

SCHOOLS' FORUM

19 January 2022

Commenced: 10.00am

Terminated: 11.55am

Present:	Karen Burns (Chair)	Primary Schools – Academies
	Susan Marsh	Governor, Primary Schools – L/A Maintained
	Steve Marsland	Primary Schools – L/A Maintained
	Gemma Patterson	Primary Schools – L/A Maintained
	Kirsty Rimmer	Primary Schools – L/A Maintained
	Lisa Lockett	Primary Schools – L/A Maintained
	Lisa Gallaher	Primary Schools – L/A Maintained
	John Cooper	Primary Schools – L/A Maintained
	Simon Breerton	Primary Schools – L/A Maintained
	Richard O'Regan	Secondary Schools – L/A Maintained
	Heather Farrell	Primary Schools – Academies
	Simon Wright	Primary Schools – Academies
	Iain Linsdell	Primary Schools – Academies
	Andrew Foord	Headteacher, Special Schools – L/A Maintained
	Elizabeth Jones	Governor, Secondary Schools – L/A Maintained
	Donal Townson	Governor, Primary Schools – L/A Maintained
	Gill McFadden	Business Manager – Secondary Academies
	Anthony Benedict	Pupil Referral Service
	Anne Morgan	Tameside Teachers' Consultative Committee
	Elaine Horridge	Diocesan Representative
	Elaine Sagar	Early Years Private, Voluntary and Independent Sector
	Councillor Leanne Feeley	Executive Member
	Tim Bowman	Director, Education (Tameside and Stockport)
	Bernadette Wilde	Head of HR Operations and Workforce Strategy
	Christine Mullins	Finance Business Partner TMBC
	Louisa Siddall	Senior Accountant, TMBC
	Wendy Lees	Finance Manager
Apologies for absence:	Anton McGrath	14-19 Sector
	Mark Bidgood	Primary Schools - Academies
	Councillor Oliver Ryan	Executive Member

19 DECLARATIONS OF INTEREST

There were no declarations of interest from Members of Forum.

20 MINUTES

Consideration was given to the minutes of the meeting of the School's Forum, held on 28 September 2021.

RESOLVED

That, with the agreed amendment, the minutes of the meeting of Schools' Forum held on 28 September 2021 be approved as a correct record.

21 DEDICATED SCHOOLS GRANT BUDGET UPDATE 2021-22

Consideration was given to a report from the Assistant Director of Finance and Director of Education (Tameside and Stockport), which provided an update on the Dedicated Schools Grant (DSG)

position for the financial year 2021-22 and an update on the Early Years financial outturn for 2020-21.

An update was provided for Members in relation to the current DSG settlement for 2021-22 and projected distribution/spend. It was explained that there was an overall, in-year deficit of £2.032m forecast.

A forecast surplus of £0.178m on the Schools Block was highlighted and Members were informed that this related to actual rates being lower than estimated and unallocated growth. Members were reminded that, as previously agreed at Schools' Forum, this unallocated growth would be used to support the deficit on the Dedicated Schools Grant (DSG).

It was stated that the Central Schools Service Block was expected to be spent in full and that the projected in-year deficit on the High Needs Block was expected to be £3.179m, which would reduce to £2.301m following the transfer from the Schools Block. Members were also informed that a further £0.384m of estimated in-year growth for January-March 2022 had also been included in this figure and a detailed breakdown of expected growth across all sectors was provided.

In relation to the Early Years Block, Members were made aware that there would be an estimated surplus of £0.091m.

With regard to the High Needs Budget for 2021-22, a detailed breakdown of the budget position was provided and Members were informed that there had been an increase in the in-year deficit of £1.164m. It was explained that this was in line with expected growth in numbers of Education Health and Care Plans (EHCP), as previously reported. A detailed picture of this growth across all sectors was provided and Members were informed that this would continue to be monitored closely.

