

## **Surrey Schools Forum Minutes of Meeting (DRAFT)**

**Tuesday 3 October 2023 1pm on Teams**

Agreed by Chair-for consideration by members at the next meeting

### **Present**

#### **Chair**

Jack Mayhew	Learning Partners MAT	Academy member
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#### **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
Clare McConnell	Bisley Primary School	Primary Head
Zoe Johnson-Walker	The Winston Churchill School	Secondary Head
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
Karyn Hing	Westfield School	Academy member
Kerry Oakley	Carrington School	Academy member
Sue Wardlow	Greensand MAT	Academy member
John Winter	Weydon MAT	Academy member
David Euridge	Reigate Valley/Wey Valley	AP academy member

#### **Non-school members**

Sarah Porter	Private, voluntary and independent nurseries
Folasadi Afolabi	Unions: Education Joint Committee
Tamsin Honeybourne	Unions: Education Joint Committee
Matthew Rixson	Guildford Diocese (Church of England)

#### **Local Authority Officers**

Liz Mills (LM)	Director–Education and Lifelong Learning
Mary Burguieres	Assistant Director (Systems and Transformation)
Carol Savedra (CS)	Assistant Director-SEND, Education, Early Years

Neil Slack	Surrey Education Services Manager
Carrie Traill	Head of Education
Matt Marsden	Interim Strategic Finance Business Partner
Sarah Bryan	Deputy Strategic Finance Business Partner
David Green (DG)	Senior Finance Business Partner (Schools Funding)
Eamonn Gilbert	Assistant Director -Commissioning (items 8-9 only)

Items 8 and 9 were taken together, before item 4.

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

Apologies had been received from:

Steph Neale	St Pauls Catholic Primary	Primary governor
Ben Bartlett	Hinchley Wood Learning Partnership	Academy member
Neil Miller	Bramley Oak Academy	Special academy member
Christine Ricketts	Post 16 providers	
Claire Poole	Family Voice Surrey	

Geoffrey Hackett had resigned from the Forum, as his school was now an academy. He sent his thanks and best wishes to Schools Forum members. The Chair expressed the Forum's thanks to Geoffrey for his past service on Schools Forum.

The Chair reminded members that they were there for all children in Surrey and not just for their specific sectors.

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

There were no declarations of interest over and above those already reported. The Chair asked that members submit updates to the register of interests within two weeks of the meeting.

### **3 Minutes of previous meeting (4 July 2023)**

#### **Accuracy**

The minutes of the previous meeting were agreed as accurate.

#### **Matters arising (not covered elsewhere on the agenda)**

##### **Early years representation**

Officers had reviewed the current calculation and concluded that PVI Early years providers were not currently underrepresented on an FTE basis. Comparison of the ratio of reps to full time equivalent funded children in PVI provision as of Jan 2023 with that for mainstream schools suggested that 1.38 PVI reps were required (currently 1). Additionally, maintained nursery schools were proportionately

overrepresented. However, the situation may need to be reviewed as a result of the extension of funded entitlement to new age groups.

#### **4 Update on DSG July 2023 schools funding announcements including growing schools/falling roll issues**

(NOTE this reflects the discussions at the meeting. The figures are now out of date) DfE announced provisional DSG allocations for 2024/25 on 17 July 2023, subject to updating in December 2023 for October 2023 pupil numbers. Initial allocations showed a £24.1m increase in NFF schools block (2.95%), £110,000 increase in central services block (1.69%) and £5.5m increase in high needs block (2.5%). Initial early years block allocations would be announced in November/December.

#### **NFF Schools Block (as known and reported at the date of the meeting-now out of date)**

The 2.95% schools block increase per pupil (on 2023/24 DSG plus mainstream schools additional grant) was made up of 2.4% on NFF formula rates, 2.4% on Minimum Per Pupil funding level (MPPL), 0.5% on minimum funding guarantee, increased funding for business rates and the impact of increased additional need between October 2021 and October 2022. DfE was introducing a new national split site factor in 2024/25 and most of those Surrey schools with split sites seemed to benefit from it.

