



## SCHOOLS FORUM

**TUESDAY 9 MARCH, 2021 at 4.00 p.m.**

Digital Meeting to be held via: **Microsoft Teams**

Public Access to meeting via: [YouTube Link](#)

<b>MEMBERSHIP:</b>	Mr. M. Vlahakis ( <b>Chair</b> )	Primary Head Teacher, Alumwell / Butts Federation
	Mrs C. Draper	Primary Head Teacher, Short Heath Federation
	Mrs. M. Sheehy	Primary Head Teacher, Millfield Primary School
	Mrs J. Garratt	Primary Head Teacher, Walsall Wood
	Mr. S. Davies	Primary Head Teacher, Christ Church CE (C) JMI School
	Mrs N. Boys	Primary Academy Head Teacher, Lodge Farm
	Mr. M. Moody	Primary Academy Representative, Goldsmiths and Rivers Academies
	Mrs S. Bowen	Secondary Maintained Head Teacher, St. Thomas More Catholic School
	Dr. A. Bruton	Secondary Academy Head Teacher, Queen Mary's High School
	( <b>Vice Chair</b> )	
	Mr. A. Seager	Secondary Academy Head Teacher, Bloxwich Academy
	Mrs H. Keenan	Secondary Academy Head Teacher, Brownhills Academy
	Mr. W. Downie	Secondary Academy Head Teacher, Streetly Academy
	Mrs L. Foster	Primary Governor, Short Heath Federation
	Mr. M. Fox	Primary Governor, Kings Hill Primary
	Mr I. Baker	Secondary Academy Governor, Grace Academy
	Mrs. C. Fraser	Special School Head Teacher, Castle Business and Enterprise College
	Mrs E. Phillips	Academy Special School, Phoenix Academy
	Mr. C. Bury	Principal, The Ladders School, Alternative Provision
	Ms J. Barr	Special School Governor
	Ms M. Turley	Nursery Head Teacher, Ogley Hay Nursery
	Vacancy	PVI Representative
	Mr. S. Pritchard-Jones	Pupil Referral Unit representative
	Vacancy	16-19 School Forum Representative
<b>OBSERVERS:</b>	Councillor Towe	Cabinet Portfolio holder for Education and Skills
	Mr. A. Orlik	Observer, C. of E. Diocese
	Ms S. Guy	Observer, National Education Union

**Quorum – 8 members**

## **Schedule 12A to the Local Government Act, 1972 (as amended)**

### **Access to information: Exempt information**

#### **Part 1**

#### **Descriptions of exempt information: England**

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
  - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of a Scrutiny and Performance Panel when considering flood risk management functions which:
  - (a) Constitutes a trades secret;
  - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
  - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.

**TUESDAY 9 MARCH, 2021 AT 4.00PM**

**Digital Meeting via Microsoft Teams**

**A G E N D A**

1.	Welcome and explanation of rules of procedure for virtual meeting - <b>Chair</b>	
2.	Apologies	
3.	To approve the Minutes of 12 <sup>th</sup> January, 2021 – copy <b>enclosed</b>	
4.	Matters arising from the minutes:- To consider any matters arising from the minutes which do not occur elsewhere on the agenda.	
5.	Late items (urgent) to be introduced by the Chairman.	
6.	Local Government (Access to Information) Act, 1985 (as amended) To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.	
7.	SEND Improvement Programme / EHCP Performance Framework - report of the Interim SEND Lead – to <b>follow</b>	
8.	Proposed Early Years Funding Formula for two, three & four years olds 2021/22 - report of the Finance Manager-Technical Accounting and Treasury Manager– copy <b>enclosed</b>	
9..	Forward Plan – <b>enclosed</b>	
10.	Late items (if any)	
11.	Correspondence – to receive any items of correspondence which might be of interest or have an effect on the Forum.	

**Date of next meeting – Tuesday 22<sup>nd</sup> June, 2021**

## Schools Forum

Minutes of meeting held on Tuesday 12<sup>th</sup> January, 2021 at 4.00 p.m.

### Digital Meeting via Microsoft Teams

*Held in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulation 2020; and conducted according to the Council's Standing Orders for Remote Meetings and those set out in the Council's Constitution.*

#### Present:-

Mr. M. Vlahakis (Chair)	-	Primary Head Teacher
Dr. A. Bruton (Vice Chair)	-	Secondary Academy Head Teacher
Mrs M. Sheehy	-	Primary Head Teacher
Mrs C. Draper	-	Primary Head Teacher
Mr. S. Davies	-	Primary Head Teacher
Mrs J. Garrett	-	Primary Head Teacher
Mrs N. Boys	-	Primary Academy Head Teacher
Mrs S. Bowen	-	Secondary Head Teacher
Mr. A. Seager	-	Secondary Academy Head Teacher
Mrs L. Foster	-	Primary Governor
Mr. M. Fox	-	Primary Governor
Mr. I. Baker	-	Secondary Academy Governor
Mrs C. Fraser	-	Special School Head Teacher
Mr. C. Bury	-	Alternative Provision School Principal
Mr. S. Pritchard-Jones	-	Pupil Referral Unit Head Teacher
Mrs M. Turley	-	Nursery Head Teacher
Mrs J. Barr	-	Special School Governor

