

SCHOOLS FORUM
22 JUNE 2023
4.30 - 5.45 PM



Present:

Stuart Matthews, Academy School Representative (Chair)
Elizabeth Savage, Academy School Representative (Vice-Chair)
Stuart Bevan, Primary School Representative (Headteacher)
Sue Butler, Early Years PVI Provider
Juanita Dunlop, Primary School Representative (Headteacher)
Keith Grainger, Secondary School Representative (Headteacher)
Tim Griffith, Academy School Representative
Roger Prew, Primary School Representative (Governor)
Trudi Sammons, Primary School Representative (Headteacher)
Debbie Smith, Academy School Representative

Observer:

Councillor Roy Bailey, Executive Member for Children, Young People & Learning (Observer)

Apologies for absence were received from:

Jenny Baker, Special School Representative
Grant Strudley, Academy School Representative

285. Apologies for Absence/Substitute Members

The Chair congratulated Sue Butler for receiving a lifetime achievement award presented by the Early Year's Alliance, recognising Sue's outstanding service to the sector.

Councillor Bailey was welcomed as the new Executive Member for Children, Young People & Learning. The Chair also welcomed James Fallows who was a graduate finance apprentice and attending this meeting as part of his training.

The Chair noted that this was Debbie Smith's last meeting with the forum and thanked her for her long service to Sandhurst School and to the forum.

286. Declarations of Interest

Keith Grainger declared an affected interest regarding Item 8 (2022-23 Balances held by Maintained Schools) in relation to Garth Hill College.

287. Minutes and Matters Arising

RESOLVED that the minutes of the meeting of the Forum held on 9 March 2023 be approved as a correct record.

Arising from minute 279, Paul Clark updated that there was still a vacancy for a 16-19 partnership representative. Paul had contacted the college and not had a reply yet but would keep trying. The Chair added that there were still two vacancies for the

additional academy representatives and there would be a third academy vacancy from September. However, two new academy representatives had come forward: Katie Moore from King's Academy Binfield and Gareth Croxon who would be taking over as Headteacher at Sandhurst. The third vacancy had not been filled yet. A Headteacher from a maintained primary school had also expressed an interest to join the forum. Paul explained that he has already had a meeting with that headteacher to explain the process.

Arising from minute 283, Paul and Stuart had met to discuss the wording around whether there were appropriate arrangements in place for the use of pupil referral units, and it was recorded in the minutes that appropriate arrangements were "not yet" in place.

288. Changes to the Early Years' Free Entitlements

The Forum considered a report which sought agreement on the principles for allocating the announced increase in funding to the elements of the Early Years' Block Budget. It also sought to ratify the process for supporting business development to secure sufficient sustainable Early Years and Childcare provision. Finally, it provided an update on the potential impact of the expansion of early years free entitlements included in the government's budget announcement of 15 March 2023.

Cherry Hall explained that the Department for Education (DfE) had subsequently released some information that councils would be getting additional funding to increase provider funding rates for September 2023 through an Early Years supplementary grant as opposed to the money following the normal route of the Dedicated Schools Grant (DSG). It was hoped that the associated grant conditions would still permit the principles being put to the Forum for spend but more information was required. The principles that had been put forward had already been agreed with the Early Years forum.

The Forum was pleased that the government had acknowledged the need for urgent funding.

RESOLVED

1. to AGREE that in accordance with the views of the Early Years Forum:
 - i. the announced increase in Early Years Block funding is allocated in accordance with the principles set out in paragraphs 5.4 and 5.5 of the report; and
 - ii. the process for supporting business development to secure sufficient sustainable Early Years and Childcare provision as set out in paragraphs 5.10 to 5.14 is ratified; and
2. to NOTE:
 - i. the potential impact of the expansion to the early year's free entitlements on early years provision in Bracknell Forest as set out in paragraphs 5.6 to 5.9 of the report; and
 - ii. revisions to the 2023-24 Early Years Block Budget proposals and funding rates to be allocated to the Early Years Funding Formula will be presented for comment in September.

289. Delivering Better Value in SEND Update

The Forum considered a report which provided an update on the progress of the Delivering Better Value (DBV) in Special Educational Needs and Disabilities (SEND)

activity. The Forum was invited to make comments and thoughts on any of the activity so far and upcoming activity for DBV.

