

## Minutes of the Schools Forum Meeting held on 21 March 2024

Present: Richard Redgate (Chair)

<b>Attendance</b>	
Stephen Drew	Steve Breeze
William Wilson	Abigail Rourke
Richard Sutton	Mark Boughey
Steve Swatton	Carolyn Trowbridge
Kim Prince Anson	Helen Barron
Philip Siddell	Jessica Roden
Chris Wright	Alun Harding
Steve Barr (Vice-Chair)	Lindi Nejrup
Kevin Allbutt	Nicola Mason
Vicki Lewis	Andrew Skelding
Anne Tapp	Paul Spreadbury

**Observers:** Mark Sutton and Jonathan Price

**Apologies:** Sadie Jones, Emily Verow, Halit Hulusi and Craig Hodgson

### Part One

#### 35. Declarations of Interest

There were no declarations of interest made on this occasion.

#### 36. Minutes of the meeting held on 18 January 2024

**Resolved:** That the minutes of the meeting held on the 18 January 2024, be confirmed as a correct record and signed by the Chair.

#### 37. Matters arising

Steve Barr highlighted that, as agreed at the last Schools Forum meeting, a letter had been sent to the Secretary of State, through the Education and Skills Funding Agency to request additional information that explained why the decision to support the Local Authority's disapplication request had been made on this occasion. Forum members were reminded that a response had been received and circulated to them separately on the 19 February 24.

#### 38. Decisions taken by the Chairman under delegated powers

It was confirmed that no decisions had been taken by the Chair, under delegated powers, since the last meeting.

### **39. Resignation of Chair following July meeting**

Richard Redgate announced that he would be retiring as the Chair of the Forum following the July meeting.

He welcomed the opportunity for any members who were interested in taking over the role of Chair, and wanted further information, to contact him to discuss the position and what it involved. This offer was echoed by the Vice-Chair and Assistant Director for Education Strategy and Improvement.

### **40. Notices of Concern and Licensed Deficit Agreements**

It was confirmed that no new Notice of Concerns had been issued or withdrawn.

The Entrust Schools Finance team continued to work with all schools who had an existing Notice of Concern or Licensed Deficit agreement.

It was proposed that at future meetings the Notices of Concern and Licensed Deficit Agreements would remain an agenda item, but that any future "no return reports" would be provided verbally rather than through a written report.

**Resolved:** a. That the Notices of Concern and Licensed Deficit Agreements to schools be noted.

b. That it be agreed that any future "no return reports" be provided verbally.

### **41. Schools Budget Update**

The Schools Forum received an update from the Director of Children and Families relating to the Schools Budget for 2024-25.

#### **Central Provisions**

The Forum was reminded that the Growth Funding was allocated to the local authority on a formula basis. The allocation for 2024-25 was £3.3m, and the funding had been used to fund growth above the census in the National Funding Formula (NFF). The remaining funding would be held centrally to meet commitments under the infant class size and exceptional growth fund policies. The amount retained centrally was £2.6m. Any underspend would be transferred to the DSG reserve as per the deficit management plan.

At the November Schools Forum meeting, maintained schools approved a levy per pupil for Education Functions of £57.87. Due to a change in the number on roll at maintained schools, the Forum was informed that the final levy for 2023-24 had been set slightly higher at £57.93 per pupil.

### **Individual School Budgets**

The Individual Schools' Budget represented the largest part of the funding for the majority of schools. Formula Budgets were based on the NFF as approved by Schools Forum. The NFF included a minimum per pupil funding level. For 2024-25 the minimum funding levels per pupil were £4,610 for primary, £5,771 for Key Stage 3 and £6,331 for Key Stage 4. The budget also included a Minimum Funding Guarantee (MFG) of +0.5% per pupil from the 2023-24 baseline. A summary of School Budgets for 2024-25 had been included in Appendix 1 to the report. Within the NFF, the core funding factors had been increased by 1.4% and free school meals funding rates had increased by 1.6%. To ensure the NFF remained affordable within the Schools Block DSG allocation, gains had been capped at 1.25%.

