

SCHOOLS FORUM

MONDAY, 15TH JANUARY, 2024

Present: Geoff Cherrill (Maintained Special) – **Chairman**
Patrick Earnshaw (Academies - Secondary) – **Vice-Chairman**

Kate Carter, Academies - Primary
Esther Curry, Academies - Primary
Kate Curtis, Academies - Primary
Sean Preston, Academies - Primary
Heather Spring, Academies - Primary
Mark Avoth, Academies - Secondary
Paul Gray, Academies - Secondary
Michelle Dyer, Academies - Secondary
James Sankey, Academies - Secondary
Natasha Ullah, Academies - Secondary
Sian Thomas, Special Academy
Ben Doyle, All Through Academies
Russell Arnold, Alternative Provision Academy
Brigid Hincks, Maintained Primary (Governor)
Phillip Gavin, Maintained PRU
Vicky Peters, Early Years
Linda Duly, Early Years
Dr Dorian Lewis, 14-19 Provision
Jon Webb, Special Academies
Richard Wharton, C of E Diocese Representative

Also in Attendance: Councillor Richard Burton

Officers in attendance: Amanda Gridley, Early Years Services Manager
Jo Collis-Heavens, Finance Manager Children's Services
Steve Ellis, Management Accountant Education Services
Tanya Smith, Head of School Planning and Admissions
Nicola Webb, Assistant Chief Financial Officer
Sharon Muldoon, Interim Director of Education
Cathi Hadley, Corporate Director for Children's Services
Paul Reidy, Project Manager (Major Change & PPMO)

12 Apologies for Absence

There were no apologies received.

13 Declarations of Interest

There were none received on this occasion.

14 Minutes of the Previous Meeting

The minutes were approved as a correct record subject to the inclusion of Cllr R Burton in the list of attendees.

The Chair placed on record thanks to officers involved in bringing the requested options forward to this meeting.

15 Dedicated Schools Grant Settlement and Draft Budget 2024-25

The Assistant Chief Finance Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book. The early years block is to be considered at the February 2024 meeting. The Forum was advised that the DSG Settlement for 2024-25 was received on 19 December 2023. It included indicative allocations for the early years block reflecting the new free entitlements in 2024-25. The final allocations for the school's block based on the October 2023 schools census with the increase in funding through the schools NFF at £5.1m was included. Higher funding values account for £4.3m with additional pupils at census providing a further £0.8m. There was a slight increase in pupil numbers at the secondary level and a decrease in primary which affected the overall funding level. Funding for in-year pupil growth at September 2024, had increased by £83,000 compared with last year. Allocations for the central school services block provided an increase of £55,000 compared with last year for on-going LA functions with the previous levels of funding not yet restored for historic commitments.

Allocations for the high needs block were increased slightly. A draft DSG budget for 2024-25 was provided in the Appendix to provide context for decisions. It was agreed by the Forum in December that only the surplus school block funding could be transferred. The funding gap for high needs pupils was projected to be £29m in the absence of additional funding sources.

There had been a delay in the new value for licenses paid for by the DfE on behalf of schools, which would require an adjustment to the budget when the figures were known.

The report also includes budget monitoring information for quarter three 2023-24. This indicates that the accumulated DSG deficit is projected at £63m for March 2024, rising to £92m by March 2025.

The Chair sought clarification that the surplus funding which could be transferred as outlined in the report was £0.4 million. This was confirmed.

RESOLVED that

1. **The contents of the report be noted.**
2. **The budgets within the central schools services block (CSSB) be agreed (as outlined in Table 3, paragraph 21 of the report).**

Voting: Nem. con.

16 DSG Management Plan 2024 to 2039

The Assistant Chief Finance Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these minutes in the Minute Book. This report provides the detail of the updated DSG management plan submitted to the DfE for consideration as part of the DfE Safety Valve (SV) programme. The DSG accumulated deficit had grown rapidly from £3.6m brought forward from the preceding councils in April 2019 to £36m by March 2023, with £63m estimated for March 2024.

The high needs funding annual gap is estimated at £27m in 2023-24. The updated DSG management plan is projecting a further rise to £29m in 2024-25 before it starts to reduce gradually over the remaining years of the 15-year plan. The estimated accumulated deficit at March 2025 is £92m without other funding sources being secured. The 15-year plan as included within the confidential appendix to the report included a 0.5 percent transfer for 2024/25 and 1 percent each year after this, which balances the high needs block within 15 years with contributions from the schools block. It was expected that the plan with the

parameters as outlined was quite unlikely to be agreed by the DfE as part of the Safety-Valve Programme

It was confirmed that a 5-year plan was requested by the DfE but the modelling for this was not achievable and the 15 year plan as modelled was more realistic. It was noted that the statutory override against the deficit was due to run out in March 2026.

