# NORFOLK SCHOOLS FORUM

# AGENDA

**Meeting on Friday 9 July 2021 09:00 – 11:30**

**This will be a remote Teams Meeting**

**It is lovely to say hello, welcome people and see and hear each other at the start of the meeting. However, to support connectivity for all and to minimise interference, please can we ask that once we make a start upon official business can cameras and mics be turned off unless you are speaking. Please also use the hands-up function if you wish to contribute to an item. Thank you**

Individual members, named below, are asked to provide verbal reports for these items.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **09:00** | **1** | **Welcome and Introductions****Apologies** | **Report** |  |
| **09:05 – 09:20** | **2** | **Minutes of Last Meeting and Matters Arising*** Draft letter to DfE to be circulated to Eastern Region School Forums (Martin White/Dawn Filtness) (Letter to follow)
* Letter to Secretary of State from past and present chair of Forum – acknowledgement received **- letters attached** (Martin White)
* Spend on disabled staff criteria – recirculate via an MI to all schools
* Review demographic changes in Norfolk (discussed in pre-and post-opening costs item at May meeting) - Sebastian Gasse
 |  |  **2 – 8** **9 – 11****12 - 13** |
| **09:20 – 09:45** | **3** | **Dedicated Schools Grant**1. Discuss proposals to include in Fair Funding consultation document - Verbal update
2. Update on Review of Special Schools’ Funding – Verbal update (Keith Bates).
 | **Information****Information** |  |
| **09:45 – 10:00** | **4** | **How School Forum Meet in Future****Paper attached** | **Discussion/****Decision** | **14 - 15** |
| **10:00 – 10:20** | **5** | **Admissions Appeals (Chris Caddamy)****Paper attached** | **Discussion/****Decision** | **16 - 26** |
| **10:20 – 10:40** | **6** | **Cyber Security** (**Alison Randall)****Paper attached** | **Information** | **27 - 33** |
| **10:40 – 10:50** | **7** | **Review Future Meeting Plan** **Paper attached** | **Information** | **34 - 35** |
| **10:50 – 11:00** | **8** | **Elections** | **Information** |  |
|  | **9** | **Date of Next Meeting**Wednesday 29 September 2021 09:00 – 11.30 hours |  |  |

**Norfolk Schools Forum**

**Minutes of Meeting held on Friday 14 May 2021**

**09:15 – 11:30 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

Mike Grimble, Avenue Junior School Primary Maintained Governors

Glyn Hambling, Unity Education Trust Alternative Provision

Tim Hillman (substitute) JCC (secondary phase)

Howard Nelson, Diocese of Norwich Diocesan Board of Education

Carol Jacques Maintained Nursery School

Clare Jones, Boudica Schools Trust Academies

Peter Pazitka, SJB CMAT Academies

Joanne Philpott, City of Norwich School Academies

Sarah Porter, The Heart Education Trust Academies

David Shaw, Creative Education Trust Academies

Sarah Shirras, St Williams Primary Primary Maintained Schools

Joanna Tuttle, Aylsham High School Secondary Maintained Schools

Vicky Warnes JCC (primary phase)

Martin White, (Chair) Nebula Federation Primary Maintained Governors

Rebecca Wicks, The Clare School Maintained Special Schools

Michael Bateman Assistant Director, SEND Strategic Improvement & Early Effectiveness

Martin Brock Accountant, Schools, SEN and Early Years

Marilyn Edgeley Admin Officer

Dawn Filtness Finance Business Partner

Nicki Rider Interim Head of High Needs SEND

Chris Snudden Director of Learning & Inclusion

**Apologies:**

John Crowley Assistant Director Learning and

 Achievement

Sally Cutting Senior Accountant

Bob Groome Association of Teachers & Lecturers

Sara Tough Executive Director Childrens Services

1. **Apologies**

Apologies were received from John Crowley, Sally Cutting and Bob Groome, Tim Hillman is standing in as JCC secondary phase substitute for this meeting. Apologies also received from Adrian Ball who has been elected as the new Academies representative.

The Chair welcomed the new Maintained Special School representative Rebecca Wicks.

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

The minutes of the meeting held on 12 March 2021 were accepted as a true record.

* **Joint letter to the government with other School Forums in the Eastern Region on insufficient funding for the High Needs Block.**

School Forums in the Eastern Region have been contacted for a second time in relation to the sending of a joint letter regarding insufficient funding for SEN.

There has been a reply from five councils showing an interest.

**Action: A letter will be drafted and circulated to them**

* A letter has been sent to the Secretary of State jointly from the current Chair and previous Chair of Forum to correct the assumption that the School Forum was not aware of the authorities plans for the Dedicated Schools Grant Recovery. The Chair confirmed that no reply has been received.

**Action: The letter will be resent using the clerk to Forum’s email address.**

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

**3a) Final Outturn and Balances 2020 -21**

The overall DSG outturn position for all four blocks was £12.093m overspend for 2020/21, including a significant overspend within the High Needs Block (£12.462m) offset by underspends within the Schools Block (-£0.152m) and Early Years Block

(-£0.217m). The Central Schools Services Block was overspent by less than £0.001m.

The combined cumulative year-on-year overspend on the Dedicated Schools Grant is now £31.797m.

Officers went through the paper detailing the different elements. School Forum Members’ questions and comments are recorded below:

**Schools Block**

This block was underspent by -£0.152m primarily due to rate savings from academy conversions and the pro-rata clawback of budget share monies following a school closure. Notice was drawn to the DfE’s consultation on changing the approach to business rates in future years that would result in the removal of the revaluation risk on this block. The variances against individual de-delegated budgets were highlighted and Members were of the Forum decision when the budget was set for 2021-22 to revise these.

**Comments and questions on Schools Block:**

Q. Has anything on the spend changed due to Covid?

A. This is the final outturn and there is likely to be some impact from Covid – most of the variances would have been anticipated in previous forecasts.

Q. No spend on Disabled Staff – what is the criteria? Are all schools aware of the available funding?

A. Carole Human produced a paper in the past this could be recirculated.

**Action: It was agreed that this information would be re-circulated to schools via an MI Sheet.**

**Central Schools Services Block**

This is overspent by £523. This includes a final payment to end a Joint User Agreement with Long Stratton. Members said they were pleased this had finally been dealt with.

The School Forum Budget has always been underspent significantly and this has now been reduced to £0.030m.

**Comments and Questions:**

Q. Will Schools Forum continue to meet virtually given the cost reductions?

A. There is a debate to be had in the future and we do need to consider the regulations, which were amended temporarily for the pandemic. One option could be to alternate between virtual and actual meetings.

**High Needs Block**

Encompasses the entire overspend of £12.462m. The plan was significantly re-modelled earlier in 2020-21, due to the previous versions being based upon the early capital investment business case and not reflecting recent trends. The deficit forecast is now realistically higher. The authority needs to continue to invest in good quality infrastructure of our own. The in-year deficit increase has been reflected in future years. The Council is working with the Department of Education (DfE) on the plan going forward.

Largest variant is the Independent placements pressure and amounts to £9m of the deficit.

The outturn position is largely in line with the previous forecast to Forum at its January meeting.

**Comments and Questions**

Q. Clearly the Independent placements have gone up but is there also an inflation factor, as they are so in demand are we paying more per place than we would have done a year ago? Pleased to see that a lot of work is going into realistic forecasting.

A. Complicated picture, in the majority of cases the independent schools we use are part of a procurement framework with fixed costs. We have had a couple of new independent schools and these schools have costs at the top end of the market. We estimate this has caused a rise in the overall average. Feedback regarding the forecasting improvements is appreciated.