Details of the final Early Years settlement for 2020-21 were provided and it was stated that, for 2020-21, the overall settlement for Early Years had decreased by £0.287m. As previously reported, it was estimated that there would be a reduction of £0.293m in the final settlement, which had resulted in a surplus of £0.397m rather than the estimated £0.392m. It was confirmed that this additional surplus would be required to support the wider DSG deficit and that the variation against the actual settlement related to additional funding received from the Early Years Pupil Premium.

Members were also provided with a detailed breakdown of the Early Years forecast for 2021-22, which reflected the current settlement compared with the forecast distribution/spend. It was stated that there was a forecast surplus of around £0.091m. However, it was explained that this would be adjusted in line with data collections from the summer and autumn terms and an estimated clawback of £0.696m.

Members were made aware that there was an anticipated underspend on the centrally retained elements of Early Years funding in 2021-22 and that this would be required to support the deficit on the Special Educational Needs Inclusion Fund (SENIF). It was also acknowledged that it was extremely difficult to forecast the uptake of places, especially in light of the pandemic and it was noted that this complex area of funding would continue to be closely monitored.

Details on the closing position of the DSG reserve for 2020-21 and the estimated position of the DSG at 31 March 2022 were provided. Members were informed that, if the 2021-22 projections materialised, there would be a deficit of £3.712m on the DSG. It was noted that a Deficit Recovery Plan had been developed and submitted to the DfE and that discussions in relation to this were ongoing, with this position continuing to be closely monitored throughout the year.

It was noted that some information in relation to the centrally retained element of Early Years Funding had previously been provided and that this was hoped to address the relationship between PVI's and schools and associated school readiness amongst children. It was also noted that a working group was currently being developed in order to support this.

Discussion ensued in relation to the High Needs position. It was noted that the challenge in meeting

sufficiency relied on the ability to expand specialist provision, whilst also effectively increasing inclusion within mainstream settings. It was suggested that this was an area, which would require close monitoring and Members highlighted the importance of effective collaboration between mainstream and special sectors, alongside the need for enhanced SENCO induction and support. Members were also informed that a copy of the SEND area inspection letter would be circulated following the meeting.

It was suggested that it would be useful to look in more detail at the growth of new EHCPs broken down further into primary and secondary sectors, and noted that this would be a useful piece of work, which could be undertaken in the near future. Alongside this, it was also suggested that work on how funding was being spent to provide effective support for SEND provision across mainstream settings could be undertaken in order to ensure value for money and to provide opportunities to identify and share best practice.

RESOLVED

That the contents of the report be noted and supported.

22 SCHOOLS' FUNDING FORMULA 2022-23

Consideration was given to a report of the Assistant Director of Finance and Director of Education (Tameside and Stockport), which outlined the arrangements concerning the Dedicated Schools Grant (DSG) funding for 2022-23 and details of the supplementary grant provided to address increased costs to schools.

Members were informed that a provisional DSG settlement for 2022-23 of £240.507m was received on 16 December 2021, with accompanying essential data released on 20 December 2021. A detailed breakdown of this settlement for the four blocks of DSG was provided, alongside details of supplementary funding.

It was noted that the Schools Block had seen an increase of £7.662m in relation to an increase in pupil numbers, uplift for RPIX on PFI and an increase in DfE rates. It was also explained that the increase of £3.421 on the High Needs Block was in relation to an increase in pupil numbers and per head gain as a result of the National Funding Formula.

With regard to Early Years funding, it was noted that there had been a reduction of £0.529m in this area due to reducing numbers offset by an increase in DfE funding rates, whilst the Central Services Schools Block had seen a small increase of £0.068m, relating to an increase in pupil numbers and DfE funding rate.

Details were provided on how the Schools Block funding, which totalled £190,743, had been calculated by DfE. It was highlighted that business rates were estimated and that, in contrast to previous years, this would be removed from Tameside's allocations and retained by the DfE, who would pay this to rating authorities on behalf of all Tameside's schools and academies. This would leave a total allocation within the Schools Block of £188,731.