Chris Kiernan explained that the council had been awarded £1m by the DfE to deliver three pilot projects over two years. The three projects were ASD training for teacher, a Kennel Lane School (KLS) outreach project, and in-house transition support.

Debbie Smith declared an interest in this item as Sandhurst School was likely to be the hub for the KLS outreach project.

The Forum asked whether there would be any support for primary schools as it felt like the focus was on secondary schools. Chris confirmed that there would be support for primary schools in the KLS outreach and ASD training projects, and a certain amount of support for primary schools with the in-house transitional team as they would be working with pupils from Year 6.

The Forum expressed that there was a need for support for children transitioning from early years to primary school. Chris replied that this was a valid point. In terms of the scale of issues for children with SEND, transition from primary to secondary was the most problematic. Therefore, the in-house transition project would prioritise the secondary sector. However, Chris agreed to look at different work that could be done in the future to support transition to primary.

(Action: Chris Kiernan)

The Forum commented that there needed to be more focus on pre-school and linking with primary schools to lessen the issues as early intervention would help mitigate problems later on.

A concern was raised about the level of support for schools regarding SEND pupils as resources were felt to be insufficient, and there was a worry that there was such an effort to save money. It was acknowledged that having young people in mainstream education was important but there was a need for sufficient resources alongside to help those young people succeed. Chris replied that there was no “penny pinching” or huge cost savings and that, in fact, the council had been spending more than the budget each year. There was a need to be as efficient as possible. Regarding specialist support, Chris was confident that there was a strong specialist support team in Bracknell. However, there was a lack of specialist places which was beyond the council’s control; the legislation produced in 2014 has resulted in well over a 50% increase in Education, Health & Care Plans (EHCPs) in that time. Councils had been left on their own without capital investment. BFC had got investment for specialist provision and was looking at more investment in the following three areas: resourced places in primary and secondary schools, ensuring that the council properly supports and codifies those places in terms of entry, and increasing resourced units. The council was also looking at additional special school capacity in addition to the new ASC school that had been approved. The application for a Social, Emotional and Mental Health (SEMH) secondary school did not succeed and the council had been looking at whether to make further investments.

The Chair noted that several Forum members were invited to the initial DBV meeting. Newton Europe, the DfE partner, led on that so it was their investigation and their identification of what would save money. Cheryl Eyre added that they looked at many prospective project areas and there was substantial input from Cherry around early years transitional support and early identification, but then the limit to the amount of money available reduced the number of projects. Therefore, they had to go back to the data as the basis to develop the three projects. However, Cheryl was still considering how Early Years support could be moved forward so it was not

off the table. Chris added that the council already did a lot in early intervention within early years. It was included in the Code of Practice, and Chris would be doing a lot more work with schools next year on what needed to be available under schools' budgets.

290. **Update on College Hall Pupil Referral Unit**

The Forum considered a report providing an update on the 2023-24 budget decisions made regarding College Hall Pupil Referral Unit (the PRU), including the approach to management of the £0.384m 2022-23 deficit. Due to the urgent nature of these proposals, a wider programme of engagement was not possible, but consultation did take place with the Chair of the Schools Forum.

Zoe Livingstone explained that there was a £0.384m overspend relating to College Hall on the 2022-23 budget. This was largely due to exceptional factors including having to commission additional alternative provision, costs for interim leadership capacity, and the removal of the Outreach and Tuition Service. The exceptional factors combined amounted to £0.368m of the overspend and this had been charged to the general High Needs Block (HNB) budget.

As a result of these factors, officers had worked closely with College Hall management to consider the budget and staffing models. It had been proposed that a 1:8 pupil teacher ratio would be sufficient to provide a good quality of education once other issues had been addressed and College Hall was operating within a 'business as usual' context. Meanwhile, it was likely that additional funding beyond the agreed budget would be needed this financial year to cover further exceptional expenses. It was noted that the new budget that had been agreed for College Hall had resulted in a significant per pupil cost compared to 2022-23.

The Chair noted that there had been longstanding concerns from schools around the operation and accessibility of the PRU and expressed support for the investment required to put College Hall on a sustainable footing. It was recognised that the 1:8 ratio was not realistic for this year. The Chair also noted that the site was not appropriate and hoped that College Hall would be considered for any capital funds available.

