

LANCASHIRE SCHOOLS FORUM

MINUTES OF THE MEETING HELD AT 10:00 A.M. ON TUESDAY 5TH JULY 2022 (At County Hall and via Microsoft Teams)

Present:

Schools Members:

Primary School Governors

Stephen Booth
Gerard Collins
Laurence Upton
Tim Young

Academy Governor

Chris McConnachie
Helen Dicker
Louise Shaw

Primary School Headteachers

Daniel Ballard
Deanne Marsh
Keith Wright

Academy Principal/Headteacher

James Keulemans
John Tarbox

Alternative Provision Academy

Secondary School Governors

John Davey
Gill Donohoe
Brian Rollo

Special School Academy

Louise Parrish

Special School Governor

Mandy Howarth

Secondary School Headteachers

Steve Campbell
Mike Wright

Special School Headteacher

Shaun Jukes – Forum Chair

Nursery School Headteacher

Jan Holmes

Short Stay Governor

Liz Laverty

Nursery School Governor

Thelma Cullen

Short Stay Headteacher

Abigale Bowe

Members:

Early Years - PVI

Peter Hindle
Sharon Fenton
Philippa Perks

Other Voting Members

Rosie Fearn
CC Sue Hind

Observers

Christopher Anderson (NEU)
CC Michael Goulthorp
CC Anne Cheetham
Jonathon Georgy
Stewart Jones
Sam Ud-din (LASGB)
Ian Watkinson (NEU)

In attendance: Paul Bonser
Julie Bell
Millie Dixon
Kevin Smith
Luke Rutter

1. APOLOGIES FOR ABSENCE

Apologies were received from Janice Astley, Sarah Barton, Jenny Birkin, Matt Dexter, Matt Eastham, Steve Jones, CC Andrea Kay, Jackie Lord, Bill Mann, Michelle O'Neil, Alan Porteous, CC Jayne Rear, Sarah Robson, Claire Thompson, Sarah Troughton and Robert Waring.

2. SUBSTITUTE MEMBERS

Substitute members were welcomed to the meeting:

- CC Michael Goulthorp attended for CC Jayne Rear
- Ian Watkinson and Chris Anderson attended for Sarah Troughton

3. FORUM MEMBERSHIP AND ELECTION OF CHAIR FOR 2022/

This report provided information on membership changes since the last meeting:

Members leaving as part of the annual membership review included:

Cathryn Antwis	Primary School Headteacher
Steve Campbell	Secondary School Headteacher
Nicola Regan	Secondary School Headteacher
Gaynor Gorman	Academy Headteacher
Alan Porteous	Academy Headteacher
Shaun Jukes	Special School Headteacher
Jane Eccleston	PRU Headteacher
James Johnstone	Primary School Governor
Karen Stracey	Primary School Governor
Laurence Upton	Primary School Governor
Sam Ud-din	LASGB Observer

In addition, officers leaving the Forum included@

- Delyth Mathieson, Head of Service Education Improvement
- Paul Bonser, Clerk to Forum

The LA is making arrangements to seek replacement representatives for September 2022 and members are asked to note that

- Steve Campbell will be returning as an academy Headteacher representative;
- Sam Ud-din will be returning as a primary school governor representative.

Steve Campbell had indicated that he was happy to continue as chair of the schools block in 2022/23, if there are no objections/other nominations.

Members also welcomed:

- Abigale Bowe to her first Forum meeting as the formal PRU representative;
- Sylwia Krajewska to her first Forum meeting (new forum clerk, attending today as an observer).

Any members wishing to volunteer for the Education Digital Services Schools Focus Group were asked to inform the Clerk

Forum Chair

As previously noted, Shaun Jukes is one of the members leaving the Forum at the end of the academic year and members were asked to consider a new Forum Chair for 2022/23.

One nomination had been received from Daniel Ballard, Primary school Headteacher representative.

The Forum:

- a) Noted the report;**
- b) Expressed thanks to those members and officers leaving the Forum, especially the Forum Chair;**
- c) Welcomed new members and officers to the Forum;**
- d) Appointed Daniel Ballard as the Forum Chair for 2022/23, unopposed;**
- e) Supported Steve Campbell continuing as Schools Block Chair from September 2022, unopposed;**
- f) Individual members not already on the Education Digital Services Schools Focus Group are asked to consider volunteering.**

4. MINUTES OF THE LAST MEETING

The minutes of the last meeting held on 17 March 2022 were agreed as a correct record.

5. MATTERS ARISING

From item 4 Matters Arising - Indexation of teachers pensions.

The LA had hoped to be able to present a more formal report on this issue to the July Forum meeting, but unfortunately, the outcome of the Teachers Pensions Scheme Advisory Board meeting in May 2022 is still awaited.

Schools HR understand from Teachers Pensions Agency that a retrospective salary increase can be applied at any time and that there is no one year limit for it. Lancashire HR advice is going to be about taking no action in respect of all teachers (with regard to the £1 token increase), but if, when a teacher submits their intention to retire to the school, it is apparent that they have been impacted by the lack of indexation (because they would be relying on

this year as one of their best in three), a school can then apply a £1 increase backdated to this year. This all has to take place before the teacher submits their pension forms though.

