

GLOUCESTERSHIRE SCHOOLS FORUM

Minutes of a meeting held on Thursday 12 January 2023
in the Council Chamber - Shire Hall, Gloucester.

Present:

David Alexander	- Secondary School Headteachers (Maintained)
Stephen Dean	- Primary School Headteachers (Academy)
Anne-Marie Delrosa	- Secondary School Governors (Maintained)
Elisa Entwistle	- Alternative Provision Schools
Mikey Ezewudo	- Primary School Governors (Maintained)
Robyn-Lee Gibb	- Special School Headteachers (Academy)
Andrew Harris	- Community Representative
Kate Hawkins	- Special School Governors (Academy)
Chiquita Henson	- Secondary School Headteachers (Academy)
Amanda Horniman	- Early Years
Lisa Jones	- Primary School Headteachers (Maintained)
Victoria Leather	- Early Years
Karen Lewis	- Primary School Headteachers (Maintained)
Becky Martin	- Special School Governors (Maintained)
Dermot McNiffe	- Secondary School Headteachers (Academy)
Sarah Murphy	- Unions
Alexander Norman	- Secondary School Governors (Academy)
Poppy Scott Plummer	- Secondary School Governors (Academy)
David Williams	- Diocese of Gloucester

Substitutes: Tamsin Morgan (Gloucestershire Parent Carer Forum)

Observers: Cllr Stephen Davies - Cabinet Member for Children's Safeguarding and Early Years
Cllr Philip Robinson - Cabinet Member for Education, Skills and Bus Transport

Officers: Chris Spencer, Director of Children's Services
Kirsten Harrison, Director of Education
Philip Haslett, Head of Education Strategy and Inclusion
Neil Egles, Finance Manager, Schools Strategy and Capital
Suzanne Hall, Finance Business Partner, Strategic Finance
Sarah Hylton, Head of Early Years
Joanne Bolton, Democratic Services Adviser and Clerk to the Schools Forum

Apologies: Alison Berry, Secondary School Governors (Academy)

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Matthew Bishop, Primary School Governors (Maintained)
Helen Bond, Gloucestershire Parent Carer Forum
David Kettleby, Post 16
Rhian Evans, Primary School Governors (Maintained)
Will Morgan, Secondary School Headteachers (Academy)
Darren Preece, Primary School Headteachers (Maintained)
Clare Steel, Special School Headteachers (Maintained)

1. DECLARATIONS OF INTEREST

No declarations of interest were made.

2. PUBLIC QUESTIONS

No public questions had been received.

3. MINUTES

3.1 The minutes of the previous meeting held on 10 November 2022, were approved as a correct record.

3.2 Members noted progress against the actions, as detailed in the Action Sheet.

4. GLOUCESTERSHIRE COUNTY COUNCIL BUDGET CONSULTATION 2023/24

4.1 The Finance Business Partner gave an overview of the County Council budget proposals and provided details on the specific budget information relating to Children and Families. (For information: a copy of the presentation slides covering each agenda item has been uploaded to the Council's website.)

4.2 A Forum member questioned whether the local authority had received external advice on how the significant overspend variances could be prevented in future years, particularly in regard to safeguarding staff costs (£3.2M). In response, the Finance Business Partner explained that there were challenges in attracting and retaining social workers in Gloucestershire, this was also a national issue. The local authority had received external advice on its recruitment and retention plans for social workers. In addition, a successful social work academy model had been developed. The aim of the academy was to attract, train, and develop a local workforce.

4.3 The Forum was informed that final approval of the budget would be considered at the Cabinet meeting on 25 January 2023 and at the Full Council meeting on 15 February 2023.

