

GLOUCESTERSHIRE SCHOOLS FORUM

Minutes of a remote meeting held on Thursday 17 June 2021

Present:

Alison Berry	- Secondary School Governors (Academy)
Helen Bond	- Gloucestershire Parent Carer Forum
Lyn Dance	- Special School Head Teacher
Stephen Dean	- Primary School Headteachers (Academy)
Rhian Evans	- Primary School Governors (Maintained)
Elaine Le Gros	- Primary School Headteachers (Maintained)
Peter Hales	- Primary School Governors (Academy)
Andrew Harris	- Community Representative (Chair of the Schools Forum)
Kirsten Harrison	- Secondary School Headteachers (Academy)
Kate Hawkins	- Special School Governors
Amanda Horniman	- Primary School Headteachers (Maintained)
Lisa Jones	- Primary School Headteachers (Maintained)
Gwyneth Keen	- Early Years Providers
Becky Martin	- Special School Governors (Maintained)
Julia Maunder	- Secondary School Headteachers (Academy)
Will Morgan	- Secondary School Headteachers (Academy)
Sarah Murphy	- Unions
Peter Nolan	- Primary School Governors (Maintained) (Vice-Chair of the Schools Forum)
Alexander Norman	- Secondary School Governors (Academy)
Becky Poulter-Jewson	- Early Years Providers
Clare Steel	- Special School Headteachers

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

Officers: Chris Spencer, Director of Children's Services
Philip Haslett, Head of Education Strategy and Development
Neil Egles, Finance Manager, Schools Strategy and Capital
Suzanne Hall, Finance Business Partner Strategic Finance
Joanne Bolton, Democratic Services Officer and Clerk to the Schools Forum

Apologies: David Alexander, Secondary Headteacher (Maintained)
Matthew Bishop, Primary School Governors (Maintained)
Penny Chislett, Post-16 Education

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Elisa Entwistle, Alternative Provision Schools
Rachel Howie, Gloucester Diocese
Adam White, Secondary School Governors (Maintained)
Rob Wilcock, Secondary School Governors (Academy)

10. ELECTION OF THE SCHOOLS FORUM CHAIR

Andrew Harris, Community representative, was duly elected as the Schools Forum Chair for a two year term of office.

11. ELECTION OF THE VICE CHAIR

Peter Nolan, primary school governor (maintained), was duly elected as the Schools Forum Vice-Chair for a two year term of office.

12. DECLARATIONS OF INTEREST

No declarations of interest were made.

13. PUBLIC QUESTIONS

No public questions had been received.

14. MINUTES

14.1 The minutes of the previous meeting held on 14 January 2021, were approved as a correct record.

14.2 The Forum noted the progress against the actions from the previous meeting as outlined in the Action Sheet. The following points were raised:

14.2.1 The Head of Education Strategy and Development reported that the local authority did not capture or hold information on the implementation of the 1 September 2020 pay award, in Gloucestershire's schools and academies. However, feedback received from the Human Resources team in Education was that broadly schools had been operating in line with the national recommendations.

14.2.2 The Forum noted that a full review of the data around the recent rise in the number of requests for Education Health and Care Plans (EHCP) was ongoing. The results would be brought to a future Forum meeting.

14.2.3 The Head of Education Strategy and Development reported that work was ongoing to understand the context as to why some local authorities had no High Needs block deficit or a low deficit position. The Local Authority will be meeting with representatives of local authorities in the South West, during the summer and early autumn to understand this issue in more detail.

