

CALDERDALE SCHOOLS FORUM
18 January 2024 – Virtual Meeting Via Teams

PRESENT:

Tony Guise (Secondary Maintained) – Chair
Karen Morley (Academy) – Co Vice Chair
Phil Hannah (PRU)
Debbie Sweet (Special School)
Brenda Monteith (Roman Catholic)
Mungo Shepherd (Primary Maintained)
Adam McNichol (Primary Governors Maintained)
Kevin Rivett (Unions)
Karl Veltman (Post 16 Representative)
Andrea Dyson (Early Years Rep)
Denise Gwizdak (Early Years Rep)
Mary Carrigan (Primary Governors Maintained)
Jo Buckley (Primary Maintained) – Co Vice Chair
Dan Burns (Academy Primary)
Kevin Rivett (Unions)

IN ATTENDANCE:

Paul Tinsley (AD Education and Inclusion)
Jane Davy (Finance Officer)
David Graham (QA and Complaints Consultant)
Steve Drake (Finance Officer)
Richard Morse (Senior Commissioning Officer – School Organisation and Planning)
Victoria Coyle (SEN Manager)
Amanda Farron (Observing)
Connie Beirne (Interim Service Manager for Early Years and School Strategy and Performance)
Martyn Sharples (Finance Officer)

APOLOGIES

John Eccleston (Academy Primary Governor)
Gill Shirt (Secondary Governor Maintained)
Lisa Davies (Unions)
Richard Horsfield (Academy Secondary)
Ian Hughes (Legal Officer)

1. Substitutes nominated for this meeting and apologies for absence. (To be notified in writing 24 hours in advance.)

Kevin Rivett on behalf of Lisa Davies.

2. Members Interests – Members are reminded of the need to declare any interest they might have in relation to the items of business on this agenda.

Jo Buckley – Associate School Effectiveness Officer for Calder School Effectiveness Team
Karen Morley – Trustee for Together Learning Trust
Mary Carrigan – Trustee for NHGS and a governor for Todmorden High School
Brenda Monteith has expressed an interest in Item 12.

3. Admission of the Public - it is not recommended that the public be excluded from the meeting for the consideration of the items of business on this agenda.

Amanda Farron from Calderdale Councils Finance Team observed.

4. Minutes of the Schools Forum held on 19th October 2023

The Chair reviewed the minutes of the previous meeting and no issues were highlighted. The minutes were accepted by Schools Forum members.

5. Early Years Funding Formulae and Centrally Retained Funds 2024/25

Q: Is there only one recommendation or are there alternatives?

The regulations limit our ability to offer various options, this is the only proposal and there is no alternative.

Q: How does the recommendation take into account the consultation?

This is outlined in appendix two which is the report following the consultation that sets out the responses we've had. It notes the views put forward in response to the consultation questions and indicates how we should move forward following this. In the consultation document and meetings held, we explained that most of the proposals were to be set out under new regulations. We required people's views, as well as if they agreed or disagreed, as most of the proposals would be required under regulation. The new formulae will resemble the 3 & 4 year olds formula.

Q: Will this be a case of approving the regulations automatically without having proper considerations?

The only change will be moving some funding within the entitlements to make the formulae's work.

Q: Is there enough provision across Calderdale for the new childcare offer? Andrea are you favourable with the proposal and does this match running the nursery and staffing it?

For the next few years, we will closely monitor the situation and submit termly grant claims until we can be funded from historical data. There are plenty of other aspects of that funding that will need managing until the policy is fully implemented.

Andrea: I appreciate there is a limited pot of money however, we can work with this. Historically, 3 year olds have always been underfunded and it is through parents buying additional hours that we have managed.

Q: Government regulations states a minimum pass through rate of 95% of funding, will this change to 97% next year?

Yes, next year we can retain 5%. The Government have indicated that they will, over time, increase the pass-through rate to 97%. We have modelled the formulae on the basis that there will be an increase to 97% by (the years) 2026-27 after the full implementation. By that time, we expect the total value of the Early Years Block to have more than doubled, so it feels likely this is when it will increase to 97%. Managing Central Support Funding at 3% could be tough.

Q: We can see in the report the contractional changes and recruitment into posts, how sustainable is this?