4.4 The Forum noted the report.

5. DE-DELEGATED FUNDING: TARGETED INTERVENTION

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- 5.1 The Head of Education Strategy and Inclusion provided an update on next steps regarding de-delegation of targeted school intervention funding for local authority maintained schools.
 - 5.2 He explained that the report prepared for the November Forum was attached at Annex A to the report for reference. The report provided detail of how the funding was used and the impact that it had in supporting local authority maintained schools that were at risk, either educationally or financially.
 - 5.3 The Forum agreed, at its previous meeting on 10 November 2022, to delay the decision on de-delegated funding so that further clarification on the funding could be provided to the Gloucestershire Association of Primary Headteachers (GAPH). Following the last Forum meeting, the Head of Education Strategy and Inclusion met with GAPH representatives and it was agreed to progress de-delegation rates as recommended for 2023/24; to undertake a full review of de-delegation in the spring term; and to develop a stronger working relationship between the school Improvement team and GAPH.
 - 5.4 Sarah Murphy, Forum member representing Trade Unions, indicated that she would be willing to attend a future meeting of GAPH, to provide information on how the de-delegated funding for union facilities time was used.
 - 5.5 Forum members representing primary maintained schools, who were present at the meeting, approved de-delegation at the per pupil rate (£9.27) for targeted intervention for primary maintained schools.
- 6. DEDICATED SCHOOLS GRANT 2023/24**
- 6.1 The Head of Education Strategy and Inclusion presented the report on the Dedicated Schools Grant (DSG) for 2023/24.
 - 6.2 He reported that the 2023/24 DSG announced on 19th December 2022 totalled £589.344M. This included an extra £3.676M in the High Needs block that was on top of the indicative High Needs total in September. An additional Mainstream Schools Additional Grant (MSAG) was also announced of £18.998M, giving total funding of £604.666M. This represented an increase in funding of £41.247M (7.3%) from the current 2022/23 DSG and supplementary grant total. After taking into account the previously agreed growth fund of £1.0M, the funds allocated in the DSG Schools block settlement were just enough to allow each formula factor rate and the minimum funding levels to be implemented 100% at the NFF level and for the MFG to be set at the same +0.5% level as the funding floor within the NFF.
 - 6.3 This left a £0.092M balance in the 2023/24 Schools block. The local authority was proposing that this be used to provide a contribution towards the High Needs targeted funding model (currently the 1 in 40 model). He emphasised that there had been a steady decline over the past few years in the amount of funding remaining and contributing to the High Needs model, from £0.882M 3 years ago. If the trend continued there were concerns that it may not be possible to 100% fund the NFF in

future years and officers were aware of some local authorities where they had indicated they would be unable to 100% fund the NFF for their schools in 2023/24.

- 6.4 The Head of Education Strategy and Inclusion reported that there had been significant increases in pupils with Free School Meals (FSMs) and English as an Additional Language (EAL). The mainstream pupil unit totals used by the DfE to allocate the final DSG were set in the summer and therefore before the census increases. The increase in FSMs can be attributed to the current wider economic situation and for EAL to a significant number of children from Ukraine coming to the county. The local authority, and the f40 group, were seeking clarification from the DfE about the plans to take account of these new funding pressures.
- 6.5 It was reported that the £15.322M (3.5%) additional funding for mainstream schools would be received as a separate grant (MSAG). This grant would be provided separately to the DSG budget allocations, in a similar way to how the supplementary grant was provided in 2022/23, and like that grant would be rolled into the DSG in the following year.
- 6.6 The Forum was informed that for Early Years, the funding announcements on 19th December 2022 included an increase in the hourly funding rates by 26p for three and four year olds and 8p for two year olds. In addition to this increase there was an increase of £61,808 to the Disability Access Fund and an increase of £11,083 for Pupil Premium, giving an overall increase to the Early Years block of £1,939,553 for 2023/24. There would be further updates in the summer 2023 and summer 2024 for the January pupil counts which would reflect more accurately the picture than the January 2022 census which the figures were based on.
- 6.7 The Forum considered the Central School Services block allocation information. It was reported that the block included funding for on-going responsibilities of local authorities for the statutory duties that they held for both maintained schools and academies. The allocation was based on a formula using pupil numbers (90%), free school meals (Ever 6, 10%) with an area cost adjustment applied. The rate per pupil for 2023/24 had increased by £0.89 to £36.98 and there had been an increase of 1,083 pupils resulting in a 3.8% increase of £0.113M.
- 6.8 Following a request from a member it was agreed that future reporting on the Central School Services block allocation would also detail the funding allocated to each element within the block for the current financial year.
ACTION: Head of Education Strategy and Inclusion.
- 6.9 Having considered all of the information presented, the Forum:
- Noted the Dedicated Schools Grant settlement for 2023/24.
 - Recommended the Council agree the school funding formula for 2023/24, as set out in Annex A.
 - Agreed that the balance on the Schools Block could be used to support the continuation of the High Needs targeted funding model (currently the 1 in 40 model).

Minutes subject to their acceptance as a correct record at the next meeting

- Noted the information on the additional funding that would be received through the separate Mainstream Schools Additional Grant.
- Noted the increase in the Early Years hourly rates.
- Agreed the allocation of the Central Schools Services block as set in section 5 of the report.