15. 2020/21 OUTTURN AND MAINTAINED SCHOOL BALANCES

- 15.1 The Head of Education Strategy and Development gave a presentation on the 2020/21 Outturn and Maintained School Balances. The Forum was informed that the 2020/21 in-year Dedicated Schools Grant (DSG) outturn position was an overspend of £3.480M resulting in a cumulative overspend of £11.892M, representing 2.48% of the 2020/21 gross DSG budget. There was a £0.750M Schools Block net underspend consisting of three elements: an underspend of £0.283M on the growth fund used to fund new schools and increases in basic need places; an in-year under spend of £0.292M on the de-delegated budgets that related to maintained schools only; and funds remaining after the closure of Saint Dominic's Catholic School, Stroud.
- 15.2 He reported that there was also a surplus of £0.497M at the end of last year relating to dedelegated balances that was part of the net £8.412M deficit balance brought forward bringing the dedelegated surplus element of the DSG up to £0.789M. Although there was an overall net £11.892M DSG deficit being carried forward to 2021/22, that contained surplus commitments relating to the £0.789M maintained schools dedelegated budgets and an Early Years DSG surplus of £0.989M.
- 15.3 The Forum was informed that Early Years finished with a £0.989M under-spend in 2020/21. The under-spend related to lower than expected payments for nursery education and the delayed use of project funding due to COVID-19. The carry forward would be used to cover the time lag in any adjustments in funding due to revised activity levels following the January and May census and continue with the planned projects.
- 15.4 The Forum noted that the outturn position for the High Needs Block at the end of 2020/21 was a deficit of £5.119M.
- 15.5 The Forum agreed that the DSG deficit balance at the end of 2020/21 be earmarked, as shown in the report and carried forward to 2021/22.
- 15.6 A member raised a concern that the EHCP process was stalling in Gloucestershire's schools due to a lack of educational psychologist provision - without the EHCPs in place schools were unable to receive the associated funding to support the child. The Director of Children's Services explained that there was a national shortage of educational psychologists and therefore their recruitment and retention was challenging. The local authority was undertaking the initiative 'grow our own' in an aim to stabilise the workforce, thereby replicating the approach developed for retaining social workers. The approach had been very successful in reducing the reliance on agency social workers. Engaging private educational psychologists as part of the framework was also being considered. The workflows from schools had increased disproportionately over the last three years with requests for EHCPs growing by an extra 300-350 requests each year which was unsustainable. Therefore the issue was not just related to the availability of educational psychologists which remained largely the same but also to the growing demand for EHCPs put forward by schools. The Forum noted this as an area of

concern, and it was acknowledged that whilst the local authority did have a plan in place, it could be a while before the plan made a positive impact in addressing the issue.

- 15.7 The Forum received an update on the maintained school balances at the end of 2020/21. At the end of the financial year 31 March 2021, 173 schools were in surplus, 23 schools (10 less than last year) were in deficit. The Forum received a summary of the work being undertaken by the Council's Officer Deficit Group to review deficits and excess surpluses, and its work with schools.
- 15.8 The Head of Education Strategy and Development explained that the f40 had previously sent a clear message to government that a further round of funding was needed to address schools' exceptional costs due to the impact of COVID-19. However, the general picture in Gloucestershire now, and in other counties (following reports from f40 members of other local authorities), was that overall, the anticipated level of additional exceptional costs to schools had not been seen, or that the costs had been offset by some savings. A further round of funding from the government was therefore not expected.
- 15.9 The Finance Business Partner explained that the outturn position for non-DSG funded services was an overspend position of £10.775M (8.3% of budget). That included the additional cost of the impact of COVID-19 on budgets which totalled £7.297M giving an underlying overspend of £3.478M. Significant overspends included external placements (£10.078M) and home to school transport (£1.296M), both of which were identified as ongoing pressures at the end of 2019/20. The Forum was informed that investment approved as part of the 2021/22 budget would help to address a significant part of the cost pressures identified although increasing demand for social care services would continue to put pressure on the placements budget.
- 15.10 In response to a question, the Finance Business Partner explained that despite multiple lockdowns and partial school closures, there was still a significant overspend in the home to school transport budget. The costs remained as the local authority was required to continue to support the transport providers to ensure that the contracts remained in place for when the schools fully reopened. Many pupils with SEND were still attending school throughout the lockdown periods and therefore the associated costs remained. Home to school transport costs were significantly higher when schools reopened due to the need to comply with COVID-19 social distancing restrictions (e.g. in some instances taxis had to be used to transport pupils instead of mini buses).

