

Schools Forum

Minutes of Meeting held 18 March 2021 at 10am Virtual Meeting – Microsoft Teams

In Attendance:

Multi Academy Trusts

Catalyst Academies Trust
ORTU Federation
Osborne Co-operative Academy Trust
The Gateway Learning Community Trust (GLC)
Reach2 Academy Trust
South West Essex Community Education Trust
Vine Schools Trust
Christus Catholic Trust

Name

Mr T Parfett (Vice Chair)
Dr Sophina Asong
Mr P Griffiths (The Chair)
Mr K Sadler
Mr E Samuel
Ms C Pumfrey
Mrs D McManus
Mrs N Cashall

Secondary Voluntary Aided School

Grays Convent

Name

Mrs M Miller

Standalone Academy Trusts

Woodside Academy
Giffards Primary

Name

Mr E Caines
Mrs N Haslam

Infrastructure Groups

TASS
TPHA

Name

Mrs P Johnson
Mrs J Sawtell-Haines

Alternative Provision

Olive AP

Name

Ms J Gillman

Special Schools

Treetops Academy
Beacon Hill Academy

Name

Mr J Brewer
Mrs Sue Hewitt

Non-school members

Diocese of Chelmsford
11-19 Representative

Name

Miss C Jones
Dr J Revell

Also in Attendance

Mr Malcolm Taylor

Ms Michelle Lucas
Mr David May
Ms Sarah Williams

Andrea Winstone

Miss Teresa Lydon

Strategic Lead – Specialist
Provision/PEP
Assistant Director, Education Skills
Strategic Lead – DSG and Schools
Service Manager, Education Support
Service
Strategic Lead – School Effectiveness
and SEND | Children's Services
Clerk

1. Welcome from the Chair

The Chair welcomed members to the meeting. The Chair asked all members to click the mute button until they wanted to speak. This was to address the feedback that can take place on Microsoft Teams. He also advised that this meeting was not being recorded.

2. Apologies for Absence:

Apologies received from Mr S Munday, Mr M Vickers, Mrs M Shepherd, Mrs A Melbourne and Mrs Alison. Ms C Pumfrey attending meeting on Mr S Munday's behalf. Ms J Gillman attended on behalf of Mr M Vickers.

3. Agreement of Agenda, Time-Guide and Notification of Any Other Business

- i) The Forum agreed the agenda and time guide.
- ii) Any Other Business – no items were put forward before the meeting

4. Dedicated School Grant (DSG) 2020-21 and 2021/22

Mr D May summarised the Dedicated Schools Grant (DSG) 2020-21 report

The current projected outturn for 2020/21 is an overspend of £1.074m. This is an improved position of £0.543m from that previously reported of £1.617m

Schools Block - Mr D May advised that based on current commitments and historic level of spend it is currently forecast an underspend of £0.899m. There are no changes to what was previously reported.

Central Services Block – Mr D May advised that there was a projected underspend of £0.058m an improvement of £0.012m.

High Needs Block – Mr D May advised this is the significant area of financial risk broken down into four areas.

- The continued increase in the number of EHCP. Additional costs of £0.519m are forecasted in maintaining pupils within Thurrock schools or other Local Authority mainstream schools and academies. This is a decrease of £0.215m. He advised that the impact of schools re-opening on the 8th March will need to be closely monitored and considered in finalising the outturn position.
- Post 16 – Increased pupil numbers are forecasted with additional cost of £0.400m.
- Residential and Non-Residential Non-Maintained and Independent placements forecast an overspend of £0.838m, a decrease of £0.290m. At the time of writing the last report a number of joint funding packages were not agreed and therefore at that stage full cost was assumed to the DSG. All packages and funding arrangements have now been reviewed and agreed for 2020/21.
- Increase in supplying tuition packages for pupils not in School, costing an additional £0.290m.

He advised that they continue to review the local offer and commissioned places available in Thurrock.

Early years – Mr D May advised there is a current surplus of £217,000. He also commented that the January 2021 census would impact on the 2021-22 funding allocation. The initial census has been used to project the implication for the summer term.

Mr D May talked through Dedicated Schools Grant 2021/22 allocation.

Schools Block – Mr D May advised that the ESFA confirmed on the 10th February that Thurrock's local funding formula and submitted APT met all of the compliance checks and no further action is required.

