

GLOUCESTERSHIRE SCHOOLS FORUM

Minutes of a meeting held on Wednesday 12 July 2023
The meeting was held remotely.

Present:

Helen Bond	- Gloucestershire Parent Carer Forum
Stephen Dean	- Primary School Headteachers (Academy)
Mikey Ezewudo	- Primary School Governors (Maintained)
Justin Godding	- Primary School Headteachers (Maintained)
Andrew Harris	- Community Representative
Kate Hawkins	- Special School Governors (Academy)
Chiquita Henson	- Secondary School Headteachers (Academy)
Becky Martin	- Special School Governors (Maintained)
Dermot McNiffe	- Secondary School Headteachers (Academy)
Will Morgan	- Secondary School Headteachers (Academy)
Sarah Murphy	- Unions
Roz Nelson	- Early Years
Wendy Newby	- Special School Headteachers (Maintained)
Liz Oakey	- Special School Headteachers (Academy)
David Williams	- Diocese of Gloucester

Substitutes: Amanda Peacey, Alternative Provision Schools

Observers: Cllr Philip Robinson - Cabinet Member for Education, Skills and Bus Transport

Apologies: David Alexander, Secondary School Headteachers (Maintained)
Matthew Bishop, Primary School Governors (Maintained)
David Kettleby, Post 16
Elisa Entwistle, Alternative Provision
Rhian Evans, Primary School Governors (Maintained)
Amanda Horniman, Early Years
Karen Lewis, Primary School Headteachers (Maintained)
Jon Millin, Primary School Headteachers (Maintained)
Alexander Norman, Secondary School Governors (Academy)

1. ELECTION OF THE SCHOOLS FORUM CHAIR

Having been duly proposed and seconded and there being no other nominations, Andrew Harris, community representative, was re-elected as the Chair for a two-year term of office.

2. MINUTES

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

- 2.1 The minutes of the previous meeting held on 12 January 2023, were approved as a correct record.
- 2.2 In regard to the actions from the last meeting members noted 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.
 - Benchmarking data on Education Health and Care Plans (EHCPs) would be circulated to the Forum ahead of the next meeting on 14 September 2023.
ACTION: The Head of Education Strategy and Development.
 - Officers had undertaken further modelling work on the band 4 adjusted funding rate which had resulted in bringing it closer to a zero variance. However, the modelling was showing that the costs involved with the new mainstream banding model were going to be marginally higher than previously forecast.

3. DECLARATIONS OF INTEREST

No declarations of interest were made.

4. PUBLIC QUESTIONS

No public questions had been received.

5. UPDATE ON EARLY YEARS SUPPLEMENTARY GRANT

- 5.1 Suzanne Hall, Finance Business Partner, informed the Forum that she had attended a DfE seminar on 11 July 2023 on the recently announced Early Years Supplementary Grant. She was able to give members a verbal update on the Supplementary Grant increases.
- 5.2 The Forum was informed that the total amount of the Supplementary Grant nationally was £204M; Gloucestershire would receive a proportion of this based on the pupil census numbers in January 2023 and the amount would be adjusted in due course to reflect the results of the census in January 2024. The increase to Early Years Dedicated Schools Grant (DSG) rates totalled 33p for 3- and 4-year-olds and £1.87 for 2-year-olds. The DfE recognised the importance of delivering the increases to providers as soon as possible so that they impacted on the Autumn and Spring terms. The base rates would be updated in accordance with these increases and would be paid through to the providers in September 2023. This was not cumulative, so the rates for 2024/25 would be subject to review; however, it was likely that the Supplementary Grant would be included within the DSG for 2024/25.
- 5.3 It was reported that Pupil Premium for Early Years would increase by 4p per eligible pupil. The Disability Access Fund would increase by £53 to £881 (in a full year) which providers would receive per eligible child.

- 5.4 Members were also informed that the DfE would be providing additional funding in the Early Years block to increase capacity within the Early Years market, and the DfE would be working with a number of local authorities on development projects for wraparound care.
- 5.5 In response to a question, it was agreed that the Forum would be provided with the Gloucestershire Early Years current DSG base rate figures.
ACTION: Finance Business Partner.