It was confirmed that the transfers outlined in the plan would need to be agreed by the Forum on an annual basis.

In response to a question, it was confirmed that a range of officers and members were involved in the production of the plan through a Safety Valve Board and that no headteachers were involved in the production of the plan.

It was confirmed that the impact of the 0.5 percent transfer and the 1 percent transfer for schools was modelled within the next paper. It was confirmed that this was 1 percent in total not additional to the 0.5 percent.

The Chair noted that this was a complex and high-level discussion and that in future it would be helpful to give consideration to discussions of this with headteachers in advance via Schools Forum members.

RESOLVED that the information in the report be noted.

Voting: Nem. Con.

17 Mainstream School Funding and Transfer to High Needs 2024/25

The Assistant Chief Finance Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these minutes in the Minute Book. The Forum was advised that the report set out the outcome of applying the 2024-25 National Funding Formula (NFF) to the October 2023 schools census data and options for the local mainstream schools funding formula linked to a transfer of funding to high needs. The Forum was also advised of the 2024-25 growth fund budget which was included for approval. According to the Policy agreed in December there was just under £400k available for transfer. It had been requested at the December meeting that the total amount to close the gap was modelled. It was noted that this was not achievable and not something the local authority was planning to do. The 1 percent option was also modelled but it was really only option 2 (0.5 percent) which was relevant. The Forum was asked for its thoughts on options outlined at 2a, 2b and 2c in the paper for the transfer of funding to the high needs block if the DfE was minded to agree this despite the decision of the schools Forum. The Forum was reminded that there was also a need to agree level of growth fund. It was noted that 0.5 percent would not require DfE approval if agreed by the Forum. Anything above this amount would require approval from the DfE or if the 0.5 percent was not agreed by the Forum.

The Forum was reminded that it was agreed in the previous year to transfer the small surplus to the early years budget but a 0.5 percent transfer was not agreed.

The Chair outlined the options within table 7 of the report and the issues which needed to be considered by the Forum.

The Chair went on to outline the central growth fund for 2024/25 and sought agreement for this from the Forum. This was agreed before proceeding to consideration of the other options outlined within the report. The Chair advised that he had been communicating with Head Teachers and there had been a number of questions raised which the Chair would draw together outside of the meeting and provide with the minutes.

Feedback from the Primary Heads was that historically SEND and Social Care systems had been struggling and schools had been compensating for this. The view of primary heads was that cutting funding further it would be very difficult for schools to manage and create more

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problems for Head Teachers. It would have been easier for schools to accept this action if the systems performance was better. There were also impacts on school budgets for falling pupil numbers and the partially funded pay increases. However, the biggest pressure in mainstream schools was on SEND. Schools had to resource this from their own budgets and once funding was secured it wasn't backdated. Even a 0.5 percent transfer would be a serious challenge for primary schools. It would have been prudent to involve head teachers in discussions before the plan was submitted.

The feedback from the consultation was that there shouldn't be a further transfer at 0.5 percent. The Chair confirmed that the wider headteacher community was opposed to the transfer the SF members can vote as they wish. It was noted that there would need to be a vote on the proposed transfer.

It was noted that feedback so far was that head teachers did not support any kind of transfer due to the very severe implications on schools budgets moving forwards. The full allocation of the funding schools expected was seen as essential for the continuation of schools in BCP. A strategy to reduce costs in the long term was needed. The scale of the problem appeared to be increasing. There was concern that schools would be impacted adversely and a plan in place which did not succeed in achieving its objectives.

In accordance with recommendation 3. in the report to agree a level of transfer for the schools NFF to high need, the Chair took a vote on the transfer of 0.5 percent.

Voting: 0 in favour, 4 abstentions

For clarity the Chairman also took a vote on the transfer of an additional 0.5 percent for a 1 percent total transfer.

Voting: 0 in favour 4 abstentions.

