

## **SCHOOLS' FORUM**

Minutes of the meeting held at 4.30 pm on 4 November 2021

### **Present:**

David Dilling (Chairman)	Primary Academy Governor (Charles Darwin Academy Trust)
Andrew Ferguson (Vice-Chairman)	Non-School Representative (Church of England)(Aquinas Trust)
Tracey Davies	Non-Schools Representative(14-19 Partnership)(Bromley Academy Trust)
Patrick Foley	Primary Maintained Head Teacher (Southborough Primary School)
Neil Miller	PRU Head Teacher/Governor Academy (Bromley Trust Academy)
Andrew Rees	Secondary Maintained School Head Teacher (St Olaves Grammar School)
Brid Stenson	Non-School Representative (Early Years)
Gareth Walters	Primary Academy Governor (Compass Academy Trust)
David Wilcox	Secondary Academy Governor (Darrick Wood School)

### **Also Present:**

Julie Crew	Head of Schools' Finance Support
David Bradshaw	Head of Children, Education and Families Finance
Jared Nehra	Director of Education
Philippa Gibbs	Democratic Services Officer

## **16 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr Chris Hollands, Mr Steven Whittle, Mr Ian Travis and Ms Izabela Lecybyl.

The Chairman reported that Ms Lecybyl had recently resigned from the Schools' Forum. The Forum extended its thanks to Ms Lecybyl for her contribution to previous meetings over a number of years.

## **17 MINUTES OF THE MEETING HELD ON 16TH SEPTEMBER 2021**

The minutes of the meeting held on 16 September 2021, were approved and signed as a correct record.

### Matters Arising

In response to a question from the Chairman concerning allocations for falling rolls, the Head of Children, Education and Families Finance confirmed that as yet

no allocations had been made as there was still some work for the Local Authority to undertake.

It was noted that Schools' Forum training had been arranged with one session following the meeting and a further session on 11<sup>th</sup> November.

## 18 2022/23 DEDICATED SCHOOLS GRANT Report CEF21054

The report provided an outline of the estimated Dedicated Schools Grant (DSG) allocation for 2022/23 and an overview of how this would be spent.

The indicative Dedicated Schools Grant (DSG) funding for 2022/23 had been provided to all Local Authorities – this was based on October 2020 pupil numbers and would be uplifted in December to reflect the October 2021 census data. The DSG for 2022/23 was divided into four blocks – High Needs, Early Years, Schools and Schools Central. The table below sets out the expected outcome:

2022/23 Dedicated Schools Grant					
	High Needs Block	Early Years Block	Schools Block excl. Growth	Schools Central Block	Total
Gross Grant Funding	£64,421,932	£23,343,423	£241,755,117	£2,080,260	£331,600,732
Recoupment adjustment	-£10,314,000				-£10,314,000
Net Grant Allocation	£54,107,932	£23,343,423	£241,755,117	£2,080,260	£321,286,732

The Local Authority (LA) had looked at each of the blocks and forecast the related expenditure for 2022/23 based on information currently available. Full details of the projected grant income and expenditure were set out in Appendix 1 of the report with information concerning each block provided in the body of the report.

The Forum noted that an update to Appendix 1 of the report had previously been circulated.

Introducing the report, the Head of Children, Education and Families Finance explained that the funding set out was indicative and further information and confirmation would be received in December 2021. Whilst there had been an overall increase in grant, this was offset by increases in demand and expenditure across the board, particularly in High Needs.

### Schools Central Block

The grant itself would reduce, a year-on-year reduction from DfE of approximately 2.5% overall. The Council were continuing to contribute to support the central spend within the LA. The intention was that there would be an additional £50k

contribution from the Council resulting in an overall contribution of £460k. It was anticipated that the block would be balanced.

### Early Years Block

No data regarding the Early Years Block had been received. The funding allocation allowed for £500k in the Early Years Block for Early Years High Needs provision. It was anticipated that the block would be balanced.

In response to a question, the Head of CEF Finance confirmed that delays to receipt of information concerning Early Years funding occurred every year. It was unlikely that information would be received until December 2021.

### Schools' Block

Figures were based on October 2020 census data and would be updated in due course. There were some minor changes around the NFF although the LA had been following the NFF as far as possible. The primary units of funding and secondary units of funding were increasing and this would feed into the grant allocation. The LA was anticipating a MFG level from between 0.5% and 2% as suggested by DfE although this was subject to change.

Based on current information, 23 Primary Schools were eligible for minimum funding levels which accounted for about £1.7m, this being subject to change when actual funding and pupil numbers were used in the final calculations. Previous years had been reviewed and the number of primary schools had decreased as had the amount received. MFG across all schools had decreased to around £2.4m and the issues around minimum funding protection would continue into the longer term.

### High Needs Block

It was likely that considerable amounts of additional funding would be received although this would be offset by the even more considerable pressures within the block. The Forum noted the overall DSG deficit coming in the current financial year and it was likely that it would increase by the end of the financial year. Steps would need to be taken to address the deficit and it was likely that a deficit recovery plan would be required. Any deficit recovery plan would be considered by the Forum. The LA was not permitted to contribute to the High Needs Block whereas in previous years there had been a contribution. There would continue to be pressures within the block.

The Forum noted that future funding settlements for 2022/23 and beyond had not been announced.

In response to a question, the Head of CEF Finance confirmed that there was a roughly £6m increase in funding for the High Needs Block. In terms of the other grants, funding for the Early Years Block had not been confirmed. The Central Services Block would have decreased, and the Schools Block would have increased and information on the increases could be provided following the meeting.

The Forum noted that both the primary unit of funding and the secondary unit of funding had increased. However, primaries and secondaries were funded through the NFF which was slightly different. There was also some lag with funding which also created some issues. There would be a minimum of 0.5% and a maximum of 2% in terms of the MFG and that was based on a per pupil level. Further work would be done on this in due course.