A further clarification was confirmed that Payroll are not taking any automatic action, as they would be guided by information issued by Schools HR/Schools.

Communications will be issued to schools once the national guidance has been published.

The Forum:

- a) **Noted the information.**

6. LANCASHIRE COUNTY COUNCIL'S EDUCATION STRATEGY 2022-2025 AND TEAM AROUND THE SCHOOL AND SETTINGS (TASS)

Julie Bell, Director of Education, Culture and Skills will attend the meeting to present an update on this item

The Education Strategy for 2022-2025 sets out the county council's ambition for all children and young people in Lancashire, regardless of their starting point in life, to have access to quality learning that will enable them to thrive and develop the life skills to support them into a productive and happy adulthood.

A copy of the Strategy was provided for the Forum. The document:

- Contains a foreword by CC Jayne Rear, Cabinet Member for Education and Skills Lancashire County Council;
- Outlines five priorities for the county;
- Is underpinned by 'seven pillars' to clearly demonstrate shared responsibilities across partner agencies that will help drive the joined-up approach to education in Lancashire.

Key to the strategy is Team Around the School and Settings (TASS), which is an approach that involves local partners, networks and children specialist professionals to help identify patterns, address strategic issues, help make improvements and ultimately achieve the very best outcomes for all children and young people in Lancashire.

As previously requested by the Forum, further information on Team Around the Schools and Settings is available [here](#).

As the meeting, Julie provided an update on the latest developments and answered queries about the strategy from Forum members.

The Forum:

- a) **Noted the report;**
- b) **Thanked Julie for her presentation on the Education Strategy 2022-2025 and Team Around the School and Settings.**

7. RECOMMENDATIONS FROM THE SCHOOLS BLOCK WORKING GROUP

A report was presented setting out the recommendations from the Schools Block Working Group held on 21 June 2022.

i.2021/22 Schools Budget Outturn Report

This report provided the Working Groups with details of the 2021/22 Schools Budget final financial outturn position, in relation to each funding block. A copy of the full report presented to the working group was provided for members.

The Overall Schools Budget outturn position for 2021/22 showed an underspend of circa £8.4m.

Further details were provided in connection with each funding block and members concentrated on the Schools Block and Central School Services Block positions. It was noted that the outturn position for the 2021/22 Schools Block revealed a circa £0.4m underspend. Some key issues were highlighted.

The Working Group

- a) *Noted the report and the 2021/22 Schools Budget final financial outturn position.*

The Forum noted the report.

ii.School Balances and Clawback 2021/22

This report set out the year end position of schools' delegated budgets at 31 March 2022. A copy of the full report presented to the working group was provided for members.

The final outturn position against schools delegated budgets at 31 March 2022 was an underspend of £5.173m. This meant that school balances had increased by £5.173m in 2021/22, to a total of £95.325m.

Further details were provided, and members concentrated on the Schools Block schools. It was noted that, in total 21 schools were in deficit at March 2022, the lowest number since March 2015.

It was also noted that the year end position did include grant funding from DfE that was allocated on an academic year basis and analysis provided by schools about their year end position at 31 March 2022 indicated that circa £28m of total balances are classed as 'committed'.

School Balances and Clawback Policy 2022/23

Whilst clawback has been suspended on year end balances at March 2020, 2021 and 2022, the guideline balance policy remained unchanged, as follows:

- 12% of Consistent Financial Reporting (CFR) income for all phases of maintained school
- A £60,000 minimum balance threshold will be applied.

The group were asked to consider the school balances and clawback policy to be applied at 31 March 2023. A number of schools balances and clawback options were available, and the group considered the possibilities. Individual members spoke both for and against the reintroduction of clawback, and highlighted various issues, including the reduced impact of Covid on school funding, but the increased inflationary costs pressures facing the sector. In addition, the number of schools with 12% balances or over was emphasised, although it was noted that this did not take account of DfE grants allocated on an academic year basis, which would be excluded from clawback, the level of committed balances in year end reserves, or

the fact that schools would take different spending decision if a clawback mechanism was in place.

Clawback Exemption Request 2022/23

Members also considered an exemption from clawback for a Lancashire secondary school that has been saving funding towards a sports hall.

Schools Budget Reserves 2021/22

The 31 March 2022 position on Schools Budget Reserves was also considered, and it was noted that the total of all schools reserves was £126.872m, an increase of circa £16m.

Members considered questions posed around the School Teaching and Support Staff Supply Reimbursement Scheme reserve, which ended the year with an underspend of circa £0.4m, leaving an outturn position of circa £2.3m. The overall in year position includes a surplus on the teacher scheme of just under £0.6m, which was offset by a circa £0.2m deficit on the support staff scheme.

