

Schools Forum

MINUTES OF THE SCHOOLS FORUM MEETING HELD ON 11 JUNE 2020 AT 1.30PM VIA MICROSOFT TEAMS - ONLINE MEETING.

Present:

Neil Baker (Chairman), Aileen Bates, Andy Bridewell, Sam Churchill, Phil Cook, John Hawkins, Cllr Ross Henning, Mel Jacob, Lisa Percy (Vice-Chair), John Proctor, Giles Pugh, Nigel Roper, Graham Shore, Trudy Srawley, David Whewell and Catriona Williamson

Also Present:

Cllr Pauline Church (Cabinet Member for Children, Education & Skills), Cllr Jane Davies (Portfolio Holder – Education & SEND), Grant Davis (Schools Strategic Financial Support Manager), Alison Enever (Head of Special School Transformation), Helean Hughes (Director – Education & Skills), Louise Lewis (Head of School Effectiveness), Lisa Moore (Democratic Services Officer), Lisa Pullin (Democratic Services Officer) and Marie Taylor (Head of Finance – Children & Education)

10 **Apologies and Changes of Membership**

Apologies were received from:

- Rebecca Carson – Primary Academy representative
- Mark Cawley – Early Years representative
- Michelle Chilcott – Secondary Academy representative
- Denise Lloyd – Observer – Post 16
- Fergus Stewart – Secondary Academy representative

Changes of Membership:

- Denise Lloyd is the new post 16 observer representative who replaces Charlotte Corfield.

11 **Minutes of the Previous Meeting**

The minutes of the previous meeting held on 16 January 2020 were approved as a correct record subject to the following amendment –

Attendance record to be amended to remove Tracy Cornelius, as she was not in attendance.

Resolved:

That the Chairman sign the minutes of the meeting of Schools Forum held on 16 January 2020 subject to the agreed change above being made.

12 **Chairman's Announcements**

The Chairman made the following announcements:

Approval from Education and Skills Funding Agency to hold SF meetings remotely

We received an email from the ESFA on 28 May 2020 to inform us that the regulations to enable schools forums to meet remotely had been laid before parliament. This includes (but is not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming. These meeting arrangements are currently in place up to the end of March 2021. Obviously, we were ahead of the game as we had already put this meeting in place.

Live Stream of Meeting

Following on from that, just to remind you all that as this is a public meeting it is being streamed live to the web to enable any members of the public to listen live or after the meeting.

Review of Membership

Grant Davis (Schools Strategic Financial Support Manager) has carried out the annual review of the proportion/membership of Schools Forum. He looked at the October 2019 census information of the breakdown of pupils across Primary and Secondary sectors and he concluded that he would not suggest a change in membership at this stage. Grant felt that we would probably need to consider increasing the number of Academy reps next year – with it being likely that there is one less maintained primary rep and an extra primary Academy rep.

Change to Agenda Order

Helean Hughes has requested that her update on the impact of Covid-19 can run immediately after item 9 (high needs update).

13 **Declaration of Interests**

There were no declarations of interest.

14 **Updates from Working Groups**

The Forum noted the updates from the Joint meetings of the School Funding Working Group and SEN Working Group, held on 13 March 2020 and 2 June 2020, and from the Early Years Reference Group held on 19 March, 2 April, 13 and 27 May 2020, as detailed in the papers attached to the agenda and circulated as an agenda supplement prior to the meeting.

Questions:

- Had there been any response to request in reducing early years funding rates? Answer: There were no plans to do anything other than review in October to November, until the DFE allocations were available. Officers would monitor what was happening.

Resolved:

1. That Schools Forum note the minutes of the Joint meetings of the School Funding Working Group and SEN Working Group, held on 13 March 2020 and 2 June 2020.
2. That Schools Forum note the minutes of the Early Years Reference Group meetings held on 19 March, 2 April, 13 and 27 May 2020.

15 **Admissions Appeals - Charging of Services**

Grant Davis (Schools Strategic Financial Support Manager) outlined the local authority response to the National Funding Formula (NFF) for admissions appeals and the specific guidance around equivalent treatment of all schools.

The main points included:

- Admission appeals and charging for the service had been discussed over last 12 months.
- The Guidance from the Department of Education (DoE) was that the Local Authority (LA) should treat all school types the same in terms of School Admission Services.
- Funds were not held back for appeals. All delegated to schools in their school budget share.
- Wiltshire Council was the Admissions Authority and needed to have an appeals process. Previously that had been carried out by Democratic services and the Admissions Service.
- The LA was no longer in a position to support the appeals without a recovery of the cost incurred, so would look to charge all schools for appeals going forward.
- As detailed in the report on page 9, the table shows the proposed charging process.
- A Letter would go out to all School Heads and Governors explaining the changes to the services.
- The LA did not hold the monopoly on providing this service.
- The proposals would be applied from September 2020.
- The proposals would be implemented to recover the costs incurred and not as a money making exercise.

