educational needs and outcomes of children have ever been

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discussed in this process but the Council minutes from the Cabinet meeting 20th February 2019 are clear that this should have been the case: To ensure full and proper consultation on this matter, the Schools Forum would be tasked to develop an options paper which demonstrated the impact of movement toward the NFF on children's educational journey. This process would be in consultation with all schools and academies. Without discussing and agreeing an educational rationale, it should not be possible to make any of the changes to school funding mechanisms as propose

- I have not indicated an option as my preference is to request a standstill as I do not believe any more money should be moved from primary sector to secondary sector as no evidence /research as been provided to support. Further consultation is needed through schools forum.

Question 2: Do you agree that we should set the Pupil Number Growth fund for 2022/23 at a) Option 1 £1.850m or b) Option 2 £1.300m.

- This option would fund schools for significant increase in the number on role between census. Budgets are normally set within the allocations received. For most schools this would be additional funding they have managed without. Mid year admissions wouldn't be funded but all schools would benefit from additional £1.3m

Question 3: De-delegations: Health and Safety Licences

- Risk of duplicating options which are already available to most schools through subscriptions such as The Key. If this is de-delegated then more effort needs to be made to promote the services available as we don't use half of what is listed in the impact report as we never knew we had access to it.
- Schools should be made aware of what services are available.

Question 3: De-delegations: Evolve

- This is a useful tool but were no savings made over the past year, given that trips didn't happen, to reduce the amount for this year? Also, I do not believe it is fair that primaries have to fund the majority of the costs. If the request is for the licence fee only then surely this should simply be split evenly between all the schools it is available

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too rather than based on the proportion of how often schools use the site?

Question 3: De-delegations: Union Facilities Time

- Costings aimed at primary schools only - would like further details of the benefits primary's receive compared to secondary
- Seems very high and no evidence of impact
- 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. Also, I find it flabbergasting that union time would be funded at more than twice the level of what we are investing into the school improvement team (which should be our priority)

Question 3: De-delegations: School Improvement Team

- This is vital to all schools
- School Improvement roles need to be reviewed. Are all roles necessary? The core role of advisors in supporting, challenging and intervening in school is very important and valued in Sandwell
- We value the support of our SIA, however we do not feel we have £1394.80 worth of support based on 440 pupils on role

Question 3: De-delegations: Schools in financial difficulties

- This penalises schools that make cost savings on their budgets and that generate their own income. Schools with deficit budgets should be made more accountable and the staff that manage the budgets should be trained and qualified to understand budgets and how to manage public money.
- For schools to manage own finances. 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 4: Education Functions: Education Benefits Team

- This service can be purchased by schools at lower cost. Schools can identify their own families in need of FSM/PP we already to the leg work at the start of the school year by asking families to complete the forms. Schools no longer receive alerts of new entitlements From LA and have to check the lists themselves increasing the admin burden.
- As in previous years, it would have been useful to see how much money is forecast to be spent in the current year

Question 4: Education Functions: Clothing Support Allowance

- Schools that employ Family support workers can identify their own families in need and provide assistance where needed.
- As in previous years, it would have been useful to see how much money is forecast to be spent in the current year

Question 4: Education Functions: Safeguarding & Attendance

- Would be helpful to separate these please in order to see financial commitments.
- Can costs of Safeguarding and Attendance Services be split. More responsibilities relating to Attendance Services are being passed back to schools
- As in previous years, it would have been useful to see how much money is forecast to be spent in the current year
- Not in the way it is currently structured. If this was separated as different services then it would be a different response. I find it hard to believe that the A&P team require as much money as they do when you compare it to the other services which come under this area, e.g. safeguarding , CME etc (who provide a much higher quality of service and have a much greater need). I also think information needs to be shared about the impact of A&P, e.g. how many PNs were issued, how much income was generated and where does this get used?

Question 5: 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 5: 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

- Depends on what the MGG is

Question 6: 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 2022/23 allocation is £2,263,500 (This figure will be adjusted in December to reflect the October 2021 census pupil numbers).

For all 4 sections: (1) Statutory & Regulatory, Education Welfare & Asset Management £1,662,000, (2) Schools forum £3,000; Admission Services £452,600; Historical Commitment – Pensions administration £145,900

Specific response Statutory & Regulatory.....

- Separating these would be helpful to consider costs.
- Increase of £140,000 from 2020/21 to 2021/22 and increase of £220,600 from 2021/22 to 2022/23. This is not reflective of budget increase in schools funding
- The details provided in the service block proposal are not detailed enough to fully understand the purpose of this money, i.e. it refers to certain functions and services where de-delegation decisions are taken separately such as attendance. Also, I am concerned that schools do not/have not had the same quality of input as they had when Chris Ward was in post so I would like to understand more about the statutory responsibility of the Directors role in relation to schools (i.e. are school contributions propping up a social care system)?
- Yes and no - if Academies as wellm the Asset Manangement element shoud be split out from planning for Ed Services etc
- Unfair for PFI schools, as the Asset Management does not take into account PFI school.
- As in previous years, it would have been useful to see how much money is forecast to be spent in the current year

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Specific response: Admissions Service

- Would like an option where LA manages admissions at the beginning of the year, with schools managing in year admissions. Can this be explored further so schools have more choice than just yes or no next year?
- Whilst we have voted yes to the Admissions service this year we have not been happy with the service levels nor with the information provided as part of this consultation. We will be investigating whether we would be better served by opting out and providing this service in house next year should the service not improve substantially.
- If academeis as well? There is a separate SLA bought into.
- Impact and deployment is missing from paperwork

General Comments

- No reasons relating to the educational needs and outcomes of children have ever been discussed. Without discussing and agreeing an educational rationale, it should not be possible to make any of the changes to school funding mechanisms as proposed
- Question 1 - A request to include a standstill option was made at Schools Forum last year and again this year. The request was denied on both occasions. We believe that this remains the most appropriate course of action in the current climate of uncertainty relating to finances of schools and finances generally. We're very disappointed to see that there is still no educational rationale provided to explain any movement of funds from the primary sector to the secondary sector. We firmly believe that any discussion around relative funding levels must take into account the Sandwell context. This was the reason for setting the primary:secondary ratio at its original level and it remains as vital to the overall progress of Sandwell pupils as it was when the ratio was originally discussed and agreed. seven years ago, the primary sector has suffered a far greater burden of the costs related to non-teaching staff. To move funding from the primary sector to the secondary sector would not recognize these additional expenditure burdens. All schools, primary and secondary, have faced additional costs relating to National Insurance and pension increases. This has had a much more profound impact on primary schools because of the workforce

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distribution. Primary schools employ nearly four times as many Education Support Staff as secondary schools (176,200 compared to 47,800). For an average two-form entry school in Sandwell this equates to over £20,000 per year in additional costs. This amount is similar to the impact of moving money from the primary sector to the secondary sector to match national funding ratios.

