

Schools Forum

Minutes of meeting held on Tuesday, 12 October 2021 at 4.00 pm 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.

Schools Forum Members Present:

Mr M. Vlahakis (Chair)	–	Primary Head Teacher
Mr A. Seager (Vice-Chair)	–	Secondary Academy Head Teacher
Mr C. Bury	–	Alternative Provision School Principal
Mr S. Davies	–	Primary Head Teacher
Mr B. Downie	–	Secondary Academy Head Teacher
Mrs C. Draper	–	Primary Head Teacher
Ms L. Foster	–	Primary Governor
Mrs J. Garrett	–	Primary Head Teacher
Mr T. Hopkins	–	PVI Representative
Mrs H. Keenan	–	Secondary Academy Head Teacher
Mr M. Moody	–	Primary Academy Representative
Mrs E. Phillips	–	Academy Special School
Ms M. Sheehy	–	Primary Head Teacher
Mrs M. Turley	–	Nursery Head Teacher
Councillor C. Towe	–	Portfolio Holder, Education and Skills (Observer)
Ms S. Guy	–	National Education Union (Observer)
Mr A. Orlik	–	C of E Diocese (Observer)

Officers Present:

Mrs S. Kelly – Director of Access & Inclusion
Mr L. Haynes – Deputy Head of Finance – Corporate
Ms D. Morris – School & Early Years Finance Manager
Mr N. Perks – Quality Assurance Team Manager
Ms T. Pyatt – Head of Inclusion
Mr R. Thomas – Head of Access
Mr R. Walley – Technical Accounting, Treasury Management & Education Finance Manager
Dr P. Fantom – Democratic Services Officer

		Action
1. 12.10.21	<p>Welcome</p> <p>The Chair opened the meeting by welcoming everyone and explaining the 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 Council's Committee Management Information System (CMIS) webpage.</p> <p>Members confirmed they could both see and hear the proceedings.</p>	
2. 12.10.21	<p>Apologies</p> <p>Apologies for absence had been received from Mr I. Baker, Mrs S. Bowen, Mrs N. Boys, Mrs C. Fraser, Mr S. Pritchard-Jones, Mrs S. Rowe and Mr A. Webley.</p>	
3. 12.10.21	<p>Minutes – 21 September 2021</p> <p>The Schools Forum received the Minutes of the meeting held on 21 September 2021 (see annexed).</p> <p>The Chair put the recommendation to the vote and it was:</p> <p>Resolved:</p> <p>That the Minutes of the meeting held on 21 September 2021, a copy having been previously circulated to each Member of Schools Forum, be approved and signed as a true record.</p>	To note
4. 12.10.21	<p>Matters Arising from the Minutes of 21 September 2021</p> <p>The Chair noted that there were some action points arising from the SEND improvement update and the EHCP timeliness and performance update and, as Mr Webley had submitted apologies for this meeting that these be carried over for the next meeting of the Forum.</p>	AW for next meeting
5. 12.10.21	<p>Late Item/s (urgent) to be introduced by the Chair</p> <p>There were no late items.</p>	
6. 12.10.21	<p>Local Government (Access to Information) Act 1985 (as amended)</p> <p>The Schools Forum noted that there were no items for consideration in the private session.</p>	

