

**MINUTES OF A MEETING OF THE
SCHOOLS FORUM
HELD ON 12 OCTOBER 2022 FROM 10.00 AM TO 12.00 PM**

Schools Representatives

Carol Simpson	School Business Manager - Colleton Primary
Corrina Gillard	Primary Head - Emmbrook Infant
Brian Prebble	Primary Head - Rivermead Primary - Vice Chairman
Liz Woodards	School Business Manager - Hawkedon Primary
Ali Brown	Primary Head - Nine Mile Ride Primary
Julia Mead	School Business Manager - St Sebastian's CE Primary
Derren Gray	Academy Head - The Piggott School
Paul Miller	Trustee - The Circle Trust - Chairman
Shirley Austin	Academy Head - The Forest School
Debra Briault	Secondary Academy School Representative
Sara Attra	Special School Head - Addington School

Non School Representatives

Morag Malvern	Wokingham Borough Council
Sal Thirlway	Assistant Director for Learning and Partnerships

Also Present

Luciane Bowker, Democratic & Electoral Services Specialist
Prue Bray, Executive Member for Children's Services
Piers Brunning, School Place Planning Manager
Patrick Grant, DfE
Lynne Samuel, Senior Finance Specialist, People Services
Katherine Vernon, Schools Finance Manager
Helen Watson, Director for Children's Services
Stacey Wetters, DfE

1 ELECTION OF CHAIRMAN

Paul Miller was elected Chairman for the 2022/23 academic year.

2 ELECTION OF VICE-CHAIRMAN

Brian Prebble was elected Vice-Chairman for the 2022/23 academic year.

3 APOLOGIES

Apologies for absence were submitted from Paul Gibson, Ben Godber, Phil Sherwood and Amanda Woodfin. Amanda Woodfin was substituted by Chris Connian.

4 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 6 July 2022 were confirmed as a correct record and would be signed by the Chair at a later date.

5 MATTERS ARISING

Reference was made to the list of matters arising on page 15 of the agenda, and the following comments were made in relation to each point:

1. The Task and Finish Group had met to discuss the National Funding Formula (NFF) consultation.
2. The Education Welfare Service report was deferred to the December meeting.

3. The comment in relation to falling rolls was passed to the Admissions Group.
4. The information about the cost of maternity and sickness was included in the Revenue Monitoring report.
5. Revenue Monitoring – the Chairman asked that a note be added to show the £1.7million deficit and risks to make it clearer in the report.
6. An update on the principles behind the funding for all blocks would be shared with Schools Forum in December.
7. Ian Morgan was of the opinion that it was important that Kerry Clifford, as the only maintained nursery representative, continued as a member of the Early Years Task and Finish Group. *Subsequently Ian Morgan confirmed that Kerry Clifford wished to continue as a member of the Early Years Task and Finish Group.*
8. This update was deferred.
9. This was a comment.

6 DECLARATION OF INTEREST

There were no declarations of interest.

7 2022/23 REVENUE MONITORING REPORT

Katherine Vernon, Schools Finance Manager presented the 2022/23 Revenue Monitoring report and made the following points during her presentation:

- A deficit of £5.7 million was projected, mainly relating to overspend in the High Needs Block (HNB);
- The increased in-year deficit relates to £1.1 million from the from the HNB and £108k from the Schools Block. £1.1m of the potential EHCP related in-year overspend flagged in July has already been seen as actual spends;
- £55k was brought forward from the 2021/22 financial year and is held on behalf of maintained schools for contingencies;
- It is expected that the new St Cecilia School will open this year (previously anticipated in 2021/22), therefore the Growth Fund estimated cost of the opening has been brought forward. If classes do not open this year, there will be a carry forward (as shown in the appendix);
- A review of the de-delegated budget was undertaken and an underspend of £57k is anticipated, this was kept under review;
- There has been an increase in the number of Education Health and Care Plans (EHCPs). Due to a lack of suitable places within the borough, children have had to be placed out of the borough. 10 additional places had to be funded at Addington School;
- Additional funding relating to the 2021/22 financial year had been received for the Early Years Block due to a recalculation by the Department for Education (DfE) based on the census data. The Early Years Task and Finish Group would discuss proposals for the allocation of the additional funds.

The Chairman acknowledged that approximately £1.1million of the projected £1.7 million EHCP related overspend had already materialised and asked if there were any further risks in the projections. Lynne Samuel, Senior Finance Lead stated the risks were as previously reported, this was based on best available information. The service was continually reviewing the information provided by the SEND Team.