We modelled the formulae beyond implementation to show that we will be able to manage within the regulations being proposed by Government. This is more complicated due to the need to transfer £228k between the entitlements. Currently, the 95% is measured across 3 - 4 year olds as one funding stream. The Government proposed in its Consultation a regulation which will measure 95% across all the funding streams. But when the statutory guidance was released, this had changed and they will measure 95% across each of the 2 year old entitlements rather than across the full funding stream. We are allowed up to 12% as supplements however, transferring funding from one entitlement to another to provide for the supplements, is not workable due to the regulations. The only way to do this, would be move the money into the centrally retained funds. We need the additional £228k to put towards funding the deprivation supplement for the 2 years olds with working parents.

Q: Is the £228k that will be allocated to the deprivation funding need to be found from somewhere so that it can be held on standby?

We will get the amount within the overall funding, but it is currently in the wrong place. We won't retain that funding however, to redistribute it we must report it as centrally retained. The long-term impact is it will raise what we report on as our centrally retained amount even though it is allocated to pay to providers.

Q: Does any of the High Need's money go into nursery provisions?

It does for inclusion funding, which would be covered under the HNB report. We are required to report the amount of SEN Inclusion funding as part of the pass-through rate to providers which in part explains why the pass-through is normally in excess of 100%. To help support the market, we also factor in the carry forward underspends and use this in the budget the following year, further increasing the pass-through rate.

To note, we are catching up with the government funding which could be around 18 months to cover the costs. We are trying to pass on as much as possible to the current providers when expanding the market, we would like to give them more but it has to sustain the market and build on sufficiency. We do have reserves to help see us through. Nikki Wood has been offered the role of Service Manager for Early Years and Childcare Strategy. Early Years improvement officers are now being required to do the work on sufficiency as the best use of their time and resource.

Vote taken on the centrally retained funding and agreeing with it's purpose:

Approve 13

Oppose 0

6. De-delegation of School Improvement

To note, the first model is for two years to give continuity to our schools but unfortunately it is not something we can do as Schools Forum need to vote each year on the funds to operate. The amount per primary pupil for model 2 is £27.93 and for model 3 is £25.26.

The Chair appreciated point i) under needs for consideration and was concerned as to why the above figures could not be available for the report as it is difficult to vote on a model without looking at the implications on individual schools. Connie summarised at the time of writing the report and it being submitted, the amounts could not be input as they were not available before Christmas. Connie had passed these onto Jo Buckley after Christmas, to share with CPHA members in enabling them to make an informed decision.

Q: Will the costings stand if several schools become academies or move to MATS?

Yes, we keep a really close eye on schools that are transferring, we already know that we will have 2 secondary schools and 9 primary schools moving to MAT.

The evidence shows model 2 is very effective, it would be a fair way of supporting all schools. The model of associates has been well received by schools and using the associates on behalf of the LA has been trusted by schools. Due to the backlog of inspections because of Covid, there are schools still graded green and without this model, there wouldn't be any accountability. The most productive model would need to have all schools within it, to ensure those schools considered most vulnerable are not overlooked.

The vote for this item is only applicable to primary maintained school representatives.

Vote on proposing model 2:

Approve 5

Vote on proposing model 3:

Approve 0

Decision to continue with model 2 for the financial year.

7. Update on School Funding Formula

The letter from the Secretary of State was received on Friday 12th which was the reason for the revised report for this item.

Q: To clarify, the surplus is £599k from the £962k meaning the amount being transferred is £363k?

Yes, if we hadn't had the 0.5%, it would have gone into the schools funding formula. We have a healthy growth fund. Forum members previously voted against the transfer but the money being de-delegated is a smaller amount which is a better outcome.

Q: What are the DSG allowable items?

In operational guidance, all has to be spent on schools with the exception of high needs. It is still spent on pupils even if they are not in maintained or special schools.

8. Growth Fund Update Report

Jane apologised that a section of the report was not included. This will be sent out to members after the meeting.

Vote on retaining the figures cited for the growth fund:

Approve 9

9. Update on Maintained School Balances

To note, Calder Learning Trust has had two loans with Calderdale Local Authority and have used the surplus to pay off the borrowings. The end of year surplus will be less by the end of the year.

Mungo Shepherd suggested that while the financial picture for schools doesn't seem bad, unfortunately this is not the reality. It is positive that we have a small number of schools in deficit however, schools are only keeping these numbers down by making decisions that are not beneficial for children. The Chair commented that this report does not reflect the reality of why schools display these figures.

