



# Surrey Schools Forum Minutes of Meeting

**Thursday 8 December 2022 1.00pm Virtual Meeting on TEAMS**

Approved by the Forum at its meeting on 10 January 2023

## **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 school                      Maintained nursery sch rep

Katie Aldred                              Bagshot Infant School                      Primary Head

Clare McConnell                      Bisley Primary School                      Primary Head

Zoe Johnson-Walker      The Winston Churchill School      Secondary Head

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

Karyn Hing                                      Westfield School                      Academy member

Paul Kinder                                      Warlingham School                      Academy member

Jack Mayhew                              Learning partners MAT                      Academy member

Kerry Oakley                              Carrington School                      Academy member

Susan Wardlow                              Reigate School                      Academy member

Neil Miller                                      Bramley Oak Academy                      Special academy member

David Euridge                              Reigate Valley/Wey Valley                      AP academy member

### **Non-school members**

Tamsin Honeybourne      Unions: Education Joint Committee

Matthew Rixson                      Guildford Diocese (Church of England)

Joe Dunne                                      Arundel and Brighton Diocese (RC)

Claire Poole                                      Family Voice Surrey

## **Local Authority Officers**

Liz Mills (LM)	Director–Education and Lifelong Learning
Jane Edwards	Assistant Director-Education
Eamonn Gilbert	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)

### **1 Election of Chair and Vice-Chairs**

The Chair and Vice-Chairs had all been renominated unopposed and thus were declared re-elected.

### **2 Welcome, Introductions and Apologies for Absence**

Apologies had been received from:

Paul Jackson	NW secondary PRU	PRU representative
Steph Neale	St Pauls Catholic Primary	Primary governor
Jo Hastings	Ottershaw Infant and Junior	Academy member
Sarah Kober	Darley Dene Primary School	Academy member
Sarah Porter	Private, voluntary and independent nurseries	
Christine Ricketts	Post 16 provider	
Folasadi Afolabi	Unions: Education Joint Committee	

### **3 Declarations of interest for this meeting and register**

The Chair reminded members of their duty to keep in mind the needs of all children in all schools, not just their sectional or school/setting interests.

Sir Andrew Carter declared an interest in the falling rolls issue in item 10 as he had been a member of the regional panel considering the case.

### **4 Minutes of previous meeting (6 October 2022)**

#### **Accuracy**

The minutes of the previous meeting were agreed as accurate.

#### **Matters arising**

##### **Surrey School funding consultation (September 2022)**

Kate Keane had tried to find out the reasons for the low response from primary headteachers:

50% of those giving a reason had not had sufficient time or for various reasons it could not be a priority at that time: September was not seen as a good time. Many had insufficient understanding of the process, so there was a need to make the proposals more accessible. It may be useful to hold a meeting for headteachers to describe the local and national processes and how the local consultation fitted into the national process.

50% of respondents thought their response would make no difference. This might have been due in part to the safety valve block transfer proposals (which had already been agreed) coming first in the paper. There was a need to clarify the scope of Schools Forum's control and influence over the process.

The Chair noted that the messages about the safety valve agreement had been intended to raise awareness among all colleagues, and that they had not been received in the way intended. It might not have been clear to colleagues outside the Forum that the LA still needed to know schools' views on the block transfer proposals.

The Chair asked that a glossary of terms should be compiled.

The Chair agreed that it was important to share more information about the reasons for the consultation process and its timings and the DfE deadlines.

LM suggested that there may be a need for an advance message to schools in the summer term, explaining why the consultation was important, how schools could influence the outcomes, and emphasising that schools' views carried weight with the DfE.

The Chair suggested that workshops similar to the schools forum induction training could be offered more generally, to widen understanding of the role of the Schools Forum. She would be happy to support such sessions. **(Action for Chair/LM/SB)** The Forum was very mindful of the collective views of schools and had rarely taken a view opposed to the response in a schools consultation. She noted that while the NFF had reduced the scope of the Forum's influence, it still had decision making powers in some areas and its views were useful in discussions between the LA and DfE.