The Forum had previously agreed that any year end balance above £1.25m should be redistributed to scheme members. The working group considered if £1.25m remained an appropriate maximum level for the reserve or if it should increase to say £1.5m.

Members discussed key issues highlighted in the report and made a number of recommendations.

The Working Group:

- a) *Noted the report;*
- b) *Noted the overall position on school balances at 31 March 2022, including the individual school level information provided in the report;*
- c) *On balance, recommended that clawback of revenue balances above the guideline figure should be reinstated at 31 March 2023, at previous levels:*
 - *A clawback rate of 50% is to be applied to any balance above guideline in the first year a school exceeds the guideline (after adjusting for exemptions);*
 - *A clawback rate of 100% is to be applied to any balance in excess of guideline where the guideline has been breached for two or more consecutive years (after adjusting for exemptions);*

(Note: As clawback was suspended in 2021/22, no school would be subject to the 100% clawback rate in 2022/23).
- d) *Recommended that the minimum balance threshold of £60,000 be increased, to offer greater protection for small schools, to £70,000 or £75,000;*
- e) *Recommended that the reintroduction of clawback be kept under review to assess the impact on Lancashire schools;*
- f) *Supported a clawback exemption applying to a Lancashire secondary school saving towards a sports hall project;*
- g) *Noted the underspend on the supply scheme budget at 31 March 2022 and recommended that the level of scheme reserve be increased to £1.5m and any funding in excess of this at March 2022 be reimbursed to scheme members, on the basis of contribution levels to the teaching staff scheme only.*

In connection with recommendation d) above, officers are recommending that the minimum balance threshold be increased to £75,000 for 2022/23, which will rebase the value to a level broadly equivalent to that when the threshold was last increased.

It was noted that recommendations from HNB and EYB were similar.

The Forum,

- a) Ratified the working groups' recommendations;
- b) Supported the minimum balance threshold be increased to £75,000 for 2022/23.

iii.Schools Forum Annual Report 2021/22

Each year the Schools Forum publishes an annual report setting out items of business in which the Forum has been involved

A draft report for 2021/2022 was presented for consideration, and the HNB issues were highlighted.

The Working Group:

- a) *Noted the report;*
- b) *Recommend to the Schools Forum that the 2021/22 Annual Report be approved for publication.*

A copy of the final version of the 2021/22 Annual Report was provided for members

It was noted that the HNB and EYB also supported the publication of the report,

The Forum,

- a) Ratified the working groups' recommendations.

iv.De-Delegation Proposals 2023/24

In accordance with normal practice, it is envisaged that a de-delegation consultation will be issued to maintained primary and secondary schools in early September 2022, with responses being reported to the meeting on 18 October 2022, at which time the Forum will be asked to make formal decisions, by phase, on each de-delegation proposal.

In 2022/23, the Forum formally approved 4 service de-delegations, relating to:

- Staff costs – Public Duties/Suspensions
- Heritage Learning Service - Primary Schools Only
- Support for Schools in Financial Difficulty
- Inclusion Hubs - Primary Schools Only

Relevant de-delegations were also offered to nursery schools, special schools and PRUs as pooled services buy-backs.

For 2023/24, the LA is again proposing to consult on the continuation of these four services as de-delegations, plus possibly a fifth service relating to school improvement activity. Further information was provided on each service.

Further details about the 2023/24 proposals were discussed by the working group, including moving to a fully NOR based charging methodology for the staff costs and schools in financial difficulty de-delegations.

In addition, the possibility of a more uniform approach to the evaluation of the work of the Inclusion Hubs, is being considered, to find ways of measuring inclusion (rather than just exclusions) and trying to create a uniform measure across Districts that are making different offers. The LA is supporting this work.

The possibility of a fifth de-delegation in 2023/24 for School Improvement Functions was also being considered. If the LA decides to proceed with a de-delegation proposal information will be included in the annual consultation with schools to be issued in September 2022 and details of the proposals and the school responses will be reported to the working group and Forum in September and October 2022.

The working group considered the 2023/24 proposals and discussed key issues. Members reiterated some concerns about inconsistency in the inclusion hub offer and the need for the sharing of best practice and the development of key performance indicators to be available to measure the outcomes of hubs across different districts. The involvement of academies in the exclusion process and their ability to join their local hub, at an equivalent rate of £11 per hour was also discussed. Officers indicated that work was being undertaken to support inclusion hub developments along the lines suggested and that the Forum comments would be fed back into the process.

The Working Group:

- a) *Noted the report;*
- b) *Requested that their Inclusion Hub comments be considered by officers/Inclusion Hub Steering Groups:*
- c) *Supported the proposed consultations on other possible de-delegation proposals for 2023/24.*

The Forum ratified the working group's recommendations.

v. Completing the reforms to the National Funding Formula: Government consultation response

In July 2021, the DfE issued a consultation titled Fair school funding for all: completing our reforms to the National Funding Formula. The Forum responded to the consultation.

On 28 March 2022, the DfE published its response to the consultation. The Government say that all the views received have influenced their final decisions and in summary, the DfE will proceed with the proposals.