10. De-delegation of Unions Facility Fees

Decisions need to be made on the proposals within the report. The reason for this is the number of schools buying into the Union facilities funds are transforming to academies who should make their own arrangements for Union facility time.

Vote on A and B for maintained primary school representatives to agree to delegate funding in schools:

Approve 4

Oppose 0

Vote on A and B for maintained secondary school representatives to agree to delegate funding in schools:

Approve 1

Oppose 0

Q: I understand the review and the amount for the requirement of increase however, why the difference in the increase? Primary is 12.5% and secondary is 9.5%? I am concerned the amount isn't equal across both sectors and is disproportionate for secondary schools.

This was to help give the figures parity in the different areas due to them being on the rise for quite some time.

The Chair proposed that Kevin Rivett check as to why there isn't an equal increase across both sectors and Unions to apply a more equitable increase. School Forum members agreed for the report to come back to the meeting on 25th April for an update or more clarification.

The Chair agreed for Jane Davy to send the figures into ESFA and update Schools Forum with a report on figures later in the year in showing any increase or decrease.

11. Review of Schools Forum Constitution

Ian Hughes did not attend to present his item on the agenda, LA officers apologised and advised Ian could be consulted on the issue outside the meeting and update at the meeting in April.

The Chair reiterated that he agreed to stay in post until Christmas 2023 and the Chair needs to be constantly reviewed to represent the ever-changing educational landscape. Calder Learning Trust will be joining the Multi- Academy Trust meaning he can no longer represent as a secondary head teacher. The Chair is happy to continue for the April meeting with a look to handing over at the meeting in June.

Jo Buckley feels she no longer has the capacity to be the Vice Chair of Schools Forum and will be resigning. The Chair thanked Jo for her contributions.

From an LA perspective, there has never been a more important time to hold the LA accountable and proposed Ian Hughes be the first item on the next agenda. The Chair will contact Ian separately regarding the constitution. Schools Forum summarised that they have appreciated the work of the Chair and also thanked Jo for her knowledge and relaying any vital communication to schools. Schools Forum recognised Alice Leadbitter being nominated as the next Chair which the Chair will relay to Ian.

12. High Needs Block Recovery Plan for DfE and Capital Planning and Hub Model Report

Officers commented by stating that they would like an agreement to set up a group to turn the deficit around. The presentation for the DSG Deficit Management Plan 2024-25 was shared with Schools Forum. It is important to collaborate on this to make significant changes and it is important to recognise while there have been measures in place, demands on funding are still increasing. Even with Calderdale having its own specialist provisions, the costs are still going to rise. In terms of actions, Calderdale Council are participating in the Change Programme and would like to extend at invite to the Chair for the SEND Partnership Board to allow for a wider representation.

The Chair commented that within the guidance this should have been completed in conjunction with Schools Forum. The invite was appreciated to sit on the SEND Partnership Board but doesn't have the capacity. The Chair is concerned regarding turning this into action within a short time frame as the right people need to be involved, who are agile enough to make the decisions necessary.

Q: I am curious about the development of ARP's as it doesn't not seem very organised. Is there a detailed plan of what we need and where?

Apologies for lack of conversations around this. We need to look at the Capital funding which we need to have to enable us to go ahead. There are a high number of children in early years and primary who require a specialist school. We are aware of where the need is and the cluster model helps us with this. We want to speak to schools and involve the clusters.

Q: Does the local authority have the SEND and AP plan?

The Change Programme are testing that currently which Calderdale are involved in. This is a national programme. The current SEND Strategy will be replaced by a new SEND and AP Plan developed in consultation as part of the Change Programme work we are involved with. Calderdale are part of the programme and were invited to participate along with Leeds, Bradford and Wakefield locally. The idea is to test new ways of working with the ultimate aim to help create a more sustainable (and affordable) SEND system moving forwards.

Q: Has the Hub Model and position paper been superseded by this?

An options paper is being prepared for the Council Leadership Team (CLT) and will then proceed to Cabinet. We require elected members to sign this off to confirm it meets their requirements. This is done and will be a dual action to roll this out before publishing. It will be presented to CLT initially on 30th January 2024.

Q: I am surprised this was not spotted earlier and there is a question around accountability from Calderdale, taking money from schools already stretched. Wasn't there already supposed to be another specialist school, why has this not appeared early to mitigate the problem? Have you looked at value for money in the spending plan and also for sustainability? I feel you should be considering a 5 year plan due to need increasing.