The Forum was reminded that the request to transfer 0.5% of Schools Block DSG funding to High Needs had been approved by the Secretary of State, and £3.2m had been transferred.

### **Early Years Funding**

The government's 2023 Spring Budget announced additional funding for the existing early years entitlements for working parents, by extending the 30 hours free childcare offer from the point their child was 9 months old continuously through their early years to the start of school removing the barriers to work. The introduction of this entitlement would be rolled out in stages on a phased basis.

The Council consulted with Early Years providers on the additional entitlements in November/December 2023, and the results of the consultation alongside the proposed funding formulae were presented to Schools Forum in January 2024. A workshop was held on the 30 January 2024 with the Early Years Reference Group. The discussions held during the workshop, and subsequent response from the Early Years Reference Group, were considered alongside the final proposals.

For 2024-25, Staffordshire County Council (SCC) had been awarded a national funding rate of £5.47 per hour for 3 & 4-year-olds, £7.66 per hour for 2-year-olds, and £10.40 per hour for under 2-year-olds.

The Early Years Pupil Premium (EYPP) had increased by 6p, from 62p to 68p per hour per eligible child. The government had also extended

eligibility for the EYPP to all children accessing the entitlements from 2024-25.

The base rate had been set as £5.08 per hour per child for 3 & 4-year-olds, £7.59 per hour per child for 2-year-olds and £9.48 per hour per child for under 2-year-olds.

The deprivation rates had been maintained at the same amount as in 23/24. For 3 & 4-year-olds, deprivation rates had been set at £0.20 (lower rate) and £0.30 (upper rate).

No additional funding supplements, including deprivation, had been used for the 2-year-old rate and under 2-year-old rate.

A contingency fund of £0.7m had been set up to manage fluctuations in demand figures from year to year. This was equivalent of 0.76% of the whole Early Years DSG Block, which was lower than the 1% threshold advised by the workshop.

The Special Educational Needs Inclusion Fund (SENIFF) for 2024/25 was set at £2.0m. This was split between the Early Years block (£1.6m) and High Needs Block (£0.4m).

### **High Needs Funding**

The Government had confirmed SCC's 2024/25 High Needs Block (HNB) allocation to be c £132.4m. This was a net increase of c £5.4m compared with 2023/24.

As a result, and net of additional funding from the 0.5% funding switch, the total 2024/25 High Needs Budget was c £135.6m. It was SCC's intention to pass on the budget increase in full next year for the provision of SEND support.

For 2024/25 Special School budgets would be set based on a Minimum Funding Guarantee of 0%, and there would be no capping of school gains.

Philip Siddell referenced a recent meeting of the Early Years Reference Group in January 24. It was noted that all providers were disappointed with the outcome of the basic rate which had resulted in a 4.5% increase, where Private, Voluntary or Independent providers were facing increases of 10% mainly due to government wage legislation. It was highlighted that the sector was already underfunded, and the gap would now widen significantly. It was recognised that this was not the fault of the Local Authority, and the Early Years Reference Group were grateful for the support of SCC.

Philip also highlighted the additional risk associated with an inadequate Ofsted judgement which would result in the immediate closure of a setting due to a loss of funding. Philip provided an example of the alternative way this situation was managed by Lancashire County Council.

In relation to Appendix 1 of the report, Steve Swatton asked why, in some cases, there were no differences between the figures found in the column entitled "2024/25 - if no funding switch" and the figures found in the column "2024/25", suggesting that some schools had not seen a loss of income due to the 0.5% funding switch. In response it was confirmed that only schools where the budget was due to rise above the cap of 1.25% would have had a reduction in funding. Where this hadn't happened, no reduction had taken place.