6. 2022/23 OUTTURN AND MAINTAINED SCHOOL BALANCES

- 6.1 The Head of Education Strategy and Development presented a report on the 2022/23 outturn and maintained school balances.
- 6.2 The Forum was informed that the 2022/23 in-year Dedicated Schools Grant (DSG) outturn position was an overspend of £11.541M resulting in a cumulative DSG deficit of £28.584M, representing 5.19% of the 2022/23 gross DSG budget. The full element of this deficit related to the High Needs block deficit.
- 6.3 The total deficit position before being offset by balances within the Schools Block and Early Years block was £30.152M. The balances related to an in-year underspend of £0.143M on the de-delegated budgets of maintained schools only, and within the Early Years block a carry forward balance of £0.5M from 2021/22 and a 2022/23 in-year underspend of £0.926M. The total Early Years block balance at the end of 2022/23 was £1.426M.
- 6.4 The Head of Education Strategy and Development clarified that the balances within the de-delegated budgets would be carried forward into the de-delegated budgets for 2023/24 and would not be used to offset the overall DSG deficit.
- 6.5 For High Needs, DSG funded services were over-spent by £28.584M in 2022/23, which included the deficit brought forward of £17.043M. The High Needs budget was £3.714M above the deficit budget that was set, with an in-year deficit of £10.046M. The budget pressures that Gloucestershire was facing reflected the national picture with significant deficits in the DSG High Needs being held in many local authorities.
- 6.6 The Forum agreed that the DSG deficit balance at the end of 2022/23 be earmarked, as shown in the report accompanying the agenda, and carried forward to 2023/24.
- 6.7 The Forum received an update on the maintained school balances at the end of the 2022/23 financial year. A total of 164 schools were in surplus, 23 schools were in deficit (4 more when compared to 2021/22). The total maintained school balances increased by £3.102M (13.3%) made up of: revenue balance increases of £1.548M (7.1%); capital balance increases of £1.957M (188.4%); and removal of £0.404M of balances relating to five academy conversions. 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.

- 6.8 The Head of Education Strategy and Development emphasised to members that looking forward it was a very challenging picture as 112 of the governor budget plans of maintained schools showed that their schools would be in a deficit budget position by 2025/26.
- 6.9 In response to a question, the Head of Education Strategy and Development reported that in 2021/22 revenue balances for maintained schools increased by £3.3M (17.8%) – a significantly better position than in 2022/23. The capital balances increased by £0.084M - a much lower amount than in 2022/23. Overall, this represented a more challenging financial position for schools in 2022/23. He agreed that maintained school balance figures for multiple years would be included in the future outturn reports.

ACTION: The Head of Education Strategy and Development.

- 6.10 Forum members representing academy schools emphasised that their schools were also facing significant challenges. Key concerns were around efficiencies that impacted on pupils, the rising costs in relation to utility bills and staffing and the funding received by schools being insufficient to meet the increasing costs making forward budget planning incredibly difficult. The Forum recognises the importance of these concerns being shared more widely in an aim to bring about a more equitable funding system within the National Funding Formula (NFF), particularly through the work the f40 Group.
- 6.11 The Finance Business Partner reported that the outturn position for non-DSG funded services was an overspend position of £18.37M (12.65% of budget) offset by £5.75M of Covid funding, which provided a reported overspend of £12.6M. The key variances were the external placements for children in care £15.809M; services for children with disabilities (£2.028M) due to the increased cost of care packages, including Section 76 contracts with Health, and disability service staffing costs; and home to school transport reported an overspend of £933k, primarily driven by the rising cost of SEND transport costs. The limited market availability for placements had given a year end cost pressure of £982k against the cost of supporting unaccompanied asylum seeker young people with the grants from the Home Office only offsetting part of the total cost. Other areas which over-spent included Section 17 and discretionary payments (£754k), legal costs (£618k) and commissioning support costs (£997k). The Forum was informed that these variances reflected the demand pressures in social care activity during the year.

7. HIGH NEEDS

- 7.1 The Head of Education Strategy and Development informed members that the forecast budget for High Needs in 2023/24 showed an expenditure of £105.8M against funding levels of £93M, creating an in-year deficit of £12.8M. In setting the 2022/23 budget, three-year trend data was utilised to forecast growth in each budget line. This approach, which had provided accurate forecasts in previous

years, was undermined by a significant step-change in the demand for High Needs support, predominantly through the increase in Education Health and Care Plans (EHCPs). To more accurately forecast the budget for 2023/24, mainstream EHCP growth numbers had been modelled based on the 2022/23 growth rather than a three year trend.