**Early Years Block**

There is a -£0.217m underspend within this budget. The LA have included an adjustment of £1.1m for an estimated clawback from the DfE due to the level of parental entitlement take up. Also included is £0.500m to support Covid sufficiency claims relating to the 2020-21 financial year not yet paid.

This underspend will be transferred to DSG Reserves.

**Comments and Questions**

Q. How accurate have you been in the past with forecasting these adjustments?

A. Last year we were £35,000 out. Some authorities do not attempt to forecast this and roll everything forward which does not show what is used in the block and what is given back to the government. This is a difficult judgement to make as we do not have a full set of data at the time of making the adjustment.

This year the government will do a summer count as well and where take-up dropped below 85% they will give a top-up. We are confident this does not apply to Norfolk but it does mean that the clawback is unlikely to be finalised until November 21 rather than July 21. They will then do a count each term through 2021/22.

Q. Have maintained nurseries had any extra funding due to covid?

A. Maintained nursery schools were left out of DfE school funding protections, the support they could access was any business support they were eligible for. The DSG flexibilities meant the LA paid for DSG places in the summer term and put in place some additional payments for private provision, and the sustainability offer.

Comment from the PVI Early Years representative – we received no protection from the DfE but expected to stay open; this was a dire situation. The only help staff with covid could access was two weeks sick pay. The sector felt cut adrift by the DfE, but help from the local authority kept some settings going.

Q. Underspend not huge but is there a plan to ring fence underspend for Early Years so that it could be reused?

A. We are challenged by rules around Early Years funding, we have attempted to be creative. We will continue to lobby the DfE to support the sector.

The Maintained Nursery School representative agreed with comments made by the PVI Early Years representative and said that they had the challenge that they fell into a ‘no mans land’ with funding in Norfolk. One example being that when early years settings were provided with some PPE by the LA, and it was fantastic that they could do this, nursery schools were not able to access it and were not able to access it from the DfE Schools Fund.[[1]](#footnote-1) Issues raised by the PVI Early Years representative are a tip of the iceberg for early years and are equally felt by the three maintained nursery schools. Overall, this is a dis-heartening situation.

**School Balances**

The authority carries out an analysis of balances as at 31st March each year. The figures are subject to change once checked for clawback.

This year balances stand at £17m. Deficit balances £97,000.

There is a £5m increase in balances.

**Members Comments and Questions**

Comments - Quite difficult to compare this year to last year – some funds that can be carried over this year that could not have been last year – surplus balances not because schools have more money generally, but because of circumstances.

Schools have had to be cautious and lots of schools considered using 1st revision. to set their budgets. Will be interesting to see the figures after revision 1 and revision 2.

Response - Yes agree – paper sets out figures but not the background reasons. We will consider any comments before this goes to council.

**3b) Dedicated Schools Grant Recovery Plan Update**

This paper is an update rather than a full-scale review and does not take into account the recent consultation by the DfE on the historical base data for the HNB funding formula. It should be noted that Norfolk will continue to be underfunded because of capping. We do not know the implications of the SEND review. The next update will consider all implications.

We have taken the outturn and any amendments to forecast and projected them forward - so similar to what we predicted in January. Increase of cost of Independent places is a major factor.

The £8.63m deficit previously forecast for 2021-22 is now forecast to be more in the region of £10m. By the end of the plan’s period, we expect the overall deficit to be £66m rather than £60m.

Although we continue to show significant block transfers in future years it is not something as an authority that we necessarily agree with.

**Members comments and Questions**

Q. Placements by numbers – suggests an assumption that there are fifty more pupils going into independent places every year – can you refine this over time – presumably we are looking at this number reducing?

A. This assumption is based on what we have seen previously and using the trend information we have. Capital investment was planned around reducing the market – reality is that the increase in overall demand for places means that new maintained & academy provision will not fully meet demand. We will refine this as time goes on and we get better information. We will continue to update the plan and present to Forum again in the autumn term. We will continue to carry out benchmarking.

Members comment – pleased that the authority is showing more realistic forecasting.

The LA advised that despite the pandemic work continues to transform the system and the plan is iterative and will continue to be updated as plans develop and to take into account the outcome of the historical base data consultation and any impact of the national SEND review. Additionally, that significant assumptions are difficult to ascertain and different views as to what these assumptions should be, e.g. future block transfers assumptions.

It was highlighted by officers that the Authority has procured the services of the company Mastondon. The company are working with a few local authorities using an algorithm to attempt to model future demand.

We will be able to incorporate strategic planning resulting from the initial outputs into our autumn term update.

The appendix to this paper shows high level variances to the DSG plan shared previously.

Q. Where do we go from here – we are still looking at an increased deficit position? Title is recovery but it does not show any recovery.

1. The key thing is to get special schools built to control the market more and get provision up and running as soon as possible to stem the increase in flow to Independent places. Recovery Plan is a DfE term.

Comment - understand what is being said and the need to keep up national lobbying.

Comment – The disapplication side of things is a key issue, as the modelling assumes that additional Schools Block funding will be moved to High Needs Block each year.

Comment – we could state the things that need to happen in order to be a recovery plan this is what it is and this is what is needed to turn it around.

Officers agreed that we need to keep lobbying and stress the point that the government have to correct our base funding. We will continue to say that we need to be given capital investment to shift away from the Independent market – we could attempt to show a version of the plan of what would be needed to recover.

Comment – Recognise this has been brought to this meeting so important that what is minuted in this meeting gives a reflection for colleagues to go back to central government in line with that recovery plan. The point about transfer blocks and the notion of being able to have the money follow the need is the significant challenge, we need to recognise that as an ongoing issue.

It is sometimes very useful whilst not sending in another document to have a ‘ghost’ document saying that if we were given opportunity this would be the focused approach.

Officers said if required a smaller group could be brought together to discuss issues as they arise in the future.

**3b) Presumption Route pre-and-post-opening costs**

The LA recommends that Schools Forum agrees that:

* + the Growth Fund criteria for 2022-23 onwards is updated as per section 3.3.3 to reflect that pre-and-post-opening costs grants can be funded for new Academy Free schools opened through the LA Presumption Route to meet basic need;
	+ pre-opening costs grants are based upon the DfE’s methodology for funding centrally-delivered free schools, with maximum values set out in the revised Growth Fund criteria;
	+ and, post-opening costs grants are agreed on an individual basis between the sponsor Trust and the LA

**Comments and Questions**

Q. There was funding previously available in the local formula for primary and secondary schools – important schools are there to meet the need. This would need to be monitored how would you do this?

A. We plan ahead of time the level of resource that would be needed to be set aside and this would be monitored.

Members requested information item at a future meeting to review the demographic changes in Norfolk; this will enable Forum to have an insight reference future pressures and demographic dips.

**Action: It was agreed this could be bought to a future meeting.**

**Decision**

**Schools Forum agreed unanimously to the above proposal as laid out in the paper.**

1. **Annual Audit Report**

This paper is for information only.

Members said that Governors need to be aware of thematic audits so any information on timings would be appreciated.

1. **Agree Forward Plan**

It was agreed to add to the July meeting an item on how Schools Forum meet in the future.

1. **Next Meeting**

9 July 2021 09:00 – 12:00

Norfolk Schools Forum

C/O Marilyn Edgeley, Clerk to Norfolk Schools Forum

Finance & Commercial Services

County Hall

Email: marilyn.edgeley@norfolk.gov.uk

Direct dial: 01603 223546

The Rt Hon Gavin Williamson, MP

Secretary of State for Education

Via email:

gavin.williamson.mp@parliament.uk

24 March 2021

Dear Mr Williamson

We are writing to you as the previous and newly appointed Chair of Norfolk’s Schools Forum, to express our concerns regarding the way in which Norfolk County Council’s High Needs Block disapplication request outcome has been handled.

