

Minutes of Schools Forum

11 December 2023 at 2.30 pm
in the Council Chamber, Sandwell Council House, Oldbury

Present: **Maintained Primary**
S Baker, J Barry (Vice-Chair), K Duff (substitute), A Gilbert
and W Lawrence.

Maintained Secondary
C Handy-Rivett.

Maintained Special Schools
O Flowers.

Governors
E Benbow and D Broadbent.

Academy Primaries
L Bray, J Farmer and R Reed.

Academy Secondaries
M Arnull, G Faux, K Featherstone, L Mason and J Topham.

Special Academy
N Toplass (Chair).

Early Years Partnership
C Spooner.

16-19 Provider
C Hadley.

Officers: Michael Jarrett (Director of Children's Services and
Education), Julie Andrews (Assistant Director - Education)



Services), Abi Asimolowo (Head of Financial Business Partnering-People), Elaine Taylor (Finance Business Partner), P Harvey (Finance Business Partner) and Stephnie Hancock (Deputy Democratic Services Manager).

51/23 **Election of Chair**

In the absence of nominations for Chair, Neil Toplass indicated that he would take the Chair for a period of two years.

Jamie Barry confirmed that he would continue as Vice-Chair.

Resolved that Neil Toplass is elected Chair for a two year period.

52/23 **New Representatives**

The Forum welcomed new members Alison Gilbert (Primary Partnership); Rob Reed and Joe Farmer (Academy Primaries) and Claire Spooner (Early Years Partnership) to their first meeting.

53/23 **Apologies for Absence**

Apologies for absence were received from K Hazlewood and Leigh Moore.

54/23 **Declarations of Interest**

No declarations of interest were made.

55/23 **Minutes**

Forum members questioned why discussions around Oracle Fusion had not been included in the minutes. It was determined that the minutes be deferred to seek clarification.



Resolved that confirmation of the minutes of the meeting held on 6 November as a correct record is deferred until the next meeting.

56/23 **2024-25 Schools Funding Consultation – Response Results**

Further to Minute No. 46/23 (6 November 2023), the Forum received the responses to the Draft Schools Funding Consultation 2024-25, which had had been issued to schools and academies on 10 November 2023 and contained seven questions. Stakeholder meetings to explain the overriding principles within the consultation had been held between 8 and 23 November 2023.

There had been a 57% response rate, which was similar to previous years.

It had been made clear in the consultation that that there were assumptions within the modelling options in Question One (listed below) that would make it difficult to give any certainties over funding for 2024/25.

- The modelling assumed a growth fund of £1.6m.
- The modelling assumed £0.512m transfer of funding from the Schools Block to the Central Schools Services block.
- The data modelled had used the October 2022 census data.
- The Mainstream Schools Additional Grant would be rolled into the Dedicated Schools Grant (DGS) for 2024/25.

The Forum was asked to define the funding setting processes for all schools and academies for the next financial year, which would assist schools in preparing strategic plans and creating viable budgets, staffing and curriculum plans.

It was noted that, whilst the views of all stakeholders, including the Forum, would be taken into consideration, setting the budget was a local authority decision.

From the questions and comments from Forum members, the following was highlighted:-



- There was no historical yardstick with which to estimate how much a Falling Rolls Fund would contain and the figure would not be confirmed until the October 2023 Schools Census results were published, which was likely to be January 2024.
- Under the Schools Operational Guidance 2024-25, and previous years' Census data, no schools would have qualified for support from the Falling Rolls Fund.
- Affordability assessments would be carried out to ensure that all funds were distributed appropriately, and capping and scaling would have to take place if necessary.
- The indicative allocation breakdown in relation to the Central Schools Services Block (CSSB) was based on an historical national figure agreed by government.
- The CSSB covered all schools.
- Clarity would be sought around the costs to schools if they chose not to use the Council's human resources service for pensions administration.
- Clarity would be sought on whether secondary schools were required to have health and safety licenses.
- Schools could access a maximum of £100k from the Schools in Financial Difficulty Fund. It was difficult to estimate how much the fund should contain and recognised that if a number of schools sought support, the fund would reduce quickly.
- Clarity would be sought on the balance of facilities time carried forward.
- The criteria for accessing the Clothing Support Allowance fund would be reviewed.

Resolved that the Forum's decisions, in relation to the funding setting processes for all schools and academies for 2024-25 (Appendix 1); along with the comments received as part of the stakeholder consultation (Appendix 2), are submitted to the Cabinet for consideration in the Council's budget setting for 2024-25.



2023/24 Dedicated Schools Grant (DSG) Budget Monitoring – Period 7

The Forum noted the position in relation to the Dedicated Schools Grant (DSG) up to 31 October 2023.