- 7.2 It was reported that the other key assumptions and decisions that underpinned the proposed budget were:
- The Local Authority had taken the decision to reduce the 1 in 40 model to 1 in 30 and put a protection in place. Whilst the Forum had not been in support of this change, if the model had stayed at 1 in 40 this would have increased the deficit by at least £2M in 2023/24. Consequently, the 1 in 40 model was no longer sustainable.
 - Special school places and top-ups had been increased based on planned growth of 71 specialist places to 1,466. It was anticipated that this would result in a small offset to the independent placement budget.
 - All specialist budgets including Alternative Provision and Hospital Education, incorporated inflationary uplifts of 3.4%.
 - The joint funded independent placement budget showed a reduction in expenditure, due to a number of high-cost placements that had ceased or were ceasing this year.
 - The independent school budget had been increased by £1.3M. This included a contingency for a 5% inflationary uplift.
 - All staffing budgets had a 2% inflationary increase included.
- 7.3 It was explained that taking all of those factors into account the local authority had forecast High Needs expenditure to rise by £11.232M in 2023/24. Funding levels had increased by £8.459M. This shortfall, alongside the existing overspend would result in a forecast deficit of £12.819M for the year and a cumulative deficit of £43.672M.
- 7.4 The Head of Education Strategy and Development informed members that throughout the year the local authority would keep oversight of three key indicators that sat behind the financial modelling, these being: the number of fully funded EHCPs maintained in the county; the provision in which children and young people with EHCPs were educated; and the average cost of provision.
- 7.5 The Forum was informed that the rate of growth in EHCPs had continued to increase. At the 1st May 2023, the number of supported plans totalled 5,467 at a rate of 31.1 per 1,000 0-24yrs olds. The rate per 1,000 remained below that of the data nationally and for statistical neighbours.
- 7.6 The Forum was informed that regarding the average High Needs funding per pupil, Gloucestershire received £939 per pupil compared to a median of £1,088 which was the 14th lowest of the 118 authorities included as part of the analysis. Being funded at the median level would make Gloucestershire's High Needs budget £107.8M, which would have resulted in a small and healthy surplus. In terms of the average High Needs funding per SEND pupil, Gloucestershire received £5,357 per

pupil compared to a median of £6,495 which was the 11th lowest. Being funded at the median level would make Gloucestershire's High Needs budget £112.8M. The Head of Education Strategy and Development emphasised that this clearly demonstrated that Gloucestershire was not receiving an equitable level of High Needs funding.

- 7.7 In response to a question, the Head of Education Strategy and Development agreed to provide the Forum with information on how the allocation of High Needs Funding to all local authorities was calculated. He explained that the key area of concern was that 50% of the formula was based on historic spend; this in effect represented a snapshot of when the current DSG was formed back in 2017 of how each local authority was spending its funding. In essence, local authorities that had invested more in specialist provision would have received a higher amount of High Needs block funding (at the point of formation of the formula) in comparison to local authorities that had invested more in supporting children with SEND within the mainstream. The inequity had then been locked in since 2017.
ACTION: The Head of Education Strategy and Development.
- 7.8 He reported that Buckinghamshire received £31M more High Needs block funding than Gloucestershire. He suggested that the context around Buckinghamshire was not that much different to Gloucestershire's to justify a £31M variance in High Needs DSG funding. He pointed out that even though Buckinghamshire received significantly more High Needs funding than Gloucestershire, they were involved in the DBV programme because their High Needs Block was also in deficit.
- 7.9 The DfE was due to undertake a review of the High Needs funding formula and the way in which it operated; this was now being linked to the SEND and Alternative Provision Improvement Plan. It was unlikely that there would be any changes coming forward within the next 12-18 months.
- 7.10 The Head of Education Strategy and Development reported that Gloucestershire, alongside 54 other LA's, had been participating in the DfE's Delivering Better Value (DBV) in SEND programme. The programme was part of the DfE's support package to help local authorities maintain effective SEND services whilst functioning sustainably. This had been an intense but helpful process in reviewing the local context alongside a peer group and with external oversight and challenge from Newton and CIPFA. Gloucestershire had now completed the three training modules and was preparing a submission to the programme board to access the grant funding.
- 7.11 In summary the core outputs from the modules showed:
- That when comparing Gloucestershire's EHCP data to statistical neighbours, this reinforced the message that the local authority had given over recent years, that Gloucestershire, whilst continuing to see a rise in EHCP numbers, had proportionately less plans than other local authorities.
 - That the proportion of children and young people with an EHCP accessing mainstream in Gloucestershire was above the upper quartile and in contrast to

other local authorities had been more stable and slightly rising over the past 3 years.

