

## SCHOOLS' FORUM

26 September 2023

Commenced: 10.00am

Terminated: 11.35am

<b>Present:</b>	Karen Burns (Chair)	Primary Schools – Academies
	Susan Marsh	Primary Schools – L/A Maintained
	Kirsty Rimmer	Primary Schools – L/A Maintained
	Lisa Lockett	Primary Schools – L/A Maintained
	Steve Marsland	Primary Schools – L/A Maintained
	Gemma Patterson	Primary Schools – L/A Maintained
	Simon Brereton	Primary Schools – L/A Maintained
	Pierre Coiffait	Special Schools – L/A Maintained
	Bev Oldham	Primary Schools - Academies
	David Waugh	Secondary Schools - Academies
	Anthony Benedict	Pupil Referral Service
	Anne Morgan	Tameside Teachers' Consultative Committee
	Lisa Richards	16-19 Sector
	Cllr Feeley	Executive Member
	Cllr North	Executive Member
	Jerome Francis	Finance Business Partner
	Louisa Siddall	Senior Finance Manager
	Wendy Lees	Finance Manager
	Jane Sowerby	Assistant Director, Education
<b>Apologies for absence:</b>	Elaine Horridge	Diocesan Representative
	John Cooper	Primary Schools – L/A Maintained
	Lisa Gallagher	Primary Schools – L/A Maintained

### 7 APPOINTMENT OF CHAIR AND DEPUTY CHAIR

#### RESOLVED

That Karen Burns be appointed as Chair and Susan Marsh be appointed as Deputy Chair of the Schools' Forum for the 2023-24 Academic Year.

### 8 DECLARATIONS OF INTEREST

The following Members declared an interest in Agenda Item 6:

- Pierre Coiffait
- Anthony Benedict

Both Members withdrew from the meeting during discussion and voting on this item.

### 9 MINUTES

Consideration was given to the minutes of the meeting of the School's Forum, which was held on 20 June 2023.

#### RESOLVED

That the minutes of the meeting of Schools' Forum, which was held on 20 June 2023, be approved as a correct record.

## 10 SCHOOLS' FORUM TERMS OF REFERENCE, PRINCIPLES AND CONSTITUTION

Consideration was given to a report of the Chief Executive, giving details of the Terms of Reference for Schools' Forum, which included the guiding principles and constitution of the Forum. The Terms of Reference had been established to provide an overview of the purpose and functions of the Schools Forum with guiding principles covering the expectations of all Schools Forum members in relation to their role as a member, to ensure the consultation and decision-making was effective and fair.

The documents reflected the Department for Education guidance for Schools' Forum published in March 2021.

In considering the report, members noted that there were currently 6 vacancies within Schools' Forum, for this academic year, which included:

- 2 Academy Primary School representatives
- 1 Maintained Secondary School representative
- 1 Non-School Member (Early Years Private, Voluntary and Independent Sector)
- 1 Non-School Member (Roman Catholic Diocese)
- 1 Academy Special School representative

It was also noted that Gemma Patterson would, in the future, transfer from maintained primary representative to academy primary representative. It was explained that this would fill one of the academy vacancies and create a vacancy for a primary maintained member.

Members undertook to raise this matter at suitable forums and agreed to feedback through the clerk and Chair of Schools Forum in advance of the next meeting.

### **RESOLVED**

- (i) That the Terms of Reference, Forum Principles, Constitution and membership of Schools' Forum be noted and approved for publication on the Council's website.**
- (ii) That current vacancies within Schools' Forum membership be raised at suitable forums and groups, as appropriate.**

## 11 SCHOOL BALANCES

Consideration was given to a report of the Interim Assistant Director of Finance and Assistant Director of Education, which provided further review of 2022-23 excess surplus balances at risk of clawback and details of the 2023-24 surplus balances approved in line with the balance mechanism scheme.

Members were reminded that, at the last meeting of Forum, Members were made aware of 9 schools with excess surplus balances above permitted levels. Of these, 6 schools had excess balances totalling £0.462m that were in their first year of an excess balance so these balances were not at risk of clawback in 2023-24. The remaining 3 schools had carried an excess surplus balance for 2 consecutive years, which totalled £0.197m. Members were informed that, under the Balance Control Mechanism Scheme, 50% of these balances were at risk of clawback; a total of £0.098m.

Members were informed that the 3 affected schools had submitted a request that exceptional circumstances be considered and, as in previous years, these had been reviewed and discussed in detail at the Schools Funding Group in July 2023.