To be clear, we are not raising concerns regarding the decision but to the way in which it was conveyed, with implied criticism of the Forum’s understanding of strategic planning and, therefore, the working relationship between our Schools Forum and the County Council.

We are writing to you jointly to underline the point that this is a response from the institution of the Schools Forum and not ‘just’ from the perspective of an incumbent Chair. Whether in the position of Chair or as members of the Schools Forum, we have been involved for more than a decade and two decades respectively, working hard to ensure that Norfolk’s Schools Forum lives up to the letter and the spirit of the regulations that govern it.

In practice, and in relation to the High Needs Block specifically, this means that we have robust, professional and courteous discussions with our local authority colleagues on all matters. We expect the same with our collective dealings with the DfE. However, the experience of the disapplication process and the feedback provided does not appear to demonstrate a professional and courteous response from the DfE to the Council, and by extension, to the Schools Forum.

We are aware that you will have also received correspondence from the Cabinet Member for Norfolk Children’s Services and may well be aware that the Executive Director for Children’s Services has also written on the matter to senior officials within the Department.

At a meeting between representatives of the DfE and Norfolk LA on 6th November 2020, our Chair was present as the local authority presented their detailed plans around resourcing the High Needs Block. Our Chair shared the following, demonstrating the extent of the working relationship between the County Council and the Forum, and the way Forum communicates and consults with the broader school community:

‘The relationship within Norfolk’s Schools Forum underpins the strategic, transformation and transactional development of the Norfolk Schools Block and High Needs Block system by:

Ensuring wide ranging, consistent representation from across the education sector;

* Ensuring members understand their responsibility to engage with all aspects of Forum's work;
* Rigorously scrutinising all information that is shared before and during meetings;
* Giving a high profile to the monitoring of the High Needs Block in every meeting, including through 'Deep Dives’;
* Involved in the wider aspects of the LA's work, e.g. through the SEND Transformation Board;
* and, Promoting the annual funding consultation with schools through briefings, conferences and meetings, explaining the complexity of the issues involved.’

Our Forum has previously supported the transfer of money from the Schools Block to the High Needs Block, including in advance of consultation with schools in a prior year, and, in subsequent years, despite schools’ feedback being against this transfer. Therefore, there does not appear to be any evidence to support the DfE view that “Whilst we appreciate that schools forum has agreed 0.5%, their rejection of the further 1% suggests recognition that plans for the allocation of the additional 1% are, at present, underdeveloped”. Our Schools Forum feels it can no longer support further reductions to school budgets in the absence of an adequate national plan for High Needs Block recovery. At our most recent meeting, the LA shared the High Needs Block consultation and how this could support recovery in Norfolk, with the consultation supporting the position that Norfolk has been under-funded as a system for multiple years.

As a Forum, we also understand the vital role that capital investment could play in supporting the recovery of the High Needs Block, meaning placements can move from expensive independent provision into maintained schools. Norfolk County Council has made a substantial investment in building new schools but, without a national agenda around this, the High Needs Block will remain under enormous strain.

We will continue to work alongside our colleagues at Norfolk County Council and with our Forum members to work to address these issues.

Yours faithfully,

 

 

|  |  |
| --- | --- |
| Martin White Chair of Norfolk Schools Forum, 2021 (current)  | Sarah Shirras Chair of Norfolk Schools Forum, 2017 to 2020  |

 **Education and Skills Funding Agency**

 **Piccadilly Gate**

 **Store Street**

 **Manchester M1 2WD**

**Email enquiry form:** [www.education.gov.uk/contactus/efa](http://www.education.gov.uk/contactus/efa)

 **Reference: 2021-0020108**

**4 June 2021**

Sent via email – marilyn.edgeley@norfolk.gov.uk

Dear Mr White & Ms Shirras

Thank you for your letter dated 24 March 2021 sent to The Rt Hon Gavin Williamson, MP Secretary of State for Education regarding Norfolk County Council’s High Needs Block disapplication request.

Your correspondence has been allocated to the Education and Skills Funding Agency (ESFA) to provide you with a response.

First of all, I am pleased to hear how committed you are to supporting and challenging the local authority to improve the sustainability of the high needs block.

We appreciate you attending the meeting with the department in November, alongside Norfolk finance and SEND colleagues, to demonstrate the working relationship between the schools forum and the local authority.

When considering a block movement request, we take the view of the schools consultation and the schools forum very seriously. You highlighted that schools forum feels it can no longer support further reductions to school budgets in the absence of an adequate national plan for High Needs Block recovery. It is nevertheless the case that some schools forums, even in historically low funded areas, have supported their local authority requests to move more than 0.5% of the schools block to high needs, and we therefore have to bear that in mind when making decisions. I am sorry if our response did not properly reflect your close working relationships.

I do want to reassure you though that the department is strongly committed to reviewing the adequacy and distribution of high needs funding, and the wider SEND system that the funding supports.

We recognise that pressures on high needs budgets have contributed to some local authorities spending more than their dedicated schools grant (DSG) funding. We are providing major investment in education, including an additional £730 million into high needs in 2021-22, coming on top of an extra £780m in 2020-21, which means high needs budgets will have grown by over £1.5bn, nearly a quarter, in just two years.

The government is committed to investing capital funding in high needs provision. We are investing £300 million in 2021-22 to support local authorities to deliver new places for children with special educational needs and disabilities or who require alternative provision. This is on top of investment in the free schools programme, with 59 Special and 49 AP free schools already open, and over 80 projects in the pipeline. We also invested a total of £365 million through the Special Provision Capital Fund from 2018-19 to 2020-21 to help local authorities to create new places and improve facilities for pupils with SEND. Norfolk was allocated £4.6m through this fund.

However, the response to cost pressures cannot just be about the amount of funding available. The SEND Review remains a major priority for the government and is considering improvements to make sure the SEND system is consistent, high quality, and integrated across education, health, and care, and to establish a sustainable system for the future.

As you mention in your letter, we have recently held a consultation on potential changes to the high needs NFF for 2022-23, which could be of benefit to Norfolk. This consultation forms the first stage of a longer-term review of the high needs NFF, which will consider how the distribution of high needs funding can be improved, to ensure it is fair and is allocating funding where it is needed most. We will consider wider changes to the high needs funding formula following the SEND Review.

Department funding colleagues have been in contact with Norfolk local authority to arrange a follow up meeting, to support the management of evolving DSG pressures and further consider Norfolk’s plans for the high needs block. We look forward to continuing to work closely with the authority and schools forum in these discussions.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely



John Edwards

Director – Funding Directorate 2

**Schools Forum**

**Item No.4**

|  |  |
| --- | --- |
| **Report title:** | **Schools Forum – Future Meeting Arrangements** |
| **Date of meeting:** | **9 July 2021** |

 **Executive summary**

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| --- |
| **This paper is to provide information to initiate a discussion and decision on how Schools Forum should meet in future.** |

**Introduction**

In May 2020, due to the Covid-19 pandemic, the Education & Skills Funding Agency (ESFA) updated the Schools Forum Operational and Good Practice Guide to allow temporary arrangements for Schools Forum meetings to be held remotely until 31st March 2021. Subsequently, on 22nd March 2021 the ESFA updated their guidance again to make permanent provisions for Schools Forum meetings to be held remotely in line with amended regulations (The School and Early Years Finance (England) Regulations 2021 amended The Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020).

This includes (but is not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming. Where a Schools Forum decides to hold a public meeting by remote means only, Schools Forum should provide support or make alternative arrangements so that any interested parties who do not have telephone or online access can attend virtual meetings.