The Forum asked whether the 1:8 ratio was feasible. Zoe clarified that it was a teacher pupil ratio but there would be other adults in the classroom including teaching assistants and ELSA support; therefore, it would be a much higher ratio in terms of adult to child. There was a need to ensure leadership capacity and that staff were given appropriate support so that the transition to the 1:8 ratio would go smoothly.

The Chair requested that updates would be presented at a future meeting.
(Action: Zoe Livingstone)

Councillor Bailey added that SEND was a key priority for Labour and that he would be meeting with stakeholders over the next few weeks.

291. **2022-23 Provisional Outturn on the Schools Budget and other Financial Matters**

The Forum considered a report which sought to inform members of the provisional outturn on the 2022-23 Schools Budget, including the allocation of balances and use of Earmarked Reserves. These funds were ring-fenced for the support of schools and pupils. The report also included an update on the financial consultation with schools planned for the autumn term to help with initial preparations for the 2024-25 Schools Budget.

Paul Clark explained that the outturn was as expected with a significant overspend. However, this was an improvement on both the outturn from the previous year and the budgeted outturn. One factor was a decrease in external placements.

A new reserve had been created for an Early Years Disability Access fund which was a ring-fenced grant which the LA received as part of the DSG.

Paul also highlighted that the financial responsibility of the debt was due to remain with the DfE to 31 March 2026. If the current financial position continued, it was expected that the debt would increase to around £35m by time that the liability returned to the council. However, it was hoped that the DBV project would help mitigate that.

Paul explained that two additional areas were expected to be included in the 2023 financial consultation with schools. The first question was around the calculation of notional SEN funding as there was no mandatory calculation that must be applied. Paul asked for direction on whether all schools should be asked this question or just the HNB subgroup. The Forum requested that all schools be asked this question. Paul agreed that this would be included in the consultation with all schools.

The second question was a request for schools to make a financial contribution to the HNB, up to 0.5% of Schools Block DSG income. Chris Kiernan added that the capital held currently by the council would probably not be sufficient against the number of places that needed to be generated for specialist support. Whilst the 0.5% could not be used for capital borrowing, it could help other expenditure. At this stage, the request to Forum was to give their views on whether it was appropriate for schools to be consulted on it. Chris explained that, following consultation, whether to agree the 0.5% would be the decision of the School's Forum. However, if the council did not agree with the decision, it could appeal to the Secretary of State.

The Forum asked what the current contribution was, and expressed that, if the council were to appeal a decision made by the Forum, this could change the close working relationship where opinions of the Forum were taken seriously by the council. Chris replied that the current contribution was 0. The council had absolute respect for the views of the Forum but would not necessarily always share the same view. Chris clarified that he was not saying the council would appeal but he wanted to ensure that the Forum were aware it was a possibility.

The Forum asked what it would mean for each of the schools if their Schools Block DSG income was top sliced. Paul explained that, if it were to be applied in the current financial year, every mainstream school's budget would be 0.5% smaller. As a result of further questions, it was established that there was a possibility that this could result in a deficit, but that would be dependent on other things. The amount each school contributed would be different depending on the size of the school and would be less for 1FE schools. The Forum expressed concern about having additional deficits.

Councillor Bailey shared that, nationally, the number of pupils with an EHCP had doubled in the last 8 years which had caused significant budget deficit problems across the country. There was a need to ensure that the government were aware and that it would support councils with the additional funding required.

The Forum agreed that this question could be consulted on with all schools.

RESOLVED

1. to NOTE
 - I. that the outturn expenditure for 2022-23, subject to audit, shows an overspending of £6.006m (paragraph 6.6 of the report);
 - II. the main reasons for budget variances (paragraph 6.8 of the report);
 - III. the cumulative £15.477m deficit balance held in the unusable DSG Adjustment Account, responsibility for which currently rests with the Department for Education to 31 March 2026 (paragraph 6.12 of the report);
 - IV. the in-year funding transfers to and from Earmarked Reserves made in accordance with the relevant policies (paragraph 6.12 of the report); and
 - V. the questions expected to be included on the autumn term 2023 financial consultation with schools and provides feedback; and
2. to AGREE the formal policy wording associated with the new Early Years Disability Access Reserve as set out in Annex B.

