

GLOUCESTERSHIRE SCHOOLS FORUM

Minutes of a meeting held on Thursday 16 September 2021.
The meeting was held remotely.

Present:

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| David Alexander | - Secondary Headteacher (Maintained) |
| Alison Berry | - Secondary School Governors (Academy) |
| Lyn Dance | - Special School Head Teacher |
| Elisa Entwistle | - Alternative Provision Schools |
| Elaine Le Gros | - Primary School Headteachers (Maintained) |
| Peter Hales | - Primary School Governors (Academy) |
| Andrew Harris | - Community Representative (Chair of the Schools Forum) |
| Kate Hawkins | - Special School Governors (Academy) |
| Amanda Horniman | - Primary School Headteachers (Maintained) |
| Rachel Howie | - Gloucester Diocese |
| Lisa Jones | - Primary School Headteachers (Maintained) |
| Gwyneth Keen | - Early Years Providers |
| Becky Martin | - Special School Governors (Maintained) |
| Julia Maunder | - Secondary School Headteachers (Academy) |
| Dermot McNiffe | - Secondary School Governors (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) |

Substitutes: Becky Pain-Tolin, Gloucestershire Parent Carer Forum

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

Officers: Kirsten Harrison, Director of Education
Philip Haslett, Head of Education Strategy and Development
Neil Egles, Finance Manager, Schools Strategy and Capital
Suzanne Hall, Finance Business Partner Strategic Finance
Gareth Vine, Universal Commissioning Manager
Joanne Bolton, Democratic Services Officer and Clerk to the Schools Forum

Apologies: Chris Spencer, Director of Children's Services
Matthew Bishop, Primary School Governors (Maintained)
Helen Bond, Gloucestershire Parent Carer Forum

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Penny Chislett, Post-16 Education
Stephen Dean, Primary School Headteachers (Academy)
Rhian Evans, Primary School Governors (Maintained)
Becky Poulter Jewson, Early Years
Clare Steel, Special School Headteachers (Maintained)

21. DECLARATIONS OF INTEREST

No declarations of interest were made.

22. PUBLIC QUESTIONS

No public questions had been received.

23. MINUTES

23.1 The minutes of the previous meeting held on 17 June 2021, were approved as a correct record.

23.2 Philip Haslett, Head of Education Strategy and Development, reported that at the Forum's meeting on 17 June 2021, the Forum recommended that top-up funding should increase by 2% for both mainstream and special schools. The Local Authority (LA) had now ratified the 2% increase, with adjustments being made to external Alternative Provision funding to keep it cost neutral for 2021/22.

23.3 He also reported that the government's SEND review was still yet to be published despite repeated messages that it was imminent. Once published 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.

ACTION: Head of Education Strategy and Development/Clerk to the Forum.

24. SCHOOL FUNDING 2022/23

24.1 Philip Haslett, Head of Education Strategy and Development, gave a presentation on School Funding for 2022/23. The Forum considered the implications of government indicative announcements on school funding for 2022/23, and the proposed funding formula method to use for Gloucestershire's schools and academies.

24.2 The Forum received the 2022/23 indicative Dedicated Schools Grant (DSG) block summary. The percentage increases were broadly in-line with those from 2020/21 to 2021/22 (excluding the increase in 2021/22 that related to teachers pay and pensions funding moving into the DSG).

24.3 The Forum considered the proposed Growth Fund allocation of £1.3M for 2022/23. In response to a question, Neil Egles Finance Manager Schools Strategy and Capital, explained that the Growth Fund was topsliced from the Schools block DSG

to provide funding for new classes required as a result of a shortage of basic need places. It would usually fund one additional class for a school in the current financial year; from the following year onwards the pupils would form part of the number on roll and the census count, meaning they would be funded through the normal method of the funding formula. The Growth Fund also covered funding for the start up costs of new schools. No funding was required for new schools in 2022/23, which was why £0.2M less was needed than the figure for 2021/22.