Derren Gray asked for clarification on the Growth Fund figures. Katherine Vernon explained that the £1.589 million was a top sliced figure agreed by Schools Forum from the Schools Block. The £1.664 million was the total DfE Growth Fund allocation for WBC.

RESOLVED That the 2022/23 Revenue Monitoring report update, with the associated risks be noted.

8 2022/23 HIGH NEEDS BLOCK UPDATE

Sal Thirlway, Assistant Director for Learning and Partnerships presented the 2022/23 High Needs Block update and made the following points:

- A £4.4 million shortfall in the HNB was being projected, this represented an increase of £1.1 million on what was previously reported. It was a challenging situation, with a continual increase in the number of EHCPs in the borough;
- The SEND Innovation and Improvement Programme (IIP) continued to deliver its programme, seeking to find solutions to the challenges faced in relation to the growing cost pressures on the HNB and the increase in demand;
- Progress had already been made, but there was recognition of the fact that more work was needed;
- A large piece of work had been undertaken, reviewing the resource spaces within the borough and future demand;
- The process of application for two new special schools in the borough was already under way;
- Conversations with the DfE were taking place to try and find solutions to tackle the HNB deficit.

Sal Thirlway confirmed that there was a digit missing for the total EHCPs on the last column on page 32, it should read **1651**. There was also a column missing for August 2022 which should read **1672**.

In response to a question Lynn Samuel explained that the £1.7 million deficit projection was based on the assumption of an additional 30 EHCPs per month.

Sal Thirlway explained that the chart on page 36 illustrated the different types of support and placements that could be offered, depending on the level of SEND needs. This was part of the resource 'spaces' review. It was recognised that some children, given the right level of support, could be educated within mainstream schools within the borough.

RESOLVED That the 2022/23 High Needs Block update and associated SEND IIP activity be noted.

9 DSG SAFETY VALVE

Sal Thirlway presented the DSG Safety Valve report. He pointed out that assumptions had been made in relation to the figures presented in the report and that this was a 'work in progress' document.

The Safety Valve Programme was a programme being developed by the DfE and the Education Skills Funding Agency (ESFA) for those local authorities with a high level of deficit in their DSG, due to pressures in the HNB.

The programme involved an assessment of the situation and how the local authority proposed to address the challenges and plan for the future.

A programme of improvement had been set out, looking at short, medium and long term strategies and planning; to continue to support the children and address the deficit.

A range of partners were being engaged in the development of the Safety Valve.

Over the last three years, the focus had been on improving the outcomes for young people, by delivering the improvements that were needed. The focus and challenge now was on sustaining good outcomes, and at the same time addressing the deficit and finding a sustainable future.

During the discussion of the item the following comments were made:

- Sal Thirlway stated that the Safety Valve priorities aligned with the priorities already identified by the SEND IIP;
- There were working groups working on each of the SEND IIP strategic priorities. The intention was to align the Safety Valve with the work which was already taking place, build on and continue the engagement and co-production with partners;
- In response to a question, Sal Thirlway stated that the involvement of Schools Forum was extremely important, given the implications on the DSG and HNB funding. He suggested adding a Safety Valve update as a standing item in Schools Forum's agendas;
- Councillor Bray, Executive Member for Children's Services explained that the Safety Valve was a mechanism to deliver the priorities that had already been identified by the service, it was not a separate initiative. She emphasised that partnership working was essential to the delivery and success of the programme;
- It was agreed that it was important to keep leaders informed on the development of the Safety Valve, not just at Schools Forum and the Wokingham Education Partnership, but also at other leaders' sessions;
- Helen Watson, Director for Children's Services endorsed the previous comments and emphasised that this was a collective piece of work. She stated that Sal Thirlway, Prue Bray and herself were open to hold conversations outside of the meeting too;
- Carol Simpson noted the ambition to balance the books by 2027/28 and asked when Schools Forum would be provided with the numbers;
- Sal Thirlway explained that there would be a meeting with the ESFA and discussions would follow to get an agreement on the way forward. He anticipated that it could take two to three months to get a formal agreement, but he hoped to be able to state the position earlier than that, Schools Forum would be kept informed;
- Sara Attra endorsed the initiative, however she pointed out the Safety Valve was not addressing the current crisis now. She informed that Addington School was full to capacity, with no more places available. This represented a burden on the school;
- Sal Thirlway recognised the challenging situation being faced currently, and stated that it was important to think collectively and creatively about how to address this challenge;
- Sara Attra suggested the possibility of creating satellite classes in mainstream schools, Addington could help to support to run those classes;
- Shirley Austin agreed that there was a crisis now. She highlighted the issue of children arriving from abroad with SEND and the difficulties with their assessments, placements and lack of capacity;
- Sal Thirlway explained that various options were being considered, including satellite provision;
- The Chairman asked if there were other streams of work or assumptions to mitigate the cumulative deficit in the next few years;
- Lynne Samuel explained that there was a lot financial modelling underpinning the plans. There were projections of unit costs, and considerations about the lack of