In response to a question from the Chair asking if the Growth Fund for 2024/25 had remained stable, it was confirmed that the Growth Fund had reduced, but the figure that had been retained centrally had remained consistent with previous years. It was also confirmed that, most years, the Growth fund was underspent, with the underspend being transferred back into the DSG as per the deficit management plan.

The Chair queried why the MFG for mainstream schools had been set at 0.5% per pupil from the 2023-24, but the MFG for Special Schools had been set at 0%. It was explained that there was significant pressure on the HNB, and the operational guidance allowed the Local Authority to set the MFG at 0% for Special Schools.

The Chair put it on record that PRUs were currently running at full capacity, and highlighted that there would be a significant financial implication for PRUs in the future. Steve Barr echoed this point and provided the Forum with a statement from the Association of School and College Leaders (ASCL), which noted that recently published figures suggested that two out of three special schools were at, or above, capacity. There was disquiet in Staffordshire and nationally that PRUs were at capacity, and mainstream schools were struggling to access the support, and didn't have the resources to deal with the youngsters in the mainstream setting.

The full statement from ASCL read – *"The current system for supporting children with special educational needs is in crisis, with both mainstream and special schools lacking the capacity and resources needed to help the growing number of pupils requiring SEND support. The government's recent announcement of new special schools is welcome and desperately needed but will take years to materialise. These new schools will not meet the needs of children currently in the system who are unable to access the support they require, and neither will the government's planned reforms of the SEND system which are also some years away from delivery and*

*are underfunded. Children and young people with special educational needs desperately require a much greater sense of urgency from the government that meets their needs right now”.*

**Resolved:** That the School Budgets update, be noted.

## **42. High Needs Block**

The Schools Forum received a report from the Director of Children and Families relating to the High Needs Block (HNB).

The Forum heard that the forecast outturn for the 2023/24 HNB was a £21m overspend (c £1m higher than the position last reported at Q3). Demand had continued to exceed capacity. Demand was up by 55% from five years ago with almost 7,700 Education, Health and Care Plans (EHCPs) in place, an increase of 500 per annum. This had impacted all areas, specifically the independent sector where numbers were reported as above 650.

At the end of the last financial year the DSG reserve went into deficit by c£14.2m and it was reported that this would deepen to more than £30m given the expected overspend in 2023/24. Additional Government funding next year would see SCC’s High Needs Budget increase to £132.4m; an increase of £5.4m (c.4%) compared with 2023/24 and in line with previous forecasts. The HNB budget for 2024/25 would also be supplemented by a further 0.5% transfer from the Schools Block (c.£3.2m) approved by the Secretary of State, bringing the total to £135.6m. The funding rise would be insufficient to close the funding gap and it was likely that a further overspend would arise in 2024/25, and it was highlighted that the Local Authority would continue to lobby the Government for additional funding for the sector. Importantly, it was noted that none of the funding increase would be used to repay historical deficits.

For 2024-25 the Council would hold funding rates for all state funded special schools, on a like for like basis, in line with the Government set Minimum Funding Guarantee of 0.0%. However, a further additional payment would be made to PRUs and Special Schools, equivalent to 3.4% of 2023-24 grant funding, calculated at current place numbers, in recognition of increasing costs. As in previous years Special Schools and PRUs would continue to receive the separate Teacher’s Pay additional Grant. The allocations from the DfE were still to be confirmed.

The new Education Banding Tool (EBT) had been implemented in April 2022. During Summer 2023 the decision was made to suspend it. SCC, whilst still committed to the EBT, had identified that further work was required to give assurance that the dataset was robust before any safe

budget modelling to support a future decision on the reinstatement of the EBT. It was therefore envisaged that any reintroduction of the EBT would not take place before April 2025. SCC would continue to keep schools informed of further progress.