No firm date is provided for the full implementation of the hard NFF, and as Lancashire has already adopted the NFF as the local funding formula, the 2023/24 requirements for LAs to move factor values closer to the NFF will not have any significant impact on school funding requirements in the county from April 2023.

The DfE indicate that the approach to the transition in subsequent years will depend on the impact in the first transitional year in 2023/24.

The Working Group:

- a) *Noted the report.*

The Forum noted the report.

vi.Schools Bill 2022

Following the State Opening of Parliament on 10 May 2022, the Secretary of State for Education published a New Schools Bill. The Bill is wide ranging and incorporated some elements of the recent 'Opportunity for all' schools white paper. Of relevance to the Schools Forum, the Bill includes proposals to move to a direct National Funding Formula.

Alongside the Bill, the Government have published a number of factsheets, providing further information about their proposals. The National Funding Formula Reforms Schools Bill Factsheet was provided for members. This confirms that if the Bill is enacted, a duty will be placed on the Secretary of State to determine funding for all mainstream schools (both academies and maintained schools) in England through a single, directly applied national funding formula.

The Working Group:

- a) *Noted the report.*

The Forum noted the report.

vii.Implementing The Direct National Funding Formula Consultation

On 7 June 2022, the DfE launched a further consultation on 'Implementing the Direct National Funding Formula'. A copy of the DfE consultation document is available [here](#).

The consultation focuses on the detail of the implementation of the direct NFF, including:

- The interaction between the direct NFF and funding for high needs
- Growth and Falling Rolls funding
- Premises funding
- The minimum funding guarantee (MFG) under the direct NFF
- The annual funding cycle

Responses to the consultation must be submitted by 9 September 2022.

An briefing on the consultation was provided for the working group and an initial view for a draft response and it is intended that a draft Schools Forum response will be provided for the Forum meeting on 5 July 2022.

Members considered the information provided and were supportive of the initial views expressed.

The Working Group:

- a) *Noted the report;*
- b) *Were supportive of the initial views expressed on a possible Schools Forum consultation response.*

Subsequent to the working group meeting, a full Schools Forum consultation response was developed, was provided for members, for comment/approval by the Forum.

The Forum:

- a) **Noted the report;**
- b) **Ratified the Working Group's recommendations;**
- c) **Approved the Schools Forum consultation response for submission.**

viii. Scheme for Financing Schools in Lancashire

In March 2022, the DfE issued a 14th update to Statutory Guidance on schemes, which amended the guidance for the 2022 to 2023 financial year. In addition to some minor edits to wording and the revision of dates, the main change highlighted by the DfE is that in the 'Borrowing by schools' section the reference to the Salix Scheme has been removed, as this scheme has now closed.

The Authority has reviewed the Lancashire scheme and introduced the relevant amendments. A copy of the revised draft Lancashire Scheme, incorporating the proposed DfE amendments was provided.

On 20 April 2022, the county council issued a consultation with maintained schools, seeking views on the proposed scheme changes and provided an eform to facilitate responses.

32 responses were received in the consultation and an analysis is provided below:

Do you support the changes to the Lancashire scheme for financing schools that are being introduced as a result of the updated DfE scheme guidance?		
Yes	27	84%
No	0	0%
Not Sure	5	16%
Total	32	100%

No additional comments were received as part of the consultation process.

The working considered the proposed scheme amendments and the consultation analysis.

The Working Group:

- a) *Noted the report.*
- b) *Recommended that the Schools Forum approve the proposed scheme changes.*

The Forum:

- a) Noted the report;**
- b) Supported the Working Group's recommendations;**
- c) Maintained school members unanimously approved the revised scheme for publication.**

ix. Schools Supplementary Grant 2022 to 2023

Subsequent to the March 2022 Forum meeting, the DfE have confirmed that local authorities and academies will receive their payments for 2022/23 in two tranches.

Payments will be made in May/June 2022 to cover April 2022 to August 2022, and in October/November 2022 to cover September 2022 to March 2023.

The Forum have agreed that the High Needs Supplementary payments will be made on the same basis as for mainstream schools, so these payments will be actioned in two tranches, as set out above.

Payments for the first tranche of allocations had now been processed and would be on June oracle information. It was noted that for the final calculation of the high Needs supplementary

payments using the May 21 data, the overall rate for the WPN payments has reduced to £625.97 from the initial £630.69 as first forecasted.

The Working Group:

- a) *Noted the report.*

The Forum noted the report.

x.Growth Fund Policy Update

Since 2014, the Schools Forum has had in place a Growth Fund Policy to assist schools/academies commission by the LA for basic need growth. The policy ensures that a transparent and formulaic process is used for allocating additional funds that takes account of expanding schools' needs whilst minimising the effect on the Dedicated Schools Grant (DSG).

The policy has been amended from time to time since its introduction, to take account of various developments. The latest substantive amendment of the policy was agreed by the Forum in March 2021, in order to support the establishment and growth of a new school in Lancashire.