Question 7 - There appears to be a contradiction in this area of the consultation: the consultation document states that "a number of the services that are covered by funding are subject to a limitation of no new commitments or increase in expenditure from 2021/22. This limit no longer applies to the Admissions Service or the servicing of schools forums", however the Statutory and Regulatory, Education Welfare and Asset Management request has increased from £1,441,400 in last year's consultation to £1,662,000 in the current consultation. An increase of £220,600 or 15.30%.

It would be difficult to support such an increase without understanding why it has happened and whether it is legitimate given the narrative in the consultation document replicated above.

- We are extremely disappointed to hear that despite being told last year that a standstill option would be considered by cabinet, it hasn't. The answer given to Primary schools is that by raising the ratio in favour of secondary funding you are doing Primary schools a favour and preparing us for the national funding formula. This is not appreciated, this stance suggests that we are incapable of budgeting appropriately for ourselves. We are in a situation where the youngest children (primary aged, in particular current KS1) have been most negatively impacted by covid in terms of their learning progression. During closures they were less able to make progress during home learning due to lack of independence and support at home. They have missed out on valuable basic skills that underpin learning. A year of standstill would have supported Primary schools, enabling them to utilise those funds to better focus on closing those gaps. Instead, Primary schools face further cuts and a greater challenge in terms of learning recovery. In time this will negatively impact on the Secondary sector because children will begin to arrive less ready to cope with the KS3 curriculum.
- It is important that comments collated from this year's consultation are considered carefully, even if de-delegated decisions are taken, ahead of designing the consultation for next year. Finally, there appears to be a contradiction in the final area of the consultation:

The consultation document states that "a number of the services that are covered by funding are subject to a limitation of no new commitments or increase in expenditure from 2021/2022. This limit no longer applies to the Admissions Service or the servicing of schools forums", however, the Statutory and Regulatory, Education Welfare and Asset Management request has increased from £1,441,400 in last years consultation to £1,662,000 in the current consultation, an increase of £220,600 or 15.30%

- There appears to be a contradiction in the "Central Services Block" section of the consultation: The consultation document states that "a number of the services that are covered by funding are subject to a limitation of no new commitments or increase in expenditure from 2021/22. This limit no longer applies to the Admissions Service or the servicing of schools forums", however, the Statutory and Regulatory, Education Welfare and Asset Management request has increased from £1,441,400 in last years consultation to £1,662,000 in the current consultation. An increase of £220,600 or 15.30%
- It is disappointing that again Primary schools have no voice in Sandwell's funding consultation options. The only rationale offered for the movement of funds from the primary to secondary sector appears to be to bring the authority more in line with other authorities. Primary schools have not been given reasoning that links to the educational needs of the children in Sandwell for this change. Is there clear evidence that secondary school children are disadvantaged by the current funding formula? There is certainly research showing that the youngest pupils have been most effected by the covid pandemic yet indicative figures show increases to our budget will not even cover national insurance rises and teacher pay increases that the DfE have promised will be in our budgets. Following last years consultation Chris Ward told Primary Heads that our voices had been heard at Cabinet and that there would be different conversations for this year it is sad for our children that this has not been the case.

ILO - UNCLASSIFIED

Schools Forum

13 December 2021

SPECIAL EDUCATIONAL NEEDS HIGH NEEDS BLOCK 2021/22 OCTOBER 2021 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 2021/22 HNB Grant budget monitoring for the period 1 April – 31 October 2021.
- 1.2 Note the data provided on the commissioned places and occupancy for special provisions as at 30 November 2021.

2. Purpose

- 2.1 To provide Schools Forum with the HNB monitoring position as at 31 October 2021 projected to 31 March 2022 and special provision occupancy as at 30 November 2021.

3. HNB Budget 2020/21

- 3.1 The updated HNB grant for 2021/22 reported as at 31 August 2021 was £53.240m.
- 3.2 The DFE have further updated the grant allocation and made a positive adjustment of £0.315m so the HNB grant currently stands at £53.555m.
- 3.3 The anticipated in year surplus as at 31 August 2021 projected to 31 March 2022 was £1.332m, reported in September, has now been revised to a surplus of £1.408m.
- 3.4 The balance brought forward as at 1 April 2021 is £0.597m surplus.

3.5 Appendix 1 shows the 2021/22 High Needs Block Budget Allocation, the actual expenditure as at 31 October 2021 and the variance from budget

3.6 The Variances are explained below;

Variation 1

Out of borough placements, other associated costs, show a £20k saving and is due to the reduction in room hire costs for the delivery of support to students that are awaiting a school roll. During COVID these were delivered virtually and from September 21 normal face to face delivery has resumed.

Variation 2

There has been an increase in EHCP assessments which has resulted in a projected overspend of £514k on the delegated funding provided to mainstream schools and academies.

Sandwell Community School - Additional funding of £200k has been included here to be prudent to fund pupils placed at SCS requiring top up that is not included in the funding already allocated. SCS are funded 180 places at £10k per place plus Top Up for 80 places. This area is currently under review by a Task and Finish Group.

Variation 3

High Point opened on 1 September 2021. It was initially thought that the place element would have to be met through the HNB. The DFE clarified in July 2021 that this would be funded directly with no impact on Sandwell's HNB.

Variation 4

An amount £480k from the Early Years Grant is used to offset the early support for pupils in private provider settings and those in Mainstream early years settings. An additional sum of £70K has been allocated in this financial year bringing the overall funding to £550k. The support for pupils in mainstream schools is set against the schools' delegation and not shown separately. The £550k will

be insufficient to cover the full costs of meeting the needs of the pupils in these early years settings. Questions were raised at the SEND Consultation Working Group re the level of grant and the possibility that this could be increased going forward.

Variation 5

The total variances equate to a saving of £386k across 9 service areas. These are mainly due to staff turnover, maternity leave, opting out of the LA superannuation scheme and full time budgeted posts covered by staff on reduced hours.

Variation 6

Preventing Secondary Exclusions Team has not been appointed to so there is a saving of £199k in 2021/22. This is part of the SEND Consultation and it was agreed at last Schools Forum on 8 November 2021 that this would be used to fund the reintegration officer posts currently funded by schools through the exclusion levy. This will not impact on the HNB until next financial year so this will remain a saving in 2021/22.

Variation 7

Alternative Provision was budgeted at £843k in December 2020. Based on the leavers in July 2021 and the close monitoring of placements by the Alternative Provision Panel the saving is currently predicted to be £310k. Any changes in this will be reported and evidenced in future monitoring reports.

Variation 8

SEN Developments is showing an underspend of £760k – This budget head currently covers independent appeals and reports, and any funding agreed that does not clearly fit onto any other budget head. It also holds the HNB balancing figure of £440k, which is the difference between the calculated budgets as at 1 April 2021 and the HNB Grant initial settlement 2021/22. An underspend of £449k was reported on the previous monitoring and the increase is predominantly due to the additional grant received of £315k.