- 24.4 A Forum member raised a concern that there should be more transparency and consultation with schools regarding the allocation of growth funding to meet the need for additional places, particularly how an area as a whole caters for the need. He suggested that Gloucestershire's headteachers associations would be useful forums in which the discussions could take. The Head of Education Strategy and Development agreed to look at this issue and provide Forum members with information on how the process operated and the funding was allocated.
ACTION: Head of Education Strategy and Development.
- 24.5 In response to a question, Neil Egles the Finance Manager Schools Strategy and Capital, clarified that the Growth Fund (topliced from the Schools block) was used for mainstream schools only. Funding for special schools came from the High Needs block, and places were commissioned and funded at the point of need.
- 24.6 The Forum agreed a top-slice for growth of £1.3M for 2022/23, subject to being updated for any change in the basic need Age Weighted Pupil Unit rates for 2022/23 when those were finalised in January 2022.
- 24.7 The Head of Education Strategy and Development presented the changes and clarifications to the National Funding Formula (NFF) for 2022/23, as detailed in the report. The Forum noted that:
- There would be 3% increases to the factors for basic entitlement, deprivation allocations based on free school meals at any time in the last 6 years (FSM6) and on income deprivation affecting children index (IDACI); lower prior attainment (LPA), English as an additional language (EAL) and the lump sum.
 - A 2% increase to Minimum Per Pupil Levels and Free School Meals (FSM).
 - FSM6 – update on the October 2021 census to bring it more up to date and in line with other NFF factors.
 - Mobility – would be based on the actual entry date rather than the census (which did not take place due to Covid-19).
 - Rates – The DfE were centralising the business rates payment system for schools, so that the ESFA would pay billing authorities directly on behalf of state funded schools from 2022/23.
 - Sparsity - £10,000 increase primary and £5,000 increase secondary to the maximum amount a school could receive for the sparsity factor. Primaries were now eligible for up to a maximum of £55,000 and secondaries up to £80,000.

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- The Minimum Per Pupil Funding would increase by 2% to primary: £4,265 and secondary: £5,525.
- The Funding Floor/Minimum Funding Guarantee in the NFF remained at 2% to ensure that every school was allocated at least 2% more funding per pupil.

24.8 Based on initial calculations (subject to census update) the LA's assumption was that it could fully fund the NFF, and that there would be a small surplus estimated at £520,000.

24.9 In response to a question, Neil Egles, Finance Manager, Schools Strategy and Capital, clarified how the 1 in 40 rule was calculated. He explained that the number of pupils on roll was divided by 40, that figure was then the maximum number of pupils with high needs that a school would pay the sum of £6,000 for. For each high needs pupils over that number, a school would receive the top-up funding and the sum of £6,000. He added that the 1 in 40 rule was a local funding decision - some but not all LAs had the provision, or had variations to it, to support schools which attracted a high number of children with additional needs. The LA had previously operated a 1 in 75 rule, meaning that schools would have received more funding for pupils with High Needs. However, the decision to reduce to 1-40 was taken due to affordability given the significant pressure on the High Needs budget.

24.10 In response to a question, the Head of Education Strategy and Development, explained that the LA had no plans to propose a move back to the 1 in 75 rule. The reality was that there was simply not enough High Needs funding from central government to do that. Also, there remained a concern that model supported a culture in which some schools were seen by parents as more inclusive and would often state a preference for the school during the EHCP process. He reported that moving into the future and given the pressures on the High Needs budget, there may be questions about whether the LA could continue to fund the 1 in 40 rule. The recommendation for 2022/23 was that the surplus in the Schools block, be transferred to the High Needs block to support the 1 in 40 rule, however, that was not sustainable in the longer term. He recognised that some schools would be significantly impacted by any change to the 1 in 40 rule and therefore long-term conversations would be needed with school representatives around any proposed changes.

24.11 A member expressed concern that the change from the 1 in 75 to the 1 in 40 rule had taken away funding and support for pupils with SEND. He suggested that there needed to be conversations around what the current provision consisted of and what the value for money was in terms of meeting the needs of children with SEND. Questions needed to be answered on whether the funding was being used efficiently and effectively to keep within budget, before any further reductions were made which would affect the special needs provision for pupils. The Head of Education Strategy and Development explained that 90% of the High Needs block funding was allocated to schools. He proposed that due to the complexities around the High Needs funding system, and the rising levels of need coupled with a High Needs budget under significant pressure, it would be helpful for members to get together outside of a Forum meeting to go through all of the issues in more detail.