High Needs Block – Mr D May advised that as part of the establishment of Treetops Free School a review of the initial funding agreement has been undertaken to inform a meeting to be held with the DfE on 9th March. He discussed the Band Values to be applied in table 6.8.

Specialist Equipment – Mr D May advised that the proposal is to increase the equipment threshold for schools and academies to purchase equipment to £2,000 from the current value of £500. This change would reflect the increase in funding being received by schools, reflected in increased Notional SEN budgets and the time lapse since the last review.

In 2019/20, 97 requests for specialist equipment were received at a cost of £117,895. The values paid ranged from £40 to £4,620. This increase in threshold would support a reduction in HNB funding in 2021/22. It is expected that an annual saving of £52,000 would be realised.

The Chair asked the Forum members if they had any questions.

Mrs J Sawtell-Haines asked if the threshold is at £500 why would they pay £40. Mr D May explained that if the equipment cost was £540 then they would pay the £40.

AGREED

- a) All Forum members agree the financial position for 2020/21
- b) All Forum members agree to receive a final report on the 2020/21 projected outturn position at the next meeting.
- c) All Forum members agree the Band Values for Treetops Free School as shown in 6.8 below from September 2021
- d) All Forum members agree to the increase in thresholds for mainstream schools for specialist equipment to £2,000.

5. High Needs Block 2022-2023 Consultation

Mr D May advised members that the DfE have published a consultation on proposed changes to the High Needs National Funding Formula in 2022/23. This consultation runs until 24th March 2021.

The DfE will implement decisions from this consultation in 2022/23. This is a consultation on the historic spend and attainment factors in the High Needs National Funding Formula (NFF). He advised that at this stage it is about changing the distribution with no mention of additional funds being allocated to High Needs. The full formula is still due for review, but

the DfE have delayed this until after the main SEND review report has been published (due in 'Spring 2021'), even though further changes won't be implemented until 2023/24.

Mr D May advised that the historic spend factor value is based on the baselines for each local authority that were published in August 2017 and was adjusted as he outlined in the report given to all members. A weighting of 50% was applied to this adjusted figure to give the final figure for the formula. This amount is maintained at a cash-flat level.

With the significant increases in High Needs funding through the formula since 2018/19, the overall proportion of funding allocated through this factor has reduced considerably, down by 10 % from 44% of funding in 2018/19 to 34% in the 2021/22 formula.

The proposal is to increase the percentage of the 2017/18 actual expenditure amounts, from 50% to, say, 60%. This would increase the significance of this factor in the 2022/23 formula, reflecting a more gradual pace of change in the pattern of spending that it would be reasonable to expect from local authorities. ESFA would welcome views on the option of increasing the percentage of actual expenditure in 2017/18 included in the funding formula calculation.

Mr D May went through the consultation questions with proposed combined responses from Thurrock Council and Thurrock Schools Forum.

No 1 - Historic spend factor - propose replacing the current lump sum included in the formula calculation with an amount calculated on the basis of actual expenditure in 2017-18, as reported by each local authority.

Proposed response - to agree to the change and use of 2017/18 actual expenditure, if this is the only way to reflect local circumstances. However we have concerns that 2017/18 data is being used which is 3 years out of date.

In the consultation it is unclear how this will be funded and if this is simply redistributing the same level of funds. It also does not explain the impact on any additional funding on the gains and caps in operation.

The fundamental problem with High Needs is insufficient funds to meet demand. If the proposal is not linked to any additional funding, then this is simply shuffling the same funds around and creating winners and losers

No 2 - Historic spend factor - Do you think that we should increase the percentage of actual expenditure in 2017-18 included in the funding formula calculation, or leave it at 50%?

Proposed response -- The use of the 2017/18 actual expenditure is 3 years out of date but we acknowledge from the information presented that this allows some local factor to be recognised within the formula.

50% seems appropriate as this is historic and fixed and we need to continue to allow other more up to date factors to influence the formula.

No 3 - Historic spend factor - To what extent do you agree that the funding formula should include factors that reflect historical local demand for and supply of SEND and AP provision?