In line with previous consultation, Members were informed that the Minimum Funding Guarantee (MFG) had been set at 0.5%, whilst the Gains Cap had been set at 4.61%. It was noted that, any gain above this, would be used to partly offset the MFG and allow a balanced Schools Block budget to be set.

Members were advised that the Growth Policy had been agreed by School's Forum in 2019 and this continued to be the method used for allocating explicit growth. It was explained that the estimated Growth Fund required in 2022-23 would be £1.3m and a detailed breakdown both implicit and explicit growth was provided for Members.

Members were requested to support safeguarding in the borough by agreeing to provide a contribution of £2.99 per pupil towards the cost of Tameside Safeguarding Children Partnership (TSCP) for 2022-23, which would equate to approximately £0.105m.

Members were made aware that, in addition to the Schools Block DSG settlement, DfE had announced a supplementary grant for mainstream school in order to support the cost of the Health and Social care Levy alongside wider costs. It was explained that this would be paid as a separate grant for 2022-23 and that it was the DfE's intention for this to be included in the DSG allocation from 2023-24. However, it was noted that the final figures would not be provided until spring 2022.

Outcomes of the Schools Funding Consultation were shared with Members as follows:

- a. Support was given for a 0.5% transfer from the Schools Block to the High Needs block. 67% (20 respondents) supported the transfer, 33% (10 respondents) did not.
- b. Support was not given for a 1% transfer. 74% (23 respondents) do not support this proposal, 26% (8 respondents) did support the transfer

In relation to these responses, it was noted that a number of schools had cited increasing cost pressures in schools arising from term time only costs and increased national insurance contributions. It was also noted that some schools did not believe, even if schools supported the 1%, that the Secretary of State would allow it.

In relation to the High Needs Block, it was stated that the provisional 2022-23 High Needs Block allocation of £31.617m (before academy recoupment) had been released and explained that this represented an increase in funding (12%) from the previous year. It was also stated that this included an additional £0.350m to cover the growth in pupil numbers.

In addition, Members were made aware that the Local Authority had also received supplementary funding of £1.300m. It was explained that this extra funding recognised the additional costs, which local authorities and schools would face during the coming year, including the Health and Social Care Levy, as previously stated.

Changes in the settlement compared to 2021-22 were outlined for Members and it was noted that the allocation was subject to further adjustments, including:

- The outcome of the Place change request in November 2021 which adjusts recoupment of academy places in September 2022, an expected adjustment to funding of £0.298m is included.
- Import and Export adjustments to reflect cross border movement of pupils living in one borough and accessing provision in another

A detailed breakdown of the number of current and commissioned places for special schools and resourced units was presented and Members were advised that there would be ongoing conversations with Tameside Pupil Referral Service (TPRS) with regard to the commissioned numbers for September 2022.

With regard to the projected position for the High Needs Deficit, a detailed forecast was provided, which outlined the budget forecast, after the 0.50% transfer from schools for 2022-23 and highlighted the potential impact of the expected growth up to 2025-26. Members were advised that an update on the recovery plan would be brought back to Schools Forum at a future meeting.

Members were provided with information in relation to the current funding settlement for Early Years 2021-22 and 2022-23. It was noted that confirmation of the basis of the settlement for the provisional 2022-23 information was being sought and that this would be updated based on January 2022 and January 2023 census data.

The reductions in funding for 3 and 4 Year Olds and 2 Year Olds was explained, along with the increases in funding for Early Years Pupil Premium (EYPP) and Disabled Access Fund (DAF). It was noted that consultation would need to be held with Early Years providers in relation to increased rates and Members were made aware that an additional Schools Forum meeting had been arranged for 15 March 2022 in order to agree the rates of allocation for this element of funding.