Councillor C. Towe	(Observer) - Portfolio Holder Education and Skills (Observer)
Mr. A. Orlik	(Observer) – C of E Diocese
Ms S. Guy	(Observer) – National Education Union

#### In Attendance: -

Ms S. Rowe - Executive Director, Children's Services  
 Ms S. Kelly – Director, Access & Achievement  
 Mr. L. Haynes – Interim Head of Finance - Corporate  
 Mr. A. Crabtree – Interim SEND Lead  
 Ms E. Thornberry – Principal Educational Psychologist  
 Mr. N. Perks – Quality Assurance Team Manager  
 Mrs B. Mycock – Democratic Services Officer/Clerk to Schools Forum

		Action
1. 12.01.21	<b>Welcome</b>  The Chair opened the meeting by welcoming everyone and explaining and rules of procedure and legal context in which the meeting was being held. He also directed members of the public viewing the meeting to the papers, which could be found on the	

	<p>Council's Committee Management Information System (CMIS) webpage.</p> <p>Members confirmed they could both see and hear the proceedings.</p>	
<p>2. 12.01.21</p>	<p><b>Apologies</b></p> <p>Apologies had been received on behalf of Mr. M. Moody, Ms H. Keenan and Mr. B. Downie.</p>	
<p>3. 12.01.21</p>	<p><b>Minutes – 14 October, 2020</b></p> <p>The Clerk put the recommendation to the vote by way of a roll call of Forum members and it was:</p> <p><b>Resolved (unanimous)</b></p> <p>That the minutes of the meeting held on 8<sup>th</sup> December, 2020, a copy having been previously circulated to each Member of Schools Forum, be approved and signed as a true record, subject to the above amendment.</p>	To note
<p>4. 12.01.21</p>	<p><b>Matters Arising from the Minutes of 14<sup>th</sup> October, 2020</b></p> <p>Item 9, page 5 – the breakdown of RP training attendees had been forwarded to members.</p> <p>Item 11, page 6 – a copy of Mrs Sheehy's meeting notes and a copy of October's Mainstream Funding report had been forwarded to members.</p> <p>There were no further matters arising from the minutes.</p>	
<p>5. 12.01.21</p>	<p><b>Late Item/s (urgent) to be introduced by the Chairman</b></p> <p>The Chairman advised there would be two late items for consideration at the end of the meeting:-</p> <ul style="list-style-type: none"> <li>i. Nursery Funding and Covid;</li> <li>ii. De-delegation of Insurance Services for Maintained Secondary Schools</li> </ul>	
<p>6. 12.01.21</p>	<p><b>Local Government (Access to Information) Act, 1985 (as amended)</b></p> <p>The Forum noted that there were no items for consideration in the private session.</p>	

<p><b>7.</b> <b>12.01.21</b></p>	<p><b>Membership Update</b></p> <p>The report of the Clerk to Schools Forum had been submitted (see annexed).</p> <p>The report informed Schools Forum of the election process and subsequent appointment of a Special School Governor representative.</p> <p>This item did not require a formal decision and therefore the matter was taken as noted by assent.</p> <p><b>Resolved</b></p> <p>That Schools Forum noted the appointment of Mrs J. Barr as a Special School Governor representative.</p>	
<p><b>8.</b> <b>12.01.21</b></p>	<p><b>SEND Improvement Programme / EHCP Performance Framework</b></p> <p>The report of the Interim SEND Lead was submitted (see annexed)</p> <p>The Interim SEND Lead presented the report. In particular, he drew members' attention to the compliance update figures within section 4.1. He reported that the backlog had been cleared and during December 2020, Walsall had achieved 62.1% compliance of EHCP plans within 20 weeks. The national target was 60%. The number of plans in progress had been reduced from 380 at the start of 2020 to around 170 at present and the team were looking to sustain performance in excess of 60% going forward.</p> <p>The Interim SEND Lead then drew members' attention to the EHCP Timeliness Recovery Plan Dashboard at section 4.2. He advised that of the 8 assessments from the original backlog, which were not included under compliance benchmark measures:-</p> <ul style="list-style-type: none"> <li>• 2 cases were reassessments and have existing plans;</li> <li>• 3 cases were Covid related exceptions which have now progressed to completed assessments and draft plan stage;</li> <li>• 3 cases remaining are complex and should be completed within the next few weeks.</li> </ul> <p>The Interim SEND Lead reported that moving forward, there would be a single dashboard focusing on the targeted compliance rate of 60% or above for all newly issued plans, as stated within the recovery plan. There remain challenges in relation to hard to place pupils, which were looked at on a daily basis to find placements. Following the completion of the backlog of EHCP plans, he advised that the team were able to look at a new level of sustainable processes around process improvement and caseload management.</p>	