7. EARLY YEARS FUNDING 2023/24

- 7.1 The Head of Early Years presented a report which set out the Early Years context in Gloucestershire, the proposed distribution of the hourly rate increases for 2023/24, and provided options for how the carried forward balances could be best used.
- 7.2 The Head of Early Years explained that the proposal was for the entire hourly rate increase to be passed through to providers and for a consultation to be undertaken with providers on a number of options in respect of the Early Years formula, including deprivation payments for 3 and 4-year-olds.
- 7.3 The local authority's recommendation to pass the entire hourly rate increase to providers, rather than to retain an element of funding for central services, was due to the last two years being particularly challenging for the sector. The sector had been significantly affected by the long-term impact of the Covid pandemic. The difficulties surrounding the introduction of the 30 hours funded childcare offer from government, and staffing and business sustainability, had all increased in recent times.
- 7.4 It was evident from recent discussions with providers that even with the increase in hourly rates passed through for distribution, there would still be a number of settings with significant budget deficits due to increases in overheads and staff wages.
- 7.5 It was reported that the rising costs and the low hourly childcare rate had led to nurseries struggling to ensure long term sustainability. This was resulting in an increase in the number of settings closing or reporting that they were at risk of closure. This was a national issue affecting all local authorities.
- 7.6 In response to a question, the Head of Early Years explained that the Early Years Alliance, a national body representing the sector, undertakes lobbying and campaigning work on key areas of concern, including the level of hourly funding rates.
- 7.7 One member requested information on the number of settings closing in Gloucestershire. She pointed out that the rise in the number of private settings closing, was increasing the pressure on budgets of primary maintained schools with school nurseries attached, as demand for places grew without sufficient funding to meet need. She was concerned that this may develop into a significant issue, and suggested it may need to be identified by the f40 group as an area of focus within its campaign work.
- 7.8 The Head of Early Years explained that the Gloucestershire Childcare Sufficiency Duty report, published on the Council's website, contained information on the number of settings in the county and the closures between the period June 2021 – June 2022.

Minutes subject to their acceptance as a correct record at the next meeting

An interim sufficiency report which would detail this information for the period between June 2022 and December 2022 was due to be published at the end of January 2023. Web-links to the reports would be circulated to members.

ACTION: Head of Early Years.

- 7.9 Members were informed that the recent sufficiency assessment had identified that whilst the number of providers in the county was reducing, the number of places was increasing. There was sufficient provision to meet the needs of children requiring childcare in most parts of the county. A Forum member emphasised that the local authority needed to be aware that it was maintained primary schools with a nursery school attached, that were providing those additional places, and the concern was whether the schools would be able to sustain this long-term.
- 7.10 The Head of Early Years reported that Gloucestershire currently had Early Years DSG carry forward balances from 2021/22 available of £1.348M. The Forum was informed of the in-year balance options for Early Years.
- 7.11 Having considered all of the information presented, the Forum agreed that:
1. The full hourly rate increases be passed to providers and that the Early Years Forum would confirm the preferred option for distribution.
 2. The total uncommitted Early Years carry forward balance from 2021/22 of £1.348M, could be used as follows:
 - Retain £200k (15%) of the underspend to support Early Education & childcare sufficiency (capital and revenue).
 - Retain £100k (7%) to fund up to 6 months extension of the commissioned EY Specialist Assessment provision for children with special educational needs.
 - Retain £200k (15%) for contingency.
 - Allocate £848k (63%) to providers proportionately, based on the full academic year hours 2021/22.

8. HIGH NEEDS

- 8.1 The Head of Education Strategy and Inclusion presented a report which provided an update on the 2022/23 High Needs financial forecast, the current growth trends in Education Health and Care Plans (EHCP), and the options for use of the additional £3.676M High Needs DSG for 2023/24.
- 8.2 The Forum was informed that the pressure on the High Needs budget had continued to increase. Since the November Forum meeting, which reported the September 2022 forecast, there had been a number of further adjustments to the forecast for the year. The net result of those adjustments was a further increase in expenditure of £1.597M, resulting in an in-year deficit of £8.5M.
- 8.3 There had been a number of movements in the reporting period, but the most significant factor was the increase in mainstream funding forecasts. This was caused by a continued and extensive rise in EHCPs, which was significantly more than

forecast. At 30th November 2022, 235 new plans had been issued in this academic year (3 months), which compared to 162 in the same period in the 2021/22 academic year. At current rates, the number of new plans issued could exceed 900 this academic year.