Proposed response -- An instant change should be that the basic entitlement factor should provide £10,660 per pupil for special schools, to match the place-led funding LAs have to pay. In 2021/22 it is only £4,660 (uplifted from £4k for pay/pensions grants) and LAs have to rely on the rest of the NFF factors, which are inadequate, to cover the rest of the £10k plus top-up costs.

Equally with AP provisions a place costs £27,000, however the recoupment values from schools and academies is no more than £7,000. This creates an instant £20,000 pressure on the High Needs Block. A more responsive system is required to match funding received to costs incurred.

No 4 – Low attainment factor - Do you agree with our proposal to update the low attainment factors using data from 2016, and to substitute the most recent 2019 data in place of the missing 2020 attainment data?

Proposed response - For the 2022/23 the High Needs National funding formula, the DfE proposes to update the attainment data series for KS2 and KS4 by rolling it forward a year. This would use five years' data from 2016, but given the situation with SATs and GCSEs, they would have to substitute the most recent 2019 data in place of the missing 2020 attainment data. This sounds reasonable in the circumstances; the document explains it may have to be extended again for 2023/24.

No 5 – SEND and AP proxies - If you wish to offer ideas on factors that could be added to the current formula, or that could replace the current proxies, please provide further details in the comments box below

Proposed response - Proxy factors should carry much more weight for a more responsive National Funding Formula, but they should have more relevance to SEND. It would be worth exploring indicators such as low birth weight and pre-term births. Has data from Health been fully explored, for example where there is a medical diagnosis? Even a time lag would be better than no specific recognition of some conditions.

In relation to existing indicators, Ever6 should be used for FSM instead of the single census FSM indicator, and there should be a post-16 element to Disability Living Allowance.

The Chair commented that we need to make sure we receive the highest amount of money which would mean agreeing the above answers to the consultation.

Mrs S Hewitt commented that she cannot see how this consultation is going to change anything as there will be winners and losers across the country. The Chair commented in Thurrock we need to vote to make sure we get the most money for our area.

Mr M Taylor commented that there are local decisions within LAs which will impact on the situation. The feedback they have received from central government shows that they are being listened to and seem to understand the need for a larger level of funding.

Mr D May advised that we are now for EHCPs up to the age of 25 but there is no funding factor for Post 16.

The Chair commented there are more and more children in the area of Post 16 and cannot understand why they have not included this in the consultation.

The Chair asked how we now compare to other LAs. Mr D May commented that they have had no correspondence this year to try and compare. The funding gap nationally seem to be reflective of Thurrock. Mr D May commented that the DfE have assurances that Thurrock LA understand what they are doing. We need a long term solution.

Mr M Taylor spoke about Post 16. Some authorities moved to cease all their plans Post 16. Thurrock have continued with the plans for Post 16 and post 19. He advised that they are aware that families move into the area because of the services offered which in turn increases the impact on the High Needs budget. SEMH are now coming through the SEN services from mainstream schools and has had significant funding implications and has increased the pressure in the LA.

The Chair advised that the LA have to respond to this consultation. The school forum members represent all schools in Thurrock.

AGREED

- a) All Forum members discussed and offered comment on the report and the consultation
- b) All Forum members agreed the responses to the consultation outlined in Section 6 of the report.

6. Permanent Exclusions 2021-22

Mrs M Lucas spoke about the proposed funding arrangements for permanent exclusions outlined in the report sent to all forum members.

The report provides an update relating to the contribution to the education of permanently excluded children which was agreed by Schools Forum in March 2019. She commented that they wish to continue on the principal that funding follows the child or young person.

Mrs M Lucas advised that during the pandemic they have seen a reduction in the number of permanent exclusions as outlined in table 1 of the report.

Mrs M Lucas commented that currently Thurrock introduced a charge from September 2019 of £3,500 for Primary and £4,800 for secondary as well as the pupil base funding and pupil premium on a pro-rated basis depending on the term in which the child was permanently excluded. This was agreed by the schools forum in March 2019. We recognise that a small number of our schools were not represented at the schools forum when this decision was made. To address this we have reviewed the membership of schools forum and the new membership includes representation from all early year, schools and colleges across Thurrock.

Mrs M Lucas proposes that for excluded pupils, the charges will be as per the Schools and Early Years Finance (England) Regulations. This means that when a pupil is permanently excluded, the authority will re-determine the excluding school's budget share. The excluding school's budget share will be reduced by the minimum per pupil rate at individual school level calculated using the post MFG budget, as shown in appendix 2, and any pupil premium attributable to the child. This will be pro-rated based on the weeks remaining in the funding period.