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It was therefore agreed that a High Needs workshop meeting would be arranged for Forum members. Representatives from the ESFA and the DfE would be invited to attend the session.

ACTION: Head of Education Strategy and Development/Clerk to the Schools Forum.

- 24.12 Members of the Forum were concerned about the funding inequity involving schools which attracted a disproportionate number of children with additional needs. Whilst members acknowledged that the 1 in 40 rule aimed to help counter some of those funding inequities by compensating schools with a high number of children with high needs, the issue was not accounted for in the NFF. The Forum recognised the importance of the work of the F40 Group in continuing the campaign for schools to receive a fairer deal - a minimum per pupil funding amount, *plus* funding for children with additional needs, as part of the NFF.
- 24.13 Having considered the NFF factor rates as outlined in the report, the Forum agreed that the basis on which the formula would be allocated for 2022/23, would match the NFF method as closely as possible and to utilise any surplus remaining in the Schools block to support the 1 in 40 model.
- 24.14 The Forum considered the proposals for de-delegations. Sarah Murphy, Trade Union representative, presented the report on Local Authority Teaching Union Facilities 2021. She explained that the total amount of £105,000 de-delegated for union facilities paid for the salaries of four elected county union representatives. She emphasised the importance of the de-delegation provision for union facilities, explaining that it allowed all primary local authority maintained schools to meet all statutory and procedural entitlements to union representation. The Trade Union representative drew the Forum's attention to the section of her report which summarised how the facilities time was spent in 2020/21 by NEU and NASUWT. She explained that without this service, primary schools would individually be responsible for meeting all statutory obligations from their own budget, and therefore it was felt strongly that the de-delegation of funding was the most cost effective way of ensuring that the statutory duties were covered. She concluded her presentation by stating that she strongly hoped that the Forum members eligible to vote would approve the ongoing de-delegation of union facilities for primary schools.
- 24.15 In response to a question, the Trade Union representative explained that the fees teachers paid for union membership, paid for the central workings of the union, including the legal aspects. However, the fees did not pay for the local based case workers - this was covered through the facilities funding. If there was no LA's union facilities service funded either through de-delegation or by schools on an individual basis, then all casework would be handled at the regional offices. Consequently, schools in the counties would lose the expertise of individual caseworkers who knew the background story of schools and had developed relationships with teachers.

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- 24.16 In response to a question, the Head of Education Strategy and Development, explained that the de-delegation for union facilities was for primary maintained schools only. Secondary schools usually had the expertise and capacity within their own staff members to undertake the casework and statutory functions. The Trade Union representation confirmed that some secondary academies were buying into the service.
- 24.17 In response to a question, the Trade Union representative explained that the Forum had previously received information on the de-delegation amounts for union facilities, in other comparable authorities – some were paying higher de-delegation amounts than Gloucestershire, and others less. Gloucestershire was around mid-range. The Head of Education Strategy emphasised that the de-delegation of funds for union facilities for primary maintained schools was the most efficient way financially to cover that need.
- 24.18 The Forum's maintained schools' representatives present at the meeting (by sector) agreed de-delegation at the per pupil rates shown in the report for:
- In-year increases in pupil numbers – primary
 - Targeted intervention – primary
 - Union facilities – primary
 - Local authority statutory duties (primary and secondary).
- 24.19 The Forum noted that it would make its final recommendations on the funding formula at its meeting on 13 January 2022, ahead of the submission of the final formula to the DfE.
- 24.20 The Forum considered the LA's draft response to the DfE's consultation on reforms to the NFF. The Head of Education Strategy and Development explained that the core messages in the LA's draft response to the consultation were: the need for an equitable approach for all schools; implementing consistency and alignment only where it would add value particularly where there would be significant work involved in doing so; and ultimately a decisive timeline that moved the issue forward resulting in all schools being funded through the 'hard' NFF.
- 24.21 He explained that a meeting of the F40 was taking place on 20 September 2021, during which the F40's response to the consultation would be considered and then published once finalised. The LA would be holding a webinar on 22 September 2021 for all Gloucestershire's schools to consider the LA's draft response. It was agreed that all Forum members would be sent an invite to the event.
ACTION: Clerk to the Schools Forum.
- 24.22 The Forum was informed that once finalised Gloucestershire's response would be shared with all schools via the HeadsUp bulletin. There would be a follow-up DfE consultation once responses to the questions had been considered.