Variation 9

There is a favourable variance of £191k against the Children with Disabilities Team contribution. The HNB has previously contributed £95,800 to the CWD Team and questions have been raised

previously about what this contribution is for. As the contribution was not required in 2020/21 but was accrued, this has now been reversed and the funding has been transferred back into the HNB. It has also been reported that this funding will not be required in 2021/22 or any subsequent years.

Variation 10

There is a favourable variance of £97k against the Non Statutory SEN contribution from the HNB due to staff turnover.

4. Focus Provision and Special School Place Funding

- 4.1 Appendix 2 shows the Focus Provision, Special School and PRU commissioned places for the period 1/4/21-31/3/22 together with the average occupancy for the for the period 1/4/21-30/11/21.
- 4.2 A total of 1,103 commissioned places have been funded and allocated to schools and PRUs of which 79 are utilised by other local authority's pupils. An additional 25 places have been budgeted for which may be allocated to special schools should they exceed their commissioned allocations on average over the financial year.
- 4.3 Table 1 shows the new provisions / expansions in special provision from 1 September 2021.

Table 1 Commissioned places to be funded from 1 September 2021

Establishment	Commissioned places from 1/9/21
The Meadows Expansion	18
Westminster SPI	12
High Point	38
Total	68

- 4.4 The Focus Provisions overall average under occupancy as at 31 August 2021 was 12%. The under occupancy as at 30 November 2021 is 4%. Primary under occupancy is 1.6% while Secondary is 7.1%.
- 4.5 There are no vacant places across the 4 Special Schools.
- 4.6 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).
- 4.7 The pupil tracking data for PRUs is now done on the same basis as the Focus Provision and Special schools for consistent reporting. The total places commissioned for the period 1/4/21-31/3/22 across the 3 PRUs is 255. The average occupancy as at 30 November 2021 projected to 31 March 2022 is 179 but the actual foot fall is 328. The average occupancy may change over the course of time due to the nature of the pupils entering the PRUs and the duration of their enrolment.

5. Recommendations

- 5.1 That Schools Forum note the contents of the report.

Date: 25/11/21 Contact Officer: Michael Jarrett Tel No: 0121-569-8204

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Agenda Item 5 - Appendix 1

HIGH NEEDS BLOCK

	BUDGET ALLOCATION 2021/22 £	SPEND as at 31/10/21 £	PREDICTED END OF YEAR OUTTURN £	VARIANCE FROM BUDGET £	VARIANCE REF	NOTES
1 Out of Borough Placements						
Independent schools	5,102,500	1,533,740	5,102,500	0		
OLA Maintained & Academy Schools	1,518,000	-459,303	1,543,100	25,100		
Alternative Providers	160,000	72,519	160,000	0		
Other associated costs	40,000	6,300	20,000	-20,000	1	Room hire for the support of Students that had virtual lessons during COVID
	6,820,500	1,153,257	6,825,600	5,100		
2 Pupil Top up & Place						
Mainstream Schools	9,442,100	7,884,330	9,800,000	357,900	2	Increase in EHCP assessments
Focus Provisions	3,043,400	2,831,530	3,200,000	156,600	2	Increase in EHCP assessments
Special Schools	16,900,000	15,430,162	16,900,000	0		
Primary PRU	514,800	514,800	514,800	0		
Secondary PRU	2,428,300	2,428,300	2,628,300	200,000	2	Included additional funding to be prudent for pupils placed in SCS that require place funding. This is an area under review via a Task and Finish Group.
High Point	798,700	577,033	577,033	-221,667	3	Place funding was initially budgeted for but the DFE have notified the LA that this will be funded directly with no deduction made to Sandwell's HNB.
Early Years Private Providers	0		500,000	500,000	4	This is offset by the grant below. Questions were raised by the SEN consultation group re the level of grant and whether a request for an increase should be considered as Sandwell also fund early years in the mainstream budget above.
Early Years Grant		-550,000.00	-550,000	-550,000	4	
Recoupment	-697,000	8,893	-697,000	0		This is recoupment of top up for OLA pupils placed in Sandwell Schools
	32,430,300	29,125,048	32,873,133	442,833		
3 Post 16 Colleges & Specialist Providers	3,078,700	857,542	3,078,700	0		
4 Albright Hospital PRU	1,297,700	1,297,700	1,297,700	0		
5 SEN Support Services	1,420,100	747,357	1,354,700	-65,400	5	Maternity Leave, staff turnover and reduced hours
6 Support for Inclusion						
Lace	384,500	214,255	360,500	-24,000	5	Full time Budgeted post but post holder reduced hours
Inclusion Support	1,094,600	610,743	1,029,600	-65,000	5	2 Vacancies
Sensory Support Team	905,100	446,862	842,800	-62,300	5	Maternity leave and part year vacancy
CCD Team	494,700	259,764	448,900	-45,800	5	1 Vacancy
Early Years Admin	697,600	388,390	662,600	-35,000	5	Maternity Leave and 0.5 vacancy
Preventing Primary Exclusions	228,000	125,942	220,800	-7,200	5	Staff turnover
SEMH Team	639,300	343,226	613,400	-25,900	5	Full time Budgeted posts but post holders reduced hours
Preventing Secondary Exclusions	198,600	0	0	-198,600	6	Part of the SEN Consultation
	4,642,400	2,389,183	4,178,600	-463,800		
7 Alternative AWPV Prov	843,000	72,386	532,295	-310,705	7	To be monitored closely. Alternative Provision Panel is controlling the pupils placed in AP settings
8 SEN Developments	1,138,900	71,606	378,502	-760,398	8	Initial Surplus plus additional £207K HNB grant July 21
9 Other SEN Funding						
Central Recharges	508,500	0	508,500	0		
SALT SLA	7,600	3,763	8,167	567		
OT & Physio SLA	64,600	26,899	64,557	-43		
Equal Pay other SS	50,400	0	50,400	0		
Transfer to CWD.	95,800	-95,800	-95,800	-191,600	9	
Mediation	30,000	1,730	30,000	0		
Hospital Recoupment	30,000	4,080	30,000	0		
Medical Malpractice	15,000	0	15,000	0		
Non SEN Statutory	838,100	0	741,000	-97,100	10	
ITT Staff Contribution	23,000	0	23,000	0		
Joint Commissioning	48,500	0	48,500	0		
SENDIASS	19,000	0	19,000	0		
	1,730,500	-59,328	1,442,324	-288,176		
10 Exclusions & Reintegration	152,900	52,192	96,891	-56,009	5	Vacant post
TOTAL	53,555,000	35,706,943	52,058,445	-1,496,555		