Because of the lower level of permanent exclusions this has offered some support to the High Needs Block, but the continued pressure on the high needs expenditure remains unsustainable.

Mrs M Lucas commented that this will remain under constant review.

Mr K Sadler thanked Mrs M Lucas for her report and advised that this was immensely sensible.

AGREED

- a) All forum members agreed changes to the mechanism to calculate exclusion charges/allocations for all mainstream schools and use this mechanism to form an agreement with all academies
- b) Majority of forum members accepts the following changes to be applied from September 2021 for the changing/allocation mechanism for permanent school exclusions: One member abstained.

7. Dedicated Schools Grant (DSG) Management Plan 2021/22

Mr D May talked through a presentation he shared on Teams to all forum members present.

Mr D May advised that The DSG conditions of grant 2020/21 requires that any LA with an overall deficit on its DSG account at the end of the 2019/20 financial year, or whose DSG surplus has substantially reduced during the year, must be able to present a plan to the Department for Education (DfE) for managing their future DSG spend. The ESFA released a DSG management plan to support the LA's.

He advised that the DSG Management plan would assist in the follow:

- compliance with the DSG: conditions of grant 2020/21
- monitor how DSG funding is being spent
- compare data on high needs spend between LAs
- highlight areas where LAs may wish to review spending
- form evidence-based and strategic future plans for the provision of children and young people with SEND
- present complex funding information simply to schools forums and other external stakeholders
- provide a consistent reporting format to help LAs share best practice and initiatives

Mr D May advised that the key area was the £2m overspend in the High Needs Block. There is a projected deficit of around £3m at year end.

There was an identified risk of £1.9m when setting the HNB budget for 2021/22.

There are 5 key areas that have been identified:

- **EHCPs** - Thurrock continues to experience significant demand for EHCP's that in comparison with all benchmarking data is higher. Thurrock needs to understand why demand is greater than statistical neighbours. Mr D May advised that a report

has been commissioned to be reported back to School Forum meeting in June-21. Mr D May broke down the number of EHCPs by placement type, age group, and primary need.

- **Out of Borough Placements** – There are currently 53 places commissioned at a cost of over £3m. The long term solution is to develop a local offer. Mr D May advised that they would share information at the next meeting to develop understanding of number, cost of placement and reason why out of borough.
- **Funding Formula** – There is a national problem with insufficient funds. Mr D May advised they are awaiting outcome of House of Commons Review of SEN to inform future consultation outcome to be implemented 2023/24
- **Training and Development** – Training and Development continues with the SEND Team and school SENCO's to support the person centred planning approach.
- **Data** – Need to consider how Thurrock looks at future projections to inform local provision both in the short and medium term. Latest data and projection to be brought to the next meeting in June 2021.

Mr D May commented that the next steps were:

- to finalise Outturn position from 2020/21
- to present at the next School Forum meeting:
 - EHCP Commissioned deep dive report
 - Discuss number, cost and reason why Out of Borough placements are made
 - Discuss future demand projections and implications for both short, medium and long term planning and the local offer

The Chair asked if there were any questions. The Chair also asked Mr D May to include the Vice Chair in the invite to the EFSA meeting in the summer. The Chair commented that it might be useful to send this presentation to all Head teachers. Mr D May advised he will share this presentation at the next Head teachers briefing.

Mr E Caines spoke about children with very complex needs being placed in a mainstream school. He wants to know why there are some children at special schools which he feels would benefit from being in mainstream and why children with more complex needs are in mainstream schools. Ms A Winstone commented on a particular child with severe needs who was placed in a mainstream school starting in September 2021. She advised that the parent wanted a main stream school and this is the parent's decision. Mr M Taylor commented that it is the parents' right to choose mainstream schools and these parents have to be supported by the Local Authority. He also commented that it is the LAs duty to discuss with the main steam school how they can support the child's needs in the school. The Chair commented the case study needs to be taken outside this meeting. Mrs S Hewitt commented that she supports families that would prefer them in a mainstream school as this helps them immensely with social interactions and feels that some children who have complex needs also have higher attainment.