The DSG was forecasting an in-year surplus of £1.593m. When added to the surplus at the end of 2022/23 of £5.560m, the overall position was a forecast surplus of £7.153m. The detailed explanation for the variances within each block was noted.

From the questions and comments from Forum members, the following was highlighted:-

- Work would be taking place to identify how take -up of the Disability Access Fund could be increased.
- Members expressed disappointment that an application had not yet been made to the Department for Education in relation to utilising Private Finance Initiative (PFI) and Exceptional Premises factors. The Forum would need to consider the matter formally before an application could be made and this would be progressed in the next financial year.
- Governance structures had now been established to address BSF issues and this was a priority for the local authority. The Director of Children’s Services and Education assured members that he was in regular dialogue with the DfE.
- Sandwell was in a unique position with regards to holding a surplus on its High Needs Block and this was being monitored closely. Special Educational Needs and Disability services were being reviewed and the review would inform the development of a SEND Strategy upon which to base future spending decisions.



Special Educational Needs and Disabilities (SEND) 2023/24 High Needs Block Budget Monitoring

The Forum noted the position in relation to the Special Educational Needs and Disabilities (SEND) 2023/24 High Needs Block Budget up to 31 October 2023.

Taking account of recoupment of £4.190m by the Department of Education (DfE) for academies, free schools and post-16 commissioned places, there was a net surplus £67.309m. The detailed explanation for relevant variances was noted.

Sandwell was in a good position; however, caution was being exercised in determining the priorities for use of the surpluses. The primary pressures related to post-16 provision and out of borough placements. EHCPs for the 123 children currently accessing independent schools and out of borough placements were being reviewed to establish whether there were any common themes that would enable the local authority to explore in-house provision through development of more focus provision units or expansion of existing focus provision.

It was noted that the local authority was currently responding two tribunal cases, which, if successful, would place further pressure on budgets so again, caution was being exercised to ensure that surpluses would be spent appropriately.

Pressure on Speech and Language Therapy (SALT) budgets was common and there had been a significant increase in demand in early years provision since the pandemic.

From the questions and comments from Forum members, the following was highlighted:-

- Neighbouring local authorities had different challenges to address and so their High Needs Block positions varied.
- It was important to involve practitioners from all disciplines in decisions on spend of the HNB surplus.



- The DfE had acknowledged that funding for special schools had been static.
- While the need for caution was acknowledged, this needed to be balanced against the lived experience of Forum members and it was important to provide support to those children and schools who needed it now, which would reduce the risk of further tribunals.
- There was a minimum funding guarantee of 3% by government.
- The settlement from the DfE was expected on 22 December.
- The review of SEND provision was underway and would provide an opportunity to review and re-set funding for schools for SEND provision. The departure of the Director of Children's Services and Education in February 2024 would not affect the review.

58/23 **Special Schools in Financial Difficulty**

Further to Minute No. 47/23, the Forum considered the establishment of a fund, funded from the High Needs Block, to support special schools and alternative provision establishments experiencing financial difficulty.

The fund would provide bridging support, in form of cash flows, to schools whilst they worked with the local authority to overcome the financial pressure. It was proposed that the fund would not exceed £500k, with limits on how much a school could apply for each year, and would be topped up as required.

Maintained mainstream schools, through de-delegation of their schools' budget, had created a Schools in Financial Difficulty Fund. However, Special Schools (both maintained and academies) had no similar support.

The Director of Children's Services and Education reported that the Orchard School had approached the local authority for financial support. The DfE was currently working with the school and had made a number of recommendations, which were being implemented. Whilst the Director of Children's Services and



Education had authority to provide financial support to the school, in the spirit of collaboration and mutual support, the Forum was asked to give its approval. The Forum was assured that the local authority would work with the school on how the funds would be spent, taking into account the DfE's recommendations, as well as the immediacy of the cashflow situation.

Members expressed caution around setting up a fund in the absence of a SEND strategy. However, the need to support The Orchard School now was acknowledged and the Forum was minded to give its support to an injection of cash from the High Needs Block, up to an amount to be agreed by the Director of Children's Services and Education.

Consideration of the establishment of a fund for Special Schools in Financial Difficulty would be re-visited at a future meeting, following the completion of the SEND review and the development of a SEND strategy.

Resolved:-

- (1) that approval is given to the provision of financial support to The Orchard School, at an amount to be determined by the Director of Children's Services and Education, to address its immediate financial challenges;
- (2) that, following the completion of review of SEND provision in Sandwell and the development of a SEND strategy, a further report is submitted to the Forum to consider the establishment of a fund to support special schools in financial difficulty.

50/23

AOB

The Forum was informed that the working group on Building Schools for the Future and Private Finance Initiative had held its first meeting on 8 December 2023.



Meeting ended at 4.47pm

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