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AGENDA ITEM 5 - APPENDIX 2

FOCUS PROVISION, SPECIAL SCHOOLS & PRUs COMMISSIONED PLACES, AVERAGE OCCUPANCY AND ACTUAL OCCUPANCY @ 30/11/21

	Commissioned Places 1/4/21-31/3/22	Average Occupancy as at 1/4/21 - 30/11/21	Actual Occupancy as at 30/11/21	Current Vacancies as at 30/11/21	Other Local Authority Pupils as at 30/11/21
FOCUS PROVISION					
Christ Church C.E. Primary	8	9	11	-3	
Crocketts Lane Primary	12	10	9	3	
Devonshire Infant & Junior	11	13	13	-2	1
Ferndale Primary	10	10	9	1	
Galton Valley Primary	10	10	12	-2	
Grace Mary Primary	20	20	21	-1	1
Great Bridge Primary	12	12	13	-1	
Hargate Primary (HI)	12	12	13	-1	
Hargate Primary (SEMH)	10	7	8	2	
Ocker Hill Academy	10	6	7	3	
St Martin's CE Primary	5	5	5	0	1
Uplands Manor Primary	5	3	2	3	
PRIMARY	125	117	123	2	3
St Michaels C.E High (PD)	20	15	16	4	2
Bristnall Hall High	25	22	26	-1	1
Wodensborough Ormiston Academy	25	23	23	2	1
SECONDARY	70	60	65	5	4
TOTAL	195	177	188	7	7
%				4%	

	Commissioned Places 1/4/21-31/3/22	Average Occupancy as at 1/4/21 - 30/11/21	Actual Occupancy as at 30/11/21	Current Vacancies as at 30/11/21	Other Local Authority Pupils as at 30/11/21
SPECIAL SCHOOLS					
The Orchard	147	147	148	-1	5
The Meadows	185	193	207	-22	13
Westminster	226	226	234	-8	13
Shenstone	57	60	57	0	26
Brades	38	39	38	0	7
TOTAL	653	665	684	-31	64

	Commissioned Places 1/4/21-31/3/22	Average Occupancy as at 1/4/21 - 30/11/21	Actual Occupancy as at 30/11/21	Current Vacancies as at 30/11/21	Other Local Authority Pupils as at 30/11/21
PRUs					
Primrose	25	18	15	10	1
Sandwell Community School	180	128	112	68	6
Albright	50	33	52	-2	1
TOTAL	255	179	179	76	8

Foot Fall 1/4/21-30/11/21	
	36
	207
	85
	328

GRAND TOTAL	1,103	1,021	1,051	52	79
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Schools Forum

13 December 2021

SEND & HIGH NEEDS BLOCK REVIEW FOLLOW UP CONSULTATION PROPOSALS REPORT

This report is for Information & Decision

1. Recommendations:

That Schools Forum members:

- 1.1 Note the contents of the report in relation to the additional information requested at the meeting on the 8 November 2021 following the SEND Consultation analysis
- 1.2 Make recommendations on the options consulted on, having considered the financial implications.

2. Purpose

- 2.1 To provide Schools Forum with additional information and financial implications of the SEND & HNB consultation outcomes.
- 2.2 To provide schools forum with an overview of the financial and timing implications of the High Needs Provision Capital Allocation Grant.
- 2.3 The DFE agreed a three-year increase in HNB funding and 2022/23 is the last year of that agreement. Further announcements are anticipated for 2023/2024 onwards but no timescales have been given.

3. SEND HNB Consultation Outcome Options

- 3.1 There were 6 proposals that were consulted on and presented at the last Schools Forum Meeting.

4. Proposal 1

- 4.1 Should the Time Allocation Model of Inclusion Support Services be reviewed for Secondary Schools from a flat rate allocation to a formula allocation in line with the primary model?
- 4.2 Schools Forum agreed to the change from a flat rate to a formula model with further consultation with Secondary representatives on specific elements and weightings to the formula (option 1.2). The proposal has been presented at JEG, Primary and Secondary Partnership within November 2021. A steering group of Secondary representatives will be formed in the new year
- 4.3 This will have no financial implications on the HNB
- 4.4 Table 1 in Appendix 1 shows the financial implications of this option on the HNB and has been used as a status quo position. The estimated outturn reported in the October 2021 monitoring report has been used as the starting point for the projected carry forward. An indicative estimate for 2022/23 has been used to produce the cash flow.

5. Proposal 2

- 5.1 This proposal was to determine the use of funding being held with the SEN Support Service category of the HNB to employ a Secondary Preventing Exclusions Team (PSE). An alternative proposal was put forward to use this funding to employ the Transition / Reintegration Team currently funded through schools Exclusion Levy.
- 5.2 Schools Forum agreed the use of the PSE allocated budget to be used to fund the reintegration officers.
- 5.3 The Financial implications of this is a saving of £37,100 per annum
- 5.4 Table 2 in appendix 1 shows the impact of this option compared with the baseline.

6. Proposal 3

- 6.1 To determine the level of top up funding allocated to children and young people with an Education, Health and Care Plan (EHCP). This proposal had 5 options.

- 6.2 **Option 3.1** to increase the element 3 top up by 1% across all top ups. To include mainstream schools, special schools, focus provision schools and PRUs (excluding Albright).
- 6.3 **Option 3.2** to increase the element 3 top up by 2% across all top ups. To include mainstream schools, special schools, focus provision schools and PRUS (excluding Albright).
- 6.4 **Option 3.3** to increase the element 3 top up by 1% across all top ups in mainstream schools and focus provisions schools only
- 6.5 **Option 3.4** to increase the element 3 top up by 2% across all top ups in mainstream schools and focus provisions schools only
- 6.6 **Option 3.5** to maintain current levels of top-up funding for all pupils.
- 6.7 Schools forum deferred this proposal to the next meeting pending further financial information.
- 6.8 The annual impact of proposal 3 was calculated based on the current anticipated outturn as at 31/3/22 and the predicted budget for 2022/23. The financial impact of each option is shown in Tables 3- 7 of Appendix1.

7. **Proposal 4**

- 7.1 To incrementally increase specialist places for primary and secondary aged pupils with severe learning difficulties / complex needs and secondary aged SEMH students.
- 7.2 There has been a steady increase year on year in the number of Children and Young people requiring additional support though an EHCP. This increase is expected to continue over the next 5 years.
- 7.3 The anticipated increase in the number of EHCPs over the next 5 years is approximately 1300. The expectation is that 35% of these will require specialist places and as Sandwell schools are very inclusive 65% will be met in mainstream with support.
- 7.4 Over this 5 year period 271 specialist places have already been agreed through the opening of Specialist Free Schools and expansions of existing provisions and built into the HNB cashflow leaving approximately 1029 still to be planned and funded.