Schools' 2023/24 budgets already included the impact of a 1% transfer to high needs block and thus if there was a transfer in 2024/25, the year on year change in Surrey funding rates from 2023/24 to 2024/25 should be similar to NFF. This differed from 2023/24 when no block transfer had been made in the previous year.

DfE is introducing minimum requirements for growth funding, which go beyond Surrey's existing growing schools criteria. The main change is to require in year growth funding to be provided in certain circumstances where additional classes are required in schools for growth in a school within existing PAN, where there is overall pupil growth within the local area. The Forum will be asked to approve criteria, funding rates and a budget for growing schools at a later meeting. In particular, it may be appropriate to fund certain categories of growth at different rates from others.

Additionally, the DfE will allocate additional funding to LAs based on the number of schools with falls in rolls, based on falls between Oct 2022 and Oct 2023. It is estimated that, had the 2024/25 formula for falls in rolls been used in 2023/24, Surrey would have received no funding for this purpose. LAs still have a choice as to whether or not to provide additional funding for schools with temporary falls in roll (but can still only provide where the vacancies are expected to be needed in the next three to five years as a result of pupil growth in the area).

#### **Central schools block (CSSB)**

The increase is made up of a 3.2% increase in funding rates (£0.2m) less a reduction of 20% in historic commitments funding (£0.1m), which had been expected.

## **High needs block**

The minimum high needs block increase was 3% per head of (2-18) population, but the 3% excluded specified factors, so the overall increase for Surrey was only 2.5%. In particular, the basic entitlement (sum per pupil in special schools) was not inflated, but it would be updated later for changes in pupil numbers.

## **5 Outcome of Surrey schools funding consultation**

DG reported that there had been 130 responses from schools to the annual funding consultation (an increase on the previous year). Q13 (de-delegation) was for Schools Forum representatives of maintained schools to decide, separately by sector. The other questions were for recommendation only. Numbers and percentages of schools quoted are numbers expressing a view unless otherwise stated.

### **a) High needs block transfer (consultation Q7)**

The proposal to transfer 1% of schools funding to high needs block had been opposed by primary schools by 58-34 and by secondary schools by 29-1. (NB It was also supported by the four special schools which responded). Comments largely reflected concerns over affordability and there had been some suggestions that the LA should renegotiate in view of increased cost of living etc

DG expected that the LA would need to apply to the Secretary of State for the transfer anyway, given the impact of not making the transfer.

Members recognised that SEN funding was a challenge but that times were tough for schools generally.

**The Chair summarised that the Forum noted that schools' responses did not support the proposal, but recognised that there were few other options available. The Forum agreed this position without a vote.**

The Chair understood that the LA would have to apply to the Secretary of State despite the lack of support.

### **b) Formula funding issues**

#### **Formula factors and minimum funding guarantee (Q8)**

The LA had proposed to set formula factors at 98.7% of NFF (subject to variation of lump sum discussed below), and minimum funding guarantee at 0.5%, with no ceiling (subject to affordability). The proposal had been supported by 72% of primary schools and 75% of secondary schools.

**The Forum supported the proposal without further discussion.**

#### **Reserve proposal if transfer to high needs block is not approved (Q9)**

The LA had proposed that if the Secretary of State rejected the block transfer request, funding rates should be set slightly above NFF and the minimum funding guarantee retained at 0.5%. The proposal had been supported by 79%

of primary schools and 81% of secondary schools. The proposal was made in case it was needed, as it was unlikely that the LA would have time to re-consult when it knew the outcome of the application to the Secretary of State.