The current arrangements for Schools Forum meeting remotely online via Microsoft Teams have been in place since the beginning of the pandemic. Initially, there were technical difficulties, but these seem to have now been resolved. At the last Schools Forum meeting it was suggested that there was a discussion at a future meeting as to how Norfolk’s Schools Forum should meet in the future.

**How Schools Forum Meet in the Future**

Three core options have been identified; an alternative combination could be considered. Pros and cons of each option are set out below to help with the discussion:

1. **All meetings online**

Pros:

* No venue costs incurred
* No travel, therefore less time needed to attend meetings and reduced costs for representatives
* Mitigates risk of exposure to anyone who might have contracted Covid

Cons:

* Potential for technical issues for some members
* Difficulties still exist for some due to quality of connectivity
* Discussion may be less interactive
* New members may find it hard to build relationships and existing members may find it hard to maintain relationships
* No opportunity for “off-line” discussions / networking during breaks
* Meetings would need to be streamed on YouTube if non-Members wish to observe, requiring additional IT support
1. **All meetings in person**

Pros:

* More interactive
* Opportunity for “off-line” discussions / networking during breaks in a relaxed manner with refreshments
* Potentially more welcoming for new members to support the building of relationships
* Easier for existing members to maintain relationships, which is important given some of the challenging agenda items

Cons:

* Travel time need to enable attendance at meetings, along with travel costs for representatives and NCC
* Venue costs of c. £3k per annum (currently £444 per booking)
* Risk of exposure to anyone who has contracted Covid
1. **Half online & half in person (i.e. alternating how meetings are held)**

Pros:

* People get to meet face to face 3 times a year enabling relationship building and maintaining through “off-line” discussions / networking in a relaxed manner with refreshments
* More welcoming for new members
* Reduced risk of Covid exposure compared to all face-to-face meetings

Cons:

* Venue costs of c. £1.5k per annum
* Technical issues may increase for online meetings due to lower frequency and less routine
* Some risk of exposure to Covid remains

**Action:**

**Schools Forum are asked to discuss the options and decide on a way forward.**

**Schools Forum**

**Item No.** 5

|  |  |
| --- | --- |
| **Report title:**  | **Admissions Appeals Charges** |
| **Date of meeting:**  | **9 July 2021**  |

**Executive summary**

**At the January 2020 Schools Forum meeting it was agreed that an Admissions Appeals Task and Finish group should be set up to review current arrangements. The group has met to review arrangements over the past year.**

**This paper updates Schools Forum on the work of that group and provides information for a decision to be made about future funding/charging arrangements for admission appeals (voting on available options will take place in the meeting).**

**Schools Forum are recommended to:**

* **Discuss the information provided in this report from the Admissions Appeals Task and Finish Group, and;**
* **Agree future funding and charging arrangements for admission appeals, for schools/academies that are their own admissions authority, and for schools for which the LA is the admission authority.**
1. **Admissions Appeals Task and Finish Group**

At the January 2020 Schools Forum meeting it was agreed that an Admissions Appeals Task and Finish group should be set up to look at the issues of:

• Cost of venues

• Transparency of costs

• Communication of appeals process and success rate

• Charging of academies/free schools

• The potential for DSG funding of admission appeals

**Representatives:**

Chris Caddamy, (Chair) City College 6 – 19 Representative, & Schools Forum Vice Chair

Eric Clarke, NCC Admissions Manager

John Eady, St. John the Baptist Trust Operations Manager

Marilyn Edgeley, NCC Admin Officer

Seb Gasse, NCC Assistant Director Education Strategy and Infrastructure

Clare Jones, Boudica Schools Trust Academies

Joanne Philpott, City of Norwich School Academies

Martin Brock, NCC Accountant

1. **Appeals Arrangements (pre-Covid)**

Parents have the right to say which school they would prefer their child to go to and where the Admissions Authority is unable to offer place at that school, the parent has the right of appeal, which must be heard by a trained Independent Appeals Panel.

The School Admission Appeals Code is issued under Section 84 of the School Standards and Framework Act 1998. The Code places mandatory requirements on Admission Authorities, ensures the independence of appeal panels and ensures that all appeals for maintained schools and Academies are conducted in a fair and transparent way.

The panel must comprise of a chair and at least two other panel members, with at least one lay member and one with experience in education. A clerk must also be appointed to provide independent and impartial guidance.

Appeals were heard in venues which must be appropriate and accessible with rooms where parties are able to wait separately.

For the majority of appeals there is a two-stage process; the first being for the Admissions Authority to prove to the Panel the case for refusing admission and, if the Panel is satisfied that the admission arrangements complied with the requirements of admissions law and that they were correctly applied to the case in question, a second stage where the Panel must balance the prejudice to the school against the appellant’s case for admission.

There is one member of staff appointed as Clerk to the Appeals Panel and who arranges and co-ordinates appeal hearings. There are currently 43 trained panel members. Norfolk County Council uses staff from NP Law and Educator Solutions to clerk the hearings.

The authority provides the following administration services for appeals:

* Arrange a fully trained appeal panel and clerk for the appeal hearing or exclusion review;
* Liaise with all parties to set a suitable date for the appeal hearing, subject to availability;
* Book an appropriate venue;
* Book a translator if required;
* Appoint an SEN expert, if requested by parents in their application for an exclusion review;
* Distribute paperwork prior to the hearing;
* Notify parents of the panel’s decision by phone, followed by formal written notification to all parties;
* Respond to queries from parents and advise about the appeal process, including the handling of complaints;
* Appropriate training for Appeal and IRP Panel members annually;
* Organise recruitment of Panel members when necessary.

The authority also provides the following advocacy services for appeals:

* Preparation of appeal case
* Presentation of appeal
* External advocates as required

The charges in Norfolk for administration of appeals pre-Covid, for academies and free schools, were as follows:

• £325 for the first appeal, £150 for each subsequent appeal for multiple appeal hearings;

• If a translator was required, the full cost was recharged to the academy/free school;

• £850 for an independent review panel for exclusion (if an SEN expert attended the full cost was charged to the academy/free school).

In addition, and for information only, charges for advocacy services pre-Covid (preparation of appeal case and presentation of appeal) for academies and free schools, were:

• £250 per half day presentation for a prejudice appeal case – no charge made if the appeal was cancelled at any time;

• £200 for the preparation and presentation of an Infant Class Size appeal case.

Advocacy charges are made by the Fair Access Team, separate from admissions appeals charges. The income raised from advocacy charges does not form part of the NCC Appeals Administration Budget discussed in this paper.

1. **Appeals Arrangements Since Covid**

Despite the current pandemic situation, parents continue to have the right of appeal to an Admissions Authority which has refused their child a place.

Legislation came into force from 24 April 2020 with temporary regulations currently in place until 30 September 2021. The temporary regulations state that there is no requirement that appeals have to be held in person; these can take place by telephone, video conference or through a paper-based appeal, where all parties can make representation in writing.

The number of Panel members prepared to take part in virtual appeals is much reduced, with only 16 members currently assisting.

A revised charging policy was introduced from April 2020 to reflect all appeals held virtually.

The charge is reduced to £150 per appeal, in line with the pre-Covid cost of multiple appeals, and in recognition of some reduction to associated costs e.g. venue hire.

The cost for an independent review panel for exclusion is also reduced to £750.

From October 2021 onwards, DfE guidance states that admission authorities should prepare appeals to be conducted in the normal way. This is subject to government guidelines on social distancing and admission authorities considering it reasonable to hold appeals in person. However, the DfE are continuing to review the temporary legislation and will be issuing a questionnaire to stakeholders to help inform future policy decisions.

Charges for appeals administration and for advocacy services would revert to pre-Covid rates if appeals are conducted face-to-face (to reflect venue costs etc).

