**Norfolk Schools Forum**

**Minutes of Meeting held on Tuesday 26 January 2021**

**09:00 – 12:00 hours**

**Teams Meeting**

**Present: Representing**

Andrew Aalders-Dunthorne Academies

Keith Bates, Eaton Hall Specialist Academy Special School Academy

Chris Caddamy, (Vice Chair) City College 16 – 19 Representative

Lacey Douglass Early Years Representative

Alan Evans, Eastern MAT Academies

Mike Grimble, Avenue Junior School Primary Maintained Governors

Bob Groome JCC ( secondary phase)

Glyn Hambling, Unity Education Trust Alternative Provision

Carol Jaques Maintained Nursery School

Clare Jones, Boudica Schools Trust Academies

Adrian Lincoln (sub) JCC (primary phase)

Peter Pazitka, SJB CMAT Academies

Joanne Philpott, City of Norwich School Academies

Sarah Porter, The Heart Education Trust Academies

Joanna Rand, Hall School Maintained Special Schools

David Shaw, Creative Education Trust Academies

Sarah Shirras, (Chair) St Williams Primary Primary Maintained Schools

Joanna Tuttle, Aylsham High School Secondary Maintained Schools

Martin White, Nebula Federation Primary Maintained Governors

Martin Brock Accountant

John Crowley Assistant Director Learning and

Achievement

Marilyn Edgeley Admin Officer

Dawn Filtness Finance Business Partner

Chris Snudden Assistant Director (Education)

**Apologies:**

Sally Cutting Senior Accountant

Howard Nelson, Diocese of Norwich

Education Diocesan Board of Education

Sara Tough Executive Director Childrens Services

Vicky Warnes JCC (primary phase)

1. **Welcome and Introductions**

The Chair welcomed two new Academy representatives to the Forum, Sarah Porter, The Heart Education Trust and David Shaw, Creative Education Trust.

The School Forum Induction training held on 25 January had been well received.

1. **Election of Chair and Vice Chair of Schools Forum**

If there is more than one nomination for each of these roles, members will be asked to email their vote and the result will be announced later in the meeting. For this meeting it was agreed that Sarah Shirras will chair.

This will be Sarah’s last meeting as chair and Chris Snudden said she wished to thank her for being an outstanding chair of Schools Form, bringing clarity to the role and challenging the authority, officers had really enjoyed working with her.

**Martin White put forward his name for the role of Chair of Schools Forum, this was seconded by Bob Groome, there being no other nominees Martin White was duly elected.**

**Chris Caddamy put himself forward to continue in the role of Vice Chair of Schools Forum, this was seconded by Martin White, there being no other nominations Chris Caddamy was elected to continue in the role.**

**2. Review School Forum Membership**

School Forum Membership is reviewed each year in January to check that membership meets the minimum requirements set out in the operational guidance. Membership must be at least two thirds school members and no more than a third non-school members.

We have 15 school members and 6 non-school members so are within the stipulated ratio.

It was noted that there is no Roman Catholic representative, we are still trying to find someone to fill this vacancy. However, it is not a statutory requirement that we have one.

We review membership against pupils numbers from the previous Autumn Census and we can report that our ratios are currently correct with no changes to membership required.

1. **Minutes of Last Meeting and Matters Arising**

The minutes were accepted as a true record of the meeting held on 13 November.

* Children coming off School Rolls impacting on School Funding

This was raised by a member at the meeting on 13 November.

Officers said that in their view pupils coming off school rolls would not have a significant impact on school funding.

* Balance Control Mechanism

Alison Randall presented this paper. There are legitimate purposes that maintained schools can hold balances and these are listed in the paper.

There are a further 3 categories for which maintained schools can hold balances:

* An additional exception mechanism has been started for this year, schools have to justify any additional balances they wish to keep by 28 February.
* There is a non BMP pot for schools that are not in the BMP scheme and schools can lodge money for that.
* Schools can transfer funds to capital before 28 February, where a revenue to capital contribution is required.

Unspent Sports Premium due to covid-19 is an issue for schools this year. Officers continue to raise this issue with the DfE to try and get the deadline extended for a second time.

At the time of the writing of the paper, there were 43 schools with projected surpluses in excess of £100,000 and 89 schools with projected surpluses between £25,000 and £100,000 . It is thought that most of these balances will be justified.

Officers said they were always happy to talk through balance issues with schools and there is rarely a need for money to be taken.