Therefore the Schools Forum did not agree a level of transfer from the schools NFF to high needs but it was:

RESOLVED

- 1. That none of the proposals presented to Schools Forum be recommended to Council from Schools Forum.**
- 2. That the growth fund budget requirement of £134,000 as set out in paragraph 17 of the report be agreed.**

The Chair advised that the Forum had agreed previously that surplus be used for a specific reason and suggested that a conversation be had as soon as possible in terms of use of the approximately £400,000 of surplus.

The Forum was advised that should the Council and the DfE go against the recommendation of the Forum and agree a 0.5 percent transfer, a recommendation from Forum was needed to decide how that transfer should be made.

The Forum's attention was drawn to section 35 of the report which outlined what appeared to be the preferred method through the consultation which excluded minimum per pupil funding levels being reduced and added capping for the highest gains. It was noted that section 6 of the report indicated some extreme impacts for some schools. It was noted that when the consultation took place schools did not know what the impact would be following the schools census.

The complexities of the situation were highlighted in terms of the demographic changes. It was suggested that all schools contributing a little rather than a few contributing a lot would be a

preferable outcome. If the Schools Forum recommended this option (option a) this would also need approval from the DfE as this would mean going below the minimum per pupil funding levels.

It was acknowledged that the view of the Forum was that no transfer was wanted. It was confirmed that options 1 and 3 were no longer relevant.

A vote was taken on options 2a, 2b and 2c as outlined in the report:

Option 2a – 7 in favour

Option 2b – 6 in favour

Option 2c – 1 in favour

There were 3 abstentions.

The Chair recommended that there should be communication with all school head teachers particularly noting the very equitable split within the voting for these options and the outcome of the previous consultation.

It was asked that it be clarified with head teachers as soon as possible if a request for a 0.5 percent transfer is made to the DfE.

18 Maintained school services – de-delegation and central retention

The Project Manager presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these minutes in the Minute Book. The Forum was advised that of proposals for the central retention of services where the LA retains a statutory duty to undertake activity to support maintained schools only (both mainstream and specialist) and the de-delegation of services applicable only to mainstream schools. These are services where schools retain the statutory duties, but better efficiency could be achieved through central delivery by the LA. One response was received from a maintained school and one from special schools. Both responses were in favour.

RESOLVED

- 1. That the retention rates per pupil and budgets for LA duties supporting maintained schools as set out in paragraphs 8-10 of the report be agreed**
- 2. That separately for primary and secondary, the de-delegation of funding for school improvement duties as set out in paragraphs 11-12 of the report be agreed.**

Voting: Unanimous

19 Forward Plan

The Chair reminded the Forum that there may be a need for an additional meeting in February as mentioned previously. The remainder of the Forward Plan was noted.

20 Dates of Future Meetings

The dates for future meetings were noted as outlined in the papers.

21 Any Other Business

There was no other business advised of on this occasion.

22 Exclusion of the Public and Press

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The meeting moved into a non-public session to consider the confidential appendix to agenda item 5 – DSG Management Plan 2024-25.

There were no further comments on the appendix.

Duration of the meeting: 10.10 - 11.40 am

**Chairman at the meeting on
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Schools Forum Supplementary Questions / Queries

Questions which were asked repeatedly by Heads were:

1. Where is the contribution from Health in reducing the high needs deficit?
2. How many years is this a commitment for - or is it only for this year? If for 15 years, this is a substantial cut.
3. If it is only for this year, what happens in the following years to ensure there is a reducing/no deficit?
4. If schools are making greater contributions, what assurances will there be that SEND services and provision will improve?
5. Are EYFS also contributing as they also benefit from the HNB?
6. What option does BCP intend to propose to the DfE if schools' forum votes no transfer?
7. Is the LA view that this is caused by schools? If not, why are schools paying for it?
8. What does 'safety valve' refer to? Please explain the terminology.
9. Were schools consulted about BCP's sign-up to Safety Valve and how were the risks related to funding top-slices shared with schools prior to the decision being made to join SV?
10. Is this proposal legal?
11. How does this set of options fit within the broader picture of other measures to reduce the deficit and achieve a sustainable future for High Needs funding? How can we make a decision on which option when we don't know the rest of the plan?
12. Will schools be supported if they have to submit deficit budgets to the ESFA?
13. Even if BCP use Options 2 or 3, the money they take will be a 'drop in the ocean' in the bigger picture of debt they have. Will it really justify the impact on our schools?
14. Are post 16 providers contributing too as EHCPs go up to 21? If yes, can we see their % contribution, if no, why not?
15. The safety valve program also limits the number of new EHCPs to 20 a month - this will lead to many more children with high needs in mainstream schools without any additional funding and we will have less funding anyway due to a top-slice - how will we be supported by the LA with this issue?
16. Query whether BCP are suggesting a contribution from their own reserves to help resolve this issue, in partnership with the Schools?
17. The NFF is the amount calculated that schools need to operate safely and to meet children's learning needs. How will BCP ensure that schools can exercise their duty of care to **all** children?
18. What has happened to discussions around exceptional funding above 3%?
19. Have BCP investigated what others (e.g. Dorset) have done to make their SV arrangement workable?
20. For schools that have falling rolls (e.g. some maintained Christchurch schools) how will BCP protect these schools if budgets won't stretch after the transfer?
21. Why can't schools with capacity and falling rolls be used to support AP etc to save costs?
22. Why has all the discussion and documentation around the proposals not been shared with school leaders when it is them it affects the most? This is not in the interest of open and transparent collaboration, which keeps being mentioned.