	<p>The Portfolio Holder Education and Skills congratulated and thanked the team on the work carried out and progress made.</p> <p>This item did not require a formal decision and therefore the matter was taken as noted by assent.</p> <p><b>Resolved (unanimous)</b></p> <p>That Schools Forum noted the contents of the report.</p>	
<p><b>9.</b> <b>12.01.21</b></p>	<p><b>Proposed High Needs Local Funding Formula 2021/2022</b></p> <p>The report of the Interim SEND Lead and the Principal Educational Psychologist was submitted (see annexed).</p> <p>The report provided Schools Forum with a proposed updated Walsall High Needs Funding Formula for schools supporting pupils with identified special educational needs and disability (SEND) from that previously presented to the Forum on 23 September, 2020. The report had taken into account the consultation process, further analysis and moderation undertaken and detailed any recommended changes to the model.</p> <p>The Chair advised that the report had been updated based upon comments received from parents and other respondents following the consultation. This would enable funding to be more equitable for pupils in mainstream schools with significant need and had addressed all comments received. Head teachers and the local authority had worked in partnership and a solution had been reached. The Chair then opened up the item for discussion.</p> <p>A query was raised in relation to Appendix A of the report. Beside cognition and learning, all the bands in special schools were higher than the bands in mainstream schools but the cognition and learning bands 6 &amp; 7 are the other way round. By way of explanation, the Principal Educational Psychologist stated that provision required within settings would be different. The resources required for a group of children with cognition and learning as a primary need within a special school setting, where the learning would be pitched at the level the children were working to together, would be less and cheaper than that required to be provided within a mainstream setting.</p> <p>A member raised a query in relation to the minimum funding guarantee and future implications over the coming years.</p> <p>In response, the Interim Head of Finance (Corporate) advised that the local authority had applied to the Secretary of State for a disapplication request to disapply the MFG for 2021/2022 for special schools to enable increased flexibility in the implementation, subject to the consultation process. In terms of</p>	

	<p>high needs funding, the minimum funding guarantee applied to special schools and it was a guarantee that funding on a per pupil basis did not fall between years. There were only two special schools that may fall below MFG guarantee but exact figures could not be finalised at this time as the figures would be dependent upon the children in the school and their needs at the time the MFG calculation was carried out. The Interim Head of Finance (Corporate) alluded to paragraph 8.2 of the report, which stated that the modelling carried out assumed a 7% increase in demand from 2020/2021 to 2021/2022 so some flexibility could be utilised to support special schools should they be impacted following final MFG calculation. He further drew members' attention to recommendation v. within the report.</p> <p>Members of the Forum congratulated the successful partnership working between the Schools Forum Working Group, schools, and the local authority and the difference the service would make to children and young people. The consultation process had been very thorough with lots of parent challenge and all views had been taken into account and incorporated, which was reassuring for all parties.</p> <p>The Clerk put the recommendation to the vote by way of a roll call of Forum members and it was:</p> <p><b>Resolved (unanimous)</b></p> <p>That Schools Forum:</p> <ul style="list-style-type: none"> <li>i. Noted the work undertaken by officers and the working group and recommends the revised local high needs funding formula (Walsall Rights 4 SEND guidance document) that is proposed for 2021/22, as set out in detail in Appendices A to B of the report;</li> <li>ii. Recommended the revised local high needs funding formula to Cabinet to seek approval and agreement to implement the proposed model from 1 April, 2021;</li> <li>iii. Noted and agrees the proposed formula, subject to Cabinet approval, and proposed bandings to be used to support all (existing and new) EHCPs going forward;</li> <li>iv. Noted the previously agreed MFG disapplication request to enable increased flexibility around the implementation of a revised High Needs Funding Formula for April 2021;</li> <li>v. Recommended the implementation for existing special school pupils and new EHCPs from 1 April 2021 and implementation for mainstream pupils through scheduled Annual Reviews for existing EHCPs from 1 April 2021 onwards.</li> </ul>	
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<p><b>10.</b> <b>12.01.21</b></p>	<p><b>Final Mainstream School Funding Formula for 2021/22</b></p> <p>The report of the Interim Head of Finance (Corporate) was submitted (see annexed)</p> <p>The Interim Head of Finance (Corporate) presented the report, which set out the changes to the local funding formula factor values for 2021/2022 previously approved by Schools Forum to ensure allocation remained within available Schools Block DSG funding. The aim of the report was to obtain the endorsement of Schools Forum, which for legal and governance reasons would then require approval by the Director of Children's Services, in consultation with the Portfolio Holder for Education and Skills, before then being submitted to the ESFA.</p> <p>The Interim Head of Finance (Corporate) drew members' attention to paragraphs 4.3 to 4.9 of the report and highlighted the key changes for 2021/2022 that had occurred subsequent to the report presented to Schools Forum in October, 2020. The changes within the previous report indicated that the October 2020 model was now longer affordable. These changes included:-</p> <ul style="list-style-type: none"> <li>Validated pupil data from the October 2020 census, which had not been available prior to the October meeting, confirmed that funding pupil numbers had increased overall by 0.5% compared to October 2019.</li> <li>ORPU had reduced to 2.55%. The main reason being an increase in pupils eligible for free school meals, 13% increase in primary and a 21% increase in secondary. This would still be above the national funding formula for ORPU and Appendix A of the report provided the proposed factor values for the mainstream funding formula for 2021/22 with the change. The minimum per pupil funding guarantee that would apply is set at +0.5%.</li> </ul> <p>The Clerk put the recommendation to the vote by way of a roll call of Forum members and it was:</p> <p><b>Resolved (unanimous)</b></p> <p>That Schools Forum:-</p> <ol style="list-style-type: none"> <li>Noted the overall level of DSG funding;</li> <li>Noted the adjustments to funding factor values that are required for 2021/22 to ensure that allocation to mainstream schools via the local funding formula are affordable within the funding that is available (updated values are set out at Appendix A);</li> <li>Endorsed and recommended the formula (as set out in Appendix A), including the changes to funding factor values set out within the report, to the Director of Children's Services, the Portfolio Holder for Education and Skills, and the ESFA.</li> </ol>	
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<p><b>11.</b> <b>12.01.21</b></p>	<p><b>Approval of Central Expenditure Budgets for 2021/22</b></p> <p>The report of the Finance Manager, School Finance was submitted (see annexed).</p> <p>The Interim Head of Finance (Corporate) advised members there had been no changes in terms of central funding requested to be retained. He then drew members attention to the tables included within the report:-</p> <ul style="list-style-type: none"> <li>• Table 1 highlighted the funding that would be retained from the new block within the Central Schools Services Block (CSSB) of DSG and all were in line with previous years and within the funding available.</li> <li>• Table 2 highlighted the Central Early Years expenditure, which was also in line with previous years.</li> </ul> <p>The Clerk put the recommendation to the vote by way of a roll call of Forum members and it was:</p> <p><b>Resolved (unanimous)</b></p> <p>That Schools Forum approved Tables 1 and 2 as set out to form the basis for central expenditure for the 2021/22 financial year.</p>	
<p><b>12.</b> <b>12.01.21</b></p>	<p><b>Forward Plan</b></p> <p>The Forward Plan was submitted (see annexed).</p> <p>The Interim Head of Finance (Corporate) advised that it was unknown at that time whether the Early Years Funding Formula report would be required at the next meeting on 9<sup>th</sup> March, 2021.</p> <p><b>Resolved</b></p> <p>To note the Forward Plan.</p>	
<p><b>13.</b> <b>12.01.21</b></p>	<p><b>Late Items</b></p> <p>i. <b>School Nursery Funding and Covid;</b></p> <p>The Chair advised Schools Forum that the item had been raised following concerns in relation to the actual numbers of nursery children's attendance on census day due to Covid and whether reduced numbers would affect funding for the subsequent year.</p> <p>The Interim Head of Finance (Corporate) stated there were two points for consideration:-</p> <ul style="list-style-type: none"> <li>• how does the local authority receive funding in its early years block?</li> <li>• what do we do locally around passing funding onto providers?</li> </ul>	