16. HIGH NEEDS

- 16.1 The Head of Education Strategy and Development set out the proposed budget for 2021/22 and the forecast budget position for the following 2 years. In-year a deficit budget of £5.449M was set for High Needs to reflect a realistic position considering growth trends and activity demands on special school and independent provision and top up budgets. At year end the outturn was £330k below that budget resulting

in a final overspend of £5,119,200. He explained that the local authority's three-year plan showed the in-year overspend reducing to £1,794,574 in 2022/23 and a surplus of £419,563 in 2023/24. Officers were confident that a slowing down in the use of higher cost specialist placements, the impact of early intervention work and the continued rise in funding would generate the improved position.

- 16.2 The Head of Education Strategy and Development advised the Forum that increasing top-up funding at this stage would put the High Needs budget recovery at risk. A decision to increase all top-up funding by 2% would result in a cumulative total cost over the three years of around £4M.
- 16.3 Special school representatives on the Forum strongly emphasised the point that the financial situation in special schools had become untenable. They reported that top-up values had increased slightly once since they were set in 2013, however the complexity of pupils in the schools had risen hugely in that time resulting in the need for increased staff:pupil ratios due to complex medical issues and extreme challenging behaviour, all resulting in increased costs and pressure on staff. Representatives of mainstream schools also echoed those concerns – stressing just how much financial pressure schools that had high levels of children with SEND were under. Whilst there was recognition and understanding of the local authority's plan to drive down the deficit and achieve a balanced High Needs budget, there was strong support for this not to be at the expense of freezing top-up funding. Members acknowledged that would add even more pressure on the already stretched budgets of special schools and inclusive mainstream schools. Without sufficient funding schools would not be able to meet the increasingly complex needs of children coming into the system.
- 16.4 A Forum member referred to the local authority's three-year forecast for the High Needs budget, and suggested that in order to understand the dire financial pressures schools were under, consideration should also be given to the three-year plans for individual schools. In response, the Head of Education and Strategy explained that this was a collective deficit within the Dedicated Schools Grant. Whilst the local authority had oversight of the High Needs Block, all funding was allocated to education institutions. He added that whilst ultimately the decision to freeze top-ups values rested with the local authority, the view of the Forum was crucial in providing an understanding how it would affect schools. However, this had to be balanced against the overall funding picture of a significant High Needs Block deficit.
- 16.5 A special school representative suggested that a similar percentage rise to special school top-up values as mainstream school age weighted pupil unit values was needed. Concern was expressed that if the top-ups did not increase alongside rising costs, schools would not be able to afford to meet the needs of complex pupils - a statutory requirement set out in a child's EHCP. There was concern that this may result in an increase in the use of costly out of county specialist school placements, thus creating a false economy. It was also suggested that there were not enough special school places in the county which was putting additional pressure on mainstream schools.

- 16.6 In response to the question, the Head of Education Strategy and Development confirmed that he would provide the Gloucestershire Association of Special School Headteachers, with the figures on the increases in places in the special school sector over the next 3 years, and where those additional places would be allocated. **ACTION: Head of Education Strategy and Development.**
- 16.7 In response to a question, the Head of Education Strategy and Development reported that he was engaging with representatives of other local authorities on the issue of High Needs block deficits. There was recognition that, with a few exceptions, generally all local authorities were in the same position - there was no clear panacea for the problem. A number of local authorities with the largest deficits were liaising with the DfE and the ESFA about how deficit recovery could be achieved. Information on the results of that exercise were awaited. It was clear however that the DfE was not intending to write off the deficit.
- 16.8 A member posed the question as to whether the government was able to afford any additional funding for High Needs, particularly given the substantial costs related to the COVID-19 pandemic - would it therefore be more prudent to freeze top-up rates to keep the High Needs deficit recovery on track. There was recognition that the government's allocation of funding to High Needs was based on the determination of prioritisation against the other areas of its funding responsibilities. It was a question of whether the High Needs finding was being prioritised sufficiently.
- 16.9 The Director of Children's Services explained that he understood and was sympathetic to the concerns being raised. He stressed however that it was important to understand the full context including the consequences of the local authority not recovering the High Needs deficit at the end of the three-year plan. Whilst the DfE had given local authorities 3 years in which to address their High Needs deficit, at the end of that 3 year period any debt would become a real issue. Councils were required by law to produce a balanced budget, if they could not find a way to balance expenditure then a Section 114 order would be issued. That could lead to an external manager of the council's finances being appointed to work on producing a viable budget. Gloucestershire County Council was a well run local authority, and not in that position, but ultimately it was important to ensure that Gloucestershire was not facing the prospect of dealing with an £18M deficit at the end of that period. He assured members that full consideration would be given to all of the points raised.
- 16.10 Following the wide ranging debate, members considered the local authority's recommendation that top-up funding should remain frozen at the current levels. The Forum did not support the recommendation and instead recommended that top-up values increase by 2% for both mainstream and special schools, even if that meant the High Needs budget deficit for 2021/22 having to be increased. (One member voted in favour of the local authority's recommendation that top-up funding should remain frozen at the current levels).