Questions and comments:

The Chairman noted that Schools did not necessarily have to use the LA, to hold appeals, but there was a requirement to ensure the due process was undertaken.

Resolved:

That Schools Forum note the report on the proposals for Local Authority charges for all schools for admission appeals from September 2020.

16 **Dedicated Schools Budget - Provisional Outturn Budget Monitoring 2019/20**

Marie Taylor (Head of Finance - Children & Education), presented a report on the outturn position for the dedicated school's budget in 2019-20 and on the dedicated schools grant (DSG) deficit reserve at the end of 2019-20.

The key points included:

- Provisional outturn for the financial year 2019/20 – overall overspend was just over £9M. This was essentially an underspend on High Needs coupled with an overspend on school's block, which was largely due to the growth fund. The early years block overspend was due to a larger take up of the scheme than we had funding for.
- Despite an extra £2.5m that had come in from other blocks, there was still an overspend by £8.47m on High Needs.
- External factors described in para 14 onwards – funding did not reflect the demand that was being presented.
- Para 20 – where there is a 17% overspend on the budget, this was almost equal to 15% increase in EHCPs, which was driving that cost up.
- Small underspend on central school's budget.
- The DSG reserve was in a deficit – this deficit of just over £2m was brought forward. There was an early year's post year adjustment which was negative of £206k. That DSG overspend of 2019/20 takes us to a deficit of £11.376m.
- Legislation had changed since the 2020/21 budget was set. The next steps are that the DfE will want to see a copy of our Recovery Plan it will take in to account the top slice of the 2020/21 budget.
- This poses a significant concern and will be discussed later in the agenda.

Resolved:

That the Schools Forum agreed to:

- i. Note the final outturn budget monitoring position and the continued pressure on high needs budgets.**
- ii. Continue to contribute to the on-going work of the High Needs Working Group, a multi-agency response to the high needs pressures.**
- iii. Ensure Wiltshire schools engage with the recovery plan which includes rolling out the inclusion agenda.**

17 Update from High Needs Working Group

Helean Hughes (Director for Education & Skills), gave a verbal update on behalf of the High Needs Working Group.

Attention was drawn to the content of the powerpoint included in the minutes from the January meeting, which set the scene in much detail about system change and not just projects.

In January 2020 the outline of the plan was presented to Schools Forum.

In March 2020 we went into lockdown – which then took over the work of schools, they had to be entirely focused on dealing with Covid, as were the LA.

Since Easter attempts to return to business as usual had been made, however whilst some progress had been made it was limited. Because of this we had not been able to progress as quickly as liked. It was estimated that there had been a loss of around 2 to 3 months of work on the plan.

Project Updates:

- Alison Enever – leading on special schools transformation
- Success with the School in the south – details to be announced shortly
- Exclusion strategy approved by Cabinet in March 2020, waiting for final sign off from the Health & Wellbeing Board – delayed by Covid.

High Needs Update – Key Principles:

- Getting support when and where it was needed.
- Improve local equity of access
- Build collaborative capacity and decision making processes.
- Ownership and understanding – building on the work already developed through school effectiveness.

Dyslexia friendly schools:

A saving target was set. 18 Schools were selected and were geographically spread across the county, with one secondary school in each of the N,S,E & W areas. There was a Virtual launch on 8 June 2020 with the British Dyslexia Association.

Inclusion and School Effectiveness project:

This was a project that was dependent on children being in schools, so as a result of Covid this project had stalled. A savings target of £360k for 2020/21 - Thanks to the Schools that came forward, 17 were selected to take part in this project. There would be a possible re-launch in September 2020.

High Needs – ELP and Resource Base Review

A savings target of £200k for 2020/21.

SLAs being reviewed to ensure the focus was on outcomes and in-reach/out-reach based work. This work sat in the broader system of excellence.

SEND Assessment and EHCP

A saving target of £600k for 2020/21.

Banding document re-written, shared with Heads and SENCOs. Moderation to follow the adoption of the banding changes and align with regional approach.

Review of the Independent or Maintained schools

Lisa Fryer appointed to lead the project on 31st May

A savings target of £500k for 2020/21.

SEND AP project

A saving target of £93k for 2020/21.

ISOS working with us. Conference put on hold but would resume mid-term 5, with colleagues working with ISOS to move this forward

Digital update

Savings for this year had slipped.

David Paice working on this, developing an online app.

High Needs Early Years Intervention

Angela Everett leading on this, there had been a slight delay.

Making sure the transition is as easy as possible.

Pathways project

Dr James Wood working on this. Aspirations for children, support around that, focusing on the individual.