	<p>He advised that the Local Authority and the DfE had confirmed that the funding received would be based on the January 2021 census. This would be the number of children on roll on census day and not necessarily the children attending on census day. Therefore, the local authority was not looking to do anything differently unless it received further instruction from the DfE.</p> <p>The Quality Assurance Team Manager advised Schools Forum it was not compulsory for children to attend a nursery and therefore not a requirement for schools/nurseries to record attendances but they did so for safeguarding and for Ofsted figures. The information from the census that occurred three times per year collected data for the children on roll at that date and their respective funded hours. He added it was therefore imperative to ensure all children were included on the school/nursery attendance registers. In relation to a member query regarding children who attended two separate early years' settings each, the Quality Assurance Team Manager advised that the start dates and allocated hours within each setting must be recorded separately on the respective setting's attendance register to enable the local authority to apportion payments accordingly.</p> <p><b>ii. De-delegation of Insurance Services for Maintained Secondary Schools.</b></p> <p>The Clerk to Schools Forum advised that further to the meeting of 14<sup>th</sup> October 2020, the Maintained Secondary Schools had approved de-delegation of Insurance Services back to the local authority for the 2020/21 financial year.</p>	
<b>14. 12.01.21</b>	<p><b>Correspondence</b></p> <p>There was no items of correspondence.</p>	
	<p><b>Date and Time of next meeting</b></p> <p><b>The next virtual meeting of Schools Forum is scheduled for Tuesday 9 March, 2021 commencing at 4.00pm.</b></p>	

The meeting terminated at 16.54pm.

Signed .....

Date: .....

# Schools Forum

Wednesday 9<sup>th</sup> March 2021

<b>Subject: EHCP Timeliness and Performance</b>	<b>Confidential: No</b>
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## 1. Purpose

This report is to provide an update to the forum on the current position regarding EHCP timeliness and performance, highlighting the mitigating actions taken to reduce backlogs and areas of improvement.

## 2. Recommendations

To note the contents and developments shown within this report.

## 3. Background

The Children and Families Act, (2014) and the SEND Code of Practice (2015) present statutory guidance to Local Authorities, health services, early years settings, schools and further education providers about their obligation to identify and meet the needs of Children and Young People aged 0-25 years who have SEND.

Walsall Local Authority is subject to a Written Statement of Action (WSOA) as a result of the Walsall SEND Inspection on February 2019. The multi-agency SEND Local Area Improvement Board (LAIB) continue to meet on a monthly basis in order to monitor the progress of the SEND WSOA, EHCP timeliness and SEND Improvement.