Members suggested involving Educate Norfolk in getting schools to share best practice in effective ways of spending to have the most impact.

**Action: Sarah will include link to Balance Control Mechanism paper at next Headteachers briefing.**

1. **Dedicated Schools Grant (DSG)**

I**ntroduction**

Officers said the purpose of this paper is to give a detailed picture of the DSG. The High Needs Block and Recovery Plan remain real challenges. Meetings have taken place with the Department for Education (DfE).

There was a change last year in the way Local Authorities should account for DSG deficits and we have needed to update our recovery plan. A meeting took place recently with the DfE looking at the latest version of our recovery plan. The plan was predicated on the transfer of 1.5% from Schools Block to High Needs Block. Forum agreed the 0.5% in November 2020 and NCC applied for a disapplication for the further 1%. This year, as with most other Local Authorities, the disapplication request was rejected. As a result of this decision we have had to revise the recovery plan.

It was highlighted that although Forum had not accepted the 1% transfer they fully understood why the Authority had requested the disapplication. Officers said they would challenge the assumption made by the DfE that Forum had rejected the 1% as they thought the recovery plan was underdeveloped.

Officers said there was no advice forthcoming from the DfE on how the deficit could be resolved at this point in time.

The size of the deficit by the end of this year will exceed the County Council’s General Reserves and so if the DfE changed their guidance this would have a significant impact on the Council. Without a change in SEND policy and funding it is going to be very difficult to reduce the deficit.

NCC highlighted to the DfE that capital funding for school buildings does not include allocation for special schools and so the government are not funding capital investment in that area. If SEND pupils moved from Independent to Special Schools an estimated saving c. £15m per annum could be realised.

Additionally, too many places in special schools being occupied by children who could be accommodated in mainstream but parents are winning tribunals to secure these places.

1. **Proposed Schools Budget 2021-22**

The allocation for 2021/22 amounts to nearly £700m before academy recoupment – this is an uplift of £52.5m, but half of this amount is for teachers pay grants and pensions contribution grants.

Schools Block: £547m, increased from £507m last year.

Central Schools Services Block: slight increase - includes relevant teachers pay and pension grants.

High Needs Block: increased by £10.6m with £1.9m for teachers pay and pension grants.

Early Years Block – no change in allocation methodology, but there is an increase in 3 & 4 year old hourly rate received by the LA of £0.06 per hour from April 2021, and an increase in the 2 year old hourly rate received by the LA of £0.08 per hour.

1. **DSG Recovery Plan – update**

A £51m deficit is projected for 2024/25 however this included the 1 ½% transfer from the Schools Block. The deficit will increase by £5m with the rejection of the disapplication request this together with other issues means we now have a projected deficit of £59.5m by 2024/25.

**Officers explained the detail included in this comprehensive paper.**

**Any Questions:**

Is there any comparison with other authorities on Independent School expenditure?

Officers said this had been included in the business case for the transformation programme and Norfolk had proportionately fewer special school and short stay school places so more youngsters in independent schools. The Authority is now trying to get to the right proportion of special school places.

No single year with an in-year surplus is a big concern - are other authorities in this position?

Officers said the Authority is continually raising the issue of insufficient funding.

Not every authority is in a deficit position but many larger authorities are struggling with deficits, this is a massive national problem and there is a lot of lobby happening at the moment.

Members asked if there was anything they could do to support this. Officers said a letter from Forum to go with the replies from the council would be helpful.

**Action: Letter from chair on behalf of Forum on lack of funding for High Needs Block.**

Members asked if more funding into early intervention might help reduce tribunals.

Officers agreed there is not enough money in this area, but said parent expectations was a significant factor in number of tribunals.

Officers suggested Forum could help to get the message across about the ability of tribunals to make sure the right children are in the right places and how critical planning is. Tribunal cases brought by families that want a place in a specialist provision continue to increase. This can accelerate children up the waiting list and also places can be given due to parental preference and against the advice of the local authority. This is leading to further pressure on places and compromises the ability of the local authority to plan effectively.

Members highlighted that the transfer from primary to secondary school is a significant issue with parents, but if we believe a special school place is not appropriate then we should say so.

Members suggested joining with other School Forum and as a region making a stronger point to government.

Officers said this could be immensely powerful.

Special School Academy Representative said that because of legislation once a tribunal goes to court it is very difficult for the Authority to win the case.