LA Officers have been presenting data to CLT and members in relation to SEN capacity forecasts and projected need. Last summer, we were able to present the most accurate data yet as part of the LA SCAP return and this has informed our future needs. Despite additional capacity being delivered via ARPS and SEN Hubs, expansion of Highbury and Ravenscliffe we feel we do need more specialist provisions to address rising demand and this will be the essence of the Options paper for CLT and Cabinet to consider. It is important that members are presented with robust data in order to help make an informed decision.

Q Where were the checks and balances and how did we get to this? How can Schools Forum members be reassured that there is monitoring and checking happening?

We did make a bid for a special school to be funded by DfE. Officers pointed out that we have not, until previously, had a deficit position. In terms of getting ahead of the curve, the challenge is that while we can see pressure and predictions, the number of special school places from early years to reception is at an unprecedented high.

Q: Who is monitoring the spending?

We have moved to a monthly monitoring of the spending and budget which previously quarterly. This is then reported to Paul Tinsley, Julie Jenkins and SEND Partnership Board. We accept we have been behind the curve and data driven planning has not been robust.

Q: is there going to be a review of SIT?

The LA will review all of the resources available to it, including staffing support.

Q: Within the review, how do you propose to engage with service users and how do we access this?

This needs to be done as a partnership and we are reluctant to decrease the SIT team which schools do find useful. We are currently looking at delivery models and speaking to partners. There are ongoing issues around capacity and we are going to focus on what we deliver to provision the SEN support offer that's available.

Q: Is there a mechanism to monitor what EHCP's are being awarded for rather than a sweeping generalisation? Who is doing this analysis and does this work into school planning places?

We use a system called Capita and we have an expert to help review the systems available. There is an ongoing discussion around data analysis capacity and we have a good understand of the types of need. Deep diving into this will help form the solutions.

Debbie Sweet expressed more detail is required around the EHCP data due to the complexities of children. There needs to be more analysis of need on EHCP's. Specialist head teachers have known that the increase in numbers has been incoming, and it is unsustainable.

Q: Is the review of top up funding process underway?

There is a commitment to review it. The notional budget is to be taken on board however, there must be a rigor around request from schools asking for more money. It is difficult to know if this is the school or a child needing a top up so because of this, we want to bring in a more scientific approach. Top ups do need to be reviewed and there will be a collective decision on this and for the group to turn it around. The Change Programme and the National Directive well be focusing on the banding tariffs. Will know more about this in 6 months to a year.

Brenda Monteith has frequently questioned children in mainstream with special needs and this needs to be revisited, including the number of children with EHCPs being excluded.

Q: Does the cabinet member for CYPS get an invite to schools forum?

The Chair will follow this up with Ian Hughes.

The Chair felt that a member of Schools Forum with the understanding of specialist provisions and schools finance should sit on the SEND Partnership Board. He proposed the best person suited to this would be Karen Morley as she has the finance and school budgets knowledge. Phil Hannah also expressed an interest in attending. An invite will be extended to Karen and Phil to sit on the SEND Partnership Board. Primary heads would be eager to know the input suggested can be passed on to them.

13. Approval of Central Block Expenditure for 2024/25

To note, the reduction in services block and recommendation 2024-25.

Q: Are there any time limitations on the decision?

No, the central block doesn't form part of the individual school's block and the vote for the surplus of £54K will go into Education Welfare, which can happen at any time.

Q: Is there any clarity for the other figures relating to the school admissions and strategic team? I would like to see the breakdown to see what posts the money supports as they are very broad headings with not enough detail included.

This report will come back to the meeting on 25th April 2024.

Karen Morley would like to understand the reasons behind the figures regarding the vote to allocate the surplus of £54k to the high needs. The Chair proposed that Karen provide the LA officers with the details Schools Forum are looking for and this report be brought back to the meeting in April.

14. Update on Schools Rebuilding Programme

This agenda item will be brought forward to the next meeting on the 25th April 2024.

15. Any Other Business

Questions to be submitted a **minimum** 3 days prior to the meeting in writing to:

CalderdaleSchoolsForum@calderdale.gov.uk

Questions will only be permitted if relevant to the business of the Forum and at the discretion of the Forum Chair.

16. Future Dates

25 April 2024

27 June 2024

All meetings will start at 4pm

Venue: virtual Teams Meeting