## 4. Compliance Update Figures

**4.1** The compliance rate on new plans is currently at **64.7%** as of January 31<sup>st</sup>.

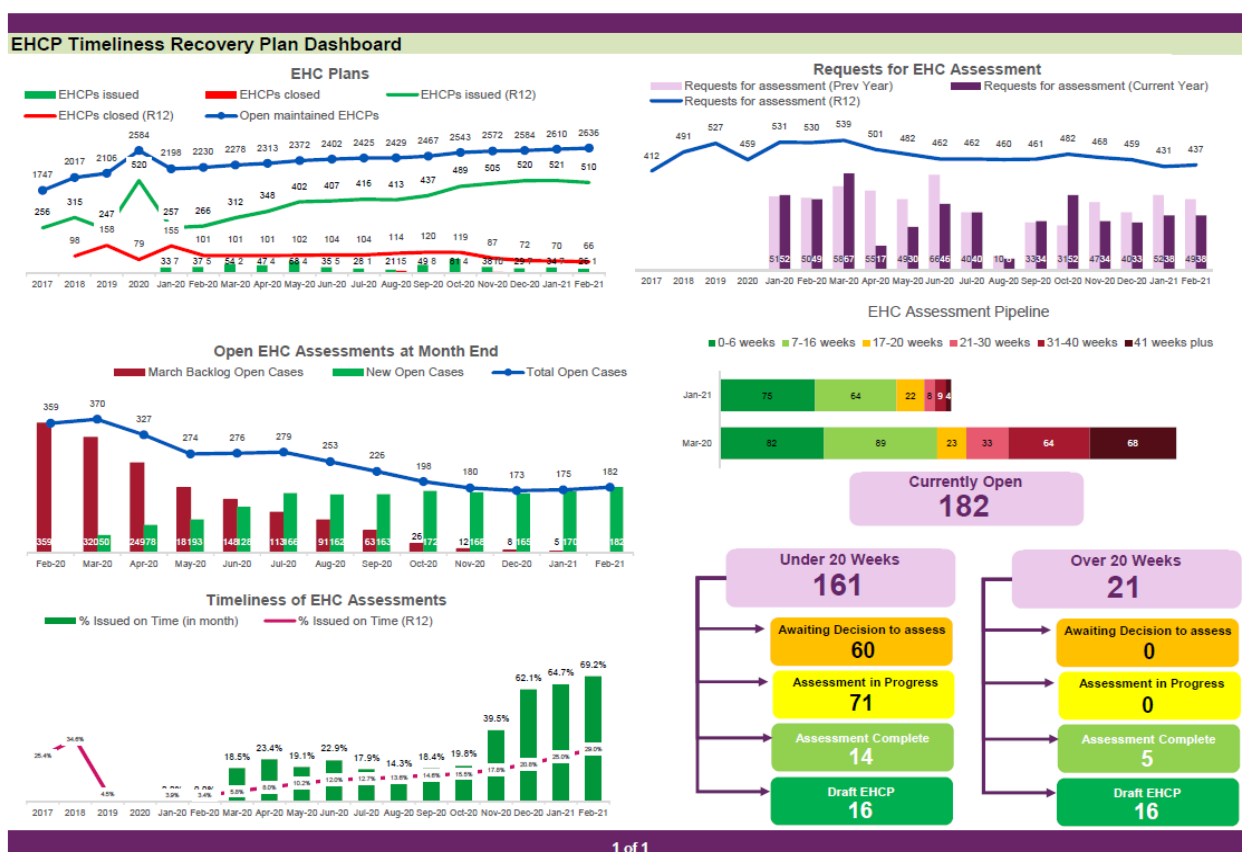
**4.1** The **EHCP Timeliness Recovery Plan** initiated to address the low EHCP 20 week compliance rates has continued to have a positive impact. EHCP performance figures are reported on a monthly basis to the DFE and are summarised in the table below:

### Progress Report Re Completion Of EHCP Plans in 20 Weeks 2020 – LA Name Walsall

	Mar ch	April	May	June	July	Augu st	Sept	Oct	Nov	Dec	Jan
Number of EHCP Plans Issued, excluding exceptions	54	47	68	35	28	21	49	81	38	29	34
Number of these issued in 20 weeks	9	9	13	8	5	3	9	15	15	18	22
% in 20 weeks	16.7 %	19.1%	19.1%	22.9%	17.9%	14.3%	18.4%	18.8%	<b>39.5%</b>	<b>62.1%</b>	<b>64.7%</b>

**4.2** The EHCP Timeliness Recovery Plan Dashboard demonstrates compliance and evidence towards clearing the backlog. Headlines as of January 2021 are as follows:

- The March backlog of 359 assessments is now complete. There are no open cases which are related to **timeliness and compliance**. The additional resources deployed to in the SEND Assessment and Educational Psychology team, proved effective in targeting the difficulties, and successful mitigated any difficulties.
- Timeliness over the rolling 12 month period continues to improve from 3.9% (Feb 2020) to 64.7% (Jan 2020).
- Since the 1<sup>st</sup> March 2020 370 new assessments have been opened.
  - 134 EHCPs have been issued, of which 78 (52%) were compliant and issued on time.
  - 69 were closed without an EHCP being issued (e.g. did not meet threshold or were withdrawn)
  - 182 are currently open and in progress



## 5 Local Area SEND Assurance visit

- 5.1** A local Area SEND Assurance visit was due to be scheduled for February 2021 and later March 2021, however these have been postponed due to additional COVID -19 pressures.
- 5.2** In preparation for these assurance visits, monthly meetings are scheduled which consist of Education, Social Care and Health agencies. Key agenda items are how well the LA supported schools, parents, children and young people amongst the additional pressures of COVID-19.