16.11 The Head of Education Strategy and Development explained that decisions on the delegation of the High Needs block funding were the responsibility of the local authority, and therefore the Forum's recommendation to increase top-up funding by 2% for both mainstream and special schools, would now need to be considered by the local authority.

ACTION: Head of Education Strategy and Development.

16.12 Members of the Forum were deeply concerned that a 2% increase to top-up funding would have only a limited impact on improving the financial situation of schools in order for them to meet the needs of children with additional needs. The Forum was strongly of the view that there needed to be a significant increase in High Needs block funding from central government to deal with the substantial growth in the complexity of need coming into the system. The work of the f40 group was recognised as crucial in campaigning and lobbying the government to ensure that local authorities were sufficiently funded to meet the needs of all children.

16.13 Officers confirmed that despite the significant disruption created by the COVID-19 pandemic, delivery of the Joint Additional and High Needs programme was progressing well. The Forum received an update on the key activities taking place including the development of the new 11-16 SEMH school; and the Spend Redesign Project – the funding proposals would be considered by the Forum at the September 2021 meeting for discussion and approval for the pilot. The final funding model would be considered by the Forum at the November 2021 meeting, for approval, ahead of a full roll out. The changes to the funding model itself were not intended to provide direct and immediate savings or reduce funding for schools. The changes being proposed were to improve the clarity, consistency and effectiveness of the funding system.

16.14 It was reported that alongside the changes being made to the funding model, improvements were being made to the processes involved with the EHCP pathway. The key aim was to have an end to end casework model that was centred on the child, not the process and that operated efficiently and effectively for all key stakeholders.

16.15 The Forum was informed of the developments in the Alternative Provision (AP) Service and the proposed changes to the funding model that would support earlier intervention services. The local authority's intention was to provide flexibility for AP to work closely with the school system to develop and deliver a range of early intervention services that supported continued access to mainstream provision and removed the perverse incentive for exclusion. The local authority was proposing that any unused top-up funding be made available to the schools to support the development of their revised service offer.

16.16 The Forum agreed that to enable the schools to deliver a new service offer, the 2021/22 High Needs budget would assume that full funding would be made available to alternative provision schools this year.

- 16.17 The Forum was updated on the number of permanent exclusions in 2020/21 and how the figures compared to previous years' as outlined in the report. The Head of Education Strategy and Development explained that it had been difficult to draw comparisons from the data generated over the last 18 months due to the multiple lockdowns and partial school closures. Data at the end of May 2021 showed reductions in permanent exclusion, but for the periods that schools were fully open levels of permanent exclusion were in line with 2018/19.
- 16.18 The Forum was informed that the DfE captured SEN data through the annual SEN2 survey, for which data has just been released. A comparison of the local picture, to both Gloucestershire's statistical neighbours and the national picture was presented to the Forum. In terms of overall numbers of EHCPs Gloucestershire was broadly in line with national and statistical neighbours, but the rate of new EHCP requests and approvals had been high during the last 12 months. The rising number of EHCPs in the system remained a critical driver for High Needs expenditure. The Head of Education Strategy and Development commented that the local authority would be working closely with both local and statistical neighbours to explore the data in more detail and he would report back on the findings to the Forum at the September 2021 meeting.
ACTION: Head of Education Strategy and Development.
- 16.19 The Forum was informed that the outcome and recommendations of the government's SEND review was due to be published imminently. A further High Needs Funding consultation was expected to take place, to focus on long term funding changes. The Head of Education Strategy and Development confirmed that following the publication of the SEND review and ahead of the publication of the High Needs consultation a Schools Forum working group session would take place to assess the implications of the SEND review and any impacts on the local funding models; and consider the existing High Needs funding formula and identify the right proxy measures that could underpin the funding formula.
ACTION: Head of Education Strategy and Development/Clerk to the Schools Forum.