Mr M Taylor commented that he would want to make sure we recognise in the meeting, the excellent support that Mr E Caines has offered for children with complex needs with a very inclusive offer in his school.

Mr J Brewer commented that the admissions criteria for special schools is very strict and has a large input from the SENCOs. Some students may be able to go back and access the curriculum in a mainstream school but at the moment this is not the case in his school.

AGREED

a) All forum members noted the contents of the report.

8. Pupil Plan Planning View

Miss S Williams talked through a presentation she shared on Teams giving an overview of the Pupil Place Plan.

The Chair thanked her for the presentation and asked if there were any questions.

All members were happy with the content of the presentation.

AGREED

a) All forum members noted the contents of the report.

9. Outcome for disadvantaged and unrepresented student and young people in Thurrock

Ms M Lucas advised that as discussed previously in schools forum a small sub group was formed to review current datasets around educational outcomes for disadvantaged children/young people. The working party identified some of the key metrics pertaining to this and have begun to draw this together. In conjunction with this, the LA are refreshing our Brighter Futures Strategy which is overseen by our Brighter Futures Children's Partnership. The work of the small sub group of schools forum will support this refresh. The sub group are keen to ensure we consider outcomes and how schools forum can start to consider how funding for these groups is allocated going forward. The aim is to bring this work back to schools forum in June for a more in-depth discussion and to look to identify ways in which this work can be moved forward.

Dr S Asong went through what they have covered in their meetings.

They went through **Chapter 1 of the Brighter Futures Position Paper** and agreed with the thrust and spirit of the paper. The following 5 areas will make the work more long lasting and resilient to funding/political threats:

- a. Adding Schools Forum (which is statutory) to the key partner list. Also adding SELEP on the partnership list (source of funding). This will mean that there is a reliable locus of funding and accountability underpinning the work.
- b. In the section where it cite key reference documents, add reference to the NAO Disparity Audit 2019 (it came out in 2020).
- c. In the Rationale section, list explicitly who your client list is so that the scope is not fluid (Travellers, Young Carers, YOS, Exclusions, White Working Class Boys, Teen Mums, BAME, Young People Leaving Care, LAC, Obesity and Young People Struggling with mental Health Issues). Do we want to add SEND? I think they are doing quite alright at the moment and do not need to be championed in quite the same way.

- d. Need to state clearly in the paper that accountability for reviewing and acting on the disparity of outcome data sits in the Schools Forum as per the decision of last week's Forum meeting.
- e. Glad that the first set of data will be looked at in the Forum's June meeting. This will give us a steer as to the scope of our work.

Dr S Asong also advised that they talked about the upcoming SEND meeting and the need for schools to support Grangewaters. She will be liaising with colleagues to move these on.

Action: Miss S Williams to add Outcome for disadvantaged and unrepresented student and young people in Thurrock to the forward plan for the June meeting

AGREED

- a) All forum members noted the contents of the report.

10. School's Forum Forward Plan

All forum members were happy with the School's Forum forward plan. Miss S Williams advised that the next meeting will be held on Teams.

Action: SW to find out about future meetings and where they will be held

11. Minutes of Previous Meeting held on 19 January 2021

All governors were happy with the content.

Mrs N Haslam commented that she had attended the last meeting but was not listed as an attendee.

Action: Clerk to add Mrs N Haslam to the list of attendees

12. Matters Arising

Actions outstanding

Ms A Winstone will send around the figures for the number of EHCPs at each schools.

Mrs M Lucas (Jan-21) to get a breakdown on figures within the traveller community and discuss this further as part of the sub-committee for Outcomes for disadvantaged and unrepresented student and young people in Thurrock

13. Any Other Business

Miss S Williams advised that a decision is awaiting from the DfE on approval to extend virtual meetings. She asked how members feel about virtual meetings and the timeslot.

The Chair commented that virtual meetings save money. Mrs J Sawtell-Haines advised she does not like the virtual meetings as it is hard to have discussions. She feels that in depth discussions are easier to have face to face.

Miss S Williams advised that in the Microsoft Teams chat most school forum members were happy with virtual meetings and a 10am start but a suggestion was made to have a mix of both. The Chair commented safety first and COVID complaint.

Action: SW to add to June agenda an item to discuss future meetings

14. Date of next meeting

Date of next meeting is 17 June 2021