

Minutes of Schools Forum

**Monday 26th September 2022 at 2.30pm
At the Council House, Freeth Street, Oldbury**

Present: N Toplass (Chair)
J Barry (Vice-Chair)

M Arnall, J Bailey, S Baker, E Benbow, K Berdesha, C Handy-Rivett, D Irish, W Lawrence, S Mistry, B Patel and J Topham.

Officers: A Asimolowo, M Tallents, E Taylor, A Timmins and F Hancock.

39/22 Apologies:

An Apology was received from D Steen.

40/22 Declarations of Interest

None received.

41/22 Minutes

Agreed that the minutes of the meeting held on 4th July 2022 be approved as a correct record.

Matters arising:

A Member enquired about when the Schools Forum training seminar would take place.



The Clerk informed the Forum that the training had been arranged on 19th September, but had to be cancelled due to the Queen's funeral. A new date would now need to be organised and Members would be advised accordingly in due course.

42/22 To elect D Steen to fill vacant Primary Governor Representative on the Forum for a 4-year term of office

Agreed that D Steen be elected to the vacant Primary Governor Representative on the Forum for a four year term of office.

43/22 Special Educational Needs High Needs Block (HNB) 2022/23

The Forum received a report for information which detailed the HNB monitoring position as at 31st August 2022 projected to 31st March 2023.

The HNB original indicative grant for 2022/23 reported to the Forum on 14th March 2022 was £61.267M. After deductions of £3.130M, the grant available was now £58.137M.

The balance bought forward as at 1st April 2022 was £3.930M surplus.

The DFE had updated the HNB Grant in July 2022 which showed an increase of £2.671m from the figure reported to the Forum in March 2022. This was usual practice and Table 1 presented the updated grant figures and where there were differences from the March figures.

Table 1 Updated 2022/23 HNB Grant

	HNB Indicative Grant £M	HNB revised Grant July 2022 £M	Difference £M



Indicative Grant December 2021	61.126	61.126	0
Import/Export Adjustment	0.141	0.318	0.177
Special Supplementary Grant		2.300	2.300
Funding Re Free Schools		0.482	0.482
Deductions	-3.130	-3.418	-0.288
Total	58.137	60.808	2.671

The updates to the Grant could be explained as follows: -

- Import adjustments were for pupils that were educated within Sandwell but resided outside in another Local Authority. The data was extracted from January Census and an adjustment had been made to reduce Other Local Authority's (OLAs) HNBs and increase Sandwell's. Export adjustment were for pupils that resided in Sandwell but were educated in OLAs. The figures were combined to give a net adjustment. Sandwell were an overall net importer. The adjustment of £0.177M related to adjustments following the data extracted from the January 2022 Census. This data had been checked, and errors were submitted in July. Errors that were identified and agreed would be notified to Sandwell and the HNB would be adjusted again around December 2022.
- The Special Supplementary Grant had already been notified to the LA but had not been incorporated in the December 2021 Indicative Grant. This had already been allocated to Special Schools and PRUs.
- Funding for free schools of £482K had not been included in the indicative grant but the funding for pupils in Free Schools was budgeted for by Sandwell in the original budget figures so this additional funding would increase / decrease any in year deficit or surplus.
- Deductions were made for place funding for mainstream Academy Schools with a Focus Provision or Post 16 pupils with an EHCP, Academy Special Schools, Free Special School, Colleges, and Training Providers where Sandwell was the lead authority. The deduction was £10K per place if unoccupied or £6K per place if occupied, for school placements. It was £6k per



place for Colleges and Training providers based on the number of commissioned places. The LA agreed the deductions each November via a place change notification process. The £288K adjustment was represented as follows:

- Changes in Mainstream Academy occupied / unoccupied Places - £28K Increase
- AP Academy and Free school place - £6K deduction
- Additional Free School places requested by the LA via the place change notification - £210K deduction
- Additional Training Provider places requested by the LA through the place change notification - £108K deduction
- Reduction in Post 16 SEND places in mainstream schools requested through the place change notification - £8K increase

The anticipated in year surplus as at 31st August 2022 projected to 31st March 2023 based on the updated Grant was £1.040M

Appendix 1, to the report, detailed the 2022/23 High Needs Block Budget Allocation, the actual expenditure as at 31st August 2022 and the variance from budget.

The Variances were as set out below: -

Variation 1

Out of borough placements, showed a £456K pressure due to an increase in the number of placements in out-of-borough and Independent schools. This pressure may reduce as there was a contingency of £355K built into the predictions to support placements that would be made from September 2022 to March 2023.

Variation 2

There had been an increase in EHCP assessments which had also resulted in a projected overspend of £108K on the delegated funding provided to Focus Provisions.