Early Years Intervention and Support Project (EYIO)

EY panel – looking at children with highest needs – so that support in place where needed.

Questions and comments:

- The final slide showed a target saving of £200k by looking at dealing with things from the EY inclusion funds, however the EYI fund is already overspent how will you look to get that in target?

Answer: We could take that to the EY Reference Group – to look at the consequences. We also need to include an EY representation on the working group – could we have that please?

Resolved:

That the Forum note the update and savings proposals as detailed within the presentation.

18 **DSG Deficit Repayment 2021-22 onwards**

Grant Davis, (Schools Strategic Financial Support Manager), outlined the DfE's change to the School and Early Years Finance (England) Regulations 2020, and the treatment for Dedicated Schools Grant (DSG).

A change in regulations has meant that Local Authorities (LA's) were no longer able to contribute into DSG. This has meant that any deficit on our DSG (£11.3m) sat within the realm to be repaid. We either need to deduct that expenditure from the Schools budget from this year or split it in to part for this year and the rest next year.

It was too late to take into account in the 20/21 budget so it must be moved to 2021/22 year. What that means for our individual schools was shown in the table at paragraph 9 in the report. For modelling purposes, a figure of £10.5m deficit was used. Para 11 of the report detailed what this would mean and whether it was affordable going forward.

There would be £14.5 billion of extra funding going into schools over the next 4 years. This was welcome news for our schools.

We need to go to the Secretary of State and ask to re-profile the repayment of that deficit.

In 2021/22 the minimum per pupil funding level was set to increase for primary schools, from £3,750 to 4k per pupil, which would have a huge impact on our schools.

Would we be able to fund our schools in 2021/22?

Using some modelling and making key assumptions, such as to assume pupil numbers would be unchanged, the Wiltshire Growth Fund was cost neutral and there would be no transfer with the school's block and the high needs block because of the deficit repayment, we are able to make a projection.

The table set out at paragraph 26, sets out where we would be, if those things were all in place. We would be unable to afford to fund our schools in the 2021/22 year, in accordance with the national funding formula to a tune of £5.3m. We would have to take some quite serious actions as set out in paragraph 27.

The Chairman noted that this was the first year that Wiltshire had been able to afford the national funding formula since its inception. Part of the problem of high needs is we are still fighting the fact that 50% of our income is based on historic spend from 2014.

Questions -

link back to item 11, in favour of the 3 year recovery request however in light of the Covid economic recession – are funding pledges from central gov guaranteed or at risk?

Answer: Agreed the country will find itself in financial difficult positions but this pledge was far as I am aware, still standing.

Appears there were two assumptions in the 3 year plan. One that the high needs budget deficit would be lowered, and two, that there would be no further top slicing of school's budgets. Is that correct?

Answer: There was currently a high needs review ongoing. Wiltshire should receive a better allocation when the review had taken place. It was only a model at this stage.

The Chairman noted that there had been a meeting with the local MP to explain the situation on the proposal. He was not sure whether they got the whole picture, and the reality of what it would be like for a school to lose £250k. Not sure that was totally understood, however there was a pledge for them to support us with the disapplication.

Cllr Church (Cabinet Member for Children, Education & Skills) was also at the meeting and was keen to involve the politicians. She was working with officers to help construct the letter to the Secretary of State, in order for the MPs to be clear in approaching the subject matter in the correct ways to the DfE. One of her roles was to do as much lobbying of MPs as possible to try and improve this area for Wiltshire.

The expected response time would usually be around 15 working days, as long as we get an initial letter in as soon as possible to DfE, but it was quite a pioneering request, so may fall outside of the usual response timeframes.

Resolved:

That Schools Forum note the update and support the view that a disapplication request to be made to the Secretary of State to enable Wiltshire to re-profile its DSG Deficit over the coming years, as repaying the deficit of £10½m is unaffordable in the 2021-22 financial year, however spreading it over the ensuing three years would be sustainable.

19 **DSG Budget Monitoring 2020-21**

The report of Marie Taylor (Head of Finance – Children & Education) seeks to present the budget and budget monitoring information against the Dedicated Schools Grant (DSG) for the financial year 2020-21 as at 30th April 2020.

We wouldn't normally bring a period 1 budget report forward to Cabinet or committee, however I felt it important to share what things could look like if behaviours don't change.

As detailed in paragraph 6 of the report, in January 2020, the Schools Forum approved a 0.7% transfer from the Schools block to support the High Needs

Block. This was not approved by the Secretary of State. The amount which was £600k then, was put into the Schools Growth Fund. Growth fund set at DfE estimate.

Early Years (EY) budgets

We would be reassessing what EY looks like when we get the grant later in the year. We have raised queries with DfE on no additional funding being received and await a response.