**The Forum supported the proposal without further discussion.**

#### **Affordability adjustments when data is updated in December (Q10/11)**

Changes to the proposed formula are usually needed when data is updated in December, in order to ensure that the formula is affordable if the level of additional need increases. The LA had asked schools, in effect, to choose from four options. Ultimately the LA recommendation (a) for a small additional reduction in formula rates and then a ceiling on per pupil gains was the most popular, but it had not commanded a huge majority (55% of primary schools and 67% of secondary) and the next most popular was a greater reduction in formula factors rather than the ceiling on gains proposed by the LA. The scale of any adjustments needed, and the schools affected by data changes, could not yet be known. It may be that no reductions will be required.

One member reminded the Forum that schools on MPPL funding did not contribute to the cost of the block transfer, which meant that other schools had to contribute more than 1% to make up the overall 1% transfer. Schools on MPPL were also unaffected by any ceiling on per pupil gains. Schools on minimum funding guarantee would only be affected by affordability adjustments if the minimum funding guarantee was reduced.

Members asked that any decision should have regard to the impact on schools with different characteristics when the amounts involved were known, which could not be known until December.

**The Forum deferred a recommendation until January**, when the scale of any reductions needed would be known.

#### **Increase in the lump sum (Q12)**

The proposal to increase the lump sum had been supported by 71% of primary schools and by 68% of secondary schools. This meant increasing the lump sum in line with the general increase in funding factors, even though Surrey's lump sums already exceeded the NFF rates. This was allowable, provided that Surrey's new lump sums were within 2.5% of NFF lump sums. DG noted that there would be some minimum funding guarantee protection for schools if they lost funding from a future reduction in lump sums.

Members emphasised the need for small schools to be aware that higher lump sums were only short term protection and asked that they should be warned.

**The Forum supported the proposal without a vote.**

**c) De-delegation (question 13)**

**Behaviour support (primary sector only)**

De-delegation had been supported by 36 maintained primary schools and opposed by 8.

**The sole representative of maintained primary schools present<sup>1</sup> at that point approved the proposal**, commenting that she shouldn't go against the consensus.

**Union facilities**

De-delegation had been supported by 65% of primary schools expressing a view and supported by 60% of maintained secondary schools expressing a view (3-2).

**The representative of maintained primary schools approved the proposal.**

The representative of maintained secondary schools opposed the proposal, commenting that she had never supported it and that her school provided good local union representation.

LM expressed concerns at the impact on possible future response rates of taking a view opposed to the majority response, noting that it was already difficult to obtain responses to the consultation from headteachers. She agreed that the issue concerned a relatively small sum overall but saw it as an important service.

Officers clarified that separate decisions were made for maintained primary and secondary schools. If de-delegation was approved for maintained secondary schools, individual maintained secondary schools had no choice. If de-delegation was not approved, individual maintained secondary schools would be able to buy in, as academies already could, so the three schools supporting de-delegation would still be able to buy in.

DG confirmed that the vote could be deferred if desired. It was noted that a deferral need not change the outcome.

**The Chair agreed to defer the vote to allow the opportunity for wider engagement with the sector.**

**Other special staff costs**

De-delegation had been supported by 73% of maintained primary schools expressing a view and by 80% of maintained secondary schools expressing a view.

**Representatives of maintained primary schools (2) and of maintained secondary schools (1) separately approved de-delegation.**

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<sup>1</sup> One primary representative present at this stage, two later

### **Free school meals eligibility checking**

De-delegation had been supported by 93% of maintained primary schools expressing a view and 100% of maintained secondary schools expressing a view.

**Representatives of maintained primary schools (2) and of maintained secondary schools (1) separately approved de-delegation.**

### **Travellers support (primary only)**

De-delegation had been supported by 73.6% of maintained primary schools expressing a view (28-10 with 11 expressing no views)

**Representatives of maintained primary schools approved de-delegation.**

### **Non statutory school improvement (primary sector only)**

De-delegation had been supported by 85% of responding maintained primary schools (33-6 with 7 expressing no views)

**Representatives of maintained primary schools approved de-delegation.**

## **d) Notional SEND**

DG reminded the Forum that the proposal was to increase the proportion of schools' budgets which was labelled as notional SEN funding and thus the proportion of their budget which they were expected to spend on SEND. It did not change their total budgets. 80% of primary schools and 88% of secondary schools which had expressed a view were in support of the proposal. Surrey currently labelled a smaller proportion of funding as notional SEN than the national average, so there was an element of "catching up".