<p>7. 12.10.21</p>	<p>Proposed for Mainstream Schools Local Funding Formula 2022/23</p> <p>The report on the proposed for mainstream schools local funding formula for 2022/23 was submitted (see annexed).</p> <p>The Technical Accounting, Treasury Management & Education Finance Manager, Mr R. Walley, presented the report. He explained that the funding formula was for 2022/23 only and that specific data was to be published in December 2021, which would be used to determine the final budgets of individual schools.</p> <p>The Forum was referred to section 3 of the report in relation to the national funding formula and Walsall's approach, which was to implement incrementally over time rather than at once.</p> <p>Mr Walley noted the DfE's consultation and the move towards a nationally determined school-level allocation that eliminated local authority interventions in the formula. A working group had been established, meeting initially in July 2021, and with four options being presented to further meetings in September 2021. The four options were:</p> <ol style="list-style-type: none"> 1. No change to current funding formula factors – but incorporating an allowance for inflation. 2. Adopt the National Funding Formula (NFF) in full. 3. Further incremental move toward the NFF with reduction in current lump sum rate and that funding invested in low prior attainment, and then a reduction in the free schools meals rates and investment of that funding in the creation of an Ever6 free school meal factors at the NFF rate, and also the addition of a mobility factor. 4. Further incremental move toward the NFF with reduction in current lump sum rate and that funding invested in to low prior attainment, and then a lower reduction in the free schools meals rates and investment of that funding in the creation of an Ever6 free school meals factors at 50% of the NFF rate, and also the addition of the mobility factor. <p>Discussion and questions from Forum members followed:</p> <p>The four options had been presented to the September meeting of WASH, with it being noted that some secondary schools did not benefit from the full implementation of the NFF. A closed ballot had been undertaken and the responses received favoured option 2, with a movement to the NFF as soon as was practicable.</p>	
-------------------------------	--	--

	<p>In terms of the position of the primary schools, concerns were expressed as to the outcome of the consultation – which had been about the move towards the NFF – was not known, although there was an expectation that this would formalise greater movement toward the NFF from 2023/34. However, the majority of local authorities and schools were still to adopt the NFF. The overall view was to support the option where there were no changes to funding, by staying with option 1 for this year. This was on the understanding that the outcome of the consultation was still awaited and the likely impact on schools would then need to be assessed.</p> <p>In view of the academies working from September to August and the mainstream schools from April to March, the Chair enquired when the changes were to happen and whether some schools would be disadvantaged by this.</p> <p>The Deputy Head of Finance – Corporate, Mr L. Haynes, explained the process by which information was received from and responses made to the DfE. In April, the DfE provide the funding from the school's block for the maintained schools for April 2022 to March 2023, as based on the local funding formula. For academies, whilst the process had a similar starting point, individual allocations were made to each institution for September 2022 to August 2023 directly by the ESFA, informed by the local funding formula, but the Local Authority was not involved in those conversations.</p> <p>The Chair was aware that 42% of local authorities had adopted the NFF and asked whether more up to date information was available. Mr Haynes stated that this was not yet publically available.</p> <p>During discussion, Forum members noted the different views being expressed, with the DfE and ESFA encouraging the movement towards full adoption of the NFF. In view of 90% of Walsall's secondary schools being academies, careful thought should be given on the direction of travel, with the possibility that more local authorities would adopt the NFF in 2022/23.</p> <p>The Clerk put the recommendations to the vote by way of a roll call of all elected members with voting rights.</p> <p>Resolved:</p> <ol style="list-style-type: none"> 1. That the Schools Forum supports Option 1 – No change to current funding formula factors – but incorporating an allowance for inflation, as set out in the report; 	
--	--	--