The Chair asked whether it would be useful for secondary phase council to ask similar questions of its members. **Action for Chair**

## **5 Contextual update on funding developments**

### **DFE activity**

The Autumn statement had included an additional £2bn nationally for schools in 2023/24. DfE had confirmed on 6 December that £400m of this was for high needs and that the remainder would be distributed to mainstream schools. The corresponding additional funding for mainstream schools in 2022/23 had been distributed via a separate specific grant. DG did not anticipate knowing further details much before 21 December.

There had been no news yet on the outcome of the summer DfE consultation on early years funding.

### **Surrey Cabinet budget meeting (29 November 2022)**

All proposals had been approved and thus will be implemented. This will include distribution of the additional £1m to special schools and PRUs in 2022/23.

### **Disapplication requests to DfE**

There had been protracted discussions and DfE requests for further information on the requests to vary funded pupil numbers, despite the fact that the LA had asked for disapplications on bulge classes for several years and it had never previously been an issue.

An additional disapplication request had been submitted for a second year transitional lump sum for St Jude's CE Infant school (merged school opened in September 2021). Surrey had made similar requests on previous occasions, but they needed case by case approval from DfE. The request was for an additional 40% of the usual transitional sum. The DfE would want to know Schools Forum's views.

**The Forum supported the proposed request.**

(NB In the year of merger the school retains two lump sums, in the following year it receives 1.7 lump sums, the request is for the second year after the year of merger).

### **6 Former combined services funding**

DG explained that in recent years schools had received additional delegated funding from the former combined services allocation within the central services (CSSB) block, which was over and above the NFF. Secondary schools' share of the former confederation funding had been delegated to schools in 2013, before the NFF baseline was set, whereas primary schools' share had not, and thus since 2018/19 primary schools received it over and above the NFF, whereas secondary schools did not, which was inequitable. Furthermore, the additional funding had to be included in the MFG and MPPL calculation, which meant that for almost half of primary schools, the additional funding was offset by a reduction in MFG and MPPL, so they received no benefit.

DfE was phasing out the former combined services funding gradually, at 20% per year (Surrey's allocation was £0.556m in 2022/23 and would be £0.45m in 2023/24). In view of the inequity Surrey proposed to phase out the delegation, and thus converge on the NFF, earlier. Surrey proposed to reduce the sum delegated in 2023/24 to £250,000 gross (approx £125,000 after MFG and MPPL offset), distributed using the same factors as previously, and to remove it thereafter.

If the combined services funding was not delegated, it would most likely be held as unallocated DSG reserves or used towards high needs block pressures. DG advised that the Forum's approval would not be needed for either, although the Forum should be consulted. Approval was needed for spending on specific CSSB categories, not for spending of CSSB DSG as such.

**The Forum supported the proposal to delegate £250,000 gross (approx. £125,000 net) of former combined services funding.**

## **7 Centrally managed schools block proposals for 2023/24**

DG explained that the CSSB was intended to fund LA services which supported all schools (both maintained and academies). Apart from copyright licensing, where DfE set the charges, spending on CSSB items were subject to Schools Forum approval (or Secretary of State). This is not funding which was ever delegated to schools.

The paper listed the proposals for 2023/24. There is an increase in funding of around £132k before updating for Oct 2022 pupil numbers, which leaves around £200k unallocated, plus a few savings.

Proposed changes included allowing for an increase of £80k for copyright licences, because DfE usually increase these by inflation. £191k was proposed to support part of the cost of supporting the new EYES system and for additional welfare/inclusion duties in support of children missing education.

The proposed use of CSSB required the approval of Schools Forum and all members were entitled to vote.

**The Forum approved the proposed spending on CSSB categories by 18-0.**

## **8 Maintained schools budget deductions (“central services levy” for 2023/24, including school improvement)**

The proposed deductions would apply to all maintained schools apart from maintained nursery schools.

DG explained that the proposed “central services levy” items had been considered in three parts:

### **Services apart from school improvement.**

The deduction/levy proposed was £35.98/pupil (the same as in 2022/23). This required savings of £275,000 to be found.

DG noted that there had been increased costs for some services, which appeared to be because previously only direct staff costs had been included (i.e. previously costs were understated). Thus it might be necessary to consider increasing the levy in future years. The suggestion of increased rates was not linked to the reduced number of pupils in maintained schools due to academy conversions. It was accepted that there could be a point where central LA services to maintained schools became unviable, but we were not at that point yet.