Members were advised that, following this report, approval would be sought to centrally retain 5% (in line with national guidance) of 3 and 4 Year Old funding (£0.701m based on the current settlement) and £0.13 per hour (as a minimum) of 2 Year Old funding (£0.061m based on the current settlement). It was noted that this centrally retained funding would continue to support the following:

- Early Education Funding Team
- Family Information Services
- Early Years Quality Improvement Team
- SEN Team
- Social Emotional and Mental Health service
- Sensory Support
- Making it REAL (Raising Early Achievement in Literacy)

In relation to the Central School Services Block (CSSB), Members were informed that the total allocation for 2022-23 was £1.182m, which was based on a per pupil element of £33.83 for ongoing duties. It was noted that National Copyright School Licenses were also funded from this block and would equate to £0.189m.

In line with DSG operational guidance, the support of schools' Forum was sought for the central retention of funding in relation to: School Admissions; servicing of Schools Forum and; contribution to responsibilities that local authorities hold for all schools (formally the retained duties element of the ESG). It was noted that, whilst budgets for these areas were still being worked on, the costs were estimated to be in excess of £1.102m, with £0.993m currently available to support these costs, with the approval of Forum Members.

Discussion ensued in relation to the High Needs Block, including the implications of import/export and how these challenges could be addressed. It was acknowledged that work needed to continue in relation to ensuring improved standards of inclusion for SEND pupils within mainstream settings and the increase in specialist provision within borough.

Further clarification was sought in relation to the rates for Early Years funding and Members were advised that this would be discussed in more detail at the next meeting of Schools' Forum, which was scheduled for 15 March 2022.

RESOLVED

- (i) **That the funding formula for mainstream schools as set out in Section 3 be approved.**
- (ii) **That the growth fund, as outlined in Section 3, be approved.**
- (iii) **That approval of 0.5% transfer from the Schools Block to High Needs Block, further to the outcome of consultation, be noted.**
- (iv) **That continued contribution to Tameside Safeguarding Children's Partnership be approved.**
- (v) **That the allocation of the Central Services Schools Block be approved.**
- (vi) **That central retention of Early Years Funding be approved.**

23 SCHOOL DE-DELEGATION 2022/23

Consideration was given to a report of the Assistant Director of Finance, Assistant Director of People and Workforce development and Director of Education (Tameside and Stockport). The report provided information for Members on the de-delegation of services and Risk Protection Arrangement (RPA) for 2022-23.

Members were advised that, historically, the Council had offered Tameside schools access to the services of recognised local trade union and professional association officials, through the annual purchase of a Trade Union Support Service Level Agreement (SLA). It was explained that maintained schools, initially, had access to this offer funded through de-delegation but that this offer was also available on a buy-back basis to all academies and special schools.

The trade unions presently recognised, which form part of this offer, were outlined, including:

Teaching staff:

- ASCL
- NAHT
- NASUWT
- NEU

Support staff:

- GMB
- UNISON
- UNITE

Members were advised that purchase of this trade union support would enable the delivery of statutory obligations and a number of benefits that could be achieved through effective collaboration between school leaders/governors and local trade union representatives were outlined. These included:

- achieving smooth, speedy and effective management of change;
- support with school reorganisation plans and implementation of employment related policies and procedures for school-based staff;
- support for staff wellbeing and;
- support and expertise in employment related matters at a local level.

It was stated that take up of this service in recent years had reduced and for 2020-21 there had been 37 of 98 Tameside schools. Concerns, which had been previously raised by school leaders in relation to this service were outlined as follows:

- its value for money, within the context of school leaders being aware of lower 'per pupil rates' across other Councils;
- the transparency of actual trade union duties being delivered directly to schools and staff;
- the difference of service provision from a local full time official versus a school based shop steward;
- how the SLA offer aligns to the DfE document 'Advice on trade union facility time', January 2014, more specifically the statement that 'All union representatives who receive facility time to represent members employed in schools should spend the majority of their working hours carrying out their main duties as school employees' and;
- whether the existing Facilities Agreements remain fit for purpose due to their longevity.