17. DSG EARLY YEARS BLOCK 2021/22

- 17.1 The Forum received an update on the use of the Early Years block in 2021/22 and considered a proposal to fund cross border requests for free entitlement from parents in Gloucestershire using Welsh settings.
- 17.2 The Forum agreed the use of the Early Years block as set out in the report.
- 17.3 The Forum was informed that currently parents living in Gloucestershire could not claim the extended child care offer of 30 hours in a Welsh setting. This primarily affected 3-4 years olds, with a loss of around 20 hours funding for those opting to use Welsh settings. There was no clear mechanism in place to address the issue, resulting in a lack of equity.

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- 17.4 The Forum noted that there were 76 early years childcare settings in England within 10 miles of the Gloucestershire border and 72 Welsh settings within 10 miles of the Gloucestershire border. On average, the local authority received 2 queries per month from parents wanting to use a Welsh setting to access the full entitlement. Potential costs based on an estimated 2 out of county childcare requests per month claiming for a 2-year period would be £148k.
- 17.5 The Forum agreed to the use of the Early Years block to fund cross boarder requests based on the set criteria as set out in the report.

18. ANNUAL REVIEW OF THE GLOUCESTERSHIRE SCHOOLS FORUM CONSTITUTION

- 18.1 The Forum received a report which detailed the proposed amendments to the Constitution and the options for holding future Forum meetings.
- 18.2 The Forum agreed the proposed amendments to the Schools Forum Constitution to reflect that The School and Early Years Finance (England) Regulations 2021 amended The Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020 to make permanent provisions to enable schools forum meetings to be held remotely.
- 18.3 The Forum considered the options for holding future Forum meetings and it was agreed that the September 2021 Forum meeting would be held remotely, and in recognition of the value of holding some of the Forum meetings as physical in person meetings, the November 2021 meeting would likely be held in Shire Hall (dependant on national announcements regarding the easing of COVID-19 restrictions). The options for holding Forum meetings next year, including hybrid meetings, would be considered at a later date.

19. F40 AND COVID-19 UPDATE

- 19.1 The Head of Education Strategy and Development reported that a £1.4 billion package of support from government had been announced, consisting of:
- £1 billion investment to transform the availability and approach to tuition in every school and college over the next three years, making sure when teachers identified a disadvantaged child in need of support as a result of the pandemic, extra support was available. He commented that the local authority would be sending out information to schools on how they could access and make use of that funding.
 - £153M would provide the opportunity for evidence-based professional development for early years practitioners, including through new programmes focusing on key areas such as speech and language development for the youngest children.
 - £253M would expand existing teacher training and development to give 500,000 school teachers the opportunity to access world-leading training

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appropriate for whatever point they were at in their career, from new teachers to headteachers.

19.2 The Head of Education Strategy and Development reported that he had attended the f40 Executive Group meeting on 14 June 2021. The priorities of the group remained focussed on the delivery of a fair National Funding Formula (NFF), and the group had been meeting with the DfE Funding Team to work on that. It was expected that consultation with local authorities on the roll out of the hard NFF would take place in 2021. He explained that it was important to note that the roll out of the hard NFF was not expected to have a huge impact on the way the funding system worked in Gloucestershire, as the local formula already aligned closely with the proposed hard NFF.

20. SCHOOLS FORUM MEETING DATES IN 2022

The Forum noted the future meeting dates:

2021

Thursday 16 September at 2:00pm

Thursday 11 November at 2:00pm

2022

Thursday 13 January at 2:00pm

Thursday 16 June at 2:00pm

Thursday 15 September at 2:00pm

Thursday 10 November at 2:00pm

Chair

Meeting concluded at 4.10 pm