## **6 Risks and Further Actions**

- 6.1** The number of children and young people with EHC plans has been gradually increasing since 2018; as of January 2021 this stands at **2,636**. This represents an increase of **0.42% increase** since January 2020, a **23.2%** increase since January 2019 and a **48.7%** increase since 2017.
- 6.2** As noted in previous reports, pressures to the service were recognised and were planned for accordingly, which included temporary capacity within the SEND Assessment Team and within the Educational Psychology Service. Both teams are working at full capacity. Developmental plans are in place to ensure appropriate capacity of both teams, which will enable the significant progress towards timeliness and performance to continue.
- 6.3** Caseloads and performance management processes are reviewed on a weekly basis to prioritise cases and maximise EHCP timeliness compliance, address any potential delays and moving along meetings actioned where appropriate. Cases which are deemed at risk of surpassing to 20week timescale are escalated to senior managers within a timely manner; thus enabling any barriers to progress to be identified and managed accordingly at the earliest possible opportunity.
- 6.4** The SEND Partnership group which consists of agencies from Education, Health and Social Care meet on a monthly basis to discuss SEND related developments. A key focus of the group is to continually monitor the quality and timeliness of EHCP advice submitted to the SEND Team during assessment stage.
- 6.5** The Open Objects EHC Hub is in full operation. Having an online system for the co-production of EHC plans is the right step forward for the young people of Walsall and the locality. Moving the system and process online improves the efficiency of the system as well as the quality of the plans that are produced. Timeliness of the advice submitted by agencies can also be monitored via the EHC Hub.

## **7 Conclusions and Recommendations**

The Forum are asked to:

- 7.1 note the contents of this report.

Contact Officer:  
Name: Alexander Webley  
Email: alex.webley@walsall.gov.uk

**School Forum**

**9 March 2021**

**Proposed Early Years Funding Formula for two, three & four years olds - 2021/22**

**1. Purpose of report**

- 1.1 The Early Years funding formula is the local process that is utilised (informed by national early years funding guidance) to allocate the Early Years block of the Dedicated Schools Grant (DSG) funding that the Council receives to the early years providers in Walsall.

**2. Recommendations**

- 2.1 That Schools Forum note the work undertaken by officers and recommends the Early Years Funding Formula that is proposed for 2021/22 to Cabinet.
- 2.2 Schools Forum are asked to note that this recommendation will then be reported to Cabinet on 17<sup>th</sup> March 2021 to seek their approval.

**3. Background**

- 3.1 The Early Years National Funding Formula (EYNFF) was introduced in April 2017 to deliver affordable, flexible and high quality childcare for all parents and children via a funding system which is fair for providers and local authorities.
- 3.2 Early Years Block of the Dedicated Schools Grant (DSG) is paid over to local authorities, who have a statutory duty to ensure sufficient early years places are available to meet the requirements in their area, and this funding is then paid by the local authority to providers based on the actual number of hours of funded childcare that is delivered.
- 3.3 In England all children aged 3 & 4 are currently entitled to 570 hours of funded childcare per year (normally provided as 15 hours per week over the 38 week school year). Additionally the 2017 funding reforms expanded provision for 3 and 4 year old to include a 30 hour entitlement for working parents.
- 3.4 A further element of the EYNFF is funding of free entitlement for disadvantaged 2 years olds. Unlike funding for 3 & 4 year olds, which must be allocated via a local early years funding formula, local authorities are encouraged to fund providers on the basis of a flat hourly rate.
- 3.5 Early Years Funding operational guidance sets out the funding factors permitted within the local funding formula for early years and the requirement of a 95% pass-through of funding to early years providers, thereby limiting the amount of funding that can be retained by the local authority to fund central expenditure on early years entitlement to a maximum of 5%.

**4. Proposed Early Years Funding Formula**

- 4.1 Operational guidance sets out the funding factors that are permitted within the early years local funding formula, these include a universal hourly base rate, a



mandatory deprivation factor, discretionary supplements and an additional funding supplement in respect of maintained nursery schools.

- 4.2 Table 1 therefore sets out the proposed areas of the Early Years Funding Formula (EYFF), highlighting the estimated cost of each area to be funded from the allocation of £21.919m of Early Years Block Funding of the DSG that will be received in 2021/22, with a narrative describing each area set out below the table.

<b>Table 1 – Proposed Early Years Expenditure</b>	
<b>Provision</b>	<b>Estimated cost against Early Years Block of DSG for 2021/22 (£m)</b>
Universal and additional hours for 3 and 4 year olds	15.688
Deprivation Supplement	0.200
Entitlement hours for 2 year olds	3.769
Maintained Nursery Schools Supplement (MNSS)	1.307
Early Years Pupil Premium (EYPP)	0.276
Disability Access Fund (DAF)	0.089
SEN Inclusion Fund (SENIF) 3&4 years olds	0.070
SEN Inclusion Fund (SENIF) 2 years olds	0.020
Central expenditure on early years entitlement	0.500
<b>Total</b>	<b>21.919</b>

#### Universal and additional hours for 3 and 4 year olds

- 4.3 The operational guidance includes a requirement to pay a universal hourly base rate to all early years' providers for the provision of free entitlement hours for 3 & 4 year olds. The universal hourly base rate must, in all cases, be multiplied by the hours of attendance of children at each setting – up to a maximum of 570 hours of funded childcare per year (or a maximum of 1140 hours for those children eligible for the additional offer for working parents).

#### Deprivation Supplement

- 4.4 Deprivation is a mandatory supplement local authorities must use in their Early Years Funding Formula to recognise deprivation in their area. Operational guidance does not set out how funding for deprivation is to be allocated and this is determined locally.