It was highlighted by Steve Barr that Schools and School Leaders would rather they were meaningfully and properly consulted prior to the reintroduction of the EBT, even if it meant a further delay to the proposed reintroduction date. The Assistant Director for Education Strategy and Improvement stated that SCC intended to re-engage with schools in the summer term of 2024. It was noted that the process would not be allowed to drift toward the higher banding levels again, and a number of options were being considered and would be discussed fully as part of the consultation process.

In response to a question from Richard Sutton asking how schools would be informed of the reintroduction of the EBT, it was confirmed that this would be done through general communication directly with schools.

The Chair highlighted that most Special Schools were currently over planned-places. As Teachers grants were based on planned places there may be some discrepancies between a school that had more children in the setting than it planned to have that SCC would need to take into consideration.

**Resolved:** a. that the High Needs Block budget update 2023/24 and latest forecast outturn be noted.

b. That the proposed High Needs Block budget 2024/25 be noted.

#### **43. Update relating to the Accelerated Progress Plan and Strategy for Special Provision**

The Schools Forum received a report from the Director of Children and Families providing an update to the Accelerated Progress Plan and Strategy for Special Provision.

##### **Accelerated Progress Plan (APP)**

Progress on the APP continued in line with the projected timescales and outputs. After a successful 18-month review, the Local Authority was hosting Department of Education, NHS England and partners for the 24month review of the APP on 8 May 2024. A 3rd APP was being drafted with a view to reinforcing the current SEND improvements.

## **Strategy for Special Provision (SSP)**

The SSP comprised of two main elements, the Special Schools Project and the development of Staffordshire Enhanced District Inclusion Support (SEDIS).

### **Special Schools Project**

In Spring of 2023, the Local Authority approached maintained and academy special schools to explore options for the development of special school capacity in line with the detailed gap analysis for SEND needs. Eighteen proposals were received. Of these, 11 did not meet viability/feasibility or gap analysis criteria. Seven projects were progressed to stage 2, with one already commissioned and in development.

### **SEDIS**

The Local Authority had received 21 expressions of interest (EOI) from groups of schools to develop SEDIS teams. Of these, nine met criteria for further consideration at stage 2 of the selection process. Interviews of these potential providers took place on the 7<sup>th</sup> and 14<sup>th</sup> March 2024, with the successful SEDIS teams being moved to the implementation and capital project support phase in April and May 2024. SEDIS teams would commence service delivery as a rolling start in September 2024.

### **Enhanced Assess Plan Do Review (EAPDR)**

As of 4 March 2024, 90 requests for EAPDR had been considered. Of these, 67 had fulfilled the criteria and Educational Psychologists had been allocated to provide enhanced support at the 'plan and review stage' of the process. Where EAPDR had not been agreed, officers had provided schools and SEND and Inclusion Hubs detailed feedback regarding their applications. Over March and April 2024, SCC officers, Health clinicians and a number of SENCOs would be visiting districts to hold solutions sessions with settings to support their work prior to requesting EAPDR. District SEND and Inclusion Hubs would provide a detailed analysis of patterns and trends of EAPDR applications in the summer term of 2024.

A request was made by Kevin Allbutt that information be provided at future Schools Forum meetings that provided evidence to show whether the interventions were having the desired effect. It was suggested that this would give the Forum a gauge as to how effective the EADPR had been at streamlining the service.

**Resolved:** a. that the update relating to the Accelerated Progress Plan and Strategy for Special Provision be noted.



b. that additional evidence be provided at future Schools Forum meetings to show whether the interventions were having the desired effect.

#### **44. Update on wraparound childcare process - Early Years entitlement**

The Schools Forum received a report from the Director of Children and Families providing an update on the wraparound childcare process - Early Years entitlement.

The report answered a number of questions that had been raised at previous meetings.