The Forum noted that the DSG deficit, whilst fairly new, had been reflected in the 2020/21 Outturn Report. Due to the increasing pressures in the High Needs Block the deficit was likely to increase and it was likely that some difficult decision would need to be taken in order to address the deficit. The Director of Education highlighted that the DSG deficit and the need for a recovery plan had been reported to both the Schools' Forum and the SEND Governance Board. Projecting the level of deficit was very difficult when the LA continued to receive one-year settlements. Whilst the provisional increases in High Needs funding sounded significant, the reality was that a similar amount had been received in 2021/22 and it was not enough to keep pace with the increased demands within the High Needs Block. With the current resourcing arrangements, the deficit would only grow and there would be a need to look towards future sustainability before the point at which the LA would be required by the DfE to recover the deficit. The legal position was that the LA would not be able to top up the funding and this was something that would require detailed consideration.

The Forum noted that Mr Ian Travis had previously submitted a similar question, and this had been addressed in the response above provided by the Director of Education.

In response to a question concerning the SEND Review in 2017 and the need to reduce spending on out-of-borough placements, the Director of Education, confirmed that this remained a key area of priority. There was an acknowledgement of the need to increase in-borough capacity for both mainstream and specialist places in future years. However, the 17% year-on-year increase in EHCPs coupled with incredible increases in complexity was leading to placements which could not be made within the Borough.

The Director of Education highlighted that the LA received very little in terms of Basic Need resource each year and this inhibited the ability of the LA to invest in either mainstream or specialist provision. The LA continually looked at other ways to seek to make this investment including use of development contributions coming through the system such as the Community Infrastructure Levy, but the challenge remained when adequate capital monies were not received.

In response to a question from the Chairman, the Head of CEF Finance confirmed that at the end of 2021/22 it was anticipated that the deficit would have increased, and the LA was working to limit the impact as far as possible. The Forum noted that unprecedented demands and pressures remained in the High Needs Block and the expectation of the DfE was that the deficit was recovered. It was noted that Bromley was not alone in finding itself in this position and there were other LAs in far worse situations, with Bromley being one of the last LAs in London to reach a deficit position. The coming months and years would undoubtedly be

difficult as there was no short-term fix. The Director of Education confirmed that there was a very real risk that the £4m deficit worsened before it improved. There was a need to look at a number of mitigating actions before the DfE required a deficit recovery plan to be put in place. The LA were having to look at future sustainability and the need for the Special Free School was clear. Another real risk to future sustainability was around the inadequacies of the current statutory framework around SEN and in particular tribunals and appeals. These were leading all too often to high-cost placements being required and implemented by a tribunal judgement. The Forum noted that the promised national SEND Review had been repeatedly delayed but until there was a significant shift in the national position resulting in systemic change, the pressures for all LAs would continue.

**RESOLVED: That the report be noted.**

## **19            CONSTITUTION OF THE SCHOOLS FORUM** **Report CEF21053**

The report provided an overview of the representation on the Schools Forum. The Forum noted that the Constitution was subject to annual review and this year there had been no major changes requiring amendment to the constitution. Noting that there was no longer a maintained pupil referral until, the Forum noted that the proposal was to keep membership as it was (at 15) and retain representation in areas, even where pupil numbers were small.

The Forum also noted the high number of current vacancies.

It was noted that it was unlikely that there would be further changes required in response to the NFF until 2022/23 at the earliest.

The Chairman proposed that the Constitution should refer to "Governors/Trustees", this change was endorsed by the Forum.

**RESOLVED: That the Constitution be agreed subject to the change outlined above.**

## **20            HIGH NEEDS FUNDING BANDING REVIEW** **Report CEF21052**

The report outlined the High Needs Funding Banding Review that commenced in September 2021.

The Director of Education introduced the report explaining that the pressures on the High Needs Block were a significant factor as to why the LA needed to review high needs funding banding but they were not the only reason. It was clear from the funding bands that were currently in place within the Borough that there were too many and that they were somewhat opaque with a lack of clarity around the differences between the different funding bands. There was a need to ensure that there was consistency and transparency around the use of the funding bands.

The intention of the review was to look at the different funding models and methodologies that were in place elsewhere and also to look to achieve the three aims set out in the report. The scope of the review was set out in the report and the Schools' Forum was a key stakeholder within the review process. The intention was to introduce a phased implementation of the outcome of the review from September 2022.

In response to a question, it was acknowledged that it was a complex and challenging issue and that the timescales were ambitious, however the Director of Education advised that it was important to maintain the ambition to meet the September 2022 timescale to avoid the loss of a further academic year and ensure that the right funding bands were in place for young people in order to provide the most effective support. In July 2022, the Schools Forum would be able to take a view as to whether the LA was in a position to proceed with a funding model from September 2022.

In response to a question, the Director of Education reiterated that the purpose of the review was to achieve the three objectives set out in the report whilst ensuring that the system was sustainable. One of the aims was to mitigate against high needs pressures and this review is one of the ways that could be achieved.

The Chairman suggested that if input from the Schools' Forum was required outside of the scheduled meetings, information could be circulated for comment by email or if exceptional circumstances arose a special meeting could be convened.

**RESOLVED: that the report and recommendations be noted.**

## **21 ANY OTHER BUSINESS**

The Forum noted that the new Director of Children, Education and Families (Mr Richard Baldwin) had joined the Council at the beginning of the week and would attend a future Schools' Forum meeting.

The Forum also requested that alternatives to WebEx for the virtual meeting be further explored.

## **22 DATE OF NEXT MEETING**

20<sup>th</sup> January 2022

The Meeting ended at 5.34 pm

Chairman