- 4.5 Currently the EYFF allocates deprivation funding on the basis of the proportion of children recorded on January census and headcount, whose postcode falls within band A of the Income Deprivation Affecting Children Index (IDACI). The calculated proportion is applied to each terms estimated nursery pupil numbers to arrive at a notional number of disadvantaged part time equivalent pupils for each provider.

Entitlement hours for 2 year olds

- 4.6 As set out in 3.4, the funding for disadvantaged 2 year olds is paid on the basis of a flat hourly base rate.
- 4.7 Unlike the funding requirements for 3 & 4 year olds, there is no regulatory pass through rate in respect of early years block funding for 2 year olds and similarly there are no requirements in respect of mandatory or discretionary supplements.

Maintained Nursery Schools Supplement

- 4.8 This represents an element of additional funding for maintained nursery schools, known as the Maintained Nursery Schools Supplement (MNSS). The funding is allocated within the Early Years block of the DSG to be paid as a variable lump sum, based on the capacity of each maintained nursery school. The supplement provides some funding protection to nursery schools following the introduction of the universal hourly base rate, which had the effect of reducing the hourly rate of funding nursery schools previously attracted.
- 4.9 Currently the MNSS is a transitional supplement which was expected to be withdrawn at the end of the 2019-20 academic year, however the withdrawal date has been extended on a number of occasions and has recently been deferred again to March 2022.

Early Years Pupil Premium (EYPP)

- 4.10 The Early Years Pupil Premium (EYPP) gives early year providers additional funding to support disadvantaged 3 & 4 year old pupils who are in receipt of the universal 15 hours entitlement and are in receipt of any one of the benefits criteria detailed in Early Years Operational Guidance.

Disability Access Fund (DAF)

- 4.11 The Disability Access Funds (DAF) was introduced to support disabled 3 & 4 year old children accessing their early years free entitlement. DAF funds can be used, for example, to support providers in making reasonable adjustments to their settings.

Central Expenditure on Early Years Entitlement

- 4.12 As set out in 3.5, the maximum amount of funding that can be retained for centrally is 5% of the early years block. The £500k retained budget was approved by Schools Forum at their meeting on 12 January 2021 and reflects the cost of providing central services in support of the early years entitlement for 2, 3 and 4 year olds.

Special Education Needs Inclusion Fund

- 4.13 In addition to the funding areas shown in table 1, there is a requirement for local authorities to operate a Special Educational Needs Inclusion Fund (SENIF) for 3 & 4 year olds with SEN who are taking up free entitlement.
- 4.14 SENIF for 2 year olds is not a funding requirement, however local authorities can choose to establish a fund as part of their provision should they wish to do so and an agreement to fund SENIF for eligible 2 year olds as part of Walsall's early years provision is in place.
- 4.15 SENIF is to be used to target children with lower or emerging SEN. Children with more complex needs and those in receipt of an education, health and care plan will continue to be funded via the high needs block of the DSG.

Detailed Funding Factor Values

- 4.17 Appendix A below confirms the proposed funding factors and their values for the 2021/22 Early Years Funding Formula.
- 4.18 It should be noted that the early years guidance also permits a number of additional discretionary supplements including rurality; quality; flexibility and English as a second language, however none of these permitted discretionary supplements feature in the proposed Early Years Funding Formula.

**5. Financial implications**

- 5.1 The exact financial impact on individual providers cannot be predicted at this time as this will be dependent on actual hours of funded childcare that are delivered during 2021/22.
- 5.2 However current financial modelling indicates that the proposed financial arrangements set out in table 1 would be affordable within the Early Years Block funding provided within the Dedicated Schools Grant for 2021/22.
- 5.3 A universal base hourly rate of £4.56 per hour for 3 & 4 year olds would equate to an increase 13 pence per hour to 2020/21 rates, the flat base rate for disadvantaged 2 year olds of £5.40 per hour is an increase of 8 pence per hour from 2021/22.
- 5.4 The proposed hourly rate for 2 years olds equates to the per pupil hourly rate to be received by the local authority in the early years block of the 2021-22 DSG.
- 5.5 The larger increase for 3 & 4 years olds is possible due to a reduction in the amount of funding retained to meet the costs of the deprivation supplement and SENIF for 2, 3 & 4 years olds – funding which is passed to schools and early years providers and to meet the costs of central expenditure on Early Years Entitlement, as set out in table 1 above.
- 5.6 It may be necessary to adjust the final hourly rate for 3 & 4 year olds set out at 5.3 should the validated January 2021 census data vary to the un-validated estimates used in financial modelling.

**6. Legal Implications**

- 6.1 The DfE has prescribed the way in which early years providers should be financed for the 2021/22 financial year. These guidelines are set out in the Early Years Entitlement 2021 to 2022 operational guide, and can be found at the following link:

<https://www.gov.uk/government/publications/early-years-funding-2021-2022>

- 6.2 The purpose of these arrangements is to help secure greater consistency in the way in which funding is distributed to early years providers. The Council must follow the rules issued by DfE within The School and Early Years Finance (England) Regulations, and the proposed Walsall local early years funding formula sets out how funding will be allocated to early years providers in Walsall within the prescribed arrangements
- 6.3 Following the meeting of Schools Forum the proposed financial arrangements will be reported to Cabinet for decision on 17<sup>th</sup> March 2021, with the outcome communicated with all early years providers in Walsall.