	<p>2. Note that, once the final Dedicated Schools Grant (DSG) allocations for 2022/23 had been issued in December 2021, a further report would be presented to Schools Forum at their meeting in January 2022;</p> <p>3. Note that the recommendations from the report would be reported to the Cabinet to seek its approval.</p>	
<p>8. 12.10.21</p>	<p>Review of Maintained School Balances 2020/21</p> <p>The report summarising the balances held by maintained schools as at 31 March 2021, and as reported to the DfE under consistent financial reporting regulations, was submitted (see annexed).</p> <p>Queries were raised by the Chair regarding surpluses as a percentage of income to schools. He also asked whether there had been any movement to align maintained schools with academies.</p> <p>Mr Haynes noted that academies individually or when part of an academy trust set their own surplus policies and determined their balance control mechanisms. Hence, there could be a variance between the different academies in relation to their approaches to surpluses, which made this difficult for the Local Authority to mirror. He noted that whilst the long-term trend had been for a reduction in reserves, during the last year there had been a slight increase due to uncertainties arising from the pandemic. However, having tracked back to 2013/14 no review of the Local Authority's current balance control mechanism was deemed necessary at this point.</p> <p>In response to a question on the reporting being done by federations, and uncertainties in terms of the amount of funding to be expected, Mr Haynes referred to the DfE guidance in respect of reporting individual balances. The review of the balance control mechanism in 2013/14 to the current 8% ensured that there was a sufficient balance between schools being able to maintain a cushion of financial reserves which could be used to manage risk where needed, whilst at the same time utilising funding received for the benefit of children currently at the school. The Director of Access & Inclusion, Mrs S. Kelly, pointed out that the current balance control mechanism allowed for the flexibility when there were challenges and schools needed support.</p> <p>Mrs Draper added that whilst nurseries appeared to have healthy balances, account needed to be taken of the potential loss of the maintained nursery lump sum of up to £170K per</p>	

	<p>year, and hence the nurseries were using their surplus balances to prepare for this.</p> <p>Resolved:</p> <p>That the report be noted.</p>	To note
<p>9. 12.10.21</p>	<p>Maintained Schools De-delegation 2022/23</p> <p>Ms S. Guy declared an interest as she represented teachers unions and therefore left the meeting at this point.</p> <p>The report providing maintained schools with the opportunity to decide whether to de-delegate funding for relevant services back to the Local Authority for the 2022/23 financial year was submitted (see annexed).</p> <p>Mr Haynes noted that Mrs Bowen was the representative of the maintained secondary schools. In terms of the guidance, only maintained primary and secondary school representatives of the Forum were allowed to vote on this matter. In her absence, her views had been forwarded and were relayed to the meeting.</p> <p>Each recommendation was put to the representatives of the primary maintained schools. Each representative voted separately by way of a roll call.</p> <p>Resolved:</p> <ol style="list-style-type: none"> 1. That the Schools Forum note the insurance options available under the DfE's Risk Protection Arrangement, and the work undertaken by the Local Authority to be able to offer a comparative insurance package; 2. That the maintained secondary school members approve de-delegation of the free school meals eligibility service (estimated at £17.33 per free school meal eligible pupil); 3. That the maintained secondary school members approve de-delegation of insurance services (estimated at £20.00 per pupil); 4. That the maintained secondary school members approve de-delegation of staff costs – teaching union and public duties (estimated at £4.99 per pupil); 5. That the maintained secondary school members do not approve de-delegation of specialist inclusion support service (estimated at 12.00 per pupil); 	

	<p>6. That the maintained primary school members approve de-delegation of the free school meals eligibility service (estimated at £17.33 per free school meal eligible pupil);</p> <p>7. That the maintained primary school members approve de-delegation of insurance services (estimated at £20.00 per pupil);</p> <p>8. That the maintained primary school members approve de-delegation of staff costs – teaching union and public duties (estimated at £4.99 per pupil);</p> <p>9. That the maintained primary school members do not approve de-delegation of specialist inclusion support service (estimated at 12.00 per pupil);</p> <p>10. That the maintained primary school and maintained secondary school members note that library services, maternity support and contingency were not being offered under de-delegation and they would have to purchase individually any service they required.</p> <p>Ms Guy returned to the meeting.</p>	
<p>10.</p> <p>12.10.21</p>	<p>Review of Dedicated Schools Grant: Update on 2021/22 Forecast Position</p> <p>The report on the DSG forecast outturn position for 2021/22 was submitted (see annexed).</p> <p>Mr Haynes presented the report and highlighted the salient points therein. He drew members' attention to and expanded upon the three tables included within the report. He noted:</p> <ul style="list-style-type: none"> • Table 1: That an unallocated balance of £0.694M was being held to manage any in-year pressures on the DSG in 2021/22. • Table 2: The forecast position for the high needs block was an overspend of £1.069M, which could be funded by the unallocated £0.694M plus a contribution from reserves of £0.760M, leaving an unallocated balance of £0.385M to carry forward. <p>The Chair noted the biggest pressure appeared in relation to Additionally Resourced Provision (ARP) and mainstream schools, and enquired whether this would continue in future. Mr Haynes referred to the reports made to Schools Forum and to the Cabinet in March 2021, following the review of the high needs funding formula. Special schools had</p>	