1. **Effectiveness of virtual appeals versus face to face appeals**

Virtual appeals are offering considerable flexibility for all parties. The feedback from parents has been positive with parents feeling less intimidated.

The limited number of Panel members has meant a reliance on a small number, but none have expressed serious concerns.

The loss of 4 – 5 weeks at the start of the first lockdown made timetabling tight and appeals were held up to the end of term/start of the summer recess. This should not be such an issue for the 2021/22 admission rounds.

Under the current arrangements, until 30 September 2021, savings are expected on time, travel expenses, venue hire, and postage/printing.

However, there are some technical issues as it is all reliant on home Wi-fi services.

Currently the temporary arrangements expire on 30 September 2021. The DfE is considering whether to enable parents to have a choice between face-to-face and virtual meetings in the future.

1. **Admissions Appeals Expenditure**

The Admissions team budget recorded expenditure of £135,056 for the 2019/20 financial year, reducing to £80,513 in 2020/21 although the latter was not a typical year due to the pandemic.

The breakdown for both years was as follows:

|  |  |  |
| --- | --- | --- |
| **Cost Type** | **2019/20** | **2020/21** |
| Admin/Clerical | 29,556 | 30,480 |
| Training | 3,393 | 0 |
| Liability Insurance | 87 | 76 |
| Hire of Premises | 21,593 | 188 |
| ICT Equipment | 0 | 129 |
| ICT Software | 0 | 53 |
| Contracted Services | 337 | 91 |
| Support Services | 8,870 | 10,724 |
| Printing/Stationery | 151 | 0 |
| Legal Costs | 67,636 | 37,271 |
| IRP Advice | 2,358 | 450 |
| Overhead Rchgs | 1,076 | 1,051 |
| **TOTAL** | **135,056** | **80,513** |

The reduced costs were mostly due to:

* Approximately £21k saved on hire of premises costs due to operating under remote appeals arrangements, and;
* Approximately £30k saved in reduced legal costs due to the use of Clerking Services via SLA with Educator Solutions in place of some legal services.
1. **Maintained vs Academy Charging Arrangements**

Norfolk County Council budget covers the cost of all maintained schools’ admissions appeals charges. Dedicated Schools Grant is not used for this purpose.

Only academies and free schools are charged for services for admissions appeals.

Whist the local authority is the admissions authority for Community and Voluntary Controlled schools, Foundation and Voluntary Aided schools are their own admissions authority in the same way that academies and free schools are.

The authority currently charges admissions appeals to academies and free schools but not to maintained Foundation and Voluntary Aided schools, despite all of them being their own admissions authority. This anomaly was the initial query raised at Schools Forum for review.

1. **Options for DSG funding**

The LA does not currently use DSG for funding admissions appeals costs. Therefore, the existing charging arrangements are permitted within regulations.

If DSG is used for funding the cost of admissions appeals, it is then expected by the DfE that all schools and academies are treated on the same basis with regards to charging, as per the current operational guidance for pre-16 schools funding available at <https://www.gov.uk/government/publications/pre-16-schools-funding-local-authority-guidance-for-2021-to-2022>, extract of paragraphs from pages 52-53:

*“332. Local authorities should not treat voluntary aided schools, foundation schools or academies differently from maintained schools in the services they provide to them. This is set out in the DSG conditions of grant.*

*333. Schools such as voluntary aided schools, foundation schools and academies cannot therefore be charged for services that are provided free of charge to community and voluntary controlled schools and paid for out of the centrally held DSG.*

*334. For example, although admissions appeals are not a duty that the local authority holds in relation to all schools, the department would still expect all schools to be treated fairly and equitably by the local authority.”*

There are four possible options to be considered for the funding of admission appeals charges going forwards, as below:

**Option 1 – Continue with current arrangements. DSG is not used for admissions appeals. NCC budget covers the appeals charges for maintained schools. Academies and Free Schools are charged for their appeals.**

The NCC budget contribution for 2021/22 is £105,300 but could be reviewed for future years (it is usually inflated each year). This is supplemented with income from the charges to academies and free schools in order to cover the costs of the admissions appeals service.

This option does not address the anomaly of academies and free schools being charged for appeals administration whilst VA and Foundation schools, that are also their own admission authorities, are not charged.

However, these arrangements are the same as those used in Suffolk and meet relevant regulations as it is NCC budget that is used for funding the appeals of maintained schools, rather than DSG budget (which would require all schools and academies to be treated equally). On this basis, Norfolk can choose to fund the appeals costs of all maintained schools whilst charging academies and free schools for appeals.

**Option 2 – Charge appeals costs to all schools that are their own admissions authority. This includes Academies, Free Schools, Voluntary Aided, and Foundation schools. NCC budget would cover the appeals charges for Voluntary Controlled and Community schools. As with current arrangements, no contribution would be made from the DSG budget.**

This option would address the current anomaly of charging different school types by extending charging to VA and Foundation schools, so that all schools and academies that are their own admissions authority would then be charged for appeals administration.

The appeals costs for Voluntary Controlled and Foundation schools would still be covered by NCC budget. This option would be equivalent to the admission appeals arrangements in Central Bedfordshire Council and Essex County Council.

The level of NCC’s budget contribution to the Admissions Appeals service could be reviewed in light of additional income from VA and Foundation Schools (as well as existing income from Academies and Free Schools).

**Option 3 - Funding for appeals can be delegated to all schools and academies**

Funding for appeals can be delegated to all schools and academies from DSG via the funding formula. All schools and academies should then be charged if they use the LA’s appeals service. The existing NCC budget contribution towards the service would no longer be needed enabling it to be invested to support Norfolk schools.

Norfolk does not currently specifically identify any of the delegated funding to schools as being for the cost of admissions appeals. However, the local funding formula also does not withhold any funding from schools for this as the formula follows National Funding Formula factor values. On that basis, it could be argued that funding is already delegated to all schools and academies.

The Local Authority and the Schools Forum therefore could take the view that the funding for appeals is already delegated to all schools and academies from DSG, despite that this has never been separately identified as being ‘extra’ funding that schools have within their budgets. The LA could charge all maintained schools, as well as academies, for admission appeals.

To charge maintained schools for which the LA is the admissions authority, a new clause would be required to be added to the Scheme for Financing Schools, and this would require the agreement of Schools Forum.

The following additional wording would be needed in Norfolk’s Scheme for Financing Schools, within the section 6 “The Charging of School Budget Shares”, specifically section 6.2 “Circumstances in which charges may be made”:

*“Costs incurred by the local authority in administering admissions appeals, where the local authority is the admissions authority and the funding for admission appeals has been delegated to all schools as part of their formula allocation.”*

**Option 4 - Funding for appeals can be held centrally for all schools and academies**

Funding for appeals can be held centrally for all schools and academies via a top slice to the DSG Central School Services Block (CSS), which would require agreement from Schools Forum each year. No schools or academies would then be charged for the cost of the appeals service.

If an increase to the Central Schools Services Block is required in order to fund the appeals service (because it is not possible to meet the costs from within the existing retained CSS Block amount), then consent of the Schools Forum and the Secretary of State via a disapplication request would be required to transfer funds from the Schools Block to the CSS Block - though the disapplication is only required if the total transfers out of Schools Block exceeded 0.5% including any transfers agreed by Schools Forum to the High Needs Block. Given that the LA is likely to approach Schools Forum for at least 0.5% transfers from Schools Block to High Needs Block in future years to aid DSG deficit recovery, it is expected that such a disapplication would be needed.

Approximately, for £100,000 less within Schools Block, schools’ basic entitlement funding reduces by approximately £1 per-pupil.

The suggested budget for the appeals service, based on forecast expenditure, would be £150k for 2021/22, equivalent to approximately £1.50 per-pupil if moved from the DSG Schools Block to CSS Block, reducing the formula allocation to schools by the same amount. It is not yet known whether authorities will be able to continue with virtual appeals beyond 30th September 2021 at this time. However, if virtual appeals can continue, it may be possible to work within a smaller budget figure. The level of any budget would be reviewed and agreed each year by Schools Forum in the autumn term preceding the new financial year.

1. **Other Local Authorities**

Details of how other local authorities fund admissions appeals was shared with the working group. The information from other local authorities is provided in a table with this paper.

There is a range of approaches used by the different Local Authorities that responded, and it appears that Suffolk’s approach is the most similar to Norfolk’s current approach.

Central Bedfordshire and Essex both do use council budget for appeals, but only for Community/Voluntary Controlled schools. They have a buy-in service for schools that are their own admissions authority.

1. **Conclusions**

Norfolk’s admissions appeals arrangements had not been reviewed since 2012 and should consider the present Norfolk Landscape, with many more schools now converted to academy status.

The arrangements going forward need to be considered in light of legislative changes which are temporary due to COVID. There are potential savings to be made from continuation of the temporary arrangements that have been put in place, in terms of venue hire, time, travel expenses, postage and printing.

Norfolk does not hold funding back so does delegate this funding to schools and academies. However, an anomaly was noted in that Norfolk does not charge any schools for appeals apart from academies, for which the arrangements were agreed to be reviewed. This report sets out four options for the future funding/charging arrangements of admissions appeals for Schools Forum to consider.

The working group agreed that all paperwork and communication with parents should be reviewed. The Admissions Manager undertook this review prior to the decisions made on the transfer of schools for September 2021 entry, and will continue to do this for each future admissions round.

At the next formal training for Panel members, planned for autumn 2021, this needs to include experiences from schools on what life is like when over-capacity. The Admissions Manager to organise the possibility of a Headteacher from a Secondary school attending the training.

Pupil place planning with changes in population and demand need to be considered in understanding the process and highlighting future pressure which may require improved guidance and communication.

A breakdown of the number of cases heard in 2019/20, and their outcomes, as well as the information received from other LA’s, is provided in tables on the next pages.

**Schools Forum are recommended to:**

* **Discuss the information provided in this report from the Admissions Appeals Task and Finish Group, and;**
* **Agree future funding and charging arrangements for admission appeals, for schools/academies that are their own admissions authority, and for schools for which the LA is the admission authority (voting on available options will take place in the meeting).**

**Appeals Heard 2019/20 School Year**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|   |   | **APPEAL TYPE** | **APPEAL OUTCOME** | **SCHOOL TYPE** |
|   |   |  |  |  |  |  |  |  |  |  |  | **PRIMARY SECONDARY** |
| **YEAR** | **Lodged** | **Standard** | **ICS[[2]](#footnote-2)** | **FA[[3]](#footnote-3)** | **TTJ[[4]](#footnote-4)** | **TTH[[5]](#footnote-5)** | **CB[[6]](#footnote-6)** | **Withdrawn** | **Settled** | **Allowed** | **Disallowed** | **COM** | **VC** | **VA** | **Free** | **Foun** | **Acad** | **Foun** | **Acad** |
| Y R Starters | 91 |   |   | 91 |   |   |   | 17 | 38 | 1 | 35 | 36 | 9 | 14 | 1 | 4 | 27 |   |   |
| Yr R | 3 |   | 3 |   |   |   |   | 1 | 2 |   |   | 3 |   |   |   |   |   |   |   |
| Yr 1 | 7 | 1 | 6 |   |   |   |   | 3 | 2 |   | 2 | 4 | 1 |   |   |   | 2 |   |   |
| Yr 2 | 10 | 2 | 8 |   |   |   |   | 2 | 2 |   | 6 | 2 | 2 | 2 |   |   | 4 |   |   |
| Yr 3 | 22 | 16 |   |   | 6 |   |   | 2 | 10 | 3 | 7 | 12 |   | 1 | 1 |   | 8 |   |   |
| Yr 4 | 14 | 14 |   |   |   |   |   | 3 | 5 | 2 | 4 | 9 | 2 |   |   |   | 3 |   |   |
| Yr 5 | 19 | 19 |   |   |   |   |   | 3 | 4 | 2 | 10 | 7 | 2 | 1 | 4 |   | 5 |   |   |
| Yr 6 | 12 | 10 |   |   |   |   | 2 | 1 | 2 | 1 | 8 | 3 | 4 | 1 | 1 |   | 3 |   |   |
| Y 7 TTH | 264 |   |   |   |   | 264 |   | 22 | 25 | 43 | 174 |   |   |   |   |   |   | 14 | 250 |
| Yr 7 | 21 | 19 |   |   |   |   | 2 |   | 4 | 5 | 12 |   |   |   |   |   |   |   | 21 |
| Yr 8 | 22 | 22 |   |   |   |   |   | 2 | 7 | 9 | 4 |   |   |   |   |   |   |   | 22 |
| Yr 9 | 12 | 10 |   |   |   |   | 2 | 2 | 2 | 3 | 5 |   |   |   |   |   |   |   | 12 |
| Yr 10 | 6 | 3 |   |   |   |   | 3 | 1 | 1 | 2 | 2 |   |   |   |   |   |   |   | 6 |
| Yr 11 | 3 | 2 |   |   |   |   | 1 | 1 | 2 |   |   |   |   |   |   |   |   |   | 3 |
| Yr 12 | 2 | 2 |   |   |   |   |   |   | 1 | 1 |   |   |   |   |   |   |   |   | 2 |
|   | 508 | 120 | 17 | 91 | 6 | 264 | 10 | 60 | 107 | 72 | 269 | 75 | 20 | 19 | 7 | 4 | 52 | 14 | 316 |

**Information received from survey of other Local Authorities**



**Schools Forum**

**Item No.6**

|  |  |
| --- | --- |
| **Report title:** | **Cyber Security – Potential Risk to schools; advice, support and training from the LA in mitigation.**  |
| **Date of meeting:** | **9 July 2021** |

 **Executive summary**

|  |
| --- |
| **For information only.****This report is to update the School’s Forum on the potential risk to schools and academies of the Cyber Security threat, and to inform them of the support, advice and training available from the Local Authority and other partner organisations in mitigation of the threat.** |

**1.Context:**

School leaders, academy trusts, colleges and Independent training providers retain responsibility to be aware of the risk of fraud, theft and irregularity and address it by putting in place proportionate controls.

Schools, along with other businesses, organisations and individuals, are increasingly at risk from cyber security attacks. Cyber-crime is criminal activity committed using computers and/or the internet. It can involve malicious attacks on computer software, including:

* E-mail hacking: trying to gain access to e-mail accounts by trickery
* Phishing: e-mails using authentic looking logos and often tome pressure to elicit a response that may lead to stolen accounts, financial loss and identity theft.
* Malvertising: compromising computers by downloading malicious code to hack into computers when users hover on or click on what looks like an advert.

**The education sector is reported to be the most affected industry from cyber-crime**.

* Microsoft Security Intelligence reported that 61% of reported malware encounters came from the education sector
* According to the UK National Cyber Security Centre (NCSC), 83% of schools have suffered a cyber security incident.
* In 2020, more schools than ever before reported having to stop using their ICT systems in some form due to damage caused by cyber-attacks such as ransomware.
* 42% of schools have reported that they have had students or staff that circumvent cyber security protections
* On average, 30% of users in the educations industry have reported falling for phishing e-mails
* Without effective, risk-based cyber-security, educational organisations cannot comply with GDPR
* Cyber security risks can undermine online safety and safeguarding efforts. Cyber security supports school’s safeguarding efforts by ensuring that the measures put in place such as those relating to KCSIE Schedule C are robust, secure and cannot be easily navigated.

Previously, there was an acceptance that there were 4 main types of cyber-attack, but as cyber criminals and methods of prevention get more sophisticated, this number has increased. The Department for Digital, Culture, Media & Sport undertook a random probability telephone survey of education institutions, carried out between 12 October 2020 and 22 January 2021. They identified 12 types of cyber-attack that had been carried out on education establishments in the previous 12 months, as listed below with the percentage incidence of each;

**Types of breaches identified in the last 12 months**:

|  |  |  |  |
| --- | --- | --- | --- |
|   | **Primary** | **Secondary** | **FE Colleges** |
| Phishing attacks | 84% | 86% | 91% |
| Others impersonating organisation in e-mails or online | 20% | 37% | 58% |
| Viruses, spyware, or malware (excluding ransomware) | 14% | 12% | 30% |
| Unauthorised accessing of files or networks by students | 0% | 8% | 14% |
| Denial of service attacks | 8% | 12% | 30% |
| Hacking or attempted hacking of online bank accounts | 4% | 4% | 5% |
| Takeovers of organisation's user accounts\* | 8% | 10% | 12% |
| Ransomware | 8% | 4% | 5% |
| Unauthorised accessing of files or networks by staff | 2% | 7% | 9% |
| Unauthorised accessing of files or networks by outsiders | 0% | 1% | 9% |
| Unauthorised listening into video conferences or instant messages\* | 0% | 5% | 0% |
| Any other breaches or attacks | 4% | 7% | 12% |
| \* New codes for 2021 |   |   |   |

24% of primary schools and 33 % of secondary schools surveyed reported that they had suffered a material outcome from these breaches, such as loss of control, data or money.

It is important to note that the data above only includes those cyber-attacks that had been identified by the institutions surveyed. There are likely to have been hidden attacks, and others that go unidentified, so the data may underestimate the full extent of the problem.

**2. Business Continuity Planning:**

**Five Strategic Questions for Education Providers:**

As an important part of their planning for Business Continuity, school, academy, College and ITP finance/ audit committees should use the following high-level questions. They are based on government guidelines and industry standards and should be used as a starting point to consider cyber risk in their organisation. As well as asking the questions, the committee should also consider the quality of any evidence underpinning any assurances provided.

*1. Information held*

Does the organisation have a clear and common understanding of the range of information assets it holds and those that are critical to the business?

*2. Threats*

Does the organisation have a clear understanding of cyber threats and their vulnerabilities?

*3. Risk management*

Is the organisation proactively managing cyber risks as an integrated part of broader risk management including scrutiny of security policies, technical activity, user education/testing and monitoring regimes against an agreed risk appetite?

*4. Aspects of risk*

Does the organisation have a balanced approach to managing cyber risk that considers people (culture, behaviours and skills), process, technology and governance to ensure a flexible and resilient cyber security response?

*5. Governance oversight*

Does the education provider have sound governance processes in place to ensure that actions to mitigate threats and maximise opportunities in the cyber environment are effective?

 **Ten Cyber Security Tests**

The education setting’s committee should ask detailed questions to assess and gain assurance that good cyber security practice is in place. The following are base on the National Cyber Security Centre’s “10 steps to cyber security”. Any answers given should be accompanied by underpinning evidence, including evidence that any underpinning policies and procedures are well-designed, consistently implemented and operating effectively in all relevant areas.

*1. Home and mobile working:*

* is there a clear policy on mobile working, with all associated training?
* is a secure baseline build applied to all devices?
* is data protected outside formal work environments, including in transit?

*2. User education and awareness:*

* are there security policies in place covering acceptable and secure use of systems?
* is there a staff training programme covering secure use of systems and awareness of cyber risks – for example strengthening passwords, risk from public Wi-Fi hotspots, risks from use of removable media such as USB sticks, avoiding use of personal accounts for business purposes and maintaining backups?
* do staff know how to report issues and incidents?

*3. Incident management:*

* does the organisation have an incident management/response plan and are these tested?
* are criminal incidents reported to law enforcement bodies?

*4. Information risk management regime:*

* is there a governance structure for managing information risk?
* do information professionals liaise with central government, stakeholders and suppliers to understand the threat?
* does senior management understand and engage with risk mitigation processes?

*5. Managing user data access rights / privileges:*

* are there effective account management processes, with limits on privileged accounts?
* are use privileges controlled and monitored?
* is access to activity and audit logs controlled?
* are these logs reviewed for unusual behaviour?

*6. Removable media controls:*

* is there a policy on the use of removable media (for example, CDs, flash/pen drives, mobile phones, wireless printers) and is this implemented?
* are media scanned for malicious software (malware) before being linked to the system?

*7. Monitoring:*

* is there a monitoring strategy in place for all information communications technology (ICT) systems and networks?
* are logs and other monitoring activities able to identify unusual activity that could indicate an attack?

*8. Secure configuration:*

* does a system inventory exist?
* is unnecessary functionality removed or disabled from systems?
* are security patches applied regularly?
* is there a minimum defined baseline for all devices?

*9. Malware protection:*

* are there effective anti-malware defences in place across all business areas?
* is there regular scanning for malware?

*10. Network security:*

* is the network perimeter managed?
* do information professionals understand where the highest risk information assets are, and how they are protected?
* are security controls monitored, tested and where appropriate updated?

**3. Mitigating Actions & Support from the Local Authority**

**3a. NCC ICT Shared Services**

NCC ICT Shared Services are promoting an awareness of cyber-security to education establishments. They are currently working with their corporate security colleagues, the National Cyber Security Centre (NCSC), the police and Secure Schools on a targeted approach, including:

* Issuing MI sheets with updates from the NCSC, advertising the guidance for schools and the free training available (see below for examples and links).
* Having the corporate marketing material available to target schools around password policies, 2FA, Back up etc.
* Advertising via MI sheet the Police-run PROTECT webinars
* Working with Secure Schools to pilot the Cyber Essential Certification, initially with two primary schools.  This will identify any common issues to focus on to highlight to schools.  The ideal aim would be to put all schools through the Certification, however there is a cost attached to this.
* Looking at a longer-term aim of having trained Auditors within the team to carry out the certification to reduce the costs.
* Working with Academy Trusts on an Audit of their data security or help with risk assessments around this area as required.
* The DfE are asking for schools to respond to them to confirm they have a valid back-up solution and incident plan in place.  The cloud backup solution available in schools that procure support from NCC ICT Shared Services meets this requirement, and this is available to other establishments to purchase.  The team are working on a draft incident plan that can be made available to all.

**3b. School’s Finance & Business Services**

The School’s Finance & Business Services Team (FaBS) offer a full programme of training on all aspects of school financial management. Cyber fraud is covered as part of the Fighting Financial Fraud course package.

At present the course consists of an eLearning course, a video on whistleblowing, webinar session and links to other resources and information.

* Both the eLearning course and the webinar sessions (and previously, the tutor led sessions) focus on internal fraud, internal controls and whistleblowing, and potential external fraud(s) are mentioned.
* External fraud is covered in more depth within the additional resources provided on the FaBS course page on Learning Hub and we have produced a fraud grid that highlights both internal and external fraud types along with control measures and potential impact(s) on the school combined with links to a video produced by Barclays about the dangers of Vishing and to the ESFA website that provides guidance to education providers on cyber-crime and cyber security.
* Members of the team presented at the Virtual Education Show earlier this year on the topic of Fighting Financial Fraud and the made the fraud grid available, which was well received.
* To date, 149 delegates have accessed the virtual Fighting Financial Fraud materials.
* In addition to training, FaBS ensure that, where a fraud is affecting schools or there is risk of this happening, a Management Information (MI) sheet is released to all schools, an RSS feed is sent to all schools using the Star accounting system, and information is put on the School’s Finance weekly InfoSpace FAQs. This will give a warning if the fraud. Potential fraud and how to spot it, and how to mitigate any risk.
* FaBS have specialist trained staff available upon commission to carry out investigations in schools where there are suspicions of/ have been fraudulent activity.
* FaBS work closely with Norfolk Audit Services (see below) to ensure implementation of the findings from thematic audits and to follow up and “Key Issues” audits. FabS also work closely with the NAS Investigative Auditor on any school fraud matters, and on occasion carry out joint investigations.

**3c. Norfolk Audit Services**

Norfolk Audit Services (NAS), as the County Council’s internal auditors, carry out an annual programme of themed audits, visiting a representative sample of Local Authority maintained schools and sharing common findings and examples of good practice with all schools via Management Information (MI) Sheets.

* The Local Authority strongly recommends that the outcomes of these audits are considered by School governors and leadership teams and any necessary actions taken, in order to address any improvements required for each School. Any issues and proposed actions should be discussed by the relevant Committee of the Governing Body for approval, monitoring and evaluation. Question 20 of the SFVS also makes reference to schools taking into account recommendations made from these types of audits.
* A thematic audit on cyber security is planned for 2021/22 which it is anticipated will be undertaken in the autumn term 2021 with the overall findings being shared with all schools at some point in 2022, after all the audited schools have had their individual reports.
* Within the staff of Norfolk Audit Services there is a specialist Investigative Auditor, whose role is to focus on significant incidents of fraud including cyber-attacks. This role acts as liaison between NCC and Action Fraud, Norfolk police and Norfolk Trading Standards department to ensure appropriate and speedy communication of incidents if required. On occasion, this includes the liaison with the controllers of web domains where there is suspicion that fraudulent activity may have taken place, in order to request that sites be taken down.

Additional Information:

Cyber Security Breaches Survey 2021 Education Annex - GOV.UK (www.gov.uk)

ICT SS MI Sheet examples and links to NCSC resources:

[https://csapps.norfolk.gov.uk/csshared/ecourier2/misheet.asp?misheetid=50451](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcsapps.norfolk.gov.uk%2Fcsshared%2Fecourier2%2Fmisheet.asp%3Fmisheetid%3D50451&data=04%7C01%7Calison.randall%40educatorsolutions.org.uk%7Cdacc1d41950b4f756b9208d92cc8ad8b%7C1419177e57e04f0faff0fd61b549d10e%7C0%7C0%7C637590063606026469%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=H2Nvv0g7Ky0nSYqa%2FRvsqVXSikzQO%2BHQVhSGiPoZb%2FY%3D&reserved=0)

[https://csapps.norfolk.gov.uk/csshared/ecourier2/misheet.asp?misheetid=51462](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcsapps.norfolk.gov.uk%2Fcsshared%2Fecourier2%2Fmisheet.asp%3Fmisheetid%3D51462&data=04%7C01%7Calison.randall%40educatorsolutions.org.uk%7Cdacc1d41950b4f756b9208d92cc8ad8b%7C1419177e57e04f0faff0fd61b549d10e%7C0%7C0%7C637590063606036425%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=DEF%2FjtKeA%2F6sk4OH2zrDd%2FK06HZNkdGSyToDjbt3Erg%3D&reserved=0)

**This paper is for information only.**

**Officer Contact**

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SCHOOLS FORUM FORWARD PLAN

**I – Information D- Decision**

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|  | Autumn Term |  |  | Spring Term |  |  | Summer Term |  |
| **30/09/20**(Wed)09:00 – 12:30 | **September**Dedicated Schools Grant1. Early Years Block Funding
2. High Needs Block Recovery Plan
3. Schools Block Fair Funding Consultation
4. Amalgamation Protection - Disapplication

Updates on Scheme for Financing Schools(Financial Regulations) | **D****D** | **13/01/21**(Wed)Rescheduled to **26/01/21** (Tues)09:00 – 12:30 | **January**Election of Chair/Vice ChairReview MembershipProposed Schools Budget 2021-22, including DSG Recovery Plan updateEstimated Pupil Variations 2021-22Admissions Appeals | **D****I/D****D****I****I** | **14/5/21**(Fri)09:00 – 12:30 | **May**Dedicated Schools Grant 2020/21 OutturnUpdate on DSG Recovery PlanAnnual Audit Report (Norfolk Audit Service) | **I****I****I** |
| **13/11/20**(Fri)09:00 – 12.30 | **November**Dedicated Schools Grant1. Early Years Block Funding (consultation outcome)
2. Central Services De-delegation
3. Schools Block Funding including Fair Funding Consultation, Schools Block Transfer & DSG Recovery Plan

Admissions Appeals Task and Finish Group | **D****I** | **12/03/21**(Fri)09:15 – 11:45 | **March**Agree next year’s planDedicated Schools Grant:High Needs Block UpdateFinal Pupil Variations 2021-22Mental Health re-designUpdates on Scheme for Financing Schools(Financial Regulations) | **D****I****I****I****I** | **09/07/21**(Fri)09:00 – 12:30 | **July**Discuss proposals to include in Fair Funding consultation document (if DfE info received)Verbal update on Review of Special SchoolsDiscuss how future Forum meetings should be heldAdmissions AppealsCyber Security | **I/D****I****D****D****I** |

SCHOOLS FORUM FORWARD PLAN

**I – Information D- Decision**

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|   | Autumn Term |  |  | Spring Term |  |  | Summer Term |  |
| **29/09/21**(Wed)09:00 – 12:30 | **September**Dedicated Schools Grant1. Early Years Block Funding
2. High Needs Block/Special School Consultation
3. Schools Block Fair Funding Consultation
4. Disapplication Requests Review
 | **D****D** | **19/01/22**(Wed)09:00 – 12:30 | **January**Election of Chair/Vice ChairReview MembershipProposed Schools Budget including central costsEstimated Pupil variations 2022-23 | **D****I/D****D****I** | **18/05/22**(Wed)09:00 – 12:30 | **May**Dedicated Schools Grant 2021/22 OutturnDSG: Update on Recovery PlanAnnual Audit Report (Norfolk Audit Service) | **I****I****I** |
| **17/11/21**(Wed)09:00 – 12.30 | **November**Dedicated Schools Grant1. Early Years Block Funding
2. Central Services De-delegation
3. Schools Block Funding including Fair Funding Consultation, Schools Block Transfer & DSG Recovery Plan
4. Special Schools Review

Area SEND strategy update | **D****I** | **16/03/22**(Wed)09:15 – 11:45 | **March**Agree next year’s planFinal pupil variations | **D****I** | **08/07/22**(Friday)09:00 – 12:30 | **July**Discuss proposals to include in Fair Funding consultation document | **D** |

1. Subsequent to the meeting, LA officers reviewed the PPE offer that had been in place and can confirm that maintained nursery schools were not offered PPE in the first round due to the LA being incorrectly informed that they would be covered by DfE arrangements for schools. However, PPE was offered from the second round onwards, when the situation had been clarified. [↑](#footnote-ref-1)
2. Infant Class Size appeals [↑](#footnote-ref-2)
3. First Admission appeals [↑](#footnote-ref-3)
4. Transfer to Junior School appeals [↑](#footnote-ref-4)
5. Transfer to High School appeals [↑](#footnote-ref-5)
6. Challenging Behaviour appeals [↑](#footnote-ref-6)