One member asked why a change in notional SEN funding was being proposed now and how it would affect future LA expectations of schools. LM noted that this issue had been discussed twice before at Schools Forum and anticipated that at some stage in the movement to NFF, notional SEN funding would be aligned nationally. Surrey was currently well out of line and notional SEND funding had not been changed in line with other changes in the funding formula. Many schools already spent more on SEND than their notional SEND budgets suggested.

The Chair reminded the Forum that the proposal did not mean schools would receive higher funding and commented that we could not know what changes were coming (to notional SEN) nationally.

**The Forum supported the proposal to bring notional SEND funding into line with the national average.**

Schools had been asked to support either a one step change to national average or a two-year transition. A majority of those schools supporting the change had supported a two-year transition. Those schools which did not support the change had also generally supported a two-year transition.

**The Forum supported a two-year transition of notional SEND funding to national average.**

### **General consultation issues**

One member asked that academy trusts should be consulted on the proposals specifically, arguing that they might understand the proposals better than individual schools. He also asked that numbers of pupils and staff should be taken into account, not just the number of schools.

One member asked how many Trusts had responded. The Chair commented that trust level responses might raise the overall response rate but might also mean that individual school views were lost.

LM noted that the LA tried to agree items with the Schools forum prior to their inclusion in the consultation but agreed that the LA could try to include other groups within the development of proposals.

DG would check what guidance on Trust responses had been given in the consultation instructions.

It was agreed that officers would consider how academy trusts and school sizes could be better reflected in the consultation process.

## **6 Update on early years funding**

Carol Savedra presented this item.

### **Early years supplementary grant**

This new grant offered a substantial uplift in funding between September 2023 and March 2024. CS shared the proposed sums to be passed on to providers. The uplift for two year olds, in particular, was significant.

Surrey proposed rates (hourly except disability access)	2023/24 base £	Base +EYSG £	EYSG £	%
2 year olds	6.65	9.03	2.38	%
3 and 4 year olds	5.14	5.72	0.58	11%
Pupil premium	0.62	0.66	0.04	
Disability access fund (lump sum)	828	858.92	30.92	

All of the grant had to be passed through to providers, although the LA was allowed to hold a contingency for data changes. A reconciliation payment would be made at the end of the year if there were surplus funds. Initial payments to (PVI) providers would be made later that week. DfE allowed any overspend to be offset against early years DSG.

The final uplift rates for three and four year olds were slightly higher than those which had been circulated previously.

### **2024/25 consultation**

The early years consultation had been separated from the schools funding consultation, because of late availability of information from the DfE. An update would be given at the next Forum (this will now be in January).

### **2024/25: 3 and 4 year olds**

No significant changes were proposed. It was proposed that any increase in the DFE rate would be used to increase hourly rates, supplements, Early Intervention Fund (EIF) and centrally retained funds by the same proportion. An additional increase in basic rate, estimated at 3p/hr, was proposed to eliminate the recurrent annual underspend.

### **2024/25: 2 year olds**

There would now be two categories of funded two year olds-disadvantaged children and children of working parents. Surrey needed to take steps to ensure that the entitlement for disadvantaged children was protected.

A separate early intervention fund was proposed for two year olds, set at the same proportion of overall funding as for 3-4 year olds. This would cover wider disadvantage not just SEN. The LA had permission from DFE to recycle underspends on 3-4 year old Disability Access Funding (DAF) to 2 year olds who met the criteria.

It was proposed that 5% of funding would be retained centrally to support administration, data and safeguarding.

Currently the 2 year old hourly rate applied only to disadvantaged children and thus there was no separate deprivation factor. In future a deprivation factor would be required, and it was proposed that this should be the same as for 3-4 year olds and based on the same criteria. Thus the basic rate in future (which would apply equally to all children, disadvantaged or not) would be lower than the current basic rate, but most disadvantaged children would also receive the deprivation supplement or EIF or both.

DfE had allowed an increase in child: staff ratios for two year olds from 4:1 to 5:1. Surrey had advised that each provider should risk assess that change in their particular context.

The maintained nursery representative asked for some further explanation for the sector on how the changes in two year old basic rate would work. **Action for CS/DG**

### **2024/25: under twos**

The LA was not recommending that schools admit under twos, because it would require a separate OFSTED registration.

Limited information was available so far on funding for two year olds. Currently the LA was proposing that funding for under twos should be distributed in a similar way to that for 2, 3 and 4 year olds ie retain 5% of funds centrally, set aside the same proportion for early intervention fund as for 3-4 year olds and use the same deprivation factor.

DFE has confirmed that early years pupil premium will apply to all ages.

## **Funding for maintained nursery schools**

No changes were proposed to the distribution of additional funding to maintained nursery schools, ie fund business rates at cost, split site funding for Guildford nursery, teacher pensions at an hourly rate, and split the balance equally, No change was proposed to the basis of split site funding for Guildford nursery. The maintained nursery representative was happy with those proposals.

There would be a webinar for providers on the proposals.

The Chair noted the importance of maximising funding going to providers.

## **7 Disapplication requests, including average pupil numbers and premises factors (applications to Secretary of State)**

Disapplication requests are requests to the Secretary of State to fund individual schools in a way which is not otherwise permitted by the regulations. The Secretary of State expects to know the Forum's views on all such requests. Surrey anticipated two such requests in 2024/25.

### **a) Use of estimated average pupil numbers for schools losing bulge classes in September 2024**

For several years, Surrey has applied to amend funded pupil numbers where a primary school is losing a bulge class, so that funding from September excludes the leaving bulge class. Four schools are affected in 2024/25 and the estimated impact on each was listed in the paper. All four schools had been contacted, one had commented that "they would like to retain full funding but concede that the proposal seems fair". Another had declined to comment. Responses were still awaited from the other two.

One member commented that the schools should not see the proposal as a surprise.

The Forum supported the proposal.

### **b) Premises factors (split site)**

The 2024/25 DfE dataset includes split site funding for one school on the basis that in 2024/25 it might be operating SEN provision on two separate sites which met the DfE split site criteria being introduced in 2024/25. It is now clear that in 2024/25 the school will not be operating from the additional sites and therefore the LA is applying to remove the split site funding. The school is aware and has confirmed that it will not budget for the split site funding.

The Forum supported the proposed variation.

## **8/9 Special schools funding update/PRUs and alternative provision**

### **a) Number of funded places for 2024/25**

Eamonn Gilbert reminded the Forum that in the autumn term every year, the LA agreed the number of funded places for the following academic year with special schools and centres. The ESFA set a timetable for agreement over academy places, as proposed changes had to be submitted to the ESFA for approval, although he could not recall when the ESFA had not approved a change agreed between LA and school. There was a separate, internal, process for maintained schools, and the LA proposed the same timetable for both. Previously discussions with maintained schools had often been later. Sometimes there had been issues where the LA had proposed a reduction in places where there was underoccupancy. This had been an issue for very few schools but for several centres. Where there was underoccupancy, the LA could not recover place funding for vacant places within the number of places already agreed.

The LA would write to schools with proposals, giving them the opportunity to agree or otherwise, and would meet with schools to discuss if necessary. For example, changes might be made to reflect planned expansions. 90-95% of schools had been happy with proposed allocations. Sometimes where a school wanted a higher number of places than the LA offered, it had been agreed that additional places would be fully funded locally if they were actually occupied.

The Forum had no questions on the issue.

### **b) Teachers' pay award funding (2023/24)**

Eamon reported that Surrey's teachers' pay additional grant allocation for special schools and PRUs was estimated at around £1m for September 2023-March 2024 (£280/place for 7/12 year). This would be passed on in full to special schools and PRUs, It covered maintained schools and academies equally. The LA was allowed to vary the distribution to individual special schools/PRUs. Headteachers had been asked to do modelling to test whether there was inequity between the costs to schools and the DfE distribution. If it was decided that the allocation should be varied from a flat rate per place, a proposal would be co-produced and all special schools and PRUs would be consulted. Officers' initial preference was to use the DfE method unless it had significant impact on some schools; local variations might create issues in future years.

One member asked if the number of teachers could be used for distribution. Officers had looked at that. It was noted that the grant rate per place for special schools was higher than the per pupil rate for mainstream, reflecting smaller class sizes in special schools.

DG noted that mainstream maintained schools and mainstream academies were given school level allocations by DfE. The LA had no powers to vary those allocations. The power to vary applied only to special schools and PRUs.

### **c) Inflation provision for special schools and PRUs 2024/25**

Budget provision would be discussed by the respective working groups initially, but the LA aimed to agree funding by the end of January 2024.

## **10 Future Management Information Systems (MIS) and Financial Management systems**

Mary Burguieres and Neil Slack presented this item.

From April 2024 ESS would not contract with the LA for licences, and individual maintained schools would need to contract directly with ESS or seek alternative suppliers. De-delegation of funding would cease at that point. The schools working group had concluded that there was insufficient time for a collective procurement of an alternative system before April 2024.

Procurement colleagues had confirmed that Surrey could sign a “facilitation agreement” under which ESS would offer beneficial prices to Surrey maintained schools. Schools Forum had previously supported such an agreement.

ESS had contacted individual schools in the summer term, advising that contract information, including prices, would be available in the autumn via a portal. It now appeared that that information would not be available until the LA had signed the facilitation agreement.

Legal services had been asked for an opinion on the schools contract.

Mary confirmed that the council could not impose a provider on schools, but suggested that the current provider offered the easiest transition. One member commented that it wasn't clear what the ESS contract offered.

A collective procurement exercise was now proposed over the next three years, with procurement in 2025/26 and implementation preparation in 2026/27. Three years was not a long time for a procurement exercise of this nature. We could stop the process at any stage if there was no longer support for it.

One member expressed concern at the requirement for schools to sign up to ESS for three years when they might convert to an academy within that period. It was understood that ESS had not responded to a request for break clauses and it was noted that such clauses might not be in the company's commercial interest. It was suggested that some new suppliers might allow free access to systems for an initial period to allow for parallel running.

Academies would be able to join in a collective procurement if they wished.

The Chair emphasised the importance of communicating the key issues to the wider maintained school sector.

## **11 Schools Forum issues**

### **Dates of next meeting**

It was agreed to cancel the December meeting and to defer the proposed December meeting items (listed on the agenda) to the 9 January meeting, A reserve meeting would be added on 16 January in case not all of the necessary issues could be resolved at the first meeting.

### **Vice-Chairs**

DG reminded members of the need to elect/re-elect Vice-Chairs. Nomination forms had been circulated with the meeting papers.

### **Future meetings**

The Chair suggested that one “in-person” meeting a year was valuable, but the relatively low attendance at the July meeting had been noted. It was agreed that the May meeting should be “in person” and that the July meeting should be virtual.

### **Election of governor representatives and constitution**

DG advised that the LA wished to change the arrangements for administration of elections for governor representatives. The constitution currently specified that the Surrey Governors Association managed the election process. The proposal was to change the constitution to specify that the LA or its nominated contractor should manage the process. This would not change the ability of governors to choose their own representatives. The constitution was a matter for the LA, but it was good practice to consult on it.

### **12 Other business**

There was no other business.

Meeting ended 3.10pm

### **Date of next meeting**

Tuesday 9 January 2024 1pm, on Teams (December meeting cancelled)