

## 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

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1. 12.01.21	<p><b>Welcome</b></p> <p>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>	

	<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: .....