As part of the ongoing discussions with schools in the county over basic need places, the School Place Planning Team have raised some concern that the current Growth Fund Policy may benefit from certain clarifications around the issues highlighted above, so that there is clarity on the funding calculation and expectations on schools that are in receipt of growth funding. It is therefore proposed to add the following conditions to the Growth Fund policy, subject to the views of the Forum:

- Where expansion funding has been provided to a school based on a specific Published Admissions Number (PAN), then within the following 7 years for primary schools/academies or 5 years for secondary schools/academies, considerations of extra funding will be considered on the same PAN irrelevant of any decision by the school/academy to reduce their PAN;
- Where a school has reduced their PAN, this may only be considered as the new growth funding baseline after 7 years for primary schools/academies or 5 years for secondary schools/academies post reduction;
- By the school/academy signing the funding agreement they are committing to taking up to that number of pupils across the whole academic year and maintaining that higher admission number for that cohort as it moves through the school.

The Working Group:

- a) *Noted the report;*
- b) *Supported the proposed update to the Growth Fund Policy.*

The Forum endorsed the Working Group's recommendations.

xi.Split Site Funding Appeal

Following a series of reports, a revised split site policy was agreed by the Forum in January 2019 and subsequent reports have presented appeals and late applications for the consideration of members.

From 2021/22, transitional arrangements should have finished, and schools should have received a split site allocation in accordance with the revised criteria. However, due to an oversight, transitional protection for split site allocations remained in the formula for 2021/22.

This issue was identified as part of the budget preparations for 2022/23 and school budgets were issued with split site allocations calculated purely on the revised criteria.

On receipt of their 2022/23 budget, it then became apparent to one school that the split site funding had been lost and the school have submitted an appeal against this.

It was noted that there is no intention to clawback the split site allocation issued for 2021/22 regardless of the outcome of this appeal.

The details of the appeal information submitted by the school were considered by the working group, including written information, photographs and a video.

Members consider the information provided and agreed with the LA assessment that the school does not meet the current split site criteria, as all the buildings are on a single site with no physical barrier or public right of way between them, and the distance is below 300m.

The Working Group:

- a) *Noted the report and the information provided;*
- b) *Rejected the split site appeal.*

The Forum ratified the working group's recommendations.

8. RECOMMENDATIONS FROM THE HIGH NEEDS BLOCK WORKING GROUP

A report was presented setting out the recommendations from the High Needs Block Working Group held on 14 June 2022.

i. 2021/22 Schools Budget Outturn Report

This report provided the Working Groups with details of the 2021/22 Schools Budget final financial outturn position, in relation to each funding block. Further details were provided in connection with each funding block and members concentrated on the High Needs Block position. It was noted that the outturn position for the 2021/22 High Needs Block (HNB) revealed a circa £6.5m underspend. Some key issues were highlighted.

Members queried some key issues impacting on the HNB budget, including the closure of Wennington Hall school, and welcomed the progress being made in the developments of SEN units in mainstream schools. It was also noted that the number of EHCPs in Lancashire was now in line with the national average, and had been so for a number of years, after historically being higher.

The Working Group:

- a) *Noted the report and the 2021/22 Schools Budget final financial outturn position.*

The Forum noted the information.

ii. School Balances and Clawback 2021/22

Recommendations were approved under the Schools Block item

One additional recommendation was highlighted:

The Working Group:

- a) Requested that officers investigate the reasons for nursery schools plans to utilise spare space within their establishments in order to generate additional income being put on hold.*

The Forum ratified the working group's recommendation

iii. Schools Forum Annual Report 2021/22

Recommendations were approved under the Schools Block item

iv. Schools Supplementary Grant 2022 to 2023

Subsequent to the March 2022 Forum meeting, the DfE have confirmed that local authorities and academies will receive their payments for 2022/23 in two tranches.

Payments will be made in May/June 2022 to cover April 2022 to August 2022, and in October/November 2022 to cover September 2022 to March 2023.

The Forum have agreed that the High Needs Supplementary payments will be made on the same basis as for mainstream schools, so these payments will be actioned in two tranches, as set out above.

It was noted that payments for the grants had now been processed and would be on June oracle information. For the final calculation using the May 21 data, the overall rate for the WPN payments has reduced to £625.97 from the initial £630.69 as first forecasted.

Information suggested that supplementary grant funding would be included in the DSG grant for 2023/24.

The Working Group:

- a) Note the report.*

The Forum noted the information.

v. SEND Review Green Paper: Right Support, Right Place, Right Time

At the end of March 2022, the DfE published the SEND Review Green Paper: Right Support, Right Place, Right Time. The consultation set out the government's proposals for a SEND system and seeks views.

The green paper is consulting on a number of proposals to deliver greater national consistency in the support that should be made available, how it should be accessed and how it should be funded.

The county council has been considering the Green Paper proposals, and through the Lancashire SEND Partnership, has been engaging with partners, including schools, to help

shape a possible response. Following a number of consultation events, the proposed timeline for agreeing a response provided for sign off by 24 June 2022.