- The highest spend by provision was in maintained special and the second was in independent special. For local authorities that had the highest High Needs deficit, their highest spend area was in independent special provision.
- Unless measures were taken to mitigate the rising costs, expenditure was forecast to grow to £179M in 2028, whilst the High Needs block allocation was expected to rise to £104M in the same year.
- The deep dive case reviews that were undertaken showed that 63% of cases reviewed did not have ideal outcomes and that the child's needs could have been met in a better and more cost-effective way.
- Whilst opportunities to improve the local system were identified, a large gap remained between the forecast expenditure and the budget provided by the Education and Skills Funding Agency.

7.12 A member representing special school headteachers emphasised that it was critical that the local authority increased the number of special schools in the county as the existing special schools did not have any more capacity. A question was raised on what plans were in place to provide more specialist provision for secondary school aged pupils. In response, it was explained that the local authority had bid for two new special schools (200 places in each school) in wave 15 of the DfE's Free School Programme. However, the bids had been unsuccessful. The feedback received was that the two bids could have been approved but they did not demonstrate the highest level of need. The Head of Education Strategy and Development explained that officers had provided feedback to the DfE that they were disappointed the process had delayed the investment of the local authority's own capital funding into new special schools by at least 12 months, due to the focus being on the opportunity to bid for central government capital funding. The plan now was for the local authority to use its own capital funding and move forward with the development of one of the special schools; subject to the relevant approvals the school should be open by January 2026.

7.13 It was reported that the DBV programme had identified opportunities to mitigate the funding pressures. Three of the four opportunity areas identified were rooted in a strengthening of universal SEND and inclusion support. If the universal offer was strengthened, then there would be a reduction in need for EHCP support, which in turn would reduce pressure on special school and independent special school places. Consequently, the local authority planned to use the £1M grant to 'pump prime' activity in the four opportunity areas including to support the design and development of a SEND and Inclusion programme for schools and settings, and to strengthen commissioning and information advice and guidance for post-16.

7.14 One member pointed out that there were more children with EHCPs in mainstream schools in Gloucestershire in comparison to most other local authority areas, but the deep dive exercise had identified that for 63% of the cases reviewed, the child did not have ideal outcomes. Despite this, the local authority's intention was to keep more children with SEND in mainstream settings. The member suggested that additional funding would need to be directed to mainstream schools in order to

adequately support inclusion. In response, the Head of Education Strategy and Development explained that the case reviews found that there were still children within specialist provision, that if appropriate support had been provided earlier in their education, this would have prevented them having to access specialist provision. He made the point that there was a significant dataset behind this which if Forum members wished to consider, at a future meeting, this could be arranged.

- 7.15 He also explained that the DBV programme had identified that a strengthening of SEND and inclusion support would reduce the pressure on special schools. He recognised, however, that mainstream school budgets were already stretched and there was no mechanism to provide additional funding for mainstream schools to strengthen SEND inclusion support. As part of its work with the f40 Group the local authority would be advocating for increased investment in the mainstream sector so that the SEND and Alternative Provision Improvement Plan could be delivered in the way it was intended to be, to ensure better outcomes for children and young people with SEND.
- 7.16 A Forum member representing Early Years questioned whether Early Years EHCP data had been considered as part of the DBV programme's work, as crucially staff within Early Years were often those who first identified children with additional needs. She emphasised that the current situation was challenging as the level of need was rising and the number of children with SEND was increasing each year. In addition, access to services was becoming more of an issue as the pool of resources and advice appeared to be reducing. The Head of Education Strategy and Development confirmed that Early Years EHCP data (including EHCPs that were not yet agreed but were going through the process) had been considered as part of the DBV programme's work, and that Early Years would be included as part of the SEND improvement programme work with settings.
- 7.17 One member made reference to Fischer Family Trust data, which he said detailed that nationally, the overall attendance level for EHCP students in mainstream settings was at 83%. He suggested there needed to be increased backing from government and local authorities around the expectations and accountabilities of families to ensure that EHCP students attended school. He indicated that this would lead to better outcomes for the child and result in better value for money from the funding that was being allocated to mainstream schools to support SEND inclusion. The Head of Education Strategy and Development acknowledged that overall attendance levels had dipped quite significantly since Covid and were yet to return to pre-Covid levels. He confirmed that attendance levels of EHCP students had not been considered as part of the DBV programme work but felt there would be value in exploring this issue. He agreed to meet with the member outside of the meeting to discuss this further.
- 7.18 In response to a question from a Forum member representing headteachers of special schools, the Head of Education Strategy and Development agreed to look at undertaking a mapping exercise around the transition of children from primary special schools to primary mainstream schools, with the SEND Team. He agreed

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to discuss with the member outside of the meeting, the possibility of developing a pilot project with their school.