25. HIGH NEEDS

- 25.1 Philip Haslett, Head of Education Strategy and Development, informed members of the forecast financial performance of the High Needs block in 2021/22. He explained that there was a worsening picture for the High Needs block this year. The key variance, £532,000, was within the High Needs unallocated budget line. The variance was comprised of a significant adjustment of £282,000 in the import/export calculation and a £250,000 adjustment for the mainstream top-up budgets, to support additional therapies and bespoke SEN packages. The cost of therapies and bespoke packages was not an additional cost, but should have been included in the initial budget planning.
- 25.2 The Forum was informed that there had been a rise in the number of children with an EHCP moving into further education and college placements, that had resulted in a forecast overspend of £172,000. Additional post-16 opportunities had resulted in a reduction in the use of independent post-16 providers, saving around £200,000 on 20 places. That had helped create a forecast underspend in the Independent Special Schools budget of £51,900.
- 25.3 There had been a rise in primary and secondary mainstream forecasts, £69,000 and £96,000 respectively. It was directly linked to a rise in excess of the historic trends, in the number of new EHCPs.
- 25.4 The Head of Education Strategy and Development explained that as a result of the adjustments outlined above, the expected annual overspend in High Needs had moved from £3,573,300 to £4,105,300. However, this was an improvement of over £1M on the overspend in 2020/21.
- 25.5 The Forum received details on the import and export adjustment. It was explained that Gloucestershire was a net exporter. That meant the number of Gloucestershire high needs pupils that other areas took in (exports) was above the number of every high needs pupil that Gloucestershire took in from another area (imports). A deduction of £1,140,000 was made from Gloucestershire's 2021/22 High Needs funding block, compared to £858,000 in 2020/21. A difference of -£282,000. Initial analysis by the LA had suggested that the increase was linked to the increase in the number of children with an EHCP moving into further education and college placements. However, the Gloucestershire Parent Carer Forum representative on the Forum reported that many Gloucestershire families were experiencing difficulties in finding special school provision in the county due to a lack of places and places that were suitable, and that it was not solely related to post-16 places.
- 25.6 The Head of Education Strategy and Development, agreed that he would provide Forum members with a further breakdown of the budget, to show the cost of special school placements per pupil in the county, and the cost of out of county independent special schools placements per pupil. It was also agreed that information on the Home to School Transport costs for children travelling to special schools in county, and independent special schools out of county, would be provided to the Forum.

ACTION: Head of Education Strategy and Development

- 25.7 The Forum noted the 2021/22 High Needs forecast and the variance to budget.
- 25.8 The Head of Education Strategy and Development explained that the growth trend for EHCPs was continuing as the numbers were rising. The period from January 2020 to January 2021 saw an increase of 420 EHCPs, compared to the 350 budgeted for. On average the cost of an EHCP plan had now risen to £20,000. Officers were working through the details and impact of the growth to better understand the spike in numbers. He warned that if the rise was sustained then it would impact on the ability to set a balanced budget within the 5-year High Needs plan. The Joint Additional Needs and High Needs Strategies remained focussed on enabling earlier intervention through a long term sustainable model to support a reduction in the rise of EHCPs. The 5-year plan was being updated to reflect the current trends in EHCP growth and would be presented at the 11 November Schools Forum meeting.
- 25.9 The Head of Education Strategy and Development explained that earlier intervention was not a panacea; and the Forum acknowledged that there remained a need for continued investment in High Needs from central government to deal with the substantial growth in the complexity of need coming into the system. It was noted that the financial year 2022/23 was the final year of the 3-year High Needs additional funding package which was announced by the government in the Autumn 2019. It was hoped that the continuation of additional investment in High Needs funding would be announced in the government's October Spending Review.
- 25.10 The Forum was informed that the new banded funding model was being finalised ready for a trial implementation with a small cohort of schools in January 2022. The descriptors that supported the new banding system had received feedback from all key stakeholders. The descriptors, provision maps and proposed funding levels would be brought to the next Schools Forum meeting in November for review and sign off.
- 25.11 The Head of Education Strategy and Development reported that the local authority was looking to develop the special school capacity to meet the rising levels of need. Based on the current trends approximately 100 more special school places per year would be needed in the county. There were a number of challenges involved in building new special schools, the key one being the limited capital funding available, and therefore the LA was looking at increasing capacity in the existing special schools. He would be working with the Gloucestershire Association of Special School Headteachers, to look at where those extra places could be accommodated.