Variation 3

There were more pupils on roll at High Point from 1st September 2022 than had been anticipated when the budget was prepared. Therefore, there would be a pressure of £186K.



Variation 4

An amount of £480k from the Early Years Grant had been used to offset the early support for pupils in private provider settings and those in mainstream early years settings. Predicted costs in private provider settings was £660K. The support for pupils in mainstream schools was set against the schools' delegation and not shown separately. The £480k would be insufficient to cover the full costs of meeting the needs of the pupils in the early years settings, so there was a pressure of £110K against private providers alone.

Variation 5

The total variances equated to a saving of £89k across 9 service areas. These were 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 and the inclusion of 2022/23 pay awards.

Variation 6

SEN Developments was showing an underspend of £939K. This budget head currently covered independent appeals and reports. It also held the HNB surplus balancing figure of £630K, which was the difference between the calculated budgets as at 1st April 2022 and the HNB Grant initial settlement 2022/23, as well as the additional grant received in July 2022.

The Vice-Chair referred to the anticipated wage rise in relation to support staff. He enquired if any changes would likely be made to top-up funding to help mitigate the potential impact and, if so, had it been forecasted / considered as part of the HNB.

M Tallents advised that top-up funding had not yet been considered as part of the HNB at present. Arising from the HNB consultation, focus had specifically been placed on specialist places. However, if this was an area that Members would wish to reconsider at some point in the future, it could be looked at via consultation.

The Chair referred to the fact that the budget had come into the academic year with a £3.9M surplus, and the forecast was that at the end of the academic year it would be approx. 1.04M surplus,



which was a considerable difference. Within the report, it was not particularly clear where this money had been used and the Chair sought clarification on this matter.

M Tallents advised that the majority of the funding, in terms of the HNB, had been / would be spent on pupil support, as there had been a significant increase in the number of children with EHCPs, which had now reached over 3000. J Gill had built in growth rises into the budget for this very reason. In addition, Officers would be looking at free school places as well where additional places would need to be built in. Also, there would be increases in specialist places via the specialist placement strategy as well as increases in special schools.

The Chair further enquired if there would be any increases in funding from Government for the next year in relation to specialist places.

M Tallents informed the Forum that there would be additional funding from the Government, however it would not be for the full cost for each place.

Agreed that the report be noted.

44/22

School Funding 2023-24

The Forum received a report which detailed that, following on from last year's consultation on the reforms to the National Funding Formula (NFF), the Schools Operational Guide 2023-24 had been published on the 19th July 2022. The report aimed to provide members with an update on the Government's plan to implement a direct NFF (where funding will be allocated directly to schools based on a single national formula) and to seek the basis on which consultation on the formula should be undertaken later in the autumn.

Sandwell had an ambition to ensure that all schools and academies in the borough were rated as Good or Better by Ofsted. However, 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 proposed schools funding arrangements would not fully offset the effects over the last 10 years of inflation, the national pay awards, the apprenticeship levy, recent cost of living pressures and changes to employers pay contributions. Equally, schools would also have to pay for many services that were once provided free by the council.

Given that these factors had impacted, over time, detrimentally on local budgets, the decisions taken by the current School Forum would need to consider how the factors contained within the school's 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 also need to consider the impact of a "direct" National Funding Formula, if and when implemented, and the continued steps the borough should 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.

In 2023-24 each local authority could continue to set a local schools funding formula. However, they would be required to bring their own formulae closer to the schools direct NFF. There was an expectation that the full move to the NFF would be completed by 2027-28.

It had been confirmed that from 2023-24 local authorities would only be allowed to use NFF factors in their local formulae. This meant that the looked after children (LAC) factor would no longer be an allowable factor.

From 2023-24 Local Authorities must use all NFF factors, except for the locally determined premises factors which remained optional. This meant that Local Authorities would have to use all 3 deprivation factors (FSM, FSM6 and all IDACI bands), as well



as Low Prior Attainment, English as an Additional Language, Mobility, Sparsity and the Lump Sum.

From 2023-24 Local Authorities must move their local formula factor values at least 10% closer to the NFF, except where local formulae are already mirroring the NFF. This was called “*tightening*”.

For the purpose of the tightening criteria, local factor values within 2.5% of the respective NFF values were deemed to be mirroring the NFF. This meant that Local Authorities which had factor values within +/- 2.5% of the NFF values in 2022-23 would be allowed to set their 2023-24 factor values anywhere within +/- 2.5% of the 2023-24 NFF values. At the end of the transition period, no Local Authority would be required to move their factor values away by more than +/- 2.5% of the NFF.