Once the response has been shared on 24 June, it was proposed that this would be presented to the Schools Forum on 5 July to agree a forum response, with any amendments to be agreed via the urgent business procedure if necessary.

Officers explained that the complexity of the proposals meant that it had taken considerable time to develop a draft response to the consultation to the point that it could be shared with schools and the forum.

Members also discussed the link to the white paper proposals and possible timescales for implementing green paper.

The Working Group:

- a) *Noted the report;*
- b) *Supported the processed process for agreeing a Schools Forum response to the Green Paper consultation.*

Subsequent to the working group meeting, a copy of the draft Green Paper response agreed by the Lancashire SEN partnership was shared with the Forum. Members considered the responses and made some suggested edits. It was note that a revised draft would be circulated for approval using the Forum's urgent business procedure.

The Forum

- a) **Noted the information;**
- b) **Ratified the working group's recommendations;**
- c) **Supported the submission of a Forum Green paper response, subject to any amendments to be approved under the urgent business procedure.**

vi.HNB Commissioned Place Process 2023/24

As part of the process agreed with the Schools Forum in 2020, an early notification was introduced to provide special schools and PRUs with an indicative number of places that the LA would expect to commission at each school, which would be incorporated in the school budget for the following financial year.

These arrangements had been amended in 2021, and the LA had again been reflecting on the process ahead of the 2023/24 place commissioning and a significant concern related to the availability of summer term census data to enable special school calculations to be produced and issued before the end of the summer term 2022.

The LA was therefore proposing to amend the place commission process for 2023/24, so that the correspondence to special schools will be delayed to the autumn term 2022. This should not cause a significant issue for the schools, as most special schools are full and commissioned place are largely stable. Special schools will also be able anticipate their commissioned number, as it is based on the figures each school includes in the May 2022 census.

In addition, the additional place top up funding arrangements will continue to operate in 2023/24, where the actual number of pupils at each redetermination is greater than the

number of places commission on the budget forecast, so a continued safety mechanism remains built into the system.

No changes are proposed to the PRU process, with correspondence on indicative place numbers for 2023/24 being circulated in autumn term 2022, to include input from the service to refine the commissioned places, and the continuation of the additional place top up funding arrangements as a continued safety mechanism.

The Working Group:

- a) Noted the report;*
- b) Supported the revised commissioned place process for 2023/24.*

The Forum ratified the working group's recommendations.

9. RECOMMENDATIONS FROM THE EARLY YEARS BLOCK WORKING GROUP

A report was presented setting out the recommendations from the Early Years Block Working Group held on 16 June 2022.

i. Early Years SEN Inclusion Fund Group

It was confirmed that the invitation to the last SEN Inclusion Group meeting had been extended to the whole EY working group membership, to facilitate wider discussions with the service.

The Working Group:

- a) Noted the information.*

The Forum noted the information.

ii. Supporting Actions to Raise Awareness of EY Funding Issues with DfE

Subsequent to earlier representations, CC Jayne Rear, the Cabinet Member for Education and Skills had written to the Secretary of State for Education, highlighting the key concerns around funding and recruitment/retention impacting on the sector in Lancashire. A response had been received from Will Quince MP, Parliamentary Under-Secretary of State for Children and Families. Following the reply, a visit to Lancashire had been arranged with senior DfE officials and visits to a maintained and PVI setting were being scheduled.

The Working Group:

- a) Noted the information:*
- b) Welcomed the proposed visit by DfE officials.*

Subsequent to the working group meeting a copy of the letter from the Cabinet Member and the response were circulated to working group members for information.

The Forum ratified the working group recommendations.

iii. LCC Family Safeguarding Model

Officers reported that some initial enquiries had been made following questions raised by the group. It was agreed that a meeting would be arranged with relevant Early Help officers to take discussions forward. Philippa Perks and Jan Holmes volunteered to represent the group at the discussions.

The Working Group:

- a) Noted the information:*
- b) Welcomed the proposed meeting with County Council Officers.*

Subsequent to the meeting a link was circulated providing further information about the Family Safeguarding Model, which is available [here](#)

The Forum ratified the working group recommendations.

iv.2021/22 Schools Budget Outturn Report

This report provided the Working Groups with details of the 2021/22 Schools Budget final financial outturn position, in relation to each funding block. Further details were provided in connection with each funding block and members concentrated on the Early Years Block position. It was noted that the Early Years Block outturn position for 2020/21 indicated a circa £1.5m underspend which meant there would have been an overspend without the circa £2m transfer from Schools Block. Some key issues were highlighted.

Confirmation was provided that the Early Years underspend could be used to assist with any early years DSG adjustment required in July 2022 and towards the additional £1m contribution agreed in the 2022/23 early years budget.

The Working Group:

- a) Noted the report and the 2021/22 Schools Budget final financial outturn position.*

The Forum noted the information.

vii.School Balances and Clawback 2021/22

Recommendations were approved under the Schools Block item

One additional recommendation was highlighted:

The Working Group:

- a) Requested that officers investigate the reasons for nursery schools plans to utilise spare space within their establishments in order to generate additional income being put on hold.*

The Forum ratified the working group's recommendations.