- 7.5 Of the 1029 still to be agreed, 184 will be specialist places and 845 will be mainstream with support.
- 7.6 The current need for specialist places are KS3 SEMH Focus provisions, KS3/4 SEMH special school places and SLD Primary and Secondary satellite schools/extensions.
- 7.7 The cost per place has been calculated as an average, however, the actual cost could be higher following the statutory assessment process and finalising the new EHCPs.
- 7.8 Capital cost of the specialist provision will be met through the High Needs Capital Allocation as applicable.
- 7.9 Schools forum deferred this proposal to the next meeting pending further financial information
- 7.10 There is no additional funding in the HNB to fund the place elements and top up for these additional EHCPs, but each year the funding is adjusted for special school pupils on roll by a small amount per place equating to £4000.
- 7.11 At this point in time there has not been an announcement for any increases after 2022/23
- 7.12 Table 8 in Appendix 1 shows the estimated financial impact on the HNB from April 2022 onwards. The actual impact will vary based on timelines for expansion completions.

8. Proposal 5

- 8.1 To support the development of specialist teaching environments in mainstream schools.
- 8.2 The purpose of the grant is to enable mainstream schools in Sandwell to become “even more inclusive” and meet the growing complexity of pupils Special Educational Needs entering their schools. The grant will be for one-off capital funding to be used to enhance the physical accommodation of the school site, to provide specialist teaching and/or intervention spaces to enhance school provision. Examples include: structured teaching spaces for pupils with ASD, Sensory rooms, nurture / therapeutic environments, hygiene rooms.
- 8.3 Funding for this would be from the High Needs Capital Allocation and have no impact on the HNB

8.4 Schools forum deferred this to the next meeting pending further information on how the grant system would work. A draft proposal is attached at Appendix 3

9. Proposal 6

9.1 To provide a limited one-year resource grant, funded by the HNB to schools who establish the specialist teaching spaces detailed in proposal 5

9.2 This would be a maximum of £100K for 1 year and schools would receive a maximum of £2000 per school. The criterion for the resource grant is included within Appendix 3.

9.3 The financial impact of this would be minimal on the HNB.

9.4 This was deferred by Schools Forum pending the additional information requested in proposal 5.

10. Conclusion to the Proposals

10.1 The financial impact tables 1-8 in Appendix 1 are in isolation for each proposal. Appendix 2 Tables 9-13 show the impact of Proposal 2 which has already been agreed, Proposal 3 which is the increases in top ups and Proposal 4 the anticipated increase in the number of pupils with EHCPs over the 5-year period. Table 14 shows the capacity created in the development of specialist places and the impact in mainstream.

10.2 The increase anticipated in the assessment for EHCPs is a national issue therefore these places will be needed over the 5-year period and there is a real risk that the HNB will go into deficit if additional funding is not forthcoming from Central Government.

10.3 If the HNB goes into deficit the Local Authority will need to submit a deficit recovery plan to the DFE stating how the deficit will be managed. There are three ways to manage the deficit.

1. Review EHCP banding matrix and reduce the amount of “top up” money to all schools (as we have done previously). This will financially impact on schools. And would be subject to consultation with schools and parents.

2. Review support services and additional service level agreements paid for through the HNB. This might lead to schools purchasing services directly that are currently

provided through the HNB. This will impact financially on the schools to maintain the support they currently receive.

3. Local Authorities can continue to transfer up to 0.5% of the schools' block to other blocks in the DSG, with Schools Forum approval. The LA has never requested a transfer from the schools' block to the HN block, and it was reported at 8 November 2021 meeting, that the Authority will not be requesting a transfer for 2022/23. This is also a short-term solution as this option will not be available once the Hard Funding Formula is finalised which will be 2024/25 at the earliest.
4. Schools are asked to look at their pathways and structures to accommodate the pupils that the LA wishes to place. This will impact on both schools and the HNB funding but could be partly funded by reducing out of borough placements.

11. HNB Capital Allocations

- 11.1 The recent announcement allocated Sandwell £1.48m and there is a carry forward of £0.6m from the SEND capital allocation.
- 11.2 Some capital expenditure will be required to go through Cabinet for approval so may result in a delay in starting the projects. This will mean that buildings/adaptations will be completed but the places not fully utilised until phased transfers in September 2023 as phased transfers for September 2022 need to be finalised by February 2022.
- 11.3 The implications of this means that some pupils will still be placed out of borough into independent schools in the intervening period.

12. Other Considerations

- 12.1 The basic entitlement factor in the HNB is increased to account for increases in special schools/academies at approximately £4000 per place. Therefore, there will be some guaranteed increases in the HNB funding from 2023/24 onwards.
- 12.2 A budget for 12 places at Westminster SPI has been included in the cash flow projections. This is a new initiative to support pupils post 19 into work/apprenticeships. This pilot scheme started on 1 September 2021 and is due to be reviewed shortly. If the pilot does not continue this will result in a saving in the HNB.

13. Recommendations

- 13.1 That Schools Forum note the contents of the report, the risks involved and the impact of not expanding specialist places in borough.
- 13.2 That Schools Forum consider the options presented and provide a decision on which ones will be implemented.

Date: 30/11/21 Contact Officer: Michael Jarrett Tel No: 0121-569-8204

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AGENDA ITEM 6 - APPENDIX 1

IMPACT OF EACH OPTION IN ISOLIATION

NOTE RED donates and in year deficit and the year the HNB potentially goes into deficit overall

2021/22 Estimated Outturn as at 31/10/21	2022/23 Estimate	2023/24 Estimate	2024/25 Estimate	2025-26 Estimate	2026-27 Estimate	2027/28 Estimate
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Table 1 Proposal 1 and Base Line (current position without projected increases in EHCPs)

Review of the time Allocation Model of Inclusion Support Services Secondary Schools from a flat rate allocation to a formula allocation in line with the primary model.

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-5,200,822	-7,756,083	-9,775,344	-11,392,605	-12,892,766
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	54,674,606	55,244,739	55,780,739	56,182,739	56,299,839	56,299,839
In year (surplus)/deficit	-1,496,555	-3,107,394	-2,555,261	-2,019,261	-1,617,261	-1,500,161	-1,500,161
Balance C/Fwd as at 31 March Each Year	-2,093,428	-5,200,822	-7,756,083	-9,775,344	-11,392,605	-12,892,766	-14,392,927

This table shows the impact of doing nothing and assumes that there are no further expansions after the 2022/23 budget has been prepared

Table 2 Proposal 2

Use the funding already budgeted for in the HNB for the Preventing Secondary Exclusions Team to fund the reintegration officer posts currently funded by schools via the exclusion monies

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-5,237,922	-7,830,283	-9,886,644	-11,541,005	-13,078,266
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	54,637,506	55,207,639	55,743,639	56,145,639	56,262,739	56,262,739
In year (surplus)/deficit	-1,496,555	-3,144,494	-2,592,361	-2,056,361	-1,654,361	-1,537,261	-1,537,261
Balance C/Fwd as at 31 March Each Year	-2,093,428	-5,237,922	-7,830,283	-9,886,644	-11,541,005	-13,078,266	-14,615,527

222,600 222600

This table shows the savings generated by this option which is a saving each year on the base line of £37,100

Table 3 Proposal 3 Option 1 (3.1)

Increase the element 3 top up by 1% across all top ups. To include mainstream schools, special schools, focus provision schools and PRUs (excluding Albright).