- 7.19 Members were informed of the intended impacts of the current improvement programme and the risks and challenges. Members were also informed that the local authority had made a significant investment in SEND casework (£1.6M in 2022/23 and £0.8M in 2023/24) this would have a material impact on the authority meeting timelines particularly in regard to processing EHCP requests and would enable staff to build better relationships with parents/carers and strengthen the annual review process. The authority was also developing the inclusion visits which were part of the new attendance guidance and adapting the Education Psychology, and Alternative to Suspension Service, to make them more school facing.
- 7.20 The Head of Education Strategy and Development informed members that overall, the DBV process had provided a reassurance that the local system was well understood and that the priorities the local authority had identified in its inclusion and SEND strategies were entirely appropriate. He emphasised that the DfE had been expecting the DBV programme to find solutions to the High Needs deficit. However, the evidence base that was being collated by the programme, would provide an unequivocal message back to the DfE and ESFA, that this had not been caused by local authority mismanagement of the funding, that there was no panacea to address the issues, and that funding levels, and or, policies needed to change.
- 7.21 The Forum was in support of the local authority's application for DBV grant funding to support:
- The design, development and implementation of a SEND and Inclusion programme; and
 - The improvement of specialist commissioning and advice and guidance for post-16 provision.

8. ANNUAL REVIEW OF THE GLOUCESTERSHIRE SCHOOLS FORUM CONSTITUTION AND MEMBERSHIP STRUCTURE

The Forum considered the current Gloucestershire Schools Forum Constitution and Membership Structure and agreed that no changes were needed.

9. F40

- 9.1 The Head of Education Strategy and Development gave an update on recent f40 Group activities as part of its campaign to raise awareness and lobby government for changes to education funding.
- 9.2 He explained that the Group had now developed an alternative NFF model; the aim of which was to promote fairer school funding. The key difference in the Group's model, in comparison to the DfE's NFF, was that all of the deprivation and additional needs factors that were in the current NFF were allocated before the minimum per pupil funding level, so that schools would receive the minimum per

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pupil amount to fund education and then the deprivation and additional needs factors were provided in full, on top of this.

- 9.3 The Head of Education Strategy and Development presented two graphs, one which demonstrated the significant variances in the High Needs block allocations 2023/24 across local authorities, and the second which demonstrated the significant variations in gross DSG allocation per mainstream pupil by local authority. He pointed out that as both graphs highlighted the f40 member authorities, it was clear to see that f40 member authorities were amongst the lowest funded in the country, with the exception of a few outliers.
- 9.4 He referred to the Action for f40 document, which set out what the f40 Group considered to be the core High Needs issues and the Group's view that an additional £4.6bn of funding was required each year to meet unfunded growth and inflation, and to prevent the crisis in High Needs from worsening and deficit budgets from increasing.
- 9.5 The f40 Group had a number of activities planned in the coming months, including an MPs briefing in September 2023; the focus of the session would be on raising awareness of the concerns around SEND provision and SEND funding, along with the wider issues of fairness and quantum of funding. The Group would be meeting with the Shadow Education Team in October 2023, and with the DfE's Funding Policy Team and the SEND Team in the new academic year 2023.
- 9.6 It was also reported that the Collaboration Group had reformed; its members were from a number of organisations including teaching unions, the County Councils Network, The Society of County Treasures, and the f40. The Collaboration Group was identifying the current core funding issues and what changes were needed to the funding policies, in order to deliver this message to government ahead of the Autumn Funding Statement 2023.

10. MEETING DATES 2023/24

The Forum noted the following future meetings dates.

2023

Thursday 14 September at 2:00pm (In-person at Shire Hall)

Thursday 9 November at 2:00pm (Remote via Microsoft Teams)

2024

Thursday 11 January at 2:00pm (In-person at Shire Hall)

Thursday 13 June at 2:00pm (Remote via Microsoft Teams)

Thursday 12 September at 2:00pm (In-person at Shire Hall)

Thursday 7 November at 2:00pm (Remote via Microsoft Teams)

Chairman

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Meeting concluded at 4:04pm

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