

Surrey Schools Forum

Draft Minutes of Meeting

Tuesday 12 January 2021 1.00pm Virtual Meeting on TEAMS (due to COVID 19)

Approved by Chair. For approval by Forum members at meeting on 14 May 2021

Present

Chair

Rhona Barnfield Howard of Effingham School (academy member)

Joint Vice Chairs

Kate Keane (item 5pt-8) Ewell Grove Infant and Nursery School (Primary head)

Justin Price Freemantles School Special school head

Other school and academy members:

Donna Harwood-Duffy Dorking nursery Maintained nursery head

Susan Chrysanthou Furzeffield Primary Primary Head

Clare McConnell Bisley CE Primary Primary Head

Zoe Johnson-Walker The Winston Churchill School Secondary head

David Euridge Reigate Valley/Wey Valley PRUs PRU member

Geoffrey Hackett Burpham Primary Primary governor

Eric Peacock Thorpe C of E Primary Primary governor

Fred Greaves Oakwood School Secondary governor

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

Matthew Armstrong-Harris Rodborough Academy member

Sir Andrew Carter South Farnham Primary Academy member

Ben Bartlett Hinchley Wood School Academy member (subst)

Kate Carriett George Abbot School Academy member

Elaine Cooper SWAN academy trust Academy member

Gavin Dutton Pirbright School Academy member

Jo Hastings Ottershaw Infant and Junior Schools (Academy member)

Paul Kinder Warlingham School Academy member

Nicky Mann Wallace Fields Infant Academy member

Neil Miller Bramley Oak Academy Special academy member

Non school members

Sue Lewis Private, voluntary & independent nursery providers

Benedicte Symcox Family Voice Surrey

Joe Dunne RC Diocese of Arundel and Brighton

Jonathan Gambier Guildford Diocese (C of E)

Tamsin Honeybourne Teaching union member of Education Joint Committee (EJC)

Nick Trier Teaching union member of Education Joint Committee

Christine Ricketts Post 16 providers

Local Authority Officers

Liz Mills (LM) Director—Education, Lifelong Learning & Culture

Mary Burguieres (MB) Assistant Director (Systems and Transformation)

Eamonn Gilbert (EG) Assistant Director (Commissioning)

Jane Winterbone (JW) Assistant Director (Education)

Daniel Peattie (DP) Strategic Finance Business Partner (CFLC)

Louise Lawson (LL) Deputy Strategic Finance Business Partner (ELLC)

David Green (DG) Senior Finance Business Partner (Schools Funding)

1 Welcome, Introductions and Apologies for Absence

Apologies for absence had been received from:

Ruth Murton	Thamesmead School	Academy member
Kerry Oakley	The Warwick	Academy member

The Chair welcomed Zoe Johnson-Walker (new member).

2 Declarations of interest (where not self evident)

There were no declarations of interest.

3 Minutes of previous meeting (10 December 2020) and matters arising

Accuracy

The minutes of the previous meeting were accepted as accurate.

Matters arising (not covered elsewhere on agenda)

Surrey support staff pay review

The current proposals are as follows:

- Increase minimum pay point (PS1/2) to £17,833 in line with the Voluntary Living Wage rate (Nov 2020) for outside London.
- Surrey Pay grades PS3 to PS7, pay point 4 (inclusive) to increase by £350 pa.
- All other pay points will remain the same as 2020/21.
- Pay progression to the next pay point within the grade will continue to apply, subject to performance for eligible staff.
- New policy changes to be introduced:
 - Unsocial working payment
 - Recognition payment
 - Payment for professional fees.
- TU's are currently balloting their members with results due in mid-February.
- The final pay offer will be agreed by PPDC on 20th February with implementation effective from 1st April 2021.

Schools were reminded that budgets for 2021/22 still needed to cover incremental drift, for which 2% was suggested.

High needs block disapplication request

DG reported that the DfE had not yet advised of their response to Surrey's request.

4 Recommendations for final formula funding rates for mainstream schools and early years formula for 2021/22

NFF schools block

DG reminded the Forum that proposals for school funding for 2021/22 had been considered by the Cabinet on 24 November 2020. The DfE had then provided final settlement and 2021/22 funding data on 17 Dec, and proposals had then been reworked based on that data to ensure affordability. The proposals in the paper were subject to review when some data issues were resolved. Currently it was anticipated that the sum available might be around £250,000 higher than in

the paper, but the general principles of the proposals remained as described in the paper (and as reported to Cabinet).

The main change from the July provisional figures was a £4.828m increase due to updating pupil numbers from Oct 2019 data to Oct 2020, which will largely be offset by increased costs of funding the extra pupils in schools.

Proposals had been presented both with and without transfers to high needs block (because the outcome of the application to DfE was still awaited). If there was a transfer to HNB a ceiling (limit on year on year per pupil gains) estimated at 2.14% would be required, saving around £0.4m). Only 69 schools would have their funding increases restricted to contribute to the ceiling, because so many schools (133-144) were protected by the Minimum Per Pupil (funding) level (MPPL), a minimum average funding level per pupil. If there was no transfer to high needs, Surrey would be able to set its funding rates slightly above the NFF rates and set the minimum funding guarantee (MFG) or minimum average increase in funding per pupil, at 2%.

There would be many more schools on MFG in 2021/22 than in 2020/21 (113 or 131 vs 51) because the increase in funding rates was closer to MFG than in 2020/21.

As last year there had been a significant (15%) fall in the number of primary children classed as low prior attainers.

Central schools services block (CSSB)

This funds admissions, copyright licences and a range of statutory services. The final allocation was as estimated for the December meeting (ie £5.298m plus £0.695m for historic commitments) plus a sum for pension costs of centrally employed teachers, which was previously funded by separate grant.

High needs block

High needs block funding included an extra £1.671m for increased pupil numbers in special schools. However, these increased pupil numbers had meant increased costs. Furthermore in 2020/21 the DfE had reduced high needs block DSG during the year (by £0.8m) because of an increase in the net number of Surrey high needs pupils educated out county and, given the increase in use of NMSS, a still larger deduction might be expected in 2021/22 which would partially offset the £1.671m increase).

Early years block

On 17 December DfE had advised of increases of 6p/hr in the hourly rates paid to LAs for 3-4 year olds and of 8p/hr in the hourly rates for two year olds. The LA proposed to increase basic hourly rates in line with the increase provided by DfE.

There was still some uncertainty over the future of the maintained nursery school transitional grant after the end of the summer term. There will also be some form of funding in lieu of teacher pay and pension grant for state maintained nursery schools and classes, but details were not yet available.

The LA had also proposed a further increase of up to 8p/hr in the hourly rates for 3 and 4 year olds, to use up the residual “structural “ annual underspend, but the

value of this underspend in 2020/21 was now unclear, given the uncertainty created by COVID and by current DfE policy on early years funding in spring 2021.

Early years funding for spring 2021

The Early Years rep expressed concern that many providers had few children attending because of government instructions to “stay at home” and consequently providers faced uncertainty and anxiety over funding and sustainability. DfE had only committed to fund actual takeup in spring 2021 and providers could not bear the loss in income if the LA did the same. She asked that some of the accumulated Early Years DSG underspend should be used to support the sector, by providing additional funding where providers lost funding because parents chose to keep their children at home because of lockdown, as she suggested some other LAs were doing. One headteacher reported that her nursery was open to all, but had only 60% occupancy, and that that was common among other local providers. She asserted that unspent early years DSG should be used to support providers rather than being “raided” to support high needs costs.

LM noted that there was a House of Commons debate that afternoon on the subject of spring 2021 early years funding. The LA was considering its options and would also consider the outcome of the debate before making a decision. Much of the unspent early years DSG (since 2017) had not been used to fund high needs, but was held unapplied. The DfE appeared to expect DSG to be managed as a whole.

LM was aware that some LAs were committed to fund early years on a historic basis in spring 2021 irrespective of whether DfE paid on actual count. The LA had lobbied the DfE to change the basis of spring term funding from Jan 2021 actuals. A decision on Surrey’s funding of providers could not be made that day.

The scale of the shortfall for the LA if providers were funded on a historic basis (but LAs were funded at actual cost) remained unclear, but it could affect the summer term not just the spring term.

5 Outcome of additional SEN funding consultation

LM recalled that the LA had consulted between 20 November-17 December on ceasing the additional, discretionary, SEN funding paid to some schools towards the cost of the first £6000 per EHCP, from April 2021, and on whether transitional arrangements would be required if the funding were ceased. The results of that consultation, plus the views of Family Voice on the proposals, were now being shared with Schools Forum and the views of the Forum would be taken into account when making the final decision. That decision would not be made in this meeting, but would need to be taken before 21 January. The council had also received a petition against the proposal, signed by over 100 people.

Surrey has provided discretionary funding for several years to support schools for which meeting the cost of the first £6000 per EHCP was particularly onerous. DfE expects the basis of such funding to be “simple, transparent, consistent and fair”. In 2020/21 £1.0m was distributed to 69 schools of which 67 were primary. The paper set out the funding mechanism. For 60 out of 67 schools the funding

was less than 3% of their budgets (averaging £10,900) and for 32/67 schools it was less than 1% (averaging £4000). The amounts received by the secondary schools were each less than 1% of their budgets.

Total high needs block expenditure in 2020/21 was projected at £193m, an overspend of £33m against grant funding, and the council was required to balance high needs costs against available funding. The paper set out the results of the consultation and the key themes expressed in the responses. The Forum needed to consider whether this funding stream was the best use of resources for children.

MB asked the Forum to consider whether the current funding distribution met the DfE criteria of being simple, transparent, consistent and fair. Schools Forum should also be mindful of the council and schools' duty to balance High Needs Block spend within the available grant. The consultation had asked whether there was a need for transitional arrangements if the funding were to be withdrawn. The Forum was being asked whether a phased withdrawal would be appropriate and, if so, what transitional arrangements might be appropriate.

The schools receiving the most additional SEN funding received up to £61,000 (7% of budget).

Concerns had been expressed as to how the funding was distributed and over the impact of pay awards on the adequacy of SEN funding.

LM confirmed that the proposal was to cease the funding (albeit with possible transitional arrangements) rather than to change the method of distribution. However, if the Forum wanted to do something else, that view would be taken into account.

One member expressed surprise that the equalities impact assessment had suggested that the proposals would not disproportionately affect schools with high incidence of SEN. Members also suggested that the paper had not demonstrated whether the additional funding had had an impact on outcomes. LM advised that data on pupil impact of the funding was not held, and that the LA hadn't asked for evidence of outcomes in the consultation but that a number of schools had contacted her to express concern at the impact of the proposals on their overall funding and their reliance on this additional funding stream. The funding was paid in arrears (based on previous year data) and thus there was no direct link between funding and current activity, although such a link might be desirable. LM noted concerns about the lagged basis of the funding. Another member noted that he had had representations from many local heads about the impact of the proposals. While the lagged basis of funding had been criticised, at least colleagues could anticipate the funding and it made a difference.

In the absence of the additional funding, schools would need to fund £6,000 towards every EHCP (even when that exceeded their level 2 notional SEN budget), and this was a real additional cost. Members also noted that some schools, particularly infant schools, faced appreciable costs of providing support to children while EHCPs were secured. A loss of £10,000 (as quoted above) was equivalent to half a teaching assistant.

The Chair noted that the funding was not attached to individual children but was based on a threshold.

LM suggested that the move towards NFF had meant more emphasis on individual funding for SEN. DG commented that the LA could define the notional SEN budget within the NFF, but that the NFF made it more difficult to vary the amount of additional needs funding which went into schools, in order to meet local priorities.

The Family Voice rep noted that there had been a vast response from families to the consultation. Surrey families were well informed, but it had been difficult to determine whether the consultation had been aimed at the public or at schools, and it had assumed a level of knowledge which the public didn't have. It was important for a consultation in the public domain to give enough information to allow members of the public to give an informed response. Parents of SEN children were deeply invested in the system and their lack of understanding of the consultation had caused distress to a group of parents who were already struggling. She suggested that it was difficult to see how the proposals would make schools more inclusive. If a school used all of its notional SEN funding to support children with EHCPs, children with lower levels of SEN would lose out. Parents had not been able to see clearly how the proposals would affect children with EHCPs and children at SEN support. She also noted that schools had gone above and beyond duty to support children with SEN in home learning and should not be burdened with additional administration at this time to secure funding. She saw a need for better background information for a consultation which was in the public domain.

The Chair asked that these points be taken into account in the analysis of the consultation responses.

MB recognised that, although the consultation had been presented as a schools funding consultation, it had actually attracted considerable public interest and that had been welcomed.

The council had made significant investment in promoting inclusion, eg graduated response, learners Single Point of Access.

One member suggested that more parents were seeking EHCPs because they believed, or had been told by schools, that it was the only way to secure additional support. Some schools were said to believe that parental requests for EHCPs were more likely to be successful than school requests, although the process was actually the same. LM noted that the vast bulk of EHCP requests came from schools, but that in the summer term there had been a notable increase in parental requests.

The Chair summarised that there was no right answer to the proposals and that the current distribution mechanism did not meet the DfE criteria.

LM would now consider all of the responses and comments and would make a decision in consultation with the lead Cabinet member, before 21 January. That deadline was determined by the need to report proposed mainstream budget arrangements for 2021/22 to DfE by that date. Options could include doing

nothing. The decision would be published and linked back to the original consultation. **Action for LM**

LM sought the Forum's views on the speed and timeliness of any change. The consultation responses had suggested that one term's transitional funding was not seen as enough.

Members suggested that any change should recognise that schools set staffing based on academic years, and that there should be no change for the forthcoming year. However, the current method was not fit for purpose despite being reviewed many times.

6 Growing schools budget update (if necessary)

DG reported that there had been no significant change in estimated growing schools funding, and therefore no updated estimates were shared.

7 Schools Forum business

Items for next meeting (14 May 2021)

To include DSG outturn 2020/21, update on DSG recovery plan, update on high needs block working group, consideration of development of alternative service delivery options for behaviour support and travellers.

Members had no suggested items to add to the agenda.

8 Any other business

Special schools banding group

The group had met in December and had discussed some models which had been successful in other LAs. Three hour workshops were scheduled imminently with three groups of special schools (SEMH, SLD/LAN and ASD/CSCN). A meeting was also scheduled with Essex on 14 Jan to share their experience of implementation, followed by two meetings of the full working group.

Discussions with Essex would also cover phase 2 and the disaggregation of mainstream SEN budgets to clusters of schools. One member suggested that this would just mean passing a funding shortfall onto schools. EG suggested that Essex had shown that schools could achieve efficiencies by local decisions on funding and by sharing staff and resources. Essex was being looked at as an authority of similar size which had been successful in this. However, there was no intention of simply importing the Essex model into Surrey.

LM emphasised the need to improve the overall use of resources, but recognised that the pandemic limited schools' capacity to get involved in developing change at present.

Meeting ended 2.45pm

Date of next meeting Tuesday 14 May 2021 1pm, virtual meeting on TEAMS