resource space within the borough and the future provision of new special schools to mitigate the challenges;

- Members expressed concern that there was no suggestion of a plan to address the immediate difficulties in 2023/24;
- Shirley Austin stated that Out of Borough placements were very expensive and suggested that these funds could be used instead in creating more in-borough placements now;
- Lynne Samuel explained that the financial models did take into account the projections of unmitigated risks, and how much it would cost if no action was taken;
- Sal Thirlway explained that as well as reviewing the current resource spaces and the expansion of Addington, other options were being considered to create more specialist spaces within the borough quickly. He added that the new Oaktree Special School was due to open in September 2023, and would alleviate some of the pressure;
- Councillor Bray urged members to put forward any other ideas to create more spaces, these ideas would be considered. She emphasised that the Local Authority could not tackle this issue on its own, schools had to be engaged, this partnership was very important. She also added that the service was aware of the challenges, including in relation to children coming from abroad who needed to be re-assessed, there was a lot of work being undertaken internally;
- Corrina Gillard asked if the new Oaktree School would be opening for all year groups, she was concerned that it could take 7 years before the school was open to all year groups;
- Sal Thirlway informed that this aspect was still being negotiated with the Maiden Erlegh Trust, he was unable to give a timeline of when this decision would be made;
- Corrina Gillard stated that she had a successful resource space within her school that she was happy to continue with. She explained that she needed confirmation on the level of funding for this unit and expressed frustration that this decision had not yet been made, especially in the context of a shortage of local places as was being discussed;
- Sal Thirlway accepted the point made by Corina Gillard;
- Sara Attra asked if the designation for the new Oaktree School had been decided;
- Sal Thirlway informed that the Oaktree School was going to be for children with ASD whom, with support, could access mainstream curriculum but could not access education in mainstream settings.

Members endorsed the programme and urged officers to take into account the points raised during the discussions. Schools Forum encouraged officers to work with the ESFA to put together a plan for the future to address the budget challenges.

RESOLVED That:

- 1) The contents of the report be noted;
- 2) The work that has been undertaken in the development of the proposals be welcomed;
- 3) The contents of the report and the next steps be supported in principle;
- 4) Upon feedback on negotiations with schools and the ESFA, detailed calculations be built into budget decisions by Schools Forum going forward, as appropriate; and
- 5) A DSG Safety Valve update be included as a standing item in Schools Forum agendas.

10 2023/24 BUDGET PLANNING

Katherine Vernon presented the 2023/24 Budget Planning report. She stated that the provisional allocation had been received in July, the final allocation would be received in December after the October 2022 census. There had been a slight increase in the Schools Block allocation.

For 2023/24 local authority's funding models have to allocate individual school funds within 10% of the National Funding Formula (NFF) rates. During the summer, modelling with the NFF, minimum and maximum rates had been done, and none of the current models worked with the current rates. The Task and Finish Group had met and asked for current school pupil number to see if a more appropriate model could be developed. Schools promptly provided their pupil numbers and it was ascertained that there were an additional 600 pupils in the system. This additional information has allowed a model to be developed which aligns with the minimum NFF rates.

With the new pupil numbers it was anticipated that the Growth Fund, of £1.6 million would be insufficient to support predicted growth and the need for new classes. Lynne Samuel explained that there were risks in relation to the Growth Fund, and the potential opening of new school.

The forthcoming consultation will address this matter.

Derren Gray informed that the Task and Finish Group had met twice. There was little difference for schools with the allocation model going 10% below NFF and at NFF, but it was sufficiently significant that the Task and Finish Group had decided to go with 10% below NFF. Derren pointed out to the DfE colleagues who were in attendance, that it was not fair that the allocation model had to work with NFF rates but the funding to be received will not match it those rates. Derren also pointed out that there was a significant amount of contingency in the Growth Fund, however this was likely to be needed.