The 10% movement was calculated such that Local Authorities were required to bring their local formula factor values 10% closer to the NFF, compared to the difference between the local factor value and the NFF value in 2022-23. For example, if the difference between a local factor value and the NFF factor value was £500 in 2022-23, the maximum difference from the NFF value in 2023-24 would be £450 (10% less than £500).

Appendix A to the report, was an exemplification of indicative SMBC formula factor under tightening rule (i.e. 10% movement), whilst Appendix B to the report detailed the range of possible SMBC formula factors if decision was made to move to direct NFF in 2023-24.

Split site factor was subject to a separate consultation. This was covered in another report to the forum.

The schools supplementary grant was being rolled into the schools NFF from 2023-24.

The Minimum Funding Guarantee would continue in 2023-24 between +0.0% and +0.5%.



The basic structure of the high needs NFF for 2023-24 was not changing.

For 2023-24 the purpose of the Central Schools Services Block would follow the same approach as in 2022-23 and any changes / review would be for future years.

In light of the changes to the funding process, it was proposed that 3 modelling options were undertaken for the schools block funding, which can only be presented to the November meeting, those being: -

- (1) Minimum Transition (10% transition – minimum required for 2023-24)
- (2) Accelerated Transition (accelerated transition equally over the years – move closer to NFF by 20% in 2023-24)
- (3) Direct National Funding Formula (within +/- 2.5% of the NFF formula factors)

A Member enquired what the intention was for IDACI Band F and the mobility factor.

E Taylor advised that it was intended to utilise the 2023/24 NFF figures as there were no other figures to use at present.

The Chair, in referring to the narrowing of the gap between the primary and secondary funding limits, enquired what the current position was and how far / close it was to the NFF.

E Taylor advised that, currently, we were quite a way from the NFF.

The Chair, furthermore, enquired if his reading was correct that, as a minimum, we would be required to move 10%.

E Taylor advised that was correct.

Arising from further discussions on this matter, it was agreed that an Officer would attend the next Primary Partnership to advise on this report and its implications.

Agreed that: -



- (1) the changes to the Local Funding Process for 2023-24 be noted;
- (2) the approach to the modelling options, as set out in the report, be approved with a minimum of 10% move in equal steps to the formula and direct NFF.

45/22

De-Delegated Education Functions & Central Schools Services Block - Impact 2021-22 and Funding 2023-24

The Forum received a report which presented impact reports on the 2021-22 spending on the De-Delegated and Education Functions for 2023-24 and sought approval for this information to be sent to schools / partnerships to vote upon.

Appendix 1 to the report contained all impact reports.

Appendix 2 to the report contained all funding requests.

The below summary detailed the requests: -

REF	Full Title of Proposal	Lead Officer	Budget 22-23	REQUEST 23-24
De-delegated - Maintained Schools only				
DD1	Health and Safety Licenses and Subscriptions	Andrew Timmins	£5,990	£5,990
DD2	EVOLVE Annual Licence Fee	Chris Davies	£6,300	£6,300
DD3	Union Facilities Time	Andrew Timmins	£177,000	£159,000
DD4	School Improvement Services	Andrew Timmins	£100,000	£150,000
DD5	Schools in financial difficulty	Andrew Timmins	£88,000	November 22
	TOTAL DD		£377,290	£321,290
Education Functions - Maintained Schools only				
EF1	Education Benefits Team	Sue Moore/Joy Djukic	£175,000	£134,000
EF2	Children's Clothing Support Allowance	Sue Moore/Joy Djukic	£33,000	£33,000
EF3	Safeguarding	Ramsey Richards	£264,000	£159,000
EF4	Attendance	Ramsey Richards	£0	£105,000
	TOTAL EF		£472,000	£431,000

In relation to the Union Facilities Time report, a Member advised that a number of the policies listed against this report were out of date.

The Vice-Chair requested that Union Time Facilities report be reworded as it could generally be a contentious issue for schools, as a number of the policies had not been sent to schools and



many were outdated. Furthermore, the Vice-Chair suggested that the document was reworded to reflect the actual work which had taken place in the previous year. In addition, he stated that involving the Unions in the rewording could prove beneficial.

A Timmins agreed to update this report accordingly in light of this feedback.

The Vice-Chair, in referring to the Attendance report, advised that his Learning Community felt that an explanation around why schools had been asked to de-delegate, as the new attendance guidance stated that such services should be provided free of cost to schools. If it was decided not to de-delegate, what would still be provided.

A Timmins advised that he would raise this matter directly with S Moore for a response.

A Member referred relation to 'falling numbers' and enquired whether a falling roll budget would be required, as number were falling across Sandwell at present.

A Timmins advised that he would also raise this matter directly with S Moore to respond to and report back for the next meeting.