26. CAPITAL

- 26.1 Gareth Vine, Universal Commissioning Manager, presented a report on Education Capital. He informed the Forum that the revised annual budget for the 2021/22 Schools capital programme was £41.591M. The financial year spend as at the end of August 2021 was £12.509M.

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- 26.2 The Forum received an update on the construction of the SEMH special school in Brockworth, Gloucester, and Gloucestershire's Alternative Provision Transformation Project.
- 26.3 The Universal Commissioning Manager reported that to meet the additional demand for primary places arising from existing housing and new development in Bishop's Cleeve, a new primary school would be built on land to the north of the village next to the Old Farmers Arms on Evesham Road. The school would form part of Gloucestershire Learning Alliance, Multi Academy Trust.
- 26.4 The Forum was informed that development of the new 900 place High School, Leckhampton was progressing at pace with the new provision scheduled to open September 2022. The new school, which was run by the Balcarras Academy Trust, opened as planned in September 2021 for pupils in Year 7 only in accommodation provided at the Balcarras site.
- 26.5 The Universal Commissioning manager explained that impact of the pandemic coupled with Brexit had been affecting the supply chains of some key materials, but had not caused any significant impact in Gloucestershire as yet. The situation would continue to be monitored on a monthly basis and mitigating plans developed where necessary.
- 26.6 Approval for a new secondary school and a primary school had been approved as part of the DfE's Wave free school applications (Beacon Secondary Academy, as part of Cotswold Beacon Academy Trust, and The Wheatridge Primary School, as part of The Crypt School Trust). The new schools would be centrally funded through the government's Free School programme. Both of the projects would be delayed by at least 2 years due to the impact of the pandemic and Brexit.
- 26.7 The Forum was informed that the DfE had also announced that two secondary academies in Gloucestershire - Katharine Lady Berkeley School, in Wotton Under Edge, and Thomas Keble School in Stroud, had been approved as part of phase 1 of the government's School's Rebuilding Programme.
- 26.7 The Forum noted the current position in respect of the Education capital projects.

27. F40 AND COVID-19 UPDATE

- 27.1 The Head of Education Strategy and Development reported that on the 6th September 2021 the DfE had announced details for the funding of the COVID recovery premium. Officers had now assessed the impact of the funding for schools in Gloucestershire. He explained that mainstream schools would receive £145 per eligible pupil and £290 for children in a special unit. All other schools would receive £290 per eligible pupil. It would be paid in four payments throughout the year, and in total would amount to a provisional allocation of £2.5M of Covid-19 recovery funding for Gloucestershire's schools. The funding was expected to be used to support evidence based approaches. He confirmed that the use and

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impact of the recovery premium must be reported as part of the Pupil Premium report and would be a focus of an Ofsted visit.

- 27.2 Forum members emphasised the importance of all schools being made aware of this funding. The Head of Education Strategy and Development confirmed that information on COVID recovery premium would be included in the HeadsUp bulletin.

ACTION: Head of Education Strategy and Development

- 27.3 A Primary School Headteacher representative on the Forum made reference to the fact that schools in Gloucestershire were missing out on Pupil Premium funding due to a change in the way it was being calculated. It was now calculated on free school meals eligibility in October rather than January as it was in previous years. She reported that the additional Covid-19 recovery funding being allocated to their school would not even cover the loss to their budget from the change to the Pupil Premium funding. The Head of Education Strategy and Development reported that the LA had completed an analysis on the impact of the change in terms of the loss of funding to Gloucestershire's schools, he would compare this with the additional funding being received as part of the Covid-19 recovery funding and raise as an issue at the meeting of the F40 on 20 September 2021.

ACTION: Head of Education Strategy and Development

Chair

Meeting concluded at 3.57 pm