The three main thoughts and feedback from mainstream primary heads is:

1. With the SEND and Social care systems in BCP already struggling, schools are relied on for their role in filling all the gaps. By cutting funding to schools, the situation won't improve for our families, and will just create more problems with less funding to solve it. If services were better, it would not be as difficult.
2. School budgets have been hit hard by falling pupil numbers, recent unfunded support staff pay increases & no guarantees that the teacher pension increase will be funded from April. This has massively impacted school budgets and BCP do not seem to acknowledge the concern over this that exists.
3. One of the biggest strains on our budgets at the moment is SEND. Improving SEN provision is also the timeliness / ease of accessing the SEND funding we are entitled to. Schools are expected to pay out the costs of supporting the SEN children whilst awaiting, for a lengthy amount of time, EHCPs to be agreed & then funding is not backdated. We are constantly having to chase for funding that has been agreed to hit our HNB schedules & this often takes months. Whilst I appreciate it may add to their SEN deficit, it is clear that BCP are under-resourced in this area.

Feedback / queries regarding the submission of the safety valve plan.

Point 9 - 36.9% in BCP (lower than national) are accessing mainstream with an EHCP. Maybe this is actually lower because a higher number of children who SHOULD have an EHCP in mainstream schools have not been awarded them.

Point 10 - the post 16 provision is a massive gap - not much has been said about this though. We need more info on the plan for this, too. Are colleges contributing and also are EYs? They also use the high needs block?

Point 12 - of the 118 permanent exclusions, how many were from primary schools and is this fair?

Point 12 - do the figures of £3.7m and £5.8m for the cost of alternative provision also reflect the returned AWP that schools who exclude have to repay to the borough? Is this taken into account when providing these figures and deducted from these totals.

Point 15 - unrealistic that EHCP numbers will be able to fall when they are rising nationally post-Covid. Mitigation for this? How do they intend to make this happen?

Point 17 - IS IT a credible plan? I am not sure that it is....

Point 18 - this is not possible for schools already on tight/deficit budgets.

Point 26 - wider supporting services - what are they and how do we access them??

Point 28 - in my experience, often schools tell parents that their child won't meet the threshold but they apply anyway - hence why so many are turned down.

Point 30 - when?

Point 31 - January? When?

Point 32 - will this also include primary schools, as many of them are dealing with children who instantly get excluded in Year 7, but that we have 'coped with' until they leave year 6. Violence in primary schools is extremely common.

Point 34 - the plan discussed at schools' forum - is this the updated one?

Point 38a - what percentage is being discussed and does this also include special schools?

Point 42 - concern shown here of possible serious threat to the financial stability of the council, but what about the threat to the financial stability of schools?

Point 46 - the council will be insolent!

Point 47 - massive ignorance shown here - the impact on HR is immense for schools, who will probably need to make redundancies due to further transfers, especially if made over 15 years. Insultingly ignorant. How can you have point 47 and then follow it with the contradictory point 48?

Point 51 - there ARE implications for health and safety. Primary schools, in particular, have higher staff ratios and the loss of staff would directly impact the health and safety at schools.

Point 52 - the EIA is ALWAYS meant to be completed BEFORE the plan is made - not after. In the Overview and Scrutiny Meeting (3rd Jan) it was stated that it would be done afterwards, but this goes against the principle of an assessment. These proposals will negatively impact on ALL school children this has been overlooked.

Point 53g - what is the invest to save plan? Is this referring to investing capital etc into new resource bases etc?

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