	<p>implemented the new funding formula immediately, whereas for mainstream schools implementation was made from the date of each child's annual review and it was this time delay and transition that was causing some of the pressures. However, working with the SEN team, the progression of annual reviews and from old to new rates was being tracked.</p> <p>Mrs Draper noted that part of the overspend was attributable to the backlog in processing overdue EHCPs and annual reviews. New EHCP applications meant that the pressure would continue to increase. Mr Haynes pointed out that there had been a national allocation increase in next year's high needs block, with an increase for Walsall being anticipated, and this could be used to help manage some of the pressures.</p> <p>The Head of Inclusion, Ms T. Pyatt, referred to the steps being taken to clear the EHCP backlog. Nationally, there had been an increase in the number of applications and in Walsall a specialist provision review group had been set up to investigate the increase and assist in delivering provision in the Borough via modelling and working with colleagues in schools to reach workable recommendations.</p> <p>The Chair asked whether some children were to be reintegrated into mainstream schools and, therefore, was preparation necessary for this. In response, Ms Pyatt stated that the number of places at Shepwell had increased this year when compared to previous years, and as a medical pupil referral unit, it was funded differently from other school settings. Mr Haynes pointed out that decisions concerning high needs funding were made by the Local Authority. Accordingly, any questions relating to the funding blocks, such as any impact on the schools block, could be addressed in relation to the overall position of the DSG.</p> <p>Resolved:</p> <ol style="list-style-type: none"> 1. That the Schools Forum note the updated position, as set out in the report; 2. That the Schools Forum note that this position would continue to be reported regularly. 	
<p>11. 12.10.21</p>	<p>Local Government Pension Scheme Current Service Pension Costs: Introduction of an annual reconciliation Process</p> <p>The Forum received a report on the Local Government Pension Scheme (LGPS), which had introduced a reconciliation process for current service pension costs at the</p>	

	<p>end of each financial year, effective from 2020/21. It was pointed out that this change brought the risk of additional charges being introduced for schools, and the report provided the Forum with information in this respect (see annexed).</p> <p>Resolved:</p> <p>That the report be noted.</p>	To note
12. 12.10.21	<p>SEND Improvement Programme Update</p> <p>This item of business was deferred for consideration at the next meeting of the School's Forum.</p>	AW to report to next meeting
13. 12.10.21	<p>EHCP Timeliness and Performance Update</p> <p>This item of business was deferred for consideration at the next meeting of the School's Forum.</p>	AW to report to next meeting
14. 12.10.21	<p>Forward Plan</p> <p>A copy of the Forward Plan was submitted (see annexed).</p> <p>It was noted that the item: Strategic Education and Inclusion Board – Update on Impact of Board was to be deferred for consideration at a future meeting of the Schools Forum.</p> <p>It was also noted that the item: Proposed for Mainstream Schools Local Funding Formula 2022/23 (if required), which was to have been placed on the agenda for the DECEMBER 2021 meeting, was to be deleted from the Forward Plan.</p> <p>Resolved:</p> <p>That the Forward Plan be noted.</p>	To note
15. 12.10.21	<p>Late Items</p> <p>There were no late items for consideration.</p>	
16. 12.10.21	<p>Correspondence</p> <p>There were no items of correspondence.</p>	
	<p>Date and Time of next meeting</p> <p>The next meeting of Schools Forum is scheduled for Tuesday, 7 December 2021, commencing at 4.00 pm.</p>	

The meeting terminated at 5.04 pm.

Signed

Date: