

Norfolk Schools Forum

Minutes of Meeting held on Wednesday 22 November 2023 Cranworth Room
County Hall
09:00 – 13:00 hours

Present

Adrian Ball
Helen Bates
Martin Colbourne
Steven Dewing
Lacey Douglass
Carolyn Ellis-Gage
Alex Griffiths

Mike Grimble
Bob Groome
Glyn Hambling
David Hicks
Carol Jacques
Clare Jones
Joanne Philpott
Sarah Porter
Rachel Quick
Joanna Tuttle
Vicky Warnes
Martin White (Chair)

Diocese of Ely Multi Academy Trust
Roman Catholic Diocese
City College
Sapientia Education Trust
The Heather Nursery
The Parkside School
Brooke and Hempnall Primary
Schools
Avenue Junior School
Joint Consultative Committee
Unity Education Trust
Synergy Multi Academy Trust
Earlham Nursery School
Broad Horizons Education Trust
City of Norwich School
The Heart Education Trust
The Wherry School
Aylsham High School
Joint Consultative Committee
Nebula Federation

Representing

Academies
Roman Catholic Diocese
16 – 19 Representative
Academies
Early Years Representative
Maintained Special Schools
Maintained Primary Schools
Maintained Primary Governors
Joint Consultative Committee
Alternative Provision
Academies
Maintained Nursery Schools
Academies
Academies
Academies
Special School Academy
Maintained Secondary Schools
Joint Consultative Committee
Maintained Primary Governors

Sara Tough
James Wilson
Michael Bateman
John Crowley
Dawn Filtress
Martin Brock
Jon Nice
Marilyn Edgeley

Executive Director of Children's Services
Director for Sufficiency Planning and Education Strategy
Assistant Director, SEND Strategic Improvement and Partnership
Assistant Director, Education Intelligence and Effectiveness
Finance Business Partner (Children's Services)
Accountant (Schools, Special Educational Needs, and Early Years)
Senior Advisor
Admin Officer

Apologies:

Daniel Thrower
Hayley Porter-Aslet
Sarah Shirras

The Wensum Trust
Church of England Diocese
St Williams Primary

Academies
Church of England Diocese
Maintained Primary Schools

1. Welcome and Apologies

Apologies from Sarah Shirras – sub: Alex Griffiths
Daniel Thrower – no sub arranged

2. Minutes of Last Meeting and Matters Arising

The minutes were accepted as a true record.

- Review of redundancy costs for maintained schools – review ongoing.

- Further information on funding of audits for maintained nursery schools – provided.
- Maintained Nursery Schools – teachers’ pay and pensions grant funding, costing implications for schools with nurseries if they lose this – covered in item 5.
- Minutes from Early Years Consultative Group – have been sent and in future will be published online.
- Work of communications group – covered in item 3.
- Apologies to Mike Grimble that his email was not forwarded to Michael Bateman. Michael B will discuss with Mike Grimble.
- Catering – Forum will have regular updates. The Chair has received an email about a communication that will go out to schools in the form of an MI sheet which will include link to survey. The Chair urged all members to look at the MI sheet when issued and follow link to survey.
- Teachers pay and pensions email & update on what information went out. Officers have received an email and will circulate this to Forum members. Last handful of schools to update for 2022/23 will be completed by end of month – currently working on 2023/24 data and expect this to be done by March 2024.

Comments:

Members highlighted that if this is different to what was said at last meeting a communication should go out to update schools.

Action: Officers will follow this up.

3. Local First Inclusion

Sara Tough provided an introduction to this item confirming that we wanted to use a longer period of time in the meeting today for LFI as Officers have received additional information from the Department for Education (DfE) that they wish to share with Members.

Sara reminded Schools Forum that the LA supply comprehensive updates to the DfE as part of the tri-annual reporting cycle and these are essentially the LFI monitoring reports which include DSG updates. The last report to DfE (September 2023) showed an increase in EHCPs and a continuing rise in demand for specialist provision ahead of the impact of the work of LFI.

This results in the overall timeline to address in year and cumulative deficit extending by 9 months. The LA had planned to meet with the DfE following the December tri-annual report, following fair funding consultation and our detailed remodelling of the High Needs Block/ DSG. However, the DfE have written to us requesting a meeting this November (noting that the DfE are having similar meetings with other LA’s within the Safety Valve programme).

The DfE need assurance that the combined DfE/NCC investment through LFI will have the results that we planned, to improve outcomes for children and young people whilst doing so in a way that leads to a balanced budget. They need to have ongoing confidence in the Norfolk programme of work.

Sara set out that the session this morning will be based on a briefing of Schools Forum of the latest LFI position and the work to be undertaken prior to the DfE meeting and following within a timeline up to 31st March 2024 when the LA will submit a revised DSG management plan to the DfE.

Sufficient time would be given to a group discussion to ensure that the LA's next steps were informed by Schools Forum's views and that we could take collective action.

Sara also stated that the discussion today follows on from a similar briefing with the LFI Executive Board the previous Friday, with the representatives from Forum on that group, this was an extremely positive meeting.

James Wilson advised that DfE are asking us to refresh the plan to ensure that it remains on track and with revised emphasis within the plan for those elements that need changes. Between now and March the LA will engage with Forum Members and the wider education system as we work through the refresh.

James wanted to be clear that our view is, within the context of LFI being a six-year programme, that the programme itself is now well under way and we have collectively made strong progress in delivering what we said we would do. It was acknowledged that some aspects of the programme will take time to be felt by schools, families and children and that impact of SRBs and AP changes will be felt more into the future.

The LA continues to engage with the independent school sector and there was a reduction in the previous period regarding the rate of new placements. However, overall demand for specialist provision is high and the consequence of this, if not mitigated, is a longer period prior to deficit reduction overall.

A presentation followed that set out information that would be used within the DfE meeting at the end of November and covered the remodelling work to date on the overall HNB/DSG with a focus on specialist placements alongside updated EHCP referral figures, with the latter showing that we had now exceeded 10,000 EHCPs in Norfolk (which is a significant rise in the published figure earlier this year where Norfolk were 4.7% of school age population with EHCP compared to 4.1% nationally). Other information within the slides set out the likely high-level timeline between now and end of March 2024 with the work with the DfE and how Executive Board and Schools Forum would be involved.

A group discussion followed with the key points raised and questions answered:

- What would be the implication of not being able to deliver the financial benefits within current timeline / funding package?

In response: essentially DfE would withdraw the offer of Safety Valve and we would not benefit from the joint investment and the cumulative deficit would not be addressed. The discussions with the DfE which will now commence will likely involve some re-setting of the specific trajectories for Norfolk.

- Is this to some extent about supply creates demand? Can we make sure expectations about places in new special schools are managed so this isn't seen as a way that things will continue. With pent up demand the case could be even worse.
You have created expectations where there are special school places where there weren't before.

In response: the LA are not advertising new places in the same way as before and taking children from current pending lists and balancing need of children with pragmatism of home address / location of school to reduce travel time and reduce travel costs. We need to target the most appropriate and effective placements and promote benefits of local mainstream provision.

- There is an issue around 'paperwork' that is used to underpin special school referrals and the impact if these do not reflect up to date EHCP information (following recent annual reviews for example, and/or reflecting latest EP advice) which can lead to 'inappropriate' referrals. The LA can help special schools further to ascertain priority for limited placements through more tailored information as part of placement consultation. This occurs within Tribunal cases also and does not help when trying to manage admissions strategically.

In response: The LA recognises the system is 'panel' based and the range of work underway through LFI needs to lead to more relationship-based models of engagement to ensure admissions can be managed in a way that meets the challenge of statutory frameworks, best practice and pragmatism for scarce placement resource.

- Operating budgets for special schools are now coming under pressure, with this potentially exacerbated by difference between existing schools and new schools. We have to make sure these special schools continue being successful.

In response: this is similar to the SRB issue earlier this year where we referenced the fact that was a difference between the existing SRBs and the new ones coming online, with the new ones benefitting from a new funding model that recognises inflation. We need to address in the LFI programme and make sure these schools are financially sustainable and support them.

- Referral rates are really variable across the county. How much analysis has gone into this and into the strategic plan of actions?

In response: we can go further on that and think together about having conversations in a structured way. Whether we have zone-based conversations or more individually targeted – how we do it is for discussion but agree should be part of the programme. The refreshed LFI plan is likely to include a specific proposal for how we can use this data collectively as a system, highlighting the differential levels of referral and outcome, and support and challenge appropriately

- Issue of medical services and GPs encouraging referrals in the way educationalists are not.

In response: the future state will be an integrated front door. This will give us the opportunity to engage directly with GPs or other professionals to be part of deciding the right route. We all need to think carefully how we have

communications with GPs about how we communicate positively with them to advise parents appropriately.

- New 'free at the point of delivery' service through School & Community teams is welcome. However, this has occurred at a time when there has been a temporary freeze on the traded part of Educational Psychology and Specialist Teacher service. Therefore, school leaders would appreciate advice on where to access other educational psychological support.
- We have to be clear if the latest high EHCP referral rates and associated specialist provision requests is 'a blip' or if this signals a new higher rate of need in absolute terms. Therefore, a need to ensure that we can manage parental expectations alongside parental confidence and only develop the range of specialist provision that is needed in absolute not relative terms.

Action – Michael B to share slides with Forum Members following this meeting.

4. Schools Block Transfer and Notional SEN

4a. Schools Block Transfer

- **Consider and comment on the proposed changes to the distribution formula of the Schools Block of the Dedicated Schools Grant**

There were no comments from members.

- **Consider the feedback from the autumn 2023 Fair Funding Consultation**

There were no comments from members.

- **Vote on continuation of the movement of 0.5% from the Schools Block to the High Needs Block for 2024-25**

Vote: Unanimously agreed.

- **Vote on the potential movement of additional funding (an additional 1%) from the Schools Block to the High Needs Block for 2024-25 and provide a clear indication as a Forum as to whether such a movement is supported.**

Members Comments with LA responses in italics:

- Honesty of people saying they will do this in the interests of the system.
- A more co-ordinated approach to the responses.

- It was noted that people could respond to consultation without saying who they were.
- No choice – got to give our approval but shocking that in supporting the LFI programme Members felt they had no choice but to support this. Don't think that it is right they are expecting this movement to take place. It is noted that although this was not a Forum decision the DfE want a view as to whether or not Forum supports the movement of the additional 1% and the disapplication request.

In response, the LA's understanding Secretary of State will not release their funds without having a vote recorded from Schools Forum supporting the transfer and that is their way of holding the school system to account. There is a requirement for the LA to make an investment and it is their way of saying that schools are equally accountable for delivering this.

- Money moving from one place to the other while schools still under pressure financially.
- 1.5% is £10m at the end of the Safety Valve process.
- This is an investment in inclusion, disappointed about element 3 funding potentially being reduced because where we have got schools that are heavily incentivised to be inclusive and have done fantastic things and to reduce that because other schools aren't being inclusive is significant. Not talked about holding schools not being inclusive to account.

In response: Suggested seeing the 1% as investment into early intervention. If the plan is working correctly, schools get much more back than funding taken away through the block transfer. It was clarified that there is no reduction in Element 3 funding; indeed, there is substantial investment, albeit the LA recognises that the potential rise in Notional SEN threshold will change the conversation with some schools about access to Element 3.

- How do we hold schools to account – NCC needs more bite around this.

In response: we do challenge schools and trusts on exclusions data, but this is only part of the picture. Over a 6-year period if transfer happens £64m comes out and £309m comes back, element 3, SRB's. It's right to link that to the support and challenge concept.

- This year the consultation responses show a greater understanding of the system as a whole.
- Projecting confidence to Government is important. However, there will be a lack of confidence in the vote next year and following years if improvements don't materialise. Then people sitting here will have difficulty going against that consultation response.

Vote - Unanimously agreed

Officers wanted it recorded that they thanked Schools Forum for their decision and said it was a huge vote of confidence in the programme and for sustaining the effort despite it being hard.

The Chair said it was a reflection of the positivity they want to express and also the understanding that this really is the last chance to deal with the HN Block deficit.

- It was commented that although the LFI programme received positive support only a small number of school leaders outside of those on Forum had commented, and so there remains a challenge in communicating and securing buy-in from across the whole education system.
- Late notification of briefings was highlighted as potentially resulting in poor attendance.
- The documentation sent out was of a better quality this year.

4b. Notional SEN

Due to the limited number of responses from the survey the LA is unable to draw any conclusion as to the view of the school system.

Therefore, the LA recommend that we do move to Option 2 and begin incremental moves to the national average from April 2024 at 1% change in Year 1 of a 3-year change.

Members comments with responses in italics

- What will the difference look like in schools with that percentage change?

In response: technical papers illustrate this at school level. Key point is that it does not change the funding allocation a school receives but changes the conversation when you ask to access other funding.

- Do all Heads understand that and the whole notion of Notional SEN?

In response: no but the LA has gone to great lengths to try to explain it.

- Wording used by the LA last year on different topic was that if there wasn't a consensus from Forum then the LA would retain the status quo.

In response: This is a different situation and the LA's view is that the situation with Notional SEN has changed as the DfE expects all Safety Valve authorities to take on board the new national guidance.

Vote on Option 2

For 18

Against 1

Abstentions 0

5. Remaining School Block Decisions

5a. Funding Cap / Sparsity Funding:

From the consultation responses, the status quo did not come through as the preferred option but no clear consensus on the other options. The paper provides a view on the LA's suggested option. The decision is with County Council Members at the end of January, NCC Members usually go with Forum's recommendation.

Members comments with responses in Italics:

- Clear preference for option 2, option 4 creates more disruption.
- The LA was asked to explain why the survey results appeared to favour option 2 but the LA was stating that there was no clear consensus and suggesting option 4 to the Forum

In response: The results are different depending upon the 'lens' that they are viewed through (school, pupil or response) and the responses received were more from schools affected by the sparsity funding cap issue, which may mean that those unaffected do not fully understand the implications of the proposals and have not engaged with the survey and the LA needs to consider what would be the fairest option for all schools. Option 4 treats all gains fairly and will mean that any school newly becoming eligible for sparsity funding would see gains in 24-25, whereas Option 2 would favour sparsity gains over other gains and only those schools eligible for sparsity funding in 23-24 would have MFG applications. Option 4, therefore, means that all schools are impacted proportionately by the Schools Block transfer to the High Needs Block.

- What is going to happen to the National Funding Formula? DfE does not seem to be in any hurry to move to the hard National Funding Formula. A lot of LAs are not even mirroring currently. Option 4 is closer to what would happen normally. I am in favour of Option 4.
- Impact is that the schools that qualify for the sparsity factor have received no benefit at all, they have lost it all in the MFG. So, with the way MFG works it is going to be 50 years before they see any benefit from sparsity.

In response: option 4 it would be the most beneficial for those schools affected by caps for any gains as the cap on gains would be removed completely.

Forum were asked to vote for their preferred option:

Option 1 Hard cap on gains – 0 votes

Option 2 MFG adjustments – 3 votes

Option 3 Scaling/capping – 0 votes

Option 4 Reduce unit values and remove cap – 15 votes

1 Abstention

5b. Falling Rolls

The LA does not recommend setting up a falling rolls fund at this time. At this point in time no evidence that any school would meet the required criteria.

On this basis, the LA does not recommend that Norfolk's 2024-25 funding formula operates a Falling Rolls fund, but that this is reviewed annually by the LA and Schools Forum.

Unanimously agreed

5c. Maintained Schools' Audits – Consultation

Members comments with responses in italics:

- Do not support this after realising that schools can choose their own provider.

- Norfolk Audit Services (NAS) are short staffed – can only do about 20 audits a year.

In response: Conversations with NAS are taking place as to how this would be delivered if there was a decision for a top-slice approach, but also how the level of demand will be met if we stay with the status quo.

- Quality of audit and how effective it is. Not capacity long term.

In response: At this time limited resources, the LA would look at putting that in place if there is a decision that is required.

- Papers state £300 per year per school. Our school spends £1,200 per year on audits. If you put both into one financial year that is the difference for a small school between a surplus and a deficit.

- Where does it sit for LA in terms of level of risk?

In response: risk considerations are far more than just the financial element. Financial RAG rating is a part of that, including intervention and support. Have had conversations with NAS around what that offer will look like in the future and where does the teeth come in if a school is not accessing audits.

- Everyone else audits every year, schools only every 5 years – this is what needs to change.

- Whilst schools are in charge of deciding to have an audit that they have to pay for when money is tight, they are not going to choose it.

- The Chair said that he thought Forum should make a recommendation at this meeting today.

The maintained Schools Forum members are asked:

Make a recommendation for whether or not Maintained Schools' Audits should be charged to maintained schools' budget shares in 2024-25, considering feedback from the autumn 2023 Fair Funding Consultation.

There was unanimous agreement not to top-slice maintained schools budget shares for 2024-25.

6. Early Years Funding

Following the LA's autumn Early Years consultation survey, the LA is now seeking a recommendation from Schools Forum to guide the formula for 2024-25. Final proposals will be brought to the next Forum meeting. Norfolk County Council's Cabinet will make the final decisions on 29 January 2024.

Norfolk will receive £7.4m of new funding across the lifetime of the project. The LA are advertising for expressions of interest from providers who want to join the consultative executive group to shape how we roll this out.

There was a request for representation from this group to provide a link to Forum. Joanna Tuttle and Sarah Porter volunteered to undertake this role. Carolyn Ellis-Gedge agreed to identify a representative from the special schools' sector.

After considering the consultation responses, the LA's proposal is that we have the same approach across all funding and remove all optional supplements leaving just the statutory deprivation supplement.

The LA also asked how we should fund central costs and after considering the consultation results, the LA approach is that all funding streams should contribute an equal percentage, at the minimum level required to fund centralised support.

Teachers Pay and Pensions Grant (TPPG) – the conclusion was that, in line with other decisions, the best way forward would be to consolidate TPPG funding within the base rate so it is equally distributed to all providers.

SENI Fund – consensus was that this should be increased.

Members comments with responses in italics:

- Information in the paper very useful
- Good responses – key was having good early years consultation group.
- Is the assumption that central costs will continue to be looked at because they may need increasing because of the changing age group and is it around administration more than anything?

In response: the top slice is used to understand the requirements, administer the funding and support the sector in meeting current and new requirements. The simpler the model, the less we spend on administering. Officers said they think Early Years Pupil Premium and the DAF funding will be equally applied to the year groups.

- TPPG – how many schools will it affect?

In response: page 57 of paper shows there are 5 different scenarios, this applies to all providers. In terms of removal of TPPG there is one provider who will lose 12p, 57 that will lose 2p, everyone else gains between a 2p and 22p. 102 providers will get 22p increase based on the assumptions in the paper.

- Could be significant in some schools.

In response, most schools are not receiving this currently.

Recommendations

- a. Does Schools Forum agree that our new formula approach will take the same approach for supplements across all funding streams and only include mandatory supplements?

Unanimously Agreed

- b. Does Schools Forum agree that we should top slice all funding streams equally, and at the minimum level, to fund central costs?

Unanimously Agreed

- c. Does Schools Forum agree that we should consolidate TPPG funding within the base rate to distribute to all providers?

For 17

Against 1

Abstain 1

- d. Does Schools Forum agree that we should increase the SENIF fund to meet the increase in demand. (Rates to be determined once the Norfolk DSG allocation is known)

Unanimously Agreed

7. Special Schools Funding

The report summarises the responses to the autumn 2023 consultation with Norfolk Schools in relation to the Special Schools Funding formula specifically in relation to GCSE provision from April 2024.

The LA are requesting, in line with DfE guidelines, that a view rather than a recommendation (as stated in the paper) be expressed from Forum.

The important thing to state is that this should not be seen as just impacting on Special Schools. It was noted from the consultation that Special Schools support option 1 but responses show lack of support for this from mainstream sector.

Members comments with responses in italics

- Interesting view and goes back to contextualised information provided within the technical papers; not entirely sure most people understand how special Schools are funded. Special Schools are funded on a place value. Beyond that there is an individuality around a child's needs done through audit. Important thing around audit is about need not provision. Are current funding arrangements actually relatively discriminatory, in that we are limiting their expectations and options and removing destination planning for these young people? Why we are asking people to consider the GCSE issue is because there are 30 – 40 children in this group, it is not a small group. Saying this would come from our current funding has created a divisive rift between those schools that do GCSE's and those that don't. The whole process has not been particularly helpful. Our children should be allowed options. We all have increased costs with regards to exams. I don't feel the papers were appropriate that they gave the information and think there was dis-information placed there.
- Why GCSE, what about funding for other things – are we creating a precedence?
- Goes back to what do you fund. Could be funding beyond the class-based capacity.
- Question about whether the whole funding needs to be looked at.
- View given that, yes, if it is based on need not provision based on the quality of EHCPs and the evidence; this is a flawed system.
- It is not a provision-based view.
- Our costs are not as high as special schools, but we are funding out of our AWPA so specifically for GCSEs seems slightly unfair to mainstream schools.
- There is no differentiating between the banding based on age for special schools.
- Since initial funding was looked at, special schools have changed and diversified - something to consider one type of additional need can generate x funding. This is about equity within the model, the fundamental issue is facing us all. Soon there will be 18 schools - this is pushing the model all the time.
- Risk of precedent at such a micro level in one area of education with this. All schools making difficult choices over curriculum and opens door to counter claims.

- All discussions about not enough money in the system to provide what we need for young people in Norfolk and agree we have got such variety in our special school system. Because of that, and thinking about the outcomes, if you have invested this money into these new special schools, what is it that you expect is going to give you value for money. If it is young people having GCSEs, that needs to be invested in. You can't just say all special schools need this amount of funding. There is so much individual detail needs to be addressed as a whole thing rather than in sections.
- If we are paying the same rate throughout the whole of those pupils lives that is completely different to how main school funding works; small amount of money to improve the equality across education.

In response: the decision to make today is around GCSEs, but the LA can commit to a wider review on how this works for next year.

- Agree would get more unity of views from Forum if looked at as a more general funding issue.
- Echo feeling in the room lots of valid points from different sides. Now get recognition that there is real concern around changing profiles of special schools and what expectations there are for outcomes so we are suggesting as a group from what's been said that discussions need to happen on a wider level, and if we have a commitment from NCC that this will happen in a timely manner then that is a positive outcome from this morning.
- It was highlighted that residential provision is still to be discussed at a future date. Point made discussion needs to be with non-special school representatives as well.

It was noted this was a vote for a preferred view.

Schools Forum voted on whether the special schools' funding formula for 2024/25 could be amended in respect of GCSE provision.

For	7
Against	9
Abstain	2

8. De-delegation/Central School Services Block

Schools Forum members are asked to decide on the de-delegation of services relevant to their sector and to approve the level of growth fund and growth criteria for 2024-25 and to approve the funding of central services from the Central Services Block for 2024-25.

Forum decisions are as follows:

- | | |
|----|--|
| 1a | Unanimously Agreed – primary staff costs de-delegation |
| 1b | No– secondary staff costs de-delegation |
| 2a | Unanimously Agreed – primary FSM eligibility de-delegation |

- 2b Unanimously Agreed – secondary FSM eligibility de-delegation
- 3a Decision deferred – special schools buyback of services, need decision by end of year
- 3b Agreed to remove this decision, trusts decide separately on this issue
- 4 Unanimously Agreed – nursery schools buyback of services
- 5a Unanimously Agreed – growth fund

Members comments with responses in italics

- in principle fine, concerned as to whether it's sufficient in certain areas.

In response: this is what the LA expects to be reasonable.

The Growth Fund is always challenging; in the past, the view of Forum was that this needs to be prudent; if overspent goes against overall DSG position.

- 5b Unanimously agreed – growth criteria
 - 6a Unanimously agreed – admissions funding (ongoing central functions)
 - 6b Unanimously agreed – Forum budget (ongoing central functions)
 - 6c Unanimously agreed – boarding fees (ongoing central functions)
 - 7 Unanimously agreed – responsibilities held for all schools from CSS
- Block

Members comments

- Members asked if there should still be a budget for PATHS?

Action: Michael B to check that PATHS does not exist anymore

9. Review 2023-24 Future Meeting Plan

Election of Chair/Vice Chair of Forum will take place at the January meeting. Any member who is interested in either role, and wishes to discuss this, can contact James Wilson.

10. AOB

None

11. Next meeting 26 January 2024 – 09:00 – 12:00 Cranworth Room County Hall.