##### **Sufficiency of Provision**

Members were informed that the market development and sufficiency teams had completed work to ensure our statutory duty to ensure sufficient childcare places continued to be met. Activities had included:

- Detailed analysis to predict the supply and demand of childcare places, including analysis of data provided by DfE alongside local intelligence.
- Recent detained sufficiency survey data analysed to identify areas where additional places may be required.
- Action plans implemented to identify key needs and opportunities.
- Monthly sufficiency meetings held to identify priorities and key areas of work.
- Bespoke support offered to providers to support sustainability, expansion or consideration of a range of delivery models.

##### **Capital Funding**

It was noted that the criteria and process for allocation of capital funding was still to be confirmed. This information would be shared with providers when it was made available in line with DfE timescales. A more detailed report would be available in June 2024, and it was agreed that this would be brought to the July Schools Forum.

##### **Risk to future provision - Ofsted**

In response to a query highlighting the future risk to providers receiving a poor Ofsted rating, it was stated that the information had been detailed in the newly published statutory guidance. The process that Local Authorities must follow if a setting was graded as either "Requires Improvement" or "Inadequate" was clearly outlined. This would be referenced in the provider agreement which SCC would distribute to providers in March 2024. Philip Siddell noted the information in the statutory guidance, but

suggested that it didn't go far enough to explain the steps the Local Authority would need to take to cope with issues that would occur if providers were forced to close. It was confirmed that SCC would continue to support Early Years providers via the Early Years Reference Group.

Philip Siddell highlighted the disparity between the impact of an OFSTED inspection on a Private, Voluntary and Independent Early Years provider and a school which provides an Early Years offer. It was agreed that Philip Siddell would talk with the Chair of the Forum to make a representation to the Department for Education through the Schools Forum, highlighting the disparity.

### **Funded v Free provision**

It was noted that the previous report had a mix of the terms 'Funded' and 'Free' provision. It was asked that SCC ensure that all documentation referred to it as 'Funded' provision? In response it was highlighted that the terminology used within SCC would be 'funded' and not 'free', unless quoting directly from a Department for Education document where the term would be referenced by the source.

Steve Barr asked if SCC could publicise that funded did not mean free. It was agreed that a discussion would take place with the Early Years team to see how this could best be actioned. Philip Siddell noted that the Early Years Team at SCC had always been extremely supportive in ensuring this message was communicated correctly.

**Resolved:** a. that the update relating to the Accelerated Progress Plan and Strategy for Special Provision be noted.

b. that it be noted that more information relating to the criteria and process for allocation of capital funding be brought to the July Schools Forum.

c. that it be noted that the SCC Early Years Team would publicise that funded Early Years places did not mean free.

## **45. Work programme and dates of next meetings**

### **Work Programme – additional items**

Additional evidence provided at future Forum meetings to show whether the Accelerated Progress Plan and Strategy for Special Provision interventions were having the desired effect, and to provide a gauge that demonstrated how effective the EADPR had been at streamlining the service.

The Chair asked that information relating to the APP, particularly focussing on the different funding streams that were being used to fund the initiative be added to the July meeting. This would include information relating to the SEND Capital Grant and how it was supporting funding streams.

A report relating to the criteria and process for allocation of capital funding in relation to the wraparound childcare process be brought to the July Schools Forum.

The election of the Chair be added to the July meeting work programme.

The Forum was informed that an item relating to the School Management Information System (SMIS) had been added to the July work programme. This item related to the current SMIS which was approaching the final contract break point in March 2025. SCC Procurement team was undertaking some research on the current contract and alternative options that were available on the market. An options paper would be brought to the July Schools Forum meeting which would provide information that members would be asked to consider, ahead of the final decision being made at the Schools Forum meeting held in November 2025.

### **Dates of next meetings**

The dates and locations of the next meetings were confirmed as:

- Thursday, 11 July 2024, 2:00pm – via Teams.
- Thursday, 14 November 2024, 2:00pm – in person meeting to be held at the County Buildings, Stafford. It was highlighted that this meeting had originally been arranged for the 17 October 2024, but had been moved for operational purposes.

**Chair**