- 8.4 Members were informed that the continued increase in the requests for EHCPs had placed significant pressure on the casework team that managed the process, resulting in delays to issuing and resourcing plans. As a result, the local authority had agreed that funding for delayed plans would be backdated to the statutory deadline (20 weeks). The cost of doing this was £381k.
- 8.5 Whilst new benchmarking data was awaited, the latest data set showed that the number of pupils with EHCPs in the county was still lower than the national average. Information on the new data would be circulated to Forum members once published.
ACTION: Head of Education Strategy and Inclusion.
- 8.6 In response to a question, the Head of Education Strategy and Inclusion explained that there had been a steady increase in the requests for EHCP assessments from parents and carers over the course of the past few years. He commented that the cultural change in trend regarding the source of EHCP requests could be linked to the 2014 reforms to the SEND system which placed more emphasis on parental engagement. He agreed to provide members with the latest data on the source of EHCPs requests in the county.
ACTION: Head of Education Strategy and Inclusion.
- 8.7 The Head of Education Strategy and Inclusion outlined the proposals for the implementation of the common banding system. He explained that the funding levels for the banding system now needed to be agreed ahead of the new financial year. The implementation of a common banding system was neither to increase nor reduce spend in High Needs. The aim was to develop a better structured and consistent system across the county, replicating existing funding levels through a banded funding model.
- 8.8 In response to a question, it was clarified that the seven bands would be used across both mainstream schools and special schools, with some crossover in the middle. For children and young people with needs at the top-level descriptor or beyond, bespoke packages would be implemented.
- 8.9 One member asked whether the local authority had given consideration to the implementation of a buffer system for the funding rate of the highest band, so that special schools could avoid having to seek exceptional funding through a complex process, when the cost of meeting the needs of a child exceeded that figure. In response, the Head of Education Strategy and Inclusion explained whilst this had been considered, a decision was taken to mirror the current funding rates of the bands. Whilst at this stage officers were of the view that no changes were needed to the exceptional funding process, if it became evident that the number of requests for exceptional funding was increasing, to an extent that it was no longer operating on an exceptional basis, then a full review would be undertaken.

- 8.10 One member pointed out that the cost of meeting a child's needs in a mainstream school, in cases where a child was waiting for a special school place to become available, was significantly greater, due to mainstream schools not having the economies of scale to provide the specialist support needed. In response, the Head of Education Strategy and Inclusion explained that if a child was being accommodated within a mainstream school for an extended period of time then the school should consult with the case worker to look at options for implementing exceptional funding support. Information on the exceptional funding process would shortly be circulated to all maintained special and mainstream schools. He added that the local authority was looking to increase the sufficiency of special school places in the county. The new Brook Academy had opened in September 2022, and a further school was due to open in September 2023. A bid had also been submitted to the DfE's wave 15 free school programme for 2 new special schools.
- 8.11 The Head of Education Strategy and Inclusion outlined the proposal for the mainstream banding rates. The proposal was to use a combination of the local authority's financial modelling (based on current levels of funding) and alignment with banding levels from other local authorities which had recently been agreed with the DfE. The modelling showed a variance of £57k on a £13M budget.
- 8.12 He acknowledged that migration to the new banding for new EHCPs may be challenging. At this stage the migration plan was still being developed. The specialist provision team would be consulting with mainstream schools and the Parent Carer Forum in regard to the options for the migration process.
- 8.13 In response to comments made by members it was agreed that further modelling work would be undertaken by officers, on the band 4 adjusted funding rate, to assess the impact further uplifts would have on reducing the £57k variance to the budget, to bring that as close to a zero variance as possible.
ACTION: The Head of Education Strategy and Inclusion.
- 8.14 One member commented that given the number of pupils with EHCPs in Gloucestershire was lower than the national average, yet Gloucestershire's High Needs deficit was over £20M, it was evident that the level of High Needs funding from government was wholly inadequate.
- 8.15 Having considered all of the information presented, the Forum agreed that in regard to the implementation of the common banding system:
- The special school banding rates be applied as outlined in option 2 of fig.3 (in the report).
 - The mainstream school banding rates be applied at the adjusted rate in fig.4 (in the report), subject to a further adjustment being made to the rate of band 4 in order to achieve as close to a zero variance to the current budget as possible.
- 8.16 The Forum was informed that the final High Needs funding allocation for Gloucestershire in 2023/24 was £93.023M, this consisted of £89.346M based on the

indicative DSG announced in September, plus the additional £3.676M of High Needs DSG announced in December. This represented a total increase of £8.782M from 2022/23.