Officers confirmed that investigations were continuing into the questions raised.

viii.Schools Forum Annual Report 2021/22

Recommendations were approved under the Schools Block item

v.Funding Agreement/ Memorandum of Understanding 2022/23

A report was presented that provided a final version of the 2022/23 Funding Agreement/ and Memorandum of Understanding.

The Early Years Consultative Group were given the opportunity to comment and feedback on the proposed changes to the new agreements prior to the final versions being signed off by LCC senior managers. The feedback received was supportive and in agreement to the changes proposed.

The report summarised the changes to each document.

At the working group, members did query the changes in both documents to section 11 'Notice Period and Transfer of Entitlement' around the reasons for the amendment to allow the parent/carer/guardian to reduce the number of funded hours outlined in the agreement.

It was noted that providers could protect themselves against losses due to the staffing commitments they may have made by increasing the number of week's written notice that was needed to implement the reduction.

The Working Group:

- a) Noted the report and the revised agreements.*
- b) Requested clarification of the amendment to section 11 Notice Period and Transfer of Entitlement around the reasons for the amendment to allow the parent/carer/guardian to reduce the number of funded hours outlined in the agreement.*

The Forum ratified the working group's recommendations.

vi. Early Years Working Group Questionnaire

Previous discussions at the working group have highlighted challenges facing the sector.

In order to facilitate feedback from the sector to help inform working group discussions with officers and members, the Working Group Chair initiated the development of a questionnaire, seeking views on some key issues. These included the hidden costs of meeting children's individual needs and ensuring high quality learning when children have additional needs and also about the support available and recruitment and retention issues.

Officers and Early Years members of the Schools Forum contributed to the refinement of the questionnaire and once finalised, this was published as an eform.

A communication was issued on 3 May 2022, via email for the PVI sector and on the portal for maintained settings, inviting colleagues to participate and share their views by completing the eform. A reminder was also issued to all providers on 17 May 2022.

Responses were requested by 27 May 2022 and by the closing date 121 responses had been received.

An analysis of the responses and all the comments received were provided for consideration by the working group.

It was noted that the Speech and Language service received a number of negative comments and less favourable approval ratings. Early years officers present at the meeting explained that there were meeting in the near future with Public Health Specialists who were involved with this service and the matter could also be aired at the 'Best Start in Life' Board. Early feedback suggested that officers were already aware of some of the challenges and were open to making service improvements.

The number of referrals being received by the service was also highlighted, and it was noted that not all referrals were for appropriate children. Work was being undertaken to develop a Speech and Language roadmap to help settings determine appropriate referrals to the service.

The Group also discussed some concerns about other service highlighted in responses, for example Health Visitors. It was agreed that a priority remained to ensure Child minders had access to the Inclusion Fund from September 2022. Work was underway to develop systems that were more joined up across services to assist with targeting delivery, but it was noted that a number of IT challenges remained.

Considerable challenges remained in connection with the recruitment and retention of staff in the sector and this was further evidenced by the questionnaire responses. The development of a workforce strategy was highlighted, as was the need for colleges to develop relevant courses.

It was noted that many of the challenges highlighted in the responses provided useful evidence that could be shared when the DfE visited the County, to highlight the challenges being faced by the sector in Lancashire.

The Working Group:

- a) Noted the report and the questionnaire analysis and comments;*
- b) Welcomed the actions highlighted in response to concerns raised;*
- c) Noted that evidence from the response would be shared with DfE officials.*

The Forum ratified the working group's recommendations.

vii.2 Year Old Staffing Ratio Change

The children and families minister Will Quince confirmed that the Department for Education will consult 'before the summer' on plans to raise the number of two-year-olds that one member of staff can care for in early years settings in England from four to five.

Information was provided for the group which had been produced by the Working Group Chair, setting out some initial concerns about the proposals.

It was noted that the information had also been presented to the Education Recovery Board.

Members discussed this possible DfE staffing ratio change development and supported the concerns set out in the report.

The Working Group is asked to:

- a) Note the report;*
- b) Supported the concerns set out in the report about the proposed staffing ratio change.*

The Forum ratified the working group's recommendations.

viii.SENCO Level 3 Qualification

Officers provided a verbal update on proposals to develop and offer a SENCO level 3 qualification for Lancashire providers.

A pilot programme covering 2 tranches of learners was suggested.

In line with questionnaire feedback, the costs of provision were seen as a potential barrier to the development and finance colleagues had indicated that it may be possible to pay for the pilot programme centrally, perhaps using some early years block underspends from 2021/22. Initial forecasts estimated a cost of circa £20k.

The Working Group:

- a) Noted the information;*
- b) Welcomed the proposed development;*
- c) Supported the use of reserves to meet the estimated £20k costs of the pilot programme.*

The Forum ratified the working group's recommendations.

ix. Working Group Chair

Peter Hindle reported that he would be resigning from the Forum and the working group after the October 2022 round of meetings.