In response to these concerns, Members were informed that much discussion and work had been undertaken, throughout the year, with the aim of seeking a resolution and increasing support, value and buy-in from schools. A brief outline actions, which the Council had taken to try and alleviate these concerns was provided, which included:

- A review of the existing Facilities Agreements with regional trade unions officials, ensuring clearer transparency and accountability of facilities time and activities undertaken on behalf of schools. The revised agreements are to be implemented by the Council from January 2022.
- A change to the methodology of the charging regime for schools in relation to non-teaching staff local trade union representatives, resulting in a reduced 'per pupil' cost for schools.
- Commitment to introducing a different delivery model for the supply of teaching staff local trade union representatives and their facilities time, introduced on a transitional basis over the next two financial years. The Council will work with relevant stakeholders including school leader representatives on developing the new delivery model, with the revised model to be fully operational by April 2024.

This revised delivery model is in response to the request of school leaders to move towards teaching staff local trade union representatives being employed within schools and allocated facility time as part of their normal teaching working week, to undertake trade union duties on a part time basis, funded through a pooled arrangement.

The rationale for this preferred model of delivery is it fully supports the concept that teaching staff should remain active in the school setting and have current classroom practice so not losing their valuable teaching skills and experience. Regional teaching staff trade union representatives also endorse this preferred model of delivery.

- A presentation delivered to school leaders/governors to advise in greater detail the rationale behind actions taken to date by the Council and the future plans, in response to school leaders concerns and future plans.

Members were informed that, following feedback from school leaders and regional non-teaching trade union representatives, the Council had adapted its charging regime for this service and a new charging regime had enabled a significantly reduced 'per pupil' rate for the financial year 2022-23 of £4.80, as opposed to the previous 2021-22 charge rate of £6.13.

It was confirmed that this service would also remain available to purchase by academy and special schools and noted that the more schools that buy in, the greater the reduction in the 'per pupil' rate. This was illustrated with an example of a buy in from 98 schools, where the 'per pupil' cost would reduce to less than £3.50 for 2022-23.

It was emphasised that the vote to de-delegate was fully endorsed by the Council's Director of Education and national trade union representatives. In addition, written representations, which had previously been circulated to school leaders and Council representatives, were provided for Members.

Members were made aware that, should all of these actions and plans still not achieve the required level of buy-in to enable full cost recovery, then, due to the present financial position of the Council, a full review of this service offer to schools would need to be undertaken.

The purpose of the Contingency budget was outlined for Members, who were advised that this had been established to support those schools facing a deficit budget position or to support the Dedicated Schools Grant (DSG) against any future pressures, for example, where schools were closing or forced to convert to an academy, which would leave a deficit balance.

Members were advised that the de-delegation rate for Contingency for 2022-23 would remain at £5.81 per pupil and agreement was sought from both primary and secondary sectors to de-delegate. It was noted that, if both sectors chose to contribute, this would result in the following contribution to Contingency (based on October 2021 census data):

- Mainstream Primary Maintained Schools - £67k
- Mainstream Secondary Maintained Schools - £33k

Previous requests made the Contingency Fund during 2021-22 were outlined for Members and balances in Contingency contributions were provided, which totalled £166,020.42 and would be carried forwards. Members were also advised that a maximum level of the fund had previously been agreed and set at £424,000 (June 2021) for both sectors.

Members were informed that the DfE had proposed to remove the School Improvement and Brokeridge Grant, which the Local Authority currently receives from DfE of £231,000 to support statutory school improvement functions. It was stated that, in 2022-23, the Council would receive transitional funding of 50%. Therefore, it was advised that de-delegation of schools funding to support the remaining 50% of ongoing statutory functions activity cost was sought.

It was confirmed that DfE consultation had been undertaken and a link to this was provided. A formal response had been submitted to the DfE in response to this proposal, which highlighted the following concerns:

- Although formal powers of intervention had not been used a great deal, the grant is used to meet needs before schools reach this critical point of failure and therefore monies are used to support schools to prevent them from failing children before being eligible for intervention.
- School improvement activity in Tameside is not limited to maintained schools only, support is provided to academy schools too. Removal of this grant and funding would remove the ability to support the whole sector and be detrimental to the whole Education offer in Tameside.
- De-delegation would present an uneven playing field between MAT's and maintained schools, MATs do not need to seek permission of schools to top slice school budgets to provide improvement support.
- Removal of this central government grant to fund school improvement functions is transferring the cost and applying more pressure to the schools block funding of the DSG.
- The timeline for the change makes decision making and informed consultation very difficult.

Members were informed that the outcome of this consultation had been released on 11 January and it had now been confirmed that the grant would be cut.

As previously explained, it was noted that DfE would provide a supplementary grant to schools, alongside the Dedicated Schools Grant (DSG), in order to support the new Health and Social Care Levy and wider costs. However, concerns were raised in relation to the Schools Improvement Service's ability to deliver its statutory functions without the grant and, therefore, the importance of these de-delegation contributions for 2022-23 was emphasised.

Members were made aware that the cost of Schools Improvement for 2022-23 would be £6.12 per pupil and it was explained that this would at least double in 2023-24, as the LA would receive 50% transitional grant in 2022-23. However, it was noted that the cost of the service would need to be de-delegated in full from schools in 2023-24.

With regard to the Risk Protection Arrangement (RPA), it was confirmed that, where schools had previously opted in to this arrangement (2021-22), membership would continue on an ongoing basis. Members were also advised that, should a school choose to opt out of this arrangement, they would need to make their own Risk protections arrangements going forwards. It was noted that the cost of RPA for 2022-23 was £21 per pupil.

In advance of the Schools Forum voting on de-delegation, some Members of Forum explained that there had been detailed discussion with regard to de-delegation of services amongst school leaders. It was noted that a great deal of information had been considered by headteachers and that a consultation had taken place amongst primary school colleagues to canvas views, with a high response rate of 88%.

With regard to the de-delegation of trade union support for primary headteachers, it was stated that the consultation found 67% of participants did not support the de-delegation of this service and 70% of participants did not support de-delegation for Contingency. The sectors requested the pots remained separate.

With regard to Schools Improvement, it was noted that a group discussion amongst headteachers had taken place and a letter had been shared to canvas views. Following this, it was noted that Schools Forum Members were satisfied that headteachers had been given an opportunity to provide responses and the view was that they would be in agreement to support School Improvement.

Academy schools also voice their support of the work done at Tameside and were supportive of a contribution from that sector too recognising the cohesive approach that was taken by Tameside School Improvement service to support all schools and Academies in the borough.

RESOLVED

- (i) That the contents of the report and change in rate of the RPA scheme be noted.
- (ii) That de-delegation of trade union support for Maintained Primary Schools be rejected.
- (iii) That de-delegation to the Contingency Fund for Maintained Primary Schools be rejected.
- (iv) That de-delegation of Schools Improvement funding for Maintained Primary Schools be approved.
- (v) That de-delegation of trade union support for Maintained Secondary Schools be approved.
- (vi) That de-delegation to the Contingency Fund for Maintained Secondary Schools be approved.
- (vii) That de-delegation of Schools Improvement funding for Maintained Secondary Schools be approved.

24 SCHOOLS' FORUM FORWARD PLAN

Consideration was given to a report of the Assistant Director of Finance and the Director of Education (Tameside and Stockport), which provided Members of Schools' Forum with a forward plan of reports and meeting dates for the financial year 2022-23.

Meeting dates were confirmed as follows:

Date	Venue
Tuesday 15 March 2022	Zoom
Tuesday 21 June 2022	Zoom
Tuesday 27 September 2022	Zoom
Tuesday 29 November 2022	Zoom
Thursday 19 January 2023	Zoom

RESOLVED

That the contents of the report be noted.

25 DATE OF NEXT MEETING

RESOLVED

That the next meeting of The Schools Forum be held on Tuesday 15 March 2022 at 10am.

CHAIR