- 8.17 The Head of Education Strategy and Inclusion reported that unlike the supplementary grant received for the 2022/23 financial year, the additional High Needs DSG funding for 2023/24 had more detailed guidance for its use. Implementation of the guidance from the DfE (a 3% MFG and a 3.4% inflationary increase to base and average top-up funding) was forecast to cost £0.939M. Both uplifts must be provided after the MFG has been applied.
- 8.18 For use of the 2023/24 High Needs DSG, the Forum agreed that:
- Increases to special school funding be implemented as outlined in the DfE guidance, using a 3% minimum funding guarantee and a 3.4% uplift to base and average top-up funding for all special schools.
- 8.19 The future four options for mainstream top-up and targeted support funding were outlined to the Forum. The Head of Education Strategy and Inclusion emphasised to members that the 1 in 40 model had become unsustainable. Due to the continued rise in the number of new EHCPs, maintaining the 1 in 40 model was forecast to increase the cost by at least £1.911M to £5.028M.
- 8.20 For 2023/24, the local authority was proposing to move forward with Option C (reduce the 1 in 40 to 1 in 30 (with protection), and Option D (apply a 3.4% increase to top-up funding for all mainstream top-ups (including specialist centres). By applying Option C and D, this would limit the rising costs of the 1 in 40 model; apply a protection for those in receipt of the funding; and provide an increase in top-up funding for all schools.
- 8.21 The Forum was informed that for 2024/25, the local authority planned to take a whole school approach to the allocation of targeted funding. To prepare for this, officers would be working with a small group of 5-10 schools, that were in receipt of high levels of 1 in 40 funding, to undertake a specialist review. The review would make recommendations to the school on the quality and value for money of current provision and to the local authority on how funding could be provided to mainstream to support 'provision' rather than a per pupil amount based upon EHCP numbers. The scope and activity around this review would be key areas of focus for the Forum's High Needs Budget Working Group.
- 8.22 The Head of Education Strategy and Inclusion clarified that the protection applied in regard to Option C would ensure that schools in receipt of 1 in 40 funding in 2022/23 do not receive less funding, in real terms, than they did in 2023/24. This would mean that there would be no further progression of the funding in 2023/24. The cost of this protection was forecast to be £0.372M.
- 8.23 He added that due to the significant financial pressure on the High Needs budget the local authority was not in a position to maintain the 1 in 40 model. The proposed way forward had been established as the best way to continue providing targeted support

for schools with high numbers of children with EHCPs; ensure that all schools receive a top-up increase; and to manage the pressures on the High Needs budget.

- 8.24 He explained that many local authorities do not provide additional targeted funding to their schools; consequently, he anticipated that if the local authority was to continue with the model in its current format, the DfE would challenge the local authority on this as part of its engagement with the DBV programme.
- 8.25 There was a considerable degree of concern amongst some members around the local authority's proposal to change the 1 in 40 model to 1 in 30. There was recognition that some schools were perceived to be more inclusive and to have a stronger offer for children with SEND, and therefore had a disproportionately high number of children with EHCPs. It was suggested that whilst this disparity existed, and the level of need continued to rise, the local authority needed to ensure there was a system in place to provide sufficient funding to schools with a disproportionately high number of children with EHCPs. Members were unwilling to support a change to the 1 in 40 model without a clear alternative strategy in place for future years.
- 8.26 The Forum considered the recommendation that options C and D (as set out in the report) be applied, which would adjust the 1 in 40 model to 1 in 30 and provide a 3.4% increase to mainstream top-up funding. On being put to a vote, the Forum resolved not to agree this recommendation (3 members voted in favour, 4 against and 4 abstained).
- 8.27 The Head of Education Strategy and Inclusion explained that the Forum had an advisory role on High Needs funding, and therefore the final decision on the 1 in 40 model would rest with the local authority. Officers would reflect on the points raised during the meeting and determine the way forward.
- 8.28 The Forum was informed of how the £3.676M additional High Needs DSG would be allocated. The forecast cumulative cost of the allocation was £2.014M and would leave £1.662M of the additional grant to support the wider pressures on the High Needs budget.
- 8.29 At this juncture, the meeting was no longer quorate and therefore members did not vote on whether to support the recommendation for any surplus remaining in the additional High Needs DSG, following allocation of funding to schools, to be used to offset the deficit pressures on the High Needs block.

9. SCHOOLS FORUM WORKPLAN 2023

Members noted the workplan for 2023.

10. SCHOOLS FORUM ELECTIONS 2023

The Clerk to the Forum presented a report which outlined the plans for the Schools Forum Elections 2023.

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Members noted the report.

11. DATE OF NEXT MEETING

Members noted that the next meeting would take place at 2:00pm on 15 June 2023.

Chair

Meeting concluded at 4.45 pm