To ensure we could fulfil our efficiency duty, we had to ensure there was a scheme where settings could open. Spoke to EY reference group and agreed that all settings would receive 100% of estimated numbers for the summer term for April & May.

Closed settings to receive 80% of estimated numbers funding and the remaining 20% towards the open settings. We awarded £100 per child per setting per week.

From 1st June it was Government expectation that all settings would be open and as a result we wouldn't be able to provide that level of support. Working on a proposal for a different scheme that would provide some support for open settings but due to increased take up, the previous support scheme was unaffordable.

In High Needs there was a projected overspend of £10.5m. Assumed that spend was at same level as last year but for demand budgets have included a 12% increase.

In paragraph 14 – on 1 April there were 3860 children with an EHCP, with a 12% increase that would take the number up to 4321 in March 2021. This would be an increase of 461 children.

Para 16 – DSG deficit reserve, there would be an early years adjustment in July/Aug 2020.

Takes us to a huge £19.7m DSG deficit reserve. If guidance was followed to the letter, the top slice of £11.76m would be removed. This would then come back to the 20/21 overspend figure. Figures are significant and concerning.

Questions

The recovery plan for 2020/21 indicated a saving of £21m, were you now suggesting that there were now no savings?

Answer: I have shown a naive forecast, this is where we could be if behaviour does not change, and to know that we have a plan for it if we do not have change.

Early Years had been given no extra money. We were told to furlough our staff but on the eve of furlough, told that nurseries could only furlough to the extent of private income. In essence the 20% was zero for most people. Expect we will

start to see the collapse of nurseries in autumn when we get to the end of the furlough scheme.

Resolved:

That Schools Forum note:

- i) The budget monitoring position at the end of April 2020 alongside the provisional outturn report for 2019-20, the update from the high needs working group and DSG deficit repayment reports, and**
- ii) The forecast balance of the DSG deficit reserve as at the end of March 2021 pre and post the transfer to schools block.**

20 **Update on Early Years and School Settings - Impact of COVID-19**

The Forum received an update on the impact of Covid-19 on Early Years and School Settings from Helean Hughes (Director for Education & Skills).

- Guidance from DfE was that all schools would be fully funded whether open fully or part.
- Schools were making savings on premises costs educational resources and overtime.
- Additional costs incurred to schools included FSM costs for Easter and May half term, PPE requirements and cleaning costs.

Schools were able to recover additional costs for 3 reasons

1. Increased premises related costs
2. Support for free school meals for eligible children not attending school
3. Additional cleaning

Have shared guidance to schools to make them aware. There is a dedicated Schools Effectiveness mailbox.

There were a number of schools with declining rolls, and some going through a staffing restructure, where intake had changed. Reviews of these schools had been paused, there was additional pressure on their budgets going forward. Staffing higher than pupil numbers. I have escalated this risk up to gold

The Chairman noted that the national voucher scheme for the free school meals, that the onset of that was that it was a scheme that was difficult to be negotiated. Awaiting further guidance on whether the scheme should continue or not.

Question:

The extra costs incurred by additional deep cleaning, could they be submitted to WC?

Answer: The additional DfE guidance on additional costs was expected imminently, as soon as was available it would be made available on Right

Choice so you can all see. Recommend all schools to keep good records of all additional costs they had incurred, ready for the claims process.

Resolved:

That Schools Forum note the feedback and areas under pressure as detailed in the update.

21 **Special Schools Update**

The Forum received an update on Special Schools from Alison Enever (Head of Special Schools Transformation).

The Office of The School Adjudicator made its determination on 28 May 2020, and approved the proposals we put forward.

On 31 August 2020 the 3 schools, Larkrise, St Nicholas and Rowdeford would technically close as three separate schools and from 1 September 2020, a new single school would be created, based across the three existing sites.

A Shadow Governing Board was formed and appointed Aileen Bates as chair, and a Terms of Reference was set. The Board would be involved in recruiting to the interim and permanent Executive Head role.

The Main contractor, Wilmot Dixon would co produce, and would work with Council, Parents, Young People, Carers and Staff. A main focus was to make sure we keep people engaged and informed. There was a letter to Governors every Friday and a full stakeholder letter every month.

Working with colleagues in Education to take forward the work on the System of Excellence.

Resolved:

That Schools Forum note the Special Schools Update.

22 **Confirmation of Dates for Future Meetings**

The Forum noted that the future meetings would be held on:

15 October 2020
10 December 2020.

23 **Urgent Items**

There were no urgent items.

(Duration of meeting: 1.30 - 3.20 pm)

The Officer who has produced these minutes is Lisa Moore, Tel 01722 434560 or email committee@wiltshire.gov.uk of Democratic Services

Press enquiries to Communications, direct line (01225) 713114/713115