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-4,952,321	-7,013,727	-8,292,214	-9,920,707	-11,844,011
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	54,923,107	55,738,594	56,521,513	57,171,507	57,536,696	57,785,574
In year (surplus)/deficit	-1,496,555	-2,858,893	-2,061,406	-1,278,487	-828,493	-263,304	-14,426
Balance C/Fwd as at 31 March Each Year	-2,093,428	-4,952,321	-7,013,727	-8,292,214	-9,920,707	-11,844,011	-14,196,437

Table 4 Proposal 3 Option 2 (3.2)

Increase the element 3 top up by 2% across all top ups. To include mainstream schools, special schools, focus provision schools and PRUs (excluding Albright).

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-4,703,819	-6,266,634	-6,789,998	-6,400,736	-5,378,386
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	55,171,609	56,237,185	57,276,636	58,189,262	58,822,350	59,345,240
In year (surplus)/deficit	-1,496,555	-2,610,391	-1,562,815	-523,364	389,262	1,022,350	1,545,240
Balance C/Fwd as at 31 March Each Year	-2,093,428	-4,703,819	-6,266,634	-6,789,998	-6,400,736	-6,378,386	-3,833,145

Table 5 Proposal 3 Option 3 (3.3)

Increase the element 3 top up by 1% across Mainstream Schools and Focus Provision School

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-5,078,594	-7,388,177	-9,037,075	-10,158,041	-11,034,717
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	54,796,834	55,490,417	56,151,102	56,679,034	56,923,325	57,158,097
In year (surplus)/deficit	-1,496,555	-2,985,166	-2,309,583	-1,648,898	-1,120,966	-876,675	-641,903
Balance C/Fwd as at 31 March Each Year	-2,093,428	-5,078,594	-7,388,177	-9,037,075	-10,158,041	-11,034,717	-11,676,619

Table 6 Proposal 3 Option 4 (3.4)

Increase the element 3 top up by 2% across Mainstream Schools and Focus Provision School

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-4,956,366	-7,017,826	-8,288,954	-8,898,663	-9,126,665
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	54,919,062	55,738,540	56,528,872	57,190,291	57,571,998	57,841,897
In year (surplus)/deficit	-1,496,555	-2,862,938	-2,061,460	-1,271,128	-609,709	-228,002	41,897
Balance C/Fwd as at 31 March Each Year	-2,093,428	-4,956,366	-7,017,826	-8,288,954	-8,898,663	-9,126,665	-9,084,768

Table 7 Proposal 3 Option 5 (3.5)

To maintain the current levels of top up funding for all pupils

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-5,200,822	-7,756,083	-9,775,344	-11,392,605	-12,892,766
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	54,674,606	55,244,739	55,780,739	56,182,739	56,299,839	56,299,839
In year (surplus)/deficit	-1,496,555	-3,107,394	-2,555,261	-2,019,261	-1,617,261	-1,500,161	-1,500,161
Balance C/Fwd as at 31 March Each Year	-2,093,428	-5,200,822	-7,756,083	-9,775,344	-11,392,605	-12,892,766	-14,392,927

Table 8 Proposal 4

The impact of the anticipated increase in the number of EHCPs over the next 5 years of approximately 1300 EHCPs. This table shows the implications of expanding Specialist Places and funding inclusion in mainstream for the shortfall of 1029 EHCPs that have not been budgeted for in the HNB. The costs are assuming no annual increases in top up on current funding levels. The additional capacity over the 5 years, year on year is also shown

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-2,895,022	-838,683	4,059,456	11,665,395	21,694,234
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	56,980,406	59,856,339	62,698,139	65,405,939	67,828,839	67,828,839
In year (surplus)/deficit	-1,496,555	-801,594	2,056,339	4,889,139	7,605,939	10,028,839	10,028,839
Balance C/Fwd as at 31 March Each Year	-2,093,428	-2,895,022	-838,683	4,059,456	11,665,396	21,694,234	31,723,073

CAPACITY							
Specialist Places		37	74	110	147	184	184
Mainstream with Support		169	338	507	676	845	845
		206	412	617	823	1,029	1,029

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AGENDA ITEM 6 - APPENDIX 2

IMPACT OF THE COMBINATION OF PROPOSALS

NOTE RED donates and in year deficit and the year the HNB potentially goes into deficit overall

2021/22 Estimated Outturn as at 31/10/21	2022/23 Estimate	2023/24 Estimate	2024/25 Estimate	2025-26 Estimate	2026-27 Estimate	2027/28 Estimate
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Table 9 Proposal 2, Proposal 3 (Option 3.1) & Proposal 4

Increase the element 3 top up by 1% across all top ups. To include mainstream schools, special schools, focus provision schools and PRUs (excluding Albright). To include the additional 1029 places to be developed

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-2,683,621	-170,527	5,431,286	13,988,893	25,217,489
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	57,191,807	60,313,094	63,401,813	66,357,607	69,028,596	69,277,474
In year (surplus)/deficit	-1,496,555	-590,193	2,513,094	5,601,813	8,557,607	11,228,596	11,477,474
Balance C/Fwd as at 31 March Each Year	-2,093,428	-2,683,621	-170,527	5,431,286	13,988,893	25,217,489	36,694,963

Table 10 Proposal 2, Proposal 3 (Option 3.2) & Proposal 4

Increase the element 3 top up by 2% across all top ups. To include mainstream schools, special schools, focus provision schools and PRUs (excluding Albright). To include the additional 1029 places to be developed

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-2,435,119	576,566	6,933,502	16,508,864	29,023,114
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	57,440,309	60,811,685	64,156,936	67,375,362	70,314,250	70,837,140
In year (surplus)/deficit	-1,496,555	-341,691	3,011,685	6,356,936	9,575,362	12,514,250	13,037,140
Balance C/Fwd as at 31 March Each Year	-2,093,428	-2,435,119	576,566	6,933,502	16,508,864	29,023,114	42,060,255

Table 11 Proposal 2, Proposal 3 (Option 3.3) & Proposal 4

Increase the element 3 top up by 1% across Mainstream Schools and Focus Provision Schools plus the additional 1029 places to be developed

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-2,809,894	-544,977	4,686,425	12,751,559	23,366,783
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	57,065,534	60,064,917	63,031,402	65,865,134	68,415,225	68,649,997
In year (surplus)/deficit	-1,496,555	-716,466	2,264,917	5,231,402	8,065,134	10,615,225	10,849,997
Balance C/Fwd as at 31 March Each Year	-2,093,428	-2,809,894	-544,977	4,686,425	12,751,559	23,366,783	34,216,781