**Schools Forum is asked to:**

* **Note information provided for the 2021/22 Dedicated Schools Grant allocations and other DfE grants.**
* **Note the latest updates to Norfolk’s DSG recovery plan.**
* **Consider and make recommendations to Cabinet for the allocation of increased hourly rates for Early Years funding in 2021/22, and for the creation of a new 2-year old SEND Inclusion Fund.**

1. **Early Years Increased Hourly Rates 2021/22**

**Schools Forum EY Recommendations Required**

An announcement was made by the DfE in December 2020 that Norfolk’s Early Years hours rates paid to the LA will increase from April 2021 from £4.38/hr to £4.44/hr for 3- and 4-year-olds and from £5.28/hr to £5.36/hr for 2-year-olds.

Schools Forum is asked to consider and make a recommendation to Cabinet for the allocation of increased hourly rate for Early Years funding in 2021/22.

As part of the consultation with Early Years Providers we asked the question should we link the increases in the DfE hourly rate to our local formula.

The opinion was approximately 50/50 split and the decision made was that there was no automatic link. However, at this stage, the LA is proposing that the increase is, in the main, passed on for 2021-22:

* We propose that we pass on the full 6p for 3 & 4 year-olds from April 2021;
* and, 6p of the increase for 2 year olds but retain 2p for a new 2-year-old SEND Inclusion Fund.

SEND Inclusion Fund

Some responses were received against having an Inclusion Fund as people said it would not be beneficial for their settings.

Member comment - some providers may find it difficult to access the Inclusion Fund and this would be a reason to allocate the whole 8p increase.

Members wanted to know how the effectiveness of the Inclusion Fund would be monitored.

Officers said it would work in the same way as the 3 & 4 year-old pot.

The Member for Early Years PVI providers said that she supported the creation of a new 2-year-old SEN Inclusion Fund and that children with a particular need should be able to access provision.

**Decision**

* The allocation of the EYNFF increased hourly rates for Early Years funding in 2021/22 of £0.06 per hour for 3- and 4-year-olds;

**For: 15**

* The allocation of the EYNFF increased hourly rates for Early Years funding in 2021/22 of £0.08 per hour for 2-year-olds

**For: 0**

* £0.06 per hour for 2-year-olds and the creation of a new 2-year-old SEN Inclusion fund;

**For: 15**

1. **Planned Growth (Pupil Variations) 2021/22**

We are required to present any pupil variation through re-organisation or other changes to Schools Forum. This is in the form of an estimate in January and final figures in March.

Any request for a negative pupil variation adjustment would still require a disapplication with compelling evidence as to why it should be approved. Norfolk has not requested any negative adjustments for 2021/22.

The information for Norfolk’s pupil number variations on the initial budget shares for 2021/22 has been circulated with papers.

The difference due to Pupil Variation is £587,753.11. Final figures will be brought back to Schools Forum in March.

**The paper is for information only.**

1. **Admissions Appeals**

The paper is provided to update Schools Forum on the discussions of the Admissions Appeals group, specifically the arrangements for the appeals process and how requirements have been met since Covid. A breakdown of the number of cases heard for 2019/20 and their outcomes is also provided.

It is important to remember the process must be in line with the Schools Admissions Code.

Pre-Covid - cost of appeals £325 for first appeal and £150 for any subsequent appeals

Covid has changed the way Admissions Appeals are held on a temporary basis and are now virtual sessions. Appeals will be held virtual until 30 September 2021.

Cost of virtual appeals is £150.

The group looked at what the Appeals process is like for children, parents and schools and those carrying out the process.

Some parents find this less intimidating there are less costs and less travel expenses.

Current expenditure is £135,000 for 2019/20.

The Local Authority does not use DSG for funding admissions appeals costs. If DSG is to be used to fund appeals all schools and academies must be treated the same.

Parents have the right of appeal; the working group is looking to make the message clearer to parents that this does not necessarily mean they will win an appeal.

The Appeals group is currently looking at different options for funding admissions appeals before making a recommendation to Forum in the next few months.

Members said they would be interested to know the experience of all stakeholders including schools themselves and a review of the last 3 years and what sort of patterns emerge.

Jo Philpott thanked the Admissions Appeals Group for this piece of work.

**Schools Forum noted the information provided.**

1. **Review Future Meeting Plan**

This document sets out the plan for meetings for the year.

Members noted the CERF Report update scheduled for July – this scheme has finished.

**It was agreed that this Plan will be bought to each meeting for review.**

1. **Date of next meeting**

12 March 2021 09:00 – 12:00