



Surrey Schools Forum Minutes of Meeting

Tuesday 28 June 2022 1.00pm Virtual Meeting on TEAMS

Approved by the Forum at its meeting on 6 Oct 2022

Present

Chair

Rhona Barnfield Howard of Effingham School Academy member

Joint Vice-Chairs

Kate Keane Ewell Grove Primary Primary Head

Justin Price Freemantles School Special school head

Other school and academy members:

Donna Harwood-Duffy Dorking Nursery Maintained nursery head

Clare McConnell Bisley CE Primary Primary Head

Zoe Johnson-Walker The Winston Churchill School Secondary Head

Paul Jackson NW secondary PRU PRU representative

Geoffrey Hackett Burpham Primary Primary governor

Fred Greaves Oakwood School Secondary governor

Lisa Kent Manor Mead and Walton Leigh Schools (special governor)

Sir Andrew Carter South Farnham Educ Trust Academy member

Elaine Cooper SWAN academy trust Academy member

Jo Hastings Ottershaw Infant and Junior Academy member

Paul Kinder Warlingham School Academy member

Jack Mayhew Learning partners MAT Academy member

David Euridge Reigate Valley/Wey Valley AP academy member

Non-school members

Christine Ricketts Post 16 provider

Folasade Afolabi Unions: Education Joint Committee

Matthew Rixson Guildford Diocese (Church of England)

Joe Dunne Arundel and Brighton Diocese (RC)

Benedicte Symcox Family Voice Surrey

Local Authority Officers

Liz Mills (LM) Director–Education and Lifelong Learning

Jane Winterbone Assistant Director-Education

Eamonn Gilbert (EG) Assistant Director (Commissioning)
 Carol Savedra Head of Commissioning (Education)
 Daniel Peattie Strategic Finance Business Partner
 Sarah Bryan Deputy Strategic Finance Business Partner
 David Green (DG) Senior Finance Business Partner (Schools Funding)
 *part of meeting only.

1 Welcome, Introductions and Apologies for Absence

Apologies had been received from:

Susan Chrysanthou	Furzefield Primary	Primary head
Steph Neale	St Pauls Catholic Primary	Primary governor
Matthew Armstrong-Harris	Rodborough	Academy member
Karyn Hing	Westfield School	Academy member
Sarah Kober	Lumen Learning Trust	Academy member
Kerry Oakley	Carrington School	Academy member
Susan Wardlow	Reigate School	Academy member

Resignation

Matthew Armstrong-Harris.

2 Declarations of interest for this meeting and register

An updated register of interests had been circulated prior to the meeting. The Chair asked that all members should review their entries (or provide declarations where that had not yet been done) before the next meeting.

3 Minutes of previous meeting (11 May 2022)

Accuracy

The minutes of the previous meeting were agreed as accurate.

Matters arising: additional information requested at 11 May meeting

- Additional information on high needs block outturn – this had been circulated.
- Additional information on early years outturn – this had been circulated.
- SEND Green Paper: draft LA response was not yet available (Deadline 22 July).
- Variation of Minimum Per Pupil funding level in other LAs: in 2022/23 no LA had varied MPPL, with or without a transfer from schools block.

4 Update on DfE funding consultations: second stage of direct national funding formula for mainstream schools

DG advised that the DfE had now published its second stage consultation on moving to the direct (formerly hard) schools national funding formula, largely drawing on areas identified in the first consultation as needing additional work. The deadline was 9 September. An initial officer draft response to the consultation was attached. The final LA response could draw on discussions with Schools Forum, but it would be an LA response. The proposals would have no impact on budgets in 2023/24. For the avoidance of doubt the proposals only affected mainstream schools.

The DfE proposed to implement a direct NFF no later than 2027/28.

The DfE proposed that the facility for transfers from schools block should continue, though the Schools Forum would no longer have an approval role, which would be for the Secretary of State alone. Some constraints were proposed on how the funding for a block transfer is taken out of the schools formula. Variation in minimum per pupil funding level was explicitly stated as something which the Secretary of State would consider, whereas previously it had been strongly discouraged). Multi-year approvals would also be possible, subject to annual review.

The Chair noted that it was important that schools should be consulted on the method of removing funding from the formula to fund a block transfer, as the LA would be seeking such a transfer under the safety valve agreement (see item 6).

DG understood that the safety valve agreement did not in principle constrain the LA from seeking a transfer to high needs block in excess of 1%. The Chair emphasised that consultation with the Forum, and wider consultation with schools, would still be expected.

The DfE proposed to standardise notional SEN funding but had not yet proposed a specific formula to be used. It would remain notional (not ringfenced). The £6000 additional support threshold would remain, at least until any wider changes in the ,SEND system were made following the SEND Green Paper.

Some restrictions on the method of funding for growing schools were proposed. In particular, it was not clear whether vacancy funding for bulge classes admitted in previous years would still be permitted. LAs could be funded separately for areas of growth and for areas of significant falls in rolls (significance threshold not yet specified).

Currently academies could be funded for “popular growth” i.e. filling existing vacancies where an academy trust had improved standards leading to increased demand for places. The Chair noted that this acted as an incentive to multi academy trusts to take over weak schools. Currently, similar funding was not available to maintained schools where improved standards led to increased demand, but the consultation proposed that maintained schools in that position could be allowed to apply for popular growth funding.

DfE proposed to introduce a national split site formula factor, to replace existing local factors.

Currently LAs could fund exceptional premises costs where they exceeded 1% of school budgets. The proposals included raising the threshold to 2.5%. Two out of five Surrey schools currently funded for rent would fall below the 2.5% threshold. (NB on review, probably three).

Various data issues were also considered. In particular, the DfE had asked whether provision of a calculation tool, to allow schools to estimate next year's funding, would be more useful than publishing notional school level formulae, based on previous year data.

5 Dedicated Schools Grant (DSG) management plan update

DP explained that all LAs with DSG deficits were required to populate a DSG management plan template and to use it as a basis for discussions with Schools Forum. The first quarter update had just been submitted to DfE, but the LA was still currently tracking the planned trajectory and thus the management plan detail had not changed since the safety valve briefing. However, inflation risks were developing and an update would be presented at the next meeting.

The Chair noted that the Inclusion Innovation Working Group had a major role in leading work to increase the inclusivity of Surrey schools. Its membership now extended beyond Schools Forum, including increased crossover with the Inclusion Round Table, to link into the work of that group and reduce overlap. The Inclusion Innovation Working Group would still report to Schools Forum. The group would meet in July to think about future workstreams.

6 Mainstream and early years funding issues for 2023/24: items for consultation paper

DG asked members to consider the items proposed for inclusion in the autumn schools funding consultation paper, in particular whether the proposals were clear enough and whether they contained sufficient information to allow schools colleagues to express a considered view, and whether anything was missing.

a) Transfer of funds (from schools block) to high needs block and impact on funding formula (including MPPL variations)

DG reminded the Forum that if MPPL were varied, all mainstream schools would contribute to the cost of the block transfer, whereas if it was not varied, only 70% of schools (those not on MPPL) would contribute. The proposal was about how the cost of the block transfer would be distributed among schools, and not whether a block transfer would be sought.

b) Lump sums

DG noted the need for all local formula factors not already close to the NFF to move 10% closer to the NFF factors. The lump sum was the only factor in Surrey which was not already close to NFF values and the impact of the block transfer (by reducing all formula factors) would bring the lump sum at least 10% nearer to the NFF without there being any further change. DG proposed that the lump sum should not be further reduced in 2023/24.

LM noted the importance of schools being aware that funding (including lump sum) would move towards NFF in the next few years, and that small schools needed to be aware of the amounts which they would lose as a result. The consultation should emphasise that a lump sum above NFF could be a short-term measure only and should make clear the impact on schools of moving fully to NFF lump sums.

One member asked whether a contingency could be set aside to assist those schools particularly challenged by a reduction in lump sums. DG advised that it was not possible to distribute schools block funding to mainstream schools outside the NFF (NB apart from specific exceptions e.g. growth fund) and thus such a contingency would not be possible.

c) Other formula funding issues

DG reminded the Forum that former historic commitments funding within DSG was expected to fall by another 20% in 2023/24. This was all now delegated to schools and he proposed that the relevant delegated funding factors should be similarly reduced.

The formula factor for looked after children would cease from 2023/24 because it would no longer be permissible.

d) School improvement deductions

Statutory school improvement

The school improvement monitoring and brokering grant had been reduced by half in 2022/23 and would cease entirely in 2023/24. This had funded statutory school improvement work in maintained schools. An overall reduction in contract value had been made for the year to August 2023 to reflect the expected reduction in the number of maintained schools. A school contribution of £12.65 per pupil was proposed (i.e. not quite twice the 2022/23 rate). Full academisation would take some time and thus there would be a significant number of maintained schools requiring monitoring for some time yet. One member noted that the proposed deduction was nearly twice the 2022/23 rate and suggested that there was a need to consider whether it could be reduced. LM noted that the work was done by a school led partnership which was not focused on making money. She suggested that a small number of Schools Forum members should look at the scope of the proposed commissioned arrangements and make recommendations if appropriate. Arrangements needed to be reviewed in the context of the Schools Bill, but there was a need to be proactive rather than just acting when problems arose. Carol Savedra to lead. **Action for CS**

The Chair asked to be kept informed and noted the need for an independent focus. CS noted that LAs still retained statutory school improvement duties in respect of maintained schools, even though funding had changed.

One member argued that there had been cases where the LA had not identified failing schools sufficiently in advance. LM commented that Surrey's maintained schools had a good record, but she felt that the system was in transition and we needed to recognise the changes needed as a result of government policy.

Another member suggested that some schools received nothing in return for the deduction and that the proposal was for a significant increase in the deduction at a time when schools were struggling. LM advised that SAFE engaged with all schools and used data from all schools in order to undertake risk assessments. This was done in order to meet the requirements on the LA in respect of maintained schools causing concern.

Non statutory school improvement

This covered the maintained primary schools intervention fund. Secondary and special schools' contributions had been refunded in 2022/23 as it was no longer possible to "de-delegate" from primary schools alone.

e) Other de-delegation items

The proposals for other de-delegated services were little changed, except that no de-delegation was proposed for school specific contingency, on DfE advice. Further information had been provided on behaviour support and traveller services.

One member asked whether more information should be provided on de-delegation for trade union representation and suggested that Education Joint Committee might help with that.

f) Early years funding proposals

CS noted that the basis of funding (and the funding of late starters) meant that Surrey paid for more two-year-old hours than Surrey was paid for by DfE, whereas the opposite applied to 3- and 4-year olds. As a result, there had historically been overspends on 2-year olds which had been offset by underspends on 3- and 4-year olds. The proposal was to balance the costs of 2-year olds within available funding (which meant paying for more hours, at a lower rate, than the DfE paid), and not to top slice the funding. The LA saw this as preferable to restricting funding for children starting after census date. A move by DfE to a termly count would ease the funding challenge for two-year olds but not for three- and four-year olds and would not be beneficial to Surrey overall.

For three- and four-year olds Surrey paid for fewer hours than DfE funded and accordingly it was proposed that the hourly rate should be increased by 6p over and above any increase in the DfE rate. The pattern of take-up in Surrey was driven by the high proportion of working parents.

The Early Intervention Fund had just completed its second year of operation. There had been more responses to the survey since the report and she would send out an update. Take-up had increased post COVID and there had been an increased training offer. 66% of providers had accessed EIF, including a significant number of state-maintained schools. Evaluation was built into the process. There had been a small underspend in 2021/22 due to one off factors. It was proposed that the budget for 2023/24 should be left the same as in 2022/23. LEAP early autism support would now be available through EIF. EIF covered any additional educational need, not just SEN. The 33% of providers who had not accessed EIF were being contacted.

One member expressed concern that children were being identified as in need of the LEAP service but were reaching the end of nursery education without receiving it, and questioned whether the PVI sector, in particular, was receiving the support intended. CS noted that the LA was aware of this and that recent changes had been intended to increase capacity and to increase consistency across quadrants. The same member also suggested that some children receiving LEAP support ought to have been placed in special schools but had not. This would be followed up as a commissioning issue outside the meeting.