Table 12 Proposal 2, Proposal 3 (Option 3.4) & Proposal 4

Increase the element 3 top up by 2% across Mainstream Schools and Focus Provision Schools plus the additional 1029 places to be developed

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-2,687,666	-174,626	5,434,546	14,010,937	25,274,835
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	57,187,762	60,313,040	63,409,172	66,376,391	69,063,898	69,333,797
In year (surplus)/deficit	-1,496,555	-594,238	2,513,040	5,609,172	8,576,391	11,263,898	11,533,797
Balance C/Fwd as at 31 March Each Year	-2,093,428	-2,687,666	-174,626	5,434,546	14,010,937	25,274,835	36,808,632

Table 13 Proposal 2, Proposal 3 (Option 3.5) & Proposal 4

Maintain element 3 top across Mainstream Schools and Focus Provision Schools special schools and PRUS plus the additional 1029 places to be developed

Balance Bfwd as at 1 April Each Year	-596,873	-2,093,428	-2,932,122	-912,883	3,948,156	11,516,995	21,508,734
Indicative HNB Grant	-53,555,000	-57,782,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000	-57,800,000
Indication outturn	52,058,445	56,943,306	59,819,239	62,661,039	65,368,839	67,791,739	67,791,739
In year (surplus)/deficit	-1,496,555	-838,694	2,019,239	4,861,039	7,568,839	9,991,739	9,991,739
Balance C/Fwd as at 31 March Each Year	-2,093,428	-2,932,122	-912,883	3,948,156	11,516,995	21,508,734	31,500,473

Table 14 Created Capacity over 5 years

The impact of the anticipated increase in the number of EHCPs over the next 5 years of approximately 1300 EHCPs. This table shows the implications of expanding Specialist Places and funding inclusion in mainstream for the shortfall of 1029 EHCPs that have not been budgeted for in the HNB. The costs are assuming no annual increases in top up on current funding levels. The additional capacity over the 5 years, year on year is also shown

CAPACITY		2021/22	2022/23	2023/24	2024/25	2025-26	2026-27	2027/28
Specialist Places			37	74	110	147	184	184
Mainstream with Support			169	338	507	676	845	845
			206	412	617	823	1,029	1,029

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Agenda Item 6 - Appendix 3

Specialist Teaching Environments in Mainstream Schools Grant Application

The Local Authority has received additional capital money from the DfE through the High Needs Provision Capital Allocation Grant (HNPCA) to support with meeting the Special Educational Needs of pupils within Sandwell. The aim of the funding should enable local authorities to invest in providing new places or to improve existing provision for pupils and students with high needs across a range of different educational settings.

Sandwell LA are investing the majority of the grant in developing new specialist places, however we would like to invest approximately £500,000 of the £1.48 million pounds received to support access to mainstream placements for pupils with high needs.

Purpose

The purpose of the grant is to enable mainstream schools in Sandwell to become 'even more inclusive' and meet the growing complexity and range of pupils with Special Educational Needs entering school. The grants are for one-off capital funding to be used to enhance the physical accommodation of the school site, to provide specialist teaching and/or intervention spaces to enhance school provision to meet the developing needs of their pupils. Examples include:

- Low stimulus structured teaching environments to support pupils with complex communication and/or ASD needs
- Sensory rooms
- Nurture or therapeutic environments to support pupils with social, emotional and mental health needs
- Showers / hygiene rooms to support pupil's medical / physical needs
- Specialist rooms to support developing independent life skills

The grant would support the refurbishment or reconfiguration of exiting spaces in school.

Who can apply?

Any maintained mainstream primary or secondary school in Sandwell is eligible to apply for this grant funding. Mainstream schools with Focus Provision will also be considered if the school has not previously received significant additional funding under the SEND Capital Provision scheme or has already been identified for further expansion of specialist places through HNPCA.

Funding

- Allocated through a bid process and schools would be expected to match fund the amount through their own capital monies.
- Upper limit of funding to an individual school = £10,000
- Limited to 1 bid per school

- To be used for capital works only
- Schools will not be able to make retrospective bids for capital money

Criteria

Schools would make bids for the grant using the following criteria and providing supporting evidence

1. School can evidence growth in their pupil population with the specific area of Special Education Needs that the specialist environment will support e.g. Complex Communication and ASD needs, SEMH needs
2. School provides a clear plan of how the environment will be used to enhance the “ordinarily available provision” within the school. School will submit their current provision map and a plan that specifies the evidenced based teaching approaches / intervention that will be delivered through the new environment. The plan will include the number and age range of pupils the new provision will support as well as the expected outcomes for the children.
3. School will demonstrate how delivery of the specialised intervention/ teaching strategies will be established, staffed, quality assured and sustained for 3 years.
4. Proposed bids should be discussed with Inclusion Support delivery staff in order to identify and support the workforce development required to successfully deliver the specialised intervention / teaching strategies planned.
5. School will demonstrate that the bid is fully supported by their governing body, parent/carers and school community. School’s governing body will be expected to commit to a formal written agreement. New provision will be included within SEN Information Report on school’s website.
6. School can demonstrate that they can match fund building works from their own financial resources
7. The school will provide an output specification for building works supported by 3 written quotes to ensure procurement regulations are followed.
8. The development of the specialised teaching environment will not impact on the overall capacity of the school (PAN) but enhance school’s SEN provision

Allocation of funding

The allocation of funding will be determined by a panel which has representation from

- Schools
- School organisation and development team
- Inclusive Learning Service
- Parent / Carers

Panel will sit on a monthly basis

Monitoring of Provision

- School will include monitoring the impact of provision within their quality assurance cycle
- Inclusion Support staff will gather evidence from school on the use and impact of provision on identified cohorts of pupils with specific needs

- School with similar provisions for specific needs will be invited to share good practice through steering groups to encourage peer collaboration and support
- Schools not using provision as specified in funding agreement will be challenged by LA officers
- Update report to schools forum

Allocation of Resource Grant to support the development of Specialist Teaching Environments

A resource grant of up to £2000 will be made available to schools that have developed Specialist Teaching Environments to support revenue cost. This will include schools where they can evidence that they have developed spaces through their own capital investment in the academic year 21/22.

The resource grant will be allocated through a bid process. It can be used to support costs in:

- Training staff on specific strategies / evidence based intervention
- Specific assessment materials to measure impact against outcomes
- Specific equipment / resources / furniture to establish the specialist teaching environment
- Software to support delivery of strategies

Criteria

- Schools must evidence how resources / training will help establish the specific strategies / interventions within the specialist teaching environment
- A breakdown of resources / training and the associated costs must be itemised in full

Allocation

Bids for the resource grant will be considered by the panel in conjunction with the evidence to support the development of a specialist teaching environment.