292. **2022-23 Balances held by Maintained Schools**

The Forum considered a report which updated on the level of balances held by maintained schools as of 31 March 2023, how these compared to the previous financial year and considered whether any significant surplus balances should be subject to claw-back and re-invested within the overall Schools Budget.

Paul Clark explained that Crowthorne Primary school had a significant surplus balance which exceeded the maximum cap, meaning that the surplus balance could be deducted. However, the policy allowed for schools to request to retain the surplus, and the Headteacher of Crowthorne Primary had made such a request. If the Forum decided that any of the income above the cap should be clawed-back, the school could appeal to the Executive Director.

In general, school balances reduced during 2022-23. Average balances were at 4.4% of annual income. However, there were differences between primary and secondary phases with primary schools getting close to the level where it would be difficult to manage in-year emergencies.

The Chair highlighted an issue regarding the energy contract which was not included in the report. Stuart had written to the LA on behalf of the Forum to query whether the current energy contract delivered the best value, whether they could withdraw from the contract as it was significantly above market prices and raised concerns about the fact that prices were only shared with schools after the auto renewal period. Stuart had a response from Richard Skegg stating that they procure through Crown Commercial Services and had to follow the contract available. The contract had previously delivered good value to schools, but Richard recognised that this had not been the case in the short term. Richard also acknowledged about the need for transparency and pledged to resolve this. Richard confirmed that, to exit the contract, 12 months' notice was needed at the start of the financial year. As notice was not given at the start of this financial year, schools were tied into the contract until at least 2025.

RESOLVED

1. to NOTE
 - I. the key performance information on school balances, as set out in paragraph 6.3 of the report, and in particular:
 - i. aggregate surplus balances have decreased by £0.182mm to £2.306m (-7%);
 - ii. the value of surplus balances has decreased by £0.097m to £2.910m;

- iii. the value of deficit balances has increased by £0.085m to £0.603m which continues to require careful monitoring;
 - iv. significant surplus school balances have increased by £0.024m to £0.596m (+4%); and
 - v. at 4.4%, average balances are considered to be above the minimum level required for working balances to safely cover unforeseen circumstances; and
 - II. the requirement to complete an Action Plan for the Department for Education in respect of schools with deficits in excess of 5% of income, based on 2021-22 accounts (paragraph 6.19 of the report); and
2. to AGREE
- I. that the entire significant surplus balances held by schools up to the cap permitted in the claw-back scheme has been assigned for relevant purposes as set out in the approved scheme and should not be subject to claw-back (paragraph 6.12 of the report); and
 - II. that no amount of the significant surplus balance above the cap permitted in the claw-back scheme should be removed from Crowthorne Primary School (paragraph 6.16 of the report).

293. 2022-23 Funding Allocations to Mainstream Schools from Budgets Centrally Managed by the Council

The Forum considered a report presenting information on the in-year allocation of funds to mainstream schools through School Specific Contingencies and other budgets that are funded from the DSG and in the first instance centrally managed by the council. It also presented the opportunity to amend existing funding policies relating only to mainstream schools.

Paul Clark advised that minor changes were needed to ensure policies were clear and transparent

RESOLVED

1. to NOTE
- I. the following funding allocations to schools, made in accordance with approved policies:
 - i. £0.063m for significant in-year increases in pupils (paragraph 6.9 of the report);
 - ii. £0.043m for schools required to meet the Key Stage 1 Class Size regulations (paragraph 6.13 of the report);
 - iii. £0.023m for new and expanding schools (paragraph 6.17 of the report);
 - iv. £0.096m for schools with a disproportionate number of SEN pupils (paragraph 6.21 of the report); and
 - v. £0.169m for schools in financial difficulty (paragraph 6.30 of the report); and
 - II. the intention of the Department for Education from 2024-25 to introduce a minimum national funding approach to funding schools with significant rising or declining pupil numbers (paragraph 6.10 of the report); and
2. to AGREE minor changes to text to improve clarity of policy and the updating of funding rates where relevant (paragraph 6.33 of the report).

294. Dates of Future Meetings

The Chair highlighted that the positions of chair and vice-chair were vacated each year in September and any member of the Forum was welcome to stand for those positions.

The next meeting of the Forum would be held at 4.30pm on Thursday 14 September 2023.

CHAIRMAN