### **Statutory school improvement**

The proposed deduction was £6.50/pupil (the same as in 2022/23), a reduction from the £12.65 proposed in the September 2022 consultation following resistance from schools to the increase on the 2022/23 rate which had been proposed in order to offset the loss of monitoring and brokering grant. This meant that schools would fund 42% of the cost of this service and the LA would fund the remainder.

Carol Savedra reported that a quick online poll of maintained school headteachers had shown 79% of 104 respondents (54% of eligible schools) in support of the proposed £6.50 levy.

### **Non statutory school improvement**

The proposed deduction of £8.75/pupil was the same as in 2022/23. DG noted that the deduction had to be from all maintained schools but that in 2022/23 the share deducted from secondary and special schools and PRUs had been refunded to those sectors. It would be possible to do something similar again.

Kate Keane asked that any underspend on the non statutory school improvement funding should be ringfenced and carried forward for that purpose. DG thought it was open to the Forum to impose such a condition. LM suggested that that could be stated in a Cabinet report.

### **Representatives of maintained schools voted 7-0 to approve:**

- **A deduction of £35.98/pupil for services apart from school improvement;**
- **A deduction of £6.50/pupil for statutory school improvement;**
- **A deduction of £8.75/pupil for non statutory school improvement, for primary schools only.**

## **9 DSG management plan update**

Sarah Bryan noted that national changes in 2015, including extending the range of statements/EHCPs to age 25, had generated a significant increase in cost without corresponding increases in funding. Since then, annual increases of 9-16% had been seen in EHCPs. Surrey was one of 9 LAs with high DSG deficits which had entered into a “safety valve” agreement with DfE in 2021, following similar agreements between DfE and five other LAs in 2020.

Surrey had a transformation programme in place and EHCP growth had slowed in recent years. The most common primary needs on EHCPs were autism (34%), speech, language and communication (19%) and social emotional and mental health (16%), Costs in 2021/22 had exceeded the DfE allocation by £35m.

The paper had included some charts using data from the DfE high needs benchmarking tool. The charts showed that Surrey’s spending on NMI placement and on alternative provision (not PRUs) was relatively high, and also suggested that top up funding was high relative to place funding. However, officers had concerns over some of the data used, particularly income in charts 3 and 4.

The transformation programme was meant to address some of these issues by:

- Increasing inclusion in mainstream schools
- Increasing the number of state maintained specialist places (which would also mean educating more pupils closer to home)
- Improving value for money in NMI placements
- Review of special school and mainstream SEN banding
- Work on preparation for adulthood and supporting independence
- Improving partnership work.

The LA was required to provide quarterly monitoring reports to DfE. The quarter 2 monitoring report for DfE would be added to the schools forum website. It had highlighted the developing risk of funding not keeping pace with inflation. The quarter 3 report was due to be submitted to DfE in January 2023. The LA was awaiting the Secretary of State's decision on the two related disapplication requests: the 1% transfer from schools block, and changes to the funding of outlier special schools. Officers would continue to report regularly to Schools Forum, and proposed a report in the summer, at the end of the first year of the safety valve agreement.

At the end of 2021/22 the cumulative high needs block overspend would have been £118m, but it was reduced to £78m by the first DfE safety valve contribution of £40m. At the end of 2022/23 the forecast cumulative high needs overspend was £100m, after further DfE contributions of £12m, but the assumptions predated the recent increase in inflation. Continuing cost increases could necessitate an increase in cost containment targets.

One member expressed concern at further increases in cost containment targets, seeing that as "quite challenging".

Another asked what the plan was for enabling more children with SEND to thrive in mainstream schools. LM advised that the plan was to build on the good practice which already existed in many schools, providing additional support, training and outreach. The Chair noted that schools were leading on increasing the extent and consistency of inclusion through the Inclusion Innovation working group. The member asked whether pupils were being placed in mainstream schools who had no realistic chance of coping there.

LM noted that, historically, Surrey had placed fewer children with SEND in mainstream school than comparable LAs, but suggested that current numbers were similar. Surrey had had quite a high incidence of learning disability assessments, which had been converted into EHCPs under the 2015 changes. There had been a reduction in the number of new EHCPs during the pandemic (also seen nationally) but there had been an increase since then.