**7. School Improvement**

- 7.1 As part of making any decisions regarding possible changes to the funding formula, the potential impact on the desired outcomes of the Walsall school improvement programme should be considered.

**8. Members eligible to vote**

- 8.1 All elected members with voting rights are eligible to vote on this matter.

Appendix A

**Proposed Early Years Funding Formula 2021/22**

<b>Funding Factor</b>	<b>Unit / descriptor</b>	<b>2021/22 Rate/Value</b>	<b>2020/21 Rate/Value</b>
Early Years Entitlement for Disadvantaged 2 year olds	per hour	£5.40	£5.32
3 & 4 year olds - Universal Hourly Base rate	per hour	£4.56	£4.43
Deprivation Supplement – mandatory	Fixed annual sum per notional disadvantaged child – derived from numbers recorded on January 2021 census & mapped by postcode to IDACI band A.	£570 pa p/p	£570 pa p/p
Maintained Nursery Schools Supplement for 3 & 4 YO provision (transitional factor)	Variable lump sum per nursery school based on published capacity of nursery school.	Range: £137.6k to £174.4k	Range: £140k to £177.5k

**Other Early Years Funding**

<b>Funding</b>	<b>Descriptor</b>	<b>2021/22 Prescribed rate</b>	<b>2020/21 Prescribed rate</b>
Early Years Pupil Premium (EYPP)	Additional funding to support disadvantaged 3 & 4 year-old children who meet the prescribed criteria	0.53 per hour of universal free entitlement	0.53 per hour of universal free entitlement
Disability Access Fund (DAF)	For children in receipt of disability living allowance – support access to free entitlement for 3 & 4 year-olds.	£615 pa lump sum	£615 pa lump sum

**Special Education Needs Inclusion Fund (SENIF)**

<b>Funding</b>	<b>Descriptor</b>	<b>2020/21 rate</b>	<b>2019/20 rate</b>
Special Education Needs Inclusion Fund (SENIF) for 3 & 4 year olds - mandatory	SENIF is targeted funding for children with lower or emerging SEN needs who are attracting 3 & 4 year old free entitlement	£640 per term	£640 per term

## Agenda Item 8

Special Education Needs Inclusion Fund (SENIF) for 2 year olds – optional local factor	SENIF is targeted funding for children with lower or emerging SEN needs who are attracting 2 year old free entitlement	£640 per term	£640 per term
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# **WALSALL**

## **SCHOOLS FORUM**

### **FORWARD PLAN OF DECISIONS**

The forward plan sets out decisions which the Schools Forum intend to take over the following 4 months. Preparation of the forward plan helps the Schools Forum to programme its work. The purpose of the forward plan is to give plenty of notice and an opportunity for consultation on the issues to be discussed. The plan is updated in the middle of each month with the period of the plan being rolled forward by one month and republished. The plan is available for public inspection at the First Stop Shop, Civic Centre, Darwall Street, Walsall. Copies of the plan can be obtained from Beverley Mycock, Democratic Services, Walsall MBC, Council House, Lichfield Street, Walsall, WS1 1TW, 01922 654762 or e-mail [bev.mycock@walsall.gov.uk](mailto:bev.mycock@walsall.gov.uk). The forward plan can also be accessed from the Council's website at [www.walsall.gov.uk](http://www.walsall.gov.uk).

Please note that the decision dates are indicative and are subject to change. Please contact the above addressee if you wish to check the date for a particular item.

The Schools Forum agenda and reports are available for inspection by the public 7 days prior to the meeting of the Forum. The papers can be seen at First Stop Shop at the Civic Centre, Walsall. The papers are also available on the Council's website referred to above shortly before the meeting. Background papers are listed on each report submitted to the Schools Forum and members of the public are entitled to see these documents unless they are confidential. The report also contains the name and telephone number of a contact officer. These details can also be found in the forward plan.

Meetings of the Schools Forum are open to the public and take place at a venue within Walsall. Occasionally there are items included on the agenda which are confidential and for those items the public will be asked to leave the meeting.

[www.walsall.gov.uk](http://www.walsall.gov.uk)

**FORWARD PLAN OF DECISIONS TO BE TAKEN  
BY SCHOOLS FORUM  
FROM OCTOBER, 2020**

<b>DECISION TO BE CONSIDERED</b>	<b>BACKGROUND PAPERS AND CONTACT OFFICER</b>	<b>DATE ITEM TO BE CONSIDERED</b>
SEND Improvement Programme / EHCP Performance Framework	Interim SEND Lead	Standing Item for each meeting
SEND Improvement Programme / EHCP Performance Framework	Interim SEND Lead	22 <sup>nd</sup> June, 2021 Standing Item for each meeting
Strategic Education and Inclusion Board Update on Impact of Board	Chair of Walsall Strategic Education Inclusion Board and School Governance Manager	22 <sup>nd</sup> June, 2021
Membership Update	Democratic Services Officer	22 <sup>nd</sup> June, 2021
Schools Forum Annual Report	Democratic Services Officer	22 <sup>nd</sup> June, 2021
Dates & Venue for 2021/22 meetings	Democratic Services Officer	22 <sup>nd</sup> June, 2020