A Timmins, furthermore, requested that a report be brought back to the next meeting detailing funding allocated for schools in financial difficulties.

Agreed that the requests for funding for 2023-24 from the De-delegated and Education Functions, as set out in Appendix 2 to the report, be sent to schools / partnerships to agree a recommendation for Schools Forum to consider at its next meeting.

46/22

Central Schools Services Block (CSSB) 2023/24

The Forum received a report which informed members in relation to the 2021/22 CSSB outturn, provisional 2023/24 allocation and



sought approval for the same. The 2023/24 would change when the October 2022 census figures were finalised.

In 2023/24 the central schools services block (CSSB) would continue to have two distinct elements: -

- ongoing responsibilities, which funded all local authorities (LA) for central functions they have to deliver for all pupils in maintained schools and academies;
- historic commitments, which funded some LAs for commitments they made prior to 2013-14 that were unwinding.

Funding for ongoing responsibilities included a protection to ensure no LA saw losses of greater than 2.5% per pupil, compared to 2022-23. The gains cap would be set at 5.86%, the highest possible value within the limits of the available budget.

Funding for historic commitments was being reduced by 20% from LAs' 2022-23 allocations, in line with our previously announced intention to begin to reduce this funding.

The Schools Forum received provisional 2021/22 CSSB outturn at its meeting on 20th July 2022. The outturn table, as well as latest 2022/23 allocation, was repeated at Table 1 below.

Table 1 – Central School Services Block

Service Area	Budget 2021/22 (£'000)	Actual Expenditure (£'000)	Variance (£'000)	2022/23 Allocation (£'000)
School Forum	3	0	(3)	3
Pension Administration	182	182	0	146
Stat/Regulatory/Education Welfare/Asset Mgt	1,288	1288	0	1,358
Admissions & Appeals	453	453	0	453
Copyright Licenses*	323	323	0	323
Total	2,249	2,246	(3)	2,283



*Copyright Licenses costs are paid for directly by the DfE and the DSG grant allocation paid to the authority is adjusted accordingly.

The provisional 2023/24 had been announced in July 2022 by the DfE. The allocation was £2.297m. This was made up of £2.18m of on-going responsibilities and £0.117m of historic commitment.

The only known figure was the 20% reduction in historic commitment. Where possible, we have retained proposed allocation same as 2022/23 levels and any additional allocation had been earmarked against Statutory responsibilities.

The initial allocation of 2023/24 CSSB is as shown in Table 2 below.

Table 2 – 2023/24 Central School Services Block Budget

Service Area	2023/24 CSSB Budget (£'000)
School Forum	3
Pension Administration Historic Commitment	117
Stat/Regulatory/Education Welfare/Asset Mgt	1,518
Admissions & Appeals	453
Copyright Licenses*	323
Total	2,297

Copyright licenses would change to actual sum and would also be advised by the DfE sometime early in 2023. In addition, the October census would inform the overall CSSB. Once known, the School's Forum would be updated accordingly.

Agreed that: -

- (1) the contents of the report be noted;
- (2) the Provisional 2023/24 CSSB budget be approved.
- (3) it be noted that the CSSB is still subject to further changes when the actual Copyright licenses fees and outcome of the



October 2022 census becomes known and the Forum will be advised accordingly.

47/22

Response to Consultation on Implementing the Direct National Funding Formula (NFF)

The Forum received a report which informed Forum Members of the Council's response to the recently concluded consultation on implementing the Direct NFF.

The government had launched the above consultation on 7th June 2022 with a closing date of 9th September 2022.

Officers had, therefore, met with a select group of Headteachers on 18th July 2022 where some of the responses to the consultation had been discussed and some of these were documented.

Officers had also received a briefing note from The Special Interest Group of Municipal Authorities (SIGOMA).

These two documents had formed the basis of the final response submitted to Government on the 8th of September 2022.

A copy of this response was attached as Appendix A to the report.

A Member referred to page 103, Question 2, and enquired if notional budgets were necessary.

M Tallents advised that this was a requirement written into the SEND Code of Practice and a formula was, therefore, required.

Agreed that the Council's draft response to this consultation be noted.



Specialist Place Planning Strategy 2022–27

The Forum received the Specialist Place Planning Strategy 2022–27.

Agreed that the Specialist Place Planning Strategy 2022–27 be finalised and circulated accordingly.

Future Meetings

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

- 7th November 2022
- 12th December 2022
- 16th January 2023
- 20th March 2023
- 19th June 2023

The Next Meeting of Schools Forum: 7th November 2022 @ 2.30pm.

Location: Oldbury Council House.

Meeting ended at 3.32pm

Contact: democratic_services@sandwell.gov.uk