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Schools Forum

13 December 2021

Early Years entitlements funding rates for 2022/2023

This report is for information

1. Recommendations:

That Schools Forum members:

- 1.1 Note the information contained in this report

2. Purpose

- 2.1 To provide Schools Forum with information from the Education & Skills Funding Agency on Early Years entitlements funding rates for 2022/23

3. Report Details

- 3.1 At the October spending review, it was announced that funding for early years entitlements would be increased:

- £160 million in 2022/23,
- £180 million in 2023/24
- £170 million in 2024/25

compared to 2021/22. Enabling local authorities to increase the hourly rates paid to childcare providers, reflecting cost pressures and anticipated changes in the number of eligible children.

- 3.2 In 2022/23 the hourly funding will be increased by 21 pence an hour for the 2-year-old entitlement and 17 pence an hour for the 3 and 4-year-old entitlements. Additionally, the minimum funding floor will be increased, meaning no council can receive less than £4.61 per hour for the 3 and 4-year-old entitlements.

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- 3.3 Local authorities are required to consult providers on annual changes to their local formula. A report will be brought to the Forum in the new year detailing the outcomes of the consultation with a view to seeking approval for revised rates.
- 3.4 The supplementary funding hourly rate for maintained nursery schools will be 3.5%, equivalent to the increase in the 3 and 4-year-old hourly funding rates in 2022 to 2023.
- 3.5 The Early Years pupil premium will be increased by 7 pence to 60 pence per hour, equivalent to up to £342 per eligible child per year, to support better outcomes for disadvantaged 3 and 4-year-olds in 2022/23.
- 3.6 Funding for the disability access fund, to help providers make reasonable adjustments within their provision to support eligible 3 and 4-year-old children with a disability, will also increase by £185 to £800 per eligible child per year.
- 3.7 Due to low attendance arising from the coronavirus (COVID-19) pandemic temporary arrangements were put in place calculating funding using a termly, rather than annual census. ESFA have confirmed that for 2022/23 there will be a return to the normal process of allocating funding based on the annual January census.
- 3.8 ESFA have confirmed that the 2021/22 funding will be based
nine-twelfths of the January 2020 census PTE numbers (to cover the April 2020 to December 2020 period),
plus
three-twelfths of the January 2021 census PTE numbers (to cover the January 2021 to March 2021 period)
- 3.9 Consequently, the Early Years funding for 2021/22 will be reduced by circa £570k, which had already been anticipated and does not create a financial pressure.

4. Recommendations

- 4.1 That Schools Forum note the information contained in this report.

Steve Lilley, Finance Business Partner – Childrens Services

Date: 05/12/2021

Contact Officer: Steve Lilley

Email: schools_financialservices@sandwell.gov.uk

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Schools Forum

13 December 2021

Amendment to Fair Funding Scheme: Maintained schools involved in outsourcing

This report is for decision

1. Recommendations:

That Schools Forum members:

- 1.1 Approve consultation with schools on an amendment to the text of the Fair Funding Scheme

2. Purpose

- 2.1 The purpose of this report is to highlight incidences of schools intending to outsource services not providing adequate notice to the Local Authority and the West Midlands Pension Fund. The report proposes to consult with schools on an amendment to the text of the Fair Funding scheme in order to address this matter.

3. Report Details

- 3.1 The Fair Funding Scheme provides guidance to all maintained schools on the process to follow when undertaking the outsourcing of services with consequent TUPE transfer of staff.
- 3.2 Paragraph 11.12 *Information for Maintained schools involved in outsourcing;* of the Fair Funding Scheme, acknowledges that maintained schools have delegated powers to make such decisions. However, under pension fund regulations and in relation to any potential future pension liabilities/guarantees the Council is still regarded as the Scheme Employer. This means that the Council is a party to the Pension Admission Agreement which has to be signed and executed under deed of seal by Council Officers acting on behalf of the Council.

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- 3.3 It has come to the attention of the Council that a number of maintained schools have recently outsourced services and transferred staff without following the guidance identified in the Fair Funding Scheme. Consequently, it is proposed that the current text for Paragraph 11.12 *Information for Maintained schools involved in outsourcing*; is replaced with the text in Appendix 1. The revised text provides further clarity on the requirements of schools.
- 3.4 Subject to School's Forum approval schools will be consulted on the amended text with a view to a future report on the outcome of the consultation being brought back to the Forum.

4. Recommendations

- 4.1 That Schools Forum approve that schools should be consulted on amending the existing text of paragraph 11.12 *Information for Maintained schools involved in outsourcing*;, of the Fair Funding Scheme, and replacing it with the text in Appendix 1.

Steve Lilley, Finance Business Partner – Childrens Services

Date: 06/12/2021

Contact Officer: Steve Lilley

Tel No: schools_financialservices@sandwell.gov.uk

11.12 Information for Maintained schools involved in outsourcing

The authority is aware that schools are examining different service delivery models, which could entail the outsourcing of services.

Where the outsourcing of services involves the TUPE transfer of any council employees who are members of or are entitled to be members of the Local Government Pension Scheme (LGPS), there will be pension transfer implications which ~~should~~ must be considered as part of the initial tender process.

There is a responsibility for schools to be fully aware of the pension transfer procedures and ~~protects~~ arrangements early on in the ~~any~~ tendering process.

Schools considering outsourcing a service must ~~should~~ contact the following bodies/teams at the start of the tendering process ~~earliest opportunity~~ to ensure all ~~any~~ pension implications are fully understood and considered.

- Schools Strategic Finance Unit (SSFU) schools_financialservices@sandwell.gov.uk
- Local authority HR Team hr_frontline@sandwell.gov.uk
- Local authority Legal team hr_frontline@sandwell.gov.uk
- The West Midlands Pension Fund

~~Once all the relevant information has been received, the authority will contact the West Midlands Pension Scheme~~

This will ~~help to~~ ensure that the proper processes are followed, and the school can factor in any pension issues and costs in their tender documents and potential contractors can price these costs accurately into their bids. This will avoid potential and unnecessary delays and complications at the latter stages of the tender process or after the contract has been awarded.

It is recognised that Schools do have the delegated powers to make such decisions without the need to seek formal Council approval. However, under pension fund regulations and in relation to any potential future pension liabilities/guarantees the Council (Not the School) is still regarded as the Scheme Employer. This means that the Council (~~Not the School~~) is ~~must be~~ a party to the Pension Admission Agreement which has to be signed and executed under deed of seal by Council Officers acting on behalf of the Council. ~~The agreement also has to be signed and executed by the West Midlands Pension Fund (The Administering Authority), and the new employer (The Admission Body).~~

Once signed and sealed the Pension Admission Agreement will enable those transferred staff to continue to participate in the Local Government Pension Scheme as part of their employment with a new employer.

If proper process is not followed then this could result in those former Council employees no longer being eligible to participate in the West Midlands Pension Scheme. Those employees would suffer significant financial loss arising from the curtailment of their accrued future pension benefits.

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