One member expressed concern at the cost to schools of providing support to pupils being assessed for EHCPs and at delays in the assessment process. LM noted that shortages of educational psychologists to undertake assessments was causing some delays.

LM noted that the forthcoming mainstream banding review aimed to better match resources to pupil need.

SB would compile a table of estimated changes for the January meeting.

One member asked for evidence that the measures being taken were having an impact on rising NMI usage and on the level of top up funding, and expressed concern that more funds would be taken from mainstream schools otherwise, and that mainstream schools would be unable to afford it. He also noted that there was no mention of home to school transport pressures in the area. DP noted that a lot of

work was being done in that area, but that it was not a DSG cost. **Action: SB to provide data on usage for next meeting.**

LM agreed that future reports would show the impact of the capital programme providing additional maintained places. **Action: SB to include in future reports**

In 2022/23 little use had been made of NMI placements at key stage transfer, but NMI schools were still often used for in-year placements, because Surrey's own schools were already full from the start of the year. Attempts would be made to provide more maintained places for in year placements. The LA was trying to get ahead of the safety valve cost containments in order to reduce the contributions needed from schools. Agreement from the Secretary of State would be needed before there could be any increase in block transfer contributions from schools. It had always been recognised that the total high needs block deficit would rise further before it started to fall.

Daniel Peattie noted that the in year deficit was falling, from £35m in 2021/22 to an estimated £33m in 2022/23.

LM noted that 2% extra post pandemic growth had been built into the budget, but that growth was currently running above that.

The Chair proposed an additional workshop type meeting to help members to understand the first year of the safety valve agreement and to provide an update on the work of the inclusion innovation working group. **Action: Chair and Liz Mills to arrange**

## **10 Growing schools fund criteria and budget proposals for 2023/24 (including use of average pupil numbers and falling rolls proposal)**

### **Growing schools**

DG reminded the Forum that growing schools funding (for the impact of in year growth due to PAN increases and to schools being asked to exceed PAN) required Forum approval of the criteria and budget. There was a separate (but non ringfenced) DSG funding allocation for this purpose. The proposed criteria were set out in the paper, but it was not yet possible to confirm the funding for 2023/24, as this had yet to be advised by DfE. DG hoped to present the full budget at the next meeting. If the proposed disapplications in respect of bulge classes and PAN reductions were successful, the savings would be added to the growth fund.

The proposed criteria for 2023/24 were little changed from 2022/23, but there were two new issues to be resolved:

- How to treat growth in a school which was increasing PAN having recently reduced it (ie where the number admitted exceeded the current PAN but did not exceed the PAN in effect when the summer 2023 leaving group was admitted). This could arise genuinely for reasons which could not have been foreseen, but it might also offer opportunities for manipulation.
- Whether and how to fund bulge classes for which the need arose after October census date (a situation which was unusual but forecast).

One member argued that it was unfair to fund free schools for in year growth which took pupils from other schools (causing them to seek a reduction in PAN and thus



potentially lose funds) by creating surplus capacity. Jane Edwards noted that opening free schools took many years and that by the time they opened, demand might have changed from that forecast when they were approved. The LA had forecast continuing growth in demand from 2013, based on data available at that time, but circumstances had changed and in fact there had been a continuous fall since then. The school organisation plan was available online. DG commented that the DfE reserved the right to fund academies (at LA expense) for growth which the LA had declined to fund.

Jane advised that the specific school asking for growth after recently reducing its PAN was seen by officers to have a valid case.

DG noted that the proposed criteria included pre opening costs for LA promoted free schools, but didn't expect such funding to be required in 2023/24.

The Forum agreed the proposed criteria for growth funding for 2023/24, subject to funding for schools increasing/exceeding a PAN which had recently been reduced, or requiring additional growth funding after October 2023 census, being considered on a case by case basis.

**The Forum agreed the proposed methods for use of average pupil numbers for new schools and schools extending age range.**

**The Forum agreed to retain the criterion for funding new schools.**

The Forum deferred a decision on the proposed growing schools budget for 2023/24 until the January meeting.

#### **Falling rolls funding: Lakeside/Mindenhurst**

Jane Edwards advised the Forum that the proposed relocation of this school required Regional Director support, which was conditional on the LA agreeing vacancy funding for three years, plus funding for home to school transport. The proposed relocation was in Surrey's interests.

DG noted that there was some uncertainty over which were the three years for which funding was required. The proposed move date was September 2024 and in 2023/24 the school would be funded on Oct 2022 pupil numbers (which should be unaffected). The provisional proposal was to provide vacancy funding for net losses in pupil numbers due to pupils moving to other local schools, but not for year R losses caused by general falls in pupil numbers in the area (eg year R might be guaranteed funding up to the average level of occupancy in the area). Agreement was sought in principle, subject to regulations (etc) in the year in which funding was required.

Some members suggested that they lacked sufficient information to make a decision.

JE noted that the LA was trying hard to reduce any losses of pupils by providing transport.

One member commented that if the proposal was in Surrey's interest the Forum should not block it, unless supporting it would undermine something else of significant.

**The Forum supported the proposals for vacancy funding for Lakeside/ Mindenhurst in principle, without a vote.**

### **11 Mainstream SEND banding review**

CS recalled feedback from schools that there was a need to move away from defining EHCPs in hours of TA support. Surrey had been late in making this change compared to statistical neighbours, and had learned from other LAs' experience. The proposed banding review was linked to the ordinarily available document and to changes in the way the LA recorded EHCP information.

The review had been undertaken by a working group. It affected 357 schools and approximately 3,653 EHCPs. 35 schools (10%) had been targeted to engage in detailed testing of the proposed banding criteria on individual pupils, in order to assess whether the criteria generated funding appropriate to need, but 20% of these had yet to supply their data. Additionally the LA had modelled the assimilation of all pupils onto the proposed bands based on current funding level. Officers were engaging with schools, plus Family Voice, SEND Advice Surrey, and were hoping to present proposals to primary council in the spring.

The start of the schools consultation had now been deferred to the week of 12 December. If schools were happy with the proposals, a public consultation was planned for February. Family Voice had been happy to help with the public consultation.

The proposed funding band values had been increased from those shared with Schools Forum earlier, based on more recent financial modelling, but they could still change again following further modelling and consultation. The model of "targeted" and "enhanced" had worked well in early years.

The proposed implementation timetable was to move all secondary pupils to the new bands in September 2023, together with all new key stage transfers. Primary pupils would then be moved to the new bands on September 2024. Existing pupils would be mapped by Surrey in the summer term

A banding mode for SEN centres was proposed to be introduced in September 2024.

The Chair noted the importance of raising awareness of the proposals. CS replied that there was an extensive communications plan. She had been impressed with the level of engagement so far.

Eamonn Gilbert commented that the proposals were intended to give schools the flexibility to use resources as they saw fit, rather than being constrained to hire TA's whom they couldn't recruit anyway. But where 1:1 TA support was appropriate, the proposed model would not preclude it.

The Chair noted that specifying the number of hours of support had not worked appropriately.

CS noted that the proposals had drawn on the structure already in place for early intervention fund. One member expressed hope that this might mean continuity for pupils moving from EIF into year R

## **12 Arrangements for school related government grants 2023/24**

DG explained that the Forum had the right to be consulted on “the administrative arrangements for central government grants”, although for most non DSG grants the DfE specified how much funding must be paid to each school.

David Euridge argued that AP providers/PRUs had not been included in some DSG distributions. Eamonn had established a working group to clarify the funding process for PRUs/AP academies. The point was noted.

## **13 Schools Forum business**

Items for next meeting:

- Final 2023/24 DSG and recommendations for funding rates for schools
- Update on Surrey support staff pay offer.

Paul Kinder was stepping down as a representative after this meeting.

## **14 Any other business**

None

**Meeting ended 3.30pm**

**Date of next meeting** Tuesday 10 January 2023 12.30pm, venue TEAMS

**Dates of other meetings in 2023:**

Tuesday 16 May 2023 12.30 start

Tuesday 4 July 2023 1.00pm start

Tuesday 3 October 2023 1.00pm start

Tuesday 5 December 2023 1.00pm start