Philippa Perks had kindly volunteered to Chair the group after Peter's departure.

A formal item on the next working group agenda would seek to confirm the new appointment.

The Working Group:

- a) Noted the information.*

The Forum ratified the working group's recommendations.

10. APPRENTICESHIP LEVY STEERING GROUP

A report was presented providing an update of the recommendations from the Apprenticeship Levy Steering Group meeting held on 16 June 2022.

Information was provided around the number of Requests for Funding that had been received and approved since October 2021 and the value of the apprenticeships.

It was highlighted that the Pooled Payroll issue was still unresolved. A LGA round table meeting with ESFA took place September 2021, but issues remain with a focus on finding a solution still needed. Details will be updated via the portal as soon as there is anything to report.

Procurement of contracts was the main focus of activity for the service through spring and summer 2021. Most of this process has now been completed for the schools side and a number of new contracts have been awarded.

It was noted that engagement with schools was still proving a challenge for the team, especially post covid, with schools not spending their share of apprentice levy income. The working group offered some suggestions to assist with this, which included many of the channels that the team were already utilising.

Information was also shared on Apprentice Incentive Payments and Recruitment issues, plus a financial update. It was noted that total spend to date on the school apprenticeship levy was £2,547,555

The Group:

- a) *Noted the information;*
- b) *Expressed frustration at the continued difficulties caused by school pooled payroll issues;*
- c) *Thanked the Apprenticeship Levy Team for their continued hard work and dedication during difficult circumstances.*

Subsequent to the steering group meeting further information about the Levy clawback was provided. For the period of April 2021-March 2022:

- *The schools had a potential levy budget of 1.5m and only spent £871K of that.*
- *In comparison to LCC who spent £1.2m.*
- *LCC continue to outpace the schools in terms of what they are spending.*
- *The total claw back for the levy as a whole over this period was £713K but we are unable to give you a figure of how much of this was the schools share. However, we know from the lower spend attributed to the schools that the clawback will have been a significant share of the schools levy.*

The Forum:

- a) Ratified the working group's recommendations;**
- b) Noted the additional information provided.**

11. RECOMMENDATIONS FROM THE CHAIRS' WORKING GROUP

A verbal update was provided on the recommendations from the Chairs' Working Group meeting held on 5 July 2022.

Regular reports have been presented to the Chairs' Group/Forum around Schools in Financial Difficulty (SIFD) categorisations.

Now that the 2021/22 outturn position for schools is available, the SIFD categorisation analysis has been run. A copy of the analysis for all schools at March 2022 was provided and the March 2021 analysis was shared for comparison.

In addition, sector by sector data was provided for the group.

The group considered the report and the analysis provided and noted that the outturn categorisation for Match 2022 showed a marginal improvement on that from a year earlier. The group also discussed the significant cost pressures facing schools going forward, including energy and wages, and noted that pupil numbers in the county were now beginning to reduce, starting with the early years and primary phases. The current forecast for increases in government allocations to Lancashire also showed a decline from recent years.

The Group

- a) *Noted the report and the marginally improved position on the categorisation analysis;*
- b) *Noted that there were significant school funding challenges ahead that would need to be closely considered by the Schools Forum.*

The Forum ratified the working group's recommendations.

12. SUPPORT FOR UKRAINIAN FAMILIES

Information had been requested at a previous Schools Forum meeting about the support available in Lancashire for Ukrainian families arriving in Lancashire.

Updates have been provided to schools around this support in the regular Education Bulletin. An extract from this guidance was provided for the Forum

In early discussions, it has been stressed that not all the education funding that is allocated to Lancashire will be fully passported to schools as monies will need to be retained to provide Early Years support, SEND support, Early Help, EAL support etc. A decision will be made shortly as to how much is top sliced and how much is allocated to the schools. Communications will be issued via the education bulletin once the amount to be passed to schools is determined, and there will be clarification as to how and when any payments will be made. For future years, DSG funding will capture Ukrainian pupils on roll from the October 2022 census.

For information the DfE allocations for eligible education top-up funding that local authorities will receive for Ukrainian refugee pupils are:

- Early Years - £3,000 per pupil
- Primary - £6,580 per pupil
- Secondary - £8,755 per pupil

Officers confirmed that they were finalising the arrangements for the allocations to schools and information would be issued as soon as possible.

The Forum:

- a) **Noted the report.**

13. URGENT BUSINESS

No matters of urgent business have been considered since the last meeting.

14. FORUM CORRESPONDENCE

There is no Forum related correspondence to consider at this meeting.

15. ANY OTHER BUSINESS

No items of AOB were raised.

16. DATE OF FUTURE MEETINGS

The next scheduled Forum meeting will be held at 10.00 am on Tuesday 18 October 2022. Arrangements for the meeting will be confirmed in due course.

A copy of the forum schedule of meetings for the 2022/23 academic year was also provided.