The LA would propose to continue retaining 5% of funding for three- and four-year olds, mainly to support central staff but also to fund the intervention fund for two-year olds, which was also funded from disability access fund underspend.

The maintained nursery school transitional grant had been in place for several years. It was proposed to distribute it in the same way as previously i.e. deduct split site and rates cost and then split equally between the four maintained nursery schools.

No changes were proposed to deprivation funding, which would continue to be linked to early years pupil premium eligibility. Funding for free school meals provision in the maintained sector would continue.

g) Any other proposals which members wish to suggest

At the last meeting, members had been asked if they wished to suggest other items to be included. No further items had been proposed, and none were proposed at this meeting.

DG noted that other proposals may be necessary, once DfE had published the arrangements for 2023/24 (due in July 2022). Members would be given an opportunity to comment on any late proposals.

7 Update on special schools funding and mainstream banding review

Funding of special schools

EG recalled that at the previous meeting an increase of 2.5% in the funding of special schools had been proposed. Since then, the council had formally approved an increase worth up to 7% for support staff on the lowest grades, which had had an impact estimated at £1m on special schools. There was no scope for funding this from the high needs block because of safety valve constraints.

It may be possible to fund from previous years' (non HNB) DSG surplus, which would not affect the safety valve agreement or future forecasts. EG thought it right to seek support for this principle from Schools Forum before discussing elsewhere. It would have to be a one-off mechanism for 2022/23 only. Present budgets had been set before the Ukraine crisis and he hoped that the ensuing cost pressures would be reflected in next year's DfE settlements for LAs.

One member noted that the £1m represented a huge cost increase at individual school level and thanked EG for his attempts to find additional funding. He suggested that if funding could not be found there would be redundancies in the sector and some of the most challenging children would be moved to NMI schools at increased cost to the HNB. The Chair noted that pressures on one sector would have consequences for all sectors.

EG proposed a paper to Forum setting out specific proposals, to be shared and considered by email before the end of term. He was seeking support to explore the proposal. **Action for EG**

The whole of the capital expansion programme was based on strong special schools which were attractive to parents. There was a strong argument for supporting special schools and there had been huge progress over the last few years. He hoped that next year's DfE funding would respond to increased cost pressures.

Members noted that the pay settlement had been far higher than the planning assumptions and were surprised that Schools Forum had not been consulted on the settlement. LM suggested that that had reflected the need for a rapid response to the increase in cost of living, which had been well outside normal planning assumptions.

The Chair noted that the Forum was not entitled to be consulted on the issue, but that it was important to all schools, even those not following Surrey Pay, because they recruited in the same marketplace.

Another member asked why salaries for teaching assistants in schools could not be negotiated separately from other support staff. LM suggested that that should be explored as an action for next term. **Action for Eamonn Gilbert/Jane Winterbone**

Members also suggested that schools needed to be more realistic (e.g. with parents) about what they could afford to provide.

Members asked what the DSG surplus would be used for if not used to support special schools. LM advised that the surplus had been built up over many years from schools and early years underspends. Much of it had been contributed to the safety valve, but some had been retained to offset any future pressures. There had only been a small increase in the last year.

Members also expressed concern at a one-off funding source being used to fund an additional cost which would continue, noting that there would be a 2% reduction in funding in the following year if continuing funds could not be found. The Chair commented that the pay increase had been announced late and that it was now too late to review staffing structure for the present year (and coming year for academies). She hoped that the 2023/24 settlement would be known sufficiently early to allow staffing decisions to be taken.

EG sought support from the Forum for the principle of exploring the proposal to use previous years' surplus to support special schools. A distribution mechanism would need to be agreed. One member asked whether individual schools' levels of reserves should be considered. EG replied that the LA did not know academies' reserves. The Chair emphasised that speed was critical, as academies were about to submit their budgets for 2022/23 and maintained schools had done so some time ago. She supported an email consultation rather than the alternative of an extra meeting.

The proposed £1m would mean an increase of approx. 2% in special school funding. It would be a one-off targeted sum, i.e. not built into the base. LM suggested that the £1m was an illustrative figure and that we could allocate less.

Another member asked why SEN centres were not included in the proposals, as they faced similar pressures. EG noted that they were part of mainstream schools, which had received higher formula funding increases than the 2.5% already allocated to special schools. The member thought schools with SEN centres might not see it that way. The Chair commented that such schools were in an interesting position.

Members also noted that PRUs/AP academies had been given no increases but faced similar cost increases to special schools. EG advised that a meeting had been arranged for 8 July to discuss PRU funding. The Chair noted that any discussions with AP providers needed to happen quickly. However, the proposed £1m from DSG reserves covered special schools only. EG noted that the PRU sector was funded for far more places than were actually available, one member countered that the PRU estate was generally in poor condition (e.g. poor energy efficiency), and that the capital programme for the sector was subject to delay.

In response to a member's question, DG advised that the cost of statutory school improvement in item 6d could not be met from the DSG surplus; it could only be met from deductions from maintained schools.

Mainstream SEN banding review

EG proposed that proposals for the mainstream banding review should be included in the autumn funding consultation paper. He still anticipated a decision in time for the February key stage transfer deadline.

Guidance on expectations for ordinarily available provision had been developed together with SENCOs. There was a need to "join up" guidance on what was ordinarily available with arrangements for funding EHCPs.

Levels of funding were illustrative, pending further work on the needs descriptors. Funding needed to be linked to the descriptors. An additional band had been added to even out the gap between bands. Descriptor and funding levels would need to be included in the autumn consultation paper.

Schools supported the proposed move away from linking funding to hours.

EG suggested that parents became focused on hours because the system had been based on hours. There was a need to focus on outcomes and parents should be given a clear view of what outcomes should be, from the annual review process. The present system created an expectation of 1:1 support even when it was not the most appropriate solution. Furthermore, schools struggled to recruit staff for 1:1 support.

The working group had supported a two-year implementation period, seeing four years (as for special schools) as too long, and one year (i.e. all at once) as too short. It was proposed that key stage transfer pupils in September 2023 and September 2024 should move to the new arrangements, plus all other secondary pupils in Sept 2023 and all others in Sept 2024. The process was seen as more challenging for primary schools.

The proposals for implementation would be shared in the consultation paper.

All special schools had agreed to implement the special schools banding review, but 100% support was unlikely to be achievable from 350+ mainstream schools. A lot would depend on the level of response to the consultation and reasons given by any schools opposed to the changes. The majority of schools wanted to move away from hours, but any alternative needed to be deliverable and to meet need and should not be seen as a cut.

The proposals were being discussed with Family Voice on 4 July and the results of the autumn consultation would be discussed with Schools Forum on 6 October

The Family Voice rep noted that EHCPs already included outcomes. There was a need to discuss how funding supported outcomes and how outcomes would be achieved, not just to discuss outcomes.

One member asked whether band values had been adjusted for changes to Surrey Pay. EG advised that current values were indicative and would be updated.

The Chair agreed that governance, and achieving consensus, were key issues. She asked that a summary of work so far should be included in the bulletin before the end of term, suggesting that it was important to manage expectations. **Action: EG**

8 Schools Forum business

Date of next meeting Thursday 6 October 2022

To include responses to consultation paper and recommendations to Cabinet, and expected DfE updates, and PRUs/alternative provision

It was agreed to plan for the next meeting to be “in person”, subject to circumstances at the time, venue to be investigated. Ideally the room should be larger than previously used.

9 Any other business

Funding for special schools outreach

This had been raised as an item of concern but had now been resolved outside the meeting.

Nursery/year R special school placements

A member expressed concern that nursery providers were being asked to hold pupils moving into year R who needed special school places where these had not yet been found. LM suggested that this should be discussed outside the meeting, The Chair suggested that letters should be sent to parents advising that places were still being sought,

Funding for refugees

One member asked for clarification of Surrey’s arrangements.

Meeting ended 3.35pm

Date of next meeting Thursday 6 October 2022 1pm, venue now confirmed as Teams