It was proposed that the principles of the new funding allocation model be sent for consultation to schools.

The Chairman asked for further clarification in relation the clawback of Early Years funding process and how it differed from other local authorities. Lynne Samuel explained that a further small clawback had been anticipated for the last financial, however there had been an additional allocation instead. Wokingham's practice was to re-distribute any additional funding to providers. However, other local authorities generally did not do this.

Sal Thirlway explained that officers were thinking about the best way to use the Early Year's additional funding, in the context of the Safety Valve. The Safety Valve was looking to reduce the deficit in the DSG, not only the HNB deficit. However, there was recognition that settings were under significant financial pressure at this time. A proposal was being considered by the Early Years Task and Finish Group to implement a hardship fund using the unforeseen additional allocation.

Ian Morgan stated that he was broadly supportive of the proposal to implement a hardship fund. However, he pointed out that allocation for the next year was not yet confirmed. He worried that settings were facing significant challenges with the cost of living crisis, in particular in smaller settings. Feedback from the sector on this proposal would be

obtained through leaders forums, this would also be discussed at the Early Years Task and Finish Group.

The Chairman expressed his gratitude for the work of all of the task and finish groups, it made the budget setting process much more effective.

RESOLVED That the 2023/24 Budge Planning update be noted.

11 2023/24 SCHOOLS BUDGET CONSULTATION

Lynne Samuel explained the timeline process of consultation with schools on the Budget, had aimed to have the feedback from schools for discussion at this October meeting of Schools Forum. However, there had been an unprecedented number of challenges in preparing the budget for 2023/24 which had made it impossible to achieve the desired timescales for consultation with schools in time for this meeting. Had the consultation timeline been achieved, it would have enabled sufficient time to include Schools Forum's views and apply for any dis-applications to the ESFA.

The Local Authority will need to apply for dis-applications before the next meeting of Schools Forum. There is sufficient time to conduct a consultation before the dis-application deadline. Officers were asking Schools Forum to accept the schools' response to the consultation without having an opportunity to consider the outcomes/responses and make a formal response.

Lynne Samuel drew attention to the main points of the consultation, which were:

1. Principles of the Schools Block funding formula
2. Disapplication request for our all-through school re split site funding
3. Proposed 0.5% transfer from the Schools Block to the High Needs Block
4. Notional SEN methodology
5. Growth Fund methodology

Lynne Samuel pointed out that if schools and Schools Forum were not supportive of points 2 and 3, the Local Authority would have to submit a dis-application request to the DfE by November.

The Chairman further clarified that Schools Forum had a formal responsibility to make a recommendation on the Budget setting, based upon the feedback gained from the consultation with all the schools in the borough. However, there would not be another meeting of Schools Forum to discuss the results of the consultation before the deadline to submit dis-applications.

Derren Gray clarified that point 2 was to address the inequities created by having an all through school with a large secondary school and a small primary school.

In relation to point 3, Derren Gray explained that the Task and Finish Group was willing to help the Local Authority to compose the wording for the consultation, the recurring issue, as in previous years, was to have confirmation of how the money transferred would be used.

Sal Thirlway agreed that transparency was very important and agreed to share this with schools.

In response to a question Lynne Samuel stated that it was due to the complexities of this years' budget setting process, that it had not been possible to submit the consultation to schools earlier.

Sal Thirlway confirmed that if the 0.5% transfer from the Schools Block to the HNB was not supported, the Local Authority was likely to submit a dis-application request to the DfE.

Schools Forum asked that the Task and Finish Group, in particular Derren Gray, be involved in the production of the wording and explanations to go out in the consultation.

Upton being put to the vote, 14 members voted in favour of accepting the consultation results and 2 members voted against it.

Lynne Samuel added that there would be information sessions available for schools if they needed more explanation on the consultation.

RESOLVED That:

- 1) Schools Forum noted the planned timeline for the consultation process;
- 2) The Task and Finish Group would be involved in producing the wording and explanation contained in the consultation; and
- 3) Schools Forum would accept the results of the consultation.

12 FORWARD PLAN

The DSG Safety Valve update was added as a standing item.

The Education Welfare Service item was added to the December meeting.