Members were provided with an anonymised summary of the correspondence received from schools and the recommendations, which had been made following on from discussions with Schools' Funding Group.

In discussing the 3 individual cases, it was noted that Members would have liked to have explored the circumstances in greater detail. They also had particular concerns about clawing back funds from specialist provision as it was acknowledged that this funding was complex and there needed to be a clear understanding of the landscape in this area. It was also suggested that much pressure had been placed on specialist provision and the sector had been dealing with a number of challenges, particularly with regard to increased complexity of need and an increase in demand for places.

Members agreed that, whilst this scheme had been previously agreed, perhaps this needed to be revisited and guidelines reviewed in order to take into account changes in both the educational and financial landscape since this time.

#### **RESOLVED**

- (i) That it be agreed no further action is required for schools 1, 2 and 3**
- (ii) That the Balance Mechanism Scheme, as previously agreed, be revisited and reviewed**
- (iii) That the surplus balance position for 2023-24 be noted**

## **12 SCHOOLS FINANCIAL VALUES STANDARD RETURNS**

Consideration was given to a report of the Interim Assistant Director of Finance and Assistant Director of Education, which provided an update on the mandatory requirement for schools to complete the self-assessment process against the Schools' Financial Value Standard by 31 March 2023.

It was explained that this return needed to be submitted on an annual basis and had been designed with schools to help them in managing their finances and to give assurance that they have secure financial management in place.

It was stated that the standard consisted of questions, which governing bodies or management committees should formally discuss annually with the headteacher and senior staff. It concentrated on the key elements of financial management and efficiency and was aimed mainly at governors as they had a statutory responsibility for financial management in schools.

Members were reminded that schools were also asked to record and complete a template to record any party related transactions to demonstrate they had adequate arrangements in place to manage any contract or agreement between the school and a person or entity that has close links to the person awarding the contract.

Members were informed that, once governor-approved returns had been submitted to the Local Authority, the LA should consider any related party transactions submitted by schools, paying particular attention to any over £20,000, ensuring they are satisfied with the financial controls in place. In addition, it was stated that they should use schools' SFVS returns to inform their programme of financial assessment and audit.

With regard to the position of Tameside schools, Members were made aware that, of the 58 schools open at the start of the financial year, the LA had received 55 returns. The 3 schools that did not submit were eligible for an exemption; 2 schools closed in the financial year and a further school had an Academy Order in place. It was further explained that, if this school hadn't converted by the end of the next financial year, it would become eligible to complete the SFVS return again.

It was outlined that The LA had been required to submit an assurance statement, signed by the Chief Financial Officer detailing which schools completed the SFVS, to the DfE by 31 May 2023. Members were informed that this statement had been signed and sent to the EFSA in advance of the deadline, as required.

## **RESOLVED**

**That the contents of the report be noted**

### **13 SCHOOLS FUNDING UPDATE ON NFF AND SUMMER ANNOUNCEMENTS FROM DFE**

Consideration was given to a report of the Interim Assistant Director of Finance and Assistant Director of Education, which provided members with an update on the latest funding announcements and some context for the potential impact of the Tameside MBC position.

Members were made aware that the DSG announcements at this stage only covered the Schools Block, High Needs Block and the Central Service Support Block. It was noted that detailed Early Years Block information not available at this point and that updates on this and confirmation of all other allocations were expected in December 2023. Members were informed that these were indicative figures, based on the 2023-24 data set (October 2022 census data) and that actual allocations would change based on the October 2023 census return.

It was noted that the provisional 2024-25 allocation for Tameside had increased by £8.668m. The Schools Block allocation for this period had increased by £6.726m, excluding growth funding, which would be included once the final allocation was announced in December 2023.

It was explained that a new, formulaic approach to allocating split site funding was being introduced and this would be provided on a consistent basis across the country. However, this would not affect any mainstream Tameside schools currently.

It was stated that the core factors in the schools' National Funding Formula (NFF), such as basic entitlement and lump sum, would increase by 2.4% and the funding floor would ensure that all schools would attract at least 0.5% more pupil-led funding than 2023-24. In addition, Members were made aware that the Mainstream Schools Additional Grant (MSAG) had been rolled into the NFF, which ensured that additional funding formed part of schools' core budget.

The movement to a hard NFF, which had been introduced in 2023-24 was discussed and Members were informed that this approach would continue in 2024-25, where schools must also move 10% closer to the NFF factors compared to 2023-24. However, as Tameside was already in line with NFF, these changes would not directly impact any Tameside schools.

Members were made aware that growth allocation had been set but that Tameside's local formulae were already above these rates. It was stated that these updates were currently being reviewed and any proposed changes would be brought forward as part of the annual funding consultation. Similarly, new NFF requirements in relation to falling rolls was discussed and it was noted that this update would be reviewed and brought to annual funding consultation.

Members were made aware that local authorities could continue to set a minimum funding guarantee (MFG) of between +0.0% and +0.5% per pupil and local authorities would continue to be able to transfer up to 0.5% of Schools Block allocation to another block within the DSG, with Schools' Forum approval. With this in mind, it was noted that a proposal would be brought to the next meeting of Forum in relation to this.

An update was provided in relation to the High Needs Block and Members were informed that funding would increase by £440m or 4.3% in 2024-25, with funding to local authorities increasing by around 5% overall.

It was explained that a funding floor had been set at 3% to ensure every LA would receive at least a 3% increase on the relevant funding elements per head compared to 2023-24 baselines. It was also noted that a limit on gains would also apply. This would mean that the maximum increase an LA could receive would be 5% compared to 2023-24 baselines. Tameside had received the maximum increase possible, capped at 5%. However, it was noted that, without the cap or limit on gains,

Tameside would have received an additional £3.885m in 2024-25. Members were reminded that these current announcements were provisional and would be subject to further updates.

The provisional High Needs Allocation for 2024-25 was presented to Members and comparison was provided with 2023-24 allocation. It was noted that Tameside was seeing an overall increase of £1.847m, which included the rolling in of the Additional High Needs Grant from 2023-24, but was before recoupage and any further adjustments to Basic Entitlement and Import/Export factors.

In relation to the Central Services School Support Block, Members were informed that Tameside would see an increase in funding of £0.095m. The new entitlements in relation to Early Years Funding were also outlined, along with information relating to the associated consultation, which had closed on 8 September 2023. Members were also provided with information relating to the Teachers Pay Additional Grant, which provided an additional £525m in 2023-24 and £900m in the 2024-25 financial year.

Discussion ensued in relation to historic funding, the significant growth in EHCPs and the cap on High Needs funding.

## **RESOLVED**

**That the contents of the report be noted**

### **14 DSG MONITORING 2023-24 UPDATE**

Consideration was given to a report of the Interim Assistant Director of Finance and Assistant Director of Education, which outlined the Schools Grant budget position for the financial year 2023-24 and provided an update on the Early Years final outturn position for 2022-23.

Members were advised that there was a forecast surplus of (£0.010m) on the Schools Block, which related to unallocated growth. This would be updated following the October 2023 census and any surplus would offset against the DSG deficit. It was noted that the Central School Services Block (CSSB) was expected to be spent in full. It was also explained that there was a forecast in-year deficit of £6.570m on the High Needs Block, which would reduce to £5.876m with the £0.694m transfer from the Schools Block and a forecast surplus of (£0.550m) on the Early Years Block.

In relation to the High Needs forecast position, it was noted that the summer had seen unprecedented levels of growth and that this was expected to continue at a similar level throughout the rest of the financial year. Members were made aware that this additional Growth was a result of the demand for EHCP's increasing and, despite increasing the capacity of specialist places over the last three years, pressure was growing to utilise more costly, Independent and Non-Maintained Special schools (INMSS). It was noted that a number of bespoke packages were now in place in both special and mainstream schools to support pupils, who required specialist provision and a SEND Sufficiency Strategy would be produced in the autumn term in order to plan further increases in local, specialist places over the next three years.

Details of the final Early Years settlement for 2022-23 were provided and Members were made aware that the overall settlement for this period had reduced by £0.019m, resulting in a final surplus of (£0.597m), which contributed to the DSG Deficit.

A detailed update of the Early Years Block for 2023-24 was also provided. It was noted that participation was difficult to estimate, which is why there appeared to be surpluses and that there would be a further funding adjustment based on spring census data, which would reduce the anticipated surplus.

It was stated that there was a forecast deficit of £0.067m on the SEN Inclusion Fund. However, it was also noted that this was a complex area of funding, which would be closely monitored and this deficit could increase due to the growing number of requests for EHCPs.

Members were reminded that additional funding had been announced for Early Years providers from September 2023 and that this would be allocated via the Early Years Supplementary Grant (EYSG). The rates on which providers would be funded within Tameside were outlined for Members as follows:

- £1.70 per hour for disadvantaged 2 year olds
- £0.31 per hour for 3 and 4 year olds universal and additional entitlement
- £0.04 per funded hour for Early Years Pupil Premium
- £39.20 lump sum for the Disability Access Fund
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Members were made aware that, if the 2023-24 projections materialised, there would be a deficit on £8.627m on the DSG and that a deficit recovery plan had been developed and submitted to the DfE. It was also explained that discussions were continuing with the DfE and that this plan was being scrutinised as part of Stage 2 of the Delivering Better Value (DBV) programme.

Discussion took place in relation to the use of Independent SEND provision. It was noted that this was an issue linked to both complexity and sufficiency. It was suggested that, perhaps, a short-term group could be set up with links to the Inclusion Committee of TPC and special school membership, with a view to examining these high cost placements and considering what may be done differently moving forwards.

## **RESOLVED**

**That the contents of the report be noted and supported**

## **15 DSG HIGH NEEDS SPENDING AND DEFICIT RECOVERY PLAN**

Consideration was given to a report of the Interim Assistant Director of Finance and Assistant Director of Education, which provided an update on the current DSG deficit position along with updates on the Delivering Better Value programme and the action plan to address spending pressures.

Members were informed that the cumulative DSG deficit for Tameside at the end of 2022-23 was £3.306m, after an in-year deficit of £0.063m. It was explained that the High Needs element of the grant allocated by the DfE for 2023-24 was £37.144m. A transfer from the Schools Block of £0.694m had been approved by Schools Forum, which had provided funds of £37.838m to support High Needs provision. It was noted that, following the Summer 2023 term, where actual EHCP growth had outpaced predicted growth, the full-year spend was now estimated to be £43.716m, giving an in-year deficit of £5.876m.

It was explained that, whilst the High Needs Block in-year deficit had reduced in 2022-23, it was forecast to increase significantly in 2023-24 due to rapid growth in EHCPs across all provision types, which had not been matched with the same funding due to the cap on High Needs Block gains (7% for 2023-24).

An outline of the Delivering Better Value Programme was provided for Members and the 2 high impact areas for focus were highlighted as:

- Inclusion – create an Inclusion Quality and Outreach Team, linked to existing Special Schools and Resource Provisions, and introduce a programme of training and workforce development (including parents and carers as appropriate).
- Transitions – establish a new Early Years Assessment Centre with co-located wrap around services. The plan to improve the effectiveness and confidence surrounding transitions would also be supported through supporting the clearance of the backlog of annual reviews and identifying those pupils that may struggle at transition and providing early support.

It was noted that these high impact areas crossed over with a range of SEND improvements, which

were also happening outside of the DBV programme, in particular the redesign of SEND Teams, review of the Specialist Outreach Support Team and SEND Sufficiency.

Members were reminded that an annual vote had taken place with the mainstream sector to transfer funds from the Schools Block to the High Needs Block fund and had been approved by Schools' Forum in line with regulations. For the 2023-24 academic year, it was noted that a Schools Block transfer of 0.345% or £0.694m had been agreed at Schools' Forum and suggested that, for 2024-25, a Schools Block transfer of 0.5% would be considered as part of the NFF consultation with schools.

With regard to the Resource Base Review, Members were made aware that there was a proposal to establish 54 additional, local places in 2023-24, including the Early Years Assessment Centre, which would be part of the DBV programme and an overview of these proposed places was provided. An increase of 86 commissioned places in special schools by the end of the 2023-24 academic year was also discussed.

It was suggested that potential further savings could be found through the contract review of a special school, which currently had a PFI style contract. Members were informed that the outcome of this review would be considered at Executive Cabinet, with potential savings to the high Needs Block of an annual £320,970.

Members acknowledged that the High Needs Block deficit was a national issue and expressed concern that there needed to be a significant national response. It was noted that the DBV programme was providing valuable opportunities to work collaboratively and better assess how needs are managed, It was noted that the right support needed to be provided in the right way at the right time and Members agreed that this was not simply an issue of creating additional specialist places but also about creating more effective provision across the mainstream sector.

**RESOLVED**

**That the contents of the report be noted**

**16 DATE OF NEXT MEETING**

**RESOLVED**

**That the next meeting of The Schools Forum be held remotely on Tuesday 